



# THE CITY RECORD

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## THE CITY RECORD

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

## BOARD MEETINGS

### NOTICE OF MEETINGS

#### Art Commission

Meets in City Hall, Third Floor, Manhattan, New York 10007 on the second Monday of the month, except August. For changes in the schedule, copies of monthly agendas, or additional information, please call (212) 788-3071 or visit our web site at [nyc.gov/artcommission](http://nyc.gov/artcommission)

#### City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, New York 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

#### City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, New York 10007, at 1:30 P.M.

#### Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

#### Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

#### Board of Elections

32 Broadway, 7th floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner

#### Environmental Control Board

Meets at 66 John Street, 10th floor, conference room, New York, NY 10038 at 9:15 A.M., once a month at the call of the Chairman.

#### Board of Health

Meets in Room 330, 125 Worth Street, Manhattan, New York 10013, at 10:00 A.M., at the call of the Chairman.

#### Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, New York 10007, at call of the Chairman.

#### Board of Higher Education

Meets at 535 East 80th Street, Manhattan, New York 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

#### Citywide Administrative Services

Division Of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, N.Y. 10004.

#### Commission on Human Rights

Meets on 10th floor in the Commission's Central Office, 40 Rector Street, New York, New York 10006, on the fourth Wednesday of each month, at 8:00 A.M.

#### In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

#### Franchise And Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Wednesdays, Commencing 2:30 P.M., and other days, times and location as warranted.

#### Real Property Acquisition And Disposition

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, Commencing 10:00 A.M., and other days, times and location as warranted.

#### Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at [www.nyc.gov/landmarks](http://www.nyc.gov/landmarks).

#### Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, New York 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

#### Housing Authority

Board Meetings will be held every other Wednesday at 10:00 A.M. (unless otherwise noted) in the Board Room on the 12th Floor of 250 Broadway. These meetings are open to the public. Pre-registration of speakers is required. Those who wish to register must do so at least forty-five (45) minutes before the scheduled Board Meeting. Comments are limited to the items on the agenda. Speakers will be heard in the order of registration. Speaking time will be limited to three (3) minutes. The public comment period will conclude upon all speakers being heard or at the expiration of thirty (30) minutes allotted by law for public comment, whichever occurs first.

For Board Meeting dates and times, and/or additional information, please visit our website at [nyc.gov/nycha](http://nyc.gov/nycha) or contact us at (212) 306-6088. Copies of the agenda can be picked up at the Office of the Secretary at 250 Broadway, 12th floor, New York, New York, no earlier than 3:00 P.M. on the Friday before the upcoming Wednesday Board Meeting. Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Secretary at (212) 306-6088 no later than five (5) business days before the Board Meeting.

#### Parole Commission

Meets at its office, 100 Centre Street, Manhattan, New York 10013, on Thursday, at 10:30 A.M.

#### Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, New York 10007, at the call of the Chairman.

#### Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

#### Tax Commission

Meets in Room 936, Municipal Building, Manhattan, New York 10007, each month at the call of the President.

## MANHATTAN BOROUGH PRESIDENT

### MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE MANHATTAN BOROUGH BOARD MEETING is scheduled for July 17, 2008 from 8:30 A.M. to 10:00 A.M., at the Office of the Manhattan Borough President located at 1 Centre Street, 19th Floor South (Large Conference Room).

PLEASE NOTE: Individuals requesting sign-language interpreters or other reasonable accommodations for disabilities should contact the Office of the Manhattan Borough President, located at 1 Centre Street, 19th Floor

South, New York, NY 10007 at (212) 669-8300. NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING/MEETING.

jy8-16

## CITY COUNCIL

### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Monday, July 21, 2008:

#### PIER A LEASE

**MANHATTAN CB-1** **20095017 PNM**  
Application pursuant to Section 1301(2)(f) of the New York City Charter concerning the proposed maritime lease at Pier A in Manhattan between the Department of Small Business Services and Battery Park City Authority.

jy11-21

## CITY PLANNING COMMISSION

### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, July 23, 2008, commencing at 10:00 A.M.

#### BOROUGH OF BROOKLYN

No. 1

#### FULTON STREET BID

**CD 2** **N 080456 BDK**  
**IN THE MATTER OF** an application submitted by the Department of Small Business Services on behalf of the Fulton Street Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the formation of the Fulton Street Business Improvement District.

#### BOROUGH OF MANHATTAN

Nos. 2, 3 & 4

#### EAST 125TH STREET DEVELOPMENT

No. 2

**CD 11** **C 080331 HAM**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
  - the designation of property located at 2293 Third Avenue (Block 1789, Lot 46); East 125th Street to East 126th Street, from 2nd Avenue to 3rd Avenue (Block 1790, Lots 1, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26-31, 40, 41, 44-46, 49, and 101); 2321 3rd Avenue (Block 1791, Lot 1); 2469 2nd Avenue (Block 1791, Lot 25); and 230 East 127th Street (Block 1791, Lot 34), Sites 13A, 12, 8A, and 9 of the Harlem-East Harlem Urban Renewal Area, as an Urban Development Action Area; and
  - an Urban Development Action Area Project for such area; and
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a mixed use project, tentatively known as the East 125th Street Development, with residential, retail and publicly accessible open space.

**No. 3**

**CD 11 C 080332 HUM**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the 15th amendment to the Harlem East Harlem Urban Renewal Plan for the Harlem East Harlem Urban Renewal Area, Community District 11, Borough of Manhattan.

The proposed Plan changes the designated land uses of Sites 8A, 9, 12, and 13A; removes a density restriction; updates the timetable for the implementation of the plan; extends the expiration date; and adds Block 1790, Lots 8 and 46, and Block 1791, Lots 25 and 34 as properties to be acquired. These changes will facilitate the development of the East 125th Street Development Project.

**No. 4**

**CD 11 C 080333 ZMM**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 6a & 6b:

1. changing from an R7-2 District to a C6-3 District property bounded by East 127th Street, a line 250 feet westerly of Second Avenue, a line midway between East 126th Street and East 127th Street, Second Avenue, East 126th Street, and Third Avenue;
2. changing from a C4-4 to District to a C6-3 District property bounded by a line midway between East 125th Street/Dr. Martin Luther King Jr. Boulevard and East 126th Street, a line 100 feet easterly of Third Avenue, East 125th Street/Dr. Martin Luther King Jr. Boulevard, a line 130 feet easterly of Third Avenue, a line 75 feet southerly of East 125th Street/Dr. Martin Luther King Jr. Boulevard, and Third Avenue; and
3. changing from an M1-2 District to a C6-3 District property bounded by:
  - a) East 127th Street, Second Avenue, a line midway between East 126th Street and East 127th Street, and a line 250 feet westerly of Second Avenue; and
  - b) East 126th Street, Second Avenue, East 125th Street/Dr. Martin Luther King Jr. Boulevard, a line 100 feet easterly of Third Avenue, a line midway between East 125th Street/Dr. Martin Luther King Jr. Boulevard and East 126th Street, and Third Avenue; and

as shown on a diagram (for illustrative purposes only) dated March 24, 2008.

**NOTICE**

**On Wednesday, July 23, 2008, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the Office of the Deputy Mayor for Economic Development and Rebuilding in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning modifications and amendments to the Harlem-East Harlem Urban Renewal Plan, including a UDAAP and land disposition; amendments to the zoning map to change C4-4, R7-2, M1-2 to C6-3 districts; and a certification regarding a transit easement volume; to facilitate the development of a hotel, affordable housing and parking within the area generally bounded by East 125th Street, 2nd Avenue, East 127th Street, and 3rd Avenue.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07DME025M.**

**No. 5****DELURY SQUARE PARK**

**CD 1 C 080336 MMM**  
**IN THE MATTER OF** an application, submitted by the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et. seq. of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Fulton Street, and John DeLury Sr. Plaza;
- the establishment of DeLury Square Park;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 30224 dated May 1, 2008, and signed by the Borough President.

**BOROUGH OF QUEENS****Nos. 6 & 7****BUDGET RENT-A-CAR****No. 6**

**CD 3 C 060466 MMQ**  
**IN THE MATTER OF** an application, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-

430 et. seq. of the New York City Administrative Code by GTJ Co., Inc., for an amendment to the City Map involving

- the elimination, discontinuance and closing of 88th Street between 23rd Avenue and 24th Avenue and portions of 24th Avenue between 88th Street and 90th Place;
- the delineation of a Permanent Sewer Easement;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 4994 dated May 2, 2007, and signed by the Borough President.

**No. 7**

**CD 3 C 060467 ZMQ**  
**IN THE MATTER OF** an application submitted by GTJ Co., Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9c:

1. changing from an R3-2 District to a C4-1 District property bounded by a line 320 feet northerly of the former centerline of 24th Avenue\*, 89th Street, the centerline of former 24th Avenue\*, and a line 140 feet westerly of 89th Street; and
2. changing from a C4-2 District to a C4-1 District property bounded by a line 320 feet northerly of the former centerline of 24th Avenue\*, a line 140 feet westerly of 89th Street, the centerline of former 24th Avenue\*, and a line 100 feet easterly of the former 88th Street\*.

as shown on a diagram (for illustrative purposes) dated March 24, 2008.

\* Note: 24th Avenue and 88th Street are proposed to be mapped under a concurrent related application C 060466 MMQ for a change in the City Map.

**No. 8****WALDHEIM REZONING**

**CD 7 C 080457 ZMQ**  
**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 10b, 10c and 10d:

1. eliminating from within an existing R3-2 District a C1-2 District bounded by Franklin Avenue, a line 150 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street;
2. eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 feet northwesterly of 45th Avenue, a line midway between Smart Street and Bowne Street, 45th Avenue, and a line midway between Bowne Street and Robinson Street;
3. eliminating from within an existing R7-1 District a C1-2 District bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 150 feet southwesterly of Bowne Street;
4. changing from an R3-2 District to an R3X District property bounded by a line midway between Sanford Avenue and Franklin Avenue, Parsons Boulevard, Franklin Avenue, a line 80 feet southwesterly of Parsons Boulevard, Beech Avenue, Parsons Boulevard, a line midway between Cherry Avenue and Delaware Avenue, a line 100 feet northeasterly of Parsons Boulevard, Beech Avenue, a line 460 feet southwesterly of 147th Street, the southeasterly street line of Ash Avenue, 147th Street, a line 125 feet southeasterly of Sanford Avenue, 149th Street, Beech Avenue, a line midway between 149th Street and 149th Place, a line 125 feet southeasterly of Sanford Avenue, a line 115 feet southwesterly of Murray Street, Sanford Avenue, a line midway between 155th Street and 156th Street, Beech Avenue, 156th Street, 45th Avenue, a line perpendicular to the southeasterly street line of 45th Avenue distance 150 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 45th Avenue and the northeasterly street line of Parsons Boulevard, Parsons Boulevard, a line midway between 45th Avenue and Georgia Road, a line 320 feet northeasterly of Burling Street, 45th Avenue, Parsons Boulevard, Delaware Avenue, Burling Street, a line 380 feet southeasterly of Cherry Avenue, a line midway between Smart Street and Bowne Street, Cherry Avenue, and Bowne Street;
5. changing from an R3-2 District to an R4 District property bounded by Franklin Avenue, Parsons Boulevard, a line 125 feet northwesterly of Beech Avenue, a line 460 feet southwesterly of 147th Street, Beech Avenue, a line 100 feet northeasterly of Parsons Boulevard, a line midway between Cherry Avenue and Delaware Avenue, Parsons Boulevard, Beech Avenue, and a line 80 feet southwesterly of Parsons Boulevard;
6. changing from an R3-2 District to an R4A District property bounded by Sanford Avenue, 156th Street, Beech Avenue, and a line midway between 155th Street and 156th Street;
7. changing from an R3-2 District to an R4-1 District property bounded by:
  - a. Sanford Avenue, a line 115 feet southwesterly of Murray Street, a line

125 feet southeasterly of Sanford Avenue, a line midway between 149th Street and 149th Place, Beech Avenue, 149th Street, a line 125 feet southeasterly of Sanford Avenue, and 147th Street; and

- b. Cherry Avenue, a line midway between Smart Street and Bowne Street, a line 380 feet southeasterly of Cherry Avenue, Burling Street, 45th Avenue, and Robinson Street;
8. changing from an R3-2 District to an R6A District property bounded by Ash Avenue, 147th Street, the southeasterly street line of Ash Avenue, a line 460 feet southwesterly of 147th Street, a line 125 feet northwesterly of Beech Avenue, and Parsons Boulevard;
9. changing from an R6 District to an R6A District property bounded by Sanford Avenue, 147th Street, Ash Avenue, Parsons Boulevard, a line midway between Sanford Avenue and Franklin Avenue, and Bowne Street;
10. changing from an R6 District to an R7-1 District property bounded by Elder Avenue, Kissena Boulevard, 45th Avenue, and Colden Street;
11. changing from an R7-1 District to an R7B District property bounded by Franklin Avenue, Bowne Street, Cherry Avenue, Robinson Street, a line 250 feet southeasterly of Cherry Avenue, a line 100 feet southwesterly of Union Street, a line 100 feet southeasterly of Cherry Avenue, and a line 150 feet northeasterly of Kissena Boulevard;
12. establishing within a proposed R3X District a C1-3 District bounded by:
  - a. Franklin Avenue, a line 100 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street; and
  - b. Elm Avenue, a line 150 feet northeasterly of 147th Street, 45th Avenue, a line 100 feet northeasterly of Parsons Boulevard, a line midway between 45th Avenue and Hawthorn Avenue, Parsons Boulevard, a line midway between 45th Avenue and Georgia Road, a line 100 feet southwesterly of Parsons Boulevard, 45th Avenue and its northeasterly centerline prolongation, and 147th Street;
13. establishing within a proposed R4-1 District a C1-3 District bounded by a line 100 feet northwesterly of 45th Avenue, a line midway between Smart Street and Bowne Street, 45th Avenue, and a line midway between Bowne Street and Robinson Street; and
14. establishing within a proposed R7B District a C1-3 District bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 100 feet southwesterly of Bowne Street;

as shown on a diagram (for illustrative purposes only) dated June 2, 2008, and subject to the conditions of CEQR Declaration E-220.

**Nos. 9 & 10****DUTCH KILLS REZONING****No. 9**

**CD 1 N 080428 ZRQ**  
**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for amendments to the Zoning Resolution of the City of New York, concerning Article XI, Chapter 7, (Special Long Island City Mixed Use District), relating to the addition of the Dutch Kills Subdistrict and expansion of the Special Long Island City Mixed Use District, in Community District 1, Borough of Queens.

Matter in underline is new, to be added;  
Matter in ~~strikeout~~ is to be deleted;  
Matter with # # is defined in Section 12-10;  
\* \* \* indicates where unchanged text appears in the Zoning Resolution

12-10  
DEFINITIONS  
Special Little Italy District (2/3/77)

\* \* \*  
Special Long Island City Mixed Use District (~~7/26/01~~)

The "Special Long Island City Mixed Use District" is a Special Purpose District designated with the letters "LIC" in which regulations set forth in Article XI, Chapter 7, apply. There are ~~three~~ four special subdistricts within the #Special Long Island City Mixed Use District#: the Hunters Point Subdistrict, the Court Square Subdistrict, ~~and~~ the Queens Plaza Subdistrict and the Dutch Kills Subdistrict. The #Special Long Island City Mixed Use District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.

Special Lower Manhattan District (8/27/98)

\* \* \*  
\* \* \*  
~~7/26/01~~

Article XI - Special Purpose Districts

Chapter 7  
Special Long Island City Mixed Use District

7/26/01

117-00  
GENERAL PURPOSES

The "Special Long Island City Mixed Use District" established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Long Island City community. These general goals include, among others, the following specific purposes, to:

- (a) ~~to~~ support the continuing growth of a mixed residential, commercial and industrial neighborhoods by permitting expansion and new development of residential, commercial, community facility and light manufacturing uses where adequate environmental standards are assured;
- (b) ~~to~~ encourage the development of moderate to high density commercial uses within a compact transit-oriented area;
- (c) ~~to~~ strengthen traditional retail streets in Hunters Point by allowing the development of new residential and retail uses;
- (d) ~~encourage the development of affordable housing;~~
- (~~d~~ e) ~~to~~ promote the opportunity for people to work in the vicinity of their residences;
- (~~e~~ f) ~~to~~ retain jobs within New York City;
- (~~f~~ g) ~~to~~ provide an opportunity for the improvement of Long Island City; and
- (~~g~~ h) ~~to~~ promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

7/26/01

117-01  
Definitions

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Section 12-10 (DEFINITIONS).

Mixed use, building or development

For the purposes of this Chapter, a "mixed use building" or a "mixed use development" shall be any #building# or #development# used partly for #residential use# and partly for #community facility#, #commercial# or #manufacturing use#.

~~Special Long Island City Mixed Use District (repeated from Section 12-10)~~

~~The "Special Long Island City Mixed Use District" is a Special Purpose District designated with the letters "LIC" in which regulations set forth in Article XI, Chapter 7, apply. There are three special subdistricts within the #Special Long Island City Mixed Use District#: the Hunters Point Subdistrict, the Court Square Subdistrict, and the Queens Plaza Subdistrict. The #Special Long Island City Mixed Use District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.~~

7/26/01

117-02  
General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Long Island City Mixed Use District#, the regulations of the #Special Long Island City Mixed Use District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Long Island City Mixed Use District#, except as otherwise provided in this Chapter. The regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

- (a) Notwithstanding the provisions of Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS), when a #building# that existed on October 25, 1995, within the Hunters Point or Court Square Subdistricts, is damaged or demolished by any means, it may be reconstructed to its #bulk# prior to such damage or destruction or to the #bulk# permitted by this Chapter, whichever is greater.
- (b) For #developments# or #enlargements# containing both #residential# and non-#residential uses#, or for changes in #use# that would result in a #building# occupied by #residential# and non-#residential uses#, the #residential use# shall be located on a #story# or #stories# above the highest #story# occupied, in whole or in part, by a non-#residential use#. Non-#residential uses# may, however, be located on the same #story#, or on a #story# higher than that occupied by #residential uses#, provided that the non-#residential uses#:
  - (1) are located in a portion of the #mixed use building# that has separate direct access to the #street# with no access to the #residential# portion of the #building# at any #story#; and
  - (2) are not located directly over any portion of the #building# containing #dwelling units#.

- (c) Regulations relating to #accessory# parking facilities, #public parking lots# and #public parking garages# within the #Special Long Island City Mixed Use District# Hunters Point Subdistrict, the Court Square Subdistrict and the Queens Plaza Subdistrict are set forth in Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and in Portions of Community Districts 1 and 2 in the Borough of Queens).
- (d) In the granting of special permits or authorizations within the #Special Long Island City Mixed Use District#, the City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding uses.
- (e) Where references are made to #block# numbers within this Chapter, such numbers are to be found on the maps appended to this Chapter.
- (f) In areas within the #Special Long Island City Mixed Use District# that are not within a Subdistrict, the regulations of the underlying zoning district shall apply.

7/26/01

117-03  
District Plan and Maps

The regulations of this Chapter implement the #Special Long Island City Mixed Use District# Plan.

The District Plan includes the following maps in Appendices A, B and C:

Appendix A	Map of the #Special Long Island City Mixed Use District# and Subdistricts
Appendix B	Court Square Subdistrict Plan Map and Description of Improvements
Appendix C	Queens Plaza Subdistrict Plan Maps:  Map 1 - Designated Districts within the Queens Plaza Subdistrict  Map 2 - Ground Floor Use and Frontage  Map 3 - Sidewalk Widening, Street Wall Location and Ground Floor Use.

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

8/19/04

117-04  
Subdistricts

In order to carry out the purposes and provisions of this Chapter, ~~three~~ four subdistricts are established within the #Special Long Island City Mixed Use District#. In each of these subdistricts ~~certain~~ special regulations apply that do not apply elsewhere within the remainder of the #Special Long Island City Mixed Use District# and supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive. ~~The Special District and Subdistricts are shown in Appendix A of this Chapter.~~

~~Special regulations set forth in Sections 117-10 through 117-30, inclusive, shall apply to the Hunters Point Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

~~The Court Square Subdistrict Plan Map is shown in Appendix B of this Chapter. Special regulations set forth in Sections 117-40 through 117-45, inclusive, shall apply to the Court Square Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

~~The Queens Plaza Subdistrict Plan Maps are included in Appendix C of this Chapter. Special regulations set forth in Sections 117-50 through 117-57, inclusive, shall apply to the Queens Plaza Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

Sections 117-60 through 117- 64, inclusive, shall apply to the Dutch Kills Subdistrict.

117-05  
Applicability of Article I, Chapter 1

Within the #Special Long Island City Mixed Use District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for potential hazardous material contamination, or noise or air quality impacts, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for potential hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality impacts, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

\* \* \*

117-60  
DUTCH KILLS SUBDISTRICT

In the #Special Long Island City Mixed Use District#, the special regulations of Sections 117-60 through 117-64, inclusive, shall apply within the Dutch Kills Subdistrict.

117-61  
General Provisions

In specified areas of the Dutch Kills Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#. For the purposes of Section 117-60, inclusive, regulating the Dutch Kills Subdistrict, such #Residence# and M1 Districts are referred to as the "designated districts." The designated districts within the Dutch Kills Subdistrict are indicated on the #zoning map# and are as follows:

- M1-2/R5B
- M1-2/R5D
- M1-2/R6A
- M1-3/R7X

The special provisions of Article XII, Chapter 3, of the #Special Mixed Use District# shall apply to the designated districts within the Dutch Kills Subdistrict except where modified by the provisions of the Subdistrict, and shall supplement or supersede the provisions of the underlying designated #Residence# or M1 District, as applicable.

117-62  
Special Use Regulations

In the Dutch Kills Subdistrict, the provisions of Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16) shall be modified to permit food stores, including supermarkets, grocery stores or delicatessen stores, without limitation as to #floor area# per establishment.

117-63  
Special Bulk Regulations in the Designated Districts

Maximum #floor area ratio#, #lot coverage# and #street wall# provisions in the designated districts are modified as set forth in Sections 117-631 through 117- 633, inclusive.

117-631  
Floor area ratio and lot coverage modifications

- (a) In the Dutch Kills Subdistrict, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above #curb level#, in any #building#, except where such floor space used for #accessory parking# is contained within a #public parking garage#.

(b) M1-2/R5B Designated District

The maximum #floor area ratio# for #residential use# shall be 1.65. The maximum #lot coverage# for a #residential building# shall be 60 percent on an #interior lot# or #through lot# and 80 percent on a #corner lot#.

(c) M1-3/R7X Designated District

(1) Inclusionary Housing Program

Where the designated district is M1-3/R7X within the Dutch Kills Subdistrict, such district shall be an #Inclusionary Housing designated area# pursuant to Section 12-10 (Definitions), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (Inclusionary Housing Program), inclusive, applicable as modified within the Special District.

- (2) Maximum floor area ratio  
Within such #Inclusionary Housing designated area#, the maximum #floor area ratio# for any #building# containing a #residential use# shall not exceed the base #floor area ratio# of 3.75, except that such base #floor area ratio# may be increased to the maximum #floor area ratio# of 5.0 as set forth in Section 23-942 through the provision of #lower income housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING).

117-632  
Street wall location

In the Dutch Kills Subdistrict, the #street wall# of any #residential# or #mixed use development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#. For all #zoning lots#, the #street wall# of a #building# need not be located further from the #street line# than 15 feet.

117-633  
Maximum street wall height

In M1-2/R5B designated districts, for #residential buildings#, the maximum height of a #street wall# above the #base plane# shall be 33 feet or three #stories#, whichever is less.

117-634  
Maximum building height for mixed use buildings in designated R5 Districts

The provisions regarding the maximum height of #mixed use buildings# within 25 feet of a #street line#, as set forth in Section 123-661 (Mixed use buildings in Special Mixed Use Districts with R3, R4 or R5 District designations), shall be modified in the Dutch Kills Subdistrict, where the designated Residence District is an R5 District, as follows:

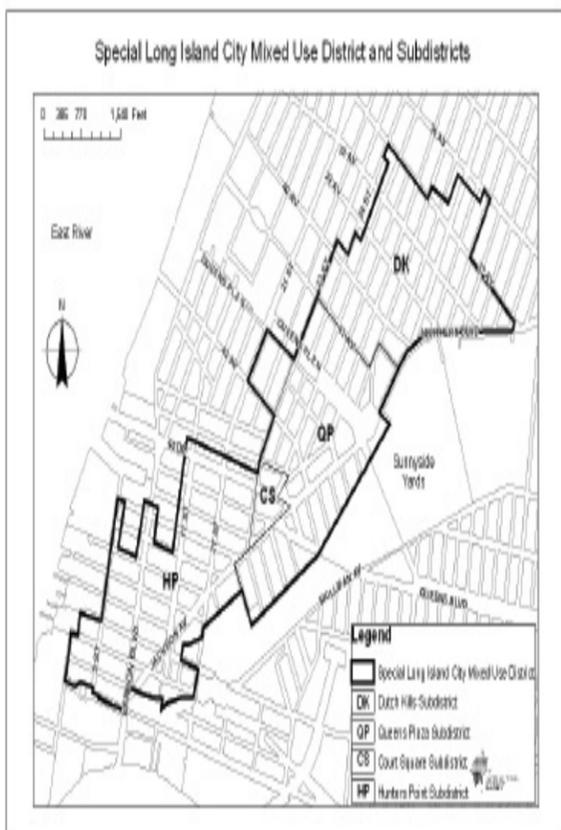
- (a) In designated R5B Districts, no #building or other structure# shall exceed a height of 33 feet within 25 feet of a #street line#;
- (b) In designated R5D Districts, no #building or other structure# shall exceed a height of 40 feet within 25 feet of a #street line#.

117-64  
Special Parking Regulations

The provisions of Section 123-70 (Parking and Loading) and the underlying #accessory# off-street parking and loading regulations for the designated districts, are modified as follows:

- (a) Commercial and community facility uses
  - (1) The #accessory# off-street parking and loading requirements of a C8-2 District, as set forth in Article III, Chapter 6, shall apply to all #commercial# and #community facility uses#, except that this modification shall not apply to #uses# listed in Use Group 5. The #accessory# off-street parking and loading requirements applicable to the designated M1 District set forth in Article IV, Chapter 4, and Section 123-70 shall apply to Use Group 5.
  - (2) For Use Group 5 #uses#, the provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number) shall be modified as follows: the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be 5 spaces.
- (b) Residential uses
  - (1) The provisions of Section 25-241 (Reduced requirements) shall not apply in the designated M1-3/R7X District.
  - (2) In the applicable designated #Residence Districts#, the provisions of Section 25-26 (Waiver of Requirements for Small Number of Spaces) are modified as follows:
    - i) in the designated M1-2/R6A and M1-3/R7X Districts, the provisions of Section 25-26 shall only apply to #zoning lots# existing both on (date of amendment adoption) and on the date of application for a building permit.
    - ii) for all new #residential developments# or #enlargements# in the designated M1-3/R7X District, the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be five spaces.
  - (3) Where the designated district is a M1-2/R5B District, the provisions of Section 25-633 (Prohibition of curb cuts in certain districts) shall not apply.

APPENDIX A  
Special Long Island City Mixed Use District and Subdistricts  
(Proposed Text Map)



No. 10

CD 1 C 080429 ZMQ  
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9b:

1. changing from an M1-3D District to an M1-2 District property bounded by a line 100 feet southwesterly of 37th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 39th Avenue, 24th Street, a line 100 feet northeasterly of 40th Avenue, 23rd Street, 39th Avenue, and 24th Street;
2. changing from an M1-1 District to an M1-2/R5B District property bounded by 36th Avenue, 33rd Street, a line 200 feet southwesterly of 36th Avenue, a line midway between 32nd Street and 33rd Street, a line 150 feet northeasterly of 37th Avenue, and a line midway between 31st Street and 32nd Street;
3. changing from an M1-1 District to an M1-2/R6A District property bounded by a line 100 feet southwesterly of 36th Avenue, a line midway between 31st Street and 32nd Street, a line 150 feet northeasterly of 37th Avenue, a line midway between 32nd Street and 33rd Street, a line 200 feet southwesterly of 36th Avenue, 33rd Street, 37 Avenue, 29th Street, a line 460 feet southwesterly of 36th Avenue, and a line midway between 30th Street and 31st Street;
4. changing from an M1-3D District to an M1-2/R5B District property bounded by:
  - a. a line 100 feet southwesterly of 37th Avenue, 29th Street, a line 100 feet northeasterly of 38th Avenue, and a line 100 feet northwesterly of 27th Street;
  - b. a line 100 feet southwesterly of 38th Avenue, a line midway between 29th Street and 30th Street, a line 100 feet northeasterly of 39th Avenue, and a line midway between Crescent Street and 27th Street;
  - c. a line 100 feet southwesterly of 39th Avenue, a line midway between 24th Street and Crescent Street, a line 100 feet northeasterly of 40th Avenue, and 24th Street;
  - d. a line 100 feet southwesterly of 39th Avenue, a line 100 feet northwesterly of 29th Street, a line 100 feet northeasterly of 40th Avenue, and a line midway between 27th Street and Crescent Street;
  - e. a line 100 feet southwesterly of 40th Avenue, a line midway between 24th Street and Crescent Street, a line 100 feet northeasterly of 41st Avenue, and 23rd Street; and
  - f. a line 100 feet southwesterly of 40th Avenue, 29th Street, a line 100 feet northeasterly of 41st Avenue, and a line midway between 27th Street and Crescent Street;
5. changing from an M1-3D District to an M1-2/R5D District property bounded by:
  - a. a line 100 feet southwesterly of 37th Avenue, a line 100 feet northwesterly of 27th Street, a line 100 feet northeasterly of 38th Avenue, and a line 100 feet southeasterly of 24th Street; and
  - b. by a line 100 feet southwesterly of 38th Avenue, a line midway between Crescent Street and 27th Street, a line 100 feet northeasterly of 39th Avenue, a line midway between 29th Street and 30th Street, a line 100 feet southwesterly of 38th Avenue, a line midway between 30th Street and 31st Street, 39th Avenue, a line midway between 29th Street and 30th Street and its southwesterly prolongation, 40th Road, 29th Street, a line 100 feet southwesterly of 40th Avenue, a line midway between Crescent Street and 27th Street, a line 100 feet northeasterly of 41st Avenue, a line midway between Crescent Street and 24th Street, a line 100 feet southwesterly of 40th Avenue, 23rd Street, a line 100 feet northeasterly of 40th Avenue, and a line 100 feet southeasterly of 24th Street; and excluding the area bounded by a line 100 feet southwesterly of 39th Avenue, a line 100 feet northwesterly of 29th Street, a line 100 feet northeasterly of 40th Avenue, and a line midway between 27th Street and Crescent Street;
6. changing from an M1-3D District to an M1-2/R6A District property bounded by:
  - a. 37th Avenue, 34th Street, a line 100 feet southwesterly of 38th Avenue, a line midway between 31st Street and 32nd Street, 39th Avenue, a line midway

between 30th Street and 31st Street, a line 100 feet southwesterly of 38th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet northeasterly of 38th Avenue, 29th Street, a line 100 feet southwesterly of 37th Avenue, and 24th Street; and

- b. a line 100 feet northeasterly of 41st Avenue, 29th Street, 41st Avenue, and 23rd Street;
- 7. changing from an M1-3D District to an M1-3/R7X District property bounded by 37th Avenue, the northerly centerline prolongation of Standard Lane, Northern Boulevard, 40th Road, a line midway between 29th Street and 30th Street and its southwesterly prolongation, 39th Avenue, a line midway between 31st Street and 32nd Street, a line 100 feet southwesterly of 38th Avenue, and 34th Street; and
- 8. establishing a Special Long Island City District (LIC) bounded by 36th Avenue, 33rd Street, 37th Avenue, the northerly centerline prolongation of Standard Lane, Northern Boulevard, 40th Road, 29th Street, 41st Avenue, 23rd Street, a line 100 feet northeasterly of 40th Avenue, 24th Street, a line 100 feet southwesterly of 39th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 37th Avenue, 24th Street, 37th Avenue, 29th Street, a line 460 feet southwesterly of 36th Avenue, a line midway between 30th Street and 31st Street, a line 100 feet southwesterly of 36th Avenue, and a line midway between 32nd Street and 33rd Street;

as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and subject to the conditions of CEQR Declaration E-218.

NOTICE

**On Wednesday, July 23, 2008, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning zoning map amendments affecting all or portions of 40 blocks in Dutch Kills neighborhood of Queens Community District 1. The proposed zoning map amendments would create the Dutch Kills Subdistrict within the Special Long Island City Mixed-Use District and establish Inclusionary Housing provisions for an area along Northern Boulevard proposed for an M1-3/R7X District:**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 08DCP021Q.**

No. 11  
LAURELTON REZONING

CD 13 C 080462 ZMQ  
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City charter for an amendment of the Zoning Map, Section Nos. 19a, 19b and 19c:

1. eliminating from an existing R3-2 District a C1-2 District bounded by 225th Street, a line 150 feet northeasterly of Merrick Boulevard, a northwesterly service road of Laurelton Parkway, and a line 150 feet southwesterly of Merrick Boulevard;
2. eliminating from an existing R3-2 District a C2-2 District bounded by:
  - a. a line 100 feet northeasterly of 141st Avenue, 225th Street, 141st Road, 224th Street, Prospect Court, a line 150 feet northwesterly of 224th Street, 141st Avenue, and 224th Street; and
  - b. 143rd Road, a line 150 feet southeasterly of Springfield Boulevard, 144th Avenue, North Conduit Avenue, and Springfield Boulevard;
3. changing from an R3-2 District to an R2 District property bounded by:
  - a. a line 75 feet northeasterly of 133rd Avenue, a line midway between 225th Street and 226th Street, 133rd Avenue, and 224th Street;
  - b. a line 150 feet northeasterly of Merrick Boulevard, a line midway between Francis Lewis Boulevard and 231st Street, a line 100 feet northeasterly of Merrick Boulevard, 229th Street, a line 95 feet northeasterly of Merrick Boulevard, 228th Street, a line 100 feet northeasterly of Merrick Boulevard, and 225th Street;
  - c. a line 100 feet southwesterly of 135th Avenue, 224th Street, 137th Avenue, 224th Street, a line 100 feet northeasterly of 141st Avenue, 225th Street, a line 80 feet northeasterly of 141st Avenue, 224th Street, Carson Street, a line midway between 222nd Street and 223rd Street, 139th Avenue, 222nd Street, a line 100

- feet northeasterly of 139th Avenue, a line midway between 222nd Street and 223rd Street, 138th Avenue, the southwesterly prolongation of the southeasterly street line of 223rd Street, 137th Avenue, and 223rd Street;
    - d. a line 100 feet northeasterly of 137th Avenue, 226th Street, 137th Avenue, and 225th Street; and
    - e. 141st Avenue, 226th Street, Mentone Avenue, and 225th Street;
  - 4. changing from a C8-1 District to an R2 District property bounded by a line 150 feet northeasterly of Merrick Boulevard, 225th Street, a line 100 feet northeasterly of Merrick Boulevard, and a line midway between 222nd Street and 223rd Street;
  - 5. changing from an R2 District to an R2A District property bounded by:
    - a. 121st Street, Laurelton Parkway, 131st Avenue and its southeasterly centerline prolongation, 232nd Street, a line 140 feet southwesterly of 131st Avenue, a line 90 feet southeasterly of 233rd Street, 133rd Avenue, a line 50 feet southeasterly of 234th Street, a line 150 feet northeasterly of Merrick Boulevard, 234th Street, the northwesterly prolongation of the southwesterly street line of 133rd Road, a line 80 feet southeasterly of 233rd Street, a line 150 feet northeasterly of Merrick Boulevard, a line midway between Francis Lewis Boulevard and 231st Street, 133rd Avenue, a line midway between Francis Lewis Boulevard and 230th Street, a line 330 feet northeasterly of 133rd Avenue, a line midway between 229th Street and 230th Street, 130th Avenue, 224th Street, 131st Avenue, 223rd Street, a line 100 feet southwesterly of 131st Avenue, a line midway between 222nd Street and 223rd Street, a line 100 feet northeasterly of 133rd Avenue, 223rd Street, a line 100 feet southwesterly of 133rd Avenue, a line midway between 222nd Street and 223rd Street, a line 150 feet northeasterly of Merrick Boulevard, 220th Street, 133rd Avenue, a line midway between 220th Street and 221st Street, a line 100 feet southwesterly of 131st Avenue, 220th Street, 131st Avenue, Springfield Boulevard, a northeasterly boundary line of Montefiore Cemetery, the southwesterly prolongation of a line midway between 227th Street and 228th Street, and Francis Lewis Boulevard; and
    - b. 137th Avenue, Francis Lewis Boulevard, 230th Place, a line 100 feet northeasterly of 141st Avenue, a line midway between 229th Street and 230th Street, a line 100 feet southwesterly of 139th Avenue, 228th Street, a line 100 feet northeasterly of 139th Avenue, a line midway between 228th Street and 229th Street, a line 100 feet southwesterly of 138th Avenue, 229th Street, 138th Avenue, 227th Street, a line 100 feet northeasterly of 138th Avenue, and a line midway between 225th Street and 226th Street;
  - 6. changing from an R3-2 District to an R2A District property bounded by:
    - a. a line 150 feet northeasterly of Merrick Boulevard, a line 80 feet southeasterly of 233rd Street, a line 100 feet northeasterly of Merrick Boulevard, and a line midway between Francis Lewis Boulevard and 231st Street;
    - b. a line 150 feet northeasterly of Merrick Boulevard, a line 50 feet southwesterly of 234th Street, a line 100 feet southwesterly of 133rd Road, and 234th Street;
    - c. a line 100 feet northeasterly of 137th Avenue, 230th Street, 137th Avenue, and 226th Street; and
    - d. 137th Avenue, the southwesterly prolongation of the southeasterly street line of 223rd Street, 138th Avenue, a line midway between 222nd Street and 223rd Street, a line 100 feet northeasterly of 139th Avenue, 222nd Street, 139th Avenue, a line midway between 222nd Street and 223rd Street, Carson Street, a line 100 feet northwesterly of 222nd Street, 138th Avenue, a line 100 feet southeasterly of 220th Place, 137th Road, and 220th Place;
  - 7. changing from a C8-1 District to an R2A District property bounded by a line 150 feet northeasterly of Merrick Boulevard, a line midway between 222nd Street and 223rd Street, a line 100 feet northeasterly of Merrick Boulevard, and 220th Street;
  - 8. changing from an R3-2 District to an R3-1 District property bounded by:
    - a. a line 100 feet southwesterly of Merrick Boulevard, 229th Street, a line 95 feet southwesterly of Merrick Boulevard, 230th Street, 135th Avenue, and a line midway between 228th Street and 229th Street; and
    - b. 135th Avenue, a line midway between 228th Street and 229th Street, a line 100 feet southwesterly of 135th Avenue, a line midway between 227th Street and 228th Street, a line 120 feet southwesterly of 135th Avenue, and a line midway between 226th Street and 227th Street;
  - 9. changing from an R2 District to an R3-2 District property bounded by:
    - a. 131st Avenue and its southeasterly centerline prolongation, Laurelton Parkway, Merrick Boulevard, a northwesterly service road of Laurelton Parkway, a line 150 feet northeasterly of Merrick Boulevard, a line 50 feet southeasterly of 234th Street, 133rd Avenue, a line 90 feet southeasterly of 233rd Street, a line 140 feet southwesterly of 131st Avenue, and 232nd Street; and
    - b. the northwesterly prolongation of the southwesterly street line of 133rd Road, 234th Street, and a line 150 feet northeasterly of Merrick Boulevard;
  - 10. changing from an R3-2 District to an R3A District property bounded by:
    - a. Springfield Boulevard, 135th Avenue, a line 100 feet southeasterly of Springfield Boulevard, a line midway between 134th Road and 135th Avenue, a line 200 feet southeasterly of Springfield Boulevard, 134th Road, 217th Street, a line 175 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 218th Street, a line 150 feet southwesterly of Merrick Boulevard, 222nd Street, 134th Road, 223rd Street, a line 150 feet southwesterly of Merrick Boulevard, 225th Street, a line 100 feet southwesterly of Merrick Boulevard, 227th Street, a line 95 feet northeasterly of 135th Avenue, a line 80 feet southeasterly of 225th Street, a line 100 feet northeasterly of 135th Avenue, 225th Street, a line 75 feet northeasterly of 135th Avenue, 224th Street, a line 100 feet northeasterly of 135th Avenue, the northeasterly centerline prolongation of 223rd Street, 135th Avenue, 218th Street, 137th Avenue, 219th Street, 137th Road, 218th Street, 138th Avenue, and Carson Street; and
    - b. a line 100 feet southwesterly of Merrick Boulevard, a line 100 feet southeasterly of 234th Street, a line 100 feet northeasterly of 134th Road and its southeasterly prolongation, Laurelton Parkway and its southwesterly centerline prolongation (at North Conduit Avenue), South Conduit Avenue, the southwesterly centerline prolongation of 230th Place, the northeasterly boundary line of the Long Island Rail Road (Montauk Division) right-of-way, a line perpendicular to the southwesterly street line of Mentone Avenue distant 325 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Mentone Avenue and the southeasterly street line of 225th Street, Mentone Avenue, a line 100 feet southeasterly of 228th Street, 141st Avenue, 230th Place, Francis Lewis Boulevard, 137th Avenue, 230th Street, a line 100 feet northeasterly of 137th Avenue, a line midway between 229th Street and 230th Street, 135th Avenue, and 230th Street;
  - 11. changing from a C8-1 District to an R3A District property bounded by a line 100 feet northeasterly of 219th Street, a line 125 feet southwesterly of Merrick Boulevard, a line 100 feet northeasterly of 220th Street, a line 100 feet southwesterly of Merrick Boulevard, 221st Street, a line 140 feet southwesterly of Merrick Boulevard, 222nd Street, a line 100 feet southwesterly of Merrick Boulevard, 223rd Street, 134th Road, 222nd Street, and a line 150 feet southwesterly of Merrick Boulevard;
  - 12. changing an R3-2 District to an R3X District property bounded by:
    - a. 135 Avenue, 222nd Street, 136th Avenue, a line midway between 221st Street and 222nd Street, a line 100 feet northeasterly of 137th Avenue, 221st Street, 137th Avenue, 220th Place, 137th Road, a line 100 feet southeasterly of 220th Place, 138th Avenue, a line 100 feet northwesterly of 222nd Street, Carson Street, a line 125 feet southeasterly of 219th Street, a line 145 feet southwesterly of 139th Avenue and its southeasterly prolongation, a line 240 feet southeasterly of 219th Street, 140th Avenue and its southeasterly centerline prolongation, a
  - line 110 feet southeasterly of 219th Street, 141st Avenue, a line 300 feet southeasterly of 222nd Street, a line midway between 141st Avenue and 141st Road, a line 175 feet northwesterly of 224th Street, 141st Road, a line 100 feet northwesterly of 224th Street, Prospect Court and its southeasterly centerline prolongation, a line 210 feet southeasterly of 225th Street, North Conduit Avenue, 225th Street, South Conduit Avenue, Springfield Boulevard, a line 120 feet northwesterly of 142nd Road, a line 255 feet northwesterly of 221st Street, Edgewood Avenue, the northeasterly prolongation of a line 80 feet northwesterly of 221st Street, the southwesterly boundary line of the Long Island Rail Road (Montauk Division) right-of-way, a line 140 feet northwesterly of 222nd Street, 141st Road, a line 100 feet northwesterly of 219th Street, a line 150 feet easterly of Springfield Boulevard, a line 100 feet northeasterly of 138th Road, Carson Street, 138th Avenue, 218th Street, 137th Road, 219th Street, 137th Avenue, and 218th Street; and
  - b. a line 100 feet southwesterly of Merrick Boulevard, a line midway between 228th Street and 229th Street, 135th Avenue, a line midway between 226th Street and 227th Street, a line 120 feet southwesterly of 135th Avenue, a line midway between 227th Street and 228th Street, a line 100 feet southwesterly of 135th Avenue, a line midway between 228th Street and 229th Street, 135th Avenue, a line midway between 229th Street and 230th Street, a line 100 feet northeasterly of 137th Avenue, 225th Street, 137th Avenue, 224th Street, a line 290 feet southwesterly of 135th Avenue, a line midway between 225th Street and 226th Street, 135th Avenue, a line 80 feet southeasterly of 225th Street, a line 95 feet northeasterly of 135th Avenue, and 227th Street;
13. changing from an R2 District to an R4B District property bounded by:
  - a. 130th Avenue, a line midway between 227th Street and 228th Street, a line 225 feet southwesterly of 130th Avenue, and a line midway between 226th Street and 227th Street;
  - b. a line 100 feet northeasterly of 141st Avenue, a line midway between 227th Street and 228th Street, 141st Avenue, and 226th Street; and
  - c. a line 100 feet northeasterly of 141st Avenue, 230th Place, and 141st Avenue, and a line midway between 228th Street and 229th Street;
14. changing from an R3-2 District to an R4B District property bounded by:
  - a. 130th Avenue, a line midway between 226th Street and 227th Street, 133rd Avenue, a line midway between 225th Street and 226th Street, a line 75 feet northeasterly of 133rd Avenue, and 224th Street; and
  - b. 141st Avenue, a line 100 feet southeasterly of 228th Street, Mentone Avenue, a line perpendicular to the southwesterly street line of Mentone Avenue distant 325 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Mentone Avenue and the southeasterly street line of 225th Street, a northeasterly boundary line of the Long Island Rail Road (Montauk Division) right-of-way, 225th Street, Mentone Avenue, and 226th Street;
15. changing from an R2 District to an R5D District property bounded by 133rd Road, a line 100 feet southeasterly of Springfield Boulevard, a line midway between 133rd Road and Merrick Boulevard, and Springfield Boulevard;
16. changing from an R3-2 District to an R5D District property bounded by a line 150 feet southwesterly of Merrick Boulevard and its northwesterly prolongation (at 217th Street), a line 100 feet northwesterly of 218th Street, a line 175 feet southwesterly of Merrick Boulevard, 217th Street, 134th Road, a line 200 feet southeasterly of Springfield Boulevard, a line midway between 134th Road and 135th Avenue, a line 100 feet southeasterly of Springfield Boulevard, 135th Avenue, and Springfield Avenue;
17. changing from a C8-1 District to an R5D District property bounded by a line midway between Merrick Boulevard and 133rd Road, 218th Street, 133rd Road, 220th Street, a line 100 feet northeasterly of Merrick Boulevard, 225th Street, a line 150 feet southeasterly of Merrick Boulevard, 223rd Street, a line 100 feet southwesterly of Merrick Boulevard, 222nd Street, a line 140 feet southwesterly of Merrick Boulevard, 221st Street, a line 100 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 220th Street, a line

- 125 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 219th Street, a line 150 feet southwesterly of Merrick Boulevard and its northwesterly prolongation (at 217th Street), and Springfield Boulevard;
18. establishing within a proposed R3X District a C1-3 District bounded by Springfield Boulevard, a line 60 feet northeasterly of 144th Avenue, a line 75 feet southeasterly of Springfield Boulevard, 144th Avenue, and North Conduit Avenue;
19. establishing within an existing R3-2 District a C1-3 District bounded by:
- a. 225th Street, a line 100 feet northeasterly of Merrick Boulevard, 228th Street, a line 95 feet northeasterly of Merrick Boulevard, 229th Street, a line 100 feet northeasterly of Merrick Boulevard, 234th Street, a line 100 feet southwesterly of 133rd Road (straight portion) and its southeasterly centerline prolongation, a northwesterly service road of Laurelton Parkway, a line 100 feet northeasterly of 134th Road, a line 100 feet southeasterly of 234th Street, a line 100 feet southwesterly of Merrick Boulevard, 230th Street, a line 95 feet southwesterly of Merrick Boulevard, 229th Street, and a line 100 feet southwesterly of Merrick Boulevard;
  - b. 224th Street, a line 80 feet northeasterly of 141st Avenue, 225th Street, and 141st Avenue;
  - c. 224th Street, the Long Island Rail Road (Montauk Division) right-of-way, 225th Street, and 141st Road; and
  - d. 141st Road, 224th Street, Prospect Court, and a line 100 feet northwesterly of 224th Street;
20. establishing within a proposed R5D District a C2-3 District bounded by Springfield Boulevard, 133rd Road, a line 100 feet southeasterly of Springfield Boulevard, a line midway between 133rd Road and Merrick Boulevard, 218th Street, a line 100 feet northeasterly of Merrick Boulevard, 225th Street, a line 100 feet southwesterly of Merrick Boulevard, 222nd Street, a line 140 feet southwesterly of Merrick Boulevard, 221st Street, a line 100 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 220th Street, a line 125 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 219th Street, a line 150 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 218th Street, a line 175 feet southwesterly of Merrick Boulevard, 217th Street, 134th Road, a line 200 feet southeasterly of Springfield Boulevard, a line midway between 134th Road and 135th Avenue, a line 100 feet southeasterly of Springfield Boulevard, and 135th Avenue;
- as shown on a diagram (for illustrative purposes only) dated June 2, 2008 and subject to the conditions of CEQR Declaration E-219.

**BOROUGH OF STATEN ISLAND**  
**Nos. 12 & 13**  
**ST. GEORGE REZONING**  
**No. 12**

**CD 1 N 080425 ZRR**  
**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Article I, Chapters 1, 2, 4, 5 and Article 10, Chapter 8 to establish the Special St. George District in Staten Island, CD 1.

**Special St. George District**

Matter underlined is new, to be added;  
 Matter within # # is defined in Section 12-10;  
 Matter in ~~strikeout~~ is old, to be deleted;  
 \* \* \* indicates where unchanged text appears in the Zoning Resolution

**11-12**  
**Establishment of Districts**

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

\* \* \*  
 Establishment of the Special South Richmond Development District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 7, the #Special South Richmond Development District# is hereby established.

Establishment of the Special St. George District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 8, the #Special St. George District# is hereby established.

\* \* \*  
**12-10**  
**DEFINITIONS**

\* \* \*  
 Special South Richmond Development District

\* \* \*  
Special St. George District

The “Special St. George District” is a Special Purpose District designated by the letters “SG” in which special regulations set forth in Article X, Chapter 8, apply. The #Special St. George District# appears on the #zoning maps# superimposed on other districts and its regulations supplement or supersede those of the districts on which it is superimposed.

Special Stapleton Waterfront District

\* \* \*  
**14-44**  
**Special Zoning Districts Where Certain Sidewalk Cafes are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Staten Island	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
South Richmond Development District	Yes	Yes
<u>St. George District</u>	<u>Yes</u>	<u>Yes</u>
Stapleton Waterfront District	Yes	Yes

\* \* \*  
**Chapter 5**  
**Residential Conversion of Existing Non-Residential Buildings**

\* \* \*  
**15-011**  
**Applicability within Special Districts**

\* \* \*  
 The provisions of this Chapter shall apply in the #Special Downtown Jamaica District# as modified by Article XI, Chapter 5 (Special Downtown Jamaica District).

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article X, Chapter 8 (Special St. George District).

\* \* \*  
**ARTICLE X**  
**SPECIAL PURPOSE DISTRICTS**

\* \* \*  
*All text is new; it is not underlined*

**Chapter 8**  
**Special St. George District**

**108-00**  
**GENERAL PURPOSES**

The “Special St. George District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include among others, the following specific purposes, to:

- (a) build upon St. George’s existing strengths as a civic center, neighborhood and transit hub by providing rules that will bolster a thriving, pedestrian friendly business and residence district;
- (b) establish zoning regulations that facilitate continuous ground floor retail and the critical mass needed to attract and sustain a broader mix of uses;
- (c) require a tall, slender building form that capitalizes on St. George’s hillside topography and maintains waterfront vistas;
- (d) encourage the reuse and reinvestment of vacant office buildings;
- (e) accommodate an appropriate level of off-street parking while reducing its visual impact, and
- (f) promote the most desirable use of land and building development in accordance with the District Plan for St George and thus conserve the value of land and buildings and thereby protect the City’s tax revenues.

**108-01**  
**Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where matter in italics is defined both in Section 12-10 and in this Chapter, the definitions in this Chapter shall govern.

**Commercial Street**

A “commercial street” shall be a street, or portion thereof, where special regulations pertaining to ground floor uses on #commercial streets#, pursuant to Section 108-11, apply to #zoning lots# fronting upon such #streets#. #Commercial streets# are designated on Map 2, in the Appendix to this Chapter.

**108-02**  
**General Provisions**

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special St. George District#, the regulations of this Chapter shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special St. George District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

However, the regulations of this Chapter shall not apply to any property that is the subject of a site selection for a court house and public parking garage pursuant to application 080379 PSR. Such property shall be governed by the underlying regulations of this Resolution.

Furthermore, any property that is the subject of a site selection and acquisition for the use of a lot for open parking pursuant to application 080378 PCR may be governed by the regulations of this Chapter or the underlying regulations of this Resolution for a period of two years after (date of enactment). After (date of enactment), such property shall be subject to the regulations of this Chapter.

**108-03**  
**District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special St. George District# Plan.

The District Plan includes the following four maps :

- Map 1 Special St. George District Plan
- Map 2 Commercial Streets
- Map 3 Minimum and Maximum Base Heights
- Map 4 Tower Restriction Areas

The maps are located in the Appendix to this Chapter and are hereby incorporated and made a part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

**108-04**  
**Subdistricts**

In order to carry out the purposes and provisions of this Chapter, the #Special St. George District# shall include two Subdistricts: Subdistrict A (Upland) and Subdistrict B (Waterfront), as shown on Map 1 (Special St George District Plan) in the Appendix to this Chapter.

**108-05**  
**Applicability of District Regulations**

**108-051**  
**Applicability of Article I, Chapter 1**

Within the #Special St. George District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

**108-052**  
**Applicability of Article 1, Chapter 2**

The definition of “lower density growth management area” in Section 12-10 (DEFINITIONS) shall be modified to exclude all districts within the #Special St George District#.

**108-053**  
**Applicability of Article 1, Chapter 5**

The provisions of Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), shall apply in the #Special St. George District#, except as modified in this Chapter.

**108-10**  
**USE REGULATIONS**

**108-11**  
**Ground Floor Uses on Commercial Streets**

Map 2 (Commercial Streets) in Appendix A of this Chapter specifies locations where the special ground floor #use# regulations of this Section apply.

#Uses# on the ground floor of a #building# shall be limited to #commercial uses#. The level of the finished floor of such ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjoining #street#.

#Commercial uses# shall have a depth of at least 30 feet from the #street wall# of the #building# facing the #commercial street# and shall extend along the entire width of the #building# except for lobbies and entrances to #accessory# parking spaces, provided such lobbies and entrances do not occupy more than 25 percent of the #street wall# width of the #building#. Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences# shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall# of the #building# facing the #commercial street#.

#### 108-12 Transparency Requirements

Any #street wall# of a #building# containing ground floor #commercial# or #community facility uses#, excluding #schools#, shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk or public access area.

#### 108-13 Location of Uses in Mixed Buildings

The provisions of Section 32-422 (Location of floors occupied by non-residential uses) are modified to permit #residential uses# on the same #story# as a non-#residential use# provided no access exists between such #uses# at any level containing #residences# and provided any non-#residential uses# are not located directly over any #residential uses#. However, such non-#residential uses# may be located over a #residential use# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from non-#residential uses# exists within the #building#.

#### 108-14 Security Gates

Within the #Special St. George District#, all security gates that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or publicly accessible area, except that this provision shall not apply to entrances or exits to parking garages.

#### 108-20 FLOOR AREA, LOT COVERAGE AND YARD REGULATIONS

##### 108-21 Maximum Floor Area Ratio

In C4-2 Districts within Subdistrict A, the underlying #floor area ratio# and #open space# regulations shall not apply. In lieu thereof, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 3.4, and no #floor area# bonuses shall apply. However, for #zoning lots# with less than 10,000 square feet of #lot area# without frontage on a #commercial street#, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 2.2, and no #floor area# bonuses shall apply.

##### 108-22 Maximum Lot Coverage

In C4-2 Districts within Subdistrict A, the underlying #open space ratio# provisions shall not apply. In lieu thereof, the maximum permitted #lot coverage# for a #residential building# or portion thereof shall be 70 percent for an #interior# or #through lot# and 80 percent for a #corner lot#. However, no maximum #lot coverage# shall apply to any #corner lot# of 5,000 square feet or less.

##### 108-23 Rear Yard Equivalents

In C4-2 Districts within Subdistrict A, the #rear yard equivalent# regulations for #residential uses# on #through lots# or the #through lot# portion of a #zoning lot# are modified as set forth in this Section. Such #yards# shall be provided within 45 feet of the centerline of the #through lot# or #through lot# portion, and the level of such #yards# may be provided at any level not higher than the floor level of the lowest #story# containing #dwelling units# that face such #yards#. Furthermore, no #rear yard equivalent# regulations shall apply to any #through lot# or #through lot# portion of a #zoning lot# on which a tower is #developed# or #enlarged# pursuant to Section 108-34.

#### 108-30 HEIGHT AND SETBACK REGULATIONS

In C1-2 Districts mapped within R3-2 Districts, all #buildings# shall comply with the height and setback regulations of R4 Districts, except that the maximum perimeter wall height shall be 26 feet, and the #street wall# location provisions of Section 108-32 (Street Wall Location and Base Height) shall apply.

The underlying height and setback regulations in C4-2 Districts within Subdistrict A shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall apply.

In Subdistrict B, the underlying height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply, except as modified in Section 108-31 (Rooftop Regulations).

All heights shall be measured from the #base plane#.

**108-31  
Rooftop Regulations**  
The provisions of this Section shall apply to all #buildings# in C4-2 Districts within Subdistricts A and B.

(a) Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:

- (1) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
- (2) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

(b) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, and conversions of non-#residential buildings# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

#### 108-32 Street Wall Location and Base Height

The provisions of this Section, inclusive, shall apply to all #buildings# within Subdistrict A.

#### 108-321 Street walls along commercial streets

For #zoning lots# with #commercial street# frontage, the #street wall# of any #development# or #enlargement# shall extend along at least 70 percent of the #commercial street# frontage of the #zoning lot# and be located within eight feet of the #street line# of the #commercial street#. In C4-2 Districts within Subdistrict A, such #street walls# shall rise without setback to the minimum height specified on Map 3 (Minimum and Maximum Base Heights), or the height of the #building#, whichever is less.

#### 108-322 Street walls along non-commercial streets

For #zoning lots# without #commercial street# frontage, the #street wall# of any #development# or #enlargement# shall extend along at least 50 percent of the #street# frontage of the #zoning lot# and be located within eight feet of the #street line#. In C4-2 Districts within Subdistrict A, such #street walls# shall rise without setback to the minimum height specified on Map 3 (Minimum and Maximum Base Heights), or the height of the #building#, whichever is less.

#### 108-323 Maximum base height

The maximum height of a #building or other structure# before setback shall be as specified on Map 3 (Minimum and Maximum Base Heights). All portions of #buildings# above such maximum base height shall provide a setback at least ten feet in depth measured from any #street wall# facing a #wide street# and 15 feet in depth from any #street wall# facing a #narrow street#. In C4-2 Districts within the Subdistrict A, dormers may exceed the maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

#### 108-33 Maximum building height

In C4-2 Districts within Subdistrict A, the maximum #building# height shall be 70 feet, except where towers are permitted pursuant to Section 108-34.

#### 108-34 Towers

The tower provisions of this Section shall apply to any #zoning lot# with a #lot area# of at least 10,000 square feet. Any portion of a #building developed# or #enlarged# on such #zoning lots# that exceeds a height of 70 feet shall be constructed as either a point tower or a broad tower, as follows:

(a) Point tower

Each #story# located entirely above a height of 70 feet shall not exceed a gross area of 6,800 square feet. The outermost walls of each such #story# shall be inscribed within a rectangle, and the maximum length of any side of such rectangle shall be 85 feet. The highest three #stories#, or as many #stories# as are located entirely above a height of 70 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below

such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such stories#.

(b) Broad tower

Each #story# located entirely above a height of 70 feet shall not exceed a gross area of 8,800 square feet. The outermost walls of each such #story# shall be inscribed within a rectangle, and the maximum length of any side of such rectangle shall be 135 feet. The upper #stories# shall provide setbacks with a minimum depth of 15 feet measured from the east facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 70 feet, whichever is less. For towers with at least six #stories# located entirely above a height of 70 feet, the lowest level at which such setbacks may be provided is 100 feet, and the highest #story# shall be located entirely within the western half of the tower.

(c) Orientation of all towers

The maximum length of the outermost walls of any side of each #story# of a #building# facing the #shoreline# that is entirely above a height of 70 feet shall not exceed 80 feet. For the purposes of this Section, the #street line# of St. Marks Place shall be considered to be a line parallel to the #shoreline#, and any side of such rectangle facing St. Marks Place from which lines perpendicular to the #street line# of St Marks Place may be drawn, regardless of intervening structures, properties or #streets#, shall not exceed 80 feet.

(d) Location of all towers

Any portion of a #building# that exceeds a height of 70 feet shall be no closer to a #side lot line# than eight feet, and any #story# of a #building# that is entirely above a height of 70 feet shall be located within 25 feet of a #street line#.

(e) Maximum tower height

The maximum height of any #building# utilizing the tower provisions of this Section shall be 200 feet.

(f) Tower and base integration

All portions of a #building# that exceed the applicable maximum base height set forth in Section 108-323 shall be set back at least 10 feet from the #street wall# of a #building# facing a #wide street# and at least 15 feet from the #street wall# of a #building# facing a #narrow street#. However, up to 50 percent of the #street wall# of the portion of the #building# located above a height of 70 feet need not be set back from the #street wall# of the #building#, and may rise without setback from grade, provided such portion of the #building# is set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#.

(g) Tower exclusion areas

No #building# may exceed a height of 70 feet within the areas designated on Map 4 (Tower Restriction Areas), in the Appendix to this Chapter.

#### 108-40 MANDATORY IMPROVEMENTS

##### 108-41 Sidewalks

Sidewalks with a depth of at least 12 feet, measured perpendicular to the curb of a #street#, shall be provided along the entire #street# frontage of a #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 12 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 12 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

#### 108-50 PARKING REGULATIONS

In the #Special St George District#, the underlying regulations governing permitted and required #accessory# off-street parking spaces are modified as set forth in this Section.

##### 108-51 Required off-street parking and loading

In C4-2 Districts, the following special regulations shall apply:

a) Residential uses

One off-street parking space shall be provided for each #dwelling unit# created after (effective date of amendment), including any #dwelling units# within #buildings# converted pursuant to Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings). However, where the total number of required spaces is five or less, or, for conversions, where the total number of required spaces is 20 or less, no parking shall be required,

except that such waiver provision shall not apply to any #zoning lot# subdivided after (effective date of amendment). The provisions of Section 73-46 (Waiver of Requirements for Conversions) shall apply to conversions where more than 20 parking spaces are required.

(b) Commercial uses

For #commercial uses#, the off-street parking and loading requirements of a C4-3 District shall apply, except that food stores with 2,000 or more square feet of #floor area# per establishment shall require one parking space per 400 square feet of #floor area#, and, for places of assembly and hotels, the off-street parking and loading requirements of a C4-2 District shall apply.

(c) Community facility use

For ambulatory diagnostic or treatment health care facilities listed in Use Group 4, the off-street parking requirements of a C4-3 District shall apply.

108-52 Special Floor Area Regulations

The #floor area# of a #building# shall not include floor space used for off-street parking spaces provided in any #story# that complies with the provisions of Section 108-54 (Location of Accessory Off-street Parking Spaces).

108-53 Use of Parking Facilities

All #accessory# off-street parking spaces may be provided within parking facilities, including #public parking garages#, on #zoning lots# other than the same #zoning lot# as the #use# to which they are #accessory#, provided:

- (a) such parking facilities are located within the #Special St. George District#;
(b) the off-street parking space within such facility is counted only once in meeting the parking requirements for a specific #zoning lot#; and
(c) the number of #accessory# parking spaces within such facility shall not exceed the combined number of spaces permitted on each #zoning lot# using such facility, less the number of spaces provided on each #zoning lot# using such facility.

108-54 Location of Accessory Off-street Parking Spaces

No open parking areas shall be located between the #street wall# of a #building# and the #street line#, and no open parking area shall front upon a #commercial street#. All open parking areas, regardless of the number of parking spaces, shall comply with the perimeter screening requirements of Section 37-921.

All off-street parking spaces within structures shall be located within facilities that, except for entrances and exits, are:

- (a) entirely below the level of each #street# upon which such facility fronts; or
(b) located, at every level above-grade, behind commercial, community facility or #residential floor area# so that no portion of such parking facility is visible from adjoining #streets#. The minimum depth of any such #floor area# shall be 30 feet, except that such depth may be reduced to 15 feet where the #street wall# containing such #floor area# fronts upon a #street# with a slope in excess of 11 percent; and
(c) no parking shall be permitted on the roof of such facilities.

108-55 Special Requirements for Roofs of Parking Facilities

The roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. No parking spaces shall be provided on the roof of such facility. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. No less than 75 percent of such roof area shall be accessible for the recreational use of the occupants of the building in which it is located; and no more than 25 percent may be accessible solely from an adjacent #dwelling unit#. Hard surfaced areas shall not cover more than 60 percent of such roof area.

108-56 Curb Cuts on Commercial Streets

No curb cuts shall be permitted on #commercial streets# as shown on Map 2 in the Appendix to this Chapter. However, if access to a required #accessory# parking facility or loading berth is not possible because of such restriction, a curb cut may be allowed if the Chairperson off the City Planning Commission certifies to the Commissioner of Buildings that such location is the only possible location for the facility or loading berth, is not hazardous to traffic safety, is at least 50 feet from the intersection of two #street lines#, and is constructed so as to have minimal effect on the streetscape.

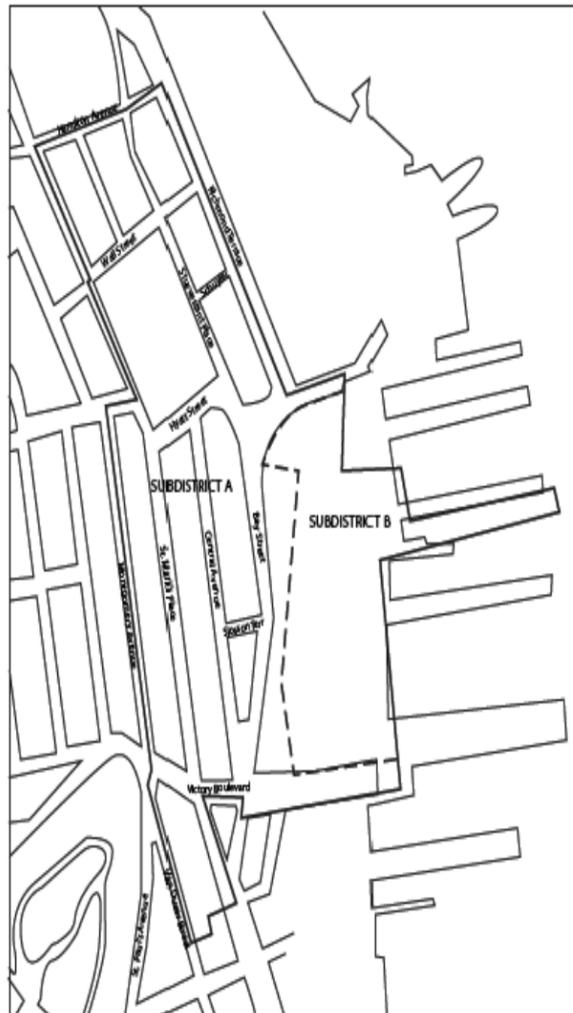
108-57 Accessory Indoor Bicycle Parking

A designated area for #accessory# bicycle parking shall be

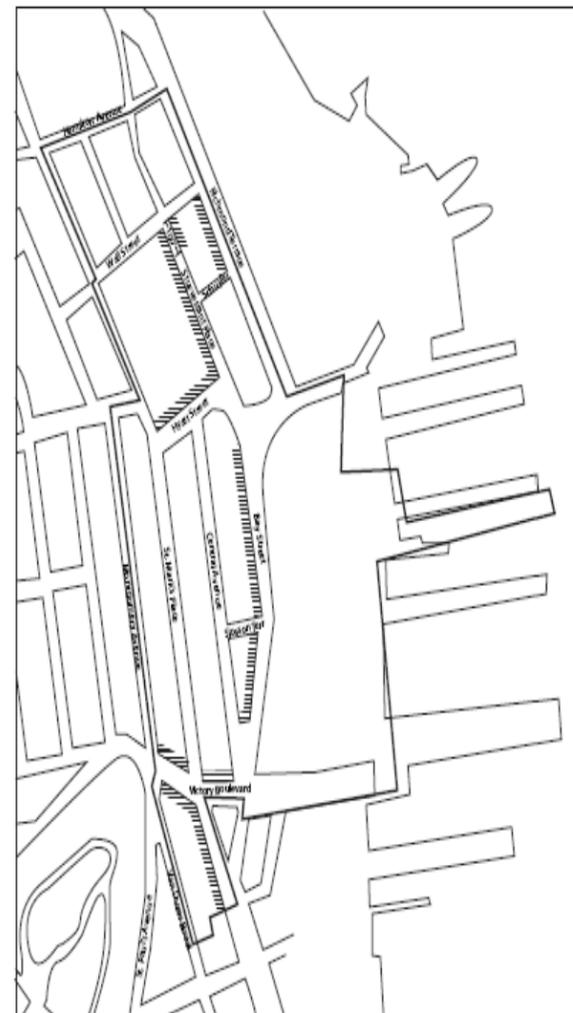
provided for #developments# or #enlargements# with #residential# or #commercial uses#. Such facility shall be enclosed, accessible and secure. Floor space used for #accessory# bicycle parking located below a height of 33 feet, including #accessory# facilities, such as lockers, showers and circulation space, shall not be included in the definition of #floor area#.

- (a) For #residential developments# or #enlargements# with ten or more units per #building# or #building segment#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.
(b) For commercial office #developments# or #enlargements# with 10,000 square feet or more of office #floor area#, one bicycle parking space shall be provided for every 5,000 square feet of office space, up to a maximum of 200 bicycle parking spaces.
(c) For commercial #developments# or enlargements# with 10,000 square feet or more of retail or service #floor area#, one bicycle parking space shall be provided for every per 10,000 square feet of retail space, up to a maximum of 100 bicycle parking spaces.

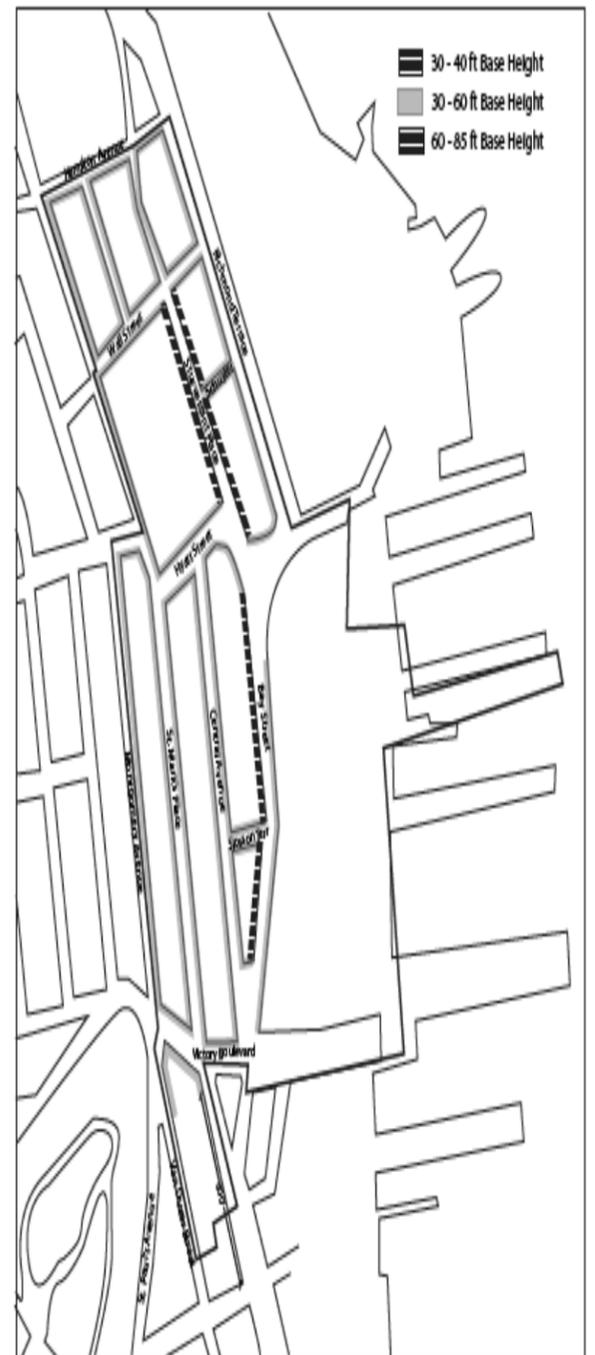
SPECIAL ST GEORGE DISTRICT MAP 1. District Plan



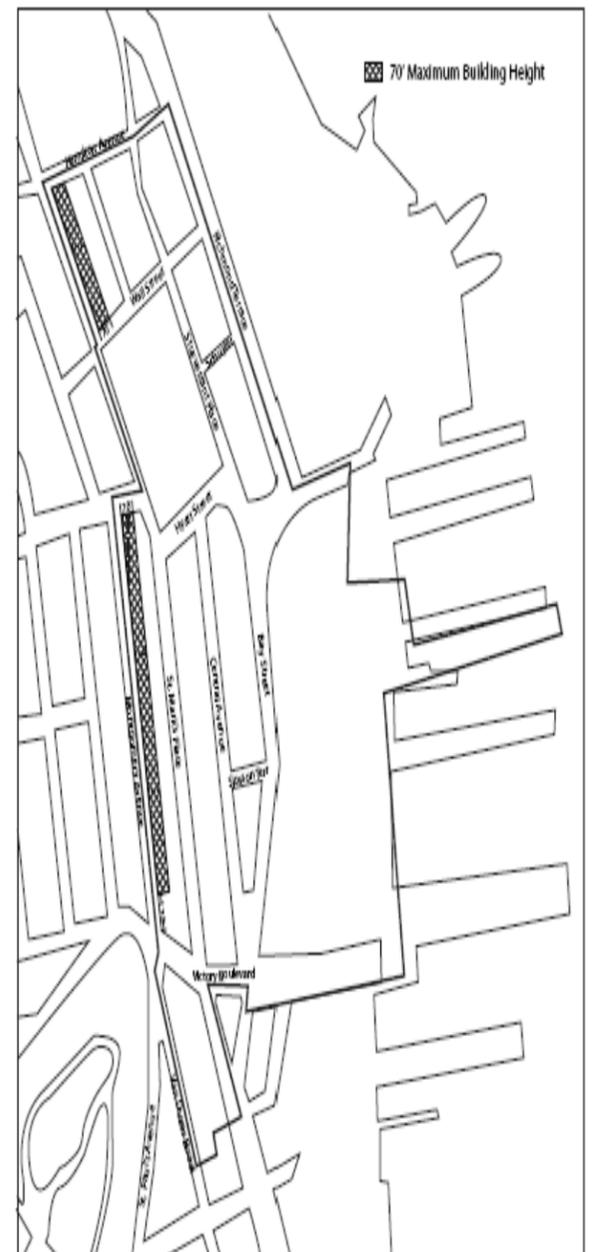
SPECIAL ST GEORGE DISTRICT MAP 2. Commercial Street Locations



SPECIAL ST GEORGE DISTRICT MAP 3. Minimum and Maximum Base Height



SPECIAL ST GEORGE DISTRICT MAP 4. Tower Restriction Areas



## No. 13

**CD 1** **C 080426 ZMR**  
**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c

- eliminating from an existing R3-2 District a C1-2 District bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street;
- changing from an R3-2 District to a C4-2 District property bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street; and
- establishing a Special St. George District bounded by:  
the property line of the US Government Lighthouse Department,  
the US Bulkhead line of the Upper Bay,  
a line forming an angle of 104 degrees with the second-named course distant 225 feet northerly (as measured along the second-named course) of the first-named course,  
a line perpendicular to the third-named course distant 326 feet westerly (as measured along the third-named course) of the second-named course,  
the northerly street line of Borough Place and its westerly prolongation,  
Richmond Terrace and its southeasterly centerline prolongation,  
Hamilton Avenue,  
St. Marks Place,  
Fort Place,  
Montgomery Avenue,  
the northerly centerline prolongation of St. Pauls Avenue,  
Van Duzer Street,  
a line 150 feet northwesterly of Hannah Street,  
a line midway between Van Duzer Street and Bay Street,  
the southwesterly centerline prolongation of Minthorne Street,  
Bay Street (westerly portion),  
Victory Boulevard,  
Bay Street (easterly portion),  
the southerly street line of Victory Boulevard and its westerly and easterly prolongations,  
the northerly prolongation of a line 135 feet easterly of Murray Hulbert Avenue,  
the easterly prolongation of a line 921 feet northerly of the southerly street line of Victory Boulevard,  
a US Pierhead Line, and  
the property line of the US Government Lighthouse Department;

as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and subject to the conditions of CEQR Declaration E-217.

**YVETTE V. GRUEL, Calendar Officer**  
**City Planning Commission**  
**22 Reade Street, Room 2E**  
**New York, New York 10007**  
**Telephone (212) 720-3370**

jy7-23

## COMMUNITY BOARDS

### ■ PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

#### BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 3 - Tuesday, July 15, 2008, 6:30 P.M., Project Renewal - Kenton Hall, 333 Bowery (betwn. East 2nd and 3rd Sts.), New York, NY

#### 080504HAM

Dona Petra Santiago Apartments - 717-719-723 East 9th Street Disposition of vacant city-owned properties for the development of 57 units of senior housing (202 housing).

jy9-15

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

#### BOROUGH OF STATEN ISLAND

COMMUNITY BOARD NO. 1 - Thursday, July 17, 2008 at 8:00 P.M., Mt. Carmel Hall, 36 Amity Street (enter parking lot on Virginia Ave.), Staten Island, NY

#### C 080507PPY

An application has been submitted by the Department of Transportation for the disposition of two city-owned properties located at the St. George Ferry Terminal.

#### N 080265ZAR

Application requests authorization of commercial use located within the Special Hillside Preservation District for a proposed three story mixed-use building with two dwelling units, retail on the first floor and two off-street parking spaces at 449 Jersey Street.

#### BSA-719-56-BZ

An application has been submitted to waive the rules of practice and procedure and reinstate the zoning variance that was granted under previous application since it has lapsed at 2525 Victory Boulevard.

jy11-17

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

#### BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 16 - Tuesday, July 15, 2008 at 7:00 P.M., Brownsville Multi Service Center, 444 Thomas S. Boyland Street, Brooklyn, NY

#### #C 080447HAK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter for the disposition of such property to facilitate the development of a residential building, with approximately 25 units.

#### # C 080492HAK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter for the disposition of such property to facilitate the development of a residential building, tentatively known as Common Ground Senior Housing, with approximately 71 units.

jy9-15

## DEFERRED COMPENSATION BOARD

### ■ MEETING

The New York City Deferred Compensation Plan Board will hold its monthly meeting on Tuesday, July 15, 2008 from 10:00 A.M. to 2:00 P.M. The meeting will be held at 40 Rector Street, 3rd Floor, NYC.

jy11-15

## DESIGN & CONSTRUCTION

### ■ NOTICE

PLEASE TAKE NOTICE, that in accordance with Section 201-204 (inclusive) of the New York State Eminent Domain Procedure Law ("EDPL"), a public hearing will be held by the New York City Department of Design and Construction, on behalf of the City of New York in connection with the acquisition of certain properties for the installation of storm and sanitary sewers and water mains at certain portions of South Railroad Street from North Pine Terrace to Annadale Road and Sneden Avenue from Eagan Avenue to Arden Avenue (Capital Project SER002181) - Borough of Staten Island.

The time and place of the hearing is as follows:

DATE: Friday, August 8, 2008  
TIME: 10:00 A.M.  
LOCATION: NYC Department of Design and Construction  
4434 Amboy Road, 2nd Floor  
Staten Island, NY 10312

The purpose of this hearing is to inform the public of the proposed acquisition of certain street beds and adjacent properties and to review the public use to be served by the project and the impact on the environment and residents. The scope of this Capital Project includes the installation of new storm and sanitary sewers and water mains.

The properties proposed to be acquired are located in the Borough of State Island as follows:

South Railroad Street from North Pine Terrace to Annadale Road as shown on Damage and Acquisition Map No. 4183, dated November 14, 2005 and Sneden Avenue from Eagan Avenue to Arden Avenue as shown on Damage and Acquisition Map No. 4161, dated June 18, 2008.

The properties affected include the following areas as shown on the Tax Map of the City of New York for the Borough of Staten Island:

#### South Railroad Street

Block 6249, part of Lots 260, 431, 433, 530; and  
Bed of street for South Railroad Street from North Pine Terrace to Annadale Road.

#### Sneden Avenue

Block 6205, part of Lot 200;  
Block 6209, part of Lots 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 30;  
Block 6211, part of Lots 24, 32, 33; and  
Bed of Street for Sneden Avenue from Eagan Avenue to Arden Avenue.

There are no proposed alternate locations.

Any person in attendance at this meeting shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed acquisition. Each speaker shall be allotted a maximum of five (5) minutes. In addition, written statements may be submitted to the General Counsel at the address stated below, provided the comments are received by 5:00 P.M. on August 15, 2008 (5 working days from public hearing date).

NYC Department of Design and Construction  
Office of General Counsel, 4th Floor  
30 - 30 Thomson Avenue  
Long Island City, NY 11101

**Please note: Those property owners who may subsequently wish to challenge condemnation of their**

**property via judicial review may do so only on the basis of issues, facts and objections raised at the public hearing.**

jy14-18

## EMPLOYEES' RETIREMENT SYSTEM

### ■ INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Monday, July 21, 2008 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

jy14-18

## LANDMARKS PRESERVATION COMMISSION

### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday **July 22, 2008** at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 08-8420 - Block 1917, lot 28-132 Willoughby Avenue - Clinton Hill Historic District  
A French Second Empire style rowhouse built c. 1871.  
Application is replace a window.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 08-8744 - Block 286, lot 31/32-138-138A Court Street - Cobble Hill Historic District  
A pair of flats buildings built in 1915-17. Application is to replace storefront infill.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 09-1047 - Block 1067, lot 50-799 Carroll Street - Park Slope Historic District  
A rowhouse built in 1889 and redesigned in the neo-Federal style by George Chappell in 1918. Application is to replace the cornice and alter windows.

#### ADVISORY REPORT

BOROUGH OF MANHATTAN 09-1281 - Block Various, lot Various-  
West Broadway between Chambers Street and Franklin Street - Tribeca South Historic District and Tribeca West Historic District  
A commercial thoroughfare first laid out in the late 18th Century. Application is to install flood mitigation measures.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-3075 - Block 190, lot 7503-35 North Moore Street - Tribeca West Historic District  
A Romanesque Revival style cold storage warehouse designed by Thomas R. Jackson and built in 1891. Application is to alter windows in the penthouse addition.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-7529 - Block 230, lot 27-93 Grand Street - SoHo Cast Iron Historic District  
A store building designed by J. B. Snook and built in 1869. Application is to alter the storefront.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-6504 - Block 475, lot 7502-35 Wooster Street - SoHo-Cast Iron Historic District  
A French Renaissance style store and loft building designed by S. Curtiss Jr. and built in 1866. Application is to legalize the replacement of an access lift without Landmarks Preservation Commission permit.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-0214 - Block 587, lot 10-26 Commerce Street - Greenwich Village Historic District  
A Federal style rowhouse built in 1821. Application is to alter the roof and enlarge a rear extension. Zoned C2-6.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-7986 - Block 641, lot 58-335 West 12th Street, aka 802-810 Greenwich Street - Greenwich Village Historic District  
A one-story garage building, built in 1944. Application is to demolish the building and construct a four-story building. Zoned R6.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8470 - Block 608, lot 18-142 West 13th Street - Greenwich Village Historic District  
A rowhouse built in 1842 and altered in 1938. Application is to remove the front stairs, replace windows, and alter the rear facade.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-1039 - Block 645, lot 25-837 Washington Street, aka 426-432 West 13th Street - Gansevoort Market Historic District  
A Moderne style market building designed by David M. Oltarch and built in 1938. Application is to alter the facades and construct a four-story rooftop addition. Zoned M1-5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-0802 - Block 738, lot 1-44-54 9th Avenue, aka 357 West 14th Street - Gansevoort Market Historic District  
A row of Greek Revival style rowhouses built circa 1845-1846 altered to accommodate stores at the ground floor. Application is to replace storefront infill and install signage and lighting.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-6069 - Block 846, lot 14-17 East 17th Street - Ladies' Mile Historic District  
An early 20th century commercial style store and loft building designed by George and Edward Blum and built in 1911-1912. Application is to legalize stair and elevator bulkheads built in noncompliance with Landmarks Preservation Commission permits. Zoned M1-5M.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-8395 - Block 822, lot 19-19-25 West 20th Street - Ladies' Mile Historic District  
A 20th Century Utilitarian style parking garage designed by Matthew Del Guardio and built in 1926-27, and a paking lot. Application is to construct a new 16-story building on the empty lot, construct a three-story addition on the garage and install signage. Zoned C6-4A/R10A.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-3557 - Block 720, lot 35-425 West 22nd Street - Chelsea Historic District Extension  
An Anglo-Italianate style residence designed by Morgan Pindar and built in 1855. Application is to alter the front facade and construct a rear yard addition. Zoned R7B.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-7304 - Block 850, lot 4-361 West 22nd Street - Chelsea Historic District  
An Italianate style rowhouse built in 1872. Application is to construct a rooftop addition.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-8466 - Block 824, lot 46-12 West 23rd Street - Ladies' Mile Historic District  
A converted dwelling built in 1859 and altered in the Second Empire Commercial style in 1874 by Griffith Thomas. Application is to install storefront infill and signage.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-0627 - Block 850, lot 14-155 Fifth Avenue - Scribner Building, Individual Landmark-Ladies' Mile Historic District  
A Beaux-Arts style store and office building designed by Ernest Flagg and built in 1893-94. Application is to install storefront infill.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-8327 - Block 1300, lot 1-230 Park Avenue - Former New York Central/now the Helmsley Building - Individual Landmark and Interior Landmark  
A Beaux-Arts style office building built in 1927-29 designed by Warren & Wetmore. Application is to install a door and desks.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-5825 - Block 1399, lot 66-114 East 65th Street - Upper East Side Historic District  
A Beaux-Arts style residence designed by Buchman & Deisler and built in 1899-1900. Application is to enclose a rear terrace. Zoned R8B.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-7360 - Block 1406, lot 30-177 East 71st Street - Upper East Side Historic District  
A neo-Federal style residence designed by S. E. Gage and built in 1909-10. Application is to construct a rooftop addition and a rear yard addition. Zoned R8B, LH-1A.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-0250 - Block 1408, lot 16-133-137 East 73rd Street aka 1024-1030 Lexington Avenue - Upper East Side Historic District  
A neo-Georgian style residence designed by William H. Birkmire and constructed in 1899-1900 and a neo-Italian Renaissance style building designed by Charles Stegmayer and constructed in 1898-1899. Application is to construct a rooftop addition, alter the rear yard facade, alter the stoop, and establish a storefront master plan.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-0826 - Block 1391, lot 49-64 East 77th Street - Upper East Side Historic District  
A rowhouse built in 1877, and altered in the neo-Colonial style in 1925 by Treanor & Fatio. Application is to modify a door opening to accommodate a window.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-1195 - Block 1393, lot 33-878-888 Park Avenue, aka 61-71 East 78th Street - Upper East Side Historic District  
A neo-Tudor style apartment building designed by Schwartz & Gross and built in 1926-1927. Application is to legalize the installation of through-the-wall air conditioners without Landmarks Preservation Commission permits.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-8148 - Block 1496, lot 71-1035 Fifth Avenue - Metropolitan Museum Historic District  
A neo-Classical style apartment building designed by J. E. R. Carpenter and built in 1925. Application is to replace windows.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-0150 - Block 1142, lot 39-116 West 71st Street - Upper West Side / Central Park West Historic District  
A Renaissance Revival style rowhouse designed by Thom &

Wilson and built in 1883-84. Application is to construct a rear yard addition and a rooftop stair bulkhead, and to excavate the rear yard. Zoned R5-B.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-0104 - Block 1212, lot 27-117 West 81st Street - Upper West Side/Central Park West Historic District  
A Northern Renaissance Revival style rowhouse designed by Henry L. Harris and built in 1884-1885. Application is to alter the rear facade and construct a rooftop addition. Zoned R-8B.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-4655 - Block 1250, lot 7502-334 West 89th Street - Riverside-West End Historic District  
A Renaissance Revival style rowhouse designed by Ralph S. Townsend and built in 1893-94. Application is to replace the areaway fence and install a trash enclosure.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-8519 - Block 1251, lot 117-303 West 90th Street - Riverside-West End Historic District  
A limestone rowhouse designed by Alexander M. Welch, and built in 1896-97. Application is to construct rear and rooftop additions. Zoned R10A.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-8805 - Block 2082, lot 28-1818 Amsterdam Avenue - Joseph Loth and Company Silk Ribbon Mill - Individual Landmark  
A Rundbogenstil style mill building designed by Hugo Kafka and built in 1885, with a neo-Classical front entrance portico designed by Buchman and Fox and built in 1905. Application is to alter the front entrance; install railings on the roof, and HVAC equipment on the roof.

jy9-22

NOTICE IS HEREBY GIVEN THAT pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **July 15, 2008** at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodations in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**Preservation Department  
Public Hearing Item (Continued from 6/3/2008)**

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-8617 - Block 617, lot 55-20 7th Avenue - Greenwich Village Historic District  
A contemporary institutional building designed by Arthur A. Schiller and Albert Ledner and built in 1962-63. Application is to demolish the existing building and construct a new hospital building on the site pursuant to Section 25-309 of the New York City Administrative Code.

jy1-15

**PUBLIC MEETING**

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York that on **Tuesday, July 15, 2008**, there will be a Public Meeting of the Landmarks Preservation Commission in the Public Hearing Chambers at 1 Centre Street, 9th Floor North, Borough of Manhattan, City of New York. For information about the Public Meeting agenda, please contact the Public Information Officer at (212) 669-7817.

jy10-14

**LOFT BOARD**

**PUBLIC MEETING**

NOTICE IS HEREBY GIVEN PURSUANT TO ARTICLE 7 OF THE PUBLIC OFFICERS LAW that the New York City Loft Board will have its monthly Board meeting on **Thursday, July 17, 2008**. The meeting will be held at 2:00 P.M. at Spector Hall, 22 Reade Street, 1st Floor. The proposed agenda will include cases and general business.

The general public is invited to attend and observe the proceedings.

jy10-14

**SMALL BUSINESS SERVICES**

**PUBLIC HEARINGS**

New York City Economic Development Corporation on behalf of  
**NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES**

NOTICE IS HEREBY GIVEN that a public hearing, in accordance with Section 1301(2)(g) of the New York City Charter, for Real Property Acquisition and Disposition, will be held at 10:00 A.M. on August 13, 2008 at 22 Reade Street, 2nd floor conference room, Borough of Manhattan, in the matter of a proposed lease between the City of New York (the "City"), acting through its Department of Small Business Services, and Basketball City USA, LLC (the "Tenant") for approximately 129,689 square feet, together with all

buildings, structures, additions, fixtures, equipment, improvements and facilities therein, thereon or thereunder, or which may be located, constructed or installed therein, thereon or thereunder, and designated as Block 241, p/o Lot 13, in the Borough of Manhattan, New York, to be used for the operation of a basketball sports facility, for activities related to the operation of a basketball facility, for ancillary retail sales related to such use, and for related offices uses. The lease is submitted by New York City Economic Development Corporation on behalf of the NYC Department of Small Business Services.

The proposed lease provides that the City shall lease the site to Tenant for a term of twenty-one years, followed by up to two ten-year renewal periods at the Tenant's option. After a construction period and start-up period, rent will be 10% of gross receipts with a minimum annual payment of \$150,000. The Tenant will also be required to install certain outdoor amenities on the pier apron for the public.

A draft copy of the proposed lease will be available for inspection at New York City Economic Development Corporation, 110 William Street, New York, New York, commencing July 11, 2008 through August 13, 2008, exclusive of Saturdays, Sundays and Holidays, between the hours of 10:00 A.M. and 2:00 P.M. To schedule an inspection, please contact Jeffrey Manzer at (212) 312-3835 or jmanzer@nycedc.com.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York 10007, (212) 788-7490, no later than seven (7) business days prior to the Public Hearing. TDD users should call Verizon relay services.

jy11-17

**BOARD OF STANDARDS AND APPEALS**

**PUBLIC HEARINGS**

**JULY 29, 2008, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday morning, July 29, 2008, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

**APPEALS CALENDAR**

**95-08-A**  
APPLICANT – Blank Rome LLP by Marvin Mitzner, for 6701 Realty, LLC, owner.  
SUBJECT – Application April 16, 2008 - An appeal seeking a determination that the property owner has acquired common law vested right to continue development under the prior C4-3 zoning district regulations. C4-2A zoning district.  
PREMISES AFFECTED – 6701 Bay Parkway, southeast corner of the intersection of Bay Parkway and West 8th Street, Block 6576, Lot 10, Borough of Brooklyn.  
**COMMUNITY BOARD #10BK**

**JULY 29, 2008, 1:30 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, July 29, 2008, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

**ZONING CALENDAR**

**51-08-BZ**  
APPLICANT – Francis R. Angelino, Esq., for Sephardic Institute, owner.  
SUBJECT – Application March 6, 2008 – Variance (§72-21) to permit the development of a new six-story & mezzanine synagogue. The proposal is contrary to ZR sections 24-11 (lot coverage, FAR, & open space), 24-382 (required rear yard equivalent), 24-522 & 23-633 (building height exceeding maximum permitted height & required front setback not provided.) R6A (Ocean Parkway Special Zoning District).  
PREMISES AFFECTED – 511 Avenue R, Kings Highway and Ocean Parkway, Block 6681, Lot 394, Borough of Brooklyn.  
**COMMUNITY BOARD #15BK**

**61-08-BZ**  
APPLICANT – The Law Office of Fredrick A. Becker, for 429-441 86th Street, LLC, owner; TSI Bay Ridge 86th Street, LLC dba New York Sports Club, lessee.  
SUBJECT – Application March 25, 2008 – Special Permit (§73-36) to allow the operation of a Physical Culture Establishment on the second and third floors of an existing building. The proposal is contrary to ZR section 32-10. C4-2A (BR) district.  
PREMISES AFFECTED – 439 86th Street, north side of 86th Street and east of 4th Avenue, Block 6035, Lot 64, Borough of Brooklyn.  
**COMMUNITY BOARD #10BK**

**67-08-BZ**  
APPLICANT – Sheldon Lobel, P.C., for Jack M. Skaba, owner.  
SUBJECT – Application March 31, 2008 – Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary open space, lot coverage and floor area (§23-141); less than the minimum side yards (§23-461) and less than the required rear yard (§23-47) in an R3-2 zoning district.  
PREMISES AFFECTED – 3842 Bedford Avenue, west side of Bedford Avenue, Block 6807, Lot 22, Borough of Brooklyn.  
**COMMUNITY BOARD #15BK**

**93-08-BZ**  
APPLICANT – Rothkrug Rothkrug \$ Spector, LLP, for Worlds Fair Development LLC, owner.  
SUBJECT – Application June 30, 2008 – Variance (§ 72-21) to allow a six-story transient hotel (UG 5), contrary to use

regulations (§ 22-00). R6 district.  
PREMISES AFFECTED – 112-12, 112-18, 112-24 Astoria Boulevard, southwest of the intersection of 112th Place and Astoria Boulevard, Block 1706, Lots 5, 9, 11, Borough of Queens.

**COMMUNITY BOARD #3Q**

*Jeff Mulligan, Executive Director*

☛ jy14-15

**TRANSPORTATION****■ PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, July 30, 2008. Interested Parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

**#1** In the matter of a proposed revocable consent authorizing Watchtower Bible and Tract Society of New York, Inc. to maintain and use a bridge over and across Columbia Heights, south of Doughty Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$18,540  
For the period July 1, 2009 to June 30, 2010 - \$19,054  
For the period July 1, 2010 to June 30, 2011 - \$19,568  
For the period July 1, 2011 to June 30, 2012 - \$20,082  
For the period July 1, 2012 to June 30, 2013 - \$20,596  
For the period July 1, 2013 to June 30, 2014 - \$21,110  
For the period July 1, 2014 to June 30, 2015 - \$21,624  
For the period July 1, 2015 to June 30, 2016 - \$22,138  
For the period July 1, 2016 to June 30, 2017 - \$22,652  
For the period July 1, 2017 to June 30, 2018 - \$23,166

the maintenance of a security deposit in the sum of \$23,200, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

**#2** In the matter of a proposed revocable consent authorizing Brooklyn Historic Railway Association to maintain and use a railroad tunnel, together with two public entrances, a manhole and ventilators, in Atlantic Avenue from east of Columbia Street, west of Boerum Place, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2008 to June 30, 2018 - \$250/per annum.

the maintenance of a security deposit in the sum of \$2,000, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

**#3** In the matter of a proposed revocable consent authorizing Manhattan College to construct, maintain and use a pedestrian bridge over and across Manhattan College Parkway, southwest of West 242nd Street, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of approval to June 30, 2009 - \$5,640/annum  
For the period July 1, 2009 to June 30, 2010 - \$5,801  
For the period July 1, 2010 to June 30, 2011 - \$5,962  
For the period July 1, 2011 to June 30, 2012 - \$6,123  
For the period July 1, 2012 to June 30, 2013 - \$6,284  
For the period July 1, 2013 to June 30, 2014 - \$6,445  
For the period July 1, 2014 to June 30, 2015 - \$6,606  
For the period July 1, 2015 to June 30, 2016 - \$6,767  
For the period July 1, 2016 to June 30, 2017 - \$6,928  
For the period July 1, 2017 to June 30, 2018 - \$7,089  
For the period July 1, 2018 to June 30, 2019 - \$7,250

the maintenance of a security deposit in the sum of \$45,000, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

**#4** In the matter of a proposed revocable consent authorizing The New York and Presbyterian Hospitals, Inc. to construct, maintain and use nine pedestrian information sign posts and two campus directory signs along the sidewalks of 165th Street, between Riverside Drive and Broadway, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of approval to June 30, 2009 - \$4,125/annum  
For the period July 1, 2009 to June 30, 2010 - \$4,297  
For the period July 1, 2010 to June 30, 2011 - \$4,383  
For the period July 1, 2011 to June 30, 2012 - \$4,469  
For the period July 1, 2012 to June 30, 2013 - \$4,555  
For the period July 1, 2013 to June 30, 2014 - \$4,641  
For the period July 1, 2014 to June 30, 2015 - \$4,727

For the period July 1, 2015 to June 30, 2016 - \$4,813  
For the period July 1, 2016 to June 30, 2017 - \$4,899  
For the period July 1, 2017 to June 30, 2018 - \$4,985  
For the period July 1, 2018 to June 30, 2019 - \$5,071

the maintenance of a security deposit in the sum of \$5,100, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

**#5** In the matter of a proposed revocable consent authorizing The Trustee of Columbia University in the City of New York to construct, maintain and use four pedestrian information sign posts along the west sidewalk of Fort Washington Avenue, between Haven Avenue and 169th Street, and a campus directory map on the southeast corner of intersection of St. Nicholas Avenue and West 168th Street, all in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of approval to June 30, 2009 - \$2,000/annum  
For the period July 1, 2009 to June 30, 2010 - \$2,043  
For the period July 1, 2010 to June 30, 2011 - \$2,086  
For the period July 1, 2011 to June 30, 2012 - \$2,129  
For the period July 1, 2012 to June 30, 2013 - \$2,172  
For the period July 1, 2013 to June 30, 2014 - \$2,215  
For the period July 1, 2014 to June 30, 2015 - \$2,258  
For the period July 1, 2015 to June 30, 2016 - \$2,301  
For the period July 1, 2016 to June 30, 2017 - \$2,344  
For the period July 1, 2017 to June 30, 2018 - \$2,387  
For the period July 1, 2018 to June 30, 2019 - \$2,430

the maintenance of a security deposit in the sum of \$2,500, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

**#6** In the matter of a proposed revocable consent authorizing Teachers Insurance and Annuity Association of America to continue to maintain and use a conduit under and across East 46th Street, west of Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2007 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2007 to June 30, 2008 - \$6,238  
For the period July 1, 2008 to June 30, 2009 - \$6,416  
For the period July 1, 2009 to June 30, 2010 - \$6,594  
For the period July 1, 2010 to June 30, 2011 - \$6,772  
For the period July 1, 2011 to June 30, 2012 - \$6,950  
For the period July 1, 2012 to June 30, 2013 - \$7,128  
For the period July 1, 2013 to June 30, 2014 - \$7,306  
For the period July 1, 2014 to June 30, 2015 - \$7,484  
For the period July 1, 2015 to June 30, 2016 - \$7,662  
For the period July 1, 2016 to June 30, 2017 - \$7,840  
For the period July 1, 2017 to June 30, 2018 - \$8,018

the maintenance of a security deposit in the sum of \$8,100, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

**#7** In the matter of a proposed revocable consent authorizing St. Vincent's Hospital and Medical Center of New York to continue to maintain and use a conduit under West 12th Street and under Seventh Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of twelve years from July 1, 2006 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2006 to June 30, 2007 - \$4,728  
For the period July 1, 2007 to June 30, 2008 - \$4,863  
For the period July 1, 2008 to June 30, 2009 - \$5,002  
For the period July 1, 2009 to June 30, 2010 - \$5,141  
For the period July 1, 2010 to June 30, 2011 - \$5,280  
For the period July 1, 2011 to June 30, 2012 - \$5,419  
For the period July 1, 2012 to June 30, 2013 - \$5,558  
For the period July 1, 2013 to June 30, 2014 - \$5,697  
For the period July 1, 2014 to June 30, 2015 - \$5,836  
For the period July 1, 2015 to June 30, 2016 - \$5,975  
For the period July 1, 2016 to June 30, 2017 - \$6,114  
For the period July 1, 2017 to June 30, 2018 - \$6,253

the maintenance of a security deposit in the sum of \$6,300, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

jy9-30

**PROPERTY DISPOSITION****CITYWIDE ADMINISTRATIVE SERVICES****DIVISION OF MUNICIPAL SUPPLY SERVICES****■ SALE BY SEALED BID**

**SALE OF: 1 LOT OF MISCELLANEOUS MARINE/ GENERAL SUPPLIES, EQUIPMENT, TOOLS, MACHINES, ETC., USED AND UNUSED.**

S.P.#: 08024

DUE: July 14, 2008

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.*  
*For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.*

j30-jy14

**POLICE****OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.**

The following listed property is in the custody, of the Property Clerk Division without claimants.

**Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.**  
**Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.**

**INQUIRIES**

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

**FOR MOTOR VEHICLES**

(All Boroughs):

- \* College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- \* Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- \* Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

**FOR ALL OTHER PROPERTY**

- \* Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- \* Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- \* Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- \* Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- \* Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

**■ AUCTION****PUBLIC AUCTION SALE NUMBER 1136**

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is July 14, 2008 from 10:00 A.M. - 2:00 P.M. Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on July 15, 2008 at approximately 9:00 A.M. Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck St.)

For information concerning the inspection and sale of these items, call the Property Clerk Division's Auction Unit information line (646) 610-4614.

jy2-15

**PROCUREMENT**

*"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."*

**ADMINISTRATION FOR CHILDREN'S SERVICES****■ INTENT TO AWARD**

*Human/Client Service*

**EXTRAORDINARY NEEDS FOSTER CARE SERVICES**

– Negotiated Acquisition – Specifications cannot be made sufficiently definite – DUE 07-29-08 AT 10:00 A.M. –  
PIN# 06808NEGAQ02 - ENFC  
PIN# 06808NEGAQ03 - ENFC  
PIN# 06808NEGAQ05 - ENFC

To enter into Negotiated Acquisition with three organizations cited below for continued provision of extraordinary needs foster care services.

1. Devereux Foundation
2. Ferncliff Manor
3. Woods Services

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, ACS intends to use the Negotiated Acquisition to extend the subject contracts terms to ensure continuity of mandated services. The terms of the contracts are projected to be for one year, from July 1, 2008 to June 30, 2009. Suppliers may express interest in future procurements by contacting Rafael Asusta at ACS, Child Welfare Services

Unit, 150 William Street, 9th Floor, NY, NY 10038, Rasusta@acs.nyc.gov, or by calling (212) 341-3511 between the hours of 10:00 A.M. and 4:00 P.M. on business days.

☛ jy14-18

## AGING

### CONTRACT MANAGEMENT SERVICES

#### AWARDS

**SERVICES FOR SENIOR CITIZENS** – Renewal – PIN# 12509SC10323 – AMT: \$700,021.00 – TO: East New York Council for Human Services Inc., 2253 Third Avenue, 3rd Fl., New York, NY 10035.

● **SERVICES FOR SENIOR CITIZENS** – BP/City Council Discretionary – PIN# 12508DISC4XV – AMT: \$15,000.00 – TO: Jewish Center of Jackson Heights, 37-06 77th Street, Jackson Heights, NY 11372.

● **SERVICES FOR SENIOR CITIZENS** – Negotiated Acquisition – PIN# 12509SCNA360 – AMT: \$384,387.00 – TO: Association of Black Social Workers Inc., 1969 Madison Avenue, New York, NY 10035.

● **SERVICES FOR SENIOR CITIZENS** – Negotiated Acquisition – Lutheran Medical Center, 150 55th Street, Grant Fiscal, Brooklyn, NY 11220. PIN: 12509SADS23V - Contract Amount: \$133,400.  
TO: CABS Nursing Home Company Inc., 270 Nostrand Avenue, Brooklyn, NY 11205. PIN: 12509SADS23S - Contract Amount: \$208,800. The program will provide Social Adult Day Services to seniors.

☛ jy14

## CITY UNIVERSITY

### SOLICITATIONS

#### Goods & Services

**HVAC ELECTRICAL EQUIPMENT** – CSB – PIN# E1001-177 – DUE 08-06-08 AT 1:00 P.M. – Queens College is seeking bids for HVAC Electrical Equipment, parts, and labor for a requirement contract to be used as needed by College. Bidder must have been in the Facilities and HVAC Facilities Business for a minimum of one year prior to bid, be able to demonstrate financial viability and provide three references of contracts of similar size and scope.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Queens College, Kiley Hall, 65-30 Kissena Blvd., Rm. 257 Flushing, NY 11367. Lorraine Prasad (718) 997-5760.*

☛ jy14

## CITYWIDE ADMINISTRATIVE SERVICES

### AWARDS

#### Services (Other Than Human Services)

**INFORMATION TECHNOLOGY (COMPUTER) TRAINING** – Renewal – PIN# 856050001789 – AMT: \$900,000.00 – TO: Netcom Information Technology Inc., 29-09 Queens Plaza North, L.I.C., NY 11101. Service area is Citywide and contract expires 06/14/09.

● **LEASING OF UNEMPLOYMENT CASE TRACKING SYSTEM AND UPGRADE** – Sole Source – Available only from a single source - PIN# 856070000644 – AMT: \$99,900.00 – TO: Talx UC Express, 10101 Woodfield Lane, St. Louis, Missouri 63146. Service area is Manhattan and contract expires 06/30/09.

● **DISTANCE LEARNING AND VIDEO CONFERENCING** – Renewal – PIN# 856080000295 – AMT: \$1,500,000.00 – TO: Hunter College/CUNY, 425 East 25th Street, New York, NY 10010. Service area is Citywide and contract expires 10/15/09.

☛ jy14

### DIVISION OF MUNICIPAL SUPPLY SERVICES

#### VENDOR LISTS

#### Goods

**ACCEPTABLE BRAND LIST** – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

- Mix, Biscuit - AB-14-1:92
- Mix, Bran Muffin - AB-14-2:91
- Mix, Corn Muffin - AB-14-5:91
- Mix, Pie Crust - AB-14-9:91
- Mixes, Cake - AB-14-11:92A
- Mix, Egg Nog - AB-14-19:93
- Canned Beef Stew - AB-14-25:97
- Canned Ham Shanks - AB-14-28:91
- Canned Corned Beef Hash - AB-14-26:94
- Canned Boned Chicken - AB-14-27:91
- Canned Corned Beef - AB-14-30:91
- Canned Ham, Cured - AB-14-29:91
- Complete Horse Feed Pellets - AB-15-1:92
- Canned Soups - AB-14-10:92D
- Infant Formula, Ready to Feed - AB-16-1:93
- Spices - AB-14-12:95
- Soy Sauce - AB-14-03:94
- Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

j4-jy17

**EQUIPMENT FOR DEPARTMENT OF SANITATION** – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- Collection Truck Bodies
- Collection Truck Cab Chassis
- Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8562.

j4-jy17

**OPEN SPACE FURNITURE SYSTEMS - CITYWIDE** – In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8562.

j4-jy17

## DESIGN & CONSTRUCTION

### AGENCY CHIEF CONTRACTING OFFICER

#### AWARDS

#### Construction / Construction Services

**HWTCSC01, REQUIREMENTS CONTRACT FOR TITLE SEARCHING SERVICES FOR VARIOUS PROJECTS, CITYWIDE** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502008VP0002P – AMT: \$3,000,000.00 – TO: Express Abstract Services, Inc., 2040 Victory Boulevard, Staten Island, NY 10314.

☛ jy14

## EDUCATION

### DIVISION OF CONTRACTS AND PURCHASING

#### SOLICITATIONS

#### Services

**JOB ORDER CONTRACT FOR PLUMBING WORK** – RFB – PIN# B0795040 – DUE 08-26-08 AT 5:00 P.M. – Bid opening: Wednesday, August 27th, 2008 at 11:00 A.M. To download, please go to <http://schools.nyc.gov/offices/dcp/vendor/requestsforbids/default.htm> If you cannot download, send an e-mail to [sepstei@schools.nyc.gov](mailto:sepstei@schools.nyc.gov) or fax to Shelley Epstein at (718) 935-3163 with your company name, address, phone, fax, and e-mail address. There will be a mandatory pre-bid conference on August 4, 2008 at 10:30 A.M. at 65 Court Street, Brooklyn, New York 11201.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*NYCDOE, Division of Contracts and Purchasing, Room 1201 65 Court Street, Brooklyn, NY 11201, (718) 935-2300*  
*<http://schools.nyc.gov/dcp>*

☛ jy14

## HEALTH AND HOSPITALS CORPORATION

**The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-3863.**

j1-d31

#### SOLICITATIONS

#### Goods

**VOLKER BED-ULTRA LOW V05380MA (1EACH)** – Competitive Sealed Bids – PIN# 1551090003 – DUE 07-28-08 AT 2:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Sea View Hospital Rehabilitation Center and Home 460 Brielle Avenue, Staten Island, NY 10314. Copy of the bid can be obtained by faxing a request to (718) 980-1021.*

☛ jy14

## HEALTH AND MENTAL HYGIENE

### AGENCY CHIEF CONTRACTING OFFICER

#### SOLICITATIONS

#### Human / Client Service

**NEW YORK/NEW YORK III SUPPORTED HOUSING CONGREGATE** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO0763 – DUE 02-13-09 AT 3:00 P.M. – The New York City Department of Health and Mental Hygiene (DOHMH) is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site

buildings for various homeless populations pursuant to the New York/New York III Supportive Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. Beginning on February 16, 2007, RFPs may be picked up in person at the address below, between the hours of 10:00 A.M. and 4:00 P.M. on business days only. The RFP is also on line at: <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynyccongregate-20070117-form.shtml> A pre-proposal conference will be held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, NY. Any questions regarding this RFP must be sent in writing in advance to Karen Mankin at the above address or fax to (212) 219-5890. All questions submitted will be answered at the Pre-Proposal conference. All proposals must be hand delivered at the Agency Chief Contracting Officer, Room 812, New York, NY 10013.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organizations, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Health and Mental Hygiene, 93 Worth Street, Room 812 New York, NY 10013. Karen Mankin (212) 219-5873*  
*[kmankin@health.nyc.gov](mailto:kmankin@health.nyc.gov)*

f16-jy30

## HOMELESS SERVICES

### OFFICE OF CONTRACTS AND PROCUREMENT

#### SOLICITATIONS

#### Human / Client Service

**SAFE HAVEN OPEN-ENDED RFP** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-08S-04-1164 – DUE 08-27-10 – The Department of Homeless Services has issued an Open Ended Request for Proposals (PIN 071-08S-04-1164) as of August 27, 2007 seeking appropriately qualified vendors to develop and operate a stand-alone Safe Haven for chronic street homeless single adults and/or adult couples without minor children.

There is no due date for proposals under this RFP. Proposals will be reviewed by the Department as they are received and contracts will be awarded on an on-going basis until the Department's needs are met.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004.*  
*[Suellen.Schulman \(212\) 361-8400, sschulma@dhhs.nyc.gov](mailto:Suellen.Schulman@dhhs.nyc.gov)*

a27-f12

**CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/DROP-IN CENTERS** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 01-02-09 AT 2:00 P.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Request for proposals is also available on-line at [www.nyc.gov/cityrecord](http://www.nyc.gov/cityrecord)

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004.*  
*[Marta.Zmoira \(212\) 361-0888, mzoita@dhhs.nyc.gov](mailto:Marta.Zmoira@dhhs.nyc.gov)*

f29-d31

## JUVENILE JUSTICE

### SOLICITATIONS

#### Human / Client Service

**CORRECTION: PROVISION OF NON-SECURE DETENTION CENTERS** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13007DJJ001 – DUE 11-14-08 AT 3:00 P.M. – CORRECTION: The NYC Department of Juvenile Justice (DJJ) is seeking one or more appropriately qualified vendors to provide non-secure detention services for youth. Services shall include, but not be limited to, custody, basic youth care, food, clothing, shelter, education, health care, recreation, court related services, social work and case management services, social skills instruction, group sessions and monitoring and supervision of these services. In addition, the contract will require that a defibrillator shall be located in each program facility and that all staff requiring CPR training shall be certified in use of said defibrillator.

Each program facility will provide at least 10 and no more than 12 beds in accordance with the applicable regulations promulgated by the New York State Office of Children and Family Services (NYS OCFs), 9 N.Y.C.R.R. Section 180 et seq. The Department is seeking to provide services at facilities that will be operational at any time from January 1, 2007 to December 31, 2010. A vendor may submit an offer for more than one Facility Option. Current Agency vendors operating non-secure group homes that have contracts

expiring in calendar year 2006 are urged to respond to this solicitation. All program facilities shall be appropriately equipped to provide services for male or female youth as required by the Department, and be located in one of the five boroughs. The term of the contracts awarded from this solicitation will be for three years and will include an additional three-year option to renew. The anticipated maximum average annual funding available for each contract will be \$1,067,000, excluding start-up costs. Proposed start-up costs will be considered in addition to the proposed annual line item budget. Greater consideration will be given to applicants offering more competitive prices.

If your organization is interested in being considered for award of the subject contract, please hand deliver a written expression of interest addressed to my attention at 110 William Street, 13th Floor, New York, NY 10038. The expression of interest should specifically address the following:

1. Indicate each program facility for which the vendor is submitting.
2. Describe each proposed facility, its location, and proposed date of operation.
3. Attach appropriate documentation demonstrating the current use of each proposed facility and the vendor's site control of the facility for a period of at least 3 years.
4. For each proposed facility,
  - a) Indicate the number of beds to be provided and demonstrate that the facility has the capacity to provide the indicated number of beds.
  - b) Demonstrate that the facility will be appropriately equipped to provide services for male or female youth.
5. Demonstrate the vendor's organizational capability to:
  - a) Provide the indicated number of beds at each proposed facility. (If the vendor is a current provider, also demonstrate the capability to provide the indicated number of beds in addition to those already provided.)
  - b) Ensure that each proposed facility will be fully operational by required date in accordance with the applicable regulations promulgated by the New York State Office of Children and Family Services (NYS OCFS), 9 N.Y.C.R.R. Section 180 et seq.
6. Demonstrate the quantity and quality of the vendor's successful relevant experience.
7. Attach for each proposed facility three-year annual line item operating budget. Include staffing details. Proposed start up costs should be included in addition to the proposed three-year annual line item operating budget.

All expressions of interest received in the manner set forth will be reviewed to determine if they are responsive to the material requirements of this solicitation. Expressions of interest determined to be non-responsive will not be further considered. Expressions of interest determined to be responsive will be considered in terms of the following factors:

- Appropriateness of each proposed facility.
- Demonstrated site control of each proposed facility.
- Demonstrated level of organizational capability to provide the proposed number of beds and to ensure that each proposed facility is fully operational by the applicable requisite date.
- Demonstrated quantity and quality of successful relevant experience.
- Annual budget amount and cost effectiveness of the budget.

The Department will enter into negotiations with the vendor(s) determined to be the best qualified at the time of evaluation, based on consideration of the above-cited factors. A contract will be awarded to the responsible vendor(s) whose offer(s) is/are determined to be the most advantageous to the City, taking into consideration the price and the other factors set forth in this solicitation. In the case that a vendor is eligible for award of more than one program facility, the Department reserves the right, based upon the vendor's demonstrated organizational capability and the best interest of the City, respectively, to determine how many and for which program facility(ies) the vendor will be awarded a contract.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Department of Juvenile Justice, 110 William Street  
 20th Floor, New York, NY 10038.  
 Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

n20-13

**OFFICE OF MANAGEMENT AND BUDGET**

■ AWARDS

*Goods & Services*

**LAN CORE AND RACK SWITCHES** – Intergovernmental Purchase – PIN# 857T850500 – AMT: \$229,946.05 – TO: IP Logic Inc., 17 British American Boulevard, Latham, NY 12110. OGS Contract #PT 59009.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

• jy14

**PARKS AND RECREATION**

**PURCHASING AND ACCOUNTING/ CONTRACTS UNIT**

■ SOLICITATIONS

*Services (Other Than Human Services)*

**CHIPPING AND DISPOSAL OF ORGANIC WOOD** – Competitive Sealed Bids – PIN# 84608C0012 – DUE 07-30-08 AT 3:00 P.M.  
**● PICKUP AND EMPTY CONTAINERS FILLED WITH ORGANIC WOOD** – Competitive Sealed Bids –

PIN# 84608Q000X05 – DUE 07-30-08 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Department of Parks and Recreation, 24 W. 61st Street  
 3rd Fl., New York, NY 10023. Laverne Andrews  
 (212) 830-7968, laverne.andrews@parks.nyc.gov

• jy14

**REVENUE AND CONCESSIONS**

■ SOLICITATIONS

*Services (Other Than Human Services)*

**OPERATION AND MAINTENANCE OF A NEWSSTAND** – Competitive Sealed Bids – PIN# X42-NS – DUE 08-04-08 AT 3:00 P.M. – Located at Rose Hill Park, Bronx.  
**● OPERATION AND MAINTENANCE OF A NEWSSTAND** – Competitive Sealed Bids – PIN# X25-NS – DUE 08-04-08 AT 3:00 P.M. - Located at 177th Street and Westchester Avenue, Hugh Grant Circle, Bronx.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Parks and Recreation, The Arsenal-Central Park  
 830 Fifth Avenue, Room 407, New York, NY 10021.  
 Alexander Han (212) 360-1397, alexander.han@parks.nyc.gov

jy10-23

**FOR THE OPERATION AND MANAGEMENT OF AN OUTDOOR HOLIDAY GIFT MARKET** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M10-CC-AS – DUE 08-01-08 AT 1:00 P.M. – At Columbus Circle in Central Park, Manhattan.

To download the RFP, visit [http://www.nyc.gov/parks.org/sub\\_opportunities/business\\_ops/index.php?view\\_page=equal\\_to\\_con\\_listing](http://www.nyc.gov/parks.org/sub_opportunities/business_ops/index.php?view_page=equal_to_con_listing) and, after logging in, click on the "download" link that appears adjacent to the RFB's description.

For more information or to request to receive a copy of the RFP by mail, prospective proposers may contact the Revenue Division's Supervisor of Concession Development, Gabrielle Ohayon, at (212) 360-1397 or at [gabrielle.ohayon@parks.nyc.gov](mailto:gabrielle.ohayon@parks.nyc.gov)

**TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)**  
 212-504-4115.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Parks and Recreation, The Arsenal-Central Park  
 830 Fifth Avenue, Room 407, New York, NY 10065.  
 Gabrielle Ohayon (212) 360-1397,  
[gabrielle.ohayon@parks.nyc.gov](mailto:gabrielle.ohayon@parks.nyc.gov)

jy8-21

**TRANSPORTATION**

**ADMINISTRATION**

■ SOLICITATIONS

*Services (Other Than Human Services)*

**BIKE SHARE PROGRAM** – Request for Information – PIN# 84109MBAD346 – DUE 09-15-08 AT 5:00 P.M. – The New York City Department of Transportation ("NYCDOT") has issued an RFEI to investigate the feasibility of developing a bike share program. NYCDOT is soliciting expressions of interest from firms with experience in implementing such programs in other cities, as well as from other interested parties. NYCDOT considers a bike share program as being a network of publicly available bicycles with goals that are not only recreational but also provide a means of multi-modal transportation.

The most successful existing bike share programs minimize the cost to bike share users and provide a sufficiently extensive network of stations to accommodate a wide range of potential short trips in the network's area of focus. These characteristics are important to NYCDOT but the agency is also open to receiving new ideas and financing structures that meet the unique challenges and opportunities of operating in the New York City environment.

If you are interested in receiving this RFEI, please e-mail Ms. Nina Haiman, under the subject line "Bike Share RFEI Request", at: [nhaiman@dot.nyc.gov](mailto:nhaiman@dot.nyc.gov)

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Department of Transportation, 40 Worth Street, Room 1029  
 NY, NY 10013. Nina Haiman (212) 676-6010  
[nhaiman@dot.nyc.gov](mailto:nhaiman@dot.nyc.gov)

jy9-15

**AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS**

**“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: [www.nyc.gov/tv](http://www.nyc.gov/tv)” NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor’s Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.**

**YOUTH AND COMMUNITY DEVELOPMENT**

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, July 24, 2008, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of a proposed contract between the Department of Youth and Community Development and OHEL Children's Home and Family Services, Inc., 4510 16th Avenue, Brooklyn, NY 11204, for the administration of a mental rehabilitation housing program in Brooklyn. The contract amount is not to exceed \$350,000.00. The contract term shall be from July 1, 2007 to June 30, 2008 and shall contain no options to renew. PIN#: 26008028131F.

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Youth and Community Development, Office of the ACCO, 156 William Street, 2nd Floor, New York, NY 10038, on business days, from July 14, 2008 to July 24, 2008, excluding Holidays, from 9:00 A.M. to 5:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Mr. Vincent Perneti, Deputy Agency Chief Contracting Officer, 156 William Street, 2nd Floor, New York, NY 10038, [vpernetti@dycd.nyc.gov](mailto:vpernetti@dycd.nyc.gov). If the Department of Youth and Community Development receives no written requests to speak within the prescribed time, the Department reserves the right not to conduct the public hearing.

**IN THE MATTER** of a proposed contract between the Department of Youth and Community Development and Southern Queens Park Association, 177-01 Baisley Boulevard, Rochdale Village, NY 11434, to provide recreation and youth prevention programs Citywide. The contract amount is not to exceed \$116,720.00. The contract term shall be from July 1, 2007 to June 30, 2008 and shall contain no options to renew. PIN#: 26008042459F.

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Youth and Community Development, Office of the ACCO, 156 William Street, 2nd Floor, New York, NY 10038, on business days, from July 14, 2008 to July 24, 2008, excluding Holidays, from 9:00 A.M. to 5:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Mr. Vincent Perneti, Deputy Agency Chief Contracting Officer, 156 William Street, 2nd Floor, New York, NY 10038, [vpernetti@dycd.nyc.gov](mailto:vpernetti@dycd.nyc.gov). If the Department of Youth and Community Development receives no written requests to speak within the prescribed time, the Department reserves the right not to conduct the public hearing.

• jy14

**AGENCY RULES**

**HEALTH AND MENTAL HYGIENE**

■ NOTICE

**FY 09 REGULATORY AGENDA**

**SUBJECT AREA**

Communicable Diseases

**SUMMARY OF PROPOSED RULE**

Repeal and reenactment of Article 11 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The repeal and reenactment of Article 11 is intended to reflect current practice regarding the control of communicable diseases.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons and entities in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 11; New York State Sanitary Code, Part 2; New York City Charter, Chapter 22.

**SCHEDULE FOR ADOPTION**

Fall 2008

**AGENCY CONTACT PERSON**

Mary Rose Gasner  
 Director, Policy and Planning  
 Disease Control Administration  
 125 Worth Street, Room 326  
 New York, New York 10013  
 (212) 788-4734

**SUBJECT AREA**

Clinical Laboratories

**SUMMARY OF PROPOSED RULE**

Amend Article 13 of the New York City Health Code testing and reporting requirements by clinical laboratories.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Clinical laboratories serving New York City residents.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 13; New York City Charter, Chapter 22, New York State Public Health Law, Article V.

**SCHEDULE FOR ADOPTION**

Fall 2008

**AGENCY CONTACT PERSON**

Mary Rose Gasner  
Director, Policy and Planning  
Disease Control Administration  
125 Worth Street, Room 326  
New York, New York 10013  
(212) 788-4734

**SUBJECT AREA**

Weight Reducing Groups

**SUMMARY OF PROPOSED RULE**

Repeal of Article 23 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Article 23 was adopted in 1966. Although, since 1966, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect advances in public health.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Organized weight reducing programs and services offered other than health care providers.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 23; New York City Charter, Chapter 22.

**SCHEDULE FOR ADOPTION**

Winter 2008

**AGENCY CONTACT PERSON**

Martha Robinson  
Associate General Counsel  
New York City Department of Health and Mental Hygiene  
125 Worth Street, Room 601  
New York, New York 10013  
(212) 788-5244

**SUBJECT AREA**

General Provisions Governing Schools and Children's Institutions.

**SUMMARY OF PROPOSED RULE**

Repeal of Article 45 of the New York City Health Code and reenactment of certain of its provisions in Article 41 to better reflect the practice and the regulatory environment and to assure that the revised provisions provide adequate legal tools to effectively address the health and safety needs of school children.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The repeal of Article 45 and the reenactment and incorporation of certain of its provisions into Article 41 is intended to reflect modern thinking about the role of the New York City Department of Health in schools and in protecting children.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Children and entities in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Articles 45, 49 and New York City Charter, Chapter 22.

**SCHEDULE FOR ADOPTION**

Winter 2008

**AGENCY CONTACT PERSON**

Oxiris Barbot, MD  
Medical Director, School Health  
HPDP  
233 Broadway, 26th Floor  
New York, New York 10279  
(212) 442-1554

**SUBJECT AREA**

Schools

**SUMMARY OF PROPOSED RULE**

Repeal of Article 49 of the New York City Health Code and reenactment of certain of its provisions into a new Article 41 to better reflect the practice and the regulatory environment and to assure that the revised provisions provide adequate legal tools to effectively address the health and safety needs of school children.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The repeal of Article 45 and the reenactment

and incorporation of certain of its provisions into Article 41 is intended to reflect modern thinking about the role of the New York City Department of Health in schools and in protecting children.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Elementary and secondary schools in the city of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Articles 45 and 49; New York City Charter, Chapter 22.

**SCHEDULE FOR ADOPTION**

Fall 2009

**AGENCY CONTACT PERSON**

Oxiris Barbot, MD  
Medical Director, School Health  
HPDP  
233 Broadway, 26th Floor  
New York, New York 10279  
(212) 442-1554

**SUBJECT AREA**

Children's Institutions

**SUMMARY OF PROPOSED RULE**

Repeal of Article 51 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The repeal of Article 51 is being considered at this time because the areas it regulates are comprehensively regulated by New York State.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Children and entities in the city of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 51, New York City Charter, Chapter 22, New York State Social Services Law; 18 NYCRR.

**SCHEDULE FOR ADOPTION**

Winter 2008

**AGENCY CONTACT PERSON**

Oxiris Barbot, MD  
Medical Director, School Health  
HPDP  
233 Broadway, 26th Floor  
New York, New York, 10279  
(212) 442-1554

**SUBJECT AREA**

Food and Drugs

**SUMMARY OF PROPOSED RULE**

Amendment of Article 71 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 71 is intended to modernize the provision to reflect current practices.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 71, New York City Charter, Chapter 22; 21 C.F.R., 21 U.S.C.A..

**SCHEDULE FOR ADOPTION**

Winter 2008

**AGENCY CONTACT PERSON**

Nancy Clark  
Assistant Commissioner  
Bureau of Environmental Disease Prevention  
253 Broadway, 12th Floor  
New York, New York 10007  
(212) 676-6323

**SUBJECT AREA**

Temporary Food Establishments

**SUMMARY OF PROPOSED RULE**

Amendment of Article 88 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 88 is intended to modernize the provision to reflect best practices.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Owner/operators of temporary food service establishments at street fairs.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 88; New York City Charter, Chapter 22; New York State Sanitary Code, Part 14.

**SCHEDULE FOR ADOPTION**

Winter 2008

**AGENCY CONTACT PERSON**

James Middleton  
Associate Executive Director  
Bureau of FSCS and Daycare  
253 Broadway, Room 601  
New York, New York 10007  
(212) 442-2615

**SUBJECT AREA**

Mobile Food Vending

**SUMMARY OF PROPOSED RULE**

Repeal and reenact Article 89 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The repeal and reenactment of Article 89 is intended to modernize the provision to reflect best practices.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Owner/operators of mobile food vending units.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 89; New York City Administrative Code, Title 17, New York State Sanitary Code, Part 14; New York City Charter, Chapter 22.

**SCHEDULE FOR ADOPTION**

Winter 2008

**AGENCY CONTACT PERSON**

James Middleton  
Associate Executive Director  
Bureau of FSCS and Daycare  
253 Broadway, Room 601  
New York, New York 10007  
(212) 442-2615

**SUBJECT AREA**

Buildings Generally

**SUMMARY OF PROPOSED RULE**

Amendment of Article 131 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 131 is intended to eliminate regulatory areas that are currently comprehensively regulated by other agencies and modernize the provision to reflect best practices.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Building owners, agents, lessees, tenants and occupants.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 131; New York City Charter, Chapter 22; New York City Administrative Code, Title 27.

**SCHEDULE FOR ADOPTION**

Spring 2009

**AGENCY CONTACT PERSON**

Nancy Clark  
Assistant Commissioner  
Bureau of Environmental Disease Prevention  
253 Broadway, 12th Floor  
New York, New York  
(212) 676-6323

**SUBJECT AREA**

Commercial Premises

**SUMMARY OF PROPOSED RULE**

Amendment of Article 135 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 135 is intended to eliminate regulatory areas that are currently comprehensively regulated by other agencies and modernize the provision to reflect best practices.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Property owners, agents, lessees, tenants and occupants.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 135; New York City Charter, Chapter 22; New York City Administrative Code, Title 27.

**SCHEDULE FOR ADOPTION**

Spring 2009

**AGENCY CONTACT PERSON**

Nancy Clark  
Assistant Commissioner  
Bureau of Environmental Disease Prevention  
253 Broadway, 12th Floor  
New York, New York  
(212) 676-6323

**SUBJECT AREA**

Public Transportation Facilities

**SUMMARY OF PROPOSED RULE**

Repeal of Article 139 of the New York City Health Code ("Health Code") and combine certain of its provisions with Article 181.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. Areas under Article 139 are comprehensively regulated by transportation authorities in accordance with other applicable law.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons and entities in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 139

**SCHEDULE FOR ADOPTION**

Spring 2009

**AGENCY CONTACT PERSON**

Nancy Clark  
Assistant Commissioner  
Bureau of Environmental Disease Prevention  
253 Broadway, 12th Floor  
New York, New York  
(212)676-6323

**SUBJECT AREA**

Drinking Water

**SUMMARY OF PROPOSED RULE**

Repeal and reenact Article 141 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The repeal and reenactment of Article 141 is intended to ensure that the revised provisions are modernized to reflect best practices and harmonize with related provisions in the New York State Sanitary Code.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Property owners, persons and entities in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 141; New York State Sanitary Code, 10 NYCRR, Part 5

**SCHEDULE FOR ADOPTION**

Spring 2009

**AGENCY CONTACT PERSON**

Christopher H. Boyd  
Bureau of Environmental Sciences and Engineering  
2 Lafayette Place  
New York, New York 10007  
(212) 442-5222

**SUBJECT AREA**

Water Pollution Control

**SUMMARY OF PROPOSED RULE**

Repeal of Article 145 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. Article 145 is being repealed because its provisions are no longer needed to regulate water pollution.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code, Article 145; New York City Charter, Chapter 22

**SCHEDULE FOR ADOPTION**

Winter 2009

**AGENCY CONTACT PERSON**

Christopher H. Boyd  
Director Public Health Engineering  
Bureau of Environmental Sciences and Engineering  
2 Lafayette Street  
New York, New York 10007  
(212) 442-5222

**SUBJECT AREA**

Rodents, Insects and Other Pests

**SUMMARY OF PROPOSED RULE**

Repeal and reenacted of Article 151 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The repeal and reenactment of Article 151 is intended to modernize the provision to reflect best practices.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Owners/lessees of buildings, lots, premises or commercial vehicles.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 151; New York City Charter, Chapter 22; New York City Administrative Code; New York State Environmental Conservation Law.

**SCHEDULE FOR ADOPTION**

Winter 2008

**AGENCY CONTACT PERSON**

Edgar R. Butts  
Assistant Commissioner  
Bureau of Veterinary and Pest Control  
40 Worth Street, Room 1604  
New York, New York 10013

**SUBJECT AREA**

Littering and Disposal of Refuse

**SUMMARY OF PROPOSED RULE**

Repeal of Article 153 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the

New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. Provisions contained in Article 153 cover areas largely regulated by the New York City Department of Sanitation and New York City Department of Buildings.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons and entities in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 153; New York City Charter, Chapter 22; Title 16 of the New York City Administrative Code.

**SCHEDULE FOR ADOPTION**

Winter 2008

**AGENCY CONTACT PERSON**

Nancy Clark  
Assistant Commissioner  
Bureau of Environmental Disease Prevention  
253 Broadway, 12th Floor  
New York, New York  
(212) 676-6323

**SUBJECT AREA**

Butchers' Refuse

**SUMMARY OF PROPOSED RULE**

Repeal of Article 155 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. Article 155 is being repealed because its provisions are no longer needed to regulate commercial wastes.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code, Article 155; New York City Charter, Chapter 22; New York City Administrative Code, Title 16.

**SCHEDULE FOR ADOPTION**

Summer 2009

**AGENCY CONTACT PERSON**

Nancy Clark  
Assistant Commissioner  
Bureau of Environmental Disease Prevention  
253 Broadway, 12th Floor  
New York, New York  
(212) 676-6323

**SUBJECT AREA**

Animals

**SUMMARY OF PROPOSED RULE**

Amendment of Article 161 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 161 is intended to further modernize its provisions.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons and entities in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 161; New York City Administrative Code, Title 17; New York City Dog Licensing Law, Chapter 115 of the Laws of 1894, as amended; New York City Charter, Chapter 22.

**SCHEDULE FOR ADOPTION**

Summer 2009

**AGENCY CONTACT PERSON**

Edgar R. Butts  
Assistant Commissioner  
Bureau of Veterinary and Pest Control  
40 Worth Street, Room 1604  
New York, New York 10013

**SUBJECT AREA**

Barber Shops

**SUMMARY OF PROPOSED RULE**

Amendment of Article 163 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 163 is intended to modernize its provisions.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 163; New York City Charter, Chapter 22; New York State General Business Law.

**SCHEDULE FOR ADOPTION**

Summer 2009

**AGENCY CONTACT PERSON**

Robert D. Edman  
Assistant Commissioner  
Bureau of FSCS and Daycare  
253 Broadway, 13th Floor  
New York, New York 10007  
(212) 676-1654

**SUBJECT AREA**

Bathing Establishments

**SUMMARY OF PROPOSED RULE**

Amendment of Article 165 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 165 is intended to modernize its provisions to reflect best practices.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Owners, operators and those who design and build bathing establishments.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 165; New York City Charter, Chapter 22; New York State Sanitary Code, 10 NYCRR Part 6.

**SCHEDULE FOR ADOPTION**

Spring 2009

**AGENCY CONTACT PERSON**

Christopher H. Boyd  
Bureau of Environmental Sciences and Engineering  
2 Lafayette Place  
New York, New York 10007  
(212) 442-5222

**SUBJECT AREA**

Bathing Beaches

**SUMMARY OF PROPOSED RULE**

Amendment of Article 167 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health on March 9, 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 167 is intended to modernize the article to reflect best practices.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 167; New City Charter, Chapter 22; New York State Sanitary Code, 10 NYCRR Part 6.

**SCHEDULE FOR ADOPTION**

Spring 2009

**AGENCY CONTACT PERSON**

Christopher H. Boyd  
Bureau of Environmental Sciences and Engineering  
2 Lafayette Place  
New York, New York 10007  
(212) 442-5222

**SUBJECT AREA**

Fumigation and Extermination

**SUMMARY OF PROPOSED RULE**

Repeal of Article 171 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. Certain provisions of Article 171 will be incorporated into Article 151 of the New York City Health Code.

**INDIVIDUALS LIKELY TO BE AFFECTED**

Persons and entities in the City of New York.

**RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 171, New York City Charter, Chapter 22; New York City Health Code, Article 151.

**SCHEDULE FOR ADOPTION**

Winter 2008

**AGENCY CONTACT PERSON**

Edgar R. Butts  
Assistant Commissioner  
Bureau of Veterinary and Pest Control  
40 Worth Street, Room 1604  
New York, New York 10013

**SUBJECT AREA**

Hazardous Substances

**SUMMARY OF PROPOSED RULE**

Amendment of Article 173 of the New York City Health Code.

**REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present

developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 173 is intended to modernize the article and repeal its provisions that reflect areas comprehensively regulated by other state and federal agencies.

#### **INDIVIDUALS LIKELY TO BE AFFECTED**

Persons and entities in the City of New York.

#### **RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 173; New York City Charter, Chapter 22; New York City Administrative Code, Title 24; and various federal statutes and regulations pertaining to hazardous substances.

#### **SCHEDULE FOR ADOPTION**

Winter 2008

#### **AGENCY CONTACT PERSON**

Nancy Clark  
Assistant Commissioner  
Bureau of Environmental Disease Prevention  
253 Broadway, 12th Floor  
New York, New York  
(212)676-6323

#### **SUBJECT AREA**

Protection of Public Health Generally

#### **SUMMARY OF PROPOSED RULE**

Amendment of Article 181 of the New York City Health Code.

#### **REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 181 is intended to modernize its provisions to reflect best practices.

#### **INDIVIDUALS LIKELY TO BE AFFECTED**

Persons and entities in the City of New York.

#### **RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 181; New York City Charter, Chapter 22.

#### **SCHEDULE FOR ADOPTION**

Spring 2009

#### **AGENCY CONTACT PERSON**

Elliott Marcus  
Associate Commissioner  
Bureau of FSCS and Daycare  
2 Lafayette Place, 22nd Floor  
New York, New York 10007  
(212) 676-2433

#### **SUBJECT AREA**

Births

#### **SUMMARY OF PROPOSED RULE**

Amendment of Article 201 of the New York City Health Code.

#### **REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 201 is intended to modernize its provisions to reflect best practices.

#### **INDIVIDUALS LIKELY TO BE AFFECTED**

Persons and entities in the City of New York.

#### **RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 201; New York City Charter, Chapter 22; New York City Administrative Code, Title 17; New York State Public Health Law.

#### **SCHEDULE FOR ADOPTION**

Spring 2009

#### **AGENCY CONTACT PERSON**

Steven P. Schwartz  
Assistant Commissioner  
Bureau of Vital Statistics  
125 Worth Street, Room 204  
New York, New York 10013  
(212) 788-4580

#### **SUBJECT AREA**

Termination of Pregnancy

#### **SUMMARY OF PROPOSED RULE**

Amendment of Article 203 of the New York City Health Code.

#### **REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 203 is intended to modernize its provisions to reflect best practices.

#### **INDIVIDUALS LIKELY TO BE AFFECTED**

Persons and entities in the City of New York.

#### **RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 203; New York City Charter, Chapter 22; New York City Administrative Code, Title 17, New York State Public Health Law.

#### **SCHEDULE FOR ADOPTION**

Spring 2009

#### **AGENCY CONTACT PERSON**

Steven P. Schwartz  
Assistant Commissioner  
Bureau of Vital Statistics  
125 Worth Street, Room 204  
New York, New York 10013  
(212) 788-4580

#### **SUBJECT AREA**

General Vital Statistics Provisions

#### **SUMMARY OF PROPOSED RULE**

Amendment of Article 207 of the New York City Health Code.

#### **REASON WHY ACTION IS BEING CONSIDERED**

The Board of Health in March 1959 enacted the New York City Health Code, which was a substantive revision of the New York City Sanitary Code. Although, since 1959, the NYC Health Code has been amended many times, several provisions in the Health Code do not reflect the present developments in the administration, protection and enforcement of public health. Therefore a revision of the entire Health Code is necessary to reflect the advances in public health. The amendment of Article 207 is intended to modernize its provisions to reflect best practices.

#### **INDIVIDUALS LIKELY TO BE AFFECTED**

Persons in the City of New York.

#### **RELEVANT FEDERAL, STATE AND LOCAL LAWS**

New York City Health Code Article 207; New York City Charter, Chapter 22.

#### **SCHEDULE FOR ADOPTION**

Spring 2009

#### **AGENCY CONTACT PERSON**

Steven P. Schwartz  
Assistant Commissioner  
Bureau of Vital Statistics  
125 Worth Street, Room 204  
New York, New York 10013  
(212) 788-4580

#### **SUBJECT AREA**

Smoking Under the New York City Smoke Free Air Act

#### **SUMMARY OF PROPOSED RULE**

Repeal of Title 24, Chapter 10, Appendix A (Specifications for Separate Smoking Rooms) of the Rules of the City of New York and amend that chapter to remove all references to separate smoking rooms.

#### **REASON WHY ACTION IS BEING CONSIDERED**

This is being proposed to repeal Sections of the rule which are no longer and effect, and are inconsistent with New York State Public Health Law Article 13-E, as amended by Chapter 13 of the Laws of 2003.

#### **INDIVIDUALS LIKELY TO BE AFFECTED**

Operators of restaurants and bars in the City of New York.

#### **RELEVANT FEDERAL, STATE AND LOCAL LAWS**

Title 24, Chapter 10, Appendix A (Specifications for Separate Smoking Rooms) of the Rules of the City of New York New York State Public Health Law Article 13-E, as amended by Chapter 13 of the Laws of 2003 Chapter 5, Title 17 of the Administrative Code of the City of New York

#### **SCHEDULE FOR ADOPTION**

Summer 2009

#### **AGENCY CONTACT PERSON**

Michelle Robinson  
Deputy Executive Director  
Food Safety and Community Sanitation  
(212) 676-1656

Matter underlined is new. The proposed amendments are set forth below.

Title 43 of the Rules of the City of New York is amended by adding a new Chapter 9, to read as follows:

#### **Chapter 9. Permits Issued by Mayor's Office of Film, Theatre and Broadcasting.**

##### **Section 9-01. Permits for Scouting, Rigging and Production Activities.**

**(a) Scope of Rules.** The Mayor's Office of Film Theatre and Broadcasting ("MOFTB") shall issue permits in connection with filming, including but not limited to the taking of motion pictures; the taking of photographs; the use and operation of television cameras, transmitting television equipment, or radio remotes in or about city property; load-ins or load-outs supporting indoor performances; or such activities in or about any street, park, marginal street, pier, wharf, dock, bridge or tunnel within the jurisdiction of any City department or agency, or involving the use of any City owned or maintained facilities or equipment. As defined herein, MOFTB will issue permits for scouting, rigging and shooting activities. Obtaining such a permit does not obviate the need to comply with other applicable laws, rules or case law also governing such activity.

##### **(b) Required and Optional Permits.**

Unless a permit is designated in these rules as an "Optional Permit", the use of the term "permit" herein shall be deemed to be a "Required Permit".

##### **(1) Required Permits.**

a. The following activities require that a permit be obtained pursuant to this chapter:

(i) Filming, photography, production, television or radio remotes occurring on City property, as described in subdivision (a) of this section, that uses vehicles or equipment.

(ii) Filming, photography, production, television or radio remotes occurring on City property, as described in subdivision (a) of this section, (A) if such activity involves the assertion by any means, including physical or verbal, of exclusive use of one or more lanes of a street or walkway of a bridge or (B) if such activity involves the assertion by any means, including physical or verbal, of exclusive use of more than one-half of a sidewalk or other pedestrian passageway or, in a situation in which the sidewalk or pedestrian passageway is narrower than sixteen feet, if such activity involves the assertion by any means, including physical or verbal, of exclusive use of the sidewalk or pedestrian passageway such that less than eight feet is otherwise available for pedestrian use.

For purposes of this subparagraph, standing on a street, walkway of a bridge, sidewalk, or other pedestrian passageway while using a handheld device and not otherwise asserting exclusive use by any means, including physical or verbal, is not activity that requires a permit.

b. The following activities do not require that a permit be obtained pursuant to this chapter:

(i) Filming, photography, production, television or radio remotes occurring on City property, as described in subdivision (a) of this section, involving the use of handheld devices as defined in paragraph three of subdivision (a) of § 9-02, (A) if such activity does not involve the assertion by any means, including physical or verbal, of exclusive use of one or more lanes of a street or walkway of a bridge or (B) if such activity does not involve the assertion by any means, including physical or verbal, of exclusive use of more than one-half of a sidewalk or other pedestrian passageway or, in a situation in which the sidewalk or pedestrian passageway is narrower than sixteen feet, does not involve the assertion by any means, including physical or verbal, of exclusive use of the sidewalk or pedestrian passageway such that less than eight feet is otherwise available for pedestrian use.

For purposes of this subparagraph, standing on a street, walkway of a bridge, sidewalk, or other pedestrian passageway while using a handheld device and not otherwise asserting exclusive use by any means, including physical or verbal, is not activity that requires a permit.

(ii) Filming or photography of a parade, rally, protest, or demonstration except when using vehicles or equipment.

**(2) Optional Permits:** Persons who are engaged in filming or still photography and are not otherwise required to obtain a permit pursuant to paragraph (1) of subdivision (b) of this section may be issued an Optional Permit.

a. Persons requesting such an Optional Permit shall provide accurate information concerning their postal address and, if available, e-mail address, telephone number and fax number; and accurate information as to the location(s) of such activities, the date(s) and time(s) during which such activities are proposed to take place.

b. MOFTB shall process Optional Permit requests in accordance with the provisions of paragraphs four, five, six, seven, eight, nine and ten of subdivision (b) of § 9-02 of these rules.

**(c) Press passes.** The use of a press pass issued by the New York City Police Department ("NYPD") in accordance with Chapter 11 of Title 38 of the Rules of the City of New York ("Press Credentials"), where an individual is acting in furtherance of the activity authorized by such press pass, and is engaged in filming as defined in these rules, does not require that a permit be obtained pursuant to this chapter.

☛ jy14

## **MAYOR'S OFFICE OF FILM, THEATRE AND BROADCASTING**

### **■ NOTICE**

#### **NOTICE OF ADOPTION OF RULES RELATING TO PERMITS ISSUED BY THE MAYOR'S OFFICE OF FILM, THEATRE & BROADCASTING**

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Mayor's Office of Film, Theatre & Broadcasting, pursuant to sections 389(b) and 1043 of the New York City Charter, that the Mayor's Office of Film Theatre & Broadcasting ("MOFTB") has amended Title 43 of the Official Compilation of Rules of the City of New York, by adding a new Chapter 9 governing the issuance of permits in connection with scouting, rigging and production activities.

These rules were initially published for comment in the City Record on May 25, 2007 and a hearing was held on June 28, 2007. MOFTB extended the comment period through August 3, 2007, and having reviewed comments received, republished the rules for comment on October 30, 2007. A second public hearing was held on December 13, 2007.

**(d) Authorization from other agencies:**

Notwithstanding the provisions of subdivision (a) of this section, scouting, rigging or shooting activities within City parks or the interiors of City buildings, bridges or tunnels require, if applicable, separate authorization from the City agency with jurisdiction over the location. The use of certain items or activities, including but not limited to animals, firearms (actual or simulated), special effects, pyrotechnics, police uniforms, police vehicles, driving shots with tow or camera rigs, and conditions that require holding of traffic may require authorization and/or assistance from the relevant government agency.

**§ 9-02. Processing of Permit Applications.****(a) Definitions. For purposes of this chapter, the following terms shall have the following meanings:**

(1) "Equipment" shall include, but is not limited to, television, photographic, film or videocameras or transmitting television equipment, including radio remotes, props, sets, lights, electric and grip equipment, dolly tracks, screens, or microphone devices, and any and all production related materials. "Equipment" shall not include (a) "hand-held devices," as defined in paragraph (3) of this subdivision, and (b) vehicles, as defined in section one hundred fifty-nine of the New York vehicle and traffic law, that are used solely to transport a person or persons while engaged in the activity of filming or photography from within such vehicle, operated in compliance with relevant traffic laws and rules.

(2) "Filming" shall mean the taking of motion pictures, the taking of still photography or the use and operation of television cameras or transmitting television equipment, including radio remotes and any preparatory activity associated therewith, and shall include events that include, but are not limited to, the making of feature or documentary films, television serials, webcasts, simulcasts or specials.

(3) "Hand-held devices" shall mean (a) film, still or television cameras, videocameras or other equipment which are held in the photographer's or filmmaker's hand and carried at all times with the photographer or filmmaker during the course of filming, or (b) tripods used to support film, still, television cameras or videocameras. Hand-held devices shall not include cables or any other item or equipment not carried by the photographer or filmmaker at all times during the course of photography, filming or transmission.

(4) "New Project Account application" shall mean a request submitted on an MOFTB form by an applicant indicating that the applicant intends to request one or more permits for scouting, rigging and/or shooting activities.

(5) "Photography" shall mean the taking of moving or still images.

(6) "Pre-permit reserve" shall mean the designation by MOFTB, at the request of a permit applicant, of a location(s) where the applicant intends to conduct rigging or shooting activities.

(7) "Rigging/de-rigging" shall mean the loading in or loading out, loading or unloading, of any shooting or production related equipment, including but not limited to props, sets, electric and grip equipment, at any location, time and date where film or theatrical production is not occurring.

(8) "Same date" shall mean the same actual calendar date (numerical date and month) or the same day of the same week in a given month, as relevant. For example, "same date" shall encompass the date July 11 as well as the second Sunday in the month of July, as relevant.

(9) "Same location" shall mean the location identified in the rigging permit or the filming permit application.

(10) "Scouting" shall mean the act of viewing, assessing and photographing locations for filming or photography during pre-production or production for, including, but not limited to, still photography, feature films, television series, mini-series or specials.

(11) "Shooting" shall include (a) filming interiors or exteriors, and (b) theatrical productions whose performances are presented indoors.

**(b) New Project Account application and Permit application for scouting, rigging and/or shooting activities.**

(1) The following two steps shall be taken to obtain a scouting, rigging, and/or shooting permit:

a. Submission of a New Project Account application to MOFTB.

b. At the same time, or some time thereafter, an applicant shall seek a scouting, rigging, and/or shooting permit.

(2) New Project Account Application contents.

Applicants shall complete an application, on a form prescribed by MOFTB, which shall contain detailed identifying information about the applicant and the project. In completing such form, applications shall provide the information set forth below.

a. A postal address (but not a post office box) and, if available, an e-mail address, a telephone number and a facsimile number for purposes of receiving notification from MOFTB.

b. Valid photo identification of the applicant or, if the applicant is not a natural person, a valid photo identification of the natural person authorized by the

applicant to act on its behalf in connection with the application.

c. If known at the time of the application, the dates and times of scouting, rigging or shooting and location of such activity, and any special circumstances including, but not limited to, information regarding whether the activity involves special parking requests, traffic control issues or special effects.

d. Film school students shall provide a letter from the student's school confirming insurance coverage, and the student's current enrollment, subject to the provisions of § 9-03.

(3) Scouting, Rigging and/or Shooting Permit Applications.

When applicants submit a scouting, rigging and/or shooting permit application, on a form prescribed by MOFTB, they shall:

a. identify the date(s), time(s) and location(s) of such activity;

b. identify any special circumstances including, but not limited to, information regarding whether the activity involves special parking requests, traffic control issues or special effects;

c. for applicants requesting a scouting permit, provide a letter from the applicant's producing/financing entity verifying the project by name and identifying the natural person(s) on-site who will be performing scouting activities on behalf of the applicant;

d. for applicants requesting a scouting permit, provide documents of incorporation, financing documents for the project or grant or foundation award letter.

(4) Processing of Permits.

All permit applications will be processed on a "first come, first served" basis. Upon request by an applicant for a Required Permit, MOFTB will place a pre-permit reserve on the location(s) identified in the New Project Account application or the rigging and/or shooting application. An applicant can request such pre-permit reserve no more than three weeks in advance of the activity, but upon a need demonstrated in writing by the applicant, MOFTB may grant a greater period of time. If two or more permit applicants request the same date and the same location, the New Project Account application request that was received first shall be first eligible for approval.

(5) MOFTB shall respond to the applicant with one of the responses enumerated in subparagraphs a through c of paragraph (6) of this section in accordance with the following schedule:

a. for applications filed 45 days or more prior to the date for which such permit is sought, MOFTB shall respond no later than 30 days after the receipt of such applications;

b. for applications filed less than 45 days but more than 15 days prior to the date for which such permit is sought, MOFTB shall respond no later than ten days after the receipt of such applications; or

c. for applications filed 15 days or less prior to the date for which such permit is sought, MOFTB shall respond as soon as is reasonably practicable.

d. No application may be filed more than sixty days prior to the date of the requested event, unless special circumstances are presented to the commissioner or her designee for approval.

(6) Determination upon review of application. Following receipt of an application, the MOFTB will make one or more of the following determinations:

a. issuance of the particular permit.

b. written notification that more information is needed before MOFTB can make a determination as to a particular permit application.

c. written notification that the particular permit application has been denied and a statement of the reason or reasons pursuant to paragraph (7) of this subdivision for such denial.

(7) Denial of new project account applications or scouting, rigging, and/or shooting permit application. MOFTB may deny a permit if any one or more of the following issues exists:

a. conditions exist that may pose a danger or a threat to participants, onlookers or the general public;

b. the location sought is not suitable because the proposed use cannot reasonably be accommodated in the proposed location;

c. the date and time requested for a particular location is not available because (i) a permit has previously been issued for such date and time, or (ii) the permit request is the subject of a new project account application, as provided in paragraph (4) of this subdivision, or (iii) another City agency has issued a permit for such date or time;

d. MOFTB has concluded, based on specific information, that the applicant is unlikely to comply with the material terms of the requested permit;

e. use of the location or the proposed activity at the location would otherwise violate any law, ordinance, statute or regulation;

f. use of the location would interfere unreasonably with the operation of City functions.

(8) If the permit has been denied pursuant to subparagraphs a, b, c, e (with respect to location) or f of paragraph (7) of this subdivision, MOFTB shall employ reasonable efforts to offer the applicant suitable alternative locations and/or times and/or dates for the proposed rigging or shooting. If the permit has been denied pursuant to subparagraph d, the MOFTB may consider whether special conditions may be placed or whether additional steps can be taken to address its concern about potential non-compliance.

(9) The denial of a permit shall be in writing and shall contain information about the right to appeal such denial unless the applicant, in its application, authorizes MOFTB to issue an oral determination in connection with the filing of the application. Subsequent to the filing of such application, an applicant may request a written determination upon notifying MOFTB in writing that such applicant now seeks a written determination. Upon receiving such request for a written determination, MOFTB shall respond in accordance with the requirements of paragraph (5) of this subdivision, such time to respond commencing on the date of receipt by MOFTB of the notification.

(10) After a permit application is denied, the applicant may appeal a written determination by written request filed with the appeals officer who may reverse, affirm, or modify the original determination and provide a written explanation of his or her finding.

a. If a permit application is denied more than 30 days prior to the proposed scouting, rigging or shooting, the applicant shall have 10 days from the date that such denial is e-mailed or faxed to the applicant to appeal such denial. MOFTB shall render a decision on such appeal within 10 days of receipt of such appeal.

b. If a permit application is denied more than 10 days and less than 30 days prior to the proposed scouting, rigging or shooting, the applicant shall have 5 days from the date such denial is e-mailed or faxed to the applicant to appeal such denial. MOFTB shall render a decision on such appeal within 5 days of receipt of such appeal.

c. If a permit application is denied 10 days or less prior to the proposed scouting, rigging or shooting, the applicant shall have one day from the date such denial is e-mailed or faxed to the applicant to appeal such denial. MOFTB shall render a decision on such appeal as soon as is reasonably practicable.

**(c) Responsibilities of Holders of Required and Optional Permits.**

(1) Rules: All permittees are subject to the rules of MOFTB, the specific terms and conditions of the permit, and all applicable city, state, and federal laws or rules. Nothing herein is intended to authorize activities that are illegal under any applicable city, state or federal law or rule, except that permittees may engage in such conduct as is expressly authorized by the permit issued to them.

(2) Display of permit: All permittees shall have the permit in their possession on location at the time and site of the scouting, rigging or shooting, as well as any other permits required by MOFTB or any other governmental agency, and shall make such permit available for inspection at the request of an employee of the Police Department or other government agency.

(3) Permit restrictions: All permittees shall confine their activities to the locations and times specified on their permit. MOFTB may establish specific guidelines to address conditions that exist at certain designated locations and the use of vehicles and equipment at locations based on, among other considerations, the time of day, weather conditions, season, location, and day of the week.

(4) Non-transferability: Required Permits and Optional Permits are not transferable.

(5) Clean-up: All permittees are responsible for cleaning and restoring the site after the rigging or shooting. The cost of any City employee time incurred because of a permittee's failure to clean and/or restore the site following the rigging or shooting will be borne by the permittee.

(6) Accidents or injuries: Should there be any injuries, accidents, other health incidents or damage to private or City property at a permitted event, the permittee shall notify MOFTB immediately.

(7) Vehicle Parking: Only vehicles with permits issued by MOFTB will be allowed to park in areas designated for the rigging or shooting activity at the time(s) and location(s) described in the applicable permit.

(8) Dolly track or other equipment: No dolly track or other equipment may be laid across a street or block a fire lane without prior approval of MOFTB and NYPD.

(9) Pyrotechnics: The use of pyrotechnics, fire effects and explosions, including simulated smoke and smoke effects, shall be conducted only upon authorization by the New York City Fire Department and subsequent approval shall be obtained from MOFTB and the NYPD prior to shooting.

(10) Animals: The use of wild animals, as defined in Article 161, § 161.02 of the New York City Health Code, shall be used only upon authorization by the Department of Health

and Mental Hygiene, and subsequent approval shall be obtained from MOFTB prior to shooting.

(11) Potentially dangerous activities: Conduct or activities associated with rigging or shooting permits which are determined by MOFTB to cause a potential danger to persons or property will be referred by MOFTB for approval by the NYPD or other governmental agency having jurisdiction over such activity. Such activities shall include, but not be limited to, the use of stunts, helicopters, firearms or simulated firearms.

(12) Traffic control: Where a public street is closed in connection with rigging or production activities, a 13.5-foot lane shall be kept open. Such requirement may be waived by MOFTB upon an appropriate showing of need or at the discretion of the NYPD.

(13) Trees and plantings: Trimming, damaging, removing or cutting trees or vegetation on City property is prohibited without the prior approval of the New York City Department of Parks and Recreation.

(14) Street structures: No street signs, lights, postal boxes, parking meters or any other permanent street structure may be removed or altered without the prior approval of the New York City Department of Transportation or other agency charged with maintaining such structures.

(15) Production location access: If determined by MOFTB to be appropriate, permittees shall submit a mitigation plan for minimizing the potential inconvenience to residents and/or businesses caused by rigging or shooting activities.

(16) Food services: There shall be no sit-down catered meals permitted on public streets or sidewalks.

(17) Code of Conduct: MOFTB shall issue a location Code of Conduct that addresses the importance of considerate behavior on the set of all rigging and shooting activities. A copy of the Code of Conduct shall be given to holders of Required and Optional Permits under these rules. The permittee is responsible for providing a copy of the Code of Conduct to the cast and crew of each permitted rigging or shooting activity. Permittees shall be required to encourage participants in the permitted event to act in accordance with such code.

#### **(d) Modifications to or Suspension of Required or Optional Permit.**

(1) If a permittee seeks to modify its permit, it shall submit an addendum to its original request, which will be governed by the same timetable as provided in paragraph (5) of subdivision (b) of this section.

(2) If MOFTB determines that modifications should be made to the terms or conditions of any permit, or that a permit should be revoked, after notice and opportunity to be heard, MOFTB may do so, based upon reasons set forth in paragraph (7) of subdivision (b) of this section.

(3) If MOFTB revokes any permit prior to the date of the scouting, rigging or shooting, the permittee may appeal the revocation, subject to the time limitations set forth in paragraph (10) of subdivision (b) of this section.

(4) During the course of scouting, rigging or shooting, MOFTB or the NYPD may suspend any permit where public health or safety risks are found or where exigent circumstances warrant such action. Where a suspension lasting longer than six hours occurs, permittees shall be given notice and an opportunity to be heard within ten days after the suspension.

#### **§ 9-03. Indemnification and Insurance.**

(a) By accepting a permit, a permittee agrees to protect all persons and property from damage, loss or injury arising from any of the operations performed by or on behalf of the permittee, and to indemnify and hold harmless the City, to the fullest extent permitted by law, from all claims, losses and expenses, including attorneys' fees, that may result therefrom. This indemnification requirement does not apply to any person or entity acting with an Optional Permit in accordance with § 9-01(b)(2).

(b) Every holder of a Required Permit shall maintain, during the entire course of its operations, liability insurance with a limit of at least one million dollars (\$1,000,000) per occurrence. Such insurance shall include a policy endorsement naming the City of New York as an additional insured with coverage at least as broad as provided by Insurance Services Office (ISO) form CG 20 12 (07/98 ed.). The applicant shall provide proof of such insurance prior to the issuance of the permit in the form of an original certificate of insurance signed in ink to which a copy of the required endorsement is attached. For currently enrolled film students, proof of insurance through their school and the student's current attendance shall satisfy this requirement. This insurance requirement does not apply to any person or entity holding an Optional Permit issued in accordance with § 9-01(b)(4).

(c) If MOFTB determines, in light of the activity for which a permit is sought, that such activity may increase the potential for injury to individuals and/or damage to property, and that the minimum limit of insurance should be higher than one million dollars (\$1,000,000) per occurrence, MOFTB shall determine what higher minimum limit is to be required and inform the applicant of such higher limit. Factors to be considered by MOFTB may include, but shall not be limited to, the number of people involved, the location of the activity and the nature of the activity. The applicant shall thereafter provide proof of such insurance in accordance with subdivision (b) of this section. If MOFTB determines in

writing that a higher minimum limit is to be required, the applicant may appeal such determination by written request filed with the MOFTB appeals officer who may reverse, affirm, or modify the determination and provide a written explanation of his or her finding.

(d) MOFTB shall have the authority to waive the insurance required by subdivision (b) of this section where the applicant is able to demonstrate that such insurance cannot be obtained without imposing an unreasonable hardship on the applicant. Any request for a waiver of the insurance required by subdivision (b) of this section shall be included by the applicant in the application submitted to MOFTB under § 9-02 of this chapter. The burden of demonstrating unreasonable hardship shall be on the applicant, and may be demonstrated by a showing, for example, that the cost of obtaining insurance for the permitted activity exceeds twenty-five percent (25%) of the applicant's budget for such activity that is the subject of the application. MOFTB shall take into consideration the applicant's projections of budget as well as the budget projections for comparable productions of similar size and duration in determining whether the cost of obtaining insurance exceeds twenty-five percent (25%) of the budget. MOFTB may also take into consideration its determination that the permitted activity may increase the potential for injury to individuals and/or damage to property. In the event that MOFTB denies a waiver of the insurance requirement, the applicant may thereafter respond to the denial and appeal such denial pursuant to the provisions of § 9-02 of this chapter.

#### **STATEMENT OF BASIS AND PURPOSE**

The Mayor's Office of Film Theatre & Broadcasting ("MOFTB") has for many years issued permits in connection with various film production activities. With the recent significant increase in filming activities by both amateurs and professionals, it has become necessary to codify the process that has been followed over time. Such codification is also consistent with the City Charter requirement that agencies whose procedures or requirements affect the general public shall promulgate rules governing such activities. The purpose of these rules is thus to provide clear guidance to the persons and entities engaged in filming activities as to when they need permits, and when they do not.

MOFTB published proposed rules in the City Record on May 25, 2007, held a public hearing regarding the rules on June 28, 2007, and received extensive comments through August 3, 2007. MOFTB then republished the rules for comment on October 30, 2007, received additional extensive comments, and held another public hearing on December 13, 2007.

The adopted rules that are set forth herein include changes made as a result of this second public comment period and public hearing in recognition of the comments that have been received. Of significance is the change with respect to § 9-01(b) ("Required and Optional Permits"). MOFTB has considered comments received — including from amateur and professional people involved in a variety of film-related endeavors — and has clarified the definitions set forth in subdivision (b) regarding the use of public space requiring (or not requiring) a permit. In particular, where the rules describe the need for a permit for filming with a handheld device on either a street or sidewalk, the test for whether it is required is whether he/she would "assert exclusive use by any means, including physical or verbal" in various contexts. First is the situation where someone asserts such exclusive use on one or more lanes of a street or walkway of a bridge, and thus needs to obtain a permit. Second, with respect to a sidewalk or other pedestrian passageway, that person will need a permit if he/she asserts such exclusive use of more than one half of that sidewalk/pedestrian passageway. If that sidewalk/pedestrian passageway is narrower than sixteen feet, the person asserting such exclusive use in a way that leaves less than eight feet for other people's pedestrian use must get a permit.

In connection with the "exclusive use" test, the adopted rules also clarify that the activity of "standing on a street, walkway of a bridge, sidewalk, or other pedestrian passageway while using a handheld device and not asserting exclusive use" is not activity that requires a permit.

Minor changes have been made to other provisions of the rules:

- In § 9-02(a) ("Definitions") the definition of "equipment" has been revised with respect to vehicles that are transporting people who are engaged in filming from within such vehicles, to clarify that such vehicles do not need a permit if they are being operated in compliance with relevant traffic laws and rules.
- In § 9-02 (b) ("New Account Project Application and Permit Application...") paragraphs (7)(d) and (8) have been revised to provide that one of the reasons a permit can be denied is if the MOFTB concludes, based on specific information, that an applicant is unlikely to comply with the material terms of a requested permit, but that the MOFTB can consider whether special conditions may be placed on the permit, or whether other steps might be taken to address its concerns.
- In § 9-02(c) ("Responsibilities of Holders of Required and Optional Permits") paragraph (1) ("Rules") has been revised to reiterate that permittees, as well as those engaged in filming that does not require a permit, are subject to all applicable laws and rules; that permittees are subject to the terms of their permits; and that these rules do not authorize activities that are illegal under any law or rule, except for the conduct of permittees that is expressly authorized in the permits issued to them. Paragraph (2) ("Display of permit") is amended to make explicit the requirement that permittees not only have their MOFTB permit in their possession on location, but also must make it available for inspection by an

employee of the NYPD or other government agency. In § 9-02(d) ("Modifications to or Suspension of Required or Optional Permit") paragraph (4) has been rewritten to indicate that if there are public health or safety risks found that warrant the temporary suspension of a permit by the MOFTB of NYPD, the provisions already requiring notice and an opportunity to be heard will apply if such suspension lasts longer than six hours.

/s/ Katherine Oliver  
Commissioner

• jy14

## SPECIAL MATERIALS

### HOUSING PRESERVATION & DEVELOPMENT

#### ■ NOTICE

#### OFFICE OF PRESERVATION SERVICES CERTIFICATION OF NO HARASSMENT UNIT

#### REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO LOCAL LAW 19 OF 1983

DATE OF NOTICE: July 8, 2008

TO: OCCUPANTS, FORMER OCCUPANTS AND  
OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
230 West 75th Street, Manhattan	48/08	June 9, 2005 to Present
3 West 123rd Street, Manhattan	50/08	June 10, 2005 to Present
312 West 115th Street, Manhattan	53/08	June 19, 2005 to Present
2260 Broadway, Manhattan	54/08	June 19, 2005 to Present
a/k/a 219 West 81st Street		
1006 Bushwick Avenue, Brooklyn	49/08	June 5, 2005 to Present
50 Gates Avenue, Brooklyn	51/08	June 12, 2005 to Present
679 Greene Avenue, Brooklyn	52/08	June 16, 2005 to Present
160 Hancock Street, Brooklyn	55/08	June 25, 2005 to Present
162 6th Avenue, Brooklyn	56/08	June 30, 2005 to Present

The Department of Housing Preservation and Development has received an application for a certification that during the inquiry period noted for the premises above, that no harassment has occurred at such premises in the form of threats, use of physical force, deprivation of essential services such as heat, water, gas or electric, or by any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy. Upon the issuance of a Certification, an owner can legally convert the premises to non-single room occupancy use.

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement call (212) 863-8272.

jy8-15

### MAYOR'S OFFICE OF CONTRACT SERVICES

#### ■ NOTICE

#### PUBLIC NOTICE OF RATIFICATION OF MINOR RULES VIOLATIONS

The City Chief Procurement Officer (CCPO) ratified a request submitted by the Department of Parks and Recreation (Parks) for ratification of minor rules violations for one (1) non-significant competitive sealed proposal award, pursuant to Section 1-11(a)(ii) of the Concession Rules of the City of New York. Parks and the CCPO determined the minor violations which may have occurred with reference to such bids (failure to document compliance with Section 1-12(a) (2) of the Former Concession Rules of the City of New York) resulted in no adverse impact on the quality or level of competition in the City for the relevant time period, and that ratification of this concession award will not violate any law applicable to the concession process.

1. NY Water Taxi (Permit No. M5-B2-M): This is a water taxi concession located at Battery Park, Gangway #6. The concession term commenced 5/11/2004 and will expire on 5/10/2009 (annual fee of \$10,200).

• jy14

### MAYOR'S OFFICE OF ENVIRONMENTAL COORDINATION

#### ■ NOTICE

#### NOTICE OF CEQR COMMENCEMENT

CEQR NO.	Project Name	Borough	CD
07BSA094K	Maimonides Medical Center	Brooklyn	BK12
08BSA010Q	40-55 College Point Boulevard	Queens	QN07
08BSA025K	Wireless telecommunications facility of Omnipoint	Brooklyn	BK18

08BSA028Q	Mixed Use Residential and CUNY Graduate Center	Queens	QN02	08TLC047Q	T-D Maintenance D/B/A Four Ones Car Service	Queens	QN05	08DOT004K	Designation of Willoughby Street	Brooklyn	BK02	
08BSA030R	2525 Victory Boulevard	Staten Island	SI01	08TLC046Q	Kolel Car Service	Queens	QN09	08FDO001Y	Proposed New York City Fire Code Legislation	Citywide		
08BSA031K	220 Water Street Residential Conversion	Brooklyn	BK02	08TLC048K	Expressway Metro Cars Inc	Brooklyn	BK10	08HPD016K	Common Ground Senior Housing	Brooklyn	BK16	
08BSA034Q	Service Station Reconstruction	Queens	QN04	08TLC049R	County Car Service	Staten Island	SI02	07SBS021M	Whitney Museum of American Art - Gansevoort Facility	Manhattan	MN02	
08BSA037M	David Barton Gym	Manhattan	MN04	08TLC051M	DDA Luxury Limo & Car Service Corp	Manhattan	MN03	08SBS009K	Fulton Street Business Improvement District (BID)	Brooklyn	BK02	
08BSA046X	New York Sports Club	Bronx	BX11	05BSA108K	4911 17th Avenue	Brooklyn	BK12	08SBS010K	East Broadway Business Improvement Districts (BID)	Brooklyn	BK03 BK04 BK16	
08BSA048M	110 West 26th Street	Manhattan	MN04	05BSA110R	Omnipoint Communications Inc Wireless Telecommunications	Staten Island	SI02	08TLC036K	Northlands Trips Car Service Inc	Brooklyn	BK06	
08BSA049Q	182-69 80th Road	Queens	QN08	05BSA120K	18 Heyward Street	Brooklyn	BK01	08TLC041Q	La Raza Car Service Inc	Queens	QN03	
08BSA051Q	Torah Academy for Girls	Queens	QN14	05BSA133M	74-88 Avenue of the Americas	Manhattan	MN02	08TLC042R	Old Town Car Service LLC	Staten Island	SI02	
08BSA059M	Setai Club Spa	Staten Island	SI01	06BSA036M	New York Sports Club	Manhattan	MN04	08TLC043K	Brooklyn Radio Dispatch Inc	Brooklyn	BK01	
08BSA060R	Synergy Fitness Richmond Hill	Staten Island	SI02	06BSA045K	2409 Avenue Z	Brooklyn	BK15	08TLC047Q	T-D Maintenance D/B/A Four Ones Car Service	Queens	QN05	
08BSA063K	491 Bedford Avenue	Brooklyn	BK01	06BSA047Q	Linwood	Queens	QN07	08TLC046Q	Kolel Car Service	Queens	QN09	
08BSA065K	Sephardic Synagogue Institute	Brooklyn	BK15	06BSA098K	Taxpayer Enlargement 2671 86th Street	Brooklyn	BK15	08TLC048K	Expressway Metro Cars Inc	Brooklyn	BK10	
08BSA067M	Nations Academy West 57th Street	Manhattan	MN04	06BSA100M	415 Washington Street	Manhattan	MN01	08TLC049R	County Car Service	Staten Island	SI02	
08BSA068R	Planet Fitness	Staten Island	SI01	07BSA009M	Yeshiva University	Manhattan	MN12	<b>Modified Negative Declaration</b>				
08BSA069K	New York Sports Club	Brooklyn	BK10	07BSA024Q	Whitestone Office Building	Queens	QN07	<b>CEQR NO.</b>	<b>Project Name</b>	<b>Borough</b>	<b>CD</b>	
08BSA070R	Special St. George District	Staten Island	SI01	07BSA025Q	Wireless Communications Facility of Omnipoint	Queens	QN09	04DCP039R	Bradford Avenue Homes	Staten Island	SI03	
08BSA075X	South Bronx Charter School	Bronx	BX01	07BSA039R	Wireless Telecommunications Facility	Staten Island	SI02	07DCP095M	Hudson Square North Rezoning	Manhattan	MN02	
08BSA084K	Central UTA	Brooklyn	BK03	07BSA044K	211 / 283 63rd Street	Brooklyn	BK07	08DCP003M	310-328 West 38th Street	Manhattan	MN04	
08BSA088M	24 Hour Fitness Worldwide	Manhattan	MN05	07BSA061M	Bikram Yoga NYC	Manhattan	MN08	08DOS004K	Long Term Service Contract for Management, Rail Transport, and	Brooklyn	BK01 BK03 BK04 BK05	
07DCP087K	111 Union Street Rezoning	Brooklyn	BK06	07BSA065R	Wireless Telecommunications Facility Of Omnipoint	Staten Island	SI01	<b>Conditional Negative Declaration</b>				
08DCP025X	503 City Island Avenue Public Parking Lot	Bronx	BX10	07BSA076Q	New York Sports Club	Queens	QN05	<b>CEQR NO.</b>	<b>Project Name</b>	<b>Borough</b>	<b>CD</b>	
08DCP028Q	Waterpointe	Queens	QN07	<b>DETERMINATION OF SIGNIFICANCE</b>								
08DCP031M	Gramercy Condominium	Manhattan	MN05	<b>Negative Declaration</b>								
08DCP032R	Brighton Avenue Hillside Authorizations	Staten Island	SI01	<b>CEQR NO.</b>	<b>Project Name</b>	<b>Borough</b>	<b>CD</b>	07BSA044K	211 / 283 63rd Street	Brooklyn	BK07	
08DCP039M	102 Greene Street	Manhattan	MN02	05BSA108K	4911 17th Avenue	Brooklyn	BK12	05DCP034X	Westchester Avenue Rezoning	Bronx	BX09	
08DCP051K	Gates Avenue Walgreens Rezoning	Brooklyn	BK03	05BSA110R	Omnipoint Communications Inc Wireless Telecommunications	Staten Island	SI02	05DCP051X	St. Ann's Avenue Rezoning	Bronx	BX01	
08DCP059M	Villard Houses Open Air Café	Manhattan	MN05	05BSA120K	18 Heyward Street	Brooklyn	BK01	<b>Modified Positive Declaration</b>				
08DCP066M	West 44th Street Hotel	Manhattan	MN04 MN05	05BSA133M	74-88 Avenue of the Americas	Manhattan	MN02	<b>CEQR NO.</b>	<b>Project Name</b>	<b>Borough</b>	<b>CD</b>	
08DCP071X	Lower Concourse Rezoning and Related Actions	Bronx	BX01	06BSA036M	New York Sports Club	Manhattan	MN04	08DME007K	Coney Island Rezoning	Brooklyn	BK13	
08DCP072K	Berry Street and North 7th Street Zoning Map Amendment	Brooklyn	BK01	06BSA045K	2409 Avenue Z	Brooklyn	BK15	<b>Positive Declaration</b>				
08DCP074Q	Waldheim Rezoning	Queens	QN07	06BSA047Q	Linwood	Queens	QN07	<b>CEQR NO.</b>	<b>Project Name</b>	<b>Borough</b>	<b>CD</b>	
08DCP075R	NYCWIn-4414 Arthur Kill Road (Site Si-007B)	Staten Island	SI03	06BSA098K	Taxpayer Enlargement 2671 86th Street	Brooklyn	BK15	08DCP071X	Lower Concourse Rezoning and Related Actions	Bronx	BX01	
08DCP076R	NYCWIn-209-211 Main Street (Site SI-001B)	Staten Island	SI03	06BSA100M	415 Washington Street	Manhattan	MN01	08DME008K	Sunset Marketplace	Brooklyn	BK07	
08DCP079K	Bakupalance Special Permit	Brooklyn	BK15	06BSA106K	11-15 Old Fulton Street	Brooklyn	BK02	<b>Draft Scope of Work</b>				
08DEP056U	Rules for the Recreational Use of Water Supply Lands and	Upstate		06BSA106K	11-15 Old Fulton Street	Brooklyn	BK02	<b>CEQR NO.</b>	<b>Project Name</b>	<b>Borough</b>	<b>CD</b>	
06DOS007K	Brooklyn North Salt Shed	Brooklyn	BK01 BK03 BK04	07BSA009M	Yeshiva University	Manhattan	MN12	08DCP071X	Lower Concourse Rezoning and Related Actions	Bronx	BX01	
07DOS005Q	A & L Cesspool Service Corporation	Queens	QN02	07BSA024Q	Whitestone Office Building	Queens	QN07	08DME007K	Coney Island Rezoning	Brooklyn	BK13	
08DOS001K	Sunset Park Materials Recovery Facility (MRF)- 30th Street Pier	Brooklyn	BK07	07BSA025Q	Wireless Communications Facility of Omnipoint	Queens	QN09	08DME008K	Sunset Marketplace	Brooklyn	BK07	
08DOS004K	Long Term Service Contract for Management, Rail Transport, and	Brooklyn	BK01 BK03 BK04 BK05	07BSA039R	Wireless Telecommunications Facility	Staten Island	SI02	<b>SCOPING</b>				
08DOT005Q	Acquisition of an Existing Asphalt Plant (Grace Asphalt Plant)	Queens	QN07	07BSA053M	DA Spa LLC, dba, Delluva Day Spa	Manhattan	MN01	<b>Draft Scope of Work</b>	<b>CEQR NO.</b>	<b>Project Name</b>	<b>Borough</b>	<b>CD</b>
08DPR008K	Calvert Vaux Park Reconstruction	Brooklyn	BK13	07BSA054X	Bronx Lebanon Hospital Center	Bronx	BX04	08DCP071X	Lower Concourse Rezoning and Related Actions	Bronx	BX01	
08FDO001Y	Proposed New York City Fire Code Legislation	Citywide		07BSA061M	Bikram Yoga NYC	Manhattan	MN08	08DME007K	Coney Island Rezoning	Brooklyn	BK13	
08HPD016K	Common Ground Senior Housing	Brooklyn	BK16	07BSA065R	Wireless Telecommunications Facility Of Omnipoint	Staten Island	SI01	08DME008K	Sunset Marketplace	Brooklyn	BK07	
08SBS009K	Fulton Street Business Improvement District (BID)	Brooklyn	BK02	07BSA076Q	New York Sports Club	Queens	QN05	<b>Final Scope of Work</b>				
08SBS010K	East Broadway Business Improvement Districts (BID)	Brooklyn	BK03 BK04 BK16	07BSA094K	Maimonides Medical Center	Brooklyn	BK12	<b>CEQR NO.</b>	<b>Project Name</b>	<b>Borough</b>	<b>CD</b>	
08SBS011M	Hudson Square Business Improvement District (BID)	Manhattan	MN02	07DCP079M	31-37 West 56th Street Public Parking Garage	Manhattan	MN05	07DCP078M	East Village / Lower East Side Rezoning	Manhattan	MN03	
08TLC036K	Northlands Trips Car Service Inc	Brooklyn	BK06	08DCP065Q	Rockaway Neighborhood Rezoning	Queens	QN14	08DCP021Q	Dutch Kills Rezoning and Related Actions	Queens	QN01	
08TLC041Q	La Raza Car Service Inc	Queens	QN03	08DCP070R	Special St. George District	Staten Island	SI01	08DME006Q	Hunter's Point South	Queens	QN02	
08TLC042R	Old Town Car Service LLC	Staten Island	SI02	06DOS007K	Brooklyn North Salt Shed	Brooklyn	BK01 BK03 BK04	<b>ENVIRONMENTAL IMPACT STATEMENT</b>				
08TLC043K	Brooklyn Radio Dispatch Inc	Brooklyn	BK01	07DOS005Q	A & L Cesspool Service Corporation	Queens	QN02	<b>Draft EIS and NOC</b>				
				08DOS001K	Sunset Park Materials Recovery Facility (MRF)- 30th Street Pier	Brooklyn	BK07	<b>CEQR NO.</b>	<b>Project Name</b>	<b>Borough</b>	<b>CD</b>	
				08DOS004K	Long Term Service Contract for Management, Rail Transport, and	Brooklyn	BK01 BK03 BK04 BK05	07DCP078M	East Village / Lower East Side Rezoning	Manhattan	MN03	
								08DCP021Q	Dutch Kills Rezoning and Related Actions	Queens	QN01	
								08DME006Q	Hunter's Point South	Queens	QN02	
								☛ jy14-18				
								<b>YOUTH AND COMMUNITY DEVELOPMENT</b>				
								<b>NOTICE</b>				
								In advance of the release of a Summer Youth Employment Program (SYEP) Request for Proposal, the Department of Youth and Community Development (DYCD) is issuing a concept paper presenting the purpose and plan for this program. The SYEP concept paper will be posted on DYCD's website <a href="http://www.nyc.gov/dycd">www.nyc.gov/dycd</a> beginning July 18, 2008. Public comments are encouraged and should be emailed to DYCD at <a href="mailto:cp@dycd.nyc.gov">cp@dycd.nyc.gov</a> , by August 29, 2008.				
								jy11-17				

## READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except legal holidays.

### NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptrollers Office at [www.comptroller.nyc.gov](http://www.comptroller.nyc.gov), click on Labor Law Schedules to view rates.

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

### VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists-free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at [NYC.gov/selltonyc](http://NYC.gov/selltonyc)
- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

### Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application. If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

### SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

### PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

### NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

### PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

### ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

### PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

### PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://NYC.GOV.Selltonyc>

### COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

- AB ..... Acceptable Brands List
- AC ..... Accelerated Procurement
- AMT ..... Amount of Contract
- BL ..... Bidders List
- CSB ..... Competitive Sealed Bidding (including multi-step)
- CB/PQ ..... CB from Pre-qualified Vendor List
- CP ..... Competitive Sealed Proposal (including multi-step)
- CP/PQ ..... CP from Pre-qualified Vendor List
- CR ..... The City Record newspaper
- DA ..... Date bid/proposal documents available
- DUE ..... Bid/Proposal due date; bid opening date
- EM ..... Emergency Procurement
- IG ..... Intergovernmental Purchasing
- LBE ..... Locally Based Business Enterprise
- M/WBE ..... Minority/Women's Business Enterprise
- NA ..... Negotiated Acquisition
- NOTICE.... Date Intent to Negotiate Notice was published in CR
- OLB..... Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN..... Procurement Identification Number
- PPB ..... Procurement Policy Board
- PQ ..... Pre-qualified Vendors List
- RS..... Source required by state/federal law or grant
- SCE ..... Service Contract Short-Term Extension
- DP ..... Demonstration Project
- SS ..... Sole Source Procurement
- ST/FED ..... Subject to State &/or Federal requirements

### KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

- CSB ..... **Competitive Sealed Bidding** (including multi-step)  
*Special Case Solicitations / Summary of Circumstances:*
- CP ..... **Competitive Sealed Proposal** (including multi-step)
- CP/1 ..... Specifications not sufficiently definite
- CP/2 ..... Judgement required in best interest of City
- CP/3 ..... Testing required to evaluate
- CB/PQ/4 ....
- CP/PQ/4 .... **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP ..... Demonstration Project
- SS ..... **Sole Source Procurement/**only one source
- RS..... Procurement from a Required Source/ST/FED
- NA ..... Negotiated Acquisition  
*For ongoing construction project only:*
- NA/8 ..... Compelling programmatic needs

- NA/9 ..... New contractor needed for changed/additional work
- NA/10 ..... Change in scope, essential to solicit one or limited number of contractors
- NA/11 ..... Immediate successor contractor required due to termination/default  
*For Legal services only:*
- NA/12 ..... Specialized legal devices needed; CP not advantageous
- WA ..... **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1 ..... Prevent loss of sudden outside funding
- WA2 ..... Existing contractor unavailable/immediate need
- WA3 ..... Unsuccessful efforts to contract/need continues
- IG ..... **Intergovernmental Purchasing** (award only)
- IG/F ..... Federal
- IG/S ..... State
- IG/O ..... Other
- EM ..... **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A ..... Life
- EM/B ..... Safety
- EM/C ..... Property
- EM/D ..... A necessary service
- AC ..... **Accelerated Procurement/**markets with significant short-term price fluctuations
- SCE ..... **Service Contract Extension/**insufficient time; necessary service; fair price  
*Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason* (award only)
- OLB/a ..... anti-apartheid preference
- OLB/b ..... local vendor preference
- OLB/c ..... recycled preference
- OLB/d ..... other: (specify)

### HOW TO READ CR PROCUREMENT NOTICES

Procurement Notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

## SAMPLE NOTICE:

### POLICE

#### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

**BUS SERVICES FOR CITY YOUTH PROGRAM** – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

### NUMBERED NOTES

**Numbered Notes are Footnotes.** If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.