



# THE CITY RECORD

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## THE CITY RECORD

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### CITY COUNCIL

#### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Council has scheduled the following public hearing on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing, accessible remotely and in person at 250 Broadway, 14<sup>th</sup> Floor, New York, N.Y. 10007, on the following matters



commencing at 12:00 P.M. on September 19, 2023. The hearing will be live-streamed on the Council's website at <https://council.nyc.gov/live/>. Please visit <https://council.nyc.gov/land-use/> in advance for information about how to testify and how to submit written testimony.

#### 703 MYRTLE AVENUE REZONING BROOKLYN CB - 3 C 220453 ZMK

Application submitted by Ranco Capital, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b:

1. changing from an M1-1 District to an R7D District property bounded by a line 100 feet northerly of Myrtle Avenue, Walworth Street, Myrtle Avenue, and Spencer Street; and
2. establishing within the proposed R7D District a C2-4 District bounded by a line 100 feet northerly of Myrtle Avenue, Walworth Street, Myrtle Avenue, and Spencer Street;

subject to the conditions of CEQR Declaration E-695.

#### 703 MYRTLE AVENUE REZONING BROOKLYN CB - 3 N 220454 ZRK

Application submitted by Ranco Capital, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

\* \* \*

#### APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

BROOKLYN

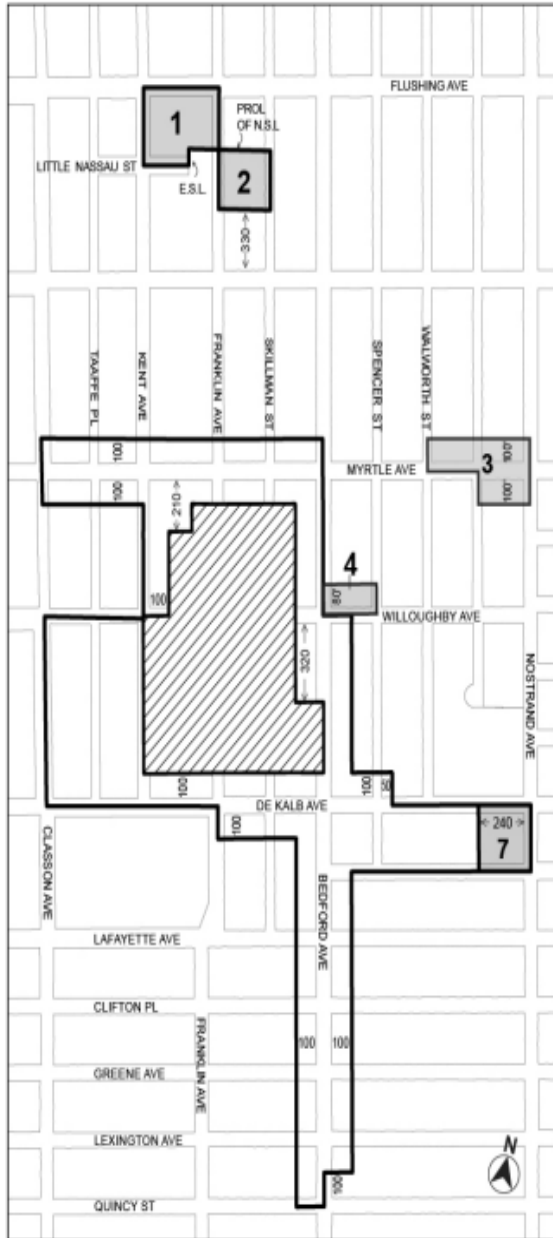
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Brooklyn Community District 3

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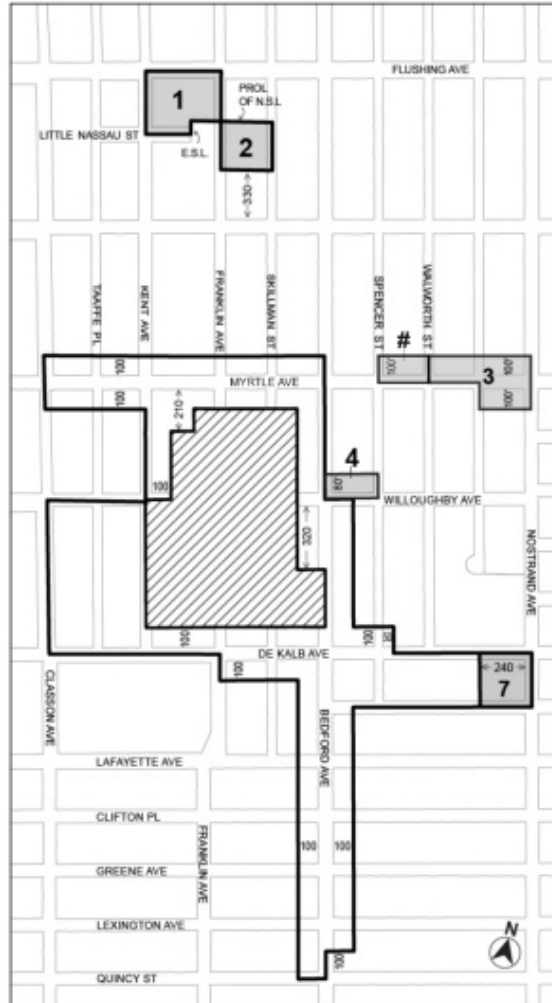
Map 3 – [date of adoption]

[EXISTING MAP]



- Inclusionary Housing designated area
- Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
  - Area 1 – 5/10/17 MIH Program Option 1, Option 2 and Workforce Option
  - Area 2 – 5/10/17 MIH Program Option 1 and Option 2
  - Area 3 – 11/30/17 MIH Program Option 1
  - Area 4 – 2/13/19 MIH Program Option 1 and Option 2
  - Area 7 – 11/10/21 MIH Program Option 2
- Excluded Area

[PROPOSED MAP]



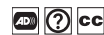
- Inclusionary Housing designated area
- Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
  - Area 1 – 5/10/17 MIH Program Option 1, Option 2 and Workforce Option
  - Area 2 – 5/10/17 MIH Program Option 1 and Option 2
  - Area 3 – 11/30/17 MIH Program Option 1
  - Area 4 – 2/13/19 MIH Program Option 1 and Option 2
  - Area 7 – 11/10/21 MIH Program Option 2
  - Area # — [date of adoption] MIH Program Option 1 and Option 2
- Excluded Area

Portion of Community District 3, Brooklyn

\*\*\*

For questions about accessibility and requests for additional accommodations, please contact [swerts@council.nyc.gov](mailto:swerts@council.nyc.gov) or [nbenjamin@council.nyc.gov](mailto:nbenjamin@council.nyc.gov) or (212) 788-6936 at least three (3) business days before the hearing.

Accessibility questions: [Kaitlin Greer, kgreer@council.nyc.gov](mailto:kgreer@council.nyc.gov), by: Thursday, September 14, 2023 3:00, P.M.



s13-19

NOTICE IS HEREBY GIVEN that the Council has scheduled the following public hearing on the matter indicated below:

The Subcommittee on Landmarks, Public Sitings, and Dispositions will hold a public hearing, accessible remotely and in person at 250 Broadway, 14<sup>th</sup> Floor, New York, N.Y. 10007, on the following matters commencing at 10:00 A.M. on September 19, 2023. The hearing will be live-streamed on the

Council's website at <https://council.nyc.gov/live/>. Please visit <https://council.nyc.gov/land-use/> in advance for information about how to testify and how to submit written testimony.

**244 EAST 106<sup>TH</sup> STREET – SHARE NYC – ARTICLE XI  
DISPOSITION**

**MANHATTAN CB – 11**

**G 23003 2 XIM**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 576 of Article XI of the Private Housing Finance Law for approval of a real property tax exemption for property located at 244 East 106th Street (Block 1655, p/o Lot 29 (Tentatively New Lot 129)), Community District 11, Council District 8.

**FIRE ALARM TELEGRAPH BUREAU, BRONX CENTRAL  
OFFICE**

**JOINT INTEREST AREA**

**N 230383 HIX**

Communication dated June 22, 2023, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Fire Alarm Telegraph Bureau, Bronx Central Office (Block 4333, Lot 1 in part), by the Landmarks Preservation Commission on June 13, 2023 (Designation List No. 533/LP-2668), Borough of the Bronx, Bronx Park (Community District 27).

**BRONX OPERA HOUSE**

**BRONX CB – 1**

**N 230385 HIX**

Communication dated June 22, 2023, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Bronx Opera House (Block 2293, p/o Lot 46) by the Landmarks Preservation Commission on June 13, 2023 (Designation List 533/LP-2667), Borough of the Bronx, Community District 1.

**FIREHOUSE, ENGINE COMPANY 88/LADDER COMPANY 38**

**BRONX CB – 6**

**N 230386 HIX**

Communication dated June 22, 2023, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Firehouse, Engine Company 88/Ladder Company 38 (Block 3086, Lot 38), by the Landmarks Preservation Commission on June 13, 2023 (Designation List No. 533/LP-2669), Borough of the Bronx, Community District 6.

**935 ST. NICHOLAS AVENUE BUILDING**

**MANHATTAN CB – 12**

**N 240022 HIM**

Communication dated July 6, 2023, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of 935 St. Nicholas Avenue Building, 935 St. Nicholas Avenue (Block 2107, Lot 72) by the Landmarks Preservation Commission on June 27, 2023 (List No. 534/LP No. 2670).

**HOTEL CECIL AND MINTON'S PLAYHOUSE**

**MANHATTAN CB – 10**

**N 240020 HIM**

Communication dated July 6, 2023, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Hotel Cecil & Minton's Playhouse Building, 206 West 118th Street (Block 1923, Lot 38) by the Landmarks Preservation Commission on June 27, 2023 (List No. 534/LP No. 2671).

**JOHN BIRKS "DIZZY" GILLESPIE RESIDENCE**

**QUEENS CB – 3**

**N 240021 HIQ**

Communication dated July 6, 2023, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the John Birks "Dizzy" Gillespie Residence, 105-19 37th Avenue in Corona, Queens (Block 1747, Lot 51) by the Landmark Preservation Commission on June 27, 2023 (List No. 534 / LP No. 2657) Borough of Queens, Community District 3.

**For questions about accessibility and requests for additional accommodations, please contact [swerts@council.nyc.gov](mailto:swerts@council.nyc.gov) or [nbenjamin@council.nyc.gov](mailto:nbenjamin@council.nyc.gov) or (212) 788-6936 at least three (3) business days before the hearing.**

Accessibility questions: Kaitlin Greer, [kgreer@council.nyc.gov](mailto:kgreer@council.nyc.gov), by: Thursday, September 14, 2023, 3:00 P.M.



s13-19

**CITY PLANNING**

■ MEETING

**PUBLIC NOTICE OF A SCOPING MEETING  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
(CEQR No. 24DCP019K)**

**NOTICE IS HEREBY GIVEN** that pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) AND 6 NYCRR 617.8 (State Environmental Quality Review) that the New York City Department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, has determined, based on the Environmental Assessment Statement, that a draft environmental impact statement (DEIS) is to be prepared for the **Atlantic Avenue Mixed-Use Plan** (AAMUP) project (CEQR Number 24DCP019K). The CEQR lead agency hereby requests that the applicant prepare a DEIS in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

**A public scoping meeting has been scheduled for Tuesday, October 17, 2023 at 2:00 P.M.** To continue to allow for broad public participation options, DCP will hold the public scoping meeting remotely. To join the meeting and comment, please visit NYC Engage (<https://www1.nyc.gov/site/nycengage/events/index.page>).

**To dial into the meeting** to listen by phone you may call

- 877-853-5247 (Toll-free)
- 888-788-0099 (Toll-free)
- 213-338-8477
- 253-215-8782

Enter the following meeting ID and password when prompted:

- Meeting ID: 813 5124 1440
- Password: 1
- [The Participant ID can be skipped by pressing #]

**For technical support** during the meeting you may call any of the phone numbers listed above. Then enter the following meeting ID and password when prompted:

- Meeting ID: 618 237 7396
- Password: 1

Instructions on how to participate, as well as materials relating to the meeting, will be posted on the site in advance of the meeting, at least one hour prior to the start time. To help the meeting host effectively manage members of the public who sign up to comment, those who do not intend to actively participate are invited to watch the livestream or the recording that will be posted after the meeting. The livestream can be found in the above NYC Engage link and will be made available on the day of the scoping meeting.

Written comments will be accepted through 5:00 P.M., Friday, October 27, 2023. They can be submitted through the above webpage or mailed to Stephanie Shellooe, AICP, Director, Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may also be obtained by contacting the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271, Stephanie Shellooe, Director, by calling (212) 720-3328, or by emailing [sshellooe@planning.nyc.gov](mailto:sshellooe@planning.nyc.gov). In addition, to view the **Atlantic Avenue Mixed-Use Plan** Draft Scope of Work and the Environmental Assessment Statement, navigate to the project page in ZAP and select Public Documents, then "Draft Scope of Work 24DCP019K" and "EAS\_24DCP019K." To view the Scoping Protocol, select the Public Documents, then "Scoping Protocol."

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to [AccessibilityInfo@planning.nyc.gov](mailto:AccessibilityInfo@planning.nyc.gov) or made by calling (212) 720-3508. Requests must be submitted at least ten business days before the meeting, by Monday, October 2, 2023.

The New York City Department of City Planning (DCP), together with New York City Department of Housing Preservation and Development (HPD) and other partner agencies, is proposing a series of land use actions, including zoning map amendments and zoning

text amendments (including establishing a new Special District and Mandatory Inclusionary Housing (MIH)) (the "Proposed Actions") that would facilitate the implementation of a multi-year planning process conducted along Atlantic Avenue in Prospect Heights, northwestern Crown Heights, and southern Bedford Stuyvesant in partnership with elected officials, city agencies, community boards, and local stakeholders.

The Proposed Actions would affect an approximately 20-block area, primarily along Atlantic Avenue in Brooklyn Community Districts 3 and 8, and generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Herkimer Street to the north, and Bergen Street to the south. In addition, the Proposed Actions would affect a separate, non-contiguous area located on a portion of two blocks in Prospect Heights bounded by 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.

The Proposed Actions are as follows:

- **Zoning Map Amendment** to:
  - Rezone portions of existing M1-1, C6-3A, M1-4/R7A, R7A/C2-4, R7D/C2-4, C6-2A, R6B, and R6A districts to R7A, R7D, C6-3A, M1-4/R6B, M1-4/R6A, M1-4/R7D, M1-5/R9A, C4-3A, C4-5D, and M1-4 districts and C2-4 commercial overlays.
- **Zoning Text Amendments** to:
  - Establish the Special Atlantic Avenue Mixed Use District largely coterminous with the Rezoning Area. The proposed special purpose district will include modifications to underlying use, bulk, parking and loading, and streetscape regulations. The proposed special district will include requirements and incentives related to active ground floor uses and job-generating uses and establish controls for building articulation and streetscape improvements along key corridors.
  - Modify Appendix F for the purpose of establishing proposed R7A, R7D, C6-3A, M1-4/R6B, M1-4/R6A, M1-4/R7D, M1-5/R9A, C4-3A, and C4-5D as Mandatory Inclusionary Housing (MIH) areas, applying the MIH program to require a share of new housing to be permanently affordable where significant new housing capacity would be created.
- Designation of an Urban Development Action Area ("UDAA"), project approval of an Urban Development Action Area Project ("UDAAP"), and acquisition and/or disposition of the City-owned property within the project area.
- **Site Selection and/or Acquisition**, related to the potential acquisition of land by the City for the purpose of establishing publicly accessible open space.

The Proposed Actions seek to accomplish the following land use objectives:

- Implement community-identified priorities for housing, services, and job growth, and reinforce proposed investments into community amenities and the streetscape.
- Allow for new housing where appropriate and require permanently affordable housing in new residential developments.
- Reinforce the area as a local job hub that serves surrounding neighborhoods, new residents, and promotes a walk-to-work environment.
- Ensure the area evolves into a mixed-use neighborhood that supports new housing and space for local retail, community facilities and services, and commercial and light industrial uses.
- Encourage the investment in, and expansion of, loft-style buildings to help the growth of job-dense uses in appropriate locations.
- Strengthen the quality of the Atlantic Avenue streetscape, improve safety along the corridor and at key intersections, and enhance the pedestrian experience along the sidewalk and find opportunities for publicly accessible open space for existing and future residents.
- Support active ground floor uses along key corridors, including Atlantic Avenue, Grand Avenue, Classon Avenue, and Bedford Avenue.
- Create special zoning rules to improve urban design and accommodate unique development conditions.

The Reasonable Worst-Case Development Scenario ("RWCDs") for the Proposed Actions identifies 51 projected development sites under the With-Action Condition would consist of approximately 5,511,773

sf of floor area, including 4,382,630 sf of residential floor area (approximately 4,283 dwelling units (DU)), a substantial proportion of which are expected to be affordable pursuant to MIH and city-based programs, 368,408 sf of local retail uses, 56,686 sf of destination retail uses, 534,542 sf of office uses, 48,114 sf of industrial uses, and 121,393 sf of community facility uses, as well as no accessory parking spaces. The estimated population under the With-Action Condition would include a total of approximately 10,279 residents and 3,524 workers on these projected development sites. The projected incremental (net) change between the No-Action and With-Action conditions that would result from the Proposed Actions would be an increase of 4,216,657 sf of residential floor area (4,108 DU), 301,471 sf of local retail space, 56,686 sf of destination retail space, 511,894 sf of office space, 97,807 sf of community facility space, and a net reduction of 319 accessory parking spaces, and a net decrease 189,257 sf of industrial and 81,000 sf of automotive related uses on the projected development sites. The RWCDs also identifies 16 potential development sites that are considered less likely to be developed by the analysis year, but will be analyzed in the EIS for site-specific effects such as archaeology, shadows, hazardous materials, air quality, and noise.

The analysis year of the Proposed Actions is 2034.

◀ s15

### CITYWIDE ADMINISTRATIVE SERVICES

#### ■ PUBLIC HEARINGS

#### HUMAN CAPITAL LINE OF SERVICE PROPOSED AMENDMENT TO CLASSIFICATION

**PUBLIC NOTICE IS HEREBY GIVEN** of a virtual public hearing to amend the Classification of the Classified Service of the City of New York.

A virtual public hearing will be held by the Commissioner of Citywide Administrative Services in accordance with Rule 2.6 of the Personnel Rules and Regulations of the City of New York via Microsoft Teams on September 29, 2023, at 10:00 A.M.

**Topic:** Public Hearing – The Office of the Queens County District Attorney [904] – NYS Civil Service Commission Proposal

**Meeting link:** <https://www.microsoft.com/microsoft-teams/join-a-meeting>

**Meeting ID:** 210 874 455 551

**Passcode:** V6ZdYU

**Phone Number:** 1 646-893-7101

**Phone Conference ID:** 245 080 951#

For more information go to the DCAS website at <https://www1.nyc.gov/site/dcas/about/public-hearings.page>

**RESOLVED**, that the Classification of the Classified Service of the City of New York is hereby amended under the heading THE OFFICE OF THE QUEENS COUNTY DISTRICT ATTORNEY [904] as follows:

- I. To classify the following non-managerial titles, in the Non-Competitive Class, subject to Rule XI, Part II, with number of positions authorized as indicated:

Title Code Number	Class of Positions	Salary Range Effective 12/15/2017	Number of Positions Authorized
95712	IT Automation and Monitoring Engineer	\$75,000 - \$140,000	5
95714	IT Infrastructure Engineer	\$75,000 - \$180,000	5
95710	IT Project Specialist	\$75,000 - \$160,000	5
95713	IT Service Management Specialist	\$75,000 - \$130,000	5
95711	Senior IT Architect	\$100,000 - \$180,000	5
95622	IT Security Specialist	\$75,000 - \$180,000	5#

Add 5,  
Delete 1

Part II positions are covered by Section 75 of the Civil Service Law Disciplinary procedures after 5 years of service.

Accessibility questions: DCAS Accessibility, (212) 386-0256, accessibility@dcas.nyc.gov, by: Friday, September 22, 2023, 5:00 P.M.



• s15-19

## COMMUNITY BOARDS

### ■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

#### BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, September 20, 2023, 7:00 P.M., Board Office Meeting Room, 1097 Bergen Avenue and via WebEx for participants who wish to participate online.

DEP will provide a follow up to the Town Hall meeting that we held here at the Community Board 18 Office for the area residents that were flooded. Information about the findings when DEP visited the affected homes and communities will be provided to our constituents.

#### **Please Note:**

- Videoconferencing information for those who wish to participate online, is as follows:

#### **REGULAR MONTHLY BOARD MEETING – SEPTEMBER 20, 2023 7 P.M.**

**Join link:** <https://nycb.webex.com/nycb/j.php?MTID=md8ae67b2f0fc5e64e852e7b484b1eddd1>

#### **Webinar number:**

2336 942 2144

#### **Webinar password:**

yqY3pqD2Zp2 (97937732 from phones and video systems)

#### **Join by phone**

+1-646-992-2010 United States Toll (New York City)  
+1-408-418-9388 United States Toll

#### **Access code:** 2336 942 2144

Global call-in numbers



s12-20

**NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

#### BOROUGH OF BROOKLYN

Community Board No. 10 - Monday September 18, 2023 at 7:00 P.M., Norwegian Christian Home, 1250 67th Street, Brooklyn, NY 11219. The meeting will be livestreamed to bit.ly/3HLO5lw

- **BSA Cal. No.: 508-80-BZ, 6220 14th Avenue (Hebrew Academy for Special Children Inc.)** – application seeks modifications to the special permit awarded in July of 1980 which allowed a Use Group 3 school at the existing, two-story building, contrary to the use regulations of the underlying M1-1 zoning district. This application is for a small structural enlargement of the school to allow for an elevator, gymnasium and additional therapy and vocational space.
- **BSA Calendar No.: 2023-47-BZ, 8009 Harbor View Terrace** – Special Permit pursuant to ZR 73-621 to enlarge an existing one family home contrary to the FAR (23-141); open space (23-141); side yards (23-461(a)); and rear yard (23-47) requirements of the underlying R2/BR zoning district.
- **BSA Calendar No.: 2023-48-BZ, 7509 Shore Road (Bay Ridge Prep)** – Application filed pursuant to ZR 72-21 to allow, in connection with the change of use of an existing 18,759 square foot 3-story rectory building to a Use Group 3 school, the construction of a 13,783 square foot 2-story enlargement, requiring zoning variance of front yard and height regulations.



s11-18

## HOUSING AUTHORITY

### ■ MEETING

The next Board Meeting of the New York City Housing Authority is scheduled for Thursday, September 28, 2023 at 10:00 A.M. in the Ceremonial Room on the 5th Floor of 90 Church Street, New York, New York (unless otherwise noted). Copies of the Calendar will be available on NYCHA's Website or may be picked up at the Office of the Corporate Secretary at 90 Church Street, 5th Floor, New York, New York, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's Website or may be picked up at the Office of the Corporate Secretary no earlier than 3:00 P.M. on the Friday following the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website at <https://www1.nyc.gov/site/nycha/about/board-meetings.page> to the extent practicable at a reasonable time before the meeting.

The meeting is open to the public. Pre-registration, at least 45 minutes before the scheduled Board Meeting, is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first.

Accessibility questions: Office of the Corporate Secretary, 212-306-6088, by: Thursday, September 14, 2023, 5:00 P.M.



s8-28

## HOUSING PRESERVATION AND DEVELOPMENT

### ■ PUBLIC HEARINGS

PLEASE TAKE NOTICE that a public hearing will be held on September 19, 2023, at City Hall at 1:00 P.M., or as soon thereafter as the matter may be reached on the calendar, at which time and place those wishing to be heard will be given an opportunity to be heard concerning the proposed disposition of the real property identified below.

Pursuant to Section 576-a(2) of the Private Housing Finance Law, the Department of Housing Preservation and Development ("HPD") of the City of New York ("City") has proposed the sale of the following City-Owned property (collectively, "Disposition Area") in the Borough of Manhattan:

<u>Address</u>	<u>Block/Lot</u>
244 East 106th Street	1655/ p/o 29 (Tentative New Lot 129)

The Disposition Area is a vacant portion of privately-owned Lot 29. The City previously conveyed the entirety of Lot 29 (formerly Lot 29 and Lot 128) to a housing development company for a rehabilitation project, pursuant to accelerated UDAAP approved by the City Council on May 16, 1995 (Resolution No. 1009) and by the Mayor on May 25, 1995 (Calendar No. 58). Rehabilitation was completed for the existing building, but the vacant portion remained underutilized. HPD will re-acquire and dispose of the Disposition Area to facilitate the proposed project.

Under the Supportive Housing Loan Program, HPD funds the rehabilitation or new construction of buildings which provide supportive housing for the homeless, people with special needs, and other persons of low income. HPD works with the Department of Homeless Services, the Department of Health and Mental Hygiene, the Human Resources Administration's HIV/AIDS Services Administration, and other public agencies to ensure that the completed projects receive appropriate building security and social services.

Under the proposed project, the City will sell the Disposition Area to Ascendant 244 Housing Development Fund Corporation ("Sponsor") for the nominal price of one dollar per tax lot. The Sponsor will also deliver an enforcement note and mortgage for the remainder of the appraised value ("Land Debt"). The Sponsor will then construct one building containing a total of approximately 32 units for occupancy by homeless and low-income persons, plus one unit for a superintendent. The Land Debt or City's capital subsidy may be repayable out of resale or refinancing profits for a period of at least thirty (30) years following completion of construction. The remaining balance, if any, may be forgiven at the end of the term.

The appraisal and the proposed Land Disposition Agreement and Project Summary are available for public examination by emailing Margaret Carey at careym@hpd.nyc.gov on business days during business hours.

The hearing location is accessible to individuals using wheelchairs or other mobility devices. For further information on accessibility or to make a request for accommodation, such as sign language interpretation services, please contact Nicole Benjamin at EEOOfficer@council.nyc.gov or (212) 788-6936.

Accessibility questions: Nicole Benjamin 212-788-6936, by: Wednesday, September 13, 2023, 12:00 P.M.



s7-19

**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 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, September 19, 2023, at 9:30 A.M., a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by videoconference may be available as well. Please check the hearing page on LPC's website (<https://www.nyc.gov/site/lpc/hearings/hearings.page>) for updated hearing information.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at [gcala@lpc.nyc.gov](mailto:gcala@lpc.nyc.gov) or (212) 602-7254, no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at [www.youtube.com/nyc/lpc](http://www.youtube.com/nyc/lpc), and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing. Finally, please be aware: COVID-19 safety protocols are in effect at the location; all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status.

**398 Pacific Street - Boerum Hill Historic District**  
**LPC-22-08821** - Block 190 - Lot 7 - **Zoning:** R6B  
**CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse built in 1851-52, and a vacant lot. Application is to construct rooftop and rear yard additions, and construct a new building.

**96 Macon Street - Bedford Historic District**  
**LPC-23-05203** - Block 1850 - Lot 16 - **Zoning:** R6B  
**CERTIFICATE OF APPROPRIATENESS**

An empty lot. Application is to construct a new building.

**Elizabeth Place and Doughty Street - Fulton Ferry Historic District**  
**LPC-24-02098** - Block 201 - Lot - **Zoning:** M2-1  
**BINDING REPORT**

A street bed. Application is to install a pedestrian crosswalk into the Belgian block street bed.

**343 Hoyt Street - Carroll Gardens Historic District**  
**LPC-24-00446** - Block 444 - Lot 2 - **Zoning:** R6B  
**CERTIFICATE OF APPROPRIATENESS**

A row house built in 1873. Application is to replace a door and install ironwork, and construct rooftop and rear yard additions.

**311 7th Avenue - Park Slope Historic District Extension**  
**LPC-24-00186** - Block 1090 - Lot 3 - **Zoning:** R6A/C1-4  
**CERTIFICATE OF APPROPRIATENESS**

A Queen Anne style store and flats building designed by Van Tuyl & Lincoln and built c. 1888. Application is to legalize the replacement of the storefront and residential entrance without Landmarks Preservation Commission permit(s).

**39-10 47th Street - Sunnyside Gardens Historic District**  
**LPC-23-02961** - Block 149 - Lot 42 - **Zoning:** R4  
**CERTIFICATE OF APPROPRIATENESS**

A Colonial Revival style rowhouse designed by Clarence Stein, Henry Wright and Frederick Ackerman and built in 1925. Application is to legalize coating the rear façade without Landmarks Preservation Commission permit(s).

**32 Jane Street - Greenwich Village Historic District**  
**LPC-23-04336** - Block 651 - Lot 61 - **Zoning:** R6 C1-6  
**CERTIFICATE OF APPROPRIATENESS**

A rowhouse built in 1826 and altered in the late 19th century. Application is to apply coating systems at the front and side facades, modify openings at the entrance and rear façade, replace infill and construct a rooftop bulkhead and chimney.

**122 Waverly Place - Greenwich Village Historic District**  
**LPC-23-09651** - Block 552 - Lot 47 - **Zoning:** R7-2  
**CERTIFICATE OF APPROPRIATENESS**

A house built in 1835. Application is to install ironwork and a stoop gate.

**130 Bank Street - Greenwich Village Historic District**  
**LPC-23-03199** - Block 634 - Lot 10 - **Zoning:** C1-6A  
**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse built in 1837. Application is to construct a roof deck and alter the rear façade.

**338 West 12th Street - Greenwich Village Historic District**  
**LPC-24-00213** - Block 640 - Lot 51 - **Zoning:** R6  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style rowhouse designed by Thom & Wilson and built in 1893-94. Application is to alter the horse walk, reconstruct the rear façade and rooftop addition, and construct a rear yard addition and rooftop bulkhead.

**Elizabeth Place and Doughty Street - Fulton Ferry Historic District**  
**LPC-24-02098** - Block 201, - Lot - **Zoning:** M2-1  
**BINDING REPORT**

A street bed. Application is to install a pedestrian crosswalk into the Belgian block street bed.

**Multiple street beds - Multiple**  
**LPC-23-04474** - Block - Lot - **Zoning:** Multiple  
**BINDING REPORT**

Multiple street beds. Application is to install pedestrian crosswalks into the Belgian block street beds.

s5-18

**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 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, September 26, 2023, at 9:30 A.M., a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by videoconference may be available as well. Please check the hearing page on LPC's website (<https://www.nyc.gov/site/lpc/hearings/hearings.page>) for updated hearing information. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at [gcala@lpc.nyc.gov](mailto:gcala@lpc.nyc.gov), or (212) 602-7254, no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at [www.youtube.com/nyc/lpc](http://www.youtube.com/nyc/lpc), and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing. Finally, please be aware: COVID-19 safety protocols are in effect at the location; all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status.

**183 Amity Street - Cobble Hill Historic District**  
**LPC-23-11810** - Block 292 - Lot 46 - **Zoning:** R6  
**CERTIFICATE OF APPROPRIATENESS**

A rowhouse built 1852-1855. Application is to construct rear yard and rooftop additions, including a bulkhead and solar canopy, replace windows, modify openings at the rear, and excavate the rear yard and cellar.

**Prospect Park - Scenic Landmark**  
**LPC-23-03630** - Block 1117 - Lot 1 - **Zoning:** Park  
**ADVISORY REPORT**

A primarily naturalistic style park designed in 1866-73 by Frederick Law Olmsted and Calvert Vaux. Application is to install signage throughout the park.

**9 Westchester Square - Individual Landmark  
LPC-23-05416 - Block 3981 - Lot 2 - Zoning: R6  
CERTIFICATE OF APPROPRIATENESS**

A freestanding library building with Gothic Revival and Romanesque style features designed by Frederick Clarke Withers and built in 1882-1883, with a rear addition designed by William and James Henderson and built in 1890. Application is to install a ramp and railings, and alter the front fence.

**130 Bank Street - Greenwich Village Historic District  
LPC-23-03199 - Block 634 - Lot 10 - Zoning: C1-6A  
CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse built in 1837. Application is to construct a roof deck and alter the rear façade.

**488 Madison Avenue - Individual Landmark  
LPC-24-01667 - Block 1287 - Lot 14 - Zoning: C5-3  
CERTIFICATE OF APPROPRIATENESS**

An Art Moderne and International style office building designed by Emery Roth & Sons and built in 1948-50. Application is to modify ground and second floor infill and install a marquee.

**806 Shore Road - Douglaston Historic District  
LPC-24-00948 - Block 8018 - Lot 1 - Zoning: R1-1 R1-2  
CERTIFICATE OF APPROPRIATENESS**

A Mediterranean Revival style freestanding house designed by Lionel Moses and built in 1908. Application is to construct retaining walls.

s12-25

**TEACHERS' RETIREMENT SYSTEM**

■ MEETING

Please be advised that the next Board Meeting of the Teachers' Retirement System of the City of New York (TRS) has been scheduled for Thursday, September 21, 2023, at 3:30 P.M.

The remote Zoom meeting link will be available approximately one hour before the start of the meeting at:  
<https://www.trsnyc.org/memberportal/About-Us/ourRetirementBoard>

The meeting is open to the public. However, portions of the meeting, where permitted by law, may be held in executive session.

s7-21

**PROPERTY DISPOSITION**

*The City of New York in partnership with PublicSurplus.com posts online auctions. All auctions are open to the public.*

Registration is free and new auctions are added daily. To review auctions or register visit <https://publicsurplus.com>

**CITYWIDE ADMINISTRATIVE SERVICES**

■ SALE

The City of New York in partnership with IAAL.com posts vehicle and heavy machinery auctions online every week at:

<https://iaai.com/search?keyword=dcas+public>

All auctions are open to the public and registration is free.

Vehicles can be viewed in person at:  
Insurance Auto Auctions, Green Yard  
137 Peconic Avenue, Medford, NY 11763  
Phone: (631) 207-3477

No previous arrangements or phone calls are needed to preview. Hours are Monday from 10:00 A.M. – 2:00 P.M.

jy29-j17

**PROCUREMENT**

*“Compete To Win” More Contracts!*

*Thanks to a new City initiative - “Compete To Win” - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and Women-Owned Businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.*

● *Win More Contracts, at [nyc.gov/competetowin](http://nyc.gov/competetowin)*

*“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.”*

**HHS ACCELERATOR PREQUALIFICATION**

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic HHS Accelerator Prequalification Application using the City’s PASSPort system. The PASSPort system is a web-based system maintained by the City of New York for use by its Mayoral Agencies to manage procurement. Important business information collected in the Prequalification Application is required every three years. Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete. Prequalification applications will be reviewed to validate compliance with corporate filings and organizational capacity. Approved organizations will be eligible to compete and would submit electronic proposals through the PASSPort system. The PASSPort Public Portal, which lists all RFPs, including HHS RFPs that require HHS Accelerator Prequalification, may be viewed, at [https://passport.cityofnewyork.us/page.aspx/en/rfp/request\\_browse\\_public](https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public). All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding. For additional information about HHS Accelerator Prequalification and PASSPort, including background materials, user guides and video tutorials, please visit <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page>.

**ADMINISTRATION FOR CHILDREN’S SERVICES**

**GENERAL COUNSEL**

■ AWARD

*Services (other than human services)*

**DIGITALIZE CLOSED INVESTIGATIVE CASE FILE PROJECT -PREFERRED** - Required Method (including Preferred Source) - PIN# 06823M0003001 - AMT: \$75,000.00 - TO: New York State Industries for the Disabled Inc., 11 Columbia Circle Drive, Albany, NY 12203-5156.

◀ s15

**CHIEF MEDICAL EXAMINER**

■ AWARD

*Services (other than human services)*

**PROFESSIONAL SERVS PHYSICAL SECURITY SYSTEM V2**

**24ME011** - M/WBE Noncompetitive Small Purchase - PIN# 81624W0005001 - AMT: \$1,000,000.00 - TO: Quality and Assurance Technology Corp., 18 Marginwood Drive, Ridge, NY 11961.

M/WBE Noncompetitive Innovative Procurement Method, Section 3-12 of the New York City Procurement Policy (PBB) Rules, this procurement is exclusively for the City Certified Minority and Woman Owned Business (M/WBEs). Contracts awarded under this method may not exceed \$1,000,000, inclusive of any and all change orders, overruns, amendments, renewals, and extensions.

1 Blended Hourly Technician Rate Must include: all travel, meal and other costs including billing and project management.

2. % Markup for new hardware, miscellaneous materials required for installation, new licenses, software and hardware maintenance and support, initial purchase and renewals, subscriptions, from vendors supplier invoices or vendor's receipt from purchase.

3. % Markup for rental equipment from vendor's supplier invoice or vendor's receipt from rental.

PERIOD OF PERFORMANCE: September 1, 2023 to August 31, 2026.

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**CITYWIDE ADMINISTRATIVE SERVICES**

**CITYWIDE PROCUREMENT**

■ SOLICITATION

*Goods*

**PRE-SOLICITATION CONFERENCE - BID # 2300011 DIESEL AND FULLY ELECTRIC REFUSE TRUCKS-DOT** - Other - PIN# 857PS2300011 - Due 10-24-23 at 9:30 A.M.

The purpose of this meeting is to review the solicitation to ensure a successful bid, best product and to maximize competition. Your participation will assist us in revising bid terms and/or specifications, if needed, prior to bid opening to meet this goal. The exchange of information among buyers and sellers is necessary so vendors can understand City requirements and the City can obtain industry advice on current standards, new technology, commercial equivalents and new products and product lines. To attend pre-solicitation conference, join via MS TEAMS Phone Conference ID: 215 482 800# ,Call in #: 1 646-893-7101. Please email [suksingh@dcas.nyc.gov](mailto:suksingh@dcas.nyc.gov) to request the web link and invite for the video conference.

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.

*Citywide Administrative Services, 1 Centre St 18th Floor, New York, NY 10007. Sukhjeet Singh (212) 386-0434; [suksingh@dcas.nyc.gov](mailto:suksingh@dcas.nyc.gov)*

☛ s15

**EDUCATION**

**EARLY CHILDHOOD**

■ AWARD

*Human Services/Client Services*

**UPK-BTF-49660** - Competitive Sealed Proposals/Pre-Qualified List - PIN# 04022P0673202 - AMT: \$3,396,691.00 - TO: High Five Early Childhood Center, 50-11 Queens Boulevard, Woodside, NY 11377.

This solicitation is being conducted as an RFP because these services are administered directly to children and must be evaluated on qualitative criteria.

☛ s15

**FUNDED AND SPECIAL SERVICES**

■ AWARD

*Human Services/Client Services*

**FY23 DISCRETIONARY AWARD TO SUPPORT LGBTQ**

**CURRICULUM** - Renewal - PIN# 04022L1360001R001 - AMT: \$50,000.00 - TO: Fund for the City of New York Inc., 121 Avenue of the Americas, 6th Floor, New York, NY 10013.

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**ENVIRONMENTAL PROTECTION**

**ENGINEERING, DESIGN AND CONSTRUCTION**

■ SOLICITATION

*Construction/Construction Services*

**82623B0050-BEDC - BB-216 RECONSTRUCTION OF PRIMARY TANKS, BOWERY BAY WRRF** - Competitive Sealed Bids - PIN# 82623B0050 - Due 10-26-23 at 10:00 A.M.

BB-216: Reconstruction of Primary Tanks, Bowery Bay WRRF This Competitive Sealed Bid ("RFx") is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal Navigator at [https://passport.cityofnewyork.us/page.aspx/en/rfp/request\\_browse\\_public](https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public). This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 82623B0050 into the Keywords search field. If you need assistance submitting a response, please contact MOCS Service Desk: [mocssupport.atlassian.net/servicedesk/customer/portal/8](mailto:mocssupport.atlassian.net/servicedesk/customer/portal/8) On the Response Due Date at 10:00 A.M., please be advised that you will be required to submit a PAPER copy of the Bid Submission Form and the Bid Security to NYC Department of Environmental Protection, 96-05 Horace Harding Expressway, 1st Floor Low Rise, Flushing, NY 11373

Pre-Bid Conference location -Microsoft TEAMS call in (audio only) [+1 585-484-8792], Phone Conference ID: [466082859#] To join via Microsoft TEAMS video, please go to PASSPort link in attachments and download "Notice to Bidders" Virtual NY 11373. Mandatory: no Date/Time - 2023-09-27 10:00:00.

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**FACILITIES MANAGEMENT & CONSTRUCTION**

■ SOLICITATION

*Construction/Construction Services*

**82623B0088-JOC-24-FMC-G GENERAL CONSTRUCTION JOB ORDER CONTRACT CITYWIDE** - Competitive Sealed Bids - PIN# 82623B0088 - Due 10-24-23 at 10:00 A.M.

JOC-24-FMC-G: General Construction Job Order Contract Citywide This Competitive Sealed Bid ("RFx") is being released through PASSPort, New York City's online procurement portal. Responses to this RFx should be submitted via PASSPort. To access the solicitation, vendors should visit the PASSPort Public Portal Navigator at [https://passport.cityofnewyork.us/page.aspx/en/rfp/request\\_browse\\_public](https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public). This will take you to the Public Portal of all procurements in the PASSPort system. To quickly locate the RFx, insert the EPIN 82623B0088 into the Keywords search field. If you need assistance submitting a response, please contact the MOCS Service Desk: [mocssupport.atlassian.net/servicedesk/customer/portal/8](mailto:mocssupport.atlassian.net/servicedesk/customer/portal/8). On the Response Due Date at 10:00 A.M., please be advised that you will be required to submit a PAPER copy of the JOC Bid Submission Form and the Bid Security to NYC Department of Environmental Protection, 96-05 Horace Harding Expressway, 1st Floor Low Rise, Flushing, NY 11373.

Pre-Bid Conference location -Microsoft TEAMS call in (audio only) [+1 585-484-8792], Phone Conference ID: [642376615#] To join via Microsoft TEAMS video, please go to PASSPort link in attachments



and download "Notice to Bidders" Virtual NY 11373. Mandatory: no Date/Time - 2023-09-26 10:00:00.

← s15

**WASTEWATER TREATMENT**

■ AWARD

*Services (other than human services)*

**BWT REPAIR OF BUILDING MANAGEMENT SYSTEMS 3030678X / 4030027X** - M/WBE Noncompetitive Small Purchase - PIN# 82623W0053001 - AMT: \$119,550.00 - TO: Green Mechanical Corp., 16402 95th Street, Howard Beach, NY 11414.

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**HEALTH AND MENTAL HYGIENE**

■ AWARD

*Services (other than human services)*

**ELECTRONIC HEALTH RECORDS (EHR)** - Intergovernmental Purchase - PIN# 81623O0004001 - AMT: \$399,670.00 - TO: New York State Technology Enterprise Corporation, 99 Otis Street, 2nd Floor, Rome, NY 13441.

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**HOUSING AUTHORITY**

**PROCUREMENT**

■ VENDOR LIST

*Goods and Services*

**PRE-QUALIFIED LIST (PQL) PROGRAM FOR VARIOUS TRADES**

NYCHA is currently accepting applications for Pre-Qualified List (PQL) program for various trades.

A PQL is a tool that NYCHA will use to qualify vendors and contract goods or services for its developments, streamlining the process for both vendors and NYCHA. NYCHA will publish contracting opportunities, and the PQL will predominantly be used to procure goods or services for those contracts. Vendors who apply to those bids must pre-qualify according to specific criteria, and vendors who are admitted to the PQL can bid on contracts.

Currently NYCHA has established four (4) PQL lists for the Closed-Circuit Television (CCTV), Carpentry, Painting and Lead Based Paint (Assessment and Abatement, Inspection and Assessment & Lab Analysis).

All vendors interested in NYCHA's PQLs must follow two (2) important steps:

First, vendors must prepare and submit applications to the PQL: To pre-qualify, vendors must meet the minimum requirements listed on the Request for Qualification of the select PQL. Applications will be evaluated by NYCHA on a rolling basis.

Second, vendors who are admitted to the PQL can then bid on solicitations for services on the PQL: Vendors must bid on each contract award, as these are not guaranteed.

For more information regarding PQLs and to obtain applications, please visit NYCHA's website at: <https://www.nyc.gov/site/nycha/business/nycha-pql.page>.

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.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. (929) 502-6107; PQL@nycha.nyc.gov

a8-d29

**HUMAN RESOURCES ADMINISTRATION**

■ AWARD

*Human Services/Client Services*

**PROV SURVIVORS OF DOM. VIOLENCE WITH IMMIGR. LAW LGL SVCS** - Competitive Sealed Proposals/Pre-Qualified List - PIN# 06923P0016002 - AMT: \$2,462,625.00 - TO: New York Legal Assistance Group Inc., 100 Pearl Street, 19th Floor, New York NY 10004.

Immigration Legal Services DSS' Office of Civil Justice (OCJ) and the Mayor's Office to End Domestic and Gender-Based Violence (ENDGBV) will jointly operate a program to provide core civil legal services at the City's five (5) New York City Family Justice Centers (FJC). The NYC Family Justice Centers provide free and confidential services to survivors of domestic and gender-based violence and their children regardless of their language capacity, immigration status, income, gender identity or sexual orientation. The goal of the FJC Immigration-Related Legal Services program is to operate a trauma-informed, collaborative and comprehensive legal services program for survivors of domestic and gender-based violence seeking legal help from the FJCs in the area of immigration law, including but not limited to legal assistance with applications for temporary and permanent immigration status, representation before immigration agencies and courts and other immigration-related legal matters. Providing survivors with the full spectrum of immigration-related law legal services including legal screening and advice, legal advice and ongoing consultation, support for self-represented FJC clients with filing pro se petitions and legal representation in court is key to their safety planning and greatly informs their ability to make decisions regarding their safety and stability. Brooklyn Competition.

The preference is to procure human service contracts through competitive sealed proposals pursuant to PPB Rule Section 3-01 (c).

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**PROV SURVIVORS OF DOM. VIOLENCE WITH IMMIGR. LAW LGL SVCS** - Competitive Sealed Proposals/Pre-Qualified List - PIN# 06923P0016001 - AMT: \$1,641,750.00 - TO: Sanctuary for Families Inc., PO Box 1406, Wall Street Station, New York, NY 10268-1406.

Immigration Legal Services DSS' Office of Civil Justice (OCJ) and the Mayor's Office to End Domestic and Gender-Based Violence (ENDGBV) will jointly operate a program to provide core civil legal services at the City's five (5) New York City Family Justice Centers (FJC). The NYC Family Justice Centers provide free and confidential services to survivors of domestic and gender-based violence and their children regardless of their language capacity, immigration status, income, gender identity or sexual orientation. The goal of the FJC Immigration-Related Legal Services program is to operate a trauma-informed, collaborative and comprehensive legal services program for survivors of domestic and gender-based violence seeking legal help from the FJCs in the area of immigration law, including but not limited to legal assistance with applications for temporary and permanent immigration status, representation before immigration agencies and courts and other immigration-related legal matters. Providing survivors with the full spectrum of immigration-related law legal services including legal screening and advice, legal advice and ongoing consultation, support for self-represented FJC clients with filing pro se petitions and legal representation in court is key to their safety planning and greatly informs their ability to make decisions regarding their safety and stability. Bronx Competition .

The preference is to procure human service contracts through competitive sealed proposals pursuant to PPB Rule Section 3-01 (c).

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**TEEN AND EARLY RAPP - NAE WITH ALLOWANCE** - Negotiated Acquisition - Other - PIN# 06923N0080001 - AMT: \$4,954,846.67 - TO: Rising Ground Inc., 151 Lawrence Street, 5th Floor, Brooklyn, NY 11201.

Domestic Violence Services (DVS) and the Mayor's Office to End Gender-Based Violence (ENDGBV) wish to extend the Teen RAPP and Early RAPP contract by 18 months through a Negotiated Acquisition Extension (NAE) in anticipation of a new solicitation being slated to start on January 1, 2025. Teen RAPP and Early RAPP will be on the same NAE. The eventual solicitations will be separated. Due to staffing issues and a change in program leadership in the DVS unit, more time is needed to evaluate and discuss changes to the scope of the Teen and Early RAPP Program. There is also a 25% allowance being added to this contract. Service Period Terms for This NAE - 7/1/2023 to 12/31/2024. Teen RAPP and Early RAPP Amount of NAE Teen RAPP 3,015,660.89. Early RAPP 948,216.45 Total \$ 3,963,877.34 25%

Allowance added to this NAE - \$990,969.33. Grand Total of this NAE \$ 3,963,877.34 + 990,969.33= 4,954,846.67. The five expansion schools under Teen RAPP are funded by ENDGBV and thus have the budget codes 112-9192-5100 A new RFP is anticipated to start on 1/1/2025. Procurement and award is in accordance with PPB Rule Section 3-01 (d)(2)(vii) for the reasons set forth herein.

This is a NAE with incumbent provider, Rising Ground, Inc., to maintain continuity of services for the minimum time necessary until a new RFP is in place. Special case is pursuant to PPB Rule 3-01 (d)(2)(vii).

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**NYC HEALTH + HOSPITALS**

**METROPLUS HEALTH PLAN**

■ SOLICITATION

*Services (other than human services)*

**RFI FOR CALL CENTER CALLS OVERFLOW** - Request for Information - PIN# M-RFI1003 - Due 9-29-23 at 3:00 P.M.

The purpose of this RFI is to identify potential vendors with capabilities related to all facets of the Call Center Calls Overflows project. MetroPlus believes there are significant opportunities to be gained by utilizing experienced professionals to provide this capability.

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.

NYC Health + Hospitals, 50 Water Street, 7th Floor, New York, NY 10014. Kathleen Nolan (212) 908-8730; nolank@metroplus.org

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**PARKS AND RECREATION**

**5BORO TECHNICAL SERVICES**

■ AWARD

*Goods*

**TO PURCHASE SPORTSCOATING MATERIAL - M/WBE** Noncompetitive Small Purchase - PIN# 84624W0006001 - AMT: \$20,737.50 - TO: Jamaica Hardware & Paints Inc., 131-01 Jamaica Avenue, Richmond Hill, NY 11418.

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**CENTRAL FORESTRY**

■ AWARD

*Services (other than human services)*

**TO PURCHASE MASTER GARDENER + ADVANCED GARDENER TRAINING PRO** - Other - PIN# 84624U0001001 - AMT: \$54,901.53 - TO: Brooklyn Botanic Garden, 1000 Washington Avenue, Brooklyn, NY 11225.

Requester: Oneika Myers at (718) 760-6667. Contact Receiver: Matthew Morrow at (212) 360-1468. Contact: Abeni Edwards at (212) 830-7959.

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**REVENUE AND CONCESSIONS**

■ SOLICITATION

*Goods and Services*

**PAERDEGAT BASIN SPORTS/RECREATIONAL FACILITY RFP** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# B406-O-2023 - Due 10-20-23 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice, a significant Request for Proposals (RFP) for the Development, Operation, and Maintenance of a Sports/Recreational Facility in the Paerdegat Basin Waterway, Brooklyn.

There will be a recommended remote proposer meeting on Friday, September 22, 2023 at 12:00 P.M. If you are considering responding to

this RFP, please make every effort to attend this recommended remote proposer meeting.

Subject to availability and by appointment only, we may set up a meeting at the proposed concession site (Block #8012 & Lot #1) ("Licensed Premises"), which is located at 1500 Paerdegat Ave North, Brooklyn, NY 11236. Please see Exhibit B for site plan.

All proposals submitted in response to this RFP must be submitted no later than Friday, October 20, 2023 at 3:00 P.M.

Hard copies of the RFP can be obtained at no cost, commencing September 8, 2023 through October 20, 2023 by contacting Andrew Coppola, Senior Project Manager at (212) 360-3454 or at Andrew.Coppola@parks.nyc.gov.

The RFP is also available for download, on September 8, 2023 through October 20, 2023 on Parks' website. To download the RFP, visit <http://www.nyc.gov/parks/businessopportunities> and click on the "Concessions Opportunities at Parks" link. Once you have logged in, click on the "download" link that appears adjacent to the RFP's description.

For more information or if you cannot attend the remote proposer meeting, prospective proposers may contact Andrew Coppola, Senior Project Manager, at (212) 360-3454 or at Andrew.Coppola@parks.nyc.gov.

Deaf, hard-of-hearing, deaf-blind, speech-disabled, or late-deafened people who use text telephones (TTYs) or voice carry-over (VCO) phones can dial 711 to reach a free relay service, where specially trained operators will relay a conversation between a TTY/VCO user and a standard telephone user.

Alternatively, a message can be left on the Telecommunications Device for the Deaf (TDD). The TDD number is 212-New York (212-639-9675).

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, 830 Fifth Ave, New York, NY 10065. Andrew Coppola (212) 360-3454; andrew.coppola@parks.nyc.gov

Accessibility questions: 212-639-9675, by: Friday, October 20, 2023, 3:00 P.M.



s13-26

**SMALL BUSINESS SERVICES**

**PROCUREMENT**

■ INTENT TO AWARD

*Services (other than human services)*

**NYC INDUSTRIAL BUSINESS SOLUTIONS PROGRAM SERVICES NEGOTIATED ACQUISITION EXTENSION - NORTH BROOKLYN** - Negotiated Acquisition - Other - PIN# 80124N0003 - Due 9-21-23 at 4:00 P.M.

The NYC Department of Small Business Services is entering into a Negotiated Acquisition Extension Contract with Evergreen Inc - Your North Brooklyn Business Exchange for NYC Industrial Business Solutions Program services to deliver program services where entrepreneurs and small businesses can obtain assistance that enables them to open, operate, and expand in the Northern section of the borough of Brooklyn, EPIN: 80124N0003, in the amount of \$170,000.00.

s14-20

**NYC INDUSTRIAL BUSINESS SOLUTIONS PROGRAM NEGOTIATED ACQUISITION EXTENSION - BROOKLYN EAST** - Negotiated Acquisition - Other - PIN# 80124N0002 - Due 9-21-23 at 4:00 P.M.

The NYC Department of Small Business Services is entering into a Negotiated Acquisition Extension Contract with Business Outreach Center Network Inc for NYC Industrial Business Solutions Program services to deliver program services where entrepreneurs and small businesses can obtain assistance that enables them to open, operate, and expand in the East section of the Borough of Brooklyn, EPIN: 80124N0002, in the amount of \$170,000.00.

s14-20

**NYC INDUSTRIAL BUSINESS SOLUTIONS PROGRAM SERVICES NEGOTIATED ACQUISITION EXTENSION - STATEN ISLAND** - Negotiated Acquisition - Other - PIN# 80124N0004 - Due 9-21-23 at 4:00 P.M.

The NYC Department of Small Business Services is entering into a

Negotiated Acquisition Extension Contract with Staten Island Economic Development Corporation for NYC Industrial Business Solutions Program services to deliver program services where entrepreneurs and small businesses can obtain assistance that enables them to open, operate, and expand in the borough of Staten Island, EPIN: 80124N0004, in the amount of \$130,000.00.

s14-20

## AGENCY RULES

### CONSUMER AND WORKER PROTECTION

#### ■ NOTICE

#### Notice of Public Hearing and Opportunity to Comment on Proposed Rules

**What are we proposing?** The Department of Consumer and Worker Protection (“DCWP” or “Department”) is proposing to add rules to implement Local Law 39 of 2023. The rules will clarify the definition of an “accredited testing laboratory.”

**When and where is the hearing?** DCWP will hold a public hearing on the proposed rule. The public hearing will take place at 11:00AM on October 16, 2023. The public hearing will be accessible by phone and videoconference.

- To participate in the public hearing via phone, please dial 646-893-7101.
  - o Meeting ID: 226 714 910 039
  - o Passcode: 5SURtq
- To participate in the public hearing via videoconference, please follow the online link: <https://tinyurl.com/mryw5th6>.
  - o Meeting ID: 226 714 910 039
  - o Passcode: 5SURtq

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to DCWP through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to [Rulecomments@dcwp.nyc.gov](mailto:Rulecomments@dcwp.nyc.gov).
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing [Rulecomments@dcwp.nyc.gov](mailto:Rulecomments@dcwp.nyc.gov). You can also sign up on the phone or videoconference before the hearing begins at 11:00AM on Monday, October 16. You can speak for up to three minutes.

**Is there a deadline to submit comments?** Yes. You must submit any comments to the proposed rule on or before October 16.

**What if I need assistance to participate in the hearing?** You must tell DCWP’s External Affairs division if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You may tell us by email at [Rulecomments@dcwp.nyc.gov](mailto:Rulecomments@dcwp.nyc.gov). Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by Tuesday, October 10.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, all comments received by DCWP on the proposed rule will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

**What authorizes DCWP to make this rule?** Sections 1043 and 2203(f) of the New York City Charter and section 20-104(b) and 20-610 of the New York City Administrative Code authorize the Department of Consumer and Worker Protection to make these proposed rules.

This proposed rule was not included in the Department of Consumer and Worker Protection’s regulatory agenda for this Fiscal Year because it was not contemplated when the Department published the agenda.

**Where can I find DCWP’s rules?** The Department’s rules are in title

6 of the Rules of the City of New York.

**What laws govern the rulemaking process?** DCWP must meet the requirements of section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of section 1043 of the City Charter.

#### **Statement of Basis and Purpose of Proposed Rule**

The Department of Consumer and Worker Protection (“DCWP” or “Department”) is proposing to add rules to implement new legislation that requires safety standards for all powered bicycles, powered mobility devices and their batteries that are distributed, sold, leased, or rented in New York City. Local Law 39 of 2023, codified in Subchapter 2 of Chapter 4 of Title 20 of the New York City Administrative Code, requires these powered bicycles, powered mobility devices, and their batteries be tested by an accredited testing laboratory for compliance with certain safety standards.

This proposed rule would clarify that an “accredited testing laboratory” is any testing laboratory that is an International Organization for Standardization and International Electrotechnical Commission (“ISO/IEC”) 17025 Accredited Independent Testing Laboratory, an ISO/IEC 17065 Accredited Certifying Body, or participates in the U.S. Department of Labor Occupational Safety and Health Administration Nationally Recognized Testing Laboratory program.

Sections 1043 and 2203(f) of the New York City Charter and sections 20-104(b) and 20-610 of the New York City Administrative Code authorize the Department of Consumer and Worker Protection to make these proposed rules.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Chapter 4 of title 6 of the Rules of New York is amended to add Subchapter L: Powered Mobility Devices to read as follows:

#### **Subchapter L: Powered Mobility Devices**

#### **§ 4-150 Accredited Testing Laboratories.**

“Accredited testing laboratory,” as used in § 20-610 of the Administrative Code, shall mean any laboratory that:

(i) is an International Organization for Standardization and International Electrotechnical Commission (ISO/IEC) 17025 Accredited Independent Testing Laboratory;

(ii) is an International Organization for Standardization and International Electrotechnical Commission (ISO/IEC) 17065 Accredited Certifying Body; or

(iii) is identified as a Nationally Recognized Testing Laboratory by the United States Department of Labor Occupational Safety and Health Administration

**NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028**

#### **CERTIFICATION PURSUANT TO CHARTER §1043(d)**

**RULE TITLE:** Amendment of Rules Relating to Safety Standards for Powered Bicycles, Powered Mobility Devices and their Batteries

**REFERENCE NUMBER:** 2023 RG 063

**RULEMAKING AGENCY:** Department of Consumer and Worker Protection

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Senior Counsel

Date: September 5, 2023

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS**  
**253 BROADWAY, 10<sup>th</sup> FLOOR**  
**NEW YORK, NY 10007**  
**212-788-1400**

**CERTIFICATION / ANALYSIS**  
**PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Amendment of Rules Relating to Safety Standards for Powered Bicycles, Powered Mobility Devices and their Batteries**

**REFERENCE NUMBER: DCWP-37**

**RULEMAKING AGENCY: Department of Consumer and Worker Protection**

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ *Francisco X. Navarro*  
Mayor's Office of Operations

*September 5, 2023*  
Date

Accessibility questions: Karline Jung, [kjung@dcwp.nyc.gov](mailto:kjung@dcwp.nyc.gov), by: Tuesday, October 10, 2023, 11:55 P.M.



◀ s15

**Notice of Adoption of Final Rule**

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of the Department of Consumer and Worker Protection by Sections 1043 and 2203(f) of the New York City Charter and Chapter 8 of Title 20 of the New York City Administrative Code, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Department amends Title 6 of the Rules of the City of New York.

An initial version of this rule was proposed and published on October 24, 2022. A public hearing was held on November 23, 2022, and comments regarding the rule were received.

**Statement of Basis and Purpose**

The Department of Consumer and Worker Protection ("DCWP" or "Department") is amending rules related to the Earned Safe and Sick Time Act ("ESSTA"), which is set forth in Chapter 8 of Title 20 of the New York City Administrative Code. After New York State's Paid Sick Leave Law, New York Labor Law § 196-b, was enacted in 2020, the City Council amended ESSTA to bring the City's law into alignment with state law and to add or clarify various notice and enforcement provisions. Local Law 97 of 2020 amended ESSTA by, *inter alia*, increasing the amount of paid safe/sick time available for some employees, eliminating the 120-day waiting period to use safe/sick time, and adding or clarifying various enforcement provisions.

The rule amendments bring the rules into alignment with the statutory amendments made by Local Law 97 of 2020. These rule amendments also provide additional clarification for employers about their compliance obligations, in that they:

- Explain how ESSTA's accrual, use and carryover requirements apply to employees at companies with 100 or more employees, who must now be allowed to accrue up to at least 56 hours of safe/sick time per year.
- Eliminate references to a 120-day waiting period to use safe/sick time.
- Clarify the calculation of employer size for the purpose of determining whether an employer must pay workers for earned safe and sick time and how many hours of safe/sick time an employer must provide.
- Explain how ESSTA applies to workers who work in both New York City and other jurisdictions in light of the 2020 ESSTA amendments' removal of the requirement that an employee work more than 80 hours per calendar year in New York City to be

covered.

- Provide additional examples of reasonable notice procedures that employers may ask employees to follow to provide notice of the need for safe/sick time.
- Identify the types of documentation employers may require to determine whether use of safe/sick time was authorized under section 20-914(a) or (b) of ESSTA.
- Clarify limitations on requests for documentation of authorized use of safe/sick time and employers' obligations to reimburse fees or costs incurred to obtain documentation under section 20-914 of ESSTA.
- Explain how employers can comply with section 20-919(c) of ESSTA, which requires that employees be informed of their safe/sick time accruals and balances on a paystub or other written documentation each pay period.
- Remove previous section 7-207 regarding domestic workers, who are now entitled to paid safe/sick time under the same conditions as other covered employees under the amended section 20-913(a)(1) of ESSTA.
- Clarify requirements regarding the rate of pay for safe/sick time under the amended section 20-913(a)(1) of ESSTA.
- Clarify that section 20-913 of ESSTA requires employers to ensure that employees retain their accrued safe/sick time through any business sale, transfer in corporate ownership, or change in subcontracting relationship between corporate entities.
- Notify employers of the employee relief associated with an unofficial or official policy or practice of not providing or refusing to allow the use of safe/sick time in violation of section 20-913.
- Describe and provide examples of an unofficial or official policy or practice of not providing or refusing to allow the use of safe/sick time in violation of section 20-913, including how violations are counted for purposes of the new section 20-924(d)(v).
- Clarify certain defined terms.

The Department received comments on the proposed rules from the public, including from a trade association, a worker advocacy organization, New York City Comptroller Brad Lander, a law firm, and a human resource management association. Various issues raised in the comments resulted in changes that are present in these final rules. These changes include:

- Adding provisions to further clarify how to count the number of employees concurrently employed to determine employer size and adding an illustration of an employer's obligation to provide paid safe/sick time after an increase in the number of employees where the employer has an accrual policy;
- Clarifying various provisions in Section 7-203 regarding ESSTA's application to employees with a primary work location outside of New York City and application of New York Labor Law Section 196-b to hours worked in New York City and New York State;
- Clarifying provisions regarding what reasonable written documentation of use of safe/sick time an employer can require, including removing references to "third party" documentation;
- Adding provisions regarding employers' obligations to reimburse fees or costs incurred to obtain documentation;
- Adding provisions to clarify limits on any delay or denial of payment of safe/sick time pending receipt of documentation or confirmation of use of safe/sick time;
- Adding and removing provisions to clarify the rate of pay for paid safe/sick time under the amended section 20-913(a)(1) of ESSTA and to clarify that the "regular rate of pay" under ESSTA generally means the employee's regular rate of pay at the time the safe/sick time is taken, not the employee's regular rate for the purposes of calculating overtime;
- Clarifying various provisions in Section 7-213 and modifying the basis for a reasonable inference that an employer does not provide or refuses to allow the use of safe/sick time as a matter of official or unofficial policy or practice; and
- Correcting typographical errors.

Sections 1043, 2203(f) and 2203(h)(1) of the New York City Charter and Chapter 8 of Title 20 of the New York City Administrative Code authorize DCWP to adopt these rule amendments.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

**Rule Amendments**

Section 1. Subchapter B of Chapter 7 of Title 6 of the Rules of the City of New York, titled "Earned Safe and Sick Time," is amended to read as follows:

§ 7-201 Definitions.

- (a) As used in this subchapter, the terms "calendar year,"

“department,” “domestic worker,” “employee,” “employer,” “health care provider,” “paid/safe/sick time,” “safe time,” and “sick time” shall have the same meanings as set forth in section 20-912 of the Administrative Code.

(b) As used in [the Earned Safe and Sick Time Act and in] this subchapter and section 20-913 of the Administrative Code, the term [“domestic worker” means a person who provides care for a child, companionship for a sick, convalescing or elderly person, housekeeping, or any other domestic service in a home or residence whenever such person is directly and solely employed to provide such service by an individual or private household. The term “domestic worker” does not include any person who is employed by an agency whenever such person provides services as an employee of such agency, regardless of whether such person is jointly employed by an individual or private household in the provision of such services] “net income” shall have the same meaning as “entire net income” as set forth in section 208 of the New York State Tax Law.

#### § 7-202 Employer [Business] Size.

(a) Business size for an employer that has operated for less than one year shall be determined by counting the number of employees performing work for an employer for compensation per week, provided that if the number of employees fluctuates between less than five employees and five or more employees per week, business size may be determined for the current calendar year based on the average number of employees per week who worked for compensation for each week during the 80 days immediately preceding the date the employee used safe time or sick time.

(b) Business size for an employer that has operated for one year or more is determined by counting the number of employees working for the employer per week at the time the employee uses safe time or sick time, unless the number of employees fluctuates, in which case business size may be determined for the current calendar year based on the average number of employees per week during the previous calendar year. For purposes of this section, “fluctuates” means that at least three times in the most recent calendar quarter the number of employees working for an employer fluctuated between less than five employees and five or more employees.]

(a) Employer size shall be determined based on the employer’s total number of employees nationwide. Employer size during a given calendar year shall be determined by counting the highest total number of employees concurrently employed at any point during the calendar year to date. For the purposes of counting the number of employees concurrently employed:

(1) Part-time employees shall be considered employed each working day of the calendar week;

(2) Employees jointly employed by more than one employer shall be counted by each employer, whether or not their names appear on the employer’s payroll; and

(3) Employees on paid or unpaid leave, including safe/sick time, leaves of absence, disciplinary suspension, or any other type of temporary absence, shall be counted as long as the employer has a reasonable expectation that the employee will later return to active employment.

(b) For employers that increase the number of employees during a calendar year from fewer than five to between five to 99 employees:

(1) The duty to provide paid safe/sick time shall be prospective from the date of the increase in the number of employees and shall not entitle an employee to reimbursement for previously used unpaid safe/sick time.

(2) After the increase in the number of employees, an employer must allow an employee to use, and receive pay for, up to 40 hours of accrued safe/sick time, less the number of unpaid safe/sick time hours the employee had previously used in that calendar year.

Example 1: Liz is hired by an employer with only one other employee on January 1, 2021. The employer has a frontloading policy, so Liz has 40 hours of unpaid safe/sick time immediately available for use from the start of her employment. Liz uses 10 hours of unpaid safe/sick time from January 1 to May 31, 2021, bringing her accrual balance to 30 hours. On June 1, 2021, the employer brings on five additional employees, so the employer is now required to provide each employee with up to 40 hours of paid safe/sick time per year. If Liz uses any additional safe/sick time in 2021, she must be paid for up to 30 hours of safe/sick time used. The employer is not obligated to pay Liz for the 10 hours of safe/sick time she used before June 1, 2021.

Example 2: Liz is hired by an employer with only one other employee on January 1, 2021. The employer has an accrual policy. Liz works approximately 30 hours per week and accrues 20 hours of unpaid sick time between January and May 2021. She uses 10 of those hours of unpaid sick time in May 2021, bringing her accrual balance to 10 hours as of May 31, 2021. On June 1, 2021,

the employer brings on five additional employees, so the employer is now required to provide each employee with up to 40 hours of paid safe/sick time per year. If Liz uses any of the remaining 10 hours of safe/sick time she already accrued as of May 31, 2021, she must be paid for those 10 hours and any additional safe/sick time she accrues and uses, up to the 40-hour per calendar year limits set forth in subdivision f of section 7-214. The employer is not obligated to pay Liz for the 10 hours of safe/sick time she used before June 1, 2021.

(c) For employers that increase the number of employees during a calendar year from 99 or fewer to 100 or more, an employee’s right to use additional paid safe/sick time up to 56 hours shall be prospective from the date of such increase in the number of employees.

Example 1: An employer with a calendar year of January 1-December 31 has 90 employees. Shane works 40 hours per week. She used 20 hours of safe/sick time in 2020 and carried over 20 hours to 2021. In June 2021, the employer hired several new employees, bringing the total headcount to 110. Shane has not used safe/sick time in 2021, and had worked 1,050 hours between January 2021 and the date the employee headcount went over 99 employees. She therefore has 55 hours of safe/sick time available for immediate use: 35 hours accrued in 2021 (1050 / 30 = 35) plus the 20 hours she carried over from 2020 equals 55.

Example 2: In the same scenario, Shane used 40 hours of accrued safe/sick time in May 2021, before her employer’s headcount increased above 100. After her employer’s headcount increases in June 2021, Shane has 15 hours of safe/sick time available for immediate use: 35 hours accrued in 2021 plus the 20 hours carried over from 2020, less 40 hours used in 2021.

(d) Reductions in the number of employees working for an employer shall not reduce employee safe/sick time entitlements under section 20-913(b) of the Administrative Code until the following calendar year.

Example: An employer with a calendar year of January 1-December 31 has four employees. On April 1, 2021, the employer hires three new employees, bringing the employer’s total number of employees to seven. On November 1, 2021, the employer lays off four employees, reducing the employer’s total number of employees to three. The employer must begin providing paid safe/sick time to all employees on April 1, 2021. The employer must continue providing paid safe/sick time to the three remaining employees through at least December 31, 2021, the last day of the current calendar year.

#### § 7-203 Employees.

(a) An [individual] employee, as defined by section 20-912 of the Administrative Code, is “employed for hire within the City of New York” [for more than eighty hours in a calendar year] for purposes of Section 20-912(f) of the Administrative Code] if the [individual] employee performs work, including work performed by telecommuting, [for more than eighty hours] while the [individual] employee is physically located in New York City, regardless of where the employer is located. An employee who only performs work, including by telecommuting, while physically located outside of New York City, is not “employed for hire within the City of New York,” even if the employer is located in New York City. As of September 30, 2020, hours worked within New York City also count towards an employee’s accrual of sick leave under New York Labor Law section 196-b.

(b) An employee with a primary work location outside of New York City is “employed for hire within the City of New York” if they regularly perform, or are expected to regularly perform, work in New York City during a calendar year. For such an employee, only hours worked within New York City must count toward the accrual of safe/sick time for the purpose of section 20-913(b) of the Administrative Code.

Example 1: A retail business based in New Jersey with locations in both New Jersey and New York City hires a new employee. The employee, who lives in New Jersey, will work primarily at a New Jersey location but may be asked to cover shifts in New York City when needed due to staffing shortages at those locations. The employer estimates that some months, the employee will work one to three six to eight-hour shifts in New York City, but that their New York City hours will vary and some months the employee may not work in New York City at all. This is work that the employer expects the employee to perform regularly, so the employee is employed for hire within the City of New York for the purposes of section 20-912 of the Administrative Code. The employee must accrue one hour of safe/sick time for every 30 hours worked within New York City and must be allowed to use their accrued hours for the reasons provided by section 20-914 of the Administrative Code when scheduled to work within New York City.

Example 2: An employee lives in Florida and works from home for a company based in Manhattan. The employee is required

to attend daylong meetings at the Manhattan headquarters approximately twice a year. The employee is not “employed for hire within the City of New York” under section 20-912.

Example 3: A custom cabinetry business based in Massachusetts is commissioned by a New York City resident to build kitchen cabinets. After the cabinets are completed at the company’s Massachusetts studio, a Massachusetts-based employee travels to New York City and spends eight hours installing them in the client’s residence. The employer does not currently expect the employee to go back to New York City in the course of her employment within the remainder of the calendar year. The employee is not “employed for hire within the City of New York” under section 20-912.

Example 4: A construction business based in Nassau County does business both within New York City and on Long Island. An employee works a total of 300 hours for the employer at a site in Queens from June 1, 2021 to July 26, 2021. The employee is employed for hire within the City of New York for the purposes of section 20-912 of the Administrative Code and accrued 10 hours of safe/sick time. The employee continues working for the employer at a site on Long Island from July 27, 2021 to September 28, 2021, working a total of 450 hours during that timeframe and accruing 15 hours of sick leave under section 196-b of the New York Labor Law. On October 1, 2021, the employee is scheduled to report to work on Long Island but is unable to do so due to illness. The employee is not entitled to use sick time under section 20-914 of the Administrative Code at the time of his illness because he was scheduled to report for work on Long Island. However, the employee is covered by section 196-b of the New York Labor Law, and has a total of 25 hours accrued and available for immediate use under section 196-b from the time worked in New York City and Nassau County.

[a. Example: An individual who only performs work while physically located outside of New York City, even if the employer is based in New York City, is not “employed for hire within the City of New York” for purposes of Section 20-912(f) for hours worked outside New York City.

b. Example: An individual performs twenty hours of work in New Jersey and sixty hours of work in New York City in a calendar year. The twenty hours of work performed by the employee in New Jersey do not count towards the employee’s eighty hours of work for purposes of Section 20-912(f).]

§ 7-204 Minimum increments and fixed intervals for the use of safe/sick [safe time and sick] time.

(a) Unless otherwise in conflict with state or federal law or regulations, an employee may decide how much [earned safe] safe/sick time [or sick time] to use, provided however, that an employer may adopt a written policy, as set forth in section 7-211, setting a minimum increment for the use of [safe] safe/sick time [and sick time,] not to exceed four hours per day, provided such minimum increment is reasonable under the circumstances.

[i] Example 1: [An employee has worked eighty hours and more than one hundred twenty calendar days have passed since the employee’s first day of work for the employer. The] An employer has a written policy [set] setting a minimum increment of four hours per day for use of [safe] safe/sick time [and sick time]. The employee has not yet accrued four hours of time, but is entitled to use the time he or she has already accrued. Under these circumstances, it would not be “reasonable under the circumstances” for the employer to require the employee to use a minimum of four hours of [safe] safe/sick time [or sick time] as the minimum increment.

[ii] Example 2: An employee is scheduled to work from 8:00 am to 4:00 pm Mondays. She schedules a doctor’s appointment for 9:00 am on a Monday and notifies her employer of her intent to use sick time and return to work the same day. The employer’s written sick time policies require a four-hour minimum increment of sick time used per day. If she does not go to work before her appointment, she should appear for work by 12:00 pm.

(b) An employer may set fixed periods of [thirty] 30 minutes or any smaller amount of time for the use of accrued [safe] safe/sick time [or sick time] beyond the minimum increment described in subdivision (a) of this section and may require fixed start times for such intervals.

Example: The employee in Example [(ii)]2 of subdivision (a) of this section arrives to work at 12:17 pm. Under her employer’s written sick time policies, employees must use sick time in half-hour intervals that start on the hour or half-hour. The employer can require the employee to use four-and-a-half hours of her accrued sick time and require her to begin work at 12:30 pm. Similarly, if the employee wanted to leave work at 8:40 am to go to her 9:00 am doctor’s appointment, the employer could require the employee to stop work at 8:30 am.

§ 7-205 Employee notification of use of [safe] safe/sick time [or sick time].

(a) An employer may require an employee to provide reasonable notice of the need to use [safe] safe/sick time, [or sick time] provided the requirement to provide notice and the method of providing notice are set forth in the written policy required by section 7-211.

(b) An employer that requires notice of the need to use [safe] safe/sick time [or sick time] where the need is not foreseeable shall provide a written policy that contains reasonable procedures for the employee to provide notice as soon as practicable. Examples of such procedures may include, but are not limited to, instructing the employee to: (1) call a designated phone number at which an employee can leave a message; (2) follow a uniform call-in procedure; (3) send an email to a designated email address; (4) submit a leave request in a scheduling software system, provided the employee has access to such system on non-work time, and has been trained on and given written instructions on how to use the system; or [(3)] (5) use another reasonable and accessible means of communication identified by the employer. Such procedures for employees to give notice of the need to use [safe] safe/sick time [or sick time] when the need is not foreseeable may not include any requirement that an employee appear in person at a worksite or deliver any document to the employer prior to using [safe] safe/sick time [or sick time].

(c) In determining when notice is practicable in a given situation, an employer must consider the individual facts and circumstances of the situation.

(d) An employer that requires notice of the need to use [safe] safe/sick time [or sick time] where the need is foreseeable shall have a written policy that contains procedures for the employee to provide reasonable notice, which may include any of the reasonable procedures set forth in subdivision 7-205(b). Such policy shall not require more than seven days’ notice prior to the date such [safe] safe/sick time [or sick time] is to begin. The employer may require that such notice be in writing.

(e) A need is foreseeable when the employee is aware of the need to use safe/sick time seven days or more before such use. Otherwise, the need is unforeseeable.

§ 7-206 Documentation [from Licensed Health Care Provider] of Authorized Use of Safe/Sick Time.

(a) When an employee’s use of safe/sick time results in an absence of more than three consecutive work days, an employer may require reasonable written documentation that the use [of sick time] was for a purpose authorized under [Section] section 20-914(a) or (b) of the Administrative Code. [Written] For a use of sick time, written documentation signed by a licensed clinical social worker, licensed mental health counselor, or other licensed health care provider indicating the need for the amount of sick time taken shall be considered reasonable documentation. For a use of safe time, any documentation set forth in section 20-914(b)(2) indicating the need for the amount of safe time taken shall be considered reasonable documentation. Consistent with the requirements in sections 20-914 and 20-921 of the Administrative Code, an employer cannot require disclosure of details, except the dates the employee needed to use safe/sick time.

(b) “Work days” as used in this [subdivision] section and in [Section] section 20-914[(a)(2)] of the Administrative Code means the days or shifts [parts of days] the employee would have worked had the employee not used [sick] safe/sick time.

(c) [(b)] If an employer requires an employee to provide reasonable written documentation [from a licensed health care provider when the employee’s use of sick time resulted in an absence of more than three consecutive work days] in accordance with subdivision (a) of this section, the employee shall be allowed a minimum of seven days from the date he or she returns to work to obtain such documentation. [The employee is responsible for the cost of such documentation not covered by insurance or any other benefit plan.] Unless otherwise required by law, an employer must not require an employee to submit such documentation before returning to work. If an employer requests or requires documentation for sick time and the licensed health care provider charges the employee a fee for the provision of such documentation, such employer shall reimburse the employee for such fee. If an employer requests or requires documentation for safe time, such employer shall reimburse an employee for all reasonable costs or expenses incurred for the purpose of obtaining such documentation for the employer.

(d) [(c)] If an employee provides reasonable written documentation [from a licensed health care provider] in accordance with subdivision (a) of this section, an employer may not require an employee to obtain additional documentation [from a second licensed health care provider] indicating the need for safe/sick time in the amount used by the employee.

(e) An employer that requires employees to provide reasonable written documentation for uses of safe/sick time in accordance with subdivision (a) of this section must set forth this requirement, along with the types of reasonable written documentation the employer will accept and instructions on how employees can submit the documentation to the employer, in the written safe/sick time policy required by section 7-211.

(f) An employer shall not require documentation that the use of safe/sick time was for a purpose authorized under section 20-914 of the Administrative Code if the use of such safe/sick time lasts three or fewer consecutive work days.

**§ 7-207 [Domestic Workers.] Notice of Safe/Sick Time Accruals and Use on Pay Statement.**

(a) The pay statement or other form of written documentation required by section 20-919(c) of the Administrative Code must inform the employee of the amount of safe/sick time accrued and used during the relevant pay period. It must also inform the employee of the total balance of the employee's accrued safe/sick time available for use. As set forth in section 7-214(f), an employee's accrued safe/sick time balance may exceed the amount of safe/sick time the employee has available for use in a calendar year. When this occurs, the pay statement or other form of written documentation must inform the employee of the amount of safe/sick time available for use in the calendar year.

(b) If an employer uses an electronic system to issue pay statements or other documentation related to safe/sick time, the employer may comply with the requirements of section 20-919(c) of the Administrative Code by (i) electronically alerting the employee each pay period to the availability of the required information; (ii) making the content required by section 7-212(b)(4) readily accessible by the employee outside of the workplace within the electronic system; and (iii) maintaining accrual, use, and balance information for any past pay period in the electronic system such that it is readily accessible to the employee outside of the workplace.

(a) Domestic workers who have worked for the same employer for at least one year and who work more than 80 hours in a calendar year will be entitled to two days of paid safe/sick time per year, as provided in this section.

(b) The two days of paid safe/sick time must be calculated in the manner that paid days of rest for domestic workers are calculated, pursuant to New York State Labor Law Section 161(1).

(c) A domestic worker described in subdivision (a) of this section is entitled to two days of paid safe/sick time on the next date that such domestic worker is entitled to a paid day or days of rest under New York State Labor Law Section 161(1), and annually thereafter.

(d) Safe time and sick time accrued by a domestic worker will carry over to the next calendar year.]

**§ 7-208 Rate of Pay for Safe Time and Sick Time.**

(a) [Except as provided in subdivision (b) of this section, when using paid safe/sick time, an employee shall be compensated at the same hourly rate that the employee would have earned at the time the paid safe/sick time is taken.] An employer shall pay an employee for paid safe/sick time at the employee's regular rate of pay at the time the paid safe/sick time is taken, provided that the rate of pay shall not be less than the highest applicable rate of pay to which the employee would be entitled pursuant to section 652 of the New York State Labor Law, or any other applicable federal, state, or local law, rule, contract, or agreement.

(b) If the employee uses paid safe/sick time during hours that would have been designated as overtime, the employer is not required to pay the overtime rate of pay. The employer may only deduct the number of hours of safe/sick time actually used by the employee from the employee's safe/sick time accruals, regardless of whether those hours would have been classified as straight-time or overtime hours.

(c) An employee is not entitled to compensation for lost tips or gratuities, provided, however, that an employer must pay an employee whose [hourly] regular rate of pay [or salary] is based in whole or in part on tips or gratuities at least the [full minimum wage] highest applicable rate of pay to which the employee would be entitled pursuant to section 652 of the New York State Labor Law, or any other applicable federal, state, or local law, rule, contract, or agreement, without allowing for any tip credit or tip allowance, as provided in section 20-913(a)(1) of the Administrative Code.

(d) [For] Unless a higher applicable rate applies pursuant to any other law, rule, regulation, contract, or agreement, when employees [who] are paid on a commission (whether base wage plus commission or commission only), the hourly rate of pay shall be the base wage or minimum wage, whichever is greater.

(e) [When] Unless a higher applicable rate applies pursuant to any

other law, rule, regulation, contract, or agreement, when an employer pays a flat rate of pay for work performed, regardless of the number of hours actually worked, an employee's hourly rate of pay shall be based on the most recent hourly rate paid to the employee for the applicable pay period, calculated by adding together the employee's total earnings, including tips, commissions, and supplements, for the most recent work week in which no [safe] safe/sick time [or sick time] or other leave was taken and dividing that sum by the number of hours spent performing work during such work week or 40 [forty] hours, whichever amount of hours is less.

(f) [If] Unless a higher applicable rate applies pursuant to any other law, rule, regulation, contract, or agreement, if an employee performs more than one job for the same employer or the employee's rate of pay fluctuates for a single job, the rate of pay shall be the rate or rates of pay that the employee would have been paid during the time the employee used the safe time or sick time.

(g) [An employer is not required to pay cash in lieu of supplements for safe time or sick time used if remuneration for employment includes supplements.] The fact that an employer pays cash in lieu of supplements to an employee does not relieve the employer of the requirements of the Earned Safe and Sick Time Act.

(h) Under no circumstance can the employer pay the employee less than the minimum wage for paid safe/sick time.

**§ 7-209 Payment of Safe/Sick Time.**

(a) [Safe] Safe/sick time [and sick time] must be paid no later than the payday for the next regular payroll period beginning after the [safe] safe/sick time [or sick time] was used by the employee.

(b) If the employer [has asked for] requires reasonable written documentation in accordance with section 7-206 or [verification] confirmation of use of [safe] safe/sick time [or sick time] pursuant to [Section] section [20-914(a), 20-914(b) or] 20-914(d) of the Administrative Code, the employer is not required to pay [safe] safe/sick time [or sick time] until the employee has provided such documentation or [verification] confirmation, except that an employer shall not withhold payment of safe/sick time when the required documentation is unattainable by the employee due to associated costs.

(c) If an employer requests or requires documentation and the employee has provided to the employer such documentation and proof of the fee or reasonable costs incurred for the purpose of obtaining such documentation, the employer shall reimburse the employee for such fee or reasonable costs in accordance with subdivision (c) of section 7-206 no later than the payday for the next regular payroll period beginning after the provision of such proof.

(d) An employer that withholds payment of safe/sick time in accordance with subdivision (b) of this section must set forth this policy and instructions on how employees can submit requests for reimbursement and proof of fees or costs to the employer in the written safe/sick time policy required by section 7-211.

**§ 7-210 Employer's Sale of Business or Transfer of Employees.**

(a) Business sales, transfers in corporate ownership, or changes in subcontracting relationships between corporate entities shall not impact employees' safe/sick time balances. [If an employer sells its business, or the business is otherwise acquired by another business,] When such changes occur, an employee will retain and may use all accrued [safe] safe/sick time [and sick time] if the employee continues to perform work within the City of New York for the successor employer or contractor. Failure to properly transfer an employee's accrued safe/sick time to a successor employer constitutes a policy or practice of not providing or refusing to allow the use of accrued safe/sick time in violation of section 20-913 of the Administrative Code. The original and successor employer and any joint employer(s) are individually and jointly liable for the satisfaction of all penalties and employee relief imposed for the violation of section 20-913, regardless of any agreement between the original and successor employer to the contrary.

Example: Company A is in the business of operating a call center in Brooklyn. Company B, a staffing agency, provides Company A with workers to answer its phones. The phone operators are nominally employees of Company B. After one year of answering Company A's phones as an employee of Company B, a phone operator is informed that Company A has shifted its business to Company C, and so her nominal employer will now be Company C. Her job duties and the location of her work do not change. The phone operator's accrued safe/sick time must be transferred to Company C. If this does not occur, Company A, Company B, and Company C are jointly and severally liable for the violation of section 20-913 of the Administrative Code.

(b) If the successor employer falls within a smaller employer size threshold from the former employer [has fewer than five employees, and the former employer had more than five employees], the employee

is entitled to use and be compensated for unused [safe] safe/sick time [and sick time] accrued while working for the former employer, until such [safe] safe/sick time [and sick time] is exhausted.

Example: Fast Food LLC is a franchisee of a national fast food chain with 500 employees in New York City. Fast Food LLC frontloads employees with 56 hours of safe/sick time per calendar year. Quick Pizza LLC, a new company seeking to enter the fast food franchising market in Brooklyn, acquires a subset of Fast Food LLC's locations in August 2021. After the acquisition, Quick Pizza LLC has 80 employees. Jimmy, an employee at one of the acquired locations, had used 46 hours of safe/sick time in 2021 prior to the transfer. He is entitled to use and be compensated for 10 hours of safe/sick time he had remaining in his safe/sick time balance at the time of the transfer. If Jimmy does not use any of the 10 hours of his remaining safe/sick time at the end of the calendar year, his employer must allow him to carry the unused hours over to the next calendar year pursuant to section 20-913(h) of the Administrative Code.

(c) A successor employer must provide employees with its written [safe] safe/sick time [and sick time] policies at the time of sale or acquisition, or as soon as practicable thereafter, which shall include a policy that complies with this section.

#### § 7-211 Employer's Written Safe Time and Sick Time Policies.

(a) Every employer shall maintain written [safe] safe/sick time [and sick time] policies in a single writing and follow such written [safe] safe/sick time [and sick time] policies except as allowed in subdivision (d) of this section.

(b) Every employer must distribute its written [safe] safe/sick time [and sick time] policies to employees personally upon commencement of employment, within 14 days of the effective date of any changes to the policy, and upon request by the employee.

(c) An employer's written [safe] safe/sick time [and sick time] policies must meet or exceed all of the requirements of the Earned Safe and Sick Time Act and this [chapter] subchapter and [state at a minimum] must address the following:

(1) The employer's method of calculating [safe] safe/sick time [and sick time] as follows:

(i) If an employer provides employees with an amount of [safe] safe/sick time [and sick time] that meets or exceeds the requirements of the Earned Safe and Sick Time Act on or before the employee's 120th the first day of employment and on the first day of each new calendar year, which for the purposes of this section is defined as "frontloaded [safe] safe/sick time [and sick time]," then the employer's written [safe] safe/sick time [and sick time] policy must specify the amount of frontloaded [safe] safe/sick time [and sick time] to be provided and that such frontloaded time is immediately available for use;

(ii) If the employer does not apply frontloaded [safe] safe/sick time [and sick time], then the employer's written [safe] safe/sick time [and sick time] policy must specify [when] that accrual of [safe] safe/sick time [and sick time] starts at commencement of employment, the rate at which an employee accrues [safe] safe/sick time [and sick time] and that [the maximum number of hours] an employee may use safe/sick time as it [accrue in a calendar year] accrues;

(2) The employer's policies regarding the use of [safe] safe/sick time [and sick time], including any limitations or conditions the employer places on the use of [safe] safe/sick time [and sick time], such as:

(i) Any requirement that an employee provide notice of a need to use [safe] safe/sick time [and sick time] and the procedures for doing so in accordance with [6 RCNY §] section 7-205;

(ii) Any requirement for reasonable written documentation or [verification] confirmation of the use of [safe] safe/sick time [and sick time] in accordance with [Sections] sections 20-914(a)(2), 20-914(b)(2), or 20-914(d) of the Administrative Code and section 7-206, and the employer's policy regarding any consequences of an employee's failure or delay in providing such documentation or [verification] confirmation;

(iii) Any reasonable minimum increment or fixed period for the use of accrued [safe] safe/sick time [and sick time] as set forth in section 7-204;

(iv) Any policy on discipline for employee misuse of [safe] safe/sick time [and sick time] under [6 RCNY §] section 7-215; and

(v) [A description of the confidentiality requirements of Section 20-921 of the Administrative Code] A statement that the employer will not ask the employee to provide details about the medical condition that led the employee to use sick time, or the personal situation that led the employee to use safe time, and that any information the employer receives about the employee's use of safe/sick time will be kept confidential and not disclosed to anyone without the

employee's written permission or as required by law.

(3) The employer's policy regarding carry-over of unused [safe] safe/sick time [and sick time] at the end of an employer's calendar year in accordance with [Section] section 20-913(h) of the Administrative Code; and,

(4) If an employer uses a term other than «safe/sick time» or «safe and sick time» to describe leave provided by the employer to meet the requirements of the Earned Safe and Sick Time Act, the employer's policy must state that such leave may be used by an employee for any of the purposes set forth in the Earned Safe and Sick Time Act without any condition prohibited by the Earned Safe and Sick Time Act. Terms used to describe such leave may include, but are not necessarily limited to, «paid time off» («PTO»), vacation time, personal days, or days of rest.

(d) Nothing in this subchapter shall prevent an employer from making exceptions to its written [safe] safe/sick time [and sick time] policy for individual employees that are more generous to the employee than the terms of the employer's written policy.

(e) Requirements relating to an employer's additional and separate obligation to provide employees with a Notice of Rights under the Earned Safe and Sick Time Act are set forth in [Section] section 20-919 of the Administrative Code. An employer may not distribute the Notice of Rights required by [Section] section 20-919 of the Administrative Code or any other department writing in lieu of distributing [or posting] its own written [safe] safe/sick time [and sick time] policies as required by this section.

(f) An employer that has not provided to the employee a copy of its written [safe] safe/sick time [and sick time] policies along with any forms or procedures required by the employer related to the use of [safe] safe/sick time [and sick time] shall not deny permission to use [safe] safe/sick time [or sick time], [or] payment of [safe] safe/sick time [or sick time], or take adverse actions as set forth in section 20-918 of the Administrative Code against [to] the employee based on non-compliance with such a policy.

#### § 7-212 Employer Records.

(a) Employers must create and retain records demonstrating compliance with the requirements of the Earned Safe and Sick Time Act, including records of any policies required, pursuant to this [Chapter] subchapter, for a period of three years unless otherwise required by any other law, rule or regulation.

(b) An employer must maintain, in an accessible format, contemporaneous, true, and accurate records that show, for each employee:

(1) The employee's name, address, phone number, date(s) of start of employment, date(s) of end of employment (if any), rate of pay, and whether the employee is exempt from the overtime requirements of New York State labor laws and regulations;

(2) The hours worked each week by the employee, unless the employee is exempt from the overtime requirements of New York State labor laws and regulations and has a regular work week of 40 [forty] hours or more;

(3) The date and time of each instance of [safe] safe/sick time [or sick time] used by the employee and the amount paid for each instance;

(4) For each pay period, the amount of safe/sick time accrued and used during the pay period, the employee's total balance of accrued safe/sick time, and the amount of accrued safe/sick time available for use by the employee;

[4] (5) Any change in the material terms of employment specific to the employee; and

[5] (6) The date that the Notice of Rights as set forth in [Section] section 20-919 of the Administrative Code was provided to the employee and proof that the Notice of Rights was received by the employee.

(c) If the [office] department issues a written request for information or records, an employer shall provide the [office] department with such information or records, upon appropriate notice, at the department's office. Alternately, an employer shall provide the [office] department with access to such information or records upon appropriate notice and at a mutually agreeable time of day at the employer's place of business.

(d) «Appropriate notice» shall mean [30] 14 days' written notice, unless the employer agrees to a lesser amount of time, the [office's] department's request for the information or records is a second or subsequent request made to the same employer during the same investigation or case as the first request, or the [office] department has reason to believe that:

(1) the employer will destroy or falsify records;

(2) the employer is closing, selling or transferring its business,



disposing of assets or is about to declare bankruptcy;

(3) the employer is the subject of a government investigation or enforcement action or proceeding related to wages and hours, unemployment insurance, workers' compensation, discrimination, or [an OLPS law or rule] any matter under the jurisdiction of the department; or

(4) more immediate access to records is necessary to prevent retaliation against employees.

(e) The [office] department will make two attempts by letter, email or telephone to arrange a mutually agreeable time of day for the employer to provide access to its records in accordance with subdivision [(d)] (c) of this section. If these attempts are not successful, the [office] department may set a time to access records at the employer's place of business during regular business hours, upon two days' notice.

#### § 7-213 Enforcement and Penalties

(a) A finding that an employer has an official or unofficial policy or practice of not providing or refusing to allow the use of safe time or sick time as required under the Earned Safe and Sick Time Act constitutes a violation of Section 20-913 of the Administrative Code for each and every employee affected by the policy and will be subject to penalties as provided in Section 20-924(e) of the Code.

(b) [For purposes of Section 20-924(e) of the Administrative Code, penalties shall be imposed on a per employee basis.]

For the purpose of section 20-924(d)(v) of the Administrative Code, an employee shall be considered "covered by an employer's official or unofficial policy or practice of not providing or refusing to allow the use of accrued safe/sick time in violation of section 20-913" if they were employed by the employer during the time period that the official or unofficial policy or practice that violated section 20-913 was in effect. If the unlawful policy or practice was in effect for multiple calendar years, a separate violation of section 20-913 shall be considered to have occurred for each calendar year the policy or practice remained in effect.

(c) There shall be a reasonable inference that the employer, as a matter of official or unofficial policy or practice, does not provide or refuses to allow the use of accrued safe/sick time in violation of section 20-913 of the Administrative Code, if an employer:

(1) Fails to maintain or distribute a written safe/sick time policy as required by section 7-211 of this subchapter; and

(2) Fails to maintain adequate records of employees' accrued safe/sick time use and balances as required under section 7-212 of this subchapter.

(d) Additional evidence that an employer maintains a policy or practice of not providing or refusing to allow the use of accrued safe/sick time may include, but is not limited to:

(i) Unlawful barriers to employees' use of safe/sick time, whether written or unwritten, such as requirements that workers find replacement workers to cover shifts missed due to safe/sick time, unreasonable notice requirements, requirements that workers provide medical documentation of absences of three consecutive days or fewer, or other unlawful limits on use;

(ii) Probation periods, waiting periods, blackout days, or other measures that prevent employees from using safe/sick time as it is accrued;

(iii) Prohibitions on use of safe/sick time for purposes authorized by law, whether written or unwritten, such as prohibitions on use of safe/sick time for leave to care for a family member pursuant to section 20-914(a)(1)(b) of the Administrative Code;

(iv) Failure to pay employees entitled to paid safe/sick time for time off due to safe/sick time authorized reasons;

(v) Failure to provide for the accrual of safe/sick time at the rate required by section 20-913(b) of the Administrative Code;

(vi) Failure to properly carry over safe/sick time hours at the end of an employer's calendar year, if the employer does not properly utilize a frontloading system;

(vii) Official or unofficial absence control policies that penalize the use of safe/sick time, such as points systems that do not differentiate between safe/sick time absences and other absences; or

(viii) Failure to inform employees that safe/sick time is available.

Example 1: An employer with 83 employees does not maintain or distribute a written safe/sick time policy and does not provide employees with paystubs or other written documentation showing their safe/sick time accruals. Employees may take time off due to illness on an ad hoc basis and are paid for this time off at their supervisors' discretion. As a result, some employees are paid for sick time and others are not. The employer has a policy or practice of not providing or refusing to allow the use of accrued safe/sick time in violation of section 20-913 of the Administrative Code. Each employee is entitled to relief in the amount of \$500 per calendar year the unlawful policy or practice remains in effect under section 20-924(d)(v) of the Administrative Code.

Example 2: An employer with 10 employees maintains a written safe/sick time policy that provides that covered employees will have "at least 40 hours of sick leave available at the beginning of a given year." However, the policy is not distributed to all employees. The employer does not provide employees with paystubs or other written documentation showing their safe/sick time accruals. Employees are generally only paid for sick leave if they provide medical documentation of the reason for their absence, regardless of the length of the absence. This employer has a policy or practice of not providing or refusing to allow the use of accrued safe/sick time in violation of section 20-913 of the Administrative Code, and each employee is entitled to relief in the amount of \$500 per calendar year the unlawful policy or practice remains in effect under section 20-924(d)(v) of the Code.

[(c)] (e) If an employer, as a matter of official or unofficial policy or practice, does not [allow accrual of safe time and sick time as required under the earned Safe and Sick Time Act] provide or refuses to allow the use of accrued safe/sick time in violation of section 20-913 of the Administrative Code, the relief granted to each and every employee affected by the policy or practice must include [either application of 40 hours of safe time and sick time to the employee's safe time and sick time balance or, where such information is known,] application of the number of hours of [safe] safe/sick time [and sick time] the employee should have accrued to the employee's [safe] safe/sick time [and sick time] balance, provided that such balance does not exceed [80 hours] two times the maximum number of hours available for use in a calendar year, in addition to monetary relief in the amount of \$500 per employee per calendar year the policy or practice was in effect, as provided in section 20-924(d)(v).

(f) For the purposes of this section, an employer's calendar year shall be the 12-month period from January 1 through December 31, unless the employer has determined a different calendar year, uses this calendar year in its administration of its safe/sick time policy, and has communicated this to employees in its written policy and in the notice required by section 20-919 of the Administrative Code.

#### § 7-214 Accrual, Hours Worked and Carry Over.

(a) If an employee is scheduled and available to work for an on-call shift and is compensated for the scheduled time regardless of whether the employee works, the scheduled time constitutes hours worked for the purposes of accrual under the Earned Safe and Sick Time Act.

(b) For employees who are paid on a piecework basis, accrual of [safe] safe/sick time [and sick time] is measured by the actual length of time spent performing work.

(c) For employees who are paid on a commission basis, accrual of [safe] safe/sick time [and sick time] is measured by the actual length of time spent performing work.

(d) Per diem employees may use safe/sick time for hours they were scheduled to work or for hours they would have worked absent a need to use safe/sick time. For per diem employees or employees with indeterminate shift lengths (e.g., a shift whose length is defined by business needs), an employer shall base the hours of [safe] safe/sick time [or sick time] used upon the hours worked by the replacement employee for the same shift. If this method is not possible, the hours of [safe] safe/sick time [or sick time] must be based on the hours worked by the employee when the employee most recently worked the same shift in the past.

(e) [If an employee is rehired within six months of separation from employment and had not reached the required 120 days to begin using accrued safe time and sick time under Section 20-913(d)(1) of the Administrative Code at the time the employee separated from employment, upon resumption of employment, the employee shall be credited at least his or her previous calendar days towards the 120 day waiting period. For the purposes of this subdivision, "waiting period" shall mean the time period described in Section 20-913(d)(1) of the Administrative Code between the start of employment and the 120th calendar day following the start of employment or July 30, 2014, whichever is later, except for that an employer is not required to allow an employee to begin to use safe time before May 5, 2018] An employer shall base the amount of safe/sick time used upon the amount of time

the employee would have worked on the day they were absent for a covered reason.

(f) An employee of an employer with ninety-nine or fewer employees may carry over up to 40 hours of unused [safe and sick] safe/sick time from one calendar year to the next, and an employee of an employer with one hundred or more employees may carry over up to 56 hours of unused safe/sick time from one calendar year to the next, unless the employer has a policy of paying employees for unused [safe] safe/sick time [and sick time] at the end of the calendar year in which such time is accrued and providing the employee with an amount of paid [safe] safe/sick time [and sick time] that meets or exceeds the requirements of the Earned Safe and Sick Time Act for such employee for the immediately subsequent calendar year on the first day of such year in accordance with [Section] section 20-913(h) of the Administrative Code. Regardless of the number of hours an employee carried over from the previous calendar year, an employer with ninety-nine or fewer employees is only required to allow employees to accrue up to 40 additional hours of [safe] safe/sick time [and sick time] in a calendar year, and an employer with one hundred or more employees is only required to allow employees to accrue up to 56 additional hours of safe/sick time in each calendar year. If an employee's safe/sick time [safe time and sick time] balance exceeds 40 or 56 hours in a single calendar year, as applicable, an employer is only required to allow the employee to use up to 40 or 56 hours in such calendar year.

Example 1: An employee of an employer with 50 employees accrues 40 hours of [safe] safe/sick time [and sick time] in calendar year one and uses 20 hours of [safe] safe/sick time [and sick time] in calendar year one. She carries over 20 hours from calendar year one to calendar year two, accrues 40 hours in calendar year two, and does not use any hours in calendar year two. Her [safe] safe/sick time [and sick leave] balance at the end of calendar year two is 60 hours (20 hours carried over from calendar year [two] one plus 40 hours [from] accrued in calendar year two). She may carry over 40 of those 60 hours into calendar year three and accrue another 40 hours in calendar year three. However, she may only use 40 hours in calendar year three.

Example 2: An employee of an employer with 300 employees accrues 56 hours of safe/sick time in calendar year one and uses six hours of safe/sick time in calendar year one. She carries over 50 hours from calendar year one to calendar year two, accrues 56 hours in calendar year two, and does not use any hours in calendar year two. Her safe/sick time balance at the end of calendar year two is 106 hours (50 hours carried over from calendar year one plus 56 hours accrued in calendar year two). She may carry over 56 of those 106 hours into calendar year three and accrue another 56 hours in calendar year three. However, she may only use 56 hours in calendar year three.

(g) Employee accrual of safe/sick time must account for all time worked, regardless of whether time worked is less than a 30-hour increment. For the purposes of calculating accrual for time worked in increments of less than 30 hours, employers may round accrued safe/sick time to the nearest five minutes, or to the nearest one-tenth or quarter of an hour, provided that it will not result, over a period of time, in a failure to provide the proper accrual of safe/sick time to employees for all the time they have actually worked.

§ 7-215 Employee Abuse of Safe Time and Sick Time.

An employer may take disciplinary action, up to and including termination, against an employee who uses [safe] safe/sick time [or sick time] provided under the Earned Safe and Sick Time Act for purposes other than those described in sections 20-914(a) and [section] 20-914(b) of the Administrative Code. Indications of abuse of [safe] safe/sick time [and sick time] may include, but are not limited to a pattern of: (1) use of unscheduled [safe] safe/sick time [and sick time] on or adjacent to weekends, regularly scheduled days off, holidays, vacation or pay day, (2) taking scheduled [safe] safe/sick time [and sick time] on days when other leave has been denied, and (3) taking [safe] safe/sick time [and sick time] on days when the employee is scheduled to work a shift or perform duties perceived as undesirable.

◀ s15

## SPECIAL MATERIALS

### AGING

#### ■ NOTICE

#### Notice of a Concept Paper

In advance of the release of the Home Delivered Meals Request for Proposals, the Department for the Aging (NYC Aging), is issuing a Concept Paper, presenting the purpose and plan for this program. The Home Delivered Meals Concept Paper, will be posted on the Department's website, <http://www.nyc.gov/aging>, beginning September 22, 2023. Public comment is encouraged and should be emailed to NYC Aging at [rpf@aging.nyc.gov](mailto:rpf@aging.nyc.gov) with "Home Delivered Meals Concept Paper" in the subject line. The Concept Paper will be posted until November 6, 2023.

◀ s15-21

### CITY PLANNING

#### ■ NOTICE

#### POSITIVE DECLARATION

#### Project Identification

Atlantic Avenue Mixed-Use Plan (AAMUP)  
CEQR No. 24DCP019K  
ULURP Nos. Pending  
SEQRA Classification: Type I

#### Lead Agency

City Planning Commission  
120 Broadway, 31st Floor  
New York, NY 10271  
Contact: Stephanie Shellooe  
(212) 720-3328

#### Name, Description and Location of Proposal:

#### Atlantic Avenue Mixed-Use Plan (AAMUP)

The New York City Department of City Planning (DCP), together with New York City Department of Housing Preservation and Development (HPD) and other partner agencies, is proposing a series of land use actions, including zoning map amendments and zoning text amendments (including establishing a new Special District and Mandatory Inclusionary Housing(MIH)) (the "Proposed Actions") that would facilitate the implementation of a multi-year planning process conducted along Atlantic Avenue in Prospect Heights, northwestern Crown Heights, and southern Bedford Stuyvesant in partnership with elected officials, city agencies, community boards, and local stakeholders.

The Proposed Actions would affect an approximately 20-block area, primarily along Atlantic Avenue in Brooklyn Community Districts 3 and 8, and generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Herkimer Street to the north, and Bergen Street to the south. In addition, the Proposed Actions would affect a separate, non-contiguous area located on a portion of two blocks in Prospect Heights bounded by 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.

The Proposed Actions are as follows:

- **Zoning Map Amendment to:**
  - Rezone portions of existing M1-1, C6-3A, M1-4/R7A, R7A/C2-4, R7D/C2-4, C6-2A, R6B, and R6A districts to R7A, R7D, C6-3A, M1-4/R6B, M1-4/R6A, M1-4/R7D, M1-5/R9A, C4-3A, C4-5D, and M1-4 districts and C2-4 commercial overlays.
- **Zoning Text Amendments to:**
  - Establish the Special Atlantic Avenue Mixed Use District largely coterminous with the Rezoning Area. The proposed special purpose district will include modifications to underlying use, bulk, parking and loading, and streetscape regulations. The proposed special district will include requirements and incentives related to active ground floor uses and job-generating uses and establish controls for building articulation and streetscape improvements along

key corridors.

- o Modify Appendix F for the purpose of establishing proposed R7A, R7D, C6-3A, M1-4/R6B, M1-4/R6A, M1-4/R7D, M1-5/R9A, C4-3A, and C4-5D as Mandatory Inclusionary Housing (MIH) areas, applying the MIH program to require a share of new housing to be permanently affordable where significant new housing capacity would be created.
- **Designation of an Urban Development Action Area (“UDAA”)**, project approval of an Urban Development Action Area Project (“UDAAP”), and acquisition and/or disposition of the City-owned property within the project area.
- **Site Selection and/or Acquisition**, related to the potential acquisition of land by the City for the purpose of establishing publicly accessible open space.

The Proposed Actions seek to accomplish the following land use objectives:

- Implement community-identified priorities for housing, services, and job growth, and reinforce proposed investments into community amenities and the streetscape.
- Allow for new housing where appropriate and require permanently affordable housing in new residential developments.
- Reinforce the area as a local job hub that serves surrounding neighborhoods, new residents, and promotes a walk-to-work environment.
- Ensure the area evolves into a mixed-use neighborhood that supports new housing and space for local retail, community facilities and services, and commercial and light industrial uses.
- Encourage the investment in, and expansion of, loft-style buildings to help the growth of job-dense uses in appropriate locations.
- Strengthen the quality of the Atlantic Avenue streetscape, improve safety along the corridor and at key intersections, and enhance the pedestrian experience along the sidewalk and find opportunities for publicly accessible open space for existing and future residents.
- Support active ground floor uses along key corridors, including Atlantic Avenue, Grand Avenue, Classon Avenue, and Bedford Avenue.
- Create special zoning rules to improve urban design and accommodate unique development conditions.

The Reasonable Worst-Case Development Scenario (“RWCDs”) for the Proposed Actions identifies 51 projected development sites under the With-Action Condition would consist of approximately 5,511,773 sf of floor area, including 4,382,630 sf of residential floor area (approximately 4,283 dwelling units (DU), a substantial proportion of which are expected to be affordable pursuant to MIH and city-based programs, 368,408 sf of local retail uses, 56,686 sf of destination retail uses, 534,542 sf of office uses, 48,114 sf of industrial uses, and 121,393 sf of community facility uses, as well as no accessory parking spaces. The estimated population under the With-Action Condition would include a total of approximately 10,279 residents and 3,524 workers on these projected development sites. The projected incremental (net) change between the No-Action and With-Action conditions that would result from the Proposed Actions would be an increase of 4,216,657 sf of residential floor area (4,108 DU), 301,471 sf of local retail space, 56,686 sf of destination retail space, 511,894 sf of office space, 97,807 sf of community facility space, and a net reduction of 319 accessory parking spaces, and a net decrease 189,257 sf of industrial and 81,000 sf of automotive related uses on the projected development sites. The RWCDs also identifies 16 potential development sites that are considered less likely to be developed by the analysis year, but will be analyzed in the EIS for site-specific effects such as archaeology, shadows, hazardous materials, air quality, and noise.

The analysis year of the Proposed Actions is 2034.

#### Statement of Significant Effect:

On behalf of the City Planning Commission, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the Proposed Actions may have a significant effect on the quality of the environment as detailed in the following areas, and that an environmental impact statement will be required: land use, zoning and public policy; socioeconomic conditions; community facilities and services; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; transportation; air quality; greenhouse gas emissions and climate change; noise; public health; neighborhood character and construction.

The Proposed Actions would not result in significant adverse impacts related to: natural resources; and energy.

#### Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the actions which finds that:

1. Land Use, Zoning and Public Policy – The Proposed Actions, including a zoning map amendment, a zoning text amendment (including the establishment of a special zoning district and an MIH area), designation of UDAA and UDAAP, disposition of city-owned property and potential acquisition of private property, would affect the land use, zoning and public policies within the Project Area. The Proposed Actions could have the potential to result in significant adverse impacts related to land use, zoning, and public policy.
2. Socioeconomic Conditions – The Proposed Actions would have the potential to result in the direct displacement of existing residents and businesses from projected development sites identified as part of the RWCDs. The Proposed Actions are expected to increase the number of residential units in the area, including affordable units, and would result in a net increment of more than 200 new residential units, and would introduce more than 200,000 sf of new commercial uses to the project area. Therefore, the Proposed Actions could have the potential to result in a significant adverse impact related to socioeconomic conditions, and further analysis is warranted.
3. Community Facilities and Services – The Proposed Actions would not result in the direct displacement of any community facilities or services, or result in indirect impacts to police, fire, and health care services. However, the Proposed Actions would result in a substantial increase in residential units and increase demand at public schools, publicly funded childcare facilities and libraries. The Proposed Actions could have the potential to result in a significant adverse impact to community facilities and services.
4. Open Space – The Proposed Actions would not result in a direct impact to open space. The Proposed Actions would introduce 9,859 residents to the project area, which exceeds the analysis threshold of 200 residents generated by the Proposed Actions. The Proposed Actions would also introduce 2,998 workers to the project area, which exceeds the threshold of 500 additional non-residents generated by the Proposed Actions. Therefore, an indirect analysis of open space is warranted. The Proposed Actions could have the potential to result in a significant adverse impact on open space.
5. Shadows – The Proposed Actions would allow an increase in development density and greater building heights in the Project Area, and are expected to result in new structures, or additions to existing structures, that are greater than 50 feet in height and/or adjacent to existing sunlight-sensitive resources. This exceeds the threshold for shadows analysis on potential sunlight sensitive resources in the Project Area which could result in new incremental shadows on a sunlight-sensitive resources. The Proposed Actions could have the potential to result in a significant adverse impact on shadows.
6. Historic and Cultural Resources – The Proposed Actions may affect architectural resources including designated landmarks, historic districts and/or buildings that may be eligible for designation. In addition, the Proposed Actions may result in additional in-ground disturbance and therefore has the potential to affect archaeological resources that may be present. As a result, the Proposed Actions have the potential to result in a significant adverse impact on historic and cultural resources.
7. Urban Design and Visual Resources– The Proposed Actions are expected to result in physical changes to the Project Area beyond the bulk and form currently permitted as-of-right. These changes could affect the pedestrian’s experience of public space, requiring an urban design assessment. Therefore, the Proposed Actions could result in a significant adverse impact related to urban design and visual resources.
8. Natural Resources – The Proposed Actions affect an area located in a developed urban environment that is generally devoid of ecologically sensitive areas and does not provide a critical habitat supporting any rare, threatened, or endangered species. The Proposed Actions do not have the potential to create a significant adverse impact on natural resources.
9. Hazardous Materials – The Proposed Actions would result in new construction including new in-ground excavation and subsurface disturbance within the Project Area. Therefore, the Proposed Actions could result in a significant adverse impact on hazardous materials.
10. Water and Sewer Infrastructure – The Proposed Actions would result in increased development within the Project Area which could place additional demands on infrastructure, including water supply and storm water management. Therefore, the Proposed Actions could result in a significant adverse impact on wastewater and stormwater infrastructure.
11. Solid Waste and Sanitation Services – Due to increased

development in the Project Area, the Proposed Actions would increase the demand on solid waste and sanitation services and could result in significant adverse impacts on solid waste and sanitation services.

- 12. Energy – Although the Proposed Actions are not anticipated to result in significant adverse energy impacts, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Actions.
- 13. Transportation – A preliminary assessment of the Proposed Actions concluded that Proposed Actions would increase the number of vehicular trips and increase ridership on mass transit facilities including bus, subway, or railroads. The Proposed Actions would also affect pedestrian movements in the area due to the increased number of residents and workers expected to be introduced to the area. Additionally, the Proposed Actions could have the potential to increase demand for parking. Therefore, a detailed analysis of is warranted, and the Proposed Actions could result in significant adverse impacts on transportation.
- 14. Air Quality – The Proposed Actions would result in an increased demand for heating, ventilating, and air conditioning (HVAC). The Proposed Actions would also result in additional project-generated vehicle trips, exceeding the screening thresholds for a significant adverse mobile source air quality analysis. A detailed assessment is warranted to consider the potential air quality impacts from project-generated vehicle trips, as well as heat and hot water systems, and from existing industrial uses in the surrounding area on the new development resulting from the Proposed Actions. Therefore, the Proposed Actions could result in a significant adverse impact on air quality.
- 15. Greenhouse Gas (GHG) Emissions and Climate Change – The threshold for detailed analysis of GHG emissions is highly dependent on the nature of the project and its potential impact. The Proposed Actions would result in development that would exceed the development threshold of 350,000 sf, which warrants a GHG assessment. Based on the project location, the Project Area does not meet the requirements for a climate change impact. Therefore, the Proposed Actions would not result in a significant adverse impact to climate change, and no further analysis is warranted. As a result of the preliminary screening, the Proposed Actions could result in a significant adverse impact on greenhouse gas emissions.
- 16. Noise – The Proposed Actions would introduce new noise-sensitive receptors in an area with existing high ambient

noise levels. Additionally, the Proposed Actions would generate additional vehicular trips to and from the Project Area that could potentially impact existing and project-generated sensitive receptors within and in the vicinity of the Project Area. As a result, detailed noise analysis is warranted. Therefore, the Proposed Actions could result in a significant adverse impact on noise.

- 17. Public Health – The Proposed Actions could result in effects related to air quality, water quality, hazardous materials, or noise. Therefore, the Proposed Actions could have the potential to result in significant adverse impacts related to public health.
- 18. Neighborhood Character – The Proposed Actions could affect land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise. As a result, the Proposed Actions could have the potential to result in a significant adverse impact related the affected area's neighborhood character.
- 19. Construction – The Proposed Actions would increase the allowable density of the area resulting in new development that involves activities which may result in construction-related impacts. Therefore, the Proposed Actions could have the potential to result in significant adverse impacts related to construction.

**Public Scoping:**

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

**A public scoping meeting has been scheduled for Tuesday, October 17, 2023 at 2:00 PM.** To continue to allow for broad public participation options, DCP will hold the public scoping meeting remotely. To join the meeting and comment, please visit NYC Engage (<https://www1.nyc.gov/site/nycengage/events/index.page>).

Written comments will be accepted by the lead agency through 5:00 PM, Friday, October 27, 2023.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact Louise Cafiero, at [lcafiero@planning.nyc.gov](mailto:lcafiero@planning.nyc.gov).

◀ s15

**CITYWIDE ADMINISTRATIVE SERVICES**

■ NOTICE

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 9240  
FUEL OIL AND KEROSENE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 09/11/2023
4287148	1	#2DULS	CITYWIDE BY TW	GLOBAL MONTELLO	0.0784 GAL.	3.4619 GAL.
4287148	2	#2DULS	RACK PICK-UP	GLOBAL MONTELLO	0.0784 GAL.	3.3449 GAL.
4287148	3	#2DULS	CITYWIDE BY TW	GLOBAL MONTELLO	0.0784 GAL.	3.5001 GAL.
4287148	4	#2DULS	RACK PICK-UP	GLOBAL MONTELLO	0.0784 GAL.	3.3831 GAL.
4287149	5	#2DULS	CITYWIDE BY TW	SPRAGUE	0.0784 GAL.	3.7465 GAL.
4287149	6	#2DULS	CITYWIDE BY TW	SPRAGUE	0.0784 GAL.	3.9595 GAL.
4287149	7	B100	CITYWIDE BY TW	SPRAGUE	0.0327 GAL.	6.3035 GAL.
4287149	8	#2DULS	RACK PICK-UP	SPRAGUE	0.0784 GAL.	3.5965 GAL.
4287149	9	#2DULS	RACK PICK-UP	SPRAGUE	0.0784 GAL.	3.8095 GAL.
4287149	10	B100	RACK PICK-UP	SPRAGUE	0.0327 GAL.	6.1535 GAL.
4287149	11	#1DULS	CITYWIDE BY TW	SPRAGUE	0.0782 GAL.	4.2280 GAL.
4287149	12	B100	CITYWIDE BY TW	SPRAGUE	0.0327 GAL.	6.3275 GAL.
4287149	13	#1DULS	RACK PICK-UP	SPRAGUE	0.0782 GAL.	4.0780 GAL.
4287149	14	B100	RACK PICK-UP	SPRAGUE	0.0327 GAL.	6.1775 GAL.
4287149	15	#2DULS	BARGE DELIVERY	SPRAGUE	0.0784 GAL.	3.4959 GAL.
4287149	16	#2DULS	BARGE DELIVERY	SPRAGUE	0.0784 GAL.	3.5619 GAL.
4287149	17	#2DULSB50	CITYWIDE BY TW	SPRAGUE	0.0784 GAL.	4.3707 GAL.
4287149	18	#2DULSB50	CITYWIDE BY TW	SPRAGUE	0.0327 GAL.	5.9177 GAL.
4287149	19	#2DULSB50	RACK PICK-UP	SPRAGUE	0.0784 GAL.	4.2207 GAL.
4287149	20	#2DULSB50	RACK PICK-UP	SPRAGUE	0.0327 GAL.	5.7677 GAL.
4287126	1	JET	FLOYD BENNETT	SPRAGUE	-0.0023 GAL.	4.3552 GAL.

Non-Winterized Apr 1 - Oct 31

4287149	#2DULSB5	95% ITEM 5.0 5% ITEM 7.0	CITYWIDE BY TW	SPRAGUE	0.0761 GAL.	3.8744 GAL.
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4287149	#2DULSB10	90% ITEM 5.0 10% ITEM 7.0	CITYWIDE BY TW	SPRAGUE	0.0738 GAL.	4.0022 GAL.
4287149	#2DULSB20	80% ITEM 5.0 20% ITEM 7.0	CITYWIDE BY TW	SPRAGUE	0.0693 GAL.	4.2579 GAL.
4287149	#2DULSB5	95% ITEM 8.0 5% ITEM 10.0	RACK PICK-UP	SPRAGUE	0.0761 GAL.	3.7244 GAL.
4287149	#2DULSB10	90% ITEM 8.0 10% ITEM 10.0	RACK PICK-UP	SPRAGUE	0.0738 GAL.	3.8522 GAL.
4287149	#2DULSB20	80% ITEM 8.0 20% ITEM 10.0	RACK PICK-UP	SPRAGUE	0.0693 GAL.	4.1079 GAL.
4287149	#2DULSB50	50% ITEM 17.0 50% ITEM 18.0	CITYWIDE BY TW	SPRAGUE	0.0555 GAL.	5.1442 GAL.
4287149	#2DULSB50	50% ITEM 19.0 50% ITEM 20.0	RACK PICK-UP	SPRAGUE	0.0555 GAL.	4.9942 GAL.
4387181	HDRD NW1	HDRD 95%+B100 5% (TW)	CITYWIDE BY TW	APPROVED OIL COMPANY	0.0000 GAL.	4.8109 GAL.
4387181	HDRD NW2	HDRD 95%+B100 5% (P/U)	RACK PICK-UP	APPROVED OIL COMPANY	0.0000 GAL.	4.6609 GAL.

Winterized		Nov 1 - Mar 31				
4287149	#2DULSB5	95% ITEM 6.0 5% ITEM 7.0	CITYWIDE BY TW	SPRAGUE	0.0761 GAL.	4.0767 GAL.
4287149	#2DULSB10	90% ITEM 6.0 10% ITEM 7.0	CITYWIDE BY TW	SPRAGUE	0.0738 GAL.	4.1939 GAL.
4287149	#2DULSB20	80% ITEM 6.0 20% ITEM 7.0	CITYWIDE BY TW	SPRAGUE	0.0693 GAL.	4.4283 GAL.
4287149	#2DULSB5	95% ITEM 9.0 5% ITEM 10.0	RACK PICK-UP	SPRAGUE	0.0761 GAL.	3.9267 GAL.
4287149	#2DULSB10	90% ITEM 9.0 10% ITEM 10.0	RACK PICK-UP	SPRAGUE	0.0738 GAL.	4.0439 GAL.
4287149	#2DULSB20	80% ITEM 9.0 20% ITEM 10.0	RACK PICK-UP	SPRAGUE	0.0693 GAL.	4.2783 GAL.
4387181	HDRD W1	HDRD 95%+B100 5% (TW)	CITYWIDE BY TW	APPROVED OIL COMPANY	0.0000 UNIT.	0.0000 UNIT.
4387181	HDRD W2	HDRD 95%+B100 5% (P/U)	RACK PICK-UP	APPROVED OIL COMPANY	0.0000 UNIT.	0.0000 UNIT.

Non-Winterized/ Winterized/		Year-Round				
4287149	#1DULSB20	80% ITEM 11.0 20% ITEM 12.0	CITYWIDE BY TW	SPRAGUE	0.0691 GAL.	4.6479 GAL.
4287149	#1DULSB20	80% ITEM 13.0 20% ITEM 14.0	RACK PICK-UP	SPRAGUE	0.0691 GAL.	4.4979 GAL.
4287149	#1DULSB5	95% ITEM 11.0 5% ITEM 12.0	CITYWIDE BY TW	SPRAGUE	0.0760 GAL.	4.3330 GAL.
4287149	#1DULSB5	95% ITEM 13.0 5% ITEM 14.0	RACK PICK-UP	SPRAGUE	0.0760 GAL.	4.1830 GAL.

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 9241  
FUEL OIL, PRIME AND START

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 09/11/2023
4287030	1	#4B5	MANHATTAN	UNITED METRO	0.0745 GAL.	3.1190 GAL.
4287030	2	#4B5	BRONX	UNITED METRO	0.0745 GAL.	3.1390 GAL.
4287030	3	#4B5	BROOKLYN	UNITED METRO	0.0745 GAL.	3.0790 GAL.
4287030	4	#4B5	QUEENS	UNITED METRO	0.0745 GAL.	3.1090 GAL.
4287031	5	#4B5	RICHMOND	APPROVED OIL COMPANY	0.0745 GAL.	3.2990 GAL.
4187014	1	#2B5	MANHATTAN	SPRAGUE	0.0761 GAL.	3.5812 GAL.
4187014	3	#2B5	BRONX	SPRAGUE	0.0761 GAL.	3.5332 GAL.
4187014	5	#2B5	BROOKLYN	SPRAGUE	0.0761 GAL.	3.5462 GAL.
4187014	7	#2B5	QUEENS	SPRAGUE	0.0761 GAL.	3.5542 GAL.
4187014	9	#2B5	STATEN ISLAND	SPRAGUE	0.0761 GAL.	3.6332 GAL.
4187014	11	#2B10	CITYWIDE BY TW	SPRAGUE	0.0738 GAL.	3.6332 GAL.
4187014	12	#2B20	CITYWIDE BY TW	SPRAGUE	0.0693 GAL.	3.7913 GAL.
4187015	2	#2B5	MANHATTAN(RACK PICK-UP)	APPROVED OIL COMPANY	0.0761 GAL.	3.3465 GAL.
4187015	4	#2B5	BRONX(RACK PICK-UP)	APPROVED OIL COMPANY	0.0761 GAL.	3.3465 GAL.
4187015	6	#2B5	BROOKLYN(RACK PICK-UP)	APPROVED OIL COMPANY	0.0761 GAL.	3.3465 GAL.
4187015	8	#2B5	QUEENS(RACK PICK-UP)	APPROVED OIL COMPANY	0.0761 GAL.	3.3465 GAL.
4187015	10	#2B5	STATEN ISLAND(RACK PICK-UP)	APPROVED OIL COMPANY	0.0761 GAL.	3.3465 GAL.

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 9242  
FUEL OIL AND REPAIRS

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 09/11/2023
20211200451	1	#2B5	All Boroughs (Pickup under delivery)	APPROVED OIL	0.0761 GAL	3.7607 GAL.
20211200451	2	#4B5	All Boroughs (Pickup under delivery)	APPROVED OIL	0.0745 GAL	3.3694 GAL.

OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 9243  
GASOLINE

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 09/11/2023
4387063	1.0	Reg UL	CITYWIDE BY TW	GLOBAL MONTELLO	0.0216 GAL	2.9439 GAL.
4387063	2.0	Prem UL	CITYWIDE BY TW	GLOBAL MONTELLO	0.0157 GAL	3.5495 GAL.
4387063	3.0	Reg UL	RACK PICK-UP	GLOBAL MONTELLO	0.0216 GAL	2.8417 GAL.
4387063	4.0	Prem UL	RACK PICK-UP	GLOBAL MONTELLO	0.0157 GAL	3.4523 GAL.
3787121	5.0	E85	CITYWIDE BY DELIVERY	UNITED METRO	0.0176 GAL	2.8463 GAL.
3787121	6.0	E70	CITYWIDE BY DELIVERY	UNITED METRO	0.0184 GAL	2.9561 GAL.

NOTE:

1. Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax. LUST tax applies to motor fuels for both diesel and gasoline invoices. Going forward, LUST Tax will appear as an additional fee at the rate of \$0.001 per gallon and will be shown as a separate line item on your invoice.
2. The National Oil Heat Research Alliance (NORA) has been extended until February 6, 2029. A related assessment of \$.002 per gallon has been added to the posted weekly fuel prices and will appear as a separate line item on invoices. This fee applies to heating oil only and since 2015 has included #4 heating oil. All other terms and conditions remain unchanged.

- 3. Items 1 - 4 on contract 4287148 and 5 - 20 on contract 4287149 are effective as of June 1st, 2022.
- 4. Items 1 - 4 on contract 4387063 are effective as of December 19, 2022.
- 5. Federal Superfund Tax is included in the DCAS weekly pricing schedule, and it should not show as an additional fee.

**REMINDER FOR ALL AGENCIES:**

All entities utilizing DCAS fuel contracts are reminded to pay their invoices **on time** to avoid interruption of service. Please send inspection copy of receiving report for all gasoline (E70, UL PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

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**COMPTROLLER**

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 9/25/2023, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
14, & 4-1, 14A, 14B	5495	Part of and Adjacent to Lot 110
6, 6A	5497	Part of and Adjacent to Lot 80
16A, 16B, 16C, 16D & 16E	5237	Lot Adjacent to 45

Acquired in the proceeding entitled: AMBOY ROAD AND ELTINGVILLE subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

BRAD S. LANDER  
Comptroller  
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**HOUSING PRESERVATION AND DEVELOPMENT**

■ NOTICE

**REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT**

Notice Date: September 15, 2023

To: **Occupants, Former Occupants, and Other Interested Parties**

Property:	Address	Application #	Inquiry Period
	83 Roebling Street, Brooklyn	67/2023	October 4, 2004 to Present

Authority: **Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6<sup>th</sup> 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, please call **(212) 863-5277 or (212) 863-8211**.

**For the decision on the Certification of No Harassment Final**

*Determination please visit our website at [www.hpd.nyc.gov](http://www.hpd.nyc.gov) or call 212-863-8266.*

**PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO**

Fecha de notificación: September 15, 2023

Para: **Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas**

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
	83 Roebling Street, Brooklyn	67/2023	October 4, 2004 to Present

Autoridad: **Greenpoint-Williamsburg Anti-Harassment Area, Código Administrativo Zoning Resolution §§23-013, 93-90**

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en [www.hpd.nyc.gov](http://www.hpd.nyc.gov) o llame al **(212) 863-8266**.

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**REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT**

Notice Date: September 15, 2023

To: **Occupants, Former Occupants, and Other Interested Parties**

Property:	Address	Application #	Inquiry Period
	339 Stuyesant Avenue, Brooklyn	62/2023	August 29, 2020 to Present
	21 Ditmars Street, Brooklyn	66/2023	August 21, 2020 to Present
	165 Beach 119th Street, Queens	68/2023	August 24, 2020 to Present
	243 Lenox Avenue, Manhattan	71/2023	August 2, 2020 to Present
	449 Third Avenue, Manhattan	72/2023	August 2, 2020 to Present
	246 West 21st Street, Manhattan	73/2023	August 4, 2020 to Present
	556 West 173rd Street, Manhattan	74/2023	August 10, 2020 to Present

109 East 9th Street, Manhattan 75/2023 August 16, 2020 to Present  
 153 Lefferts Place, Brooklyn 76/2023 August 29, 2020 to Present

**Authority: SRO, Administrative Code §27-2093**

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th 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, please call **(212) 863-5277 or (212) 863-8211**.

*For the decision on the Certification of No Harassment Final Determination please visit our website at [www.hpd.nyc.gov](http://www.hpd.nyc.gov) or call (212) 863-8266.*

**PETICIÓN DE COMENTARIO  
SOBRE UNA SOLICITUD PARA UN  
CERTIFICACIÓN DE NO ACOSO**

**Fecha de notificación: September 15, 2023**

**Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas**

<u>Propiedad:</u>	<u>Dirección:</u>	<u>Solicitud #:</u>	<u>Período de consulta:</u>
339 Stuyesant Avenue, Brooklyn		62/2023	August 29, 2020 to Present
21 Ditmars Street, Brooklyn		66/2023	August 21, 2020 to Present
165 Beach 119th Street, Queens		68/2023	August 24, 2020 to Present
243 Lenox Avenue, Manhattan		71/2023	August 2, 2020 to Present
449 Third Avenue, Manhattan		72/2023	August 2, 2020 to Present
246 West 21st Street, Manhattan		73/2023	August 4, 2020 to Present
556 West 173rd Street, Manhattan		74/2023	August 10, 2020 to Present
109 East 9th Street, Manhattan		75/2023	August 16, 2020 to Present
153 Lefferts Place, Brooklyn		76/2023	August 29, 2020 to Present

**Autoridad: SRO, Código Administrativo §27-2093**

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

**Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en [www.hpd.nyc.gov](http://www.hpd.nyc.gov) o llame al (212) 863-8266.**

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**REQUEST FOR COMMENT  
REGARDING AN APPLICATION FOR A  
CERTIFICATION OF NO HARASSMENT**

**Notice Date: September 15, 2023**

**To: Occupants, Former Occupants, and Other Interested Parties**

<u>Property:</u>	<u>Address</u>	<u>Application #</u>	<u>Inquiry Period</u>
453 West 48th Street, Manhattan		80/2023	August 8, 2008 to Present

**Authority: Special Clinton District, Zoning Resolution §96-110**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th 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, please call **(212) 863-5277 or (212) 863-8211**.

*For the decision on the Certification of No Harassment Final Determination please visit our website at [www.hpd.nyc.gov](http://www.hpd.nyc.gov) or call (212) 863-8266.*

**PETICIÓN DE COMENTARIO  
SOBRE UNA SOLICITUD PARA UN  
CERTIFICACIÓN DE NO ACOSO**

**Fecha de notificación: September 15, 2023**

**Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas**

<u>Propiedad:</u>	<u>Dirección:</u>	<u>Solicitud #:</u>	<u>Período de consulta:</u>
453 West 48th Street, Manhattan		80/2023	August 8, 2008 to Present

**Autoridad: Special Clinton District District, Zoning Resolution Código Administrativo §96-110**

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

**Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en [www.hpd.nyc.gov](http://www.hpd.nyc.gov) o llame al (212) 863-8266.**

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HUMAN RESOURCES ADMINISTRATION

NOTICE

On September 6, 2023, pursuant to Section 1-02(h)(1)(ii) of the Procurement Policy Board (PPB) rules, the City Chief Procurement Officer ("CCPO") ratified a minor PPB Rules violation request made on August 30, 2023, by the New York City Department of Social Services for nine Sole Source Procurements pursuant to PPB 3-05.

Table with columns: EPIN, Vendor, Contract Title/ Services Description, Contract Amount, Contract Start Date, Contract End Date. Lists various procurement contracts for services like Prutech Solutions, Outfront Media Group, and Idemia.

DSS and the CCPO have determined that a minor rules violation in complying with PPB Rule 3-05(c)(1)(i) has occurred relating to these nine procurements, have had no significant, adverse impact on the competitive process. Therefore, ratification of these minor rules' violations is in the best interests of the City.

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MAYOR'S OFFICE OF CONTRACT SERVICES

NOTICE

Notice of Intent to Extend Contract(s) Not Included in FY24 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following extension(s) of (a) contract(s) not included in the FY 2024 Contracting Plan Annual and Schedule that is published pursuant to New York City Charter § 312(a):

Agency: Department of Environmental Protection

Vendor: ATCO Contracting Group, Inc.
Description of services: Asbestos Abatement in Various DEP Facilities Upstate
Anticipated Procurement Method: Renewal
Anticipated New start date: 10/26/2023
Anticipated New end date: 10/24/2024
Anticipated Modifications to scope: N/A
Reason for Renewal/Extension: To maintain continuity of services.
Job Titles: None
Headcounts: 0

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CHANGES IN PERSONNEL

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for the Department of Education Admin for period ending 07/07/23.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for the Department of Education Admin for period ending 07/07/23.