



# THE CITY RECORD

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### ADMINISTRATION FOR CHILDREN'S SERVICES

#### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Thursday, March 26, 2009 at Administration for Children's Services, 150 William Street, 9th Floor Conference Room C-1, Borough of Manhattan, commencing at 9:00 AM on the following:

IN THE MATTER of one (1) proposed contract between the Administration for Children's Services of the City of New York and the contractor listed below, for the provision of duplicating services. The term of the contract will be thirty-six months from the date of award.

Contractor/Address	PIN	Amount
University of Chicago 1313 East 60th Street Chicago, IL 60637	068-09-NEG-0001	\$300,000.00

The proposed contractor has been selected by means of Negotiated Acquisition, pursuant to Section 3-04 of the Procurement Policy Board Rules.

Copies of the draft contract, scope/specification and terms and conditions may be inspected at the New York Administration for Children's Services, Office of Contracts, 150 William Street, 9th Floor, New York, NY 10038. A copy of the draft contract is available for public inspection at the New York City Administration for Children's Services, Office of Administrative Contracts, 150 William Street, 9th Floor, Borough of Manhattan, on business days from Friday March 13, 2009 through March 26, 2009, exclusive of holidays, between the hours of 10:00 A.M. and 4:00 P.M. Please contact Albert Lewis or Andrew Cammock of the Office of Administrative Contracts, respectively at (212) 341-3462 or (212) 341-3488 to arrange a visit.

☛ m13

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Administration for Children's Services, 150 William Street, 9th Floor - Conference Room 9C-1, Borough of Manhattan, on Tuesday, March 17, 2009, commencing at 9:00 A.M. on the following:

PUBLIC HEARING in the matter of one proposed contract between the Administration for Children's Services of the City of New York and the contractor listed below, for the provision of Child Counselor/ Escort Services. The term of the contract will be from approximately January 1, 2009 to August 31, 2009.

Contractor/Address	PIN	Amount
TemPositions Healthcare 420 Lexington Avenue, Room 2100 New York, NY 10170	068009NEX0015	\$2,054,537.00

The proposed contractor has been selected by means of a Negotiated Acquisition process, pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules.

A copy of the draft contract is available for public inspection at the New York City Administration for Children's Services, Office of Administrative Contracts, 150 William Street, 9th Floor, Borough of Manhattan, on business days from March 13, 2009 through March 17, 2009, exclusive of holidays, between the hours of 10:00 A.M. and 4:00 P.M. Please contact Diane Headley of the Office of Administrative Contracts at (212) 341-3459 to arrange a visit.

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### CITY COUNCIL

#### ■ PUBLIC HEARING

#### HEARING BY THE COMMITTEE ON HOUSING AND BUILDINGS

THE COMMITTEE ON HOUSING AND BUILDINGS WILL HOLD A HEARING ON MONDAY, MARCH 16, 2009 AT 10:00 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTERS:

Int. No. 923, a Local Law to amend the administrative code of the City of New York, in relation to extending the rent stabilization laws.

Res. No. 1815, a Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after April 1, 2009.

A Calendar of speakers will be established in advance. Persons interested in being heard should write to the Honorable Christine C. Quinn, Speaker of the City Council, City Hall, New York, New York 10007, setting forth their name, representation and viewpoints.

Michael McSweeney  
Acting City Clerk, Clerk of the Council

f13-m16

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

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 9:30 A.M. on Wednesday, March 18, 2009:

567 WEST 183RD STREET  
MANHATTAN CB - 12 C 090071 HAM  
Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a. the designation of property located at 567 West 183<sup>rd</sup> Street (Block 2154, Lot 95), as an Urban Development Action Area; and
  - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate the rehabilitation of an existing three-story building, tentatively known as 567 West 183rd Street, with nine residential units, to be developed under the Department of Housing Preservation and Development's Division of

Alternative Management Special Projects Program.

P.S. 109  
MANHATTAN CB - 11 C 090145 HAM  
Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - c. the designation of property located at 213 East 99<sup>th</sup> Street (Block 1649, Lot 9) as an Urban Development Action Area; and
  - d. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate the rehabilitation of an existing five-story building, tentatively known as P.S. 109, with approximately 74 residential units.

YANKEE STADIUM PARKING  
BRONX CB - 04 C 090153 PPX  
Application submitted by the Department of Citywide Administrative Services (DCAS) and the Department of Parks & Recreation (DPR), pursuant to Section 197-c of the New York City Charter, for the disposition to the New York City Economic Development Corporation of six (6) city-owned properties restricted to public parking and accessory uses for properties located at:

BLOCK	LOT
2539	29
2539	175
2539	191
2539	193
2539	504
2539	p/o 32

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Wednesday, March 18, 2009:

GRACE ASPHALT  
QUEENS CB - 7 C 090111 PCQ  
Application submitted by the Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 130-31 Northern Boulevard (Block 1791, Lots 52, 68, and 72), for use as an asphalt plant.

1200-SEAT INTERMEDIATE/HIGH SCHOOL  
BROOKLYN CB - 5 20095156 SCK  
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 1200-Seat Intermediate/High School Facility to be located on the block bounded by Flatlands Avenue, Elton Street, Linwood Street, and Vandalia Street (Block 4449, Lot 1 in part) in Community School District No. 19.

P.S. 264, BROOKLYN  
BROOKLYN CB - 10 20095203 SCK  
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 475-Seat Primary School Facility (P.S. 264, Brooklyn) to be located on the block bounded by 4th Avenue, 88th Street, 89th Street and 3rd Avenue (Block 6062, Lots 31, 40, 41, 45 and 48) in Community School District No. 20.

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 1:00 P.M. on Wednesday, March 18, 2009:

OLIVE TREE CAFÉ  
MANHATTAN CB - 2 20085633 TCM  
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Dynamic Music Corp., d/b/a Olive Tree Café, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café at 117 Macdougall Street.

**SCUDERIA GALLO CAFÉ**

**MANHATTAN CB - 2** **20095180 TCM**  
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Scuderia Gallo, LLC, d/b/a Scuderia, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café at 10 Downing Street a.k.a. 257-263 6th Avenue.

**BROADWAY PLAZA**

**BRONX CB - 8** **C 080014 MMX**  
Application, submitted by the New York City Economic Development Corporation (EDC), and Kingsbridge 230th LLC, pursuant to Sections 197- c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Kimberly Place, east of Broadway;
- any adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in accordance with Map No. 13121 dated April 14, 2008 and signed by the Borough President.

**BROADWAY PLAZA**

**BRONX CB - 8** **C 090146 ZMX**  
Application submitted by Kingsbridge 230th LLC and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 1d:

1. eliminating from within an existing R6 District a C2-3 District bounded by Verveelen Place, the northwesterly boundary line of a Rail Road right-of way, West 230th Street, and Broadway; and
2. changing from an R6 District to a C4-4 District property bounded by Verveelen Place and its southeasterly centerline prolongation, the Major Deegan Expressway, West 230th Street and its southeasterly centerline prolongation, and Broadway;

Borough of the Bronx, Community District 8, as shown on a diagram (for illustrative purposes only) dated October 27, 2008, and subject to the conditions of CEQR Declaration E-223.

**BROADWAY PLAZA**

**BRONX CB - 8** **C 090147 PPX**  
Application submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one (1) city-owned property located on Block 3266, Lot 13, pursuant to zoning.

**NORTH CORONA 2 REZONING**

**QUEENS CB - 3** **C 090112 ZMQ**  
Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9d, 10a, 10b:

1. changing from an R6B District to an R5 District property bounded by:
  - a. a line 100 feet southerly of 35th Avenue, a line midway between 90th Street and 91st Street, a line 100 feet northerly of 37th Avenue, and 90th Street;
  - b. a line 100 feet southerly of 34th Avenue, 93rd Street, a line 100 feet northerly of 35th Avenue, 92nd Street, 35th Avenue, a line midway between 93rd Street and 94th Street, a line 100 feet northerly of 37th Avenue, a line midway between 91st Street and 92nd Street, 35th Avenue, and 91st Street;
  - c. a line 100 feet southerly of 37th Avenue, a line midway between 90th Street and 91st Street, a line 300 feet northerly of Roosevelt Avenue, Elmhurst Avenue, 92nd Street, 37th Avenue, a line midway between 94th Street and 95th Street, a line 100 feet southeasterly of 37th Avenue, a line midway between Warren Street and Junction Boulevard, a line 100 northerly of Roosevelt Avenue, a line midway between 91st Street and 92nd Street, a line 200 feet northerly of Roosevelt Avenue, and 89th Street;
  - d. 35th Avenue, 105th Street, 34th Avenue, 112th Street, a line 100 northwesterly and northerly of 37th Avenue, 106th Street, 37th Avenue, 107th Street, 37th Road, 104th Street, a line 100 feet northwesterly of 37th Avenue, and a line 100 feet northeasterly of 99th Street;
  - e. a line 100 feet southeasterly of 37th Avenue, a line 100 feet southwesterly of 103rd Street, 39th Avenue, 99th Street, a line 100 feet northwesterly of 39th Avenue, and a line 100 feet northeasterly of 99th Street; and
  - f. 38th Avenue, a line 125 feet northeasterly of 111th Street, a line 125 feet northwesterly of Roosevelt Avenue, and a line 100 feet northeasterly of 108th Street;
2. changing from an R5 District to an R5A District

property bounded by a line 100 feet southerly of Northern Boulevard, a line 100 feet westerly of 101st Street, 34th Avenue, 102nd Street, 35th Avenue, a line midway between Junction Boulevard and 97th Street, the southerly street line of Brice Road and its easterly and westerly prolongation, Junction Boulevard, 34th Avenue, and a line 100 feet westerly of 96th Street;

3. changing from an R6B District to an R5A District property bounded by:
  - a. 35th Avenue, a line midway between 91st Street and 92nd Street, a line 100 feet northerly of 37th Avenue, and a line midway between 90th Street and 91st Street
  - b. ;a line 100 feet southerly of 37th Avenue, 92nd Street, Elmhurst Avenue, a line 300 feet northerly of Roosevelt Avenue, and a line midway between 90th Street and 91st Street;
  - c. 35th Avenue, a line 100 feet northeasterly of 99th Street, a line 100 feet northwesterly of 37th Avenue, and a line 100 feet northeasterly of Junction Boulevard;
  - d. a line 100 feet southeasterly of 37th Avenue, a line 100 feet northeasterly of 99th Street, a line 100 feet northwesterly of 39th Avenue, a line 100 feet northerly of Roosevelt Avenue, 98th Street, 38th Avenue, and 97th Street;
  - e. 37th Road, 107th Street, 37th Drive, a line 100 feet southwesterly of 108th Street, a line 125 feet northwesterly and northerly of Roosevelt Avenue, a line 100 feet northeasterly of 104th Street, 39th Avenue, and 104th Street; and
  - f. 37th Avenue, 111th Street, a line 125 feet northwesterly of 38th Avenue, 112th Street, a line midway between 37th Avenue and 38th Avenue, a line 125 feet southwesterly of 114th Street, a line 125 feet northwesterly of Roosevelt Avenue, a line 125 feet northeasterly of 111th Street, 38th Avenue, and a line 100 feet northeasterly of 108th Street; and
4. changing from an R6 District to an R6A District property bounded by:
  - a. Astoria Boulevard, 112th Place, a line perpendicular to the easterly street line of 112th Street distant 200 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 112th Street and the southwesterly street line of Astoria Boulevard, a line midway between 111th Street and 112th Street, a line perpendicular to the westerly street line of 111th Street distant 250 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of 111th Street and the southwesterly street line of Astoria Boulevard, a line midway between 110th Street and 111th Street, a line perpendicular to the easterly street line of 110th Street distant 150 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 110th Street and the southwesterly street line of Astoria Boulevard, a line midway between 108th Street and 110th Street, the easterly prolongation of the southerly street line of 32nd Avenue, and 108th Street; and
  - b. a line 100 northerly of Northern Boulevard, 112th Place, Northern Boulevard, a line 100 feet easterly of 112th Street, a line 100 feet southerly of Northern Boulevard, 96th Street, Northern Boulevard, and 95th Street.

as shown on a diagram (for illustrative purposes only), dated October 6, 2008, and modified on February 18, 2009.

m12-18

**CITYWIDE ADMINISTRATIVE SERVICES**

**DIVISION OF REAL ESTATE SERVICES**

**PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY PUBLIC HEARING ON ACQUISITIONS AND DISPOSITIONS**, in accordance with Section 824 of the New York City Charter, will be held at 10:00 a.m. on April 1, 2009 in the second floor conference room, 22 Reade Street, in Manhattan.

In the matter of a proposed lease extension for The City of New York, as Tenant, of the entire building located at 132-05 Atlantic Avenue (Block 9375, Lot 261) in the Borough of Queens containing approximately 72,147 rentable square feet of space and the surrounding lot of approximately 3,898 square feet, for the Department of Sanitation to use as the Queens District 9 garage, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed extension of the lease shall be for a period of six (6) months from April 5, 2009 at an annual rent of \$784,035.00 (\$10.87 per square foot).

Tenant shall have the right to renew the lease, upon thirty (30) day notice, for an additional three (3) months at the same rent of \$784,035.00 (\$10.87 per square foot).

Further information, including public inspection of the proposed lease may be obtained at One Centre Street, Room 2000 North, New York, N.Y. 10007. To schedule an inspection, please contact Chris Fleming at (212) 669-7497.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, N.Y. 10007, (212) 788-7490, no later than FIVE (5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

TDD users should call VERIZON relay services.

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**CITY PLANNING COMMISSION**

**PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, March 18, 2009, commencing at 10:00 A.M.**

**BOROUGH OF THE BRONX**

**No. 1**

**CARL C. ICHAN CHARTER SCHOOL PLAYGROUND CD 3** **C 090228 HAX**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 404 Claremont Parkway (Block 2896, Lot 96), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate an expansion of the playground for the Carl C. Icahn Charter School.

**BOROUGH OF BROOKLYN**

**No. 2**

**LIBERTY FOUNTAIN APARTMENTS CD 5** **C 090227 HAK**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 115, (Block 4191, Lots 14-20); 922, 924, 926, 928, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26-30); and 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of property located at 115, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 924, 926, 930, and 932 Liberty Avenue (Block 4191, Lots 26, 27, 29 and 30); and 66, 68, 70, and 72 Crystal Street (Block 4191, Lots 32-35), to a developer selected by HPD;

to facilitate development of a three-story building, tentatively known Liberty/Fountain Apartments, with approximately 43 residential units.

**BOROUGH OF MANHATTAN**

**No. 3**

**HOBBS COURT**

**CD 11** **C 090125 ZMM**  
**IN THE MATTER OF** an application submitted by the New York City Housing Authority and Phipps Houses and Urban Builders Collaborative, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b changing from an R7A District to a R8A District property bounded by East 103rd Street, a line 325 feet easterly of Second Avenue, East 102nd Street, and a line 100 feet easterly of Second Avenue, as shown on a diagram (for illustrative purposes only) dated December 1, 2008.

**No. 4**

**86TH STREET SIDEWALK CAFES TEXT AMENDMENT CD 8** **N 090165 ZRM**  
**IN THE MATTER OF** an application submitted by Maz Mezcal Restaurant pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of

the City of New York, concerning Article I, Chapter 4 (Sidewalk Café Regulations), relating to Section 14-43 to permit small sidewalk cafes on the south side of East 86th Street from First Avenue to a line 125 feet east of Second Avenue.

Matter in underline is new, to be added;  
Matter in ~~strikeout~~ is old, to be deleted;  
Matter within # # is defined in Section 12-10;

**14-43  
Locations Where Only Small Sidewalk Cafes Are Permitted**

#Small sidewalk cafes# may be located wherever #sidewalk cafes# are permitted, pursuant to Section 14-011 (Sidewalk cafe locations). In addition, only #small sidewalk cafes# shall be allowed on the following #streets#, subject to the underlying zoning.

**Manhattan:**

- Orchard Street - from Canal Street to Houston Street
- Delancey Street - from Norfolk Street to the Bowery
- Centre Street - from Canal Street to Spring Street
- Lafayette Street - from Canal Street to Houston Street
- Sixth Avenue - from Canal Street to a line 100 feet south of Spring Street
- Special Union Square Special District\*
- 14th Street - from Second Avenue to Irving Place
- 14th Street - from a line 100 feet west of University Place to Eighth Avenue
- 23rd Street - from the East River to Eighth Avenue
- 31st Street - from Fifth Avenue to a line 200 feet east of Broadway
- 34th Street - from the East River to Fifth Avenue
- 35th Street - from a line 150 feet east of Fifth Avenue to a line 150 feet east of Sixth Avenue
- 36th Street - from a line 150 feet east of Fifth Avenue to a line 150 feet west of Fifth Avenue
- 37th Street - from a line 150 feet east of Fifth Avenue to a line 150 feet west of Fifth Avenue
- 37th Street - from a line 150 feet east of Sixth Avenue to Broadway
- 38th Street - from Third Avenue to Seventh Avenue
- 39th Street - from Exit Street to Seventh Avenue
- 40th Street - from a line 100 feet east of Exit Street to Broadway
- 41st Street - from a line 100 feet east of Exit Street to Third Avenue
- 42nd Street - from First Avenue to Third Avenue
- 42nd Street - from Fifth Avenue to a line 275 feet east of Sixth Avenue
- All #streets# bounded by 43rd Street on the south, 46th Street on the north, a line 200 feet east of Third Avenue on the east and Third Avenue on the west
- 43rd Street - from Fifth Avenue to Sixth Avenue
- 44th Street - from Fifth Avenue to Sixth Avenue
- 45th Street - from Fifth Avenue to Sixth Avenue
- 46th Street - from Fifth Avenue to Sixth Avenue
- 47th Street - from a line 200 feet east of Third Avenue to Third Avenue
- 48th Street - from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west
- 49th Street - from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west
- 50th Street - from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west
- 51st Street - from a line 150 feet east of Third Avenue to Eighth Avenue
- 52nd Street - from a line 160 feet east of Third Avenue to Eighth Avenue
- 53rd Street - from a line 160 feet east of Third Avenue to Eighth Avenue
- 54th Street - from a line 150 feet east of Third Avenue to Eighth Avenue
- 55th Street - from a line 100 feet west of Second Avenue to Eighth Avenue
- 56th Street - from a line 100 feet west of Second Avenue to Eighth Avenue
- 57th Street - from the East River to Eighth Avenue
- 58th Street - from the East River to Eighth Avenue
- 59th Street - from the East River to Second Avenue
- 59th Street (Central Park South) - from Sixth Avenue to Columbus Circle
- 60th Street - from Lexington Avenue to Fifth Avenue
- 61st Street - from Third Avenue to Fifth Avenue
- 62nd Street - from Second Avenue to Fifth Avenue
- 63rd Street - from Second Avenue to Fifth Avenue
- 86th Street - from First Avenue to a line 125 feet east of Second Avenue, south side only
- 116th Street - from Malcolm X Boulevard to Frederick Douglass Boulevard
- First Avenue - from 48th Street to 56th Street
- Third Avenue - from 38th Street to 62nd Street
- Lexington Avenue - from a line 100 feet south of 23rd Street to a line 100 feet north of 34th Street
- Lexington Avenue - the entire length from a line 100 feet north of 96th Street, northward
- Park Avenue - from 38th Street to 40th Street
- Park Avenue - from 48th Street to 60th Street
- Park Avenue - the entire length from a line 100 feet north of 96th Street, northward
- Madison Avenue - from 23rd Street to 38th Street
- Madison Avenue - from 59th Street to 61st Street
- Special Madison Avenue Preservation District\*\*
- Madison Avenue - the entire length from a line 100 feet north of 96th Street, northward
- Fifth Avenue - from 12th Street to 33rd Street
- Fifth Avenue - from 59th Street to 61st Street
- Sixth Avenue - from 36th Street to 42nd Street
- Sixth Avenue - from a line 150 feet north of 42nd Street to 48th Street
- Sixth Avenue - from 50th Street to Central Park South
- Seventh Avenue - from 50th Street to Central Park South
- Broadway - from 36th Street to 40th Street
- Broadway - from 50th Street to Columbus Circle

Columbus Circle - from Eighth Avenue, westward, to Broadway.

\* #Small sidewalk cafes# are not allowed on 14<sup>th</sup> Street

\*\* #Small sidewalk cafes# are not allowed on 86<sup>th</sup> Street within the Special Madison Avenue District

**BOROUGH OF QUEENS  
Nos. 5 & 6  
NORTH FLUSHING REZONING/R1-2A DISTRICT  
ZONING TEXT  
No. 5**

**CDs 7 & 11 C 090281 ZMQ**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 7d, 11a and 11c:

1. eliminating from within an existing R4 District a C1-2 District bounded by:
  - a. 25th Avenue, Francis Lewis Boulevard, 26th Avenue, a line 150 feet westerly of 168th Street, a line 150 feet southwesterly of Francis Lewis Boulevard, Bayside Lane, 25th Drive, and 166th Street;
  - b. 26th Avenue, a line 150 feet northeasterly of Francis Lewis Boulevard, 27th Avenue, a line midway between Francis Lewis Boulevard and 172nd Street, 28th Avenue, and Francis Lewis Boulevard;
2. eliminating from within an existing R5 District a C1-2 District bounded by:
  - a. Willets Point Boulevard,
  - b. Parsons Boulevard,
  - c. the westerly prolongation of the northerly street line of 25th Drive,
  - d. a line 125 feet westerly of Parsons Boulevard, and
  - e. a line perpendicular to Willets Point Boulevard and passing through a point on Course No. 4 distance 160 feet northerly of Course No. 3;
3. eliminating from within an existing R4 District a C1-3 District bounded by 24th Road, a line 100 feet northeasterly of Francis Lewis Boulevard, 169th Street, Francis Lewis Boulevard, and 166th Street;
4. eliminating from within an existing R4 District a C1-4 District bounded by 169th Street, a line 100 feet northeasterly of Francis Lewis Boulevard, 26th Avenue, and Francis Lewis Boulevard;
5. changing from an R1-2 District to an R1-2A\* District property bounded by 32nd Avenue, a line midway between 162nd Street and 163rd Street, a line 60 feet northerly of 35th Avenue, a line midway between 167th Street and 168th Street, Elmer E. Crocheron Avenue, 164th Street, a line 100 feet northerly of Elmer E. Crocheron Avenue, a line 100 feet northerly of Northern Boulevard, 158th Street, Northern Boulevard, 157th Street, a line 150 feet northerly of Northern Boulevard, and 156th Street;
6. changing from an R1-2 District to an R2 District property bounded by Riverside Drive, 159th Street, Powells Cove Boulevard, and a line midway between 158th Street and 159th Street;
7. changing from an R6 District to an R2 District property bounded by a line 100 feet southerly of 33rd Avenue, the southerly prolongation of a line 90 feet easterly of 143rd Street (straight line portion), the southerly terminus of 143rd Street and its northwesterly and southeasterly prolongations, and Union Street;
8. changing from an R1-2 District to an R2A District property bounded by a line 100 feet northerly of 35th Avenue, a line midway between 167th Street and 168th Street, a line 60 northerly of 35th Avenue, and a line midway between 162nd Street and 163rd Street;
9. changing from an R2 District to an R2A District property bounded by:
  - a. a line midway between 28th Avenue, and 29th Avenue and its westerly prolongation, the northerly prolongation of the easterly street line of 148th Street, 29th Avenue, 148th Street, Bayside Avenue, 150th Street, a line 100 feet southerly of Bayside Avenue, Murray Lane, Bayside Avenue, a line 100 feet westerly of Murray Street, 25th Avenue, 166th Street, Bayside Lane, a line midway between 25th Drive and 26th Avenue, a line 150 feet southwesterly of Francis Lewis Boulevard, a line 150 feet westerly of 168th Street, 26th Avenue, Francis Lewis Boulevard, 170th Street, 29th Avenue, Francis Lewis Boulevard, 33rd Avenue, 191st Street, a line 150 feet southerly of 33rd Avenue, a line 100 feet southwesterly of Francis Lewis Boulevard, the westerly centerline prolongation of 34th Avenue, 192nd Street, a line 100 feet northerly of 35th Avenue, 190th Street, 35th Avenue, Utopia Parkway, a line perpendicular to the westerly street line of Utopia

Parkway distant 100 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Utopia Parkway and the northerly street line of Elmer E. Crocheron Avenue, 172nd Street, a line perpendicular to the westerly street line of 172nd Street distant 90 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of 172nd Street and the northerly street line of Elmer E. Crocheron Avenue, a line midway between 171st Street and 172nd Street, Elmer E. Crocheron Avenue, 169th Street, a line 100 feet northerly of Elmer E. Crocheron Avenue, 168th Street, Elmer E. Crocheron Avenue, a line midway between 167th Street and 168th Street, a line 100 feet northerly of 35th Avenue, a line midway between 162nd Street and 163rd Street, 32nd Avenue, 156th Street, a line 100 feet southerly of 33rd Avenue, 154th Street, 33rd Avenue, Murray Street, 34th Avenue, a line midway between 147th Place and 148th Street, 33rd Avenue, Union Street, 29th Avenue, and a line 100 feet easterly of Union Street, and excluding the area bounded by a line 150 feet northwesterly of Bayside Lane, 28th Avenue and its easterly prolongation, Bayside Lane, a line 100 feet southerly of 27th Avenue, a line midway between 167th Street and 168th Street, a line 100 feet northerly of 32nd Avenue, 168th Street, 32nd Avenue, a line midway between 166th Street and 167th Street, a line 100 feet northerly of 32nd Avenue, a line midway between 162nd Street and 163rd Street, 29th Avenue, and 161st Street;

- b. 26th Avenue, a line 100 feet northeasterly of 202nd Street, a line 250 feet northwesterly of 29th Avenue, 202nd Street, 29th Avenue, Utopia Parkway, 28th Avenue, and 172nd Street; and
  - c. 26th Avenue, the westerly service road of the Clearview Expressway, 29th Avenue, and 206th Street;
10. changing from an R3-2 District to an R2A District property bounded by:
- a. Willets Point Boulevard, 149th Street, a line 100 feet northerly of 25th Drive, 148th Street, 25th Drive and a line midway between 147th Street and 148th Street;
  - b. Bayside Avenue, Murray Lane, a line 100 feet southerly of Bayside Avenue, and 150th Street;
  - c. 34th Avenue, Murray Street, a line 150 feet northerly of 35th Avenue, 150th Place, 35th Avenue, and a line midway between 150th Street and 150th Place;
  - d. a line 150 feet northwesterly of Bayside Lane, 28th Avenue, a line 240 feet easterly of 161st Street, a line 100 feet northwesterly of Bayside Lane, and 161st Street;
  - e. Bayside Lane, a line 100 feet southerly of 27th Avenue, 166th Street, a line 100 feet northerly of 32nd Avenue, 164th Street, a line 100 feet southerly of 29th Avenue, 165th Street, a line 100 feet northerly of 29th Avenue, 163rd Street, and the easterly centerline prolongation of 28th Avenue; and
  - f. a line 100 feet southerly of 27th Avenue, a line midway between 167th Street and 168th Street, 29th Avenue, and 167th Street;
11. changing from an R3X District to an R2A District property bounded by:
- a. 29th Avenue, 202nd Street, 32nd Avenue, and 201st Street; and
  - b. 29th Avenue, the westerly service road of the Clearview Expressway, 32nd Avenue, and 204th Street;
12. changing from an R4 District to an R2A District property bounded by:
- a. a line midway between 25th Drive and 26th Avenue and its easterly prolongation, 168th Street, 26th Avenue, a line 150 feet westerly of 168th Street, and a line 150 feet southwesterly of Francis Lewis Boulevard;
  - b. 24th Road, a line 150 feet northeasterly of Francis Lewis Boulevard, 169th Street, and a line 100 feet northeasterly of Francis Lewis Boulevard;
  - c. a line 150 feet northeasterly of Francis Lewis Boulevard, 26th Avenue, a line 100 feet northeasterly of Francis Lewis Boulevard, and 169th Street; and

- d. a line 100 feet southeasterly of 26th Avenue, 172nd Street, 28th Avenue, and 100 feet northeasterly of Francis Lewis Boulevard;
- 13. changing from an R4-1 District to an R2A District property bounded by 32nd Avenue, the westerly service road of the Clearview Expressway, a line 95 feet northwesterly of 34th Avenue, a line midway between 204th Street and 205th Street, a line 95 feet southeasterly of 33rd Avenue, 204th Street, a line 95 feet northwesterly of 33rd Avenue, a line midway between 204th Street and 205th Street, a line 95 feet southeasterly of 32nd Avenue, and 204th Street;
- 14. changing from an R5 District to an R2A District property bounded by 35th Avenue, 190th Street, a line 100 feet northerly of Elmer E. Crocheron Avenue, and Utopia Parkway;
- 15. changing from an R3-2 District to an R3-1 District property bounded by Willets Point Boulevard, a line midway between 147th Street and 148th Street, 25th Drive, 148th Street, a line 100 feet northerly of 25th Drive, 149th Street, 28th Avenue, and 147th Street;
- 16. changing from an R2 District to an R3-2 District property bounded by:
  - a. a line midway between 28th Avenue and 29th Avenue, 149th Street, Bayside Avenue, 148th Street, 29th Avenue, and the northerly prolongation of the easterly street line of 148th Street; and
  - b. a line 100 feet northerly of 34th Avenue, a line 100 feet westerly of 153rd Street, a line 40 feet northerly of 34th Avenue, 153rd Street, 34th Avenue, and Murray Street;
- 17. changing from an R2 District to an R3X District property bounded by 26th Avenue, 203rd Street, 29th Avenue, 202nd Street, a line 250 feet northwesterly of 29th Avenue, and a line 100 feet northeasterly of 202nd Street;
- 18. changing from a R4-1 District to an R3X District property bounded by 32nd Avenue, 204th Street, a line 95 feet southeasterly of 32nd Avenue, and 201st Street;
- 19. changing from an R2 District to an R4 District property bounded by 25th Drive, Bayside Lane, a line 150 feet southwesterly of Francis Lewis Boulevard, a line midway between 25th Drive and 26th Avenue, Bayside Lane, and 166th Street;
- 20. changing from an R5 District to an R4 District property bounded by:
  - a. Willets Point Boulevard, 146th Street, 28th Avenue, and Parsons Boulevard; and
  - b. 35th Avenue, Francis Lewis Boulevard, the southerly boundary line of the Long Island Rail Road right-of-way (Northside Division), 192nd Street, 39th Avenue, 194th Street, 37th Avenue, 193rd Street, Elmer E. Crocheron Avenue, and a line 240 feet easterly of 192nd Street;
- 21. changing from an R5 District to an R4-1 District property bounded by 35th Avenue, a line 240 feet easterly of 192nd Street, Elmer E. Crocheron Avenue, 193rd Street, 37th Avenue, 194th Street, 39th Avenue, 193rd Street, a line 100 feet southerly of 37th Avenue, 190th Street, 37th Avenue, 192nd Street, a line 100 feet northerly of 37th Avenue, a line midway between 191st Street and 192nd Street, Elmer E. Crocheron Avenue, and 192nd Street;
- 22. changing from an R3-2 District to an R4A District property bounded by:
  - a. Willets Point Boulevard, 147th Street, 28th Avenue, 194th Street, a line midway between 28th Avenue and 29th Avenue, and 146th Street;
  - b. 25th Avenue, a line 100 feet westerly of Murray Street, Bayside Avenue, 150th Street, a line midway between 29th Avenue and Bayside Avenue, a line 100 feet easterly of 150th Street, 26th Avenue, and a line 95 feet easterly of 150th Street; and
  - c. 34th Avenue, 149th Place, a line 100 feet northerly of Northern Boulevard, 149th Street, 35th Avenue, and 146th Street;
- 23. changing from a R5 District to an R4A District property bounded by 28th Avenue, 146th Street, a line midway between 28th Avenue and 29th Avenue, and Parsons Boulevard;
- 24. changing from an R2 District to an R4B District property bounded by:
  - a. Francis Lewis Boulevard, 29th Avenue, and 170th Street; and
  - b. a line 100 feet northerly of 32nd Avenue, 168th Street, 32nd Avenue, and a line midway between 166th Street and 167th Street;

- 25. changing from an R3-2 District to an R4B District property bounded by a line 100 feet southerly of 27th Avenue, 167th Street, 29th Avenue, a line midway between 167th Street and 168th Street, a line 100 feet northerly of 32nd Avenue, and 166th Street;
  - 26. changing from an R4 District to an R4B District property bounded by 28th Avenue, Utopia Parkway, and Francis Lewis Boulevard;
  - 27. changing from an R4-1 District to an R4B District property bounded by a line 95 feet northwesterly of 34th Avenue, the westerly service road of Clearview Expressway, a line 100 feet southeasterly of 34th Avenue, and 205th Street;
  - 28. changing from an R2 District to an R5B District property bounded by:
    - a. a line 100 feet northerly of 35th Avenue, 192nd Street, 35th Avenue, and 190th Street; and
    - b. a line perpendicular to the westerly street line of 172nd Street distant 90 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of 172nd Street and the northerly street line of Elmer E. Crocheron Avenue, 172nd Street, a line perpendicular to the westerly street line of Utopia Parkway distant 100 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Utopia Parkway and the northerly street line of Elmer E. Crocheron Avenue, Utopia Parkway, Elmer E. Crocheron Avenue, and a line midway between 171st Street and 172nd Street;
  - 29. changing from an R5 District to an R5B District property bounded by:
    - a. 35th Avenue, 192nd Street, Elmer E. Crocheron Avenue, a line midway between 191st Street and 192nd Street, a line 100 feet northerly of 37th Avenue, 192nd Street, 37th Avenue, 190th Street, a line 100 feet southerly of 37th Avenue, 192nd Street, the southerly boundary line of the Long Island Rail Road right-of-way (Northside Division), the northerly prolongation of the easterly street line of 189th Street, 39th Avenue, 170th Street, Depot Road, a line midway between 168th Street and 169th Street, a line 100 feet southerly of Elmer E. Crocheron Avenue, 169th Street, Elmer E. Crocheron Avenue, Utopia Parkway, a line 100 feet northerly of Elmer E. Crocheron Avenue, and 190th Street; and
    - b. the southwesterly centerline of 34th Avenue, Francis Lewis Boulevard, 35th Avenue, and 192nd Street;
  - 30. changing from an R2 District to an R5D District property bounded by a line 100 feet northerly of Elmer E. Crocheron Avenue, 169th Street, Elmer E. Crocheron Avenue, and 168th Street;
  - 31. changing from an R5 District to an R5D District property bounded by Elmer E. Crocheron Avenue, 169th Street, a line 100 feet southerly of Elmer E. Crocheron Avenue, a line midway between 168th Street and 169th Street, Depot Road, the northerly centerline prolongation of 168th Street, Station Road, and 167th Street and its southerly centerline;
  - 32. changing from an R6 District to an R5D District property bounded by 31st Drive, Union Street, 33rd Avenue, Leavitt Street, 32nd Avenue, and 140th Street;
  - 33. establishing within an existing R3-2 District a C1-3 District bounded by 28th Avenue, 163rd Street, a line 100 feet northerly of 29th Avenue, 161st Street, a line 100 feet northwesterly of Bayside Lane, and a line 240 feet easterly of 161st Street; and
  - 34. establishing within an existing R4 District a C1-3 District bounded by 25th Avenue, a line 100 feet northeasterly of Francis Lewis Boulevard, 169th Street, a line 100 feet northeasterly of Francis Lewis Boulevard, 28th Avenue, Francis Lewis Boulevard, 26th Avenue, 168th Street, a line midway between 25th Drive and 26th Avenue and its easterly prolongation, a line 100 feet westerly of 168th Street and its northerly prolongation, and Francis Lewis Boulevard;
- Borough of Queens, Community Districts 7 & 11 as shown in a diagram (for illustrative purposes only dated January 20, 2009.
- \*Note: An R1-2A District is proposed to be created under a related concurrent application N 090282 ZRY for an amendment of the Zoning Resolution.

No. 6

**CITYWIDE N 090282 ZRY**  
**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to the creation of an R1-2A Zoning District.

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

\* \* \*

**Article 1**  
**General Provisions**

**Chapter 1**  
**Title, Establishment of Controls and Interpretation of Regulations**  
 \* \* \*

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

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

Residence Districts

R1-1 Single-Family Detached Residence District  
 R1-2 Single-Family Detached Residence District  
 R1-2A ~~Single-Family Detached Residence District~~

\* \* \*

**11-335**  
**Building permits for other construction in R1-2A and R2A Districts**

In R1-2A Districts and R2A Districts established on or after December 20, 2006, if a building permit for other construction has been lawfully issued prior to the dates establishing such ~~R2A~~ Districts, such construction may be continued, notwithstanding the provisions of paragraph (a) of Section 11-332 (Extension of period to complete construction), provided that the Department of Buildings determines that all of the requisite structural framing to perform the work authorized under the permit was completed on or before the date establishing the ~~R2A~~ District. If the Commissioner of Buildings determines that such framing was not complete on such date, the provisions of paragraph (a) of Section 11-332 shall apply.

\* \* \*

**Article 1**  
**Chapter 2**  
**Construction of Language and Definitions**

\* \* \*

**12-10**  
**Definitions**  
 \* \* \*

Floor area

“Floor area” is the sum of the gross areas of the several floors of a #building# or #buildings#, measured from the exterior faces of exterior walls or from the center lines of walls separating two #buildings#. In particular, #floor area# includes:

\* \* \*

(i) floor space used for #accessory# off-street parking spaces provided in any #story# after June 30, 1989:

(1) within #detached# or #semi-detached single-# or #two-family residences# in R1-2A, R2A, R2X, R3, R4 or R5 Districts, except that:

(i) in R2A Districts, #floor area# within such #residences# shall include only floor space in excess of 300 square feet for one such space; and

(ii) in all R1-2A Districts, and in R3, R4A and R4-1 Districts in #lower density growth management areas#, #floor area# within such #residences# shall include only floor space in excess of 300 square feet for one such space and in excess of 500 square feet for two such spaces;

\* \* \*

(o) any other floor space not specifically excluded.

However, the #floor area# of a #building# shall not include:

\* \* \*

(6) floor space used for #accessory# off-street parking spaces provided in any #story#:

(i) up to 200 square feet per required space existing on June 30, 1989, within #residential buildings# in R3, R4 or R5 Districts, and up to 300 square feet for one required space in R2A Districts. However, for #detached# or #semi-detached single-# or #two-family residences# in all R1-2A Districts and in R3, R4A and R4-1 Districts within #lower density growth management areas#, #floor area# shall not include up to 300 square feet for one ~~required~~ space and up to 500 square feet for two ~~required~~ spaces;

\* \* \*

(8) floor space used for mechanical equipment, except that such exclusion shall not apply in R2A Districts, and in R1-2A, R2X, R3, R4, or R5 Districts, such exclusion shall be limited to 50 square feet for the first #dwelling unit#, an additional 30 square feet for the second #dwelling unit# and an additional 10 square feet for each additional #dwelling unit#. For the purposes of

calculating floor space used for mechanical equipment, #building segments# on a single #zoning lot# may be considered to be separate #buildings#;

(9) except in R1-2A, R2A, R2X, R3, R4 and R5 Districts, the lowest #story# (whether a #basement# or otherwise) of a #residential building#, provided that:

(i) such #building# contains not more than two #stories# above such #story#;

\* \* \*

Article II Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

\* \* \*

23-12 Permitted Obstructions in Open Space

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, the following shall not be considered obstructions when located in any #open space# required on a #zoning lot#, except that no portion of such #open space# which is also a required #yard# or #rear yard equivalent#, or is needed to satisfy the minimum required area or dimensions of a #court#, may contain any obstructions not permitted in such #yard#, #rear yard equivalent# or #court#:

\* \* \*

(e) Parking spaces, off-street, enclosed, #accessory#, not to exceed one space per dwelling unit#, when #accessory# to a #single-family#, #two-family# or three-family #residence#, provided that the total area occupied by a #building# used for such purposes does not exceed 20 percent of the total required #open space# on the #zoning lot#. However, two such spaces for a #single-family residence# may be permitted in #lower density growth management areas# and in R1-2A Districts;

\* \* \*

23-141 Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts

R1 R2 R3 R4 R5

Except as otherwise provided in paragraph (a) of Section 23-147 (For non-profit residences for the elderly), in the districts indicated, the minimum required #open space# or #open space ratio#, the maximum #lot coverage# and the maximum #floor area ratio# for any #building# on a #zoning lot# shall be as set forth in the following tables:

(a)

Table with 3 columns: District, Minimum Required #Open Space Ratio#, Maximum #Floor Area Ratio#

Table row for R1 and R2\* with values 150.0 and 0.50

\* R1-2A, R2A and R2X are subject to the provisions of paragraph (b).

(b)

Table with 4 columns: District, Maximum #Lot Coverage# (in percent), Minimum Required #Open Space# (in percent), Maximum #Floor Area Ratio#

Table with 4 columns: District, Maximum #Lot Coverage# (in percent), Minimum Required #Open Space# (in percent), Maximum #Floor Area Ratio#

\* For #corner lots#, the maximum #lot coverage# shall be 80 percent and the minimum required #open space# shall be 20 percent.

In addition, the following rules shall apply:

\* \* \*

(4) In all R1-2A Districts and in R3, R4A and R4-1 Districts within #lower density growth management areas#, the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence# may be increased by up to 300 square feet for one parking space and up to 500 square feet for two parking spaces provided such spaces are in a garage located, wholly or partly, in the #side lot ribbon# pursuant to Sections 23-12, paragraph (e), 23-441 or 23-442, except that in R1-2A Districts, such parking spaces need not be located in the #side lot ribbon#.

\* \* \*

23-40 YARD REGULATIONS

\* \* \*

23-45 Minimum Required Front Yards

(a) R1 R2 R3 R4 R5 In the districts indicated, #front yards# shall be provided as set forth in the following table, except that for a #corner lot# in an R1-2 District, one #front yard# may have a depth of 15 feet and, for a #corner lot# in an R3 District, one #front yard# may have a depth of 10 feet.

Table with 2 columns: Front Yard, District

\* Except as provided in paragraphs (b) and (c) of this Section.

\*\* If the depth of a #front yard# exceeds 10 feet or the #zoning lot# is #developed# pursuant to the optional regulations applicable in a #predominantly built-up area#, the depth of a #front yard# shall be at least 18 feet. However, on a #corner lot#, if one #front yard# has a depth of at least 18 feet, the other #front yard# shall have a depth of at least 10 feet.

Furthermore, if an opening to an #accessory# off-street parking space is located within the #street wall# of a #residential building#, there shall be an open area between the opening and the #street line# which is at least 8 and 1/2 feet in width by 18 feet in depth, except this provision shall not apply in R5D Districts.

R2A R3A R3X R4-1 R4A R4B R5A R5B R5D

(b) For the purpose of paragraphs (b) and (c) the area between the #street line# and the front building wall of adjacent #buildings# on the same or adjoining #zoning lots# shall be considered adjacent #front yards#.

Except as provided in paragraph (c) of this Section, in the districts indicated, if adjacent #residential buildings# on the same or on adjoining #zoning lots# fronting on the same #street# have #front yards# greater than the minimum set forth in paragraph (a) of this Section, then a #front yard# shall be provided which:

- (1) in R1-2A, R2A, R3A, R3X, R4A, R4-1 or R5A Districts is at least as deep as an adjacent #front yard#; and
(2) in R4B, R5B or R5D Districts is no deeper than the deepest adjacent #front yard# and no shallower than the shallowest adjacent #front yard#.

However, a #front yard# need not exceed 20 feet in depth, except that in R1-2A Districts, a #front yard# need not exceed 25 feet in depth.

In determining the depth of the adjacent #front yards#, balconies, and projections from the front building wall that do not exceed 33 percent of the aggregate width of the #building#, shall be disregarded.

For new #developments# or #enlargements#, projections into the required #front yard# are permitted provided that the aggregate width of all projections at the level of any #story# does not exceed 33 percent of the aggregate width of the #building#. The depth of such projections shall not exceed three feet into the #front yard#. However, balconies shall be subject to the provisions of Sections 23-13 (Balconies) and 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

\* \* \*

23-631 Height and setback in R1, R2, R3, R4 and R5 Districts

R1 R2

(a) In the districts indicated, except R1-2A, R2A and R2X Districts, the front wall or any other portion of a #building or other structure# shall not penetrate the #sky exposure plane# set forth in the following table:

\* \* \*

R1-2A R2A R2X R3 R4 R4A R4-1 R5A

(b) In the districts indicated, the height and setback of a #building or other structure# shall be as set forth herein except where modified pursuant to paragraphs (h) and (i) of this Section.

For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#. Furthermore, for the purposes of this Section, #building segments# may

be considered to be separate #buildings# and abutting #semi-detached buildings# may be considered to be one #building#.

The perimeter walls of a #building or other structure# are those portions of the outermost walls enclosing the #floor area# within a #building or other structure# at any level and height is measured from the #base plane#. Perimeter walls are subject to setback regulations at a maximum height above the #base plane# of:

Table with 2 columns: Height, District

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

m5-18

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, March 18, 2009, commencing at 10:00 A.M.

No. 1 HPD OFFICE SPACE

CD 12 C 090327 PXM IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for the use of property located at 4650 Broadway (Block 2175, Lot 1) (Department of Housing Preservation and Development offices).

No. 2 NYPD OFFICE SPACE

CD 12 C 090328 PXM IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for the use of property located at 4650 Broadway (Block 2175, Lot 1) (New York City Police Department offices).

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

m5-18

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, March 18, 2009 at 8:00 A.M., Kings Plaza Community Room, Flatbush Avenue and Avenue V, Brooklyn, NY

#090313ZMK

An application submitted by the Department of City Planning (DCP) pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, for lower density and contextual zoning map changes for 250 blocks out of a 300 block study in the Brooklyn neighborhood of Canarsie to protect existing uses.

m12-18

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 17 - Wednesday, March 18, 2009 at 7:00 P.M., Rehoboth Open Bible Church, 5102 Avenue D, Brooklyn, NY

BSA 17-09-BZ

IN THE MATTER OF an application of MetroPCS New York, LLC, for all necessary permits to construct, operate and maintain a non-accessory radio facility at 5421 Beverly Road, Brooklyn.

m12-18

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 2 - Wednesday, March 18, 2009, 6:00 P.M., Polytechnic Institute - Dibner Library, Metrotech Center, Room LC 400, Brooklyn, NY

#C 090310ZMK

DUMBO REZONING IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d, changing from an M1-2 zoning district to an M1-4/R7A zoning district.

m12-18



PUBLIC HEARING ITEM NO. 10 LP-2334
PROPOSED OCEAN ON THE PARK HISTORIC DISTRICT
Borough of Brooklyn
Boundary Description
The proposed Ocean on the Park Historic District is bounded by a line beginning at a point on the eastern curblin...

PUBLIC HEARING ITEM NO. 11 LP-2335
PROPOSED AUDUBON PARK HISTORIC DISTRICT
Borough of Manhattan
Boundary Description
The (proposed) Audubon Park Historic District consists of the property bounded by a line beginning at the intersection of the southern curblin...

m10-23

LOFT BOARD

PUBLIC MEETING

NOTICE IS HEREBY GIVEN PURSUANT TO ARTICLE 7 OF THE PUBLIC OFFICERS LAW that the New York City Loft Board will have its monthly Board meeting on Thursday, March 19, 2009. The meeting will be held at 2:00 P.M. at Spector Hall, 22 Reade Street, 1st Floor. The proposed agenda will include cases and general business.

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

m11-13

OFFICE OF THE MAYOR

PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAWS

PURSUANT TO STATUTORY REQUIREMENT, NOTICE IS HEREBY GIVEN that proposed local laws numbered and titled hereinafter have been passed by the Council and that a public hearing on such proposed local laws will be held in the Blue Room at City Hall, Borough of Manhattan, New York City, on Wednesday, March 18, 2009 at 3:30 P.M.:

Intro 57-A - A Local Law to amend the administrative code of the City of New York, in relation to the creation of Bed Bug Advisory Board.

Intro 660-A - A Local Law to amend the administrative code of the City of New York, in relation to buyers of consumer debt.

Intro 840 - A Local Law to amend the administrative code of the City of New York, in relation to increasing fees for permits issued to operators of dumps, non-putrescible solid waste transfer stations and putrescible solid waste transfer stations, and establishing registration fees for intermodal solid waste container facilities.

Intro 852-A - A Local Law to amend the administrative code of the City of New York, in relation to recovery of expenses for repair work performed by or on behalf of the department of housing preservation and development and department of finance statements of account.

Intro 867-A - A Local Law to amend the administrative code of the City of New York, in relation to waterfront management advisory board.

Michael R. Bloomberg Mayor

NOTE: Individuals requesting Sign Language Interpreters

should contact the Mayor's Office of City Legislative Affairs, 253 Broadway, 14th Floor, New York, NY 10007, (212) 788-3678, no later than five business days prior to the public hearing. TDD users call Verizon relay service.

m13

SCHOOL CONSTRUCTION AUTHORITY

NOTICE

NOTICE OF PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW

The New York City School Construction Authority ("SCA") will hold a public hearing on March 27, 2009, at 4:00 P.M., pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the SCA's proposed acquisition, by condemnation, of Tax Block 6062, Lot 31, located in the Borough of Brooklyn, City and State of New York, for the purpose of constructing at the site an approximately 450-seat primary school facility known as PS 264K accommodating students pre-K through fifth grades pursuant to the New York City Department of Education's Five-Year Educational Capital Facilities Plan. The subject property is located at 368 88th Street on the south side of 88th Street, 100 feet west of 4th Avenue in the Bay Ridge section of the Borough of Brooklyn. The public hearing will be held at 415 89th Street, Bay Ridge, Brooklyn, New York, in the 4th Floor Conference Room.

The purposes of the hearing are to inform the public of the proposed project, to review the public use to be served by the proposed project and to give all interested persons an opportunity to be heard concerning the proposed public project. Property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised at the hearing. All persons are invited to attend the hearing and to present oral and/or written statements concerning the proposed acquisition. The SCA will accept written comments on the proposed project at the address listed below until April 9, 2009. Materials relating to the project are available for examination during normal business hours at the Legal Department of the SCA at 30-30 Thomson Avenue, Long Island City, New York 11101. For further information, contact Gregory P. Shaw, Principal Attorney of the SCA, at (718) 472-8232.

m9-13

TRANSPORTATION

PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, March 18, 2009. Interested Parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

#1 In the matter of a proposed revocable consent authorizing Jeremy Lechtzin and Amy B. Klein to construct, maintain and use a stoop on the north sidewalk of Hicks Street, east of Cranberry Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - \$25/per annum

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

#2 In the matter of a proposed revocable consent authorizing Watchtower Bible and Tract Society of New York, Inc. to continue to maintain and use a tunnel under and across Columbia Heights, south of Orange Street, in the Borough of Brooklyn. The proposed revocable consent is for a term from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

- For the period July 1, 2009 to June 30, 2010 - \$25,278
For the period July 1, 2010 to June 30, 2011 - \$26,014
For the period July 1, 2011 to June 30, 2012 - \$26,750
For the period July 1, 2012 to June 30, 2013 - \$27,486
For the period July 1, 2013 to June 30, 2014 - \$28,222
For the period July 1, 2014 to June 30, 2015 - \$28,958
For the period July 1, 2015 to June 30, 2016 - \$29,694
For the period July 1, 2016 to June 30, 2017 - \$30,430
For the period July 1, 2017 to June 30, 2018 - \$31,166
For the period July 1, 2018 to June 30, 2019 - \$31,902

the maintenance of a security deposit in the sum of \$32,000, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#3 In the matter of a proposed revocable consent authorizing Watchtower Bible and Tract Society of New York to continue to maintain and use a tunnel under and across Columbia Heights at Pineapple Street, in the Borough of

Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

- For the period July 1, 2009 to June 30, 2010 - \$ 9,351
For the period July 1, 2010 to June 30, 2011 - \$ 9,623
For the period July 1, 2011 to June 30, 2012 - \$ 9,895
For the period July 1, 2012 to June 30, 2013 - \$10,167
For the period July 1, 2013 to June 30, 2014 - \$10,439
For the period July 1, 2014 to June 30, 2015 - \$10,711
For the period July 1, 2015 to June 30, 2016 - \$10,983
For the period July 1, 2016 to June 30, 2017 - \$11,255
For the period July 1, 2017 to June 30, 2018 - \$11,527
For the period July 1, 2018 to June 30, 2019 - \$11,799

the maintenance of a security deposit in the sum of \$11,800, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#4 In the matter of a proposed revocable consent authorizing Watchtower Bible and Tract Society of New York, Inc. to continue to maintain and use a tunnel under and across Orange Street, east of Columbia Heights, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

- For the period July 1, 2009 to June 30, 2010 - \$7,306
For the period July 1, 2010 to June 30, 2011 - \$7,519
For the period July 1, 2011 to June 30, 2012 - \$7,732
For the period July 1, 2012 to June 30, 2013 - \$7,945
For the period July 1, 2013 to June 30, 2014 - \$8,158
For the period July 1, 2014 to June 30, 2015 - \$8,371
For the period July 1, 2015 to June 30, 2016 - \$8,584
For the period July 1, 2016 to June 30, 2017 - \$8,797
For the period July 1, 2017 to June 30, 2018 - \$9,010
For the period July 1, 2018 to June 30, 2019 - \$9,223

the maintenance of a security deposit in the sum of \$10,600, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#5 In the matter of a proposed revocable consent authorizing Montefiore Medical Center to maintain and use conduits under and across East 233rd Street, east of Bronx Boulevard, in the Borough of the Bronx. The proposed revocable consent is for a term from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

- For the period July 1, 2008 to June 30, 2009 - \$3,873
For the period July 1, 2009 to June 30, 2010 - \$3,986
For the period July 1, 2010 to June 30, 2011 - \$4,099
For the period July 1, 2011 to June 30, 2012 - \$4,212
For the period July 1, 2012 to June 30, 2013 - \$4,325
For the period July 1, 2013 to June 30, 2014 - \$4,438
For the period July 1, 2014 to June 30, 2015 - \$4,551
For the period July 1, 2015 to June 30, 2016 - \$4,664
For the period July 1, 2016 to June 30, 2017 - \$4,777
For the period July 1, 2017 to June 30, 2018 - \$4,890

the maintenance of a security deposit in the sum of \$4,900, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

f26-m17

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

AUCTION

PUBLIC AUCTION SALE NUMBER 09001 - S & T

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, April 1, 2009 (SALE NUMBER 09001-T). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

NOTE: The auction scheduled for Wednesday, March 18, 2009 (Sale Number 09001-S) has been cancelled.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our web site, on the Friday prior to the sale date at: http://www.nyc.gov/auctions

Terms and Conditions of Sale can also be viewed at this site. For further information, please call (718) 417-2155 or (718) 625-1313.

m5-a1







**WINDOWS/FLOOD ELIMINATION** – Competitive Sealed Bids – PIN# SCA09-12357D-1 – DUE 03-30-09 AT 10:30 A.M. – PS 26 (Queens). Project Range: \$3,350,000.00 - \$3,522,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.

School Construction Authority, 30-30 Thomson Avenue  
1st Floor, Long Island City, NY 11101.  
Judith Walker (718) 752-5868, jwalker@nycsca.org

m11-17

**SCIENCE LAB UPGRADE** – Competitive Sealed Bids – PIN# SCA09-12092D-1 – DUE 03-30-09 AT 11:30 A.M. IS 336 (Brooklyn). Project Range: \$1,540,000.00 to \$1,622,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.

School Construction Authority, 30-30 Thomson Avenue  
Long Island City, NY 11101. Kevantae Idlett (718) 472-8360  
kidlett@nycsca.org

m13-19

**FLOOD ELIMINATION** – Public Bid – PIN# SCA09-12211D-1 – DUE 03-24-09 AT 11:30 A.M. PS 284 (Brooklyn). Flood Elimination. Project Range: \$1,010,000.00 - \$1,070,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.

School Construction Authority, 30-30 Thomson Avenue  
Long Island City, NY 11101. Anthony Largie (718) 752-5842  
alargie@nycsca.org

m9-13

#### Construction Related Services

**PLAYGROUND REDEVELOPMENT** – Competitive Sealed Bids – PIN# SCA09-12232D-1 – DUE 03-30-09 AT 11:00 A.M. – Project Range: \$1,070,000.00 to \$1,130,000.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Non-refundable bid document charge: \$100.00, certified check or money order only, payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.

School Construction Authority, 30-30 Thomson Avenue  
Long Island City, NY 11101. Stacia Edwards (718) 752-5849  
sedwards@nycsca.org

m10-16

## TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

### SOLICITATIONS

#### Goods

**BULLET RESISTANT VESTS - PACA (PROTECTION APPAREL CORP. OF AMERICA) BRAND ONLY** – Competitive Sealed Bids – PIN# OP1415000000 – DUE 03-31-09 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Triborough Bridge and Tunnel Authority, 3 Stone Street  
Bid Suite, Victoria Warren (646) 252-6101,  
vprocure@mtabt.org

m13

## AGENCY RULES

## CONSUMER AFFAIRS

### NOTICE

### NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT

Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Rule Regarding Parking Lots and Garages

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of the Department of Consumer Affairs by Section 20-104 (b) of Chapter 1 and Section 20-330 of Chapter 2 of the

Administrative Code of the City of New York and in accordance with the requirements of Section 1043 of the New York City Charter that the Department intends to amend an existing rule regarding parking lots and garages.

Written comments regarding this amendment may be sent to the office of Andrew Eiler, Director of Legislative Affairs, Department of Consumer Affairs, 42 Broadway, 8th floor, New York, N.Y. 10004 on or before May 1, 2009. A public Hearing shall be held on May 1, 2009 at 10:00 A.M., 66 John Street, 11th floor hearing room, New York, N.Y. 10038. Persons seeking to testify are requested to notify the Office of the Commissioner at the foregoing address. Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided are asked to notify the Office of the Commissioner at the foregoing address by April 20, 2009. Written comments and a summary of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 A.M. and 5:00 P.M. at the office of Andrew Eiler, Director of Legislative Affairs, Department of Consumer Affairs, 42 Broadway, 8th floor, New York, N.Y. 10004.

The proposed amendment to the Rule was not included in the Regulatory Agenda because at the time the Regulatory Agenda was prepared, the Department had not decided to amend the rule.

Material proposed to be deleted is shown below in brackets and material proposed to be added is underlined.

### RULE

Section 1. Paragraph (3) of subdivision (d) of section 2-161 of Title 6 of the Rules of the City of New York is amended to read as follows:

(3) The applicant shall present for review and consideration at the time of this application for a license, or renewal thereof, the original or a true copy or copies of policies of insurance, or certificates of insurance.

**Statement of Basis and Purpose:** Section 20-104 (b) confers on the Commissioner the power to promulgate rules necessary to carry out his or her powers and duties relating to licensed businesses subject to his jurisdiction, and section 20-330 authorizes the Commissioner to promulgate such rules as are necessary to carry out the provisions of subchapter 17 of Chapter 2 of Title 20 of the Administrative Code of the City of New York relating to licensing of parking lots and garages. Pursuant to such law, the Commissioner promulgated section 2-161 of Title 6 of the Rules of the City of New York relating to the certification to be provided by agencies to substantiate that license applicants have complied with applicable statutory requirements. Subdivision (d) of such section requires in part that an applicant for a license and renewal submit original policies of insurance or certificates of insurance.

This requirement was promulgated when it was the practice of the insurance industry to provide policy holders clearly identifiable original insurance policies or insurance certificates that they could furnish as proof of having the required insurance coverage.

Technological changes in the printing and distribution of such documents have resulted in the insurance industry issuing such policies or certificates by e-mail or in pdf formats with printed signatures that are no longer identifiable as “original” documents. The requirement that applicants must submit only original documents creates an unnecessary ambiguity about whether the documents insurers furnish as proof of insurance qualify as the certification requirements to be provided under the rule.

To eliminate this ambiguity, the Department proposes to authorize applicants to submit a true copy of the insurance policy or insurance certificate that the applicant is issued by the insurer. Since such documents issued by insurers contain the information necessary to determine whether the required coverage is in effect, the change will still enable the Department to ensure that the insurance coverage necessary to protect the public is in place while easing the burden of compliance on applicants.

m13

## ENVIRONMENTAL CONTROL BOARD

### NOTICE

**NOTICE OF OPPORTUNITY TO COMMENT** on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED** in the Environmental Control Board (ECB) by Section 1049-a(c)(3) of the New York City Charter, and by 1049-a of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board’s regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before April 15, 2009. As is authorized by Section 1043(d)(ii) of the NYC Charter, there shall be no public hearing regarding the proposed rule, on the ground that such a public hearing would serve no

public purpose. Persons interested in receiving written comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. The fifth unnumbered sentence of Section 3-123, “Sewer Control Rules Penalty Schedule,” of Chapter 3 of Title 48 of the Rules of the City of New York is amended to read as follows:

New material is underlined.  
Deleted material is in [brackets].

Pursuant to [§31-81(b),] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32,] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 2. The third unnumbered sentence of Section 3-124, “Department of Transportation Penalty Schedule,” of Chapter 3 of Title 48 of the Rules of the City of New York is amended to read as follows:

New material is underlined.  
Deleted material is in [brackets].

With the exception of Sections 19-136, 34 RCNY 2-02(a)(1)(ii), 34 RCNY 2-09(f)(4)(v), 34 RCNY 2-11(e)(10)(v), pursuant to [§31-81(b),] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32,] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 3. The second unnumbered sentence of Section 3-125, “Vehicle and Traffic Law Penalty Schedule,” of Chapter 3 of Title 48 of the Rules of the City of New York is amended to read as follows:

New material is underlined.  
Deleted material is in [brackets].

\* Pursuant to [§31-81(b),] §3-81(b), a late admit fee of \$30.00 will be added to the penalty for this charge for a failure to submit a payment by mail, as per [§31-32,] §3-32, within 30 days of the mailing of the default order issued against respondent.

Section 4. The fifth unnumbered sentence of Section 3-126, “Water Penalty Schedule,” of Chapter 3 of Title 48 of the Rules of the City of New York is amended to read as follows:

New material is underlined.  
Deleted material is in [brackets].

Pursuant to [§31-81(b),] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32,] §3-32, within 30 days of the mailing date of the default order issued against respondent.

### Statement of Basis and Purpose of Proposed Rule

As a result of a previous amendment to ECB rules, all ECB rules have now been transferred into Chapter 3 of Title 48 of the Rules of the City of New York (RCNY) from Chapter 31 of Title 15 of the RCNY. This transfer of ECB rules into Chapter 3 of Title 48 was due to the fact that, pursuant to the mandate of Local Law 35 of 2008, ECB was consolidated with the Office of Administrative Trials and Hearings as of November 23, 2008. As a result of the transfer of ECB rules into Chapter 3 of Title 48, ECB also previously re-numbered the section numbers of all ECB rules so that every section number previously prefaced with a “31-“ (for “Chapter 31” of 15 RCNY) is now prefaced with a “3-“ (for Chapter 3 of 48 RCNY).

Various sections of ECB’s rules include cross-references to other sections of ECB’s rules. Accordingly, the Board also previously amended the various *cross-references* within ECB’s rules so that the cross-references now correctly refer to the other sections of ECB’s rules as being prefaced with a “3-“ rather than with a “31-.”

However, due to a ministerial oversight, ECB did not amend a few of these section number references. Accordingly, ECB proposes to now correct that ministerial oversight. Specifically, in preliminary paragraphs at the beginning of Sections 3-123 through 3-126 of Title 48, ECB proposes to now amend the cross-references in those paragraphs as follows: (i) To change the citation in those paragraphs that now reads “section 31-81(b)” to instead read “3-81(b)”, and (ii) to change the citation in those paragraphs that now reads “section 31-32” to instead read “3-32.”

As is authorized by section 1043(d)(ii) of the NYC Charter, there shall be no public hearing regarding the proposed rule, on the ground that such a public hearing would serve no public purpose. This is in view of the fact that this rule merely reflects a ministerial implementation of the statutory mandate of Local Law Number 35 that ECB and OATH be consolidated.

m13

**NOTICE OF OPPORTUNITY TO COMMENT** on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED** in the Environmental Control Board by section 1049-a(c)(3) of the New York City Charter, and by Section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined. This rule was not included in the

Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before April 15, 2009. A public hearing regarding the proposed rule will be held on April 15, 2009, at the ECB, 66 John Street, 10th Floor Conference Room, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before April 15, 2009. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by April 8, 2009. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. The Recycling-Sanitation Collection Rules Penalty Schedule found in Section 3-120 of Subchapter G of Chapter 48 of Title 15 of the Rules of the City of New York is amended as follows:

New matter is underlined. Deleted material is in [brackets].

**48 RCNY §3-120 Recycling – Sanitation Collection Rules Penalty Schedule**

**RECYCLING-SANITATION COLLECTION RULES PENALTY SCHEDULE**

A repeat violation is a violation by the same respondent, at the same place of occurrence, of any of the recycling rules or provisions, having a date of occurrence within 12 months of the date of occurrence of the previous violation.

Persistent violator: As is set forth in section 16-324 of the Administrative Code, a person committing a fourth and any subsequent violation within a period of six months shall be classified as a persistent violator and shall be liable for a civil penalty of five hundred dollars for each violation. For a persistent violation only, except where such violation occurs at a building of less than nine dwelling units, each container or bag containing solid waste that has not been source separated or placed out for collection in accordance with the regulations promulgated by the commissioner pursuant to this chapter shall constitute a separate violation, provided that no more than twenty separate violations are issued on a per bag or per container basis during any twenty-four hour period.

The default penalty for any each charge in this Penalty Schedule is the same as the penalty for that particular charge.

SECTION/RULE	DESCRIPTION	PENALTY
<b>RESIDENTIAL PREMISES</b>		
16 RCNY 1-08(e)(1),(2) AR01, AR12, AR23	Improper/misused curbside recycling container	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-08(e)(3) AR02, AR13, AR24	Improper/misused mechanized recycling container	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-08(f)(1) AR03, AR14, AR25	Failure to post notices/inform about recycling	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-08(f)(2)(i) AR04, AR15, AR26	No accessible recycling storage area	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-08(f)(2)(iii) AR05, AR16, AR27	Inadequate recycling containers in storage area	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-08(g)(1) AR06, AR17, AR28	Improper disposal of recyclables/misuse of container	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-08(g)(2) AR07, AR18, AR29	Failure to clean recyclables	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-08(g)(3) AR08, AR19, AR30	Failure to bundle newspapers/magazines/cardboard	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500

16 RCNY 1-08(h)(1)(2) AR09, AR20, AR31	Failure to properly put recyclables out for collection	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-08(h)(4) AR10, AR21, AR32	Non-recyclables left in recycling container for Collection	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-08(h)(5) AR11, AR22, AR33	Recyclables placed for collection with non-recyclables	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY §1-08(i) AR1A, AR2A, AR3A	Failure to comply with Comm.Order mandating use of clear plastic bags for disposal of refuse & recycling.	1st violation 25 2nd violation 50 3rd violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500

[ Persistent Violator (Fourth and any subsequent violation within a period of six months from the issuance of the first violation) ]

**INSTITUTIONS/AGENCIES**

16 RCNY 1-09(d) AR34, AR38, AR42	Failure to establish recycling program	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-09(g)(1)(i) AR35, AR39, AR43	Failure to notify employees about recycling program	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-09(g)(1)(iii) AR36, AR40, AR44	Recycling containers not provided/not labeled	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-09(h), (i), (j) AR37, AR41, AR45	Failure to source separate designated recyclables	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500

**PRIVATE CARTER COLLECTED WASTE**

16 RCNY 1-10(c)(1) AR46, AR63, AR80	Failure to source separate non-food/beverage recyclables	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(c)(2) AR47, AR64, AR81	Failure to source separate food/beverage recyclables	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(c)(3) AR48, AR65, AR82	Failure to source separate residential recyclables	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(d)(2) AR49, AR66, AR83	No agreement with carter for mixed materials	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(d)(3) AR50, AR67, AR84	Failure to post commingling notice	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(e) AR51, AR68, AR85	Failure to maintain source separation	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(f)(1)(i) AR52, AR69, AR86	No written recycling agreement	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500

16 RCNY 1-10(f)(1)(ii) AR53, AR70, AR87	No written recycling notice to tenants/employees	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(f)(1)(iii) AR54, AR71, AR88	Recycling notices not posted in maintenance area	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(f)(1)(iv) AR55, AR72, AR89	Recycling containers missing	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(f)(2)(i) AR56, AR73, AR90	Failure to source separate recyclables	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(f)(2)(ii), (iv) AR57, AR74, AR91	Failure to notify employees/post notices/label Containers	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(g)(1) AR58, AR75, AR92	Failure by Transfer Station to recycle	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(g)(2) AR59, AR76, AR93	Failure to maintain separation of paper (transfer stations)	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(g)(3) AR60, AR77, AR94	Failure to separate commingled metal, glass plastic(transfer stations)	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(g)(5) AR61, AR78, AR95	Failure to separate components of construction waste(transfer station)	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
16 RCNY 1-10(g)(6),(7) AR62, AR79, AR96	Improper disposal of recyclables or commingled materials(transfer station)	1st Violation 25 2nd Violation 50 3rd Violation 100 <u>Persistent Violator (fourth or subsequent violation within six months)</u> 500
NYC Admin Code sec.16-324(a) AR97	Persistent Violator, recycling	<u>Persistent Violator (fourth or subsequent violation of any recycling section of law or rule within six months)</u> 500

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

The Board proposes to amend the Recycling-Sanitation Collection Rules Penalty Schedule found in Section 3-120 of Subchapter G of Chapter 48 of Title 15 of the Rules of the City of New York to (i) add a "Persistent Violator" penalty of \$500 to each recycling charge in that Penalty Schedule that does not already have such a penalty, and (ii) to add the definition of "Persistent Violator" to a headnote at the beginning of that Penalty Schedule.

The imposition of a \$500 penalty for persistent violations is authorized by Section 16-324(a) of the NYC Administrative Code. Pursuant to Section 16-324(a), a persistent violator is a person who has committed four or more violations within six months of a section of law found in Chapter Three of the NYC Administrative Code or a rule or regulation promulgated pursuant to that Chapter. In some instances, each container or bag of solid waste may result in a separate "persistent violator" charge. Details are set forth in the excerpt from Section 16-324(a) below:

... For a persistent violation only, except where such violation occurs at a building of less than nine dwelling units, each container or bag containing solid waste that has not been source separated or placed out for collection in accordance with the regulations promulgated by the commissioner pursuant to this chapter shall constitute a separate violation, provided that no more than twenty separate violations are issued on a per bag or per container basis during any twenty-four hour period. Before issuing any further notice of violations to a persistent violator after the fourth violation within a period of six months, the commissioner shall give such violator a reasonable opportunity to correct the condition constituting the violation."

The Penalty Schedule already includes a separate charge for Section 16-324(a) itself, "Persistent Violator, recycling." Adding the persistent violator penalty of \$500 and the definition of persistent violator to each charge will enhance the Department of Sanitation's efforts in issuing Notices of

Violation to persistent violators. The Board therefore proposes to add the persistent-violator \$500 penalty next to each entry in the Recycling-Sanitation Collection Rules Penalty Schedule and a description of the basis for that penalty, to read as follows: "Persistent Violator (fourth or subsequent violation within six months)." The Board also proposes to add a more detailed definition of "persistent violator" to a headnote at the top of the Penalty Schedule, to read as follows:

Persistent violator: As is set forth in section 16-324 of the Administrative Code, a person committing a fourth and any subsequent violation within a period of six months shall be classified as a persistent violator and shall be liable for a civil penalty of five hundred dollars for each violation. For a persistent violation only, except where such violation occurs at a building of less than nine dwelling units, each container or bag containing solid waste that has not been source separated or placed out for collection in accordance with the regulations promulgated by the commissioner pursuant to this chapter shall constitute a separate violation, provided that no more than twenty separate violations are issued on a per bag or per container basis during any twenty-four hour period.

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NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by section 1049-a(c)(3) of the New York City Charter, and by Section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before April 15, 2009. A public hearing regarding the proposed rule will be held on April 15, 2009, at the ECB, 66 John Street, 10th Floor Conference Room at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before April 15, 2009. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by April 8, 2009. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. The Fire Penalty Schedule found in Section 3-106 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add a new charge to Fire Penalty Schedule II, immediately after the entry for AC 15-220.1, "False Certification," at the end of that Penalty Schedule, to read as follows:

New material is underlined.

Table with columns: SECTION VIOLATION CATEGORY, DESCRIPTION, PENALTY, MIT, MAX, FIRST VIOLATION, SECOND OR SUBSEQUENT VIOLATION, MIT, MAX. Row 1: EC1404.1 Smoking on Construction Site, 1,000, No, 1,000, 2,400, No, 2,400.

Statement of Basis and Purpose of Proposed Rule

The Environmental Control Board (ECB) proposes to add a new charge, for a violation of Section 1404.1 of the Fire Code, to Fire Penalty Schedule II, which is found in Section 3-106 of Title 48 of the Rules of the City of New York. Section 1404.1 of the Fire Code prohibits smoking on construction sites. Up until now, Section 1404.1 has been enforced by the Fire Department via notices of violations that cite to the "General Maintenance" provision of Violation Category 11, found in 3 RCNY 109-02. Those violations carry a \$400 penalty for a first offense (which can be mitigated to \$200 if correction is shown by the first scheduled hearing date), and a \$1,250 second offense penalty (which can be mitigated to \$625 if correction is shown by the first scheduled hearing date). The proposed new charge will instead carry a higher penalty, commensurate with the seriousness of the condition. Specifically, the proposed new charge of 1404.1 will carry a first offense penalty of \$1,000 (which cannot be mitigated), and will carry a second offense penalty of \$2,400 (which cannot be mitigated). The purpose of adding this separate charge for Section 1404.1 to Fire Penalty Schedule II is to enable these higher penalties to be imposed for this serious violation.

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NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1049-a(c)(3) of the New York City Charter, and by 1049-a of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the

Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before April 15, 2009. A public hearing regarding the proposed rule will be held on April 15, 2009, at ECB, 66 John Street, 10th Floor, Conference Room, New York, N.Y. 10038, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before April 15, 2009. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by April 8, 2009. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. The Buildings Penalty Schedule, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add a new entry within Buildings Penalty Schedule II, also found within section 3-103. This new entry will be added immediately following the entry in Buildings Schedule II for BC 3319.3 & 27-1057(d), "Operation of a crane/derrick without a Certificate of Onsite Inspection," to read as follows:

New material is underlined

Table with columns: Section of Law, Classification, Violation Description, Stipulation, Cure, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default Penalty, Aggravated II Maximum Penalty. Rows include BC 3319.8, BC 319.8.2, BC 319.8.3, BC 319.8.4, BC 19.8.4.2, BC 319.8.6, BC 319.8.7, BC 319.8.8.

Statement of Basis and Purpose of Proposed Rule

The Environmental Control Board proposes various amendments to ECB's Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. Specifically, the Board proposes adding eight new crane-related charges to that Penalty Schedule. The Board proposed these amendments to the Penalty Schedule in light of the enactment of Local Law 46 of 2008, effective December 22, 2008.

Local Law 46 of 2008 added new sections to the NYC Building Code and amended sections of the NYC Administrative Code. Specifically, it added Sections 3319.8

through 3319.8.8 to the Building Code, and it amended Sections 28-201.2.1 and 28-401.19.4.1 of the NYC Administrative Code. These sections require the submission of a plan for the erection, jumping, climbing and dismantling tower or climber cranes to the Department of Buildings, and detail the items that must be included in such a plan. The sections further require certain meetings at construction sites, including safety coordination and pre-jump safety meetings, specify the topics of such meetings, and require that the Department to be notified of those meetings. The sections also require an engineer to inspect and certify a tower or climber crane prior to jumping or climbing, impose new standards during erection, jumping, climbing and dismantling operations, and require preparation and maintenance of certain schedules and logs.

The Board proposes to add these eight crane-related charges to ECB's Buildings Penalty Schedule II to enforce the provisions of Local Law 46 of 2008. All of the charges will have a Class 1 ("Immediately Hazardous") classification level. The charges will have a Class 1 classification level in view of the seriousness of the nature of the violations (unsafe crane operations), as a result of which the Department of Buildings (DOB) has already classified the eight charges as Class 1, in a DOB proposed rule published in the City Record on February 5, 2009. This proposed DOB rule will amend the DOB rule already found in 1 RCNY 102-01, which sets out the classifications of all charges enforced by the Department of Buildings. As set forth in Section 28-201.1 of the NYC Administrative Code, it is within DOB's purview to determine the classification of all charges enforced by DOB.

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NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by section 1049-a(c)(3) of the New York City Charter, and by Section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before April 15, 2009. A public hearing regarding the proposed rule will be held on April 15, 2009, at the ECB, 66 John Street, 10th Floor Conference Room, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before April 15, 2009. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by April 8, 2009. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. The Parks Rules Penalty Schedule found in Section 3-116 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended, immediately following the entry in that penalty schedule for, 56 RCNY 1-04(i), "Unleashed or uncontrolled animals in park," to read as follows:

New matter is underlined. Deleted matter is in [brackets].

Table with columns: SECTION/RULE, DESCRIPTION, PENALTY, DEFAULT. Row 1: 56 RCNY 1-04(j)(1), Fail to remove canine waste, [50], [100]. Row 2: 3-18(b), canine waste, 250, 250.

Statement of Basis and Purpose of Proposed Rule

The Board is revising the Parks Rules Penalty Schedule found in Section 3-116 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York (RCNY) to increase the penalty for the charge of Sections 1-04(j)(1) and 3-18(b) of Title 56 of the RCNY. Both of those sections are for the charge of a failure to remove canine waste.

Specifically, Section 1-04(j)(1) provides that "No person shall allow any dog in his custody or control to discharge any fecal matter in any park unless he promptly removes and disposes of same. This provision shall not apply to a guide dog accompanying a person with a disability."

Section 3-18(b) provides that, in connection with the West 79th Street Boat Basin, the Sheepshead Bay Piers and the World's Fair Marina, "The owner or other person in charge or control of a pet shall expeditiously remove, clean or clear all feces or vomit deposited by the pet from the walkways and docks." The Board proposes to increase the hearing penalty for these two Sections of law from \$50 to \$250, and to increase the default penalty for these two sections of law from \$100 to \$250.

The reason the Board is proposing this increase in penalties is to make the penalties for Sections 1-04(j)(1) and 3-18(b) equivalent to the penalties for violation of the New York State Public Health Law Section 1310, commonly known as the "Pooper Scooper" law, which currently carries a hearing and default penalty of \$250. Section 1310 is also enforced at ECB; the charge is found in ECB's Public Health Law

Penalty Schedule, 48 RCNY 3-117. The \$250 penalty for Section 1310 is the result of a recent amendment to Section 1310 made by Chapter 153 of the Laws of 2008.

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## TRANSPORTATION

### NOTICE

**Notice of Opportunity to Comment on Proposed Rule** regarding the quarterly permits for the transportation of bulk milk by overdimensional and/or overweight vehicles.

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE** Commissioner of Transportation by section 2903 of the New York City Charter, section 385 of the New York State Vehicle and Traffic Law, and in accordance with section 1043 of the Charter, that the Department of Transportation proposes to amend title 34 of the Official Compilation of the Rules of the City of New York by adding a new subdivision (i) to 4-15 of Chapter 4 of Title 34 of the Official Compilation of the rules of the City of New York, the Traffic Rules. Matter underlined is new; matter [in brackets] is deleted. This rule was not included in the agency's regulatory agenda because such rule was not anticipated at the time the agency's regulatory agenda was issued.

Written comments regarding the proposed rules may be sent to Dorothy Roses, Executive Director, Management and Support Services, Division of Bridges, Department of Transportation, 2 Rector Street, 8th floor, New York, NY 10006, on or before, April 17, 2009. A public hearing shall be held on April 17, 2009 at 40 Worth Street, Room 814, New York, N.Y. at 10:00 A.M. Persons seeking to testify are requested to notify Executive Director Dorothy Roses at the address stated above by April 10, 2009. Persons who need a sign language interpreter or other accommodation for a disability at the hearing are asked to notify Executive Director Dorothy Roses at the address stated above by April 10, 2009. Persons interested in receiving comments may request them by writing to: Department of Transportation, Record Access Office, 40 Worth Street, New York, N.Y. 10013, Janette Sadik-Khan, Commissioner.

Section 4-15 of Chapter 4 of Title 34 of the Rules of the City of New York is amended by adding a new subdivision (i) to read as follows:

- (i) **Overdimensional and/or Overweight Vehicle Bulk Milk Permit**
- (i) **Permits Generally.**
- (i) Except where inconsistent with any federal or state law, rule or regulation, the Commissioner may issue a permit, as provided for in paragraph (c) of subdivision fifteen of section three hundred eighty-five of the Vehicle and Traffic Law, to operate or move a vehicle or combination of vehicles designed and constructed to carry milk in bulk, the lengths and/or weights of which exceed the limitations provided in subdivision b of this section.
- (ii) The permit shall authorize only the transportation of bulk milk within the City of New York to a milk processing facility located within the City of New York or the transportation by these vehicles out of the City of New York empty or carrying bulk cream, at weights not to exceed the limitations provided in subdivision b of this section, from the milk processing facility.
- (iii) A permit issued pursuant to this subdivision shall designate a route approved by the Commissioner. Vehicles operating under a permit issued pursuant to this subdivision may only travel along the route designated on the permit. There shall be one permit per vehicle allowing the vehicle to enter the City of New York and a separate permit allowing the vehicle to leave the City of New York.
- (iv) Eligible vehicles or combinations of vehicles designed and constructed to carry milk in bulk that exceed allowable lengths and/or weights pursuant to law are required to obtain a permit from the Commissioner pursuant to this subdivision in order to operate on those highways under the jurisdiction of the Commissioner.
- (v) No permit shall be issued for a vehicle that exceeds 99,000 pounds.
- (vi) Permits shall be issued on a quarterly basis.
- (2) **Permit Application.**
- (i) **Generally.**
- (A) A permit issued pursuant to this subdivision is not valid unless the vehicle or combination of vehicles is operated and maintained in accordance with the provisions of this subdivision and with any other special requirements indicated on the permit.
- (B) The applicant shall be the registrant of the vehicle except, in the case of a vehicle leased pursuant to an exclusive leasing arrangement that exceeds thirty days, the applicant shall be the lessee. The applicant shall supply his/her Federal Tax ID number.
- (C) The permit application and the procedures for granting permits shall be made

available to an applicant upon request at the Department of Transportation, Division of Bridges, Truck Permit Unit, by mail, email or in person, and shall be completed in all respects by the applicant or his/her legal representative.

(D) All applications shall be on the forms prescribed by and available from the Commissioner.

(ii) **Identification of vehicle and load.** The power unit and trailer shall be identified on the application by make, year of manufacture and license plate numbers and State.

(iii) **Vehicle Measurements.** Applicants shall furnish to the Commissioner all of the following vehicle measurements:

(A) Trailer length;

(B) Number of axles, including axle spacing and axle weights;

(C) Total wheelbase measurement (including tractor/steering axle);

(D) Overall width;

(E) Overall length;

(F) Overall height; and

(G) Total gross vehicle weight including load (tractor, trailer and load).

(iv) **Attestation.** Applicants shall furnish to the Commissioner a sworn and notarized statement attesting that the vehicles for which a permit application has been submitted will be used solely for the transport of bulk milk or cream.

(v) **Procedure.** The applicant shall complete the required application information and submit the required number of copies of such application, together with the required permit fee(s), as well as any required documentation, to the Commissioner by mail or in person. All applications shall be signed by the applicant or his/her legal representative.

(vi) **Reapplication Fee.** When a reapplication is made for a permit under this subdivision for the same vehicle or combination of vehicles that have been denied a permit, the initial permit fee shall be increased by an administrative fee of \$25 in accordance with subparagraph (vii) paragraph (3) of this subdivision.

(vii) **No refund after granting of permit.** No refund shall be made once an application for a permit under this subdivision has been filed and a permit granted by the Commissioner.

(viii) **False information voids permit.** Permits that have been issued on the basis of falsely-stated information shall be null and void.

(ix) **New owners shall obtain new permits.** If the ownership of a vehicle, or the identity of the lessee in the case of a vehicle leased pursuant to an exclusive leasing arrangement that exceeds thirty days, changes after a permit under this subdivision has been issued, the new owner(s) or lessee(s) shall obtain a modified permit and shall pay the applicable quarterly fee specified in paragraph (3) of this subdivision.

### (3) Permit Fees.

(i) The following fees shall be charged and collected by the Commissioner for obtaining a permit or modified permit, issued on a quarterly basis, pursuant to this subdivision. Fees shall be paid by money order, certified check, bank check, check drawn on a New York State bank, or a negotiable instrument acceptable to and made payable to the "New York City Department of Transportation." Fees shall accompany each permit application. The fee for a permit issued pursuant to this subdivision shall be \$650 per vehicle or combination of vehicles, except as otherwise provided in this subparagraph (3).

(ii) At the beginning of the third year following the effective date of this Rule:

(a) If the total number of permits pursuant to this subdivision issued to the applicant in the second year following the effective date of this Rule is at least 25% less than the total number of permits issued to the applicant in the first year following the effective date of this Rule ("the base-line year amount"), then the fee for a permit shall be \$650.

(b) Otherwise, the fee for a permit shall be \$715.

(iii) At the beginning of the fourth year following the effective date of this Rule:

(a) If the total number of permits pursuant to this subdivision issued to the applicant in the third year following the effective date of this Rule is at least 50% less than the base-line year amount, then the fee for a permit shall be \$650.

(b) Otherwise, the fee for a permit shall be \$780.

(iv) At the beginning of the fifth year following the effective date of this Rule:

(a) If the total number of permits pursuant to this subdivision issued to the applicant in the fourth year following the effective date of this Rule is at least 75% less than the base-line year amount, then the fee for a permit shall be \$650.

(b) Otherwise, the fee for a permit shall be \$812.50.

(v) At the beginning of the sixth year following the effective date of this Rule:

(a) If the total number of permits pursuant to this subdivision issued to the applicant in the fifth year following the effective date of this Rule is 100% less than the base-line year amount, the fee for a permit shall be \$650.

(b) Otherwise, the fee for a permit shall be \$845.

(vi) Permit fees specified in this paragraph shall apply separately to permits to enter the City of New York and permits to leave the City of New York.

(vii) Reapplication for a permit that has been denied shall be subject to an administrative fee of \$25.

(viii) If a check delivered to the Commissioner or his/her agent as payment of any fee for the permitting of any vehicle or combination of vehicles is dishonored for insufficient funds, all permits issued in the name of that applicant shall be suspended and no other permit shall be issued to such person until full satisfaction of the fee is made and an additional fee of \$25 is paid to the Commissioner. No such suspension shall be issued until thirty days after notification is mailed to the applicant at the address given on the application for the permit. If satisfaction is made within thirty days of mailing such notification, no suspension shall be issued and no additional fee shall be charged.

(4) **Expiration of Permit program.** After the sixth year following the effective date of this Rule, no permit shall be issued.

### STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULE

The Commissioner of Transportation is authorized pursuant to Section 2903(a)(1) of the New York City Charter to promulgate rules and regulations for the conduct of vehicular and pedestrian traffic in the streets, squares, avenues, highways and parkways of the City of New York. The proposed rule amends section 4-15 of Chapter 4 of Title 34 of the Rules of the City of New York by adding a new subdivision (i) that will authorize the issuance of permits for overdimensional and/or overweight vehicles utilized by haulers of bulk milk.

On a daily basis, over one hundred vehicles hauling bulk milk enter the City of New York to transport bulk milk to processing facilities and exit the City empty or carrying bulk cream. The vast majority of these vehicles currently exceed the length and weight limitations set forth in section 4-15 for vehicles operating or moving on highways or bridges in the City. These overdimensional and overweight trucks damage City streets and highways. At the same time, milk haulers will require additional time to convert their fleets to trucks that comply with the City's length and weight requirements. Section 385(15)(d) of the Vehicle and Traffic Law recognizes that milk haulers may be offered permits not available to other truck haulers. Thus, the Commissioner intends to promulgate a rule that would provide the haulers of bulk milk an incentive to phase in, over a six-year period, the use of smaller trucks that, when carrying bulk milk or cream, would meet the City's length and weight limitations. To accomplish this goal, the proposed rule would authorize the issuance of quarterly overdimensional and overweight permits over a period of six years and impose a schedule of fees that increase if the applicant does not decrease the number of permits required by a certain percentage. The increases would be implemented beginning with those permits issued during the third year of the rule if the number of permits issued during the prior year has not decreased by a fixed percentage from the first year that the proposed rule is in effect. After the sixth year, no permits would be issued.

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**NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE** regarding fees charged for the issuance of Corrective Action Requests ("CAR's").

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE** Commissioner of the Department of Transportation by subdivision (b) of Section 2903 of the New York City Charter, Title 19 of the Administrative Code, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Department of Transportation proposes to amend Section 2-03 of Chapter 2 of Title 34 of the Official Compilation of the Rules of the City of New York, the Highway Rules. Matter underlined is new; matter in [brackets] is deleted. This proposed amendment was included in DOT's regulatory agenda.

Written comments regarding the proposed rule may be sent to Assistant Commissioner Vincent Maniscalco, Division of Sidewalks & Inspection Management, 40 Worth Street, 9th Floor, New York, NY 10013, by April 6, 2009. A public hearing shall be held on April 13, 2009 at 40 Worth Street, Room 1015, New York, NY at 10:00 A.M. Persons seeking to testify are requested to notify at the address stated above. Persons who need a sign language interpreter or other accommodation for a disability at the hearing are asked to notify Assistant Commissioner Maniscalco at the foregoing address by April 6, 2009. Persons interested in receiving

comments may request them by writing to: Department of Transportation, Record Access Office, 40 Worth Street, New York, N.Y. 10013. Janette Sadik-Khan, Commissioner. Section one. § 2-03 of Title 34 of the Rules of the City of New York is amended to read as follows:

Table with 5 columns: Miscellaneous Charges and Fees, Other Charges, Maximum Duration per Permit, Maximum Distance per Permit, Maximum Width per Permit. Row 1: CARs, \$20.00, \$40.00.

STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULE

The Commissioner of Transportation is authorized to promulgate rules regarding streets and highways in the City pursuant to Section 2903 of the New York City Charter and Title 19 of the New York City Administrative Code.

The Department is amending this rule to reflect the increased administrative costs incurred by the Department in issuing CAR's since 1986, the last date that these fees were increased.

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SPECIAL MATERIALS

ADMINISTRATION FOR CHILDREN'S SERVICES

NOTICE

NOTICE IS HEREBY GIVEN that The NYC Administration for Children's Services has released a Discussion Paper about its upcoming Request for Proposals - Child Welfare Services with Community Coalitions II. The Discussion Paper is available via the ACS website at www.nyc.gov/lacs. Please note that comments are welcome via email or at a listening forum to be held on March 19th, and details about these options are provided within the paper.

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CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

NOTICE

OFFICIAL FUEL PRICE SCHEDULE NO. 6217 FUEL OIL AND KEROSENE

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 3/9/2009. Lists various fuel contracts and prices.

OFFICIAL FUEL PRICE SCHEDULE NO. 6218 FUEL OIL, PRIME AND START

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 3/9/2009. Lists fuel contracts for prime and start.

OFFICIAL FUEL PRICE SCHEDULE NO. 6219 FUEL OIL AND REPAIRS

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 3/9/2009. Lists fuel contracts for repairs.

OFFICIAL FUEL PRICE SCHEDULE NO. 6220 GASOLINE

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 3/9/2009. Lists gasoline contracts.

CITY PLANNING

NOTICE

PROPOSED ANNUAL PERFORMANCE REPORT (APR) 2008 CONSOLIDATED PLAN PROGRAM YEAR COMMENT PERIOD - March 12 - March 26, 2009

The Proposed 2008 Consolidated Plan Annual Performance Report (APR) Public Comment Period will be from March 12th to March 26th. This document describes the City's performance concerning the: statutory requirements of the Cranston-Gonzalez Housing Act's Comprehensive Housing Affordability Strategy, and the City's use of the four U.S. Department of Housing and Urban Development (HUD) Community Planning and Development formula entitlement programs: Community Development Block Grant (CDBG); HOME Investment Partnerships (HOME); Emergency Shelter Grant (ESG); and Housing Opportunities for Persons with AIDS (HOPWA). The APR reports on the accomplishments and commitment of these funds during the 2008 program year, January 1, 2008 to December 31, 2008. In addition, a One-Year update of the City's Affirmatively Furthering Fair Housing (AFFH) Statement is included.

As of March 12, 2009, copies of the Proposed APR can be obtained at the Department of City Planning Bookstore, 22 Reade Street, Manhattan, Monday - Friday; 10:00 A.M. - 4:00 P.M. In addition, copies of the Proposed APR will be available for review at the main public library in each of the five boroughs. Please call (212) 720-3337 for information on the closest library. Furthermore, an Adobe PDF version of the Proposed Annual Performance Report will be available for free downloading from the internet via Department of City Planning's website at: www.nyc.gov/planning.

The public comment period ends close of business March 26, 2009. Written comments should be sent to: Charles V. Sorrentino, New York City Consolidated Plan Coordinator, Department of City Planning, 22 Reade Street, 4N, New York, N.Y. 10007.

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HOUSING PRESERVATION & DEVELOPMENT

NOTICE

OFFICE OF PRESERVATION SERVICES CERTIFICATION OF NO HARASSMENT UNIT REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO LOCAL LAW 19 OF 1983

DATE OF NOTICE: March 9, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with 3 columns: Address, Application #, Inquiry Period. Lists various addresses and application details.

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

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

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OFFICE OF PRESERVATION SERVICES CERTIFICATION OF NO HARASSMENT UNIT

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL GREENPOINT-WILLIAMSBURG DISTRICT PROVISIONS OF THE ZONING RESOLUTION

DATE OF NOTICE: March 9, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with 3 columns: Address, Application #, Inquiry Period. Lists various addresses and application details.

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential

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buildings in certain areas of the **Special Greenpoint-Williamsburg District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement call (212) 863-8272.

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## MAYOR'S OFFICE OF ENVIRONMENTAL COORDINATION

### NOTICE

#### NEGATIVE DECLARATION

CEQR No. 09DME007Q Date Issued: February 3, 2009

NAME: College Point Corporate Park Rezoning and Dispositions

LOCATION: College Point Corporate Park: Generally bounded by 15th Avenue to the north, the Whitestone Expressway to the east, 130 and 127 Streets between 15th and 28th Avenues to

the west, and Flushing Bay to the south and southwest  
Borough of Queens, Community Board 7

LEAD AGENCY: Office of the Deputy Mayor for Economic Development

SEQR CLASSIFICATION: The project is classified as a Type I action pursuant to 6 NYCRR Part 617.4(b)(2)

#### DESCRIPTION:

The proposed project would affect the area within the College Point Corporate Park, an approximately 550-acre area, generally bounded 15th Avenue to the north, the Whitestone Expressway to the east, 130 and 127 Streets between 15th and 28th Avenues to the west, and Flushing Bay to the south and southwest. The proposed project involves zoning map and text amendments, and disposition of City-owned properties within the Corporate Park to various private entities. Specifically, approval is sought for the following discretionary actions:

- Proposed zoning map amendments, which would:
  - Establish the Special College Point District, which would encompass all or portions of 112 tax blocks within the Corporate Park;
  - Rezone all or portions of 50 tax blocks from M1-1 (1.0 FAR) to M2-1 (2.0 FAR);
  - Rezone all or portions of 43 tax blocks from M3-1 (2.0 FAR) to M2-1 (2.0 FAR); and
  - Rezone Block 4360 from M3-1 (2.0 FAR) to M1-1 (1.0 FAR).
- Proposed zoning text amendments, which would set forth the regulations of the Special College Point District. To meet the goals of the Special District, the zoning text includes regulations related to special use regulations, bulk and yard requirements, performance standards, signage, landscaping, and parking and loading requirements.
- Disposition of nine City-owned lots (in whole or in part) located within the Corporate Park, from DCAS to NYCEDC, and, subsequently, from NYCEDC to designated developers. These include: Block 4317, Lot 20, part of Lot 1, part of Lot 8900; Block 4356, part of Lot 30; Block 4357, part of Lot 1; Block 4358, part of Lot 1; Block 4359, part of Lot 1; Block 4206, Lot 100, and Block 4207, part of Lot 1. Disposition would require approval under City Charter Section 197(c) and separate Borough Board and Mayoral approval pursuant to City Charter

Section 384(b)(4) for the approval of the business terms pursuant to Article 16 of the General Municipal Law and Section 1802(6)(j) of the City Charter.


#### Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York, the Office of the Deputy Mayor for Economic Development assumed the role of lead agency for the purpose of conducting the environmental review. Based on an examination of information about the project contained in an Environmental Assessment Statement dated February 2, 2008 pursuant to Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617.7, the Office of the Deputy Mayor for Economic Development has determined that the proposed action will not have a significant adverse effect on the environment.

#### Reasons Supporting this Determination

The above determination is based on an Environmental Assessment Statement (EAS) dated February 2, 2008 and incorporated by reference herein. The EAS finds that:

1. The proposed project would not have significant adverse impacts on land use or the character of the surrounding community.
2. The proposed project would not result in significant adverse traffic, noise, or air quality impacts.
3. The proposed project would not result in significant adverse impacts on cultural, archaeological, architectural, or aesthetic resources or the existing neighborhood.
4. The proposed project will not create a hazard to human health.
5. No other significant effects upon the environment that would require an Environmental Impact Statement are foreseeable.
6. This Negative Declaration was prepared in accordance with Article 8 of the New York State Environmental Conservation Law.



Robert R. Kulikowski, Ph.D.  
Assistant to the Mayor

February 3, 2009  
Date

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## CHANGES IN PERSONNEL

#### COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 02/06/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
KARAKAS LISA	04294		\$31.4750	DECREASE	YES	01/18/09
KARASICK ADEENA M	04293		\$118.9833	INCREASE	YES	01/18/09
KARNET SUSAN	04293		\$115.8450	INCREASE	YES	01/18/09
KAROL MICHAEL	04293		\$53.5067	INCREASE	YES	01/18/09
KARUNAKARAN CHITRA	04293		\$133.7667	INCREASE	YES	01/18/09
KATWAROO SHIRLEY	04293		\$89.2436	DECREASE	YES	01/18/09
KATZ BARI	04294	L	\$31.4750	APPOINTED	YES	01/18/09
KAUFOLD, IV VICTOR J	04294		\$104.9167	INCREASE	YES	01/18/09
KEARNEY LEO	04294		\$79.4617	INCREASE	YES	01/18/09
KEE LORI ANN	04294		\$54.5500	DECREASE	YES	01/18/09
KELBER KARLI	04294		\$86.5667	INCREASE	YES	01/18/09
KELLOGG SHARON L	04294		\$73.4417	INCREASE	YES	01/18/09
KENNEDY ANN MARI	04294		\$118.5833	DECREASE	YES	01/18/09
KENT MICHAEL	04294		\$49.4667	INCREASE	YES	01/18/09
KHARGI SHIROMAN	04294		\$31.4750	INCREASE	YES	01/18/09
KHOUSSA TAMSIR	04294		\$104.9167	INCREASE	YES	01/18/09
KHUU NGUYEN P	04294		\$54.5500	DECREASE	YES	01/18/09
KHWEISS JALAL	91717		\$320.9999	APPOINTED	YES	01/20/09
KILTS DOUGLAS W	04008		\$66042.0000	APPOINTED	YES	02/01/09
KIM JEAN	04294	1	\$41.9667	INCREASE	YES	01/18/09
KINES PENELOPE	04294		\$113.5167	INCREASE	YES	01/18/09
KIRKLAND MICHAEL	04294		\$79.4617	DECREASE	NO	01/18/09
KIRUPAHARAN NADARAJA	04607		\$49.5067	INCREASE	YES	01/18/09
KISHIK DAVID	04293		\$83.2883	INCREASE	YES	01/18/09
KLASS SHEILA S	04291		\$49.2150	INCREASE	YES	01/18/09
KLEPPER PHILLIP	04294		\$56.7583	DECREASE	YES	01/18/09

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## LATE NOTICE

## BOARD OF STANDARDS AND APPEALS

### PUBLIC HEARINGS

#### MARCH 31, 2009, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, March 31, 2009, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

#### SPECIAL ORDER CALENDAR

**853-53-BZ**  
APPLICANT – Walter T. Gorman, P.E., for Knapp LLC, owner; ExxonMobil Corporation, lessee.  
SUBJECT – Application March 4, 2009 – Extension of Time/waiver to obtain a Certificate of Occupancy for a Gasoline Service Station (Mobil) in a C-2/R3-2 which expired on January 22, 2009.  
PREMISES AFFECTED – 2402/16 Knapp Street, south west corner of Avenue Z, Block 7429, Lot 10, Borough of Brooklyn.  
COMMUNITY BOARD #15BK

#### 237-04-BZ

APPLICANT – Sheldon Lobel, P.C., for Anthony Perez Cassino, owner.  
SUBJECT – Application March 3, 2009 – Extension of Time to Complete Construction for a previously granted Variance (§72-21) to permit the proposed construction of a two family detached home on a vacant lot, which expired on February 8, 2009, in an R3-1 zoning district.  
PREMISES AFFECTED – 5722 Faraday Avenue, southeast corner of Valles Avenue, Block 5853, Lot 2198, Borough of Bronx.  
COMMUNITY BOARD #8BX

#### APPEALS CALENDAR

#### 277-08-BZY thru 287-08-BZY

APPLICANT – Eric Palatnik, P.C., for Opal Builders, LLC, owner.

SUBJECT – Application November 19, 2008 – Extension of time to complete construction (11-332) and obtain a Certificate of Occupancy of a minor development commenced prior to the text amendment of the zoning district regulations. R3-X SSRRD (Area LL).  
PREMISES AFFECTED – 23, 26, 27, 35, 39, 43, 47, 55, 59, and 63 Opal Lane, bounded Idaho Avenue, Bloomingdale Road and Amboy Road, Block 6993, Lot 20, 4,19,18,17,16,15,14,12,11,10, Borough of Staten Island.  
COMMUNITY BOARD #3SI

#### 27-09-BZY

APPLICANT – Bryan Cave, LLP, for 126 First Place, LLC, owner.  
SUBJECT – Application February 17, 2009 – Extension of time to complete construction 11-332(b) and obtain a Certificate of Occupancy for a development commenced under the prior zoning district regulations. R6 Zoning district.  
PREMISES AFFECTED – 126 First Place, south side of First Place, 300' east of intersection of First Place and Court Street, Block 459, Lot 17, Borough of Brooklyn.  
COMMUNITY BOARD #6BK

#### MARCH 31, 2009, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, March 31, 2009, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

#### ZONING CALENDAR

#### 222-07-BZ

APPLICANT – Stuart A. Klein, Esq., for Century Realty Corp./Randall Co. LLC., owner.  
SUBJECT – Application September 27, 2007 – Variance pursuant to §72-21 to legalize residential uses on the second and third floor of an existing building. M1-6 District.  
PREMISES AFFECTED – 110 West 26th Street, between Sixth Avenue and Seventh Avenue, Block 801, Lot 49, Borough of Manhattan.  
COMMUNITY BOARD #4M

#### 246-08-BZ

APPLICANT – Slater & Beckerman, LLP, for St. Barnabas Hospital, owner.  
SUBJECT – Application October 3, 2008 – Special Permits pursuant to §73-481 and 73-49 to allow for the construction of a five story parking garage and rooftop parking and Variance pursuant to §72-21 to allow for an accessory sign contrary to §22-331 and 22-342. R7-1 District.  
PREMISES AFFECTED – 4400 Third Avenue, block bounded by Third Avenue and East 184th Street, Quarry Road, and East 181st Street, Block 3064, Lot 1, 20 tent 100, Borough of The Bronx.  
COMMUNITY BOARD #6BX

#### 247-08-BZ

APPLICANT – Howard S. Weiss, Esq., for Davidoff Malito, for 3454 Star Nostrand LLC, owner.  
SUBJECT – Application October 6, 2008 – Special Permit filed pursuant to §73-243 to allow the operation of an accessory drive-through facility in connection with a planned as-of-right eating and drinking establishment (Starbucks Coffeehouse) (Use Group 6) located in a C1-2/R4 zoning district.  
PREMISES AFFECTED – 3454 Nostrand Avenue and approx. 49' along Gravesend Neck Road, Block 7362, Lot 10, Borough of Brooklyn.  
COMMUNITY BOARD #15BK

#### 266-08-BZ

APPLICANT – Lewis E. Garfinkel R.A., for Harold Willig, owner.  
SUBJECT – Application October 28, 2008 – Special Permit (§73-621) for the enlargement of an existing single family home. This application seeks to vary 34-141(b) as the proposed floor area ratio (FAR) exceeds what is permitted in an R-4 zoning district.  
PREMISES AFFECTED – 2007 New York Avenue, east side of New York Avenue between Avenue K and Avenue L, Block 7633, Lot 25, Borough of Brooklyn.  
COMMUNITY BOARD #18BK

#### 26-09-BZ

APPLICANT – Sheldon Lobel, P.C., for CAMBA Housing Ventures, Inc., owner.  
SUBJECT – Application February 17, 2009 – Variance (§72-21) to permit the construction of a nine-story community facility building. The proposal is contrary to ZR section 24-36. R7-1 district.  
PREMISES AFFECTED – 97 Crooke Avenue, north side of Crooke Avenue, 164' west of Ocean Avenue, Block 5059, Lot 51, Borough of Brooklyn.  
COMMUNITY BOARD #14BK

Jeff Mulligan, Executive Director

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## READER'S GUIDE

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

### NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

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

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

### VENDOR ENROLLMENT APPLICATION

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

- Online at <http://nyc.gov/selltonyc>

- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

### Attention Existing Suppliers:

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

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

### SELLING TO GOVERNMENT TRAINING WORKSHOP

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

### PRE-QUALIFIED LIST

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

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

### NON-MAYORAL ENTITIES

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

### PUBLIC ACCESS CENTER

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

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

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

### PROMPT PAYMENT

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

### PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://nyc.gov/selltonyc>

### COMMON ABBREVIATIONS USED IN THE CR

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

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

### KEY TO METHODS OF SOURCE SELECTION

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

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

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

### HOW TO READ CR PROCUREMENT NOTICES

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

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

## SAMPLE NOTICE:

### POLICE

#### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

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

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

☛ m27-30

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

### NUMBERED NOTES

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