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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

QUEENS BOROUGH PRESIDENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on **Thursday, April 16, 2009** at 10:30 A.M., in the Borough Presidents Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

NOTE: Individuals requesting Sign Language Interpreters should contact the Borough President's Office, (718) 286-2860, TDD users should call (718) 286-2656, no later than FIVE BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

CD 05 - BSA #241-47 BZ - IN THE MATTER of an application submitted by Sheldon Lobel P.C. on behalf of Marin Vajanc, pursuant to Section 11-411 of the NYC Zoning Resolution for an extension of the term of the previously granted variance, an amendment to the variance to allow a change of use from a knitting mill (U.G.17) to a contractor's service establishment and a manufacturing establishment (U.G.17) and a waiver of the Rules of the Practice and Procedure in an R5B district located at **16-23/25 Hancock Street**, Block 3548, Lot 97, zoning map 13d, Ridgewood, Queens.

CD 11 - BSA #20-09 BZ - IN THE MATTER of an application submitted by Metro PCS New York, LLC on behalf of Valerie Arms Apt. Corp., pursuant to Section 73-30 of the NYC Zoning Resolution, for a special permit to install a non-accessory radio facility in an R3-2/C1-2 district located at **54-44 Little Neck Parkway**, Block 8256, Lot 108, Zoning Map 11c, Little Neck, Borough of Queens.

CD 13 - BSA #21-09 BZ - IN THE MATTER of an application submitted by MetroPCS New York, LLC on behalf of Braddock Avenue Owners, Inc., pursuant to Sections 73-03 and 73-30 of the NYC Zoning Resolution for a special permit to install a non-accessory radio facility on the rooftop of an existing 6-story residential building in an R4 district located at **222-89 Braddock Avenue**, Block 7968, Lot 31, zoning map 15a, Queens Village, Queens.

CD07 - ULURP #C090320 PPQ - IN THE MATTER of an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of nine (9) city-owned properties in the College Point Urban Renewal Area (expiring April 2009), in M1-1 and M3-1 districts, Block 4317, p/o Lot 1, p/o Lot 8900, Lot 20, Block 4356, p/o Lot 30, Block 4357, p/o Lot 1, Block 4358, p/o Lot 1, Block 4359, p/o Lot 1, Block 4206, Lot 100, Block 4207, p/o Lot 1, zoning map 10a, College Point, Borough of Queens.

CD07 - ULURP #C090366 PCQ - IN THE MATTER of an application submitted by the Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of New York City Charter, for the site selection and acquisition of property in an M3-1 district located at **130-31 Northern Boulevard**, Block 1791 Lots 52, 68, and 72 for the continued use as an asphalt plant, zoning map 10a, Flushing, Borough of Queens. **a10-16**

CITY COUNCIL

■ PUBLIC HEARING

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 9:30 A.M. on Monday, April 20, 2009:

PLAZA LOUNGE

QUEENS CB - 1 20095082 TCQ
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Plaza Patisserie, Inc., d/b/a Plaza Lounge, to continue to maintain and operate an unenclosed sidewalk café at 29-20 30th Avenue.

354 CLARKSON AVENUE REZONING BROOKLYN CB - 17 C 070396 ZMK

Application submitted by ESP Group LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17b:

- changing from an M1-1 District to an R7A District property bounded by Clarkson Avenue, a line 100 feet westerly of New York Avenue, a line midway between Clarkson Avenue and Lenox Avenue, and a line 100 feet easterly of Nostrand Avenue; and
- establishing within the proposed R7A District a C2-4 District bounded by Clarkson Avenue, a line 100 feet westerly of New York Avenue, a line midway between Clarkson Avenue and Lenox Avenue, and a line 100 feet easterly of Nostrand Avenue;

as shown on a diagram (for illustrative purposes only) dated November 17, 2008 and subject to the conditions of CEQR Declaration E-224.

CLINTON PARK

MANHATTAN CB - 4 C 080008 ZMM
Application submitted by 536 W 54th LLC A, 536 W 54th LLC B and 536 W 54th Street LLC C pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c changing from an M1-5 District to a C6-3X District property bounded by West 54th Street, a line 470 feet easterly of Eleventh Avenue, West 53rd Street and Eleventh Avenue, as shown on a diagram (for

illustrative purposes only) dated October 27, 2008.

CLINTON PARK

MANHATTAN CB - 4 N 080009 ZRM
Application submitted by 536 W 54th LLC A, 536 W 54th LLC B and 536 W 54th Street LLC C 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 Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and relating to Article IX, Chapter 6 (Special Clinton District).

Matter in underline is new, to be added;
Matter in ~~strike out~~ is old, to be deleted;
Matter within # # is defined in Section 12-10 (DEFINITIONS)

*** indicates where unchanged text appears in the Resolution

* * *

96-80
EXCLUDED AREAS

Except as provided in this Section, the regulations set forth in this Chapter shall not apply to the following areas:

- (a) parcels within the blocks bounded by West 50th Street, Tenth Avenue, West 56th Street and Eleventh Avenue known as the Clinton Community Urban Renewal Development Area, provided that in this area the provisions of Sections 96-40 (MODIFICATIONS OF GENERAL LARGE-SCALE DEVELOPMENT PROVISIONS), 96-51 (Mandatory Tree Planting Provisions) and 96-81 (C6-3X Designated District) shall apply to:

In addition, in C6-3X Districts, the following shall be permitted #uses# below the level of any floor occupied by #dwelling units#:

- automobile showrooms with automobile sales and preparation of automobiles for delivery;
- automobile repairs; and
- New York City Police Department stables for horses, with #accessory# automobile parking.

Should the floor to ceiling height of such Police Department stable, as measured from the #base plane#, exceed 23 feet, then any floor space occupied by #accessory# parking located on the floor immediately above the floor occupied by such Police Department stable and immediately below the level of any floor occupied by #dwelling units# shall be exempted from the definition of #floor area#.

* * *

96-81
C6-3X Designated District

- (a) Inclusionary Housing Program
Where the designated district is C6-3X within the Excluded Area, such district shall be an #Inclusionary Housing designated area# pursuant to Section 12-10 (Definitions), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (Inclusionary Housing Program), inclusive, applicable as modified within the Special District.

- (b) Maximum #floor area ratio#
Within such #Inclusionary Housing designated area#, the maximum #floor area ratio# for any #zoning lot# containing a #residential use# shall not exceed the base #floor area ratio# of 6.75, except that such base #floor area ratio# may be increased to the maximum #floor area ratio# of 9.0, through the provision of #lower income housing#, pursuant

to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90.

CLINTON PARK

MANHATTAN CB - 4

C 080010 ZSM

Application submitted by 536 W 54th LLC A, 536 W 54th LLC B and 536 W 54th Street LLC C pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a) of the Zoning Resolution to modify the height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) to facilitate the construction of a mixed use development on property located at 770 Eleventh Avenue (Block 1082, Lot 1), in a C6-3X District, within the Special Clinton District (Excluded Area), in a general large-scale development.

CLINTON PARK

MANHATTAN CB - 4

C 080011 ZSM

Application submitted by 536 W 54th LLC A, 536 W 54th LLC B and 536 W 54th Street LLC C pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to Section 74-744(b) of the Zoning Resolution to allow residential and non-residential uses to be arranged on the third floor level without regard for the regulations set forth in Section 32-42 (Location within Buildings) and Section 74-744(c) to modify the sign regulations of Section 32-67 (Special Provisions Applying along District Boundaries) to facilitate the construction of a mixed use development on property located at 770 Eleventh Avenue (Block 1082, Lot 1), in a C6-3X District, within the Special Clinton District (Excluded Area), in a general large-scale development.

150 AMSTERDAM AVENUE

MANHATTAN CB - 7

C 090132 ZMM

Application submitted by 150 Amsterdam Avenue Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, by establishing within an existing R8 District a C2-5 District bounded by a line 230 feet northerly of West 66th Street, Amsterdam Avenue, West 66th Street, and a line 100 feet westerly of Amsterdam Avenue, Borough of Manhattan, Community District 7, as shown on a diagram (for illustrative purposes only) dated November 17, 2008.

OCEANA-BRIGHTON BY THE SEA

BROOKLYN CB 13

M 910478E ZMK

Application submitted by Brighton Development, LLC for the modification of Restrictive Declaration D -131 and its subsequent amendments, pursuant to Section 2b of that Restrictive Declaration (1998 Declaration) which was previously approved as part of an application for a modification of Restrictive Declaration D-131 (C 910478(A) ZMK), and originally approved as part of an application for a Zoning Map Amendment (C 910478 ZMK) for a residential development on property generally bounded by Brighton Beach Avenue, Seacoast Terrace, a park and Coney Island Avenue (Block 8720, part of Lot 14), in an R7-1 District.

OCEANA-BRIGHTON BY THE SEA

BROOKLYN CB 13

C 090179 ZMK

Application submitted by the Brighton Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28d, by establishing within an existing R7-1 District a C2-4 District bounded by a line 100 feet southerly of Brighton Beach Avenue, a line 200 feet easterly of Coney Island Avenue, a line perpendicular to the easterly street line of Coney Island Avenue distant 340 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Coney Island Avenue and the southerly street line of Brighton Beach Avenue, and Coney Island Avenue, as shown on a diagram (for illustrative purposes only) dated November 17, 2008.

WATERFRONT ZONING TEXT

CITYWIDE

N 090239 ZRY

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 modifications of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), and various related Sections of the Zoning Resolution. See City Council's Link at http://www.nycouncil.info/html/calendar/calendar_new.cfm

NORTH FLUSHING REZONING

QUEENS CBs - 7 and 11

C 090281 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. 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:
 1. Willets Point Boulevard,
 2. Parsons Boulevard,
 3. the westerly prolongation of the northerly

4. street line of 25th Drive, a line 125 feet westerly of Parsons Boulevard, and
5. 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, 65th 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;
- as shown in a diagram (for illustrative purposes only) dated January 20, 2009.

**NORTH FLUSHING REZONING
CITYWIDE N 090282 ZRY**

Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to 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 established on or before (effective date) and R2A Districts established on or after December 20, 2006, if a building permit for other construction has been lawfully issued prior to the date establishing such ~~R2A~~ District, 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 such ~~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 R3, R4A and R4-1 Districts in #lower density growth management areas#, and in all R1-2A Districts, #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 R3, R4A and R4-1 Districts within #lower density growth management areas#, and in all R1-2A Districts, #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#.

* * *

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#

* 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#

* 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 R3, R4A and R4-1 Districts within #lower density growth management areas#, and in all R1-2A Districts, 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#.

* * *

23-22 Maximum Number of Dwelling Units or Rooming Units

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum number of #dwelling units# or #rooming units# shall equal the maximum #residential floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. In R1 through R5 Districts, no #rooming units# shall be permitted and any #dwelling unit# shall be occupied by only one #family#. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit# or #rooming unit#.

* * *

FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS OR ROOMING UNITS

Table with 3 columns: District, Factor for #Dwelling Units#, Factor for #Rooming Units#

23-30 LOT AREA AND LOT WIDTH REGULATIONS

* * *

23-32 Minimum Lot Area or Lot Width for Residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as provided in Section 23-33 (Special Provisions for Existing Small Lots), no #residence# is permitted on a #zoning lot# with a total #lot area# or #lot width# less than as set forth in the following table:

REQUIRED MINIMUM LOT AREA AND LOT WIDTH

Table with 4 columns: Type of #Residence#, Minimum #Lot Area# (in sq. ft.), Minimum #Lot Width# (in feet), District

23-40 YARD REGULATIONS

23-45 Minimum Required Front Yards

R1 R2 R3 R4 R5

(a) 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.

Front Yard District

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).

* * *

23-461 Side yards for single- or two-family residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

(a) In all districts, as indicated, for #single-family detached residences# or, where permitted, for #two-family detached residences#, #side yards# shall be provided as set forth in the table in this paragraph, except that on #corner lots# in R1, R2, R3, R4 and R5 Districts, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARDS

Table with 4 columns: Number Required, Required Total Width (in feet), Required Minimum Width of any #Side Yard# (in feet), District

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

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Monday, April 20, 2009:

CONSOLIDATED EDISON CO. BUILDING MANHATTAN CB - 6 20095359 HKM (N 090330 HKM) Designation (List No. 410/LP-2313) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Consolidated Edison Building, located at 4 Irving Place a.k.a. 2-12 Irving Place, 121-147 East 14th Street, 120-140 East 15th Street (Block 870, part of Lot 24), as an historic landmark.

ONE CHASE MANHATTAN PLAZA MANHATTAN CB - 1 20095360 HKM (N 090331 HKM) Designation (List No. 410/LP-2294) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of One Chase Manhattan Plaza, aka 16-48 Liberty Street, 26-40 Nassau Street, 28-44 Pine Street, 55-77 William Street (Block 44, Lot 1), as an historic landmark.

ALICE AND AGATE COURTS BROOKLYN CB - 3 20095361 HKK (N 090329 HKK) Designation (List No. 410/LP-2309) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of Alice and Agate Courts Historic District. The district boundaries are:

property bounded by a line beginning at the intersection of

the northern curblin of Atlantic Avenue and a line extending southerly from the western property line of 1 Alice Court (aka 1463 Atlantic Avenue), continuing easterly along said curblin to a point formed by its intersection with a line extending southerly from the eastern property line of 2 Agate Court (aka 1491 Atlantic Avenue), northerly along said line and the eastern property lines of 2 through 18 Agate Court, westerly along the northern property line of 18 Agate Court, continuing westerly along a line extending from the northern property line of 18 Agate Court to the northern property line of 17 Agate Court, along the northern property lines of 17 Agate Court and 18 Alice Court, continuing westerly along a line extending from the northern property line of 18 Alice Court to the northern property line of 17 Alice Court, along the northern property line of 17 Alice Court, to the western property line of 17 Alice Court, southerly along said property line and the property lines of 15 through 1 Alice Court, to the point of the beginning. The boundary description is intended to encompass the wall along the northern edge of Agate Court between lot 72 and 74, as an historic district.

P.S. 160-K ANNEX
BROOKLYN CB - 12 **20095191 SCK**
 Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 535-Seat Primary School Facility, known as P.S. 160-K Annex, to be located at 1061-1071 52nd Street (Block 5653, Lot 55) in Community School District No. 20.

COMMUNITY HEALTH ACADEMY
MANHATTAN CB - 12 **20095290 SCM**
 Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 572-Seat Intermediate/High School Facility, known as Community Health Academy of the Heights, Manhattan, to be located at 1970 Amsterdam Avenue (Block 2116, Lot 33 in portion) in Community School District No. 6.

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 1:00 P.M. on Monday, April 20, 2009:

LIBERTY FOUNTAIN APARTMENTS
BROOKLYN CB - 5 **C 090227 HAK**
 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, 117, 119, 123, 125, 127, and 129 Fountain Avenue (Block 4191, Lots 14-20); 922, 924, 926, 928, 930, and 932 Liberty Avenue (Block 4191, Lot 22, and Lots 26-30); an 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, Lot 22, and Lots 26, 27, 29, and 30); an 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 as Liberty/Fountain Apartments, with approximately residential 43 units.

CONEY ISLAND COMMONS
BROOKLYN CB - 13 **C 090250 ZMK**
 Application submitted by the Department of Housing Preservation & Development, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 28d, changing from an R6 District to an R7-2 District property bounded by a line 460 feet southerly of Mermaid Avenue, West 29th Street, Surf Avenue, and West 30th Street, as shown on a diagram (for illustrative purposes only) dated January 5, 2009, and subject to the conditions of CEQR Declaration E-226.

CONEY ISLAND COMMONS
BROOKLYN CB - 13 **C 090251 HAK**
 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:

BLOCK LOT	ADDRESS
7051 33	2958 West 29th Street
7051 35	2962 West 29th Street
7051 37	2964 West 29th Street
7051 38	2968 West 29th Street
7051 39	2964A West 29th Street
7051 40	2970A West 29th Street
7051 41	2972 West 29th Street
7051 42	2980 West 29th Street
7051 46	2901 Surf Avenue
7051 57	2981 West 30th Street
7051 59	2975 West 30th Street
7051 61	2973 West 30th Street
7051 63	2971 West 30th Street
7051 64	2969 West 30th Street
7051 65	2967 West 30th Street
7051 68	2957 West 30th Street

7051 138	2968A West 29th Street
7051 139	2968B West 29th Street
7051 140	2970 West 29th Street
7051 141	2974 West 29th Street
7051 142	2974 1/2 West 29th Street
7051 143	2974T West 29th Street
7051 144	2974Q West 29th Street
7051 145	2974D West 29th Street
7051 165	2967A West 30th Street
7051 166	2928 West 30th Street
7051 167	2967C West 30th Street
7051 168	2967D West 30th Street
7051 169	2968E West 30th Street
7051 170	2967F West 30th Street
7051 171	2967G West 30th Street
7051 172	2967H West 30th Street
7051 239	2906 West 30th Street
7051 269	2971A West 30th Street
7051 339	2968C West 29th Street
7051 439	2908I West 29th Street

- 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 a mixed use development, tentatively known as Coney Island Commons, with community center space and approximately 188 affordable residential units, to be developed under the Department of Housing Preservation and Development's Multi-Family Program.

a14-20

HEARINGS

HEARING BY THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON WEDNESDAY, APRIL 22 AT 10:00 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTERS:

Advice and Consent

- **Pre-considered M**, Communication from the Mayor submitting the name of Margery H. Perlmutter for re-appointment as a member of the New York City Landmarks Preservation Commission ("LPC") pursuant to §§31 and 3020 of the *New York City Charter*. Should Ms. Perlmutter receive the advice and consent of the Council, she will serve the remainder of a three-year term that expires on June 28, 2011.
- **M-1353**, Communication from the Mayor submitting the name of Ms. Betty Y. Chen for re-appointment as a member of the New York City Planning Commission pursuant to §§31 and 192 of the *New York City Charter*. Should Ms. Chen receive the advice and consent of the Council, she will be eligible to serve the remainder of a five-year term that expires on June 30, 2013.
- **M-1354**, Communication from the Mayor submitting the name of Nancy G. Chaffetz for appointment as a member of the New York City Civil Service Commission pursuant to §§31 and 813 of the *New York City Charter*. Should Ms. Chaffetz receive the advice and consent of the Council, she will be eligible to serve the remainder of a six-year term that expires on March 21, 2011.
- **M-1355**, Communication from the Mayor submitting the name of Stephen Byrns for re-appointment as a member of the New York City Landmarks Preservation Commission ("LPC") pursuant to §§31 and 3020 of the *New York City Charter*. Should Mr. Byrns receive the advice and consent of the Council, he will serve the remainder of a three-year term that expires on June 28, 2011.

Appointment

- **Pre-considered M**, Robert L. Cohen, M.D., candidate for appointment by the Council to the New York City Board of Correction pursuant to §626 of the *New York City Charter*. If Dr. Cohen is appointed, he will be eligible to serve for the remainder of a six-year term expiring on October 12, 2011.

Appointment

- **Pre-considered M**, Robert L. Cohen, M.D., candidate for appointment by the Council to the New York City Board of Correction pursuant to §626 of the *New York City Charter*. If Dr. Cohen is appointed, he will be eligible to serve for the remainder of a six-year term expiring on October 12, 2011.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

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 M. McSweeney
 City Clerk, Clerk of the Council

a15-22

CITY PLANNING COMMISSION

PUBLIC HEARINGS

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

BOROUGH OF MANHATTAN
No. 1
TIMES SQUARE BID

CDs 4 & 5 **N 090346 BDM**
IN THE MATTER OF an application submitted by the Department of Small Business Services on behalf of the Times

Square Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the amendment of the Times Square Business Improvement District.

No. 2 BATTERY PARK CITY SITE 3

CD 1 **N 090306 ZRM**
IN THE MATTER OF an application submitted by the Battery Park City Authority 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 VII, Chapter 4 (Special Battery Park City District) relating to paragraph (e) of Section 84-144 (Location of Curb Cuts) on the east side of Battery Place between Second Place and Third Place.

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

84-144
 Location of curb cuts

Curb cuts are permitted only in the areas or locations indicated in Appendices 2.6 and 3.5. The aggregate width of all curb cuts provided for any #development# shall not exceed 20 feet, except that:

- (a) for the #zoning lot# bounded to the north by a mapped public place, to the west by North Park, to the south by Chambers Street, and to the east by Marginal Street, the aggregate width of all curb cuts shall not exceed 40 feet;
- (b) for the #zoning lot# bounded by Warren Street to the north, River Terrace to the west, North End Avenue to the east and Park Place West to the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15 foot curb cuts;
- (c) for the #zoning lot# bounded by Murray Street to the north, River Terrace to the west, North End Avenue to the east and Vesey Place to the south, the aggregate width of all curb cuts shall not exceed 40 feet, including a 25 foot wide curb cut to the #accessory# off-street parking facility;
- (d) for the #zoning lot# south of First Place and east of Battery Place, the aggregate width of all curb cuts shall not exceed 50 feet;
- (e) for each #zoning lot# located on the east side of Battery Place:
 - (1) between First Place and ~~Third Second~~ Place, the aggregate width of all curb cuts shall not exceed 40 feet;
 - (2) between Second Place and Third Place, the aggregate width of all curb cuts shall not exceed 50 feet; and
- (f) for the #zoning lot# south of First Place and west of Battery Place, the aggregate width of all curb cuts shall not exceed 24 feet.

BOROUGH OF QUEENS

No. 3
CORD MEYER-FOREST HILLS REZONING

CD 6 **C 090283 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 No.14a; by changing from an R1-2 District to an R1-2A* District property bounded by a line midway between 66th Avenue and 66th Road, 110th Street, 67th Road, 112th Street, the easterly centerline prolongation line of 67th Drive, the southwesterly service road of the Grand Central Parkway, the easterly centerline prolongation of 72nd Avenue, 72nd Avenue, a line 425 feet northeasterly of 112th Street, a line midway between 72nd Avenue and 72nd Road, 112th Street, 71st Avenue, 110th Street, 70th Road, and 108th Street, as shown on a diagram (for illustrative purposes only) dated March 2, 2009.

* Note: An R1-2A District is proposed to be created under a related application N 090282 ZRY for an amendment of the Zoning Resolution.

No. 4
SPECIAL LONG ISLAND CITY DISTRICT TEXT AMENDMENT

CD 2 **N 090304 ZRQ**
IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Section 200 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to modify certain provisions concerning the Queens Plaza, Court Square, and Hunters Point subdistricts of the Special Long Island City Mixed Use District.

Matter Underlined is new, to be added;
 Matter in ~~Strikeout~~ is old, to be deleted;
 Matter within # # is defined in Section 12-10;
 * * * indicate where unchanged text appears in the Zoning Resolution

Article III – Commercial District Regulations

Chapter 7
Special Urban Design Regulations

37-40
OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR

Where a #development# or #enlargement# is constructed on a #zoning lot# of 5,000 square feet or more of #lot area# that

fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station located within the #Special Midtown District# as listed in Section 81-46, the #Special Lower Manhattan District# as listed in Section 91-43, the #Special Downtown Brooklyn District# as listed in Section 101-43, the #Special Long Island City Mixed Use District# as described in Section 117-44, the #Special Union Square District# as listed in Section 118-60 and those stations listed in the following table, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances* shall be provided in accordance with the provisions of this Section.

Article XI - Special Purpose Districts

Chapter 7 Special Long Island City Mixed Use District

117-10 HUNTERS POINT SUBDISTRICT

117-23 Street Wall Location in Certain Designated Districts

R6B M1-4/R6A M1-4/R6B M1-4/R7A M1-4/R7X M1-5/R8A In the districts indicated, the #street wall# of any #development# or #enlargement# containing #residences# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#. However, the #street wall# of a #building# need not be located further from a #street line# than 15 feet. On #corner lots#, the #street wall# along one #street line# need not be located further from the #street line# than five feet. Existing #buildings# may be vertically enlarged by up to one #story# or 15 feet without regard to the #street wall# location provisions of this Section.

117-40 COURT SQUARE SUBDISTRICT

117-401 General provisions

The regulations governing #developments#, #enlargements#, #extensions# or changes of #use# within the Court Square Subdistrict of the #Special Long Island City Mixed Use District# are contained within Sections 117-40 through 117-45, inclusive. These regulations supplement the provisions of Sections 117-01 through 117-03, inclusive, of the #Special Long Island City Mixed Use District# and supersede the underlying districts.

Mandatory pedestrian circulation and subway improvements are those elements of the Subdistrict Plan which shall be built by the developer of the #zoning lot# to which they apply.

For the purposes of the mandatory pedestrian circulation and subway improvements in the Subdistrict, the #floor area# of the #development# or #enlargement# shall be the total amount of #floor area# resulting from #developments# or #enlargements# after August 14, 1986.

For the purposes of the mandatory pedestrian circulation and subway improvements in the Subdistrict, any tract of land consisting of two or more contiguous lots of record under single ownership or control as of March 1, 1986, shall be considered a single #zoning lot#.

117-41 Court Square Subdistrict Plan

The Subdistrict Plan for the Court Square Subdistrict specifies the location of Blocks 1, 2 and 3 and identifies the improvements to be provided in the District under the provisions of this Chapter. The elements of the Subdistrict Plan are set forth in Appendix B of this Chapter, which consists of the Subdistrict Plan Map and the Description of Improvements, and is incorporated into the provisions of this Chapter.

117-42 Special Bulk and Use Regulations in the Court Square Subdistrict

#Developments# or #enlargements# containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet are subject to the provisions of the underlying C5-3 District, as modified by Sections 117-40 through 117-45, inclusive.

Other #developments# or #enlargements# are subject to the #use# provisions of the underlying C5-3 District and the #bulk# provisions of an M1-4/R6B designated district pursuant to the regulations of Article XII, Chapter 3 (Special Mixed Use District), as modified by Sections 117-00 through 117-22, inclusive.

117-421 Special bulk regulations

(a) #Developments# or #enlargements# that meet the minimum #floor area# and #zoning lot# standards of Section 117-44 and provide mandatory subway improvements as required by Section 117-44, may #develop# to a #floor area ratio# of 15.0. #Developments# or #enlargements# that do not meet the minimum standards of Section 117-44 shall not exceed the maximum #floor area ratio# of the designated district for the applicable #use#.

(b) The following provisions shall not apply within the Court Square Subdistrict:

- Section 33-13 (Floor Area Bonus for a Public Plaza)
Section 33-14 (Floor Area Bonus for Arcades)

Section 33-26 (Minimum Required Rear Yards)
Section 34-223 (Floor area bonus for a public plaza)
Section 34-224 (Floor area bonus for an arcade)
Section 34-23 (Modification of Yard Regulations).

(c) The height and setback regulations of the underlying C5-3 District shall apply, except that:

(1) No #building or other structure# shall exceed a height of 85 feet above the #base plane# within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and a line 75 feet north of and parallel to 45th Road, and

(2) On Blocks 1 and 3, the #street wall# of a #building# or other structure# shall be located on the #street line# or sidewalk widening line, where applicable, and extend along the entire #street# frontage of the #zoning lot# up to at least a height of 60 feet and a maximum height of 85 feet before setback. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above the level of the second #story#, up to 30 percent of the #aggregate width of #street walls# may be located beyond the #street line#, provided no such recesses are within 15 feet of an adjacent #building#.

Above a height of 85 feet, the underlying height and setback regulations shall apply. However, the underlying tower regulations shall be modified to permit portions of #buildings# that exceed a height of 85 feet to be set back at least five feet from a #wide street line#, provided no portion of such #building# that exceeds a height of 85 feet is located within 15 feet of a #side lot line#. The provisions of this paragraph (c)(2) shall not apply to #enlargements# on #zoning lots# existing on (the effective date of amendment), where such #zoning lot# includes an existing #building# to remain with at least 300,000 square feet of #floor area#.

117-423 Sidewalk widening

For any #development# or #enlargement# on Block 3 with a building wall facing 45th Road, a sidewalk widening with a minimum depth of five feet and a maximum depth of ten feet shall be provided on 45th Road between 23rd Street and Jackson Avenue. Such sidewalk widening shall be a continuous, paved open area along the #front lot line# of the #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. Such sidewalk widening shall be unobstructed from its lowest level to the sky except for temporary elements of weather protection, such as awnings or canopies, provided that the total area (measured on the plan) of such elements does not exceed 20 percent of the sidewalk widening area, and that such elements and any attachments thereto are at least 8 feet above #curb level#, and that any post or other support for such element or any attachment to the support has a maximum horizontal dimension of 6 inches. No #street# trees, vehicle storage, parking or trash storage is permitted on such sidewalk widening.

117-43 Mandatory Circulation Improvement

All #developments# or #enlargements# on #zoning lots# of at least 15,000 square feet that contain at least 50,000 square feet of #floor area# or on #zoning lots# of any size providing at least 200,000 square feet of #floor area# shall provide a minimum amount of pedestrian circulation space at the rate provided in the following table:

Table with 2 columns: #Lot Area#, Minimum Area of Pedestrian Circulation Space. Rows: 15,000 to 40,000 sq. ft. (1 sq. ft. per 350 sq. ft. of #floor area#), Above 40,000 sq. ft. (1 sq. ft. per 300 sq. ft. of #floor area#)

The pedestrian circulation space provided shall be one or more of the following types: building entrance recess area, corner circulation space, sidewalk widening or subway stair relocation.

Such pedestrian circulation space shall meet the requirements set forth in Section 117-431 (Design standards for pedestrian circulation spaces). No sidewalk widenings or corner circulation spaces shall be permitted along 23rd Street within the Court Square Subdistrict.

117-431 Design standards for pedestrian circulation spaces

(a) Sidewalk widening
A sidewalk widening is a continuous, paved open area along the #front lot line# of a #zoning lot# at the same elevation as the adjoining sidewalk and directly accessible to the public at all times. A sidewalk widening shall meet the following requirements:

(1) Dimensions

(2) A sidewalk widening shall have a width no less than 5 feet nor greater than 10 feet measured perpendicular to the #street line#, and shall be contiguous along its entire length to a sidewalk. Permitted interruptions

Only under the following conditions shall any interruptions of the continuity of a qualifying sidewalk widening be permitted.

(i) A sidewalk widening may be overlapped by a corner circulation space or a building entrance recess area that permits uninterrupted pedestrian flow.

(ii) An off-street subway entrance may interrupt a sidewalk widening, provided such an entrance is located at a #side lot line# or is located at the intersection of two #street lines#.

(iii) A sidewalk widening may be overlapped by the queuing space of a relocated subway entrance, provided that the queuing space for the entrance leaves a 5-foot-uninterrupted width of sidewalk widening along the entire length of the queuing space.

(iv) A sidewalk widening may be interrupted by a driveway that is located at a #side lot line#. The area occupied by the driveway, up to the width of the sidewalk widening, may be counted towards meeting the pedestrian circulation space requirement, provided that there shall be no change of grade within the area of the sidewalk widening.

(3) Permitted obstructions

A sidewalk widening shall be unobstructed from its lowest level to the sky except for temporary elements of weather protection, such as awnings or canopies, provided that the total area (measured on the plan) of such elements does not exceed 20 percent of the sidewalk widening area, and that such elements and any attachments thereto are at least 8 feet above the #curb level#, and that any post or other support for such element or any attachment to the support has a maximum horizontal dimension of 6 inches.

(4) Specific prohibitions

No #street# trees are permitted on a sidewalk widening. No vehicle storage, parking or trash storage is permitted on a sidewalk widening. Gratings may not occupy more than 50 percent of the sidewalk widening area nor be wider than one-half the width of the sidewalk widening.

(5) Special design treatment

When one end of the sidewalk widening abuts an existing #building# on the #zoning lot# or an existing #building# on the #side lot line# of the adjacent #zoning lot#, design treatment of the termination of the sidewalk widening is required to smooth pedestrian flow. The portion of the sidewalk widening subject to design treatment, hereinafter called the transition area, shall not extend more than 10 feet along the sidewalk widening from its termination.

The transition area shall be landscaped and the paved portion shall have a curved or diagonal edge effecting a gradual reduction of its width over the length of the transition area to no width at the point of the sidewalk widening termination. The unpaved portion of such landscaped treatment shall not exceed 50 percent of the transition area and shall be considered a permitted obstruction.

(b) Corner circulation space

A corner circulation space is a small open space on the #zoning lot# of a #development# or #enlargement#, adjoining the intersection of two #streets#, at the same elevation as the adjoining sidewalk or sidewalk widening and directly accessible to the public at all times. A corner circulation space shall meet the following requirements:

(1) Dimensions

A corner circulation space shall have a

minimum area of 200 square feet, a minimum depth of 15 feet measured along a line bisecting the angle of intersecting #street lines#, and shall extend along both #street lines# for at least 15 feet but not more than 40 feet from the intersection of the two #street lines#.

(2) Obstructions A corner circulation space shall be clear of all obstructions, including, without limitation, door swings, building columns, #street# trees, planters, vehicle storage, parking or trash storage. No gratings except for drainage are permitted.

(3) Building entrances Entrances to ground level #uses# are permitted from a corner circulation space. An entrance to a building lobby is permitted from a corner circulation space, provided that the entrance is at no point within 20 feet of the intersection of the two #street lines# which bound the corner circulation space.

(4) Permitted overlap A corner circulation space may overlap with a sidewalk widening.

(e) Building entrance recess area A building entrance recess area is a space which adjoins and is open to a sidewalk or sidewalk widening for its entire length and provides unobstructed access to the building's lobby entrance. A building entrance recess area shall meet the following requirements.

(1) Dimensions A building entrance recess area shall have a minimum length of 15 feet and a maximum length of 40 feet measured parallel to the #street line#. It shall have a maximum depth of 15 feet measured from the #street line#, and if it adjoins a sidewalk widening shall have a minimum depth of 10 feet measured from the #street line#.

(2) Obstructions A building entrance recess area shall either be completely open to the sky or completely under an overhanging portion of the #building# with a minimum clear height of 15 feet. It shall be free of obstructions except for building columns, between any two of which there shall be a clear space of at least 15 feet measured parallel to the #street line#. Between a building column and a wall of the #building# there shall be a clear path at least 5 feet in width.

(3) Permitted overlap A building entrance recess area may overlap with a sidewalk widening or a corner circulation space.

117-44 Mandatory Subway Improvements

#Developments# or #enlargements# containing at least 70,000 square feet of total #floor area# on #zoning lots# of at least 10,000 square feet shall provide mandatory subway improvements as described in Appendix B of this Chapter

(a) #Zoning lots# with at least 5,000 square feet of #lot area#

#Developments# or #enlargements# on #zoning lots# with 5,000 square feet or more of #lot area#, which front on a sidewalk containing a sidewalk entrance(s) into a subway, shall relocate the stairway or entrance(s) to the subway onto the #zoning lot# in accordance with the provisions of Section 37-40 (Off-Street Relocation or Renovation of a Subway Stair), with the exception that, in addition to the waivers provided by Section 37-44, the additional standards for location, design and hours of public accessibility contained in Section 37-41 may be waived upon a finding by the Metropolitan Transportation Authority that they are undesirable or unnecessary to ensure a good overall design.

(b) #Zoning lots# with at least 10,000 square feet of #lot area#

#Developments# or #enlargements# on Blocks 1, 2 or 3, identified in Appendix B (Court Square Subdistrict Plan Map and Description of Improvements) of this Chapter, containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet of #lot area# shall provide mandatory subway improvements as described in paragraph (a) for Block 1, paragraph (b) for Block 2 and paragraph (c)(1) for Block 3 in Appendix B.

In addition, on #-Block # 3, any #development# or #enlargement# containing at least 300,000 square feet of

total #floor area# or any #development# or #enlargement# on a #zoning lot# of at least 30,000 square feet of #lot area# shall provide all the mandatory subway improvements for the #block #, as described in paragraphs (c)(1) and (c)(2) for (# Block #-3).

117-441 Standards and procedures for mandatory subway improvements

(b) Procedure (1) Pre-application

(6) Where a #development# or #enlargement# is located on a #zoning lot# which fronts on a sidewalk containing a sidewalk entrance or entrances into a subway and such #zoning lot# contains 5,000 square feet or more of #lot area#, such #development# or #enlargement# shall relocate the stairway entrance or entrances to the subway onto the #zoning lot# in accordance with the provisions of Section 37-03 (Off-Street Relocation or Renovation of a Subway Stair), with the exception that, in addition to the waivers provided by Section 37-034 (Waiver of requirements), the additional standards contained in Section 37-031 (Standards for location, design and hours of public accessibility) may be waived upon a finding by the Metropolitan Transportation Authority that they are undesirable or unnecessary to ensure a good overall design.

117-50 QUEENS PLAZA SUBDISTRICT

117-531 Street wall location

(g) For any #development# or #enlargement# on a #zoning lot# located on Jackson Avenue between 42nd Road and Queens Plaza South, the #street wall# fronting on Jackson Avenue may be set back ten five feet from the #street line# only upon certification of the Chairperson of the City Planning Commission to the Department of Buildings that the Jackson Avenue sidewalk adjacent to the #zoning lot# will be landscaped in accordance with a plan acceptable to the Department of Transportation and the Chairperson. Such plan shall include five planting beds that shall contain a mixture of deciduous and evergreen shrubs, ground covers and flowers. Such planting beds shall be installed and maintained by the owner of the #development# or #enlargement#. The #street wall# of any subsequent #development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#.

Appendix B Court Square Subdistrict Plan Map and Description of Improvements

Description of Improvements This Appendix describes the mandatory lot improvements that are designated on the District Plan Map in Appendix B for the Court Square Subdistrict. This Descriptions refers to the text for requirements and standards for the following improvements.

(a) #- Block #-1

(4) A subway improvement, to consist of a connection between the G and 7 lines and maintenance of glass partitions in the control area of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine which are to be installed by the developer of #-Block #-2. The developer shall notify the Chairperson of the City Planning Commission upon both application for and issuance of a first building permit for the #development# on this #block#.

(b) #- Block #-2

(4) A subway improvement, to consist of a connection between the E/F and G lines, preparation of preliminary plans for a G/7 connection and installation of glass partitions in the control area of the E/F Ely Avenue mezzanine and near the control area of the G mezzanine upon receipt of a written request by the Chairperson of the City Planning Commission, which shall occur only after the issuance of a first building permit for the #development# on #-Block #-1.

(c) #-Block #-3

(1) A subway improvement, to consist of construction of a building entrance within the #lot line# at the northwestern corner of the #block#, a direct link to the 7 platform and construction of a new mezzanine area; and/or The first #development# to meet the criteria for a subway improvement shall construct new entrances at the intersection of 44th Drive and 23rd Street for the Number 7

45th Road/Courthouse Square station, in consultation with the Metropolitan Transportation Authority and the Department of City Planning.

(2) A subway improvement, to consist of a substantial physical improvement to the G platform and mezzanine areas, including reconfiguration of control areas as necessary and acoustical upgrading. For subsequent #developments#, a subway improvement to the north end of the Number 7 45th Road/Courthouse Square station shall be required. Such improvement shall be determined in consultation with the Metropolitan Transportation Authority and the Department of City Planning.

CITYWIDE No. 5 PRIVATELY OWNED PUBLIC PLAZAS FOLLOW-UP TEXT AMENDMENT

CITYWIDE N 090317 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 Article III, Chapter 7 (Special Urban Design Regulations concerning provisions related to privately owned public plazas.

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

ARTICLE III COMMERCIAL DISTRICT REGULATIONS

Chapter 7 Special Urban Design Regulations

37-60 PUBLICLY ACCESSIBLE OPEN AREAS EXISTING PRIOR TO OCTOBER 17, 2007

37-62 Changes to Existing Publicly Accessible Open Areas

37-625 Design changes Design changes to existing #plazas#, #residential plazas# or #urban plazas# may be made only upon certification by the Chairperson of the City Planning Commission that such changes would result in a #plaza#, #residential plaza# or #urban plaza# that is in greater accordance with the standards set forth in Section 37-70 (PUBLIC PLAZAS), inclusive. The provisions of Section 37-78 (Compliance), other than paragraph (e) (Special regulations for an urban plaza in the Special Lower Manhattan District), shall be made applicable to such #plaza#, #residential plaza# or #urban plaza#.

37-70 PUBLIC PLAZAS

37-71 Basic Design Criteria

37-712 Area dimensions A #public plaza# shall contain an area of not less than 2,000 square feet. In no case shall spaces between existing #buildings# remaining on the #zoning lot# qualify as #public plazas#. In addition, in order to preserve the provisions relating to the boundaries, proportions and obstructions of #public plazas#, on any one #zoning lot#, an open area which does not qualify for bonus #floor area# may not be located between two #public plazas#, or between a #public plaza# and a #building# wall or #arcade# of the #development#.

Any non-bonus open area located adjacent to a #public plaza#, other than an open area bounding a #street line# used for pedestrian access, must either:

- (a) be separated from the #public plaza# by a buffer, such as a wall, decorative fence, or opaque plantings at least six feet in height; or
(b) meet all requirements for minor portions of #public plazas# related to size, configuration, orientation, as specified in Section 37-716.

37-713 Locational restrictions

No #public plaza#, or portion thereof, shall be located within 175 feet of an existing #publicly accessible open area# or #public park#. The distance of 175 feet shall be measured along the #street# on which the existing amenity fronts. No #public plaza#, or portion thereof, shall be located within 175 feet of an existing #publicly accessible open area# or #public park# as measured along the #street line# on which the existing amenity fronts if the #public plaza# is to be located on the same side of the #street#, or as measured along the directly opposite #street line# if the #public plaza# is to be located on the other side of the #street#. Such distance shall include the width of any #street# that intersects the #street# on which the amenity fronts.

However, such location restriction may be waived if the #public plaza# is located directly across the #street# from the existing #publicly accessible open area# or #public park# and if the Chairperson of the City Planning Commission finds that the location of the #public plaza# at such location would create or contribute to a pedestrian circulation network

connecting the two or more open areas.

* * *

37-72

Access and Circulation

37-721

Sidewalk frontage

To facilitate access to a #public plaza#, the area within 15 feet of a #street line# or sidewalk widening, along at least 50 percent of each aggregate #street# frontage of the major and minor portions, shall be free of obstructions to public access to the #public plaza# from the adjacent sidewalk or sidewalk widening, except for those obstructions listed in this Section. For #corner public plazas#, the area within 15 feet of the intersection of any two or more #streets# on which the #public plaza# fronts shall be at the same elevation as the adjoining public sidewalk and shall be free of obstructions, except for those listed in this Section. Only areas with at least five feet of clear, unobstructed area when measured parallel to the street line shall be considered to be free of obstructions. For the remaining 50 percent of the frontage and within 15 feet of the #street line#, no walls or other obstructions, except for permitted obstructions listed in this Section and fixed and moveable seating and tables, shall be higher than two feet above the #curb level# of the #street line# in front of the #public plaza#.

The following shall be considered permitted obstructions within the sidewalk frontage:

- Light stanchions;
Public space signage;
Railings for steps;
Trash receptacles;
Trees planted flush to grade.

To facilitate pedestrian access to a #public plaza#, the following rules shall apply to the area of the #public plaza# located within 15 feet of a #street line# or sidewalk widening line:

- (a) At least 50 percent of such area shall be free of obstructions and comply with the following provisions:
(1) At least 50 percent of the #public plaza# frontage along each #street line# or sidewalk widening line shall be free of obstructions; and
(2) Such unobstructed access area shall extend to a depth of 15 feet measured perpendicular to the #street line#. The width of such access area need not be contiguous provided that no portion of such area shall have a width of less than five feet measured parallel to the #street line#, and at least one portion of such area shall have a width of at least eight feet measured parallel to the #street line#.
(b) In the remaining 50 percent of such area, only those obstructions listed in Section 37-726 (Permitted Obstructions) shall be allowed, provided such obstructions are not higher than two feet above the level of the public sidewalk fronting the #public plaza#, except for light stanchions, public space signage, railings for steps, trash receptacles, trees and fixed or moveable seating and tables. Furthermore, planting walls or trellises, water features and artwork may exceed a height of two feet when located within three feet of a wall bounding the #public plaza#.

For #corner public plazas#, the requirements of this Section shall apply separately to each #street# frontage, and the area within 15 feet of the intersection of any two or more #streets# on which the #public plaza# fronts shall be at the same elevation as the adjoining public sidewalk and shall be free of obstructions.

* * *

37-724

Subway entrances

Where an entry to a subway station exists in the sidewalk area of a #street# on which a #public plaza# fronts and such entry is not replaced within the #public plaza# itself, the #public plaza# shall be #developed# at the same elevation as the adjacent sidewalk for a distance of at least 15 feet in all directions from the entry superstructure. Such #public plaza# area around a subway entry shall be free of all obstructions and may count towards the required clear area requirements as specified in Section 37-721 (Sidewalk frontage).

* * *

37-726

Permitted obstructions

- (d) Prohibition of garage entrances, driveways, parking spaces, loading berths, exhaust vents, mechanical equipment and building trash storage facilities

* * *

No exhaust vents or mechanical equipment are permitted on any #public plaza# or on the any building wall of the #development# fronting upon the #public plaza#, except that unless such exhaust vents on the building wall that are more than 15 feet above the level of the adjacent #public plaza# shall be permitted. All exhaust vents and mechanical equipment located adjacent to a #public plaza# shall be separated from it by a barrier sufficient to substantially, visually and audibly,

conceal their presence and operation. Air intake vents or shafts shall be permitted within a #public plaza# provided that such vents are concealed from public view by planting or other design features and that such vents do not impair visibility within the #public plaza# area.

* * *

37-728

Standards of accessibility for persons with disabilities

All #public plazas# shall conform with applicable laws pertaining to access for persons with disabilities regardless of whether the #building# associated with the #public plaza# is existing or is a new. #development#.

37-73

Kiosks and Open Air Cafes

Kiosks and open air cafes may be placed within a #publicly accessible open area# upon certification, pursuant to this Section. Such features shall be treated as permitted obstructions. Only #uses# permitted by the applicable district regulations may occupy #publicly accessible open areas# or front on #publicly accessible open areas#.

- (a) Kiosks

Where a kiosk is provided, it shall be a one-story temporary or permanent structure that is substantially open and transparent as approved by the Department of Buildings in conformance with the Building Code. Kiosks, including roofed areas, shall not occupy an area in excess of 100 square feet per kiosk. One kiosk is permitted for every 5,000 square feet of #publicly accessible open area#, exclusive of areas occupied by other approved kiosks or open air cafes. Kiosk placement shall not impede or be located within any pedestrian circulation path. Any area occupied by a kiosk shall be excluded from the calculation of #floor area#. Kiosks may be occupied only by #uses# permitted by the applicable district regulations such as news, book or magazine stands, food or drink service, flower stands, information booths, or other activities that promote the public use and enjoyment of the #publicly accessible open area#. Any kitchen equipment shall be stored entirely within the kiosk.

Kiosks must be in operation and provide service a minimum of 225 days per year. However, kiosks may operate for fewer days in accordance with conditions set forth in paragraph (c) of this Section, if they are completely removed from the #publicly accessible open area# when not in operation and if the area previously occupied by the kiosk is returned to public use and such area is in compliance with the #public plaza# design standards.

Notwithstanding the provisions of Section 32-41 (Enclosure Within Buildings), outdoor eating services or #uses# occupying kiosks may serve customers in a #publicly accessible open area# through open windows.

- (b) Open air cafes

Where an open air cafe is provided, it shall be a permanently unenclosed restaurant or eating or drinking place, permitted by applicable district regulations, which may have waiter or table service, and shall be open to the sky except that it may have umbrellas, temporary fabric roofs with no vertical supports in conformance with the Building Code, and removable heating lamps. Open air cafes shall occupy an aggregate area not more than 20 percent of the total area of the #publicly accessible open area#. #Publicly accessible open areas# less than 10 feet in width that are located between separate sections of the same open air cafe or between sections of an open air cafe and a kiosk that provides service for such cafe must be included in the calculation of the maximum aggregate area of the open air cafe. Open air cafes shall be located along the edge of the #publicly accessible open area#, except for open air cafes located within #publicly accessible open areas# greater than 30,000 square feet in area. Open air cafes may not occupy more than one third of any #street# frontage in a major portion of the #publicly accessible open area# and may not contain any required circulation paths. An open air cafe must be accessible from all sides where there is a boundary with the remainder of the #publicly accessible open area#, except where there are planters or walls approved pursuant to a prior certification for an open air cafe. Subject to the foregoing exception, #fences, planters, walls, fabric dividers or other barriers that separate open air cafe areas from the #public plaza# #publicly accessible open area# or sidewalk are prohibited. Open air cafes shall be located at the same elevation as the adjoining #public plaza# and sidewalk areas, except for platforms that shall not exceed six inches in height. All furnishings of an open air cafe, including tables, chairs, bussing stations, and heating lamps, shall be completely removed from the #publicly accessible open area# when the open air cafe is not in active use, except that tables and chairs may remain in the #publicly accessible open area# if they are unsecured and may be used by the public without restriction. No kitchen equipment shall be installed within an open air cafe; kitchen equipment, however, may be contained in a kiosk adjoining an open air cafe. An open air cafe qualifying as a permitted obstruction shall be excluded from the definition of #floor area#.

The exterior corners of the border of the space to be

occupied by an open air cafe shall be marked on the ground by a line painted with white latex traffic or zone marking paint. The line shall be one inch wide and three inches in length on each side of the cafe border from the point where the borders intersect at an angled corner. In addition, a line one inch wide and three inches long shall be marked on the ground at intervals of no more than five feet starting from the end point of the line marking the cafe corners.

Open air cafes must be in operation and provide service a minimum of 225 days per year.

Open air cafes shall be located at the same elevation as an adjoining #public plaza# and sidewalk area, except for platforms that shall not exceed six inches in height.

- (c)

Certification
Kiosks and open air cafes that comply with the provisions of this Section may be placed within the area of a #publicly accessible open area# upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings, that:

- (1) such #use# promotes public use and enjoyment of the #publicly accessible open area#;
(2) such #use# complements desirable #uses# in the surrounding area;
(4)(3) the owners of such #use# or the building owner will maintain such #use# in accordance with the provisions of Section 37-77 (Maintenance) shall be responsible for the maintenance of such kiosk or open air cafe, which shall be located within areas designated on building plans as available for occupancy by such #uses# and no encroachment by a kiosk or open air cafe outside an area so designated shall be permitted;
(5)(4) such #use# does not adversely impact visual and physical access to and throughout the #publicly accessible open area#;
(3)(5) such #use#, when located within a #public plaza#, is provided in accordance with all the requirements set forth in this Section;
(6) for kiosks and open air cafes located within an existing #publicly accessible open area# such #use#, is proposed as part of a general improvement of the #publicly accessible open area# where necessary, including as much landscaping and public seating as is feasible, in accordance with the standards for #public plazas#;
(7) a #sign# shall be provided in public view within the cafe area indicating the days and hours of operation of such cafe; and
(8) for kiosks that are in operation less than 225 days per year, an off-season plan has been submitted to the Chairperson showing that such kiosks will be completely removed from the #publicly accessible open area# when not in operation, that the area previously occupied by the kiosk is returned to public use and such area is in compliance with the applicable #publicly accessible open area# design standards.

- (d) Process

An application for certification shall be filed with the Chairperson of the City Planning Commission, and the Chairperson shall furnish a copy of the application for such certification to the affected Community Board at the earliest possible stage. The Chairperson will give due consideration to the Community Board's opinion as to the appropriateness of such a facility in the area and shall respond to such application for certification within 60 days of the application's receipt.

The Chairperson shall file any such certification with the City Council. The Council, within 20 days of such filing, may resolve by majority vote to review such certification. If the Council so resolves, within 50 days of the filing of the Chairperson's certification, the Council shall hold a public hearing and may approve or disapprove such certification. If, within the time periods provided for in this Section, the Council fails to act on the Chairperson's certification, the Council shall be deemed to have approved such certification.

Such certification shall be effective for a period of three years.

All applications for the placement of kiosks or open air cafes within a #publicly accessible open area# filed with the Chairperson of the City Planning Commission shall include a detailed site plan or plans indicating compliance with the provisions of this Section, including the layout and number of tables, chairs, restaurant equipment and heating lamps, as well as the storage location for periods when the kiosk or open air cafe is closed. Where a

kiosk or open air cafe is to be located within an existing #publicly accessible open area# each kiosk or open air cafe application must be accompanied by a compliance report in accordance with the requirements of Section 37-78, paragraph (b)(c). ~~except that date of inspection shall be within 15 days of the date that the application is filed.~~ Where design changes to #publicly accessible open areas# are necessary in order to accommodate such kiosk or open air cafe, or to comply with paragraph (c)(6) of this Section, a certification pursuant to Section 37-625 (Design Changes) shall be required.

All such plans for kiosks or open air cafes, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of the certification for the kiosk or open air cafe, pursuant to this Section. The form and contents of the legal instrument shall be satisfactory to the Chairperson, and the filing and recording of such instrument shall be a precondition for the placement of the kiosk or open air cafe within the #publicly accessible open area#.

* * *

37-741 Seating

The following standards shall be met for all required seating:

- (3) At least 50 percent of the linear feet of fixed seating shall have backs at least 14 inches high and a maximum seat depth of 20 inches. Walls located adjacent to a seating surface shall not count as seat backs. All seat backs must either be contoured in form for comfort or shall be reclined from vertical between 10 to 15 degrees.
- (4) Moveable seating or chairs, excluding seating for open air cafes, may be credited as 24 inches of linear seating per chair. Moveable seating provided as a required amenity shall be provided in the amount of one chair per 200 square feet of #public plaza# area. One table shall be provided for every four such moveable chairs.

All moveable seats must have backs and a maximum seat depth of 20 inches. Moveable chairs shall not be chained, fixed, or otherwise secured while the #public plaza# is open to the public; moveable chairs, however, may be removed during the nighttime hours of 9:00 pm to 7:00 am.

* * *

37-742 Planting and trees

The provisions of this Section are intended to facilitate a combination of landscaping elements in order to provide comfort, shade and textural variety.

At least 20 percent of the area of a #public plaza# shall be comprised of planting beds with a minimum dimension of two feet, exclusive of any bounding walls.

All #public plazas# shall provide a minimum of four trees. For a #public plaza# greater than 6,000 square feet in area, an additional four caliper inches in additional trees or multi-stemmed equivalents must be provided for each additional 1,000 square feet of #public plaza# area, rounded to the nearest 1,000 square feet.

All #public plazas# shall also provide one of the following additional planting types: additional trees, planters, planting beds, or accessible lawns. Trees provided to satisfy this requirement shall be provided at the rate of one tree for every 2,000 square feet of #public plaza# area. Planters, planting beds, and accessible lawns provided to satisfy this requirement shall be provided at the rate of 150 square feet for every 1,000 square feet of #public plaza# area. Plantings contained in hanging containers shall not satisfy this planting requirement.

For all #public plazas#, at least 50 percent of the required #public plaza# trees shall be planted flush-to-grade or planted at grade within planting beds with no raised curbs or railings. Trees planted flush-to-grade shall be surrounded by a porous surface (such as grating or open-joint paving) that allows water to penetrate into the soil for a minimum radius of two feet, six inches. Such porous surface shall be of sufficient strength and density to accommodate pedestrian circulation, including all requirements related to accessibility for the disabled, and shall be of a design that allows for tree growth. Installed fixtures such as lighting stanchions, electrical outlets or conduits shall not be located within the required porous area of any tree planted flush-to-grade.

Where trees are planted within a #public plaza#, they shall measure at least four inches in caliper at the time of planting, unless alternative, multi-stemmed equivalents are specified in the approved planting plans. Each tree shall be planted in at least 200 cubic feet of soil with a depth of soil of at least 3 feet, 6 inches.

When planting beds are provided, they shall have a soil depth of at least eighteen inches for grass or other ground cover, three feet for shrubs and 3 feet, 6 inches for trees. No planters or planting beds shall have bounding walls that exceed 18 inches in height above any adjacent walking surfaces. Any planting bed containing required trees shall have a continuous area of at least 75 square feet for each tree exclusive of bounding walls. Furthermore, each tree located within a planting bed shall be surrounded by a continuous permeable surface measuring at least five feet square. Any lawns or turf grass planting beds shall not exceed six inches above any adjacent walking surfaces.

* * *

37-747 Public space signage

Entry and information plaques shall be provided, as described in Section 37-751 (Public space signage systems).

37-75 Signs

37-751 Public space signage systems

The following public space signage systems shall be required for all #public plazas#:

- (a) Entry plaque
* * *
The entry plaque shall be mounted on a wall or a permanent free-standing post within five feet of the sidewalk with its center five feet above the elevation of the nearest walkable pavement. The maximum height of such free-standing post shall be six feet, with a maximum width and depth of 16 inches. It shall be in a position that clearly identifies the entry into the #public plaza#, and placed so that the entire entry plaque is obvious and directly visible, without any obstruction, along every line of sight from all paths of pedestrian access to the #public plaza#.

- (b) Information plaque
~~An information plaque, constructed from the same permanent materials as the entry plaque or combined with one or more of the required entry plaques shall be provided. Information plaques shall be located within five feet of a sidewalk and shall have all required lettering located above a height of three feet. The information plaque shall consist of:~~

~~An information plaque, constructed from the same permanent materials as the entry plaque or combined with one or more of the required entry plaques shall be provided. Information plaques shall be mounted on a wall or a permanent free-standing post within five feet of the sidewalk and shall have all required lettering located three feet above the elevation of the nearest walkable pavement. The maximum height of such free-standing post shall be six feet, with a maximum width and depth of 16 inches. The information plaque shall consist of:~~

* * *

37-753 Accessory signs

A #public plaza# shall be treated as a #street# for the purposes of the applicable #sign# regulations. #Signs#, except for the plaque required by Section 37-751, are permitted only as #accessory# to #uses# permitted within the #public plaza# and #uses# adjoining the #public plaza#, and are otherwise regulated by the applicable district regulations set forth in Section 32-60 (SIGN REGULATIONS).

#Signs accessory# to the #building# or tenants of retail spaces fronting on the #public plaza# are permitted within the #public plaza# area, provided that:

- (a) no more than three such #signs# are provided within the #public plaza#, but in no event shall more than one of these #signs# be freestanding, as described in paragraph (c) of this Section;
- (b) all such #signs# shall be non-illuminated;
- (c) such #signs# shall contain only the building or establishment name and address;
- (d) any #signs# affixed to the building walls may not exceed two feet square in size;
- (e) any freestanding #signs# shall not exceed two feet in horizontal dimension and, if associated with a #building# used for office uses, may contain the names of principal building tenants in addition to the content permitted, as described in this Section, and shall also contain the public space symbol as described in Section 37-751 and the words "Open to Public" in lettering at least two inches in height; and
- (f) any #sign# located on permitted canopies or awnings within the #public plaza# shall contain only the building or establishment name and must not exceed a height of one foot.

A #public plaza# shall be treated as a #street# for the purposes of the applicable #sign# regulations. #Signs#, except for the plaque required by Section 37-751, are permitted only as #accessory# to #uses# permitted within the #public plaza# and #uses# adjoining the #public plaza#, and are otherwise regulated by the applicable district regulations set forth in Section 32-60 (SIGN REGULATIONS), except as provided below:

- (a) each establishment fronting on the #public plaza# shall be permitted to have not more than one #sign# affixed to the building wall fronting on the #public plaza#;
- (b) all #signs# shall be non-illuminated#;
- (c) all #signs# shall contain only the building or establishment name and address;
- (d) all #signs accessory# to retail #uses# affixed to building walls may not exceed four square feet in size;
- (e) all #accessory signs# located within the #public

plaza#, including structures to which the signs are affixed, shall not be higher than three feet above the level of the adjoining public access area. Such #signs# shall not exceed an area of two square feet. In addition, no portion of such sign facing the #street# shall exceed a width of 16 inches, except for corner #public plazas#, this limitation shall apply on only one #street# frontage. If such #sign# is associated with a #building# used for office uses, such #sign# shall contain only the names of principal building tenants and shall also contain the public space symbol as described in Section 37-751 and the words "Open to Public" in lettering at least two inches in height; and

- (f) all #signs# located on permitted canopies or awnings within the #public plaza# shall contain only the building or establishment name and shall not exceed a height of one foot.

37-76 Mandatory Allocation of Frontages for Permitted Uses

At least 50 percent of the total frontage of all new building walls of the #development# fronting on a #public plaza#, or fronting on an #arcade# adjoining a #public plaza#, exclusive of such frontage occupied by building lobbies and frontage used for subway access, shall be allocated for occupancy at the ground floor level by retail or service establishments permitted by the applicable district regulations but not including uses in Use Groups 6B, 6E, 7C, 8C, 9B, 10B, 11 and 12D, or banks, automobile showrooms or plumbing, heating or ventilating equipment showrooms. In addition, libraries, museums and art galleries shall be permitted. All such #uses# shall:

- (1) be directly accessible from the major portion of the #public plaza#, an adjoining #arcade#, or a #street# frontage shared by the retail establishment and the #public plaza#;
- (2) Such retail spaces shall have a minimum depth of 15 feet, measured perpendicular to the wall adjoining the #public plaza#; and
- (3) occupy such frontage for the life of the increased #floor area# of the bonused #development#.

The remaining frontage may be occupied by other #uses#, lobby entrances or vertical circulation elements, in accordance with the district regulations.

~~Principal entrances to #buildings#~~ A public entrance to the principal use of the #building# associated with the #public plaza# shall be located within 10 feet of the major portion of the #public plaza#. Frontage on the #public plaza# that is occupied by a building entrance or lobby shall not exceed 60 feet or 40 percent of the total aggregate frontage of the #development's# new building walls on the major and minor portions of the #public plaza#, whichever is less, but in no case shall building entrances or lobbies occupy less than 20 feet of frontage on the #public plaza#.

The building frontage All new building walls fronting on the major and minor portions of the #public plaza# shall be treated with clear, untinted transparent material for 50 percent of its surface area below 14 feet above the #public plaza# level, or the ceiling level of the ground floor of the #building#, whichever is lower. Any non-transparent area fronting on the major or minor portion of a #public plaza# shall be treated with a decorative element or material or shall be planted to a minimum height of 15 feet above the #public plaza#.

37-77 Maintenance

- (a) The building owner shall be responsible for the maintenance of the #public plaza# including, but not limited to, the location of permitted obstructions pursuant to Section 37-726, litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation within the #zoning lot# and in the #street# sidewalk area adjacent to the #zoning lot#.

- (b) Kiosks and open air cafes #developed# in accordance with the provisions of Section 37-73 shall be located within areas designated on building plans as available for occupancy by such #uses# and no encroachment by a kiosk or open air cafe outside an area so designated shall be permitted.

- (e) Performance bond

Prior to obtaining any certificate of occupancy from the Department of Buildings, the building owner shall post with the Comptroller of the City of New York, a performance bond, City securities or fixed income securities, at the Comptroller's discretion, to ensure the mandatory tree planting, moveable seating exclusive of any seating for open air cafes, and the litter free maintenance of the #public plaza# including the replacement of such trees and moveable furniture during the life of the #development#.

In the event of a failure in the required performance, the Chairperson of the City Planning Commission shall notify the building owner in writing of such failure and shall stipulate the period of time in which the building owner has to correct the failure. If the failure is not corrected in the stipulated time, the Chairperson may declare the building owner in default in the required performance and the City may enforce the obligation by whatever means may be appropriate to the situation, including letting contracts for

doing any required planting, installation or maintenance and paying all labor, material and other costs connected with such work from the bond or City securities that the building owner is required to provide.

In the event that the City enforces the aforementioned obligation as provided for in this paragraph, (c), the building owner shall, within 90 days of such enforcement, provide the City with an additional bond or City securities in an amount not less than that which was expended to cure the default.

The value of the bond or City securities if tendered prior to January 1, 1998, shall be at a rate of \$750 per required tree, \$100 per moveable chair and \$200 per 1,000 square feet of #urban plaza# for litter removal, as set forth in this Section.

Effective January 1, 1980, and at five year intervals thereafter, the City Planning Commission shall establish new rates for the mandatory tree planting, moveable seating and litter free maintenance of the #public plaza#.

37-78 Compliance

(a) Building permits

No foundation permit shall be issued by the Department of Buildings for any #development# or #enlargement# that includes a #public plaza#, nor shall any permit be issued by the Department of Buildings for any change to a #plaza#, #residential plaza# or #urban plaza# without certification by the Chairperson of the City Planning Commission of compliance with the provisions of Section 37-70 or Section 37-625, as applicable.

An application for such certification shall be filed with the Chairperson showing the plan of the #zoning lot#, a site plan indicating the area and dimensions of the proposed #public plaza# and the location of the proposed #development# or #enlargement# and all existing #buildings# temporarily or permanently occupying the #zoning lot#; computations of proposed #floor area#, including bonus #floor area#; and a detailed plan or plans prepared by a registered landscape architect, including but not limited to a furnishing plan, a planting plan, a signage plan, a lighting/photometric plan and sections and elevations, as necessary to demonstrate compliance with the provisions of Section 37-70 or Section 37-625, as applicable.

All plans for #public plazas# or other #publicly accessible open areas# that are the subject of a certification pursuant to Section 37-625 shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument, in a form satisfactory to the Chairperson, providing notice of the certification of the #public plaza#, pursuant to this Section. Such filing and recording of such instrument shall be a precondition to certification. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date. No temporary or final certificate of occupancy shall be issued for any bonus #floor area# generated by a #public plaza# unless and until the #public plaza# has been substantially completed in accordance with the approved plans, as verified by the Department of City Planning and certified to the Department of Buildings.

Notwithstanding any of the provisions of Section 11-33 (Building Permits for Minor or Major Development or Other Construction Issued Before Effective Date of Amendment), any #residential plaza# or #urban plaza# for which a certification was granted pursuant to Article II, Chapter 3, or Article III, Chapter 7, between June 4, 2005 and June 4, 2007, and any #urban plaza# for which a certification was granted prior to (effective date of amendment) may be #developed# in accordance with the regulations in effect on the date of such certification.

(b) Periodic compliance reporting

No later than June 30 of the year, beginning in the third calendar year following the calendar year in which certification was made and at three year intervals thereafter, the Director of the Department of City Planning and the affected Community Board shall be provided with a report regarding compliance of the #public plaza# #publicly accessible open area# with the regulations of Section 37-70 or Section 37-625, as applicable, as of a date of inspection which shall be no earlier than May 15 of the year in which the report is filed. Such report shall be provided by a registered architect, landscape architect or professional engineer, in a format acceptable to the Director and shall include, without limitation:

- (1) a copy of the original #public plaza# or design change certification letter, and if applicable, any approval letter pertaining to any other authorization or certification pursuant to this Chapter;
(2) a statement that the #public plaza#

#publicly accessible open area# has been inspected by such registered architect, landscape architect or professional engineer and that the #public plaza# such open area is in full compliance with the regulations under which the #public plaza# it was approved as well as the approved plans pertaining to such #public plaza# open area and, if applicable, the requirements of any other authorization or certification pursuant to this Chapter, or non-compliance with such regulations and plans;

(3) an inventory list of amenities required under the regulations under which the #public plaza# #publicly accessible open area# was approved and the approved plans pertaining to such #public plaza# open area and, if applicable, the requirements of any other authorization or certification pursuant to Section 37-70, together with an identification of any amenity on such inventory list for which inspection did not show compliance, including whether such amenities are in working order, and a description of the non-compliance;

(4) photographs documenting the condition of the #public plaza# #publicly accessible open area# at the time of inspection, sufficient to indicate the presence or absence, either full or partial, of the amenities on the inventory list of amenities.

The report submitted to the Director of the Department of City Planning shall be accompanied by documentation demonstrating that such report has also been provided to the affected Community Board.

Compliance reporting pursuant to this paragraph, (b), shall be a condition of all certifications granted pursuant to Section 37-70.

(c) Compliance reports at time of application

In a new certification or authorization for involving an existing #public plaza#, #publicly accessible open area# where such #public plaza# was the subject of a previously granted certification or authorization granted pursuant to Section 37-70, the applicant shall provide include a compliance report in the format required under paragraph (b) of this Section, based upon an inspection of the #public plaza# #publicly accessible open area# by a registered architect, landscape architect or professional engineer conducted no more than 45 days prior to the filing of such application.

The following conditions may constitute grounds to disapprove the application for certification or authorization:

- (1) such report shows non-compliance with the regulations under which the #public plaza# #publicly accessible open area# was approved, conditions or restrictions of a previously granted certification or authorization, or with the approved plans pertaining to such #public plaza# #publicly accessible open area#; or
(2) the #public plaza# #publicly accessible open area# has been the subject of one or more enforcement proceedings for which there have been final adjudications of a violation with respect to any of the foregoing.

In the case of a certification, the Chairperson, or in the case of an authorization, the Commission, may, in lieu of disapproval, accept a compliance plan for the #public plaza# #publicly accessible open area#, which plan shall set forth the means by which future compliance will be ensured.

(d) Failure to comply

Failure to comply with a condition or restriction in an authorization or certification granted pursuant to Section 37-70 or with approved plans related thereto, or failure to submit a required compliance report shall constitute a violation of this Resolution and may constitute the basis for denial or revocation

of a building permit or certificate of occupancy, or for a revocation or such authorization or certification, and for all other applicable remedies.

* * *

BOROUGH OF QUEENS No. 6 GRACE ASPHALT PLANT

CD 7 C 090366 PCQ IN THE MATTER OF an 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.

YVETTE V. GRUEL, Calendar Officer City Planning Commission

22 Reade Street, Room 2E New York, New York 10007 Telephone (212) 720-3370

a9-22

COMPTROLLER

ACCOUNTANCY MEETING

The City of New York's Audit Committee meeting is scheduled for Wednesday, April 22, 2009 from 9:30 A.M. to 12:00 Noon at 1 Centre Street in Room 530. Meeting is open to the general public.

a15

LABOR RELATIONS

DEFERRED COMPENSATION PLAN NOTICE

The New York City Deferred Compensation Plan Board will hold its monthly meeting on Thursday, April 16, 2009 from 10:00 A.M. to 1:00 P.M. The meeting will be held at 40 Rector Street, 3rd Floor, NYC.

a14-16

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, April 21, 2009 at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 09-7269- Block 133, lot 60-39-87 48th Street - Sunnyside Gardens Historic District A brick rowhouse with Colonial Revival style details designed by Clarence Stein, Henry Wright and Frederick Ackerman and built in 1927. Application is to install a fence.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF QUEENS 08-8128- Block 182, lot 79-39-02 44th Street - Sunnyside Gardens Historic District A brick rowhouse with Colonial Revival style details designed by Clarence Stein, Henry Wright and Frederick Ackerman and built in 1927. Application is to install a curb cut and parking pad.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 09-6415- Block 154, lot 17-372 Fulton Street - Gage & Tollner Restaurant, Interior Landmark - Individual Landmark A late-Italianate style townhouse with restaurant, built circa 1870. Application is to modify interior features.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 09-7473- Block 1977, lot 22-474 Waverly Place - Clinton Hill Historic District A neo-Grec style rowhouse designed by Robert Dixon and built in 1888. Application is to construct a rooftop addition. Zoned R68.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF BROOKLYN 09-6846- Block 230, lot 15-112 Hicks Street - Brooklyn Heights Historic District An eclectic style rowhouse built between 1880-1899. Application is to construct a rear yard addition. Zoned R6, LH-1.

ADVISORY REPORT BOROUGH OF MANHATTAN 09-7352- Block 7777, lot 77- Canal Street and Broadway - SoHo-Cast Iron Historic District and Tribeca East Historic District A commercial thoroughfare first laid out as a canal in 1805 and filled in as a road bed circa 1815. Application is to install flood mitigation measures.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 09-4742- Block 591, lot 48-82 Christopher Street - Greenwich Village Historic District An apartment building built in 1892. Application is to legalize the installation of a bracket sign installed without Landmarks Preservation Commission permits and to install a second bracket sign.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 08-5152- Block 612, lot 7504-15 Charles Street - Greenwich Village Historic District An apartment house built in 1961. Application is to legalize the installation of a storefront in non-compliance with CofA 06-7239.

CERTIFICATE OF APPROPRIATENESS BOROUGH OF MANHATTAN 09-5670 - Block 611, lot 8-247 West 4th Street - Greenwich Village Historic District A Federal style rowhouse built in 1828. Application is to excavate the rear yard, to construct a rear yard addition, and modify an existing rooftop addition. Zoned R6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7103 - Block 633, lot 37-145 Perry Street - Greenwich Village Historic District
A two-story building used as a freight loading station since 1938. Application is to demolish the existing building and construct three buildings and create curb cuts. Zoned C6-1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN
09-2361- Block, 7777 lot 777 - 97-99 7th Avenue South - Greenwich Village Historic District
A converted garage building built in 1919. Application is to modify a fence installed without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7506- Block 849, lot 7505-141 Fifth Avenue - Ladies' Mile Historic District
A Beaux-Arts style loft building designed by Robert Maynicke and built circa 1896-1900. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7580 - Block 823, Lot 4-682 6th Avenue - Ladies' Mile Historic District
A neo-Renaissance style store and loft building designed by Stephenson & Greene and built in 1897. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-3540 - Block 875, lot 18-34 Gramercy Park – Gramercy Park Historic District
A Queen Anne style apartment house designed by George W. DaCunha and built in 1882-1883. Application is to install pigeon netting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7587- Block 1121, lot 25-15 West 68th Street- Upper West Side/Central Park West Historic District
A Beaux Arts style rowhouse designed by Buchman & Fox and built in 1909 -10. Application is to modify a window opening to accommodate an at-grade entrance.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 09-3804 - Block 1121, lot 25-15 West 68th Street - Upper West Side/Central Park West Historic District
A Beaux Arts style rowhouse designed by Buchman & Fox and built in 1909-10. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7914 - Block 1119, lot 36-2 West 67th Street, aka 70 Central Park West- Upper West Side/Central Park West Historic District
A neo-Renaissance style studio building designed by Rich & Mathesius and built in 1919. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7345 - Block 1141, lot 15-154 West 70th Street - Upper West Side/Central Park West Historic District
A neo-Renaissance style apartment building designed by Robert Maynicke, and built in 1899-1900. Application is to modify the ground floor, replace windows, and construct elevator and mechanical bulkheads.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-8278 - Block 1205, lot 29-315 Central Park West - Upper West Side/Central Park West Historic District
A neo-Renaissance style apartment building designed by Schwartz and Gross and built in 1912-13. Application is to construct a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7059 - Block 1217, lot 141 118 West 87th Street - Upper West Side Historic District
A Queen Anne style rowhouse designed by John G. Prague and built in 1887-88. Application is to legalize the installation of security cameras without Landmarks Preservation Commission permits, and a light fixture installed in non-compliance with PMW 08-5565.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6640 - Block 1202, lot 41-22 West 89th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1894. Application is to construct a rear yard addition and relocate a window. Zoned R7-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6528 - Block 1380, lot 69-4 East 66th Street – Upper East Side Historic District
A neo-Italian Renaissance style apartment building designed by J.E.R. Carpenter and built in 1919-20. Application is to modify and create new window openings and install windows and balconies.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-0998 Block 1402, lot 1-651-657 - Park Avenue, aka 101-109 East 67th Street, 102-108 East 68th Street - Upper East Side Historic District
A neo-Federal style apartment building designed by J.E.R. Carpenter and built in 1923. Application is to construct a rooftop addition. Zoned R10.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5983 - Block 1404, lot 9-117-119 East 69th Street – Upper East Side Historic District
A neo-Georgian style townhouse designed by Julius F.

Gaynor and built in 1928-29. Application is to modify the rear facade.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7773 - Block 1410, lot 69-829 Park Avenue - Upper East Side Historic District
A neo-Classical style apartment building designed by Pickering & Walker and built in 1910-11. Application is to install tree-pits with metal bollards.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7911 - Block 1504, lot 44-66 East 93rd Street - Carnegie Hill Historic District
A Queen Anne style rowhouse designed by A.B. Ogden & Son and built in 1890-91. Application is to alter the areaway, install a barrier-free access lift, and construct a rooftop bulkhead.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-2731 - Block 2059, lot 156-466 West 145th Street - Hamilton Heights Historic District Extension
A Renaissance Revival style rowhouse designed by G. A. Schellenger and built in 1896. Application is to alter the areaway and install a barrier-free access chair lift.

a8-21

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, April 23, 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.

a13-15

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, April 29, 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 Mr. and Mrs. S. Graham to continue to maintain and use a stoop and a fenced-in area on the south sidewalk of East 78th Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2018 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000, 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 The New York and Presbyterian Hospitals, Inc. to continue to maintain and use a tunnel under and across Fort Washington Avenue, south of West 168th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$15,057
For the period July 1, 2009 to June 30, 2010 - \$15,496
For the period July 1, 2010 to June 30, 2011 - \$15,935
For the period July 1, 2011 to June 30, 2012 - \$16,374
For the period July 1, 2012 to June 30, 2013 - \$16,813
For the period July 1, 2013 to June 30, 2014 - \$17,252
For the period July 1, 2014 to June 30, 2015 - \$17,691
For the period July 1, 2015 to June 30, 2016 - \$18,130
For the period July 1, 2016 to June 30, 2017 - \$18,569
For the period July 1, 2017 to June 30, 2018 - \$19,008

the maintenance of a security deposit in the sum of \$19,000, 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 The Trustees of Columbia University in the City of New York to continue to maintain and use three transformer vaults and a conduit, together with a manhole, under the south sidewalk of West 120th Street, east of Broadway, in the Borough of Manhattan. 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 - \$20,058
For the period July 1, 2010 to June 30, 2011 - \$20,642
For the period July 1, 2011 to June 30, 2012 - \$21,226
For the period July 1, 2012 to June 30, 2013 - \$21,810
For the period July 1, 2013 to June 30, 2014 - \$22,394

For the period July 1, 2014 to June 30, 2015 - \$22,978
For the period July 1, 2015 to June 30, 2016 - \$12,562
For the period July 1, 2016 to June 30, 2017 - \$24,146
For the period July 1, 2017 to June 30, 2018 - \$24,730
For the period July 1, 2018 to June 30, 2019 - \$25,314

the maintenance of a security deposit in the sum of \$25,400, 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.

#4 In the matter of a proposed revocable consent authorizing Sprint Communications Company L.P. to continue to maintain and use conduits in West 15th Street, West 16th Street, Eighth Avenue and Ninth Avenue, and cables in the existing facilities of the Empire City Subway Company (Limited), in the Borough of Manhattan. 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 - \$150,319
For the period July 1, 2010 to June 30, 2011 - \$154,697
For the period July 1, 2011 to June 30, 2012 - \$159,075
For the period July 1, 2012 to June 30, 2013 - \$163,453
For the period July 1, 2013 to June 30, 2014 - \$167,831
For the period July 1, 2014 to June 30, 2015 - \$172,209
For the period July 1, 2015 to June 30, 2016 - \$176,587
For the period July 1, 2016 to June 30, 2017 - \$180,965
For the period July 1, 2017 to June 30, 2018 - \$185,343
For the period July 1, 2018 to June 30, 2019 - \$189,721

the maintenance of a security deposit in the sum of \$189,800, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing Grand Millennium Condominium to continue to maintain and use an electrical conduit under and along the west sidewalk of Broadway, south of West 67th Street, and under and along the south sidewalk of West 67th Street, west of Broadway, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$2,761
For the period July 1, 2009 to June 30, 2010 - \$2,841
For the period July 1, 2010 to June 30, 2011 - \$2,921
For the period July 1, 2011 to June 30, 2012 - \$3,001
For the period July 1, 2012 to June 30, 2013 - \$3,081
For the period July 1, 2013 to June 30, 2014 - \$3,161
For the period July 1, 2014 to June 30, 2015 - \$3,241
For the period July 1, 2015 to June 30, 2016 - \$3,321
For the period July 1, 2016 to June 30, 2017 - \$3,401
For the period July 1, 2017 to June 30, 2018 - \$3,481

the maintenance of a security deposit in the sum of \$3,500, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#6 In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use a conduit under and across Stuyvesant Street, north of East 9th Street, a conduit under and across Cooper Square, north of East 4th Street, and cables in the existing facilities of the Empire City Subway Company (Limited), in the Borough of Manhattan. 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 - \$15,643
For the period July 1, 2010 to June 30, 2011 - \$16,099
For the period July 1, 2011 to June 30, 2012 - \$16,655
For the period July 1, 2012 to June 30, 2013 - \$17,011
For the period July 1, 2013 to June 30, 2014 - \$17,467
For the period July 1, 2014 to June 30, 2015 - \$17,923
For the period July 1, 2015 to June 30, 2016 - \$18,379
For the period July 1, 2016 to June 30, 2017 - \$18,835
For the period July 1, 2017 to June 30, 2018 - \$19,291
For the period July 1, 2018 to June 30, 2019 - \$19,747

the maintenance of a security deposit in the sum of \$15,200, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#7 In the matter of a proposed modification revocable consent authorizing New York University to construct, maintain and use the additional conduits under and across Washington Place, west of Mercer Street, under and across Mercer Street, north of Washington Place, and under and across Washington Place, east of Mercer Street, in the Borough of Manhattan. The proposed modification revocable consent is for the period from the Date of Approval by the Mayor to June 30, 2009 is increased by \$10,059 per annum and thereafter annual compensation shall be based on the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$35,601

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.

a9-29

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, April 15,

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 Museum of Arts and Design to construct, maintain and use 4 benches on the south sidewalk of Columbus Circle and 3 benches on the west sidewalk of Broadway at 2 Columbus Circle, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - \$1050/annum

the maintenance of a security deposit in the sum of \$2,000, and the filing of an insurance policy in the minimum amount of \$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 712 St. Nicholas Company Inc. to continue to maintain and use a fenced-in area on the east sidewalk of St. Nicholas Avenue, north of 145th Street, in the Borough of Manhattan. 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, 2008 to June 30, 2019 - \$25/annum

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

#3 In the matter of a proposed revocable consent authorizing Joseph Jaffoni and Gerri Ann Stern Jaffoni to continue to maintain and use a stoop and a fenced-in area on the north sidewalk of West 12th Street, between Greenwich Street and Hudson Street, in the Borough of Manhattan. 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, 2019 - \$25/annum

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

#4 In the matter of a proposed revocable consent authorizing American International Realty Corp. to continue to maintain and use a bridge over and across Pine Street, near Pearl Street, in the Borough of Manhattan. 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 - \$25,116
 For the period July 1, 2010 to June 30, 2011 - \$25,848
 For the period July 1, 2011 to June 30, 2012 - \$26,580
 For the period July 1, 2012 to June 30, 2013 - \$27,312
 For the period July 1, 2013 to June 30, 2014 - \$28,044
 For the period July 1, 2014 to June 30, 2015 - \$28,776
 For the period July 1, 2015 to June 30, 2016 - \$29,508
 For the period July 1, 2016 to June 30, 2017 - \$30,240
 For the period July 1, 2017 to June 30, 2018 - \$30,972
 For the period July 1, 2018 to June 30, 2019 - \$31,704

the maintenance of a security deposit in the sum of \$31,789, 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 Two Little Hens Ltd. to maintain and use two benches on the west sidewalk of 8th Avenue, north of 12th 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, 2019 - \$300/annum

the maintenance of a security deposit in the sum of \$300, 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.

m25-a15



SUPREME COURT

■ NOTICE

**QUEENS COUNTY
 IA PART 8
 NOTICE OF PETITION**

INDEX NUMBER 8655/09

In the Matter of the Application of THE CITY OF NEW YORK, relative to acquiring title in fee to certain real property where not heretofore acquired for the same purpose located along

BEACH 43rd STREET
 from Beach Channel Drive to Conch Basin Bulkhead; and

BEACH 44th STREET
 from Beach Channel Drive to Conch Road; and

BEACH 45th STREET
 from Beach Channel Drive to Norton Avenue; and

CONCH DRIVE
 from Beach 43rd Street to Norton Basin Bulkhead; and

NORTON AVENUE
 from Beach 45th Street to Beach 43rd Street; and

EDGEMERE DRIVE
 from Beach 44th Street to Beach 43rd Street; and

HANTZ ROAD
 from Beach 45th Street to Beach 44th Street; and

CONCH ROAD
 from Beach 43rd Street to Beach 44th Street

in the Borough of Queens, City and State of New York.

PLEASE TAKE NOTICE that the Corporation Counsel of the City of New York intends to make application to the Supreme Court of the State of New York, Queens County, IA Part 8, for certain relief.

The application will be made at the following time and place: At 88-11 Sutphin Blvd., Jamaica, in the Borough of Queens, City and State of New York, on May 8, 2009 at 10:00 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- A. authorizing the City to file an acquisition map in the Office of the City Register;
 - B. directing that upon the filing of said map, title to the property sought to be acquired shall vest in the City;
 - C. providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury; and
 - D. providing that notices of claim must be served and filed within one calendar year from the vesting date.
- The City of New York, in this proceeding, intends to acquire title in fee simple absolute to certain real property where not heretofore acquired for the same purpose, for the DEPARTMENT OF DESIGN AND CONSTRUCTION and the DEPARTMENT OF TRANSPORTATION in the Borough of Queens City and State of New York.
- The description of the real property to be acquired is as follows:

PART 1

Beginning at a point on the northerly line of Beach Channel Drive (75 feet wide) extended easterly, said point being 4.00 feet distant easterly from the corner formed by the intersection of the northerly line of Beach Channel Drive and the westerly line of Beach 45th Street (50 feet wide) as said streets are shown on Alteration Map No. 4929 and on Acquisition and Damage Map No. 5944, dated April 9, 2007

- No. 1 Running thence northerly along a line through the bed of Beach 45th Street, for 887.71 feet to a point;
- No. 2 Running thence westerly and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 4.00 feet to a point on the westerly line of Beach 45th Street;
- No. 3 Running thence northerly along the westerly line of Beach 45th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 164.09 feet to a point on the westerly line of Beach 45th Street;
- No. 4 Running easterly along a line through the bed of Beach 45th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 5.48 feet to a point;
- No. 5 Running thence northerly along a line through the bed of Beach 45th Street and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 33.20 feet to a point;
- No. 6 Running thence westerly along a line through the bed of Beach 45th Street and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 5.48 feet to a point on the westerly line of Beach 45th Street;
- No. 7 Running thence northerly along the westerly line of Beach 45th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 79.61 feet to a point of curvature;
- No. 8 Running thence easterly through the bed of Norton Avenue and along a curve bearing to the right with a radius of 20.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 31.42 feet to a point of tangency in the bed of Norton Avenue;
- No. 9 Running thence easterly along a line through the bed of Norton Avenue, for 21.54 feet to a point in the bed of Beach 44th Street (60 feet wide);
- No. 10 Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 50.00 feet to a point in the bed of Beach 44th Street;
- No. 11 Running thence westerly along a line through the bed of Norton Avenue, deflecting to the right 90

- degrees 00 minutes 00 seconds from the last mentioned course, for 131.54 feet to a point of curvature;
- No. 12 Running thence southerly through the bed of Norton Avenue and along a curve bearing to the left with a radius of 54.50 feet and a central angle of 90 degrees 00 minutes 00 second, an arc distance of 85.61 feet to a point of tangency in the bed of Beach 45th Street;
- No. 13 Running thence southerly along a line through the bed of Beach 45th Street for 725.00 feet to a point on the northerly line of Hantz Road (50 feet wide) extended westerly;
- No. 14 Running thence easterly along the northerly line of Hantz Road, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 189.54 feet to point in the bed of Beach 44th Street;
- No. 15 Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 50.00 feet to a point on the southerly line of Hantz Road extended easterly;
- No. 16 Running thence westerly along said southerly line of Hantz Road extended westerly, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 189.54 feet to a point in the bed of Beach 45th Street;
- No. 17 Running thence northerly along a line through the bed of Beach 45th Street, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 304.61 feet to a point on the northerly line of Beach Channel Drive;
- No. 18 Running thence westerly along the northerly line of Beach Channel Drive, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 42.00 feet to the place and point of beginning.

PART 2

Beginning at a point on the northerly line of Beach Channel Drive (75 feet wide) extended easterly, said point being 9.00 feet distant easterly from the corner formed by the intersection of the northerly line Beach Channel Drive and the westerly line of Beach 44th Street (60 feet wide) as said streets are shown on Alteration Map No. 2929 and on Acquisition and Damage Map No. 5944, dated April 9, 2007.

- No. 1 Running thence northerly along a line through the bed of Beach 44th Street, for 1134.61 feet to a point;
- No. 2 Running thence westerly along a line through the bed of Beach 44th Street, and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 4.00 feet to a point on the westerly line of Beach 45th Street;
- No. 3 Running thence northerly along a line through the bed of Beach 44th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course for 392.68 feet to a point of curvature;
- No. 4 Running thence easterly through the bed of Beach 44th Street and along a curve bearing to the right with a radius of 20.00 feet and a central angle of 90 degrees 06 minutes 52.5 seconds, an arc distance of 31.74 feet to a point of tangency in the bed of Conch Road;
- No. 5 Running thence easterly along a line through the bed of Conch Road, for 250.09 feet to a point on the westerly line of Beach 43rd Street (50 feet wide);
- No. 6 Running thence southerly along the westerly line of Beach 43rd Street deflecting to the right 90 degrees 02 minutes 42.5 seconds from the last mentioned course, for 50.00 feet to a point;
- No. 7 Running thence westerly along a line through the bed of Conch Road, deflecting to the right 89 degrees 57 minutes 17.5 seconds from the last mentioned course, for 164.87 feet to a point of curvature;
- No. 8 Running thence southerly through the bed of Conch Road and along a curve bearing to the left with a radius of 55.00 feet and a central angle of 90 degrees 06 minutes 52.5 seconds, an arc distance of 86.50 feet to a point of tangency in the bed of Beach 44th Street;
- No. 9 Running thence southerly along a line through the bed of Beach 44th Street for 257.51 feet to a point in the bed of Beach 44th Street;
- No. 10 Running thence easterly along a line through the bed of Norton Avenue, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 219.12 feet to point on the westerly line of Beach 43rd Street;
- No. 11 Running thence southerly along the westerly line of Beach 43rd Street, deflecting to the right 90 degrees 09 minutes 35 seconds from the last mentioned course, for 50.00 feet a point;
- No. 12 Running thence westerly along a line through the bed of Norton Avenue, deflecting to the right 89 degrees 50 minutes 25 seconds from the last mentioned course, for 222.99 feet to a point in the bed of Beach 44th Street;
- No. 13 Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 382.82 feet to a point on the northerly line of Edgemere Drive (50 feet wide) extended westerly in the bed of Beach 44th Street;
- No. 14 Running thence easterly along the northerly line of Edgemere Drive, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 221.93 feet to the corner formed by the intersection of the northerly line of Edgemere Drive with the westerly line of Beach 43rd Street;
- No. 15 Running thence southerly along the westerly line of Beach 43rd Street, deflecting to the right 90 degrees 09 minutes 35 seconds from the last mentioned course, for 50.00 feet to the corner

- formed by the intersection of the southerly line of Edgemere Drive with the westerly line of Beach 43rd Street;
- No.16 Running thence westerly along the southerly line of Edgemere Drive extended westerly, deflecting to the right 89 degrees 50 minutes 25 seconds from the last mentioned course, for 221.79 feet to a point in the bed of Beach 44th Street;
 - No. 17 Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 701.79 feet to a point on the northerly line of Beach Channel Drive;
 - No. 18 Running thence westerly along the northerly line of Beach Channel Drive, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 41.98 feet to the place and point of beginning.

PART 3

Beginning at the corner formed by the intersection of the northerly line of Beach Channel Drive (75 feet wide) with the westerly line of Beach 43rd Street (50 feet wide), as said streets are shown on Alteration Map No. 4929 and on Acquisition and Damage Map No. 5944, dated April 9, 2007.

- No. 1 Running thence northerly along said westerly line of Beach 43rd Street for 2071.91 feet to the intersection of the northerly terminus of Beach 43rd Street and the southerly U.S. Pierhead and Bulkhead Line of Conch Basin as shown on Alteration Map No. 4929;
- No. 2 Running thence northerly along said U.S. Pierhead and Bulkhead Line, deflecting to the right 45 degrees 13 minutes 06.7 seconds from the last mentioned course, for 7.04 feet to an angle point in the U.S. Pierhead and Bulkhead Line as shown on Alteration Map No. 4929;
- No. 3 Running thence northeasterly along said U.S. Pierhead and Bulkhead Line, deflecting to the right 21 degrees 15 minutes 19.5 seconds from the last mentioned course, for 49.08 feet to the intersection of the easterly line of Beach 43rd Street with the southerly U.S. Pierhead and Bulkhead Line of Conch Basin as shown on Alteration Map No. 4929;
- No. 4 Running thence southerly along the easterly line of Beach 43rd Street, deflecting to the right 113 degrees 31 minutes 33.8 seconds from the last mentioned course, for 84.65 feet to a point of curvature;
- No. 5 Running thence along a curve bearing to the left with a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 39.27 feet to a point of tangency on the northerly line of Conch Drive (50 feet wide);
- No. 6 Running thence easterly along said northerly line of Conch Drive for 70.00 feet to the intersection of easterly terminus of Conch Drive and the westerly New York City Bulkhead Line of Norton Basin as shown on Alteration Map No. 4929;
- No. 7 Running thence southerly along said New York City Bulkhead Line, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 50.00 feet to a point on the southerly line of Conch Drive;
- No. 8 Running thence westerly along the southerly line of Conch Drive, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 70.00 feet to a point of curvature;
- No. 9 Running thence along a curve bearing to the left with a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 39.27 feet to a point of tangency on the easterly line of Beach 43rd Street;
- No. 10 Running thence southerly along said easterly line of Beach 43rd Street for 1903.68 feet to a corner formed by the intersection of the northerly line of Beach Channel Drive with the easterly line of Beach 43rd Street as shown on Alteration Map No. 4949.
- No. 11 Thence westerly along a line, deflecting to the right 92 degrees 43 minutes 34 seconds from the last mentioned course, for 5.00 feet to a point;
- No. 12 Thence westerly along a line deflecting to the left 14 degrees 31 minutes 48 seconds from the last mentioned course, for 40.90 feet a point;
- No. 13 Thence westerly along a line, deflecting to the right 11 degrees 38 minutes 40 seconds from the last mentioned course, for 4.97 feet to the place and point of beginning.

The areas to be acquired are shown as Beach 43rd Street, Beach 44th Street, Beach 45th Street, Edgemere Drive, Conch Road, Conch Drive and Norton Avenue shown on Alteration Map No. 4929, certified by the City Planning Commission on August 18, 1997, and on Acquisition and Damage Map No. 5944 dated April 9, 2007.

The properties affected by this proceeding are located in Beach 43rd Street, Beach 44th Street, Beach 45th Street, Edgemere Drive, Conch Road, Conch Drive and Norton Avenue and Queens Tax Blocks 15960, 15961, 15962, 15963, 15964, 15965, 15966, 15967, and 15968 as shown on the Tax Map of the City of New York for the Borough and County of Queens as said Tax Map existed on March 10 & 16, 2006.

The property shall be acquired subject to encroachments, if any, of the structures, improvements and appurtenances standing or maintained partly upon the above described parcels and partly upon the lands and premises adjoining the same, as long as such encroachments shall stand.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to EDPL § 402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of

new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: April 3, 2009, New York, New York
MICHAEL A. CARDOZO
 Corporation Counsel of the City of New York
 100 Church Street, Room 5-217
 New York, New York 10007
 Tel. (212) 788-0424

SEE MAPS ON BACK PAGES

a13-28

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 09001- U AND V

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 29, 2009 (SALE NUMBER 09001-V). 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, April 15, 2009 (SALE NUMBER 09001-U) 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.

a1-29

■ SALE BY SEALED BID

SALE OF: 1 LOT OF UNCLEAN ALUMINUM/COPPER.

S.P. #: 09018 DUE: April 23, 2009

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

a10-23

POLICE

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES

(All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31

■ AUCTION

PUBLIC AUCTION SALE NUMBER 1156

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, trucks, and vans. Inspection day is April 20, 2009 from 10:00 A.M. - 2:00 P.M.

Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on April 21, 2009 at approximately 9:30 A.M.

Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck St.)

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

a8-21

PROCUREMENT

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

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

- CHAIRS: 24/7 INTENSIVE USE SEATING, 350 TO 500 LBS.** - Competitive Sealed Bids - PIN# 8570801194 - DUE 05-11-09 AT 10:30 A.M.
- **BIOHAZARD BAGS AND TAPE/FDNY** - Competitive Sealed Bids - PIN# 8570900798 - DUE 05-12-09 AT 10:30 A.M.
- **TRUCK, CHASSIS CAB TELESCOPING AERIAL LIFT** - Competitive Sealed Bids - PIN# 8570900384 - DUE 05-11-09 AT 10:30 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.
 Department of Citywide Administrative Services
 1 Centre Street, Room 1800, New York, NY 10007.
 Jeanette Megna (212) 669-8610.

a15

- BABY FOOD, INFANT FORMULA RTU AND NUTRI-SUPP** - Competitive Sealed Bids - PIN# 8570900907 - DUE 04-20-09 AT 10:00 A.M.
- **FISH FOR DOC** - Competitive Sealed Bids - PIN# 8570900925 - DUE 04-20-09 AT 10:00 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.
 Department of Citywide Administrative Services
 1 Centre Street, Room 1800, New York, NY 10007.
 Jeanette Megna (212) 669-8610.

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■ AWARDS

Goods

BUILDING MAINTENANCE SUPPLIES - Other - PIN# 857901002 - AMT: \$1,196.00 - TO: Supreme Chemical Company, Inc., 1518 Park Street, Atlantic Beach, NY 11509. Buy against original vendor (Competition Unlimited), non-delivery of goods.

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■ VENDOR LISTS

Goods

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

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

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

j4-jy17

EQUIPMENT FOR DEPARTMENT OF SANITATION –

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

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

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

j4-15

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

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

j4-15

CONSUMER AFFAIRS**■ INTENT TO AWARD***Goods & Services*

NOTICE OF INTENT - TITAN – Sole Source – Available only from a single source - PIN# 098660000444485 – DUE 04-20-09 AT 5:00 P.M.

● **NOTICE OF INTENT - CBS OUTDOOR** – Sole Source – Available only from a single source - PIN# 09866000044484 – DUE 04-20-09 AT 5:00 P.M.

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

Department of Consumer Affairs, 42 Broadway, 8th Floor, New York, NY 10004. Sharon Josephs-Shereff (212) 487-4383, sjosephs-shereff@dca.nyc.gov

a9-15

DESIGN & CONSTRUCTION**AGENCY CHIEF CONTRACTING OFFICER****■ SOLICITATIONS***Construction / Construction Services*

RQ A&E, EIGHT ARCHITECTURAL AND ENGINEERING DESIGN REQUIREMENTS CONTRACTS FOR LARGE PROJECTS, CITYWIDE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502009VP0030-37P – DUE 05-14-09 AT 4:00 P.M. – All qualified and interested firms are advised to download the Request for Proposals at <http://ddcftp.nyc.gov/rfpweb/> from Thursday, April 16, 2009, or contact the person listed for this RFP. The contracts resulting from this Request for Proposals will be subject to Local Law 129 of 2005, Minority-Owned and Women-Owned Business Enterprises (M/WBE) Program. The submission date is indicated above.

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

Department of Design and Construction, 30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101. Kareem Alibocas (718) 391-3038, alibocaka@ddc.nyc.gov

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RQ A&E, TWENTY ARCHITECTURAL AND ENGINEERING DESIGN REQUIREMENTS CONTRACTS FOR SMALL PROJECTS, CITYWIDE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502009VP0010-29P – DUE 05-18-09 AT 4:00 P.M. – All qualified and interested firms are advised to download the Request for Proposals at <http://ddcftp.nyc.gov/rfpweb/> from Thursday, April 16, 2009, or contact the person listed for this RFP. The contracts resulting from this Request for Proposals will be subject to Local Law 129 of 2005, Minority-Owned and Women-Owned Business Enterprises (M/WBE) Program. The submission date is indicated above.

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

Department of Design and Construction, 30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101. Carol Phoenix (718) 391-1530, phoenixca@ddc.nyc.gov

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CONTRACT SECTION**■ SOLICITATIONS***Construction / Construction Services*

ASBESTOS ABATEMENT – Competitive Sealed Bids – PIN# 8502009PW0001C – DUE 05-07-09 AT 2:00 P.M. PROJECT NO.: PW335A24. Contract documents will not be sold after Wednesday, April 29, 2009. There will be a mandatory pre-bid conference on Thursday, April 30, 2009 at 10:00 A.M. at the Department of Design and Construction located at 30-30 Thomson Avenue, Long Island City, New York, NY 11101. Documents must be purchased prior to pre-bid meeting. Special Experience Requirements. Bid documents are available at: <http://www.nyc.gov/ddc>. Vendor Source ID#: 59298.

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. Bid documents deposit - \$35.00 per set. Company check or money order. No cash accepted. Late bids will not be accepted.

Department of Design and Construction, 30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2614.

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ECONOMIC DEVELOPMENT CORPORATION**CONTRACTS****■ SOLICITATIONS***Goods & Services*

CORRECTION: ADVERTISING SERVICES CONCESSION, MANHATTAN CRUISE TERMINAL RFP – Request for Proposals – PIN# 35660001 – DUE 05-04-09 AT 4:00 P.M. – The City of New York (the “City”), acting through the New York City Department of Small Business Services (“DSBS”), is requesting proposals for a concession for advertising at the Manhattan Cruise Terminal located at Pier 88 and Pier 90 on the West Side of Manhattan in New York City. The Manhattan Cruise Terminal is a first-class cruise ship facility. The City wishes to enhance and fully capitalize on this facility’s popularity.

The concessionaire shall be responsible for the development and implementation of the advertising opportunities at the Manhattan Cruise Terminal. The scope of the advertising services at the Manhattan Cruise Terminal shall include, but not be limited to, developing and advertising marketing plan; conducting the physical design, construction, control, installation, and maintenance of the advertising signage; promoting, soliciting, negotiating and procuring contracts for advertising users; processing and collecting advertising sales revenues; and paying the City a concession fee that includes a minimum annual guarantee, as further described in the Request For Proposals (“RFP”).

The selected concessionaire will enter into a concession agreement with the City for a term of five (5) years, with one (1) renewal option, at the City’s sole discretion, for another five (5) years. The concession agreement will be terminable at will by the City upon twenty-five (25) days’ notice. The concession agreement shall be administered by the New York City Economic Development Corporation (“NYCEDC”) who shall act as the City’s representative for all purposes with respect to this RFP and the concession agreement.

The concessionaire shall be selected on the basis of factors stated in the RFP which are: the proposed concession fee; the overall experience of proposer and overall quality of proposal; and the marketing strategy and approach to advertising sales revenues.

Additional information on the cruise industry and NYCruise including location map, 2009 NYCruise Schedule, and cruise demographics are located in the attachments to the RFP.

Companies who have been certified with the New York City Small Business Services as Minority and Women Owned Business Enterprises (“M/WBE”) are strongly encouraged to apply. To find out more about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified.

The RFP is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday.

Respondents may submit questions and/or requests for clarifications to NYCEDC no later than 4:00 P.M. on Tuesday, April 14, 2009. Questions regarding the subject matter of this RFP may be asked at the pre-proposal meeting or must be submitted in writing to the Project Manager, Jennifer Wertz, either at the following NYCEDC mailing address: NYCEDC, 110 William Street, 6th Floor, New York, NY 10038, or via e-mail: cruiseadvertisingMCT@nycedc.com. For all questions that do not pertain to the subject matter of this RFP please contact NYCEDC’s Contracts Hotline at (212) 312-3969.

Answers to all questions/requests for clarifications will be available for in-person pick-up from NYCEDC at 110 William Street, 6th Floor, New York, NY (between Fulton Street and John Street) and will be posted, to NYCEDC’s website at www.nycedc.com/RFP by Monday, April 20, 2009. Any proposer may request a printed copy by sending a written request to the Project Manager at the above address.

To download a copy of the solicitation documents please visit www.nycedc.com/RFP. Proposals in response to this RFP are due no later than 4:00 P.M., except as provided for in Section 1-13(j)(2)(i) of the Concession Rules on Monday, May 4, 2009. Proposers shall submit six (6) sets of the proposal (including six sets of all required attachments) and should submit one (1) electronic version of the proposal to: NYCEDC, 110 William Street, 6th Floor, New York, NY 10038, attention: Maryann Catalano, Senior Vice President.

PRE-PROPOSAL MEETING AND SITE TOUR

There will be a pre-proposal meeting and site tour at the Manhattan Cruise Terminal, (entrance located at 711 12th Avenue (55th Street and 12th Avenue), New York, NY 10019), that will be held at 11:00 A.M. on Tuesday, April 7, 2009. The pre-proposal meeting and site tour will start at the main entrance lobby area of Pier 88. If you are considering responding to this RFP, please make every attempt to attend this recommended pre-proposal meeting and site tour.

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.

Economic Development Corp., 110 William Street, 6th Floor New York, NY 10038. Maryann Catalano (212) 312-3969 cruiseadvertisingMCT@nycedc.com

a3-16

ENVIRONMENTAL PROTECTION**■ SOLICITATIONS***Construction / Construction Services*

RE-BID: CONSTRUCTION OF THREE 140,000 CU.FT. SLUDGE SHIPS, NEWTOWN CREEK WPCP, BROOKLYN – Competitive Sealed Bids – PIN# 82609WP01170 – DUE 07-30-09 AT 11:30 A.M. CONTRACT NC-50A. Construction of three identical 140,000 cu.ft. Sludge Ships (Length OA 290’, Beam 70’, Depth 18’, twin-screw, spoon bow) associated with Newtown Creek WPCP, Brooklyn, NY. Performance and payment bond set at 25% of bid. The contract includes incentives (\$2,200,000 total) of \$10,000/day for first vessel and \$5,000/day for remaining two vessels for early delivery up to 110 days ahead of contract delivery times. Liquidated damages set at \$500/day. Scheduled delivery of each vessel is 958, 1057 and 1170 days after the notice to commence work. Vessel contract level design has been reviewed and approved by the ABS. As part of the INVITATION FOR BID, bidders shall furnish

documentation in accordance with Section B2- Bidder Responsibilities and Qualifications. Document Fee \$100.00 (Waived for Bidders that have previously purchased bid sets) includes total solicitation package consisting of: 1. Book 1 - Invitation for Bid 2. Book 2 - Information for Bidders, NYC Standard Construction Contract, General Specifications, Technical Specifications 3. Contract Drawings (ABS approved) 4. One Compact Disc containing above contract documents

The anticipated notice-to commence work date: 4/1/2010. There will be a non-mandatory pre-bid conference with call-in option at 1:00 P.M. on May 20, 2009 at NYC Department of Environmental Protection, Bureau of Engineering Design and Construction, 96-05 Horace Harding Expressway, 4th Floor - Low Rise Building, Corona, NY at 1:00 P.M. For call in information, please contact the project manager listed below. For project questions contact PROJECT MANAGER-ROBERT D’ATTILE, (718) 595-6004. BE ADVISED THAT THE FOLLOWING BID SOLICITATION FOR HEAVY CONSTRUCTION INCLUDES APPRENTICESHIP PARTICIPATION REQUIREMENT. Vendor ID#: 49052.

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

Department of Environmental Protection 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373. Greg Hall (718) 595-3236, G.Hall@dep.nyc.gov

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BUREAU OF WATER SUPPLY**■ SOLICITATIONS***Services (Other Than Human Services)*

CATSKILL WATERSHED CORPORATION OPERATING FUNDS – Sole Source – Available only from a single source - PIN# 82609WS00036 – DUE 05-01-09 AT 4:00 P.M. – The NYC DEP proposes to enter into a sole source contract with the Catskill Watershed Corporation to provide operating funds for the continued implementation of a number of effective water quality protection programs in the West of Hudson Watershed. To implement and manage these programs, the City contracted with the Catskill Watershed Corporation, which is not-for-profit Corporation that was established to administer Watershed Protection and Partnership Programs. Any firm which believes it can also provide the required service is invited to so, indicated by letter which must be received no later than April 30, 2009, at 4:00 P.M., at: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd., 17th Floor, Flushing, New York 11373. Debra Butlien (718) 595-3423, dbutlien@dep.nyc.gov. Contract CAT-381.

a15-21

WATER SUPPLY OPERATION**■ SOLICITATIONS***Construction / Construction Services*

RE-BID: DEMOLITION OF TANKS #8 AND 9, QUEENS COUNTY, N.Y. – Competitive Sealed Bids – PIN# 82610TANKREM – DUE 05-06-09 AT 11:30 A.M. – RE-BID: CONTRACT SYSOPS-02-REM(R): The document fee is \$80.00. The Project Manager is Shyam Motwani (718) 595-7466. This contract is subject to Local Law 129 M/WBE requirements. Vendor Source ID#: 59274.

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

Department of Environmental Protection 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373. Greg Hall (718) 595-3236, ghall@dep.nyc.gov

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HEALTH AND HOSPITALS CORPORATION

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

j1-d31

■ SOLICITATIONS*Goods & Services*

PHONES – Competitive Sealed Bids – PIN# 11209088 – DUE 04-29-09 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.

Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Nancy Latorres (718) 579-5993.

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CORROSION REMOVAL/PREVENTION ON

ABSORPTION UNIT – Sole Source – Available only from a single source - PIN# 231-09-124 – DUE 04-20-09 AT 10:00 A.M. – The North Brooklyn Health Network intends to enter into a sole source service contract for a corrosion removal/prevention on absorbent unit using Enecon Ceram Alloy CL plus AC and Ceram Alloy CP plus AP with Enecon Northeast A.P.S., 58 Florida Street, Farmingdale, NY 11735. Any other supplier who is capable of providing this service for the North Brooklyn Health Network may express their interest in doing so by writing to Akihiko Hirao, Buyer, 100 North Portland Avenue, Rm C-32, Brooklyn, NY 11205 or akihiko.hirao@woodhullhc.nychhc.org

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.

North Brooklyn Health Network, 100 North Portland Avenue, Rm. C-32, Brooklyn, NY 11205. Akihiko Hirao (718) 260-7684, akihiko.hirao@woodhullhc.nychhc.org

a13-17

RE-INSTALLATION OF LRS SOFTWARE AND TRAINING – Sole Source – Available only from a single source - PIN# 231-09-123 – DUE 04-20-09 AT 11:00 A.M. – The North Brooklyn Health Network intends to enter into a sole source contract for re-installation of LRS Software and training for Anyqueue, PageSorter and Web Connect latest version with Siemens Medical Solution USA, Inc. Two Penn Plaza, Suite 1900, New York, NY 10121.

Any other supplier who is capable of providing this service for the North Brooklyn Health Network may express their interest in doing so by writing to Deborah Royster, Procurement Analyst, 100 North Portland Avenue, Rm C-32, Brooklyn, NY 11205 or Roysterd@nychhc.org on or before 10:30 A.M. on April 20, 2009.

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.
North Brooklyn Health Network, 100 North Portland Avenue, Rm. C-32, Brooklyn, NY 11205.
Deborah Royster (718) 260-7694,
Deborah.Royster@woodhullhc.nychhc.org

a13-17

PREMIER BROSELOW CART PACKAGE AND ITS MODULES – Competitive Sealed Bids – PIN# 22209119 – DUE 04-29-09 AT 4:00 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.
Lincoln Hospital Center, 234 East 149th Street, Room 2A2 Bronx, NY 10451. Edwin Iyasere (718) 579-5106.

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FIRE ALARM CONTROL PANEL SYSTEM – Competitive Sealed Bids – PIN# 11209089 – DUE 04-29-09 AT 3:00 P.M. – Bidders are advised that there will be a mandatory site visit on: 4/17/09 and 4/20/09 (both dates) at 10:00 A.M. at Lower Washington Heights Medical Center, 1726 Amsterdam Avenue, New York, NY 10027. If you require additional information, please contact Raleigh Kelly Jr. at (718) 579-5909. Bidders may choose to attend either date.

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.
Lincoln Hospital Center, 234 East 149th Street, Room 2A2 Bronx, NY 10451. Raleigh Kelly Jr. (718) 579-5909.

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HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human/Client Service

TRANSITIONAL RESIDENCES FOR HOMELESS/DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-25-10 AT 10:00 A.M. – The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

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

j12-24

HOUSING AUTHORITY

■ SOLICITATIONS

Construction/Construction Services

REPAIRING WATER TANK ENCLOSURE AT MONROE HOUSES – Competitive Sealed Bids – PIN# BW8014692 – DUE 04-28-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121, gloria.guillo@nycha.nyc.gov

a15-21

INSTALLATION OF SMOKE, CARBON MONOXIDE DETECTORS AND STROBE LIGHTS AT VARIOUS BROOKLYN/STATEN ISLAND DEVELOPMENTS – Competitive Sealed Bids – PIN# EL9003990 – DUE 04-27-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo (212) 306-3121, gloria.guillo@nycha.nyc.gov

a13-17

OFFICE OF MANAGEMENT AND BUDGET

■ VENDOR LISTS

Services (Other Than Human Services)

VALUE ENGINEERING VENDOR PRE-QUALIFICATION – VENDOR PRE-QUALIFICATION In the category: Value Engineering (VE) Consultant Services for Complex Capital Projects. Consultant must be a Certified Value Specialist (CVS), as accredited by Society of American Value Engineers (SAVE) international or equivalent and must conduct VE studies using the formal five-step VE job plan. Consultant must be able to provide all required VE team members, either directly, or by providing sub-consultants. Consultant must have recent, successful experience in performing VE studies for the NYC Office of Management and Budget. Please contact to request a pre-qualified Questionnaire by April 21, 2009: Kadi-Anne McGlashan-Cole, 8th Floor, 75 Park Place, NY, NY 10007, (212) 788-5821 or via e-mail at contracts@omb.nyc.gov

a15-21

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

CONSTRUCTION, OPERATION AND MAINTENANCE OF FIVE (5) BIKE RENTAL STATIONS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M10,37,72,144-BR – DUE 05-14-09 – At Central Park, Riverside Park, West Harlem Piers Park, East River Park, and Highbridge Park, Manhattan.

There will be four (4) recommended on-site proposer meetings and site tours. On Monday, April 20, 2009 at 12:00 P.M., we will be meeting at the Central Park – Merchants' Gate location, which is located by the Maine Monument on Columbus Circle. Later, on Monday, April 20, 2009 at 3:00 P.M., we will meet at Highbridge Park location, which is at the corner of Fort George Hill and Dyckman Street in the Inwood section of Manhattan. Proposers attending these meetings will be responsible for their own transportation between the two sites. On Tuesday, April 21, 2009 at 11:00 A.M., a proposer meeting will be held at the East River Park location, near the north end of the running track between the East 6th Street and East 10th Street pedestrian bridges that cross the FDR River. On Wednesday, April 22, 2009 at 11:00 A.M., we will meet at the Riverside Park location, which is at 70th, near Pier 1, in Riverside Park. The second half of this meeting will be held at the West Harlem Piers Park location, which is at the end of West 135th Street. Proposers attending this meeting will be responsible for their own transportation between the two sites. If you are considering responding to this RFP, please make every effort to attend these recommended meetings and site tours.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.
Evan George (212) 360-3495, evan.george@parks.nyc.gov

a10-23

DEVELOPMENT AND OPERATIONS OF A SPORTS FACILITY AND FOOD SERVICE FACILITY – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# X344-SB-IS-IT – DUE 07-08-09 AT 3:00 P.M. – At Mill Pond Park in the Bronx. Parks will hold a proposer meeting on Thursday, May 21, 2009 at 11:00 A.M. on the 3rd Floor of the Arsenal in Central Park, which is located at 830 5th Ave. (at the intersections of 5th Ave. and E. 64th St.), New York, NY 10065.

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

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

a8-21

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction/Construction Services

HVAC REFURBISHMENT – Competitive Sealed Bids – PIN# SCA09-12785D-1 – DUE 05-04-09 AT 11:00 A.M. – George Wingate HS (Brooklyn). Project Range: \$1,610,000.00 to \$1,694,000.00. Non-refundable bid documents charge: \$100.00.

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. Ricardo Forde (718) 752-5288 rforde@nycsca.org

a15-21

VENTILATION SYSTEM REFURBISHMENT – Competitive Sealed Bids – PIN# SCA09-12784D-1 – DUE 05-04-09 AT 11:30 A.M. – Prospect Heights H.S (Brooklyn). Project Range: \$800,000.00 to \$930,000.00. Non-refundable bid documents 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

a14-20

WINDOWS, PARAPETS – Competitive Sealed Bids – PIN# SCA09-12160D-1 – DUE 05-05-09 AT 10:00 A.M. – PS 163 (Bronx). Project Range: \$1,820,000.00 to \$1,915,000.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Non-refundable bid documents 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

a15-21

EXTERIOR MASONRY, PARAPETS, FLOOD ELIMINATION – Competitive Sealed Bids – PIN# 09-12284D-1 – DUE 05-07-09 AT 10:00 A.M. – PS 279 Annex at PS 242 (Brooklyn). Project Range: \$3,570,000.00 to \$3,755,000.00. Non-refundable bid documents 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. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

a14-20

FLOORS – Competitive Sealed Bids – PIN# SCA09-12381D-1 – DUE 04-28-09 AT 10:00 A.M. – PS 183 (Brooklyn). Project Range: \$2,150,000.00 to \$2,260,000.00. Non-refundable bid documents 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. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

a13-17

PARAPETS/EXT. MAS/WINDOW/AUD. UPGD/ELEC SYS. – Competitive Sealed Bids – PIN# SCA09-004462-1 – DUE 04-30-09 AT 11:30 A.M. – PS 118 (Queens). Project Range: \$3,530,000.00 to \$3,715,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order. 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. Rookmin Singh (718) 752-5843 rsingh@nycsca.org

a13-17

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA09-12093D-1 – DUE 04-28-09 AT 1:30 P.M. – Project Range: \$1,590,000.00 to \$1,672,000.00. NYC School Construction Authority, Plans Room Window, Room #1046. Non-refundable bid documents 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. Stacia Edwards (718) 752-5849 sedwards@nycsca.org

a9-15

WINDOWS, EXTERIOR MASONRY, FLOOD ELIMINATION – Competitive Sealed Bids – PIN# 09-12354D-1 – DUE 05-07-09 AT 11:30 A.M. – West Brooklyn Community High School (Brooklyn). Project Range: \$2,310,000.00 to \$2,440,000.00. Non-refundable bid documents 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. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

a15-21

Construction Related Services

EXTERIOR MASONRY – Competitive Sealed Bids – PIN# SCA09-12132D-1 – DUE 04-29-09 AT 2:30 P.M. – Project Range: \$2,800,000.00 to \$2,950,000.00. 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. 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. Stacia Edwards (718) 752-5849
sedwards@nycsca.org

a13-17

BUREAU OF CONTRACTS AND SERVICES

SOLICITATIONS

Construction / Construction Services

EXTERIOR MASONRY / ELECTRICAL SYSTEMS UPGRADE – Competitive Sealed Bids –

PIN# SCA09-004460-1 – DUE 04-29-09 AT 10:30 A.M. – PS 60 (Queens). Project Range: \$3,070,000.00 to \$3,240,000.00. Non-refundable bid documents 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. Lily Persaud (718) 752-5852
lpersaud@nycsca.org

a9-15

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

SOLICITATIONS

Services (Other Than Human Services)

CANCELLATION: UNSUBSIDIZED BUS SERVICE IN BROOKLYN – Request for Proposals –

PIN# 84109BKAD415 – DUE 05-20-09 AT 2:00 P.M.
CANCELLATION: DOT's Office of Franchises, Concessions and Consents is soliciting proposals for a non-exclusive franchise for an unsubsidized bus line providing common carrier service to passengers along designated routes between Williamsburg and Borough Park in the Borough of Brooklyn. The initial term of the Franchise Contract will be ten (10) years, followed by an optional renewal period of ten (10) years and a second optional renewal period of five (5) years. The renewals shall be exercised at the sole option of the Department of Transportation.

The Request for Proposals will be available online starting on April 20, 2009, from:
<http://www.nyc.gov/html/dot/html/about/rfpintro.shtml>.

Hard copies may be obtained:

From April 20 - April 30, 2009, 9:00 A.M. to 3:00 P.M.:
Department of Transportation, ACCO Contracts Unit,
40 Worth Street, Room 824A, New York, NY 10013.

From May 4 - May 19, 2009, 9:00 A.M. to 3:00 P.M.:
Department of Transportation, ACCO Contract Management Unit,
55 Water Street, Ground Floor, New York, NY 10041.

Proposals must be submitted to ACCO Contract Management Unit, Department of Transportation, 55 Water Street, Ground Floor, New York, NY 10041. There will be a pre-proposal conference on May 11, 2009 at 11:00 A.M. at 40 Worth St, NY, NY. Please contact the Authorized Department Contact for the room number. Attendees are asked to RSVP. Attendance by proposers is optional but strongly recommended.

All inquiries should be submitted in writing and will be answered in writing.

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

Department of Transportation, ACCO Contract Management Unit,
55 Water Street, Ground Floor, New York, NY 10041.
40 Worth Street, Room 940, New York, NY 10013.
Owiso Makuku (212) 442-8040, franchises@dot.nyc.gov

a15-24

AGENCY RULES

SANITATION

NOTICE

NOTICE OF ADOPTION OF FINAL RULES GOVERNING ELECTRONIC EQUIPMENT COLLECTION, RECYCLING AND REUSE

NOTICE IS HEREBY GIVEN that, in accordance with the requirements of section 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of the Department of Sanitation by section 753(a) and (b) of the New York City Charter and Administrative Code § 16-432, the Department adopts the following rules governing electronic equipment, collection, recycling and reuse. This rule adds Chapter 17 to Title 16 of the Rules of the City of New York. The Department published a Notice of Opportunity to Comment on the proposed rules in the *City Record* on September 16, 2008. On October 21, 2008 the Department held a public hearing on the proposed rules. The comment period for the receipt of written comments was held open until October 31, 2008.

Existing provisions to be deleted are shown below in brackets and new provisions are underlined.

Dated: April 15, 2009. John J. Doherty, Commissioner.

Section 1. Title 16 of the Rules of the City of New York is amended by adding a new Chapter 17 to read as follows:

Chapter 17

ELECTRONIC EQUIPMENT COLLECTION, RECYCLING AND REUSE

§17-01 Definitions. When used in this subchapter:

Brand name. “Brand name” shall mean a manufacturer’s name, brand designation, make or model name or number, or other nomenclature by which covered electronic equipment is offered for sale by a manufacturer.

Cathode Ray Tube. “Cathode ray tube” shall mean a vacuum tube or picture tube used to convert an electronic signal into a visual image.

Computer. “Computer” shall mean an electronic, magnetic, optical, electrochemical or other high-speed processing device performing a logical, arithmetic or storage function, and shall include a laptop computer and a desktop computer; but such term shall not include an automated typewriter or typesetter, portable hand-held calculator, portable digital assistant, or other similar device.

Computer Central Processing Unit. “Computer central processing unit” shall mean a server or the central processing unit component of a desktop computer, and shall include (1) its casing and all interior wires, circuitry, cables and other hardware and (2) all exterior cables and power cords.

Container. “Container” shall mean any box, envelope or similar receptacle sufficient to securely enclose covered electronic equipment for return to a manufacturer.

Covered Electronic Equipment. “Covered electronic equipment” shall mean any of the following categories of equipment: (1) computer central processing unit; (2) computer keyboard; (3) electronic mouse or similar pointing device; (4) television; (5) printer; (6) monitor; (7) computer; and (8) portable digital music player that has memory capability and is battery-powered. “Covered electronic equipment” shall not include any automobile or any part thereof; mobile phone; household appliance such as a clothes washer, clothes dryer, refrigerator, freezer, microwave oven, oven, range or dishwasher; equipment that is functionally or physically part of a larger piece of equipment intended for use in an industrial, research, and development or commercial setting; security, anti-terrorism or medical equipment that utilizes a cathode ray tube, a cathode ray tube device or a flat panel display or similar video display device that is not separate from the larger piece of equipment; any device defined in 21 U.S.C. § 321; video game system; global positioning system (GPS) device; marine equipment; digital video recorder; cash register or similar point of sale device; portable DVD player; digital picture frame; audio equipment other than portable battery-powered digital music player with memory capability; universal serial bus (USB) device.

Department. “Department” shall mean the Department of Sanitation.

Desktop Computer. “Desktop computer” shall mean a personal computer, other than a laptop computer, designed to be used at a single location, and shall include any or all of the following components: computer central processing unit, monitor, computer keyboard, electronic mouse or similar pointing device, and any exterior cables and power cords.

Electronic Recycler. “Electronic recycler” shall mean a person who: (1) refurbishes or otherwise processes covered electronic equipment for reuse or resale; or (2) removes, segregates or otherwise extracts components or commodities from covered electronic equipment, either by manual or mechanical separation or by changing such equipment’s physical or chemical composition, for the purpose of reusing or recycling such components or commodities.

End Market. “End market” shall mean any market for (1) reused covered electronic equipment or (2) covered electronic equipment, or any components thereof, after such equipment has been recycled.

Label. “Label” shall mean information on the surface of covered electronic equipment, which must be permanently attached to, printed or engraved on or incorporated in any other permanent manner on such equipment, and obvious and visible to users of such equipment.

Laptop Computer. “Laptop computer” shall mean any personal computer that is portable and includes a visual display, monitor and a computer keyboard, and shall include any exterior cables and power cords.

Manufacturer. “Manufacturer” shall mean a person who (1) assembles or substantially assembles, or has assembled or substantially assembled, covered electronic equipment for sale in the City; (2) manufactures or has manufactured covered electronic equipment under its own brand name or under any other brand name for sale in the City; (3) sells or has sold, under its own brand name, covered electronic equipment produced by another person for sale in the City; (4) owns a brand name that it licenses or has licensed to another person for use on covered electronic equipment for sale in the City; (5) imports or imported covered electronic equipment for sale in the City; or (6) manufactures or has manufactured covered electronic equipment for sale in the City without affixing a brand name.

Monitor. “Monitor” shall mean a separate visual display component of a computer, including a liquid crystal display, plasma screen, cathode ray tube or other image projection technology, that includes a screen that is greater than four inches, when measured diagonally, and one or more circuit boards, whether sold separately or with a computer central processing unit. A “monitor” includes the screen (including its image projection technology), casing, interior wires and circuitry, all exterior and interior cables, and power cords.

Not-for-profit corporation. “Not-for-profit corporation” shall mean a not-for-profit corporation as defined in subparagraph five or seven of Not-for-Profit Corporation Law § 102(a)

Orphan waste. “Orphan waste” shall mean covered electronic equipment, the manufacturer of which cannot be identified or is no longer in business and for which no successor-in-interest has been identified.

Person. “Person” shall mean any individual, business entity, partnership, company, corporation, not-for-profit corporation, association, governmental entity, public benefit corporation, public authority or firm.

Printer. “Printer” shall mean any desktop or standalone device sold exclusively for external use with a computer that provides for input to or output from a computer and is used to print words, characters or images in any form, including devices that include additional functions such as fax, scan or copy. A printer shall not include products for which printing is not the primary function, or specialized printing devices, such as a label maker or Braille embosser.

Portable. “Portable” shall mean designed to be (1) used while being held or carried or (2) carried for use in an alternate location.

Recycle. “Recycle” shall mean to use the materials contained in covered electronic equipment or components thereof as raw materials for new products or components, but not for energy recovery or generation by means of combustion, gasification, pyrolysis or other means.

Resident. “Resident” shall mean any individual who resides within the City of New York.

Reuse. “Reuse” shall mean any reuse of covered electronic equipment or any components thereof for the same purpose for which they were originally conceived.

Sell or Sale. “Sell” or “sale” shall mean any transfer for consideration, by lease or sales contract of title to or the right to use covered electronic equipment from a manufacturer or retailer to any person, including but not limited to transactions conducted through retail sales outlets, catalogs, or the internet. “Sell” or “sale” includes the transfer of new, used or refurbished covered electronic equipment, but does not include transfers between end users of such equipment.

Television. “Television” shall mean a display system containing a cathode ray tube or any other type of display primarily intended to receive broadcast video programming, having a viewable area greater than four inches when measured diagonally.

§17-02 Responsibility of Manufacturer Collection.

(a) Beginning July first, two thousand-nine or one hundred eighty days after an electronic waste management plan is approved by the department, whichever date is later, a manufacturer must accept for collection, handling and recycling or reuse covered electronic equipment in accordance with Chapter 4-A of Title 16 of the Administrative Code.

(b) No manufacturer shall be required to accept covered electronic equipment that is of a different type than that which is currently or previously assembled, manufactured or imported by such manufacturer, or currently or previously sold under the brand name owned or licensed by such manufacturer. Covered electronic equipment shall be considered to be of the same type if it is included within the same category of covered electronic equipment set forth under the definition of covered electronic equipment in §17-01 of this chapter; provided, however, that (1) a laptop computer shall be considered the same type of covered electronic equipment as a desktop computer or any component thereof and (2) a server shall not be considered to be the same type of covered electronic equipment as the central processing unit component of a desktop computer.

(c) A manufacturer shall not impose a fee or other charge on any person for the collection, handling, and recycling or reuse of covered electronic equipment, except that a fee or other charge may be imposed by contract between a manufacturer and a business entity, partnership, company, corporation or firm having more than fifty full time employees, other than a not-for-profit corporation, association, governmental entity, public benefit corporation or public authority.

§17-03 Manufacturer Electronic Waste Management Plan Requirements.

(a) No later than sixty days after these rules governing electronic equipment collection recycling and reuse are published as final in the *City Record*, a manufacturer shall submit to the department an electronic waste management plan pursuant to §16-423 of the Administrative Code. Any person who becomes a manufacturer on or after such date shall submit to the department an electronic waste management plan for the collection, handling, and recycling or reuse of covered electronic equipment prior to selling any covered electronic equipment in the City. All plans shall be submitted to the Director of the Bureau of Waste Prevention, Reuse and Recycling, New York City Department of Sanitation, 44 Beaver Street, 6th Floor, New York, NY 10004. Such submission must be clearly marked with the words “Local Law 13 of 2008 submission”.

(b) Each manufacturer must submit a bank or certified check, payable to the "New York City Department of Sanitation", in the amount of one thousand five hundred dollars (\$1500) with its proposed plan as required by §16-423(b) of the Administrative Code.

(c) A manufacturer's electronic waste management plan shall be signed by an officer, director or other person having knowledge of the manufacturer's electronic waste management plan.

(d) A manufacturer may elect to submit an individual or a group plan, whereby one or more manufacturers participate in a collective plan for the collection, handling, recycling and reuse of covered electronic equipment. Any manufacturer participating in a group plan may separately submit any information not pertaining to such collective plan for the collection, handling recycling and reuse of covered electronic equipment provided the group plan indicates such separate submission. For each manufacturer participating in a group electronic waste management plan, an officer, director or other person having knowledge of the manufacturer's electronic waste management plan shall sign such plan with respect to those portions of the plan that relate to such manufacturer. Each manufacturer participating in a group plan must submit a check in the amount of one thousand five hundred dollars (\$1500) in accordance with subdivision (b) of this section.

(e) If two or more manufacturers share responsibility for the same brand of covered electronic equipment, any plan submitted by such manufacturers shall indicate such joint responsibility.

(f) The Department may, upon a showing of good cause by the manufacturer, designate information relating to covered electronic equipment submitted to the Department by such manufacturer as confidential.

(g) The electronic waste management plan shall be submitted on an electronic waste management plan submission form provided by the department. Such form may be obtained from the department's website or by written request to the Director of Bureau of Waste Prevention, Reuse and Recycling, New York City Department of Sanitation, 44 Beaver Street, 6th Floor, New York, NY 10004. Unless otherwise indicated on the form, all information on such form must be completed in order to comply with this section. Any manufacturer that fails to complete any information as requested on such form shall be deemed not to have submitted a plan and shall be subject to the penalties set forth in §16-427 (d) (1) of the Administrative Code for failure to submit an electronic waste management plan.

(h) A manufacturer's electronic waste management plan shall include:

(1) information about the manufacturer, including company name, tax identification number, postal address, telephone number, company website, website of such manufacturer's electronic waste management plan, and information on whether the manufacturer is participating in a group plan. Such information shall also include contact information for a person from each manufacturer participating in such group plan. Such contact information shall include the person's name, title, electronic mail address, postal address and telephone number.

(2) a description of the manufacturer's plan for the collection, handling, and recycling or reuse of covered electronic equipment in the City, including the methods by which a person can return to the manufacturer such covered electronic equipment.

(i) Pursuant to §16-423 (d) (1) of the Administrative Code, a manufacturer must provide convenient collection methods for covered electronic equipment to residents of the City. Such convenient collection methods shall be set forth in the manufacturer's electronic waste management plan. Convenient collection methods shall mean:

(A) for any item that is portable and/or fifteen pounds or less in weight, convenient collection from a resident shall mean a program whereby such resident can return covered electronic equipment to the manufacturer by mail or similarly convenient delivery service ("mail-back program") and/or a program whereby any resident may return covered electronic equipment to the manufacturer at multiple locations in the City that are open to the public during business hours, weekday evening hours and at least one weekend day, and accessible to the public, including those residents without vehicles ("drop-off program"). Examples of portable items are: a laptop computer and a portable digital music player that has memory capability and is battery-powered. Examples of items less than fifteen pounds are an electronic mouse, a computer keyboard, and a laptop computer. Should a manufacturer utilize solely a drop-off program for any item that is portable and/or fifteen pounds or less in weight, such drop-off locations must be located in every borough in a number equal to or greater than the number of community boards located in the borough. Convenient collection of portable items and/or items less than fifteen pounds also may include a direct collection program as defined in §17-03(h)(2)(i)(B).

(B) for all other items, convenient collection from a resident shall mean direct collection from a resident's home in the City, which may include a postal or parcel service but need not include collection from inside such home ("direct collection program"). A direct collection program may not include collection of electronic equipment left for collection at the curbside.

(ii) For persons, other than residents, entitled to free collection under §16-423(c) of the Administrative Code, the method of collection must be at least reasonably accessible to such persons; provided, however, that the method of collection may be as provided by contract if the method of collection arranged for by such contract is more convenient than reasonably accessible. Such reasonably accessible

collection method shall be set forth in the manufacturer's electronic waste management plan.

(iii) For a business entity, partnership, company, corporation (other than those corporations covered by §17-03(h)(2)(ii)) or firm having more than fifty full time employees, the method of collection shall be as provided by contract or as otherwise provided in the manufacturer's electronic waste management plan.

(iv) Any container necessary to effectuate a mail-back, drop-off or direct collection program must be offered free of charge by the manufacturer to a resident returning covered electronic equipment to such manufacturer, except as provided by contractual agreement between a manufacturer and a business entity, partnership, company, corporation (other than a not-for-profit corporation) or firm having more than fifty full time employees.

(3) information regarding any person who will collect, recycle or process for reuse covered electronic equipment pursuant to the manufacturer's electronic waste management plan, including such person's company name, tax identification number, address, telephone number and company website.

(4) the start and end dates of the contract between the manufacturer and the person referred to in paragraph three of this subdivision.

(5) a description of how the manufacturer will inform residents and businesses of the City about such manufacturer's plan for the collection, handling, recycling or reuse of covered electronic equipment, including a toll-free telephone number and/or an internet website address.

(6) a description of the manufacturer's plan for the disposition of covered electronic equipment, including any plan for the recycling or reuse of such covered electronic equipment. Such description shall include:

(i) a description of the processes and methods to be used for the collection, handling, recycling and recovery of covered electronic equipment by each electronic recycler utilized by the manufacturer, the type of covered electronic equipment accepted from the manufacturer by each such electronic recycler, the percentage of covered electronic equipment exported for recycling or reuse by each such electronic recycler and the countries to which such covered electronic equipment is exported, details on any disassembly or physical recovery operations to be used by each such electronic recycler, the locations of all operations of each such electronic recycler with respect to covered electronic equipment collected from the manufacturer and a description of the operations at each such location.

(ii) a description of anticipated end markets to be utilized for recycled and/or reused covered electronic equipment, including the locations of such end markets and the types of recycled materials and/or reused covered electronic equipment of components thereof accepted by such end markets.

(iii) a description of the method to be used to destroy all data in any covered electronic equipment collected, either through physical destruction of the data storage components or through data wiping, meeting or exceeding United States Department of Defense standard 5220.22M.

(iv) a description of any plan to re-sell or donate covered electronic equipment, including whether such donated or re-sold covered electronic equipment will be in full working condition.

(v) a description of any tracking system used by the manufacturer to track returned covered electronic equipment that is recycled or reused pursuant to the manufacturer's electronic waste management plan.

(vi) a description of any environmental, health or safety audits that any recycling facility or electronic recycler utilized by the manufacturer or such electronic recycler has undergone, including a description of the audit process used, the results of such audit and any certifications provided to the facility or electronic recycler as a result of such audit.

(vii) a certification stating that the collection, handling and recycling or reuse of covered electronic equipment will comply with all applicable local, state, federal and international laws and regulations. For any electronic recycler utilized by the manufacturer, the certification must include copies of all federal and state transportation, operation and disposal permits. Such certification shall be issued by an officer or director or any other person having knowledge of the manufacturer's or electronic recycler's compliance with such laws and regulations.

(7) annual City sales data of the manufacturer's covered electronic equipment for the previous three calendar years, including a description of the method or methods of sale currently used in the City. Such sales data shall be expressed in terms of both the total weight sold and the number of units of a type of covered electronic equipment sold.

(8) a list of every brand name of the manufacturer pursuant to §16-423(d)(7) of the Administrative Code. For each brand name, the covered electronic equipment sold under that brand name must be set forth.

(9) a description of how the manufacturer intends to achieve the performance standards set forth in §16-424 of the Administrative Code.

(10) any additional information required by §16-423(d) of the Administrative Code.

(i) Electronic waste management plans will be approved or disapproved by the department in accordance with §16-423(e) of the Administrative Code.

§17-04 Waiver of Provisions of Electronic Waste Management Plan.

(a) A manufacturer must submit an electronic waste

management plan that meets all of the requirements of §16-423 of the Administrative Code unless a waiver pursuant to §16-423(e) of the Administrative Code is approved by the department. Such waiver shall only be approved upon a detailed showing of good cause by the manufacturer why it is unable to comply with any such requirement.

(b) A manufacturer's request for a waiver must be submitted prior to or with the submission of the manufacturer's proposed electronic waste management plan, or any proposed plan modification to which such request relates, by letter to the department. Should the department disapprove a manufacturer's waiver request, such manufacturer will be notified in writing of the reasons for such disapproval. Such manufacturer shall then submit the required information with its electronic waste management plan or proposed modification thereof, if such request for a waiver was submitted prior to the submission of such plan or modification, or 30 days after notification of the Department's disapproval, if such request for a waiver was submitted with such plan or modification.

(c) (1) If a manufacturer is unable to provide New York City sales data pursuant to §17-03(h)(7) of this chapter, it must ask for a waiver of this requirement pursuant to this section and provide New York State sales data prorated according to the relative populations of New York City and New York State.

(2) If a manufacturer is unable to provide either New York City or New York State sales data, it must ask for a waiver of this requirement pursuant to this section and provide regional or national sales data prorated according to the relative populations of New York City and the region to which such sales data relates.

(3) A waiver pursuant to paragraph one or two of this subdivision shall only be approved upon a detailed showing of good cause in accordance with subdivision (a) of this section and the submission of the alternative pro rated sales data as required by such paragraph.

(d) Except as provided in §17-08(h) of this chapter, the approval of any waiver pursuant to this section shall not affect the manufacturer's obligation to comply with any other requirement of Chapter 4-A of Title 16 of the Administrative Code or this chapter, including without limitation any reporting requirement contained in §17-08 of this Chapter and/or §16-428 of the Administrative Code.

§17-05 Department Audits.

(a) The department may audit any information included in a manufacturer's electronic waste management plan or annual report.

(b) The department may request information on covered electronic equipment sold under a manufacturer's brand name, including information on the weight, size, and individual components of such covered electronic equipment.

(c) Each manufacturer's records pertaining to the information required to be included in either its electronic waste management plan or its annual report must be maintained for a period of five years subsequent to the submission of such electronic waste management plan or annual report. Such records shall be provided to the department upon request.

§17-06 Modification of Electronic Waste Management Plans.

(a) A proposed modification to the description of the manufacturer's plan for the collection of covered electronic equipment in the City must be approved by the department before the manufacturer implements the proposed modification. Such proposed modification shall be sent to the Director of Bureau for Waste Prevention, Reuse and Recycling, New York City Department of Sanitation, 44 Beaver Street, 6th Floor, New York, NY 10004. Such submission must be clearly marked with the words "Local Law 13 of 2008 submission".

(b) Any other proposed modification to a manufacturer's electronic waste management plan may be submitted to the department at any time before or after the proposed modification is implemented, but in no event later than the date the manufacturer's next annual report is due, in which case such proposed modification may be included in such manufacturer's annual report; provided, however, that any change to the information required by paragraph one, two or five of §17-03(h) shall be provided to the department immediately. If the department rejects any such proposed modification submitted by the manufacturer after it has been implemented, the manufacturer shall discontinue the plan modification in accordance with the instructions of the department.

(c) Proposed modifications to a manufacturer's electronic waste management plan will be approved or disapproved by the department in accordance with §16-423(h) of the Administrative Code.

§17-07 Labeling.

(a) Pursuant to §16-425 (a) of the Administrative Code, a manufacturer may not sell or otherwise distribute for sale in the City covered electronic equipment unless such equipment has a label that identifies such manufacturer.

(b) In accordance with §16-425 (b) of the Administrative Code, a manufacturer must provide information on how a person can return covered electronic equipment pursuant to such manufacturer's electronic waste management plan at the point of sale. Such information must be provided in writing to such person purchasing covered electronic equipment and may be included on the receipt of purchase, on or inside the product box or in any equipment manual accompanying the product, or provided in any other manner at the point of sale that is reasonably accessible to the buyer of such equipment.

§17-08 Reporting.

(a) Beginning no later than July 1, 2009, a manufacturer shall submit to the department annual reports pursuant to

§16-428(a) of the Administrative Code. Annual reports shall be submitted to the Director of Bureau of Waste Prevention, Reuse and Recycling, New York City Department of Sanitation, 44 Beaver Street 6th Floor, New York, NY 10004 together with the annual report fee pursuant to subdivision (b) of this section. Such submission must be clearly marked with the words "Local Law 13 of 2008 submission".

(b) Each manufacturer must submit a bank or certified check in the amount of one thousand two hundred fifty dollars (\$1250) payable to the "New York City Department of Sanitation" as required by §16-423 (b) of the Administrative Code with such manufacturer's annual report.

(c) Notwithstanding subdivisions (a) and (b) of this section, a manufacturer that submits an electronic waste management plan to the department on or before July 1, 2009 and pays the fee required by §17-03(b) of this chapter on or before such date shall be deemed to have complied with subdivisions (a) and (b) of this section for the calendar year 2008 reporting period.

(d) An annual report shall be submitted on an annual reporting form that may be obtained from the department's website or by written request to the Director of Bureau of Waste Prevention, Reuse and Recycling, New York City Department of Sanitation, 44 Beaver Street 6th Floor, New York, NY 10004. Unless otherwise indicated on the form, all information on the form must be completed in order to comply with this section. Any manufacturer that fails to complete any information as requested on the form shall be deemed not to have submitted an annual report and shall be subject to the penalties set forth in §16-427(d)(1) of the Administrative Code for failure to submit an annual report.

(e) Manufacturers participating in a group electronic waste management plan may submit a group annual report. Each such manufacturer must provide a check in the amount of one thousand two hundred fifty dollars (\$1250) in accordance with subdivisions (b) and (c) of this section. Such report must contain all of the information required pursuant to subdivision (g) of this section for each individual manufacturer; provided, however, that a manufacturer participating in such report may separately submit any required information not pertaining to the group electronic waste management plan.

(f) A manufacturer's annual report shall be signed by an officer, director or other person having knowledge of the manufacturer's electronic waste management plan. For a group annual report, an officer, director or other person having knowledge of the manufacturer's electronic waste management plan for each manufacturer participating in the submission shall sign such report with respect to those portions of the annual report plan, including the group electronic waste management plan, that relate to such manufacturer.

(g) A manufacturer's annual report shall include:

(1) any approved modification to the manufacturer's electronic waste management plan during the previous calendar year indicating which sections of the plan have been changed.

(2) any proposed modification to the manufacturer's electronic waste management plan pursuant to §17-06(b) of this chapter indicating which sections of the plan would be changed pursuant to such proposed modifications.

(3) New York City sales data for covered electronic equipment sold during the previous calendar year. Such sales data shall be expressed in terms of both the total weight sold and the number of units of a type of covered electronic equipment sold.

(4) a description of the manufacturer's collection and handling system for covered electronic equipment, including information on any collector, transporter or electronic recycler utilized by the manufacturer for collection, handling, recycling or reuse of covered electronic equipment under the manufacturer's electronic waste management plan. Such information shall include the collector, transporter or electronic recycler's company name, tax identification number, address, telephone number, company website, and information on the contract between the manufacturer and such collector, transporter or electronic recycler, including the start and end dates of such contract.

(5) the quantity of covered electronic equipment collected for recycling or reuse in the City during the previous calendar year pursuant to the manufacturer's electronic waste management plan expressed both in terms of the of the total weight of collected covered electronic equipment and as a percentage of the average annual sales of the manufacturer's covered electronic equipment in the City, reported by weight, during the previous three calendar years. Such collected covered electronic equipment shall be categorized by the type of covered electronic equipment collected, and further categorized, to the extent possible, by the quantity of covered electronic equipment collected from individuals and government entities.

(6) the weight of orphan waste collected during the previous calendar year pursuant to the manufacturer's electronic waste management plan, categorized by the type of covered electronic equipment collected.

(7) a description of the actual disposition of the manufacturer's covered electronic equipment collected pursuant to the manufacturer's electronic waste management plan during the previous calendar year, including information on any electronic recycler, end markets and re-sale or donation opportunities utilized by the manufacturer. Such description shall include:

(i) a description of the processes and methods used by any

such electronic recycler to recycle collected covered electronic equipment, including the type of covered electronic equipment accepted, the percentage of covered electronic equipment exported for recycling or reuse, and the countries to which such covered electronic equipment was exported.

(ii) a description of any end markets utilized by such manufacturer or electronic recycler for collected covered electronic equipment, including the location of such end markets and the types of materials accepted by such end markets.

(iii) a description of the method used by the manufacturer and/or any such electronic recycler to destroy all data in collected covered electronic equipment. Such destruction of data must meet or exceed United States Department of Defense Standard 5220.22M.

(iv) a description of any re-sale or donation programs for collected covered electronic equipment, including whether such donated or re-sold covered electronic equipment was in full working condition when re-sold or donated.

(v) a description of any data tracking and accounting system maintained by the manufacturer and/or electronic recycler to track collected covered electronic equipment.

(vi) a description of any environmental, health and safety audits that any recycling facility or electronic recycler utilized by the manufacturer or such electronic recycler has undergone, including a description of the audit process used, the results of such audit and any certifications provided to the facility or electronic recycler as a result of such audit.

(vii) a certification stating that the collection, handling and recycling or reuse of collected covered electronic equipment complies with all local, state, federal and international laws and regulations. For any collector or transporter of covered electronic equipment, electronic recycler, and end market utilized by the manufacturer, the certification must include a copy of all applicable federal and state transportation, operation and disposal permits. Such certification shall be issued by an officer, director or other person having knowledge of the manufacturer's or electronic recycler's compliance with such laws and regulations.

(8) examples of how the manufacturer has informed residents and businesses of the City about such manufacturer's plan for the collection, handling, and recycling or reuse of covered electronic equipment.

(9) the number of visits to the internet website and calls to the toll-free telephone numbers established by the manufacturer's electronic waste management plan.

(10) information on the manufacturer's compliance with the performance standards established in §16-424 of the Administrative Code.

(11) any other information required by §16-428(a) of the Administrative Code.

(h) A manufacturer must submit an annual report that meets all of the requirements of this section. If a manufacturer is unable to meet any requirement of this section and has obtained a waiver relating to such requirement pursuant to §17-04 of this chapter, such manufacturer shall explain in detail why it should be excused from complying with such requirement. The Department will review the manufacturer's explanation and determine whether such requirement must be complied with, in whole or in part, or need not be complied with.

§17-09 Additional Clarification.

(a) A manufacturer seeking clarification whether any of its products are covered electronic equipment may send a letter explaining in detail such product to: Deputy Commissioner for Legal Affairs, New York City Department of Sanitation, 125 Worth Street, Room 710, New York, NY 10013.

(b) Any person who requires clarification whether it is a manufacturer may send a detailed letter explaining its operations in New York City to: Deputy Commissioner for Legal Affairs, New York City Department of Sanitation, 125 Worth Street, Room 710, New York, NY 10013.

§17-10 Applicability. In addition to the rules set forth in this chapter, all manufacturers and other persons subject to Chapter 4-A of title 16 of the Administrative Code also shall comply with, and are subject to, any and all provisions relating to such manufacturers and other persons contained in such Chapter 4-A.

Statement of Basis and Purpose

Pursuant to §753 of the New York City Charter and Local Law No. 13 of 2008 ("Local Law 13"), the Sanitation Commissioner is authorized to adopt rules relating to the collection for recycling or reuse of electronic equipment in the City of New York. These rules clarify the definition of covered electronic equipment and expressly exclude certain electronic products that do not fall within that definition, such as video game systems, GPS devices, automobile parts or components, marine equipment, digital video recorders, point of sale devices, portable DVD players, digital picture frames, audio equipment other than covered portable battery powered digital music players, and USB devices. In addition, these rules further define other terms set forth in Local Law 13 and define additional terms, including computer central processing unit, desktop computer, laptop computer and printer.

The rules make clear that no manufacturer shall be required to accept covered electronic equipment that is of a different type than that currently or previously assembled, manufactured or imported by such manufacturer, or

currently or previously sold under the brand name of such manufacturer. For example, pursuant to the collection requirements set forth in Administrative Code § 16-422(b)-(d), a cathode ray tube television must be accepted with the purchase of a liquid crystal display or plasma screen television. A printer with multiple functions, such as scan, fax and copy functions, must be accepted with the purchase of a printer with only a printing function. A computer that includes a monitor and central processing unit in one device (including, but not limited to, a laptop computer) shall be considered the same as a desktop computer with separate monitor and central processing unit components. However, a manufacturer of only televisions will not be made to accept a computer monitor or a desktop computer. These rules set forth procedures for a manufacturer to submit its electronic waste management plans to the Department. Every such plan must be submitted to the Department on an electronic waste management plan submission form provided by the Department. This form will be available on the Department's website and or in hard copy by mail after the rules are published as final.

Additionally, these rules establish specific information for mandatory inclusion in a manufacturer's electronic waste management plan. Every manufacturer must submit a \$1,500.00 fee with its proposed plan as required by Local Law 13.

The Department's rules also define the term "convenient collection". Because of the unique characteristics of New York City, including the low percentage of citizens with access to vehicles, it is critical that convenient collection be defined in a manner that makes disposing of unwanted covered electronic equipment as easy as possible for the citizens of New York City.

The rules set forth a procedure that allows a manufacturer to apply for a waiver of any of the required elements of an electronic waste management plan submitted to the Department. Should a manufacturer be unable to meet any of the enumerated requirements, a waiver must be requested from the Department and any such waiver may only be granted upon a showing of good cause.

The rules also establish labeling requirements for covered electronic equipment. Local Law 13 requires the manufacturer to provide information on how a person can return covered electronic equipment pursuant to such manufacturer's electronic waste management plan at the point of sale. These rules clarify that such information must be provided in writing and may be included on the receipt of purchase, on or inside the product box, in any equipment manual accompanying the product, or in any other manner at the point of sale that is reasonably accessible to the buyer of such equipment.

Finally, these rules establish the data that every manufacturer must include in its annual report as required by Local Law 13. The submission of such report must be accompanied by a \$1,250.00 fee. These rules clarify that such annual report must include detailed information on the quantity of covered electronic equipment collected under a manufacturer's electronic waste management plan, as well as information on the collectors, transporters and end markets utilized by the manufacturer.

These final rules have been modified to reflect the comments received by the Department during the public comment period. In response to these comments, the Department has changed the standards for convenient collection for City residents (defined as individuals who reside within the City of New York). For any item that is designed to be portable or fifteen pounds or less in weight, convenient collection shall mean a mail-back program, whereby any resident in the City can return covered electronic equipment to the manufacturer by mail (or similarly convenient delivery service), and/or a drop off program, whereby such person may return covered electronic equipment to the manufacturer at drop-off locations throughout the City.

For all other items, convenient collection shall mean an option whereby the covered electronic equipment is collected directly from a resident's home in the City. Such collection may utilize a postal or parcel collection service and not need be made directly from inside a person's home. A direct collection program may not include collection of electronic equipment left for collection at the curbside. Because the Department has modified the convenient collection to a standard that depends on the weight and design of the covered electronic equipment to be collected, the Department has added a provision whereby it may now ask a manufacturer to describe its covered electronic equipment, including the weight, size, and individual components of such covered electronic equipment.

The Department further added the requirement that each manufacturer describe how it intends to meet the performance standard requirements contained in Local Law 21 of 2008 in its electronic waste management plan. The manufacturer must also include information on its compliance with Local Law 21 of 2008 in its annual report. Lastly, the Department has clarified that either the manufacturer or its electronic recycler may issue the certification that the collection, handling and recycling or reuse of covered electronic equipment will comply and has complied with all applicable local, state, federal and international laws and regulations for purposes of both the manufacturer's electronic waste management plan and its annual report.

Due to the short amount of time between the passage of Local Law 13 and the required submission date for electronic waste management plans, the Department is granting manufacturers a grace period before assessing fines for the late submission of plans. Electronic waste management plans will not be due until June 15 which is 60 days after the final publication date of these rules.

SPECIAL MATERIALS

COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on April 21, 2009, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Lists various parcels and their corresponding block and lot numbers.

Acquired in the proceeding, entitled: New Creek Bluebelt, Phase 3 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

William C. Thompson, Jr. Comptroller

a7-21

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: April 8, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with 3 columns: Address, Application #, Inquiry Period. Lists 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.

a8-16

POLICE

NOTICE

The New York City Police Department (NYPD) is currently accepting applications for permits for the 2009 Arterial Tow Program selection process. Applications are available and may be picked up from May 4, 2009 to May 18, 2009 between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday, at 315 Hudson Street, 3rd Floor, New York, NY 10013. Or you may download applications by visiting the City Record Website http://a856-internet.nyc.gov/nycvendoronline/VendorShort/asp/VendorMenu.asp and follow the links to NYPD solicitations. Note: The applications will not be available for download until May 4, 2009. Completed applications will be accepted from July 6, 2009 to July 10, 2009 between the hours of 9:00 A.M. and 5:00 P.M. at 315 Hudson Street, 3rd Floor, New York, NY 10013. Completed applications are due no later than July 10, 2009 at 5:00 P.M. Any inquiries regarding this solicitation must be directed to Mr. Frank Bello, Agency Chief Contracting Officer, NYPD Contract Administration Unit, via email at frank.bello@nypd.org or via fax at (646) 610-5129 on or before May 18, 2009.

a1-m18

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

NOTICE

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF PEDESTRIAN PLAZAS LOCATED ON BROADWAY AND 6th AVENUE, BETWEEN 33rd AND 36TH STREETS, BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of pedestrian plazas located on Broadway and 6th Avenue between 33rd and 36th Streets, Borough of Manhattan, including through DOT-approved events, sponsorships, and subconcessions providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise that promotes the neighborhood or the concessionaire, or other similar merchandise. The concessionaire shall issue solicitations in the basic form of a Request for Proposals to select entities to operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT's approval.

The concession agreement will provide for one (1) nine-month term, followed by one (1) five-year and four (4) one-year renewal options. The renewal options shall be exercisable at DOT's discretion. Any revenue received by the concessionaire in excess of both the amount attributable to maintenance of the pedestrian plazas and reasonable administrative costs shall be paid to DOT for the City's General Fund.

DOT has identified the 34th Street Partnership as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of pedestrian plazas located on Broadway and 6th Avenue

between 33rd and 36th Streets, Borough of Manhattan. In order to qualify, interested organizations should have demonstrated experience in the management, operation and maintenance of publicly-accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces by email at awileyschwartz@dot.nyc.gov or in writing at 40 Worth Street, 10th Floor, New York, NY 10013 by May 12, 2009. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 442-7462.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

a10-23

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF PEDESTRIAN PLAZAS LOCATED ON BROADWAY AND 7TH AVENUE BETWEEN 41st AND 47TH STREETS, BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of pedestrian plazas located on Broadway and 7th Avenue between 41st and 47th Streets, Borough of Manhattan, including through DOT-approved events, sponsorships, and subconcessions providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise that promotes the neighborhood or the concessionaire, or other similar merchandise. The concessionaire shall issue solicitations in the basic form of a Request for Proposals to select entities to operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT's approval.

The concession agreement will provide for one (1) nine-month term, followed by one (1) five-year and four (4) one-year renewal options. The renewal options shall be exercisable at DOT's discretion. Any revenue received by the concessionaire in excess of both the amount attributable to maintenance of the pedestrian plazas and reasonable administrative costs shall be paid to DOT for the City's General Fund.

DOT has identified the Times Square Alliance as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of pedestrian plazas located on Broadway and 7th Avenue between 41st and 47th Streets, Borough of Manhattan. In order to qualify, interested organizations should have demonstrated experience in the management, operation and maintenance of publicly-accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces by email at awileyschwartz@dot.nyc.gov or in writing at 40 Worth Street, 10th Floor, New York, NY 10013 by May 12, 2009. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 442-7462.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

a10-23

CHANGES IN PERSONNEL

OFFICE OF PROBATION FOR PERIOD ENDING 03/06/09

Table with 6 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Office of Probation.

DEPARTMENT OF BUSINESS SERV. FOR PERIOD ENDING 03/06/09

Table with 6 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Department of Business Services.

HOUSING PRESERVATION & DVLPMNT FOR PERIOD ENDING 03/06/09

Table with 6 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Housing Preservation & Development.

DEPARTMENT OF BUILDINGS FOR PERIOD ENDING 03/06/09

Table with 6 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Department of Buildings.

Table with 6 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for various departments.

DEPT OF HEALTH/MENTAL HYGIENE FOR PERIOD ENDING 03/06/09

Table with 6 columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Department of Health/Mental Hygiene.

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Lists employees of the Department of Environment Protection for the period ending 03/06/09.

DEPT OF ENVIRONMENT PROTECTION FOR PERIOD ENDING 03/06/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Lists employees of the Department of Sanitation for the period ending 03/06/09.

DEPARTMENT OF SANITATION FOR PERIOD ENDING 03/06/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Lists employees of the Department of Parks & Recreation for the period ending 03/06/09.

DEPT OF PARKS & RECREATION FOR PERIOD ENDING 03/06/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Lists employees of the Department of Finance for the period ending 03/06/09.

DEPARTMENT OF FINANCE FOR PERIOD ENDING 03/06/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Lists employees of the Department of Transportation for the period ending 03/06/09.

DEPARTMENT OF TRANSPORTATION FOR PERIOD ENDING 03/06/09

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE. Lists employees of the Department of Finance for the period ending 03/06/09.

Table with columns: Name, Title, Salary, Action, Prov, Eff Date. Lists various employees and their details.

Table with columns: Name, Title, Salary, Action, Prov, Eff Date. Lists various employees and their details.

DEPT. OF DESIGN & CONSTRUCTION FOR PERIOD ENDING 03/06/09

Table with columns: Name, Title, Salary, Action, Prov, Eff Date. Lists various employees and their details.

a15

COURT NOTICE MAPS FOR BEACH 43RD STREET ET AL.

Map showing street layout (Beach 43rd, 44th, 45th, Conch Drive, Norton Avenue, Edgemere Drive, Hantz Road, Conch Road) and acquisition & damage map details. Includes legend, notes, and official seals.

COURT NOTICE MAPS FOR BEACH 43RD STREET ET AL.

REFERENCE MAPS: FINAL SECTION 238, ALTAIRER MAP NO. 482

LEGEND

- Feet
- Lot corner
- Building
- Conduit
- Utility
- Other
- 13410
- 2008
- 2009

CITY OF NEW YORK, DEPARTMENT OF DESIGN & CONSTRUCTION, DIVISION OF TECHNICAL SUPPORT
ACQUISITION & DAMAGE MAP NO. 5944
 IN THE MATTER OF ACQUIRING TITLE IN THE TRACT TO ALL OR PART OF:
 BEACH 43RD STREET
 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 BEACH 44TH STREET
 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 BEACH 45TH STREET
 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 CONCH DRIVE
 FROM BEACH 43RD STREET TO NORTH AVENUE
 NORTON AVENUE
 FROM BEACH 43RD STREET TO BEACH 45TH STREET
 EDGEMERE DRIVE
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 HANTZ ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 CONCH ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET

EXAG. SKETCH "C"
NOT TO SCALE

NOTES: THIS SKETCH OF THE PROPERTY BEING TAKEN SUBJECT TO THE ENFORCEMENT OF CERTAIN SPECIAL EASEMENTS, EASEMENTS AND APPROPRIATIONS STATING OF BOUNDARY LINES WITHIN THE MATTER TO BE ACQUIRED AND PARTS OF THE TRACT AND PRECISELY SHOWING THE SAME, AS LONG AS SUCH ENFORCEMENTS SHALL STAY.

DEPARTMENT OF DESIGN & CONSTRUCTION, DIVISION OF TECHNICAL SUPPORT

DEPT. OF SURVEY, CONTROL & ENGINEERING	SUPPLIED: NAME
COMPUTATION: NAME, DATE, TIME	PROJECT NUMBER: L.S.
DATE: DATE, TIME	WORK SHEET: NUMBER

REFERENCE MAPS: FINAL SECTION 238, ALTAIRER MAP NO. 482

LOT NO.	AREA IN SQ. FT.	AREA IN SQ. FT. (EXCLUDING ENCLOSURES)	AREA IN SQ. FT. (INCLUDING ENCLOSURES)	PROPERTY VALUE																
				1926	1936	1946	1956	1966	1976	1986	1996	2006	2016	2026	2036					
1	100	100	100

LEGEND

- Feet
- Lot corner
- Building
- Conduit
- Utility
- Other
- 13410
- 2008
- 2009

CITY OF NEW YORK, DEPARTMENT OF DESIGN & CONSTRUCTION, DIVISION OF TECHNICAL SUPPORT
ACQUISITION & DAMAGE MAP NO. 5944
 IN THE MATTER OF ACQUIRING TITLE IN THE TRACT TO ALL OR PART OF:
 BEACH 43RD STREET
 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 BEACH 44TH STREET
 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 BEACH 45TH STREET
 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 CONCH DRIVE
 FROM BEACH 43RD STREET TO NORTH AVENUE
 NORTON AVENUE
 FROM BEACH 43RD STREET TO BEACH 45TH STREET
 EDGEMERE DRIVE
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 HANTZ ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 CONCH ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET

CITY OF NEW YORK, DEPARTMENT OF DESIGN & CONSTRUCTION, DIVISION OF TECHNICAL SUPPORT

DEPT. OF SURVEY, CONTROL & ENGINEERING	SUPPLIED: NAME
COMPUTATION: NAME, DATE, TIME	PROJECT NUMBER: L.S.
DATE: DATE, TIME	WORK SHEET: NUMBER

REFERENCE MAPS: FINAL SECTION 238, ALTAIRER MAP NO. 482

LEGEND

- Feet
- Lot corner
- Building
- Conduit
- Utility
- Other
- 13410
- 2008
- 2009

CITY OF NEW YORK, DEPARTMENT OF DESIGN & CONSTRUCTION, DIVISION OF TECHNICAL SUPPORT
ACQUISITION & DAMAGE MAP NO. 5944
 IN THE MATTER OF ACQUIRING TITLE IN THE TRACT TO ALL OR PART OF:
 BEACH 43RD STREET
 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 BEACH 44TH STREET
 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 BEACH 45TH STREET
 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 CONCH DRIVE
 FROM BEACH 43RD STREET TO NORTH AVENUE
 NORTON AVENUE
 FROM BEACH 43RD STREET TO BEACH 45TH STREET
 EDGEMERE DRIVE
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 HANTZ ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 CONCH ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET

EXAG. SKETCH "C"
NOT TO SCALE

NOTES: THIS SKETCH OF THE PROPERTY BEING TAKEN SUBJECT TO THE ENFORCEMENT OF CERTAIN SPECIAL EASEMENTS, EASEMENTS AND APPROPRIATIONS STATING OF BOUNDARY LINES WITHIN THE MATTER TO BE ACQUIRED AND PARTS OF THE TRACT AND PRECISELY SHOWING THE SAME, AS LONG AS SUCH ENFORCEMENTS SHALL STAY.

DEPARTMENT OF DESIGN & CONSTRUCTION, DIVISION OF TECHNICAL SUPPORT

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LOT NO.	AREA IN SQ. FT.	AREA IN SQ. FT. (EXCLUDING ENCLOSURES)	AREA IN SQ. FT. (INCLUDING ENCLOSURES)	PROPERTY VALUE																
				1926	1936	1946	1956	1966	1976	1986	1996	2006	2016	2026	2036					
1	100	100	100

LEGEND

- Feet
- Lot corner
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 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
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 FROM BEACH CHANNEL DRIVE TO CONCH ROAD
 CONCH DRIVE
 FROM BEACH 43RD STREET TO NORTH AVENUE
 NORTON AVENUE
 FROM BEACH 43RD STREET TO BEACH 45TH STREET
 EDGEMERE DRIVE
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 HANTZ ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 CONCH ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET

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 CONCH DRIVE
 FROM BEACH 43RD STREET TO NORTH AVENUE
 NORTON AVENUE
 FROM BEACH 43RD STREET TO BEACH 45TH STREET
 EDGEMERE DRIVE
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 HANTZ ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET
 CONCH ROAD
 FROM BEACH 43RD STREET TO BEACH 44TH STREET

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