



THE CITY RECORD

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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.
ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BRONX BOROUGH PRESIDENT

PUBLIC HEARINGS

A PUBLIC HEARING IS being called by the President of the Borough of The Bronx, Honorable Ruben Diaz, Jr. on Thursday June 4, 2009 at 10:00 A.M. in the office of the Borough President, 851 Grand Concourse, 2nd Floor, Room 206. Please note new location The hearing will consider the following items:

CD 4-ULURP APPLICATION NO: C 090365 ZMX -IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 3b and 6a:

- Eliminating from within an existing R7-1 District a C1-4 District bounded by Morris Avenue a line 100 feet northeasterly of East 161st Street, a line 100 feet southeasterly of Morris Avenue and East 161st Street;
- Eliminating from within an existing R8 District bounded by River Avenue, a line 250 feet northeasterly of East 161st Street, East 162nd Street, Gerard Avenue, East 161st Street, a line midway between Gerard Avenue and Walton Avenue, a line 100 feet southwesterly of East 161st Street, a line midway between River Avenue and Gerard Avenue, a line 150- feet northeasterly of East 158th Street;
- Changing from an R7-1 District to an R8A District property bounded by East 162nd Street and its southeasterly prolongation, Park Avenue, East 161st Street, and Morris Avenue;
- Changing from an R8 District to a C6-2 District property bounded by East 161st Street, Concourse Village West, a line 50 feet northeasterly of East 159th Street, and a line 100 feet northwesterly of Concourse Village West;
- Changing from a C4-6 District to a C6-2 District property bounded by a line 140 feet northeasterly of East 161st Street; Sheridan Avenue, East 161st Street, and a line 100 feet northwesterly of Sheridan Avenue;
- Changing from a C8-3 District to a C6-2 District property bounded by East 161st Street, Concourse Village East, a line 150 feet southwesterly of East 161st Street, and Concourse Village West;
- Changing from an R8 District to a C6-3D* District property bounded by River Avenue, a line 250 feet northeasterly of East 161st Street, East 162nd Street, Gerard Avenue, East 161st Street a line midway between Gerard Avenue and Walton

Avenue, a line 110 feet southwesterly of East 161st Street, a line midway between River Avenue and Gerard Avenue, a line 150 feet northeasterly of East 158th Street;

- Changing from an C8-3 District to a C6-3D* District property bounded by River Avenue, a line 150 feet northeasterly of East 158th Street, a line midway between River Avenue and Gerard Avenue, a line perpendicular to the southeasterly street line of River Aneue distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of River Avenue and the northeasterly street line of East 153rd Street; and
- Establishing within the proposed R8A district a C2-4 District bounded by East 162nd Street, a line 100 feet southeasterly of Morris Avenue, a line midway between East 161st Street and East 162nd Street, a line 100 feet northwesterly of Park Avenue, a line 100 feet northeasterly of East 161st Street, a line perpendicular to the northeasterly street line of East 161st Street distant 100 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of East 161st Street and the northwesterly street line of Park Avenue, East 161st Street, and Morris Avenue;

Borough of The Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated March 30, 2009 and subject to the conditions of CEQR Declaration E-225.

*Note: a C6-3D District is proposed to be created under a related application N 090364 ZRY for an amendment of the Zoning Resolution.

CD 6-ULURP APPLICATION NO: 090342 ZMX -IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No 3d, by:

- Eliminating from within an existing R7-1 District a C1-4 District bounded by a line 100 feet northwesterly of Southern Boulevard, a line 70 feet southwesterly of East 176th Street, and a line 80 feet southeasterly of Trafalgar Place; and
- Establishing within an existing R7-1 District a C1-4 District bounded by:
 - Trafalgar Place, East 176th Street, a line 100 feet northwesterly of Southern Boulevard, and a line 70 feet southwesterly of East 176th Street; and
 - a line 80 feet southeasterly of Trafalgar Place, a line 100 feet northwesterly of Southern Boulevard, and East 175th Street;

Borough of the Bronx, Community District 6, as shown on a diagram (for illustrative purposes only) dated April 20, 2009.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THESE MATTERS TO THE BOROUGH PRESIDENT'S OFFICE 718-590-6124.

m28-j3

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, June 4, 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.

CD08 - BSA #55-97 BZ - IN THE MATTER of an application submitted by Sheldon Lobel, P.C. on behalf of Baker Tripi Realty, pursuant to Section 11-41 of the NYC Zoning Resolution, for the extension of term for a previously granted variance allowing a automobile service station (Use Group 16) in an C2-2/R3-2 district located at 76-36 164th Street, Block 6848, Lot 1, Zoning Map14c, Flushing, Borough of Queens.

CD07 - BSA #246-01 BZ - IN THE MATTER of an application submitted by Eric Palatnik, PC on behalf of Bodhi Fitness Center, Inc. pursuant to Section 73-11of the NYC Zoning Resolution, for a waiver of the Rules of Practice, a reopening to reflect the new owner/operator, and an extension of the term for a previously granted special permit for a physical culture establishment, which expired on June 1, 2008 in an M1-1/C2-2 district located at 35-11 Prince Street, Block 4958, Lot 1, Zoning Map 10a, Flushing, Borough of Queens.

CD07 - BSA #41-06 BZ - IN THE MATTER of an application submitted by Akerman Senterfitt Stadtmauer Bailkin on behalf of New York Hospital Queens pursuant to Sections 72-01 and 72-22 of the NYC Zoning Resolution, to legalize the relocation of the most northwestern portion of the parking structure, creating a 4'-8" side yard at the northwest corner which does not comply with the BSA-approved plans and ZR §33-25 in an R2/C1-2 district located at 139-24 Booth Memorial Avenue, Block 6401, Lot 19, Zoning Map 10b, Flushing, Borough of Queens.

CD05 - BSA #9-09 BZ - IN THE MATTER of an application submitted by Gerald J. Caliendo, RA, AIA on behalf of Gerry Kaplan/Marlene Realty Co. pursuant to Sections 73-36 of the NYC Zoning Resolution, for a special permit to allow a physical culture establishment in an existing one-story building in am M1-1district located at 63-03 Fresh Pond Road, Block 3608, Lot 14, Zoning Map 13d, Ridgewood, Borough of Queens.

CD07 - BSA #30-09 BZ - IN THE MATTER of an application submitted by Sheldon Lobel P.C. on behalf of 136-33 37th Avenue Realty, LLC pursuant to Sections 73-44 of the NYC Zoning Resolution, for a special permit to allow a reduction of the required accessory parking spaces for the construction of a ten-story mixed-use building with cellar and sub-cellar levels in a C4-3 district located at 136-33 37th Avenue, Block 4977, Lot 95, Zoning Map 10a, Flushing, Borough of Queens.

m29-j4

STATEN ISLAND BOROUGH PRESIDENT

PUBLIC MEETING

The Staten Island Borough Board will meet at 5:30 P.M. on Wednesday, June 3, 2009 at Borough Hall - Stuyvesant Place, Staten Island, New York 10301.

m26-j3

CITY COUNCIL

PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matter in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, June 2, 2009:

CORNER 47 RESTAURANT

MANHATTAN CB-4 20075505 TCM Application pursuant to Section 20-225 of the Administration Code of the City of New York, concerning the petition of Corner 47 Restaurant Corp., for a revocable consent to construct, maintain and operate an enclosed sidewalk cafe located at 683 Ninth Avenue, Borough of Manhattan.

m29-j2

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 Tuesday, June 2, 2009:

A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the expiration date of the operating authority of certain unsubsidized private bus services.

111 UNION STREET REZONING

BROOKLYN CB - 6 C 070504 ZMK Application submitted by Columbia Street Commercial Enterprises LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 16a, by establishing within an existing R6 District a C2-3 District bounded by a line 100 feet northeasterly of Union Street, a line 100 feet northwesterly of Columbia Street, Union Street, and a line 150 feet northwesterly of Columbia Street, as shown on a diagram (for illustrative purposes only) dated December 15, 2008.

CROSS ACCESS TEXT AMENDMENT

STATEN ISLAND CBs - 1, 2, 3 N 090185 ZRR Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York, relating to Article III, Chapter 6, (Cross Access Connections in the Borough of Staten Island), Article IV, Chapter 4 (Cross Access Connections in the Borough of Staten Island), Article X, Chapter 7 (Planting and screening for open parking areas) concerning establishment of Cross Access Connections in the Borough of Staten Island. 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 III Chapter 6 Accessory Off-Street Parking and Loading Regulations

36-50 ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES

36-58 Parking Lot Maneuverability and Curb Cut Regulations C1 C2 C3 C4 C5 C6 C7 C8

(b) Parking Lot Maneuverability All open parking areas shall comply with the maneuverability standards set forth in the following table.

Table with 5 columns: Angle of Park, A (Minimum length), B (Minimum Width), C (Minimum ~~Aside~~ Travel Lane), D (Minimum Turnaround). Rows 0** to 90.

* Figures given are for one-way traffic ** Figures given are for two-way traffic

36-59 Cross Access Connections in the Borough of Staten Island C4-1 C8

In the Borough of Staten Island, in the districts indicated, existing or new open parking lots adjacent to one another on the same or separate #zoning lots# shall be required to provide vehicular passageways between such open parking lots. Such vehicular passageways are hereinafter referred to as "cross access connections", and shall be provided in accordance with the requirements of this Section.

36-591 Applicability

Cross access connections shall be required for: #developments# where at least 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #commercial# or #community facility use# with an open parking lot that has 36 or more #accessory# parking spaces or is greater than 12,000 square feet in area;

- (a) #enlargements# on a #zoning lot# with an open parking lot that has 36 or more #accessory# parking spaces or is greater than 12,000 square feet in area; or (b) #zoning lots# where the number of parking spaces #accessory# to #commercial# or #community facility uses# is increased and such increase results in at least 36 parking spaces or more than 12,000 square feet of open parking lot area.

Such #developments#, #enlargements# or #zoning lots# shall locate cross access connections in accordance with the requirements of Sections 36-593 and 36-594.

36-592 Certification of cross access connections

No excavation, foundation or building permit shall be issued for any #development# or #enlargement# requiring a cross access connection, and no certificate of occupancy shall be amended for any increase in the number of parking spaces requiring a cross access connection until the Chairperson of the City Planning Commission certifies to the Department of

Buildings that the requirements of this Section 36-59, inclusive, have been met.

36-593

Site planning criteria for cross access connections Every potential cross access connections meeting the criteria of this Section shall be shown on the site plan required pursuant to Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations).

- (a) the connection shall be a minimum of 22 feet in width as measured along a #lot line# or boundary between separate properties when located on the same #zoning lot#, and at least 23 feet from any #street line#; (b) the connection shall be an extension of a travel lane of the subject open parking lot and align to the maximum extent practicable with a travel lane on any adjacent open parking lot; (c) the connection shall have a grade not greater than 15 percent; (d) the connection be placed in an area that is not blocked by an existing #building or other structure# that is within 50 feet of the #lot line# or other boundary of the subject property; and (e) the connection shall be placed in an area that will not require the removal of significant natural features such as wetlands or trees with a caliper of six inches or more, on the same or adjacent #zoning lots#

No screening or landscaping along a #lot line# shall be required in the connection area.

36-594

Establishment of Location of Required Cross Access Connection

One cross access connection shall be provided on the subject property at each #zoning lot line# or other boundary on the same #zoning lot#, where the properties divided by such lot line or boundary are contiguous by at least 60 feet, and where the adjacent properties are located in C4-1, C8 or Manufacturing Districts. The location of the required cross access connection shall be established as follows:

- (a) where an easement has not been previously recorded against any adjacent property in accordance with Section 36-595, an easement shall be recorded against the subject property documenting the locations of all potential cross access connections identified pursuant to Section 36-593. The easement shall provide for at least one future cross access connection to each adjacent property, at any of the locations identified. (b) where an easement has been previously recorded against an adjacent property in accordance with Section 36-595, an easement providing for at least one cross access connection meeting the criteria set forth in Section 36-593 shall be recorded against the subject property. Such cross access connection shall also align with one of the locations identified in the previously recorded easement against an adjacent property. If the previously recorded easement has identified more than one location for a cross access connection along such #lot line# or other boundary, the owner of the subject property shall select one of these locations for the cross access connection.

Each property owner shall construct its portion of the cross access connection in accordance with the requirements of Section 36-593 and 36-595. If such cross access connection has been established in a location that contained parking spaces, upon the effective date of the easement, as set forth in Section 36-595, the following provisions shall apply:

- (1) such connection shall be counted as four required parking spaces; and (2) such connection shall be separated from any adjacent parking spaces by a planting island at least four feet wide and densely planted with shrubs maintained at a maximum height of three feet. Such planting islands shall not be subject to the landscaping provisions of Section 37-922 (Interior landscaping).

36-595

Recordation and Notice Requirements

An easement through all required cross access connections for vehicular passage between and among adjacent parking lots, in a form acceptable to the Department of City Planning, shall be recorded in the Office of the Richmond County Clerk. An easement so recorded shall not become effective unless and until a corresponding easement has been recorded against an adjacent property, whether on the same or adjacent #zoning lot#, pursuant to this Section. Nothing herein shall be construed to limit the ability of a property owner or lessee to prohibit parking by non-customers.

If an easement pursuant to this Section has previously been recorded against any adjacent property, the owner of the subject property shall notify the owner of the adjacent property of the easement location he has selected by sending such owner a copy of the recorded easement. Proof of notification shall be a condition of certification under this Section. Prior to issuance of a temporary certificate of occupancy or permit sign-off, as applicable, the subject property owner shall further notify the adjacent property owner that the cross access connection must be constructed on the adjacent property within six months of the date of such notice. No temporary certificate of occupancy for any #development#, #enlargement# or increase in the number of parking spaces on the subject property, or permit sign off, if applicable, shall be issued until the applicant has demonstrated to the Department of Buildings that such owner of the adjacent property has been duly notified. Failure to provide the cross access connection in accordance with the requirements of this Section and to allow for vehicular passage between and among the adjacent parking lots within six months of the date of the notice shall constitute a violation of this Zoning Resolution by the adjacent property owner. Failure to provide the cross access connection in accordance with the requirements of this section and to allow for vehicular passage between and among the adjacent parking lots at the time of the aforementioned temporary certificate of occupancy or permit sign-off, if applicable, shall constitute a violation of this Zoning Resolution by the owner of the subject property.

36-596

Certification that no connection is required; relocation and voluntary connection

(a) Certification that no connection is required The Chairperson shall certify to the Department of Buildings that no cross access connection is required along a #lot line#, or other boundary between separate parking lots when located on the same #zoning lot#, due to the presence of:

- (1) grade changes greater than 15 percent; (2) existing #buildings or other structures# to remain that are located within 50 feet of the subject #zoning lot# or property, or (3) wetlands or trees with a caliper of six inches or more, and no alternate location along such #lot line# or other boundary between properties exists.

(b) Relocation of previously certified connection The Chairperson may relocate a previously-certified cross access connection where such new location is acceptable to the owners of both properties and such connection complies with all requirements of this Section. The Chairperson may also certify a non-required cross access connection provided such connection complies with all requirements of this Section 36-59, inclusive.

36-597

Authorizations for waivers or modifications of cross access connections

The City Planning Commission may authorize modifications or waivers of the requirements of Section 36-59, inclusive, provided the Commission finds that:

- (a) due to the irregular shape of the #zoning lot# or the location of connections along other #lot lines# or boundaries between properties on the same #zoning lot#, it is not possible to design a complying parking lot with a complying cross access connection; or (b) site planning constraints necessitate the placement of a new or enlarged #building# against a #lot line# or other boundary between properties that precludes a cross access connection along such #lot line# or boundary, and no other site plan is feasible.

The Commission may request reports from licensed engineers or landscape architects in considering such modifications or waivers.

* * *

Article IV Chapter 4 Accessory Off-Street Parking and Loading Regulations

* * *

44-40 ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED OFF-STREET PARKING SPACES

* * *

44-49

Cross Access Connections in Manufacturing Districts in the Borough of Staten Island

M1 M2 M3 In the Borough of Staten Island, in the districts indicated, existing or new open parking lots adjacent to one another on the same or separate #zoning lots# shall be required to provide vehicular passageways between such open parking lots in accordance with the provisions of Section 36-59 (Cross Access Connections in the Borough of Staten Island).

* * *

Chapter 7 Special South Richmond Development District

* * *

107-40 SPECIAL USE, BULK AND PARKING REGULATIONS

* * *

107-483 Planting and screening for open parking areas

(a) Tree planting requirements

* * *

For open parking areas with at least 36 parking spaces, the total number of trees required pursuant to Section 37-922 (Interior landscaping) shall be superceded by the number of trees required pursuant to this Section.

(b) Screening requirements The parking area shall be screened from all adjoining #zoning lots# or #streets# by a perimeter landscaped area at least seven feet in width, densely planted with shrubs maintained at a maximum height of three feet. Such parking area shall also be screened from all adjoining #streets# by a perimeter landscaped area at least seven feet in width. Such perimeter landscaped areas may be interrupted only by vehicular entrances and exits. Sidewalks that provide a direct connection between the public sidewalk and a pedestrian circulation route within the parking area may also interrupt a perimeter landscaped area. All screening areas shall comply with the provisions of paragraphs (a), (b) and (c) of Section 37-924 (Perimeter landscaping), except that the number of trees shall be as set forth in this Section. In addition, such screening shall be maintained in good condition at all times and may be interrupted by normal entrances and exits.

PRIVATELY OWNED PUBLIC PLAZAS TEXT AMENDMENT

CITYWIDE N 090317 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 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 ~~strikeout~~ 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#;
(2)(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 P.M. to 7:00 A.M.

* * *

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, or the highest adjacent surface where the bounding wall adjoins two or more walking surfaces with different elevations. 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) not more than three #accessory signs# may be located within the #public plaza#, of which one may be freestanding. All such #signs#, including structures to which they 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#, including structures to which they are affixed, shall exceed a width of 16 inches facing a #street#, and 24 inches when not facing a #street#. For corner #public plazas#, such limitations shall apply to only one #street# frontage. If such #sign# is associated with a #building# used for office #use#, 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

(a) Ground floor level 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.

As an alternative, where retail or service establishments located in an existing #building# front upon a #public plaza# or an #arcade# adjoining a #public plaza#, at least 50 percent of the total frontage of all building walls fronting on the #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 comply with the provisions of subparagraphs (1), (2) and (3) above.

(b)

Public entrances
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#.

(c)

Transparency
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 of a new or existing building wall fronting on the major or minor portion of a #public plaza# shall be treated with a decorative element or material or shall be screened with planting 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.

(c)

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 #public 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~~ Any application for 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.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matter in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, June 2, 2009:

GRACE ASPHALT PLANT

QUEENS CB - 7 C 090366 PCQ
Application submitted by the Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 130-31 Northern Boulevard (Block 1791, Lots 52 and 68), for use as an asphalt plant.

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 Tuesday, June 2, 2009:

**NORTH ZEREGA INDUSTRIAL SITE
BRONX CB - 9 C 090249 PPX**
Application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one (1) city-owned property located on Block 3838, p/o Lot 60, pursuant to zoning.

Proposals subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirements of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the project from real property taxes pursuant to Section 577 of the Private Housing Finance Law for Non-ULURP No. 20095594 HAM.

NO.	ADDRESS	BLOCK/ LOT	BORO	COMMUNITY PROGRAM	BOARD
20095572	HAM 63 Thompson Street	489/35	Manhattan	Substantial Rehabilitation	02

20095594 HAM 152 East 116th Street 1643/51 Manhattan Tenant Interim Lease

m27-j2

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, June 3, 2009, commencing at 10:00 A.M.

BOROUGH OF MANHATTAN

**No. 1
NYPD STABLES**

CD 4 C 080012 PCM
IN THE MATTER OF an application submitted by the Police Department 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 770 Eleventh Avenue (Block 1082, p/o Lot 1) for use as a police mounted unit facility and stables.

**No. 2
4-8 EAST 94TH STREET**

CD 8 C 090003 ZSM
IN THE MATTER OF an application submitted by the RJM /EM 4 East 94th Street, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the requirements of Sections 23-691 (*Limited Height Districts*), 23-633 (b) and 23-633(d) (*Street wall location and height and setback regulations*), and 23-663 (*Required rear setbacks for tall buildings in other districts*) to allow the renovation of two buildings located at 4 and 6-8 East 94th Street (Block 1505, Lot 66) in an R8B/LH1A and R10 Districts, within the Special Park Improvement District (PI). Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**No. 3
150 CHARLES STREET PUBLIC GARAGE**

CD 2 C 090036 ZSM
IN THE MATTER OF an application submitted by 150 Charles Street Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 110 spaces on portions of the ground floor and cellar of a residential development on property located at 303 West 10th Street (Block 636, Lot 70), in a C1-7 District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**BOROUGH OF BROOKLYN
Nos. 4 & 5
FLATBUSH REZONING
No. 4**

CD 14 N 090335 ZRK
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 II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-90, inclusive, relating to the application of the Inclusionary Housing Program to proposed R7A districts, in the Borough of Brooklyn, Community District 14.

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

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

* * *
23-011
Quality Housing Program
(a) In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, any #development# or #enlargement# shall comply with the applicable district #bulk# regulations as set forth in this Chapter and any #residential development#, #enlargement#, #extension# or conversion shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program). In R5D Districts, certain requirements of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).

* * *
In the Borough of Brooklyn
~~Ocean Parkway Area~~
The area bounded by Church Avenue, Stratford Road, Beverley Road, Ocean Avenue, Foster Avenue and Coney Island Avenue.

Midwood Area
The area bounded by Avenue M, Ocean Avenue, Quentin Road, and a line midway between East 10th Street and Coney Island Avenue. The area bounded by Avenue M, Coney Island Avenue, Avenue P, Ocean Avenue, Quentin Road, and a line midway between East 10th Street and Coney Island Avenue.

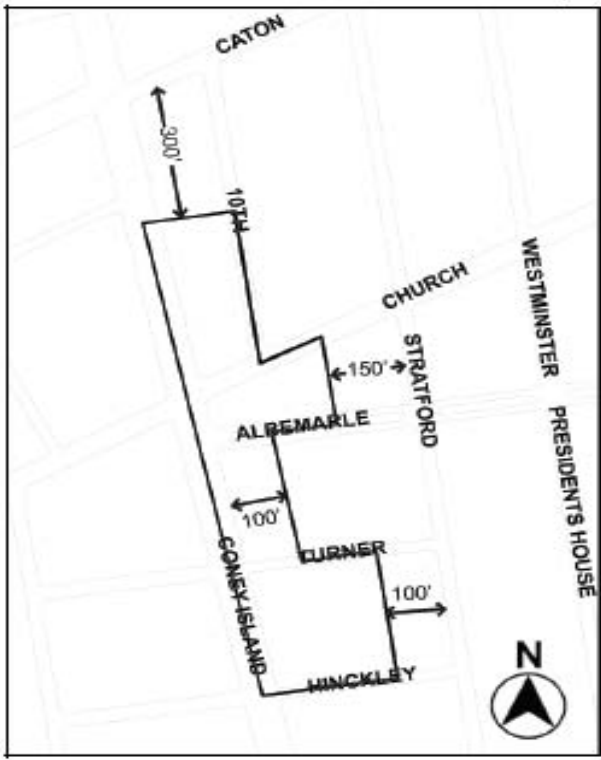
* * *
23-144
In designated areas where the Inclusionary Housing Program is applicable. In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In

Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

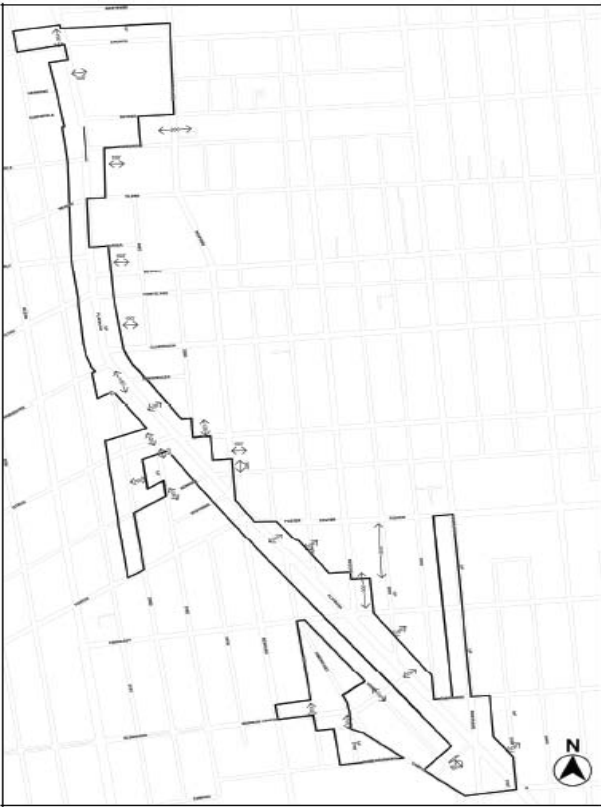
Community District	Zoning District
Community District 1,	Brooklyn R6 R6A R6B R7A
Community District 2,	Brooklyn R7A
Community District 3,	Brooklyn R7D
Community District 7,	Brooklyn R8A
Community District 14,	Brooklyn R7A
Community District 3,	Manhattan R7A R8A R9A
Community District 6,	Manhattan R10
Community District 7,	Manhattan R9A
Community District 2,	Queens R7X

* * *
23-922
Inclusionary housing designated areas
The Inclusionary Housing Program shall apply in the following areas:

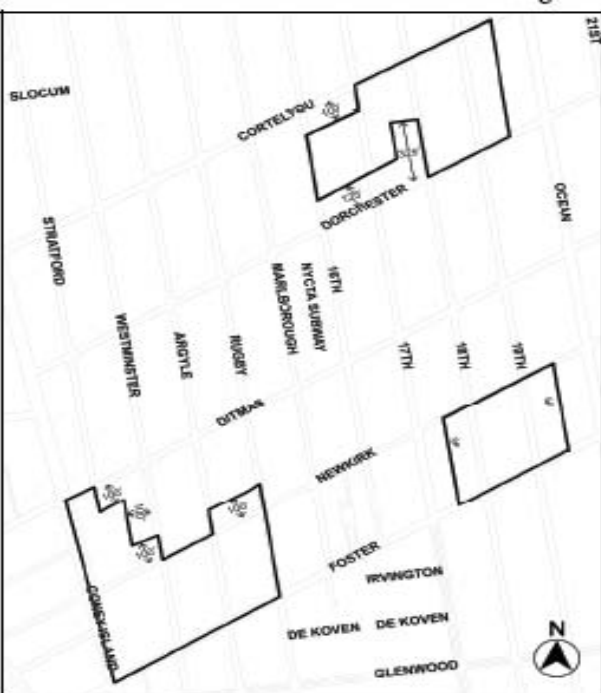
* * *
(x) In Community District 14, in the Borough of Brooklyn, in the R7A Districts within the areas shown on the following Maps X1, X2 and X3:



Map X1. Portion of Community District 14, Brooklyn



Map X2. Portion of Community District 14, Brooklyn



Map X3. Portion of Community District 14, Brooklyn

No. 5

CD 14 **C 090336 ZMK**
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16d, 17b, 22c, & 23a:

1. eliminating from within an existing R3-1 District a C1-3 District bounded by a line 150 feet northerly of Church Avenue, a line midway between East 16th Street- Buckingham Road and East 17th Street, Church Avenue, and East 16th Street-Buckingham Road;
 2. eliminating from within an existing R6 District a C1-3 District bounded by:
 - a. Parkside Avenue, a line 150 feet easterly of Flatbush Avenue, a line midway between Parkside Avenue and Clarkson Avenue, and a line 100 feet easterly of Flatbush Avenue;
 - b. a line 150 feet northerly of Church Avenue, a line 100 feet westerly Rugby Road, Church Avenue, and East 10th Street;
 - c. Cortelyou Road, Flatbush Avenue, Cortelyou Road, a line 100 feet easterly of Flatbush Avenue, Clarendon Road, a line 190 feet westerly of East 23rd Street, a line midway between Clarendon Road and Vanderveer Place, a line 250 feet westerly of East 23rd Street, a line 100 feet northeasterly of Flatbush Avenue, East 23rd Street, Ditmas Avenue, Bedford Avenue, Newkirk Avenue, a line 100 feet southwesterly of Flatbush Avenue, East 22nd Street, a line 150 feet southerly of Dorchester Road, and a line midway between East 21st Street and East 22nd Street;
 - d. a line 150 feet northerly of Cortelyou Road, East 17th Street, a line 150 feet southerly of Cortelyou Road, Stratford Road, Cortelyou Road, and a line midway between Rugby Road and Marlborough Road;
 - e. a line 120 feet northerly of Newkirk Avenue, East 16th Street, Newkirk Avenue, East 17th Street, a line 150 feet southerly of Newkirk Avenue, East 16th Street, a line 100 feet northerly of Foster Avenue, East 18th Street, Foster Avenue, Westchester Road, a line 100 feet northerly of Foster Avenue, Marlborough Road, a line 120 feet southerly of Newkirk Avenue, and Rugby Road; and
 - f. Foster Avenue, Nostrand Avenue, Glenwood Road, and a line midway between East 29th Street and Nostrand Avenue;
 3. eliminating from within an existing R7-1 District a C1-3 District bounded by:
 - a. Parkside Avenue, a line 100 feet easterly of Flatbush Avenue, a line midway between Parkside Avenue and Clarkson Avenue, a line 150 feet easterly of Flatbush Avenue, a line midway between Martense Street and Church Avenue, Flatbush Avenue, a line 150 feet northerly of Church Avenue, a line 100 feet westerly of Flatbush Avenue, a line perpendicular to the northerly street line of Caton Avenue, distant 140 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Caton Avenue and the westerly street line of Flatbush Avenue, a line 150 feet northerly of Caton Avenue, a line 140 feet westerly of Flatbush Avenue, a line perpendicular to the westerly street line of Flatbush Avenue, distant 200 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Flatbush Avenue and the northerly street line of Caton Avenue, and a line 100 feet westerly of Flatbush Avenue;
 - b. a line 150 feet northerly of Church Avenue, East 21st Street, a line 150 feet southerly of Church Avenue, and the southerly prolongation of a line midway between East 16th Street- Buckingham Road and East 17th Street; and
 - c. a line midway between Beverley Road and Cortelyou Road, a line midway between Flatbush Avenue and East 21st Street, a line 150 feet southerly of Cortelyou Road, and East 21st Street;
 4. eliminating from within an existing R5 District a C2-3 District bounded by Foster Avenue, a line 100 feet easterly of Coney Island Avenue, Glenwood Avenue, a line midway between Westminister Road and Coney Island Avenue, Avenue H, and Coney Island Avenue;
 5. eliminating from within an existing R6 District a C2-3 District bounded by:
 - a. a line perpendicular to the easterly street line of Coney Island Avenue distant 300 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 Caton Avenue, East 10th Street, Church Avenue, and Coney Island Avenue;
 - b. Albarmarle Road, a line 150 feet easterly of Coney Island Avenue, a line 150 feet northerly of Cortelyou Avenue, Stratford Road, Dorchester Road, and Coney Island Avenue;
 - c. Ditmas Avenue, a line 150 feet easterly of Coney Island Avenue, Newkirk Avenue, and Coney Island Avenue; and
 - d. Newkirk Avenue, Flatbush Avenue,
- Foster Avenue, East 26th Street, a line 250 feet southerly of Foster Avenue, Rogers Avenue, a line 500 feet southerly of Foster Avenue, a line midway between Rogers Avenue and East 28th Street, Farragut Road, East 28th Street, a line 100 feet northeasterly of Flatbush Avenue, East 29th Street, a line 150 feet northerly of Glenwood Road, a line midway between East 29th Street and Nostrand Avenue, Glenwood Road, a line perpendicular to the southwesterly street line of Flatbush Avenue distant 400 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Flatbush Avenue and the northwesterly street line of Hillel Place, a line 100 feet southwesterly of Flatbush Avenue, Farragut Road, East 26th Street, a line 100 feet southwesterly of Flatbush Avenue, Bedford Avenue, Foster Avenue, and a line 100 feet southwesterly of Flatbush Avenue;
6. changing from an R6 District to an R1-2 District property bounded by:
 - a. Church Avenue, a line 100 feet westerly of Stratford Road, Turner Place, and a line 100 feet easterly of Coney Island Avenue, Albemarle Road, and a line 150 feet westerly of Stratford Road;
 - b. Hincley Place, a line 100 feet westerly of Stratford Road, Beverley Road, a line 100 feet easterly of Coney Island Avenue; and
 - c. a line 120 feet northerly of Newkirk Avenue, a line midway between East 19th Street and Ocean Avenue, Newkirk Avenue, and East 17th Street;
 7. changing from an R7-1 District to an R1-2 District property bounded by:
 - a. a line 150 feet southerly of Church Avenue, the northwesterly boundary line of the MTA New York City Transit right-of-way, and the southerly prolongation of a line midway between East 16th Street-Buckingham Road and East 17th Street;
 - b. Dorchester Road, a line midway between Ocean Avenue and East 21st Street, Ditmas Avenue, and Ocean Avenue; and
 - c. a line 120 feet northerly of Newkirk Avenue, Ocean Avenue, Newkirk Avenue, and a line midway between East 19th Street and Ocean Avenue;
 8. changing from an R3-1 District to an R3X District property bounded by Caton Avenue, a line midway between East 16th Street- Buckingham Road and East 17th Street, Church Avenue, and a line 100 feet westerly of Rugby Road;
 9. changing from an R3-2 District to an R3X District property bounded by:
 - a. Beverley Road, a line midway between Marlborough Road and East 16th Street, a line 100 feet southerly of Beverley Road, a line midway between East 19th Street and Ocean Avenue, a line 150 feet northerly of Cortelyou Road, and Stratford Road;
 - b. Dorchester Road, the centerline of the MTA New York City Transit right-of-way, a line 120 feet northerly of Newkirk Avenue, Rugby Road, a line 100 feet northerly of Newkirk Avenue, a line 100 feet westerly of Westminister Road, a line 100 feet southerly of Ditmas Avenue, a line midway between Coney Island Avenue and Westminister Road, Ditmas Avenue, and Stratford Road; and
 - c. Foster Avenue, Bedford Avenue, Farragut Road, a line midway between East 24th Street and Bedford Avenue, a line 100 feet northerly of Glenwood Road, Bedford Avenue, East 23rd Street, Campus Road, Avenue H, a line midway between Ocean Avenue and East 21st Street, Farragut Road, and East 21st Street;
 10. changing from an R6 District to an R3X District property bounded by:
 - a. Beverley Road, Stratford Road, a line 150 feet northerly of Cortelyou Road, a line midway between East 19th Street and Ocean Avenue, Cortelyou Road, East 17th Street, a line 75 feet northerly of Cortelyou Road, East 16th Street, a line 100 feet northerly of Cortelyou Road, a line midway between Rugby Road and Marlborough Road, Cortelyou Road, a line perpendicular to the northerly street line of Cortelyou Road distant 100 feet westerly (as measured along the street line) from the point of intersection of the westerly street line of Westminister Road and the northerly street line of Cortelyou Road, a line 100 feet northerly of Cortelyou Road, Stratford Road, a line perpendicular to the westerly street line of Stratford Road distant 50 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Cortelyou Road and the westerly street line of Stratford Road, and a line 100 feet easterly of Coney Island Avenue;
 - b. a line perpendicular to the westerly street line of Stratford Road distant 225 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Stratford Road and the southerly street line of Dorchester Road, Stratford Road, Ditmas Avenue, a line midway between Coney Island Avenue and Westminister Road, a line 100 feet southerly of Ditmas Avenue, a line 100 feet easterly of Coney Island Avenue, Ditmas Avenue, and Coney Island Avenue; and

- c. a line 100 feet southwesterly of Flatbush Avenue, a line midway between East 26th Street and Bedford Avenue, Farragut Road, and Bedford Avenue;
11. changing from an R7-1 District to an R3X District property bounded by Beverley Road, East 16th Street, a line 100 feet southerly of Beverley Road, and the westerly boundary line of the MTA New York City Transit right-of-way;
12. changing from an R3-2 District to an R4A District property bounded by:
- a. Farragut Road, Bedford Avenue, a line 300 feet southerly of Farragut Road, and a line midway between East 24th Street and Bedford Avenue; and
- b. a line 300 feet northerly of Glenwood Road, Bedford Avenue, a line 100 feet northerly of Glenwood Road, and a line midway between East 24th Street and Bedford Avenue;
13. changing from an R4 District to an R4A District property bounded by:
- a. Glenwood Road, Bedford Avenue, Campus Road, and East 23rd Street; and
- b. Avenue H, East 19th Street, the southerly boundary line of the Long Island Rail Road right-of-way (Bay Ridge Division), and East 17th Street;
14. changing from an R6 District to an R4A District property bounded by:
- a. a line 100 feet southerly of Cortelyou Road, Westminster Road, a line 200 feet southerly of Cortelyou Road, Stratford Road, a line 150 feet northerly of Dorchester Road, Rugby Road, a line 100 feet southerly of Cortelyou Road, a line midway between Rugby Road and Marlborough Road, a line perpendicular to the westerly street line of Marlborough Road distant 200 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Marlborough Road and the northerly street line of Dorchester Road, Marlborough Road, a line perpendicular to the easterly street line of Marlborough Road distant 200 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Marlborough Road and the southerly street line of Cortelyou Road, a line midway between Marlborough Road and East 16th Street, a line perpendicular to the westerly street line of East 16th Street distant 200 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of East 16th Street and the northerly street line of Dorchester Road, East 16th Street, a line 125 feet northerly of Dorchester Road, a line midway between East 17th Street and East 18th Street, a line perpendicular to the westerly street line of East 18th Street distant 325 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of East 18th Street and the northerly street line of Dorchester Road, Dorchester Road, and a line 80 feet westerly of Stratford Road;
- b. a line 100 feet northerly of Farragut Road, East 26th Street, a line 100 feet northerly of Glenwood Road, Bedford Avenue, a line 350 feet northerly of Glenwood Road, a line midway between Bedford Avenue and East 26th Street, a line 250 feet southerly of Farragut Road, Bedford Avenue, Farragut Road, and a line midway between Bedford Avenue and East 26th Street; and
- c. Glenwood Road, East 26th Street, a line 100 feet southerly of Glenwood Road, a line midway between East 26th Street and East 27th Street, Campus Road, and Bedford Avenue;
15. changing from an R3-2 District to an R5B District property bounded by a line 300 feet southerly of Farragut Road, Bedford Avenue, a line 300 feet northerly of Glenwood Road, and a line midway between East 24th Street and Bedford Avenue;
16. changing from a R5 District to an R5B District property bounded by a line 100 feet southerly of Avenue H, East 17th Street, the southerly boundary line of the Long Island Rail Road right-of-way (Bay Ridge Division), and a line midway between Coney Island Avenue and East 12th Street;
17. changing from a R6 District to an R5B District property bounded by:
- a. a line 100 feet southerly of Cortelyou Road, a line midway between Bedford Avenue and East 23rd Street, a line 100 feet northerly of Clarendon Road, and a line 100 feet easterly of Flatbush Avenue;
- b. a line 100 feet southerly of Clarendon Road, a line midway between East 23rd Street and Bedford Avenue, a line 125 feet northerly of Avenue D, and a line 100 feet northeasterly of Flatbush Avenue;
- c. a line 100 feet southerly of Ditmas Avenue, a line 100 feet southwesterly of Flatbush Avenue, Foster Avenue, East 22nd Street, Newkirk Avenue, East 23rd Street, a line 100 feet northerly of Newkirk Avenue, and a line midway between East 22nd Street and East 23rd Street;
- d. a line 100 feet northerly of Newkirk Avenue, Argyle Road, Newkirk Avenue, and Westminster Road;
- e. Foster Avenue, a line midway between East 29th Street and Nostrand Avenue, Glenwood Road, East 29th Street, a line 100 feet northeasterly of Flatbush Avenue, a line midway between Rogers Avenue and East 28th Street, a line 500 feet southerly of Foster Avenue, Rogers Avenue, a line perpendicular to the westerly street line of Rogers Avenue distant 300 feet northerly (as measured along the street line) of the point of intersection of the westerly street line of Rogers Avenue and the northeasterly street line of Flatbush Avenue, and a line 100 feet northeasterly of Flatbush Avenue;
- f. a line 250 feet southerly of Farragut Road, a line midway between Bedford Avenue and East 26th Street, a line 350 feet northerly of Glenwood Road, and Bedford Avenue; and
- g. a line 100 feet southwesterly of Flatbush Avenue, a line 60 feet northwesterly of Hillel Place, Campus Road, Amersfort Place, a line 150 feet northwesterly of Glenwood Road, Kenilworth Place, Farragut Road, East 26th Street, a line 100 feet northerly of Farragut Road, and a line midway between Bedford Avenue and East 26th Street;
18. changing from an R7-1 District to an R5B District property bounded by Kenmare Terrace and its easterly centerline prolongation, a line 100 feet westerly of Flatbush Avenue, a line 100 feet southerly of Albemarle Terrace, and East 21st Street;
19. changing from an R5 District to an R5D District property bounded by Avenue H, East 17th Street, a line 100 feet southerly of Avenue H, and line midway between Coney Island Avenue and East 12th Street;
20. changing from an R5 District to an R6A District property bounded by Foster Avenue, a line 100 feet easterly of Coney Island Avenue, Glenwood Road, a line midway between Coney Island Avenue and Westminster Road, Avenue H, and Coney Island Avenue;
21. changing from an R6 District to an R6A District property bounded by:
- a. Caton Avenue, a line midway between Argyle Road and Rugby Road, Church Avenue, a line 100 feet easterly of East 10th Street, a line 100 feet northerly of Church Avenue, and Stratford Road;
- b. Hinckley Place, a line 100 feet easterly of Coney Island Avenue, a line perpendicular to the westerly street line of Stratford Road distant 50 feet northerly (as measured along the street line) of the point of intersection of the westerly street line of Stratford Road and the northerly street line of Cortelyou Road, Stratford Road, a line 100 feet northerly of Cortelyou Road, a line perpendicular to the northerly street line of Cortelyou Road distant 100 feet westerly (as measured along the street line) from the point of intersection of the westerly street line of Westminster Road and the northerly street line of Cortelyou Road, Cortelyou Road, a line midway between Rugby Road and Marlborough Road, a line 100 feet northerly of Cortelyou Road, East 16th Street, a line 75 feet northerly of Cortelyou Road, East 17th Street, a line 100 feet southerly of Cortelyou Road, East 16th Street, a line perpendicular to the westerly street line of East 16th Street distant 200 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of East 16th Street and the northerly street line of Dorchester Road, a line midway between East 16th Street and Marlborough Road, a line perpendicular to the southerly street line of Cortelyou Road distant 200 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Cortelyou Road and the easterly street line of Marlborough Road, Marlborough Road, a line perpendicular to the westerly street line of Marlborough Road distant 200 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Marlborough Road and the northerly street line of Dorchester Road, a line midway between Rugby Road and Marlborough Road, a line 100 feet southerly of Cortelyou Road, Rugby Road, a line 150 feet northerly of Dorchester Road, Stratford Road, a line 200 feet southerly of Cortelyou Road, Westminster Road, a line 100 feet southerly of Cortelyou Road, a line 80 feet westerly of Stratford Road, Dorchester Road, Stratford Road, a line perpendicular to the westerly street line of Stratford Road distant 225 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Stratford Road and the southerly street line of Dorchester Road, and Coney Island Avenue;
- c. Cortelyou Road, Bedford Avenue, a line 100 feet northerly of Newkirk Avenue, a line 100 feet westerly of Bedford Avenue, Avenue D, East 23rd Street, a line 125 feet northerly of Avenue D, a line midway between Bedford Avenue and East 23rd Street, a line 100 feet southerly of Clarendon Road, a line 100 feet northeasterly and easterly of Flatbush Avenue, a line 100 feet northerly of Clarendon Road, a line midway between Bedford Avenue and East 23rd Street, a line 100 feet southerly of Cortelyou Road, and a line 100 feet easterly of Flatbush Avenue;
- d. a line 150 feet southerly of Dorchester Road, a line 100 feet southwesterly of Flatbush Avenue, a line 100 feet northerly of Ditmas Avenue, and a line midway between East 22nd Street and East 21st Street;
- e. a line 120 feet northerly of Newkirk Avenue, East 17th Street, Newkirk Avenue, a line midway between East 17th Street and East 18th Street, Foster Avenue, and Rugby Road; and
- f. Glenwood Road, East 32nd Street, Avenue H, East 31st Street, a line 100 feet northeasterly of Flatbush Avenue, and a line midway between East 31st Street and Nostrand Avenue;
22. changing from an R7-1 District to an R6A District property bounded by a line 100 feet northerly of Regent Place, a line 100 feet westerly of Flatbush Avenue, Beverley Road, a line midway between Flatbush Avenue and East 21st Street, Dorchester Road, East 21st Street, a line perpendicular to the easterly street line of Ocean Avenue distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Ocean Avenue and the southerly street line of Cortelyou Road, Ocean Avenue, Cortelyou Road, a line midway between Ocean Avenue and East 21st Street, a line 200 feet southerly of Beverley Road, and East 21st Street;
23. changing from a C4-2 District to an R6A District property bounded by:
- a. Albemarle Road, Bedford Avenue, Tilden Avenue, and a line 100 feet westerly of Bedford Avenue; and
- b. a line 75 feet southerly of Beverley Road, Bedford Avenue, Cortelyou Road, and a line 100 feet easterly of Flatbush Avenue;
24. changing from an R6 District to an R6B District property bounded by Caton Avenue, Stratford Road, a line 100 feet northerly of Church Avenue, a line 100 feet easterly of East 10th Street, Church Avenue, East 10th Street, a line perpendicular to the easterly street line of Coney Island Avenue distant 300 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 Caton Avenue, and Coney Island Avenue;
25. changing from an R7-1 District to an R6B District property bounded by:
- a. Woodruff Avenue, a line perpendicular to the southerly street line of Woodruff Avenue distant 225 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of Woodruff Avenue and the easterly street line of St. Paul Place, Crooke Avenue, the northwesterly boundary line of the MTA New York City Transit right-of-way, a line 100 feet southerly of Crooke Avenue, a line 100 feet easterly of St. Paul Place, and Crooke Avenue, and St. Paul Place;
- b. a line midway between Parkside Avenue and Woodruff Avenue, a line perpendicular to the northerly street line of Woodruff Avenue distant 95 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Woodruff Avenue and the westerly street line of Flatbush Avenue, Woodruff Avenue, East 21st Street, a line perpendicular to the westerly street line of East 21st Street distant 125 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of East 21st Street and the southerly street line of Woodruff Avenue, and a line midway between East 21st Street and Ocean Avenue and its northerly prolongation;
- c. Clarkson Avenue, a line 250 feet easterly of Flatbush Avenue, a line midway between Clarkson Avenue and Lenox Road, a line 375 feet easterly of Flatbush Avenue, Lenox Road, a line 225 feet easterly of Flatbush Avenue, Caton Avenue, a line 100 feet easterly of Flatbush Avenue; and
- d. a line midway between Caton Avenue and Linden Boulevard, a line 350 feet westerly of Caton Avenue, Linden Boulevard, a line 425 feet westerly of Bedford Avenue, Martense Street, a line 250 feet westerly of Bedford Avenue, a line midway between Martense Street and Church Avenue, a line 475 feet westerly of Bedford Avenue, Martense Street, and a line 100 feet easterly of Flatbush Avenue;
26. changing from a C4-2 District to an R6B District property bounded by Duryea Place, East 22nd Street, Beverley Road, Bedford Avenue, a line 75 feet southerly of Beverley Road, a line 100 feet easterly of Flatbush Avenue;
27. changing from an R3-2 District to an R7A District property bounded by:
- a. a line 100 feet southerly of Ditmas Avenue, a line 100 feet westerly of Westminster Road, a line 100 feet northerly of Newkirk Avenue, and a line 150 feet easterly of Coney Island Avenue; and
- b. Foster Avenue, East 21st Street, Farragut Road, and a line midway between Ocean Avenue and East 21st Street;
28. changing from an R4 District to an R7A District property bounded by Avenue H, a line midway between East 19th Street and Ocean Avenue; the southerly boundary line of the Long Island Rail Road right-of-way (Bay Ridge Division), and East 19th Street;

29. changing from an R6 District to an R7A District property bounded by:
- a line perpendicular to the easterly street line of Coney Island Avenue distant 300 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 Caton Avenue, East 10th Street, Church Avenue, a line 150 feet westerly of Stratford Road, Albemarle Road, a line 100 feet easterly of Coney Island Avenue, Turner Place, a line 100 feet westerly of Stratford Road, Hinckley Place, and Coney Island Avenue;
 - Cortelyou Road, Flatbush Avenue, Cortelyou Road, a line 100 feet easterly and northeasterly of Flatbush Avenue, a line 125 feet northerly of Avenue D, East 23rd Street, Avenue D, a line 100 feet westerly of Bedford Avenue, a line 100 feet northerly of Newkirk Avenue, Bedford Avenue, Flatbush Avenue, Foster Avenue, a line 100 feet northeasterly of Flatbush Avenue, a line perpendicular to the westerly street line of Rogers Avenue distant 300 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Rogers Avenue and the northeasterly street line of Flatbush Avenue, Rogers Avenue, a line 500 feet southerly of Foster Avenue, a line midway between Rogers Avenue and East 28th Street, a line 100 feet northeasterly of Flatbush Avenue, East 29th Street, a line perpendicular to the southwestwesterly street line of Flatbush Avenue distant 400 feet northwestwesterly (as measured along the street line) from the point of intersection of the southwestwesterly street line of Flatbush Avenue and the northwestwesterly street line of Hillel Place, a line midway between Flatbush Avenue and Kenilworth Place, Farragut Road, a line 100 feet southwestwesterly of Flatbush Avenue, Bedford Avenue, Foster Avenue, a line 100 feet southwestwesterly of Flatbush Avenue, a line 100 feet southerly of Ditmas Avenue, a line midway between East 22nd Street and East 23rd Street, a line 100 feet northerly of Newkirk Avenue, East 23rd Street, Newkirk Avenue, East 22nd Street, Foster Avenue, a line midway between East 22nd Street and East 21st Street, a line 100 feet northerly of Ditmas Avenue, a line 100 feet southwestwesterly of Flatbush Avenue, East 22nd Street, a line 150 feet southerly of Dorchester Road, a line midway between East 21st Street and East 22nd Street, Dorchester Road, and a line midway between East 21st Street and Flatbush Avenue;
 - Cortelyou Road, a line midway between East 19th Street and Ocean Avenue, Dorchester Road, East 18th Street, a line perpendicular to the westerly street line of East 18th Street distant 325 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of East 18th Street and the northerly street line of Dorchester Road, a line midway between East 17th Street and East 18th Street, a line 125 feet northerly of Dorchester Road, East 16th Street, a line 100 feet southerly of Cortelyou Road, and East 17th Street;
 - Ditmas Avenue, a line 100 feet easterly of Coney Island Avenue, a line 100 feet southerly of Ditmas Avenue, a line midway between Coney Island Avenue and Westminster Road, a line 100 feet northerly of Newkirk Avenue, Westminster Road, Newkirk Avenue, Argyle Road, a line 100 feet northerly of Newkirk Avenue, Rugby Road, Foster Avenue, and Coney Island Avenue;
 - Newkirk Avenue, a line midway between East 19th Street and Ocean Avenue, Foster Avenue, a line midway between East 17th Street and East 18th Street;
 - Farragut Road, Kenilworth Place, a line 150 feet northwestwesterly of Glenwood Road, Amersfort Place, Campus Road, a line midway between East 27th Street and East 26th Street, a line 100 feet southerly of Glenwood Road, East 26th Street, Glenwood Road, Bedford Avenue, a line 100 feet northerly of Glenwood Road, and East 26th Street; and
 - Foster Avenue, Nostrand Avenue, Glenwood Road, and a line midway between Nostrand Avenue and East 29th Street;
30. changing from an R7-1 District to an R7A District property bounded by Parkside Avenue, Flatbush Avenue, Clarkson Avenue, a line 100 feet easterly of Flatbush Avenue, Caton Avenue, a line 225 feet easterly of Flatbush Avenue, Lenox Road, a line 375 feet easterly of Flatbush Avenue, a line midway between Clarkson Avenue and Lenox Road, a line 250 feet easterly of Flatbush Avenue, Clarkson Avenue, Bedford Avenue, a line midway between Martense Street and Church Avenue, a line 250 feet westerly of Bedford Avenue, Martense Street, a line 425 feet westerly of Bedford Avenue, Linden Boulevard, a line 350 feet westerly of Caton Avenue, a line midway between Caton Avenue and Linden Boulevard, a line 100 feet easterly of Flatbush Avenue, Martense Street, a line 475 feet westerly of Bedford Avenue, a line midway between Martense Street and Church Avenue, Flatbush Avenue, a line 150 feet northerly of Church Avenue, East 21st Street, Church Avenue, Flatbush Avenue, a line 100 feet southerly of Church Avenue, a line 100 feet westerly of Flatbush Avenue, Kenmare Terrace and its easterly centerline prolongation, East 21st Street, a line 100 feet southerly of Albemarle Terrace, a line 100 feet westerly of Flatbush Avenue, a line 100 feet northerly of Regents Place, East 21st Street, a line 200 feet southerly of Beverley Road, a line midway between Ocean Avenue and East 21st Street, Cortelyou Road, Ocean Avenue, a line perpendicular to the easterly street line of Ocean Avenue distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Ocean Avenue and the southerly street line of Cortelyou Road, East 21st Street, Dorchester Road, a line midway between East 21st Street and East 22nd Street, Foster Avenue, a line midway between Ocean Avenue and East 21st Street, Campus Road, Avenue H, a line midway between Ocean Avenue and East 19th Street, Newkirk Avenue, Ocean Avenue, Ditmas Avenue, a line midway between Ocean Avenue and East 21st Street, Dorchester Road, a line midway between East 19th Street and Ocean Avenue, a line 100 feet southerly of Beverley Road, East 16th Street, Beverley Road, the westerly boundary line of MTA New York City Transit right-of-way, a line 150 feet southerly of Church Avenue, a line perpendicular to the southerly street line of Church Avenue distant 80 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of Church Avenue and the easterly street line of Buckingham Road, Church Avenue, a line midway between East 16th Street- Buckingham Road and East 17th Street, Caton Avenue, and Parade Place, and excluding the areas bounded by:
- Woodruff Avenue, Ocean Avenue, Crooke Avenue, the northwestwesterly boundary line of the MTA New York City Transit right-of-way, a line 100 feet southerly of Crooke Avenue, a line 100 feet easterly of St. Paul Place, Crooke Avenue, and St. Paul Place;
 - a line midway between Parkside Avenue and Woodruff Avenue, a line perpendicular to the northerly street line of Woodruff Avenue distant 95 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Woodruff Avenue and the westerly street line of Flatbush Avenue, Woodruff Avenue, East 21st Street, a line perpendicular to the westerly street line of East 21st Street distant 125 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of East 21st Street and the southerly street line of Woodruff Avenue, and a line midway between East 21st Street and Ocean Avenue and its northerly prolongation;
31. changing from a C4-2 District to a C4-4A District property bounded by a line 150 feet northerly of Church Avenue, Flatbush Avenue, a line midway between Martense Street and Church Avenue, Bedford Avenue, Snyder Avenue, a line 200 feet westerly of Bedford Avenue, Albemarle Road, a line 100 feet easterly of Flatbush Avenue, Tilden Avenue, Flatbush Avenue, Duryea Place, a line 100 feet easterly of Flatbush Avenue, Cortelyou Road, Flatbush Avenue, Cortelyou Road, a line midway between East 21st Street and Flatbush Avenue, Beverley Road, a line 100 feet westerly of Flatbush Avenue, a line 100 feet southerly of Church Avenue, Flatbush Avenue, Church Avenue, and East 21st Street;
32. changing from a C4-3 District to a C4-4A District property bounded by Glenwood Road, a line midway between East 31st Street and Nostrand Avenue, a line 100 feet northeasterly of Flatbush Avenue, East 31st Street, Avenue H, Campus Road, a line 60 feet northwestwesterly of Hillel Place, a line midway between Flatbush Avenue and Kenilworth Place, and a line perpendicular to the southwestwesterly street line of Flatbush Avenue distant 400 feet northeasterly (as measured along the street line) from the point of intersection of the southwestwesterly street line of Flatbush Avenue and the northwestwesterly street line of Hillel Place;
33. establishing within a proposed R3X District a C2-4 District bounded by a line 100 feet northerly of Church Avenue, a line midway between East 16th Street- Buckingham Road and East 17th Street, Church Avenue, and East 16th Street;
34. establishing within a proposed R5B District a C2-4 District bounded by a line 100 feet northerly of Glenwood Road, a line midway between Nostrand Avenue and East 29th Street, Glenwood Road, and East 29th Street;
35. establishing within a proposed R5D District a C2-4 District bounded by:
- Avenue H, East 14th Street, a line 100 feet southerly of Avenue H, and East 13th Street, and
 - Avenue H, East 17th Street, a line 100 feet southerly of Avenue H, and East 15th Street;
36. establishing within a proposed R6A District a C2-4 District bounded by:
- a line 100 feet northerly of Church Avenue, a line midway between Argyle Road and Rugby Road, Church Avenue, and a line 100 feet easterly of East 10th Street;
 - Hinckley Place, a line 100 feet easterly of Coney Island Avenue, a line perpendicular to the westerly street line of Stratford Road, distant 50 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Stratford Road and the northerly street line of Cortelyou Road, Stratford Road, a line 100 feet northerly of Cortelyou Road, a line perpendicular to the northerly street line of Cortelyou Road, distant 100 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Cortelyou Road and the westerly street line of Westminster Road, Cortelyou Road, a line midway between Rugby Road and Marlborough Road, a line 100 feet northerly of Cortelyou Road, East 16th Street, a line 75 feet northerly of Cortelyou Road, East 17th Street, a line 100 feet southerly of Cortelyou Road, a line 80 feet westerly of Stratford Road, Dorchester Road, and Coney Island Avenue;
 - a line 100 feet northerly of Cortelyou Road, a line midway between Flatbush Avenue and East 21st Street, a line 100 feet southerly of Cortelyou Road, and East 21st Street;
 - Clarendon Road, a line 190 feet westerly of East 23rd Street, a line 100 feet southerly of Clarendon Road, and a line 100 feet northeasterly of Flatbush Avenue;
 - a line 120 feet northerly of Newkirk Avenue, East 16th Street, Newkirk Avenue, East 17th Street, a line 100 feet southerly of Newkirk Avenue, a line midway between East 17th Street and East 16th Street, a line 150 feet southerly of Newkirk Avenue, East 16th Street, Foster Avenue, Rugby Road, a line 100 feet northerly of Foster Avenue, Marlborough Road, a line 100 feet southerly of Newkirk Avenue, and Rugby Road;
 - a line 100 feet northerly of Foster Avenue, a line midway between East 18th Street and East 17th Street, Foster Avenue, and East 17th Street;
 - Foster Avenue, a line 100 feet easterly of Coney Island Avenue, Glenwood Road, a line midway between Coney Island Avenue and Westminster Avenue, Avenue H, and Coney Island Avenue; and
 - a line 100 feet northerly of Avenue H, a line midway between East 31st Street and East 32nd Street, Avenue H, and East 31st Street;
37. establishing within a proposed R6B District a C2-4 District bounded by a line 100 feet northerly of Church Avenue, a line 100 feet easterly of East 10th Street, Church Avenue, and East 10th Street; and
38. establishing within a proposed R7A District a C2-4 District bounded by:
- Parkside Avenue, Flatbush Avenue, Clarkson Avenue, a line 100 feet easterly of Flatbush Avenue, a line midway between Martense Street and Church Avenue, Flatbush Avenue, a line 150 feet northerly of Church Avenue, a line 100 feet westerly of Flatbush Avenue, Woodruff Avenue, a line perpendicular to the northerly street line of Woodruff Avenue distant 95 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Woodruff Avenue and the westerly street line of Flatbush Avenue, a line midway between Parkside Avenue and Woodruff Avenue, and Ocean Avenue;
 - a line 100 feet northerly of Church Avenue, East 21st Street, a line 100 feet southerly of Church Avenue, the westerly boundary line of the MTA New York City Transit right-of-way, a line 150 feet southerly of Church Avenue, a line perpendicular to the southerly street line of Church Avenue distant 80 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of Church Avenue and the easterly street line of Buckingham Road, Church Avenue, and a line midway between East 16th Street- Buckingham Road and East 17th Street;
 - a line perpendicular to the easterly street line of Coney Island Avenue distant 300 feet southerly (as measured along the street line) from the point of intersection of easterly street line of Coney Island Avenue and the southerly street line of Caton Avenue, East 10th Street, Church Avenue, a line 100 feet easterly of Coney Island Avenue, Hinckley Place, and Coney Island Avenue;
 - Ditmas Avenue, a line 100 feet easterly of Coney Island Avenue, Newkirk Avenue, and Coney Island Avenue;
 - a line perpendicular to the easterly street line of Coney Island Avenue distant 200 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Coney Island Avenue and the northerly street line of Foster Avenue, a line 100 feet easterly of Coney Island Avenue, Foster Avenue, and Coney Island Avenue;
 - a line 100 feet northerly of Foster Avenue, Rugby Road, Foster Avenue, and Westminster Road;
 - a line 100 feet northerly of Foster Avenue, East 18th Street, Foster Avenue, and a line midway between East 17th Street and East 18th Street;
 - Cortelyou Road, Flatbush Avenue, Cortelyou Road, a line 100 feet easterly and northeasterly of Flatbush Avenue, a line 125 feet northerly of Ditmas Avenue, East 23rd Street, Ditmas Avenue, a line 100 feet westerly of Bedford Avenue, a line 100 feet northerly of Newkirk Avenue, Bedford Avenue, Flatbush Avenue, a line 100 feet northerly of Newkirk Avenue, Bedford Avenue, Flatbush Avenue, Foster Avenue, a line 100 feet northeasterly of Flatbush Avenue, a line perpendicular to the westerly street line

of Rogers Avenue distant 300 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Rogers Avenue and the northeasterly street line of Flatbush Avenue, Rogers Avenue, a line 500 feet southerly of Foster Avenue, a line midway between Rogers Avenue and East 28th Street, a line 100 feet northeasterly of Flatbush Avenue, East 29th Street, a line perpendicular to the southwesterly street line of Flatbush Avenue distant 400 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Flatbush Avenue and the northwesterly street line of Hillel Place, a line midway between Flatbush Avenue and Kenilworth Place, Farragut Road, a line 100 feet southwesterly of Flatbush Avenue, Bedford Avenue, Foster Avenue, a line 100 feet southwesterly of Flatbush Avenue, East 22nd Street, Dorchester Road, and a line midway between Flatbush Avenue and East 21st Street; and

- i. Foster Avenue, Nostrand Avenue, Glenwood Road, and a line midway between Nostrand Avenue and East 29th Street;

Borough of Brooklyn, Community District 14, as shown on a diagram (for illustrative purposes only) dated March 2, 2009, and subject to the conditions of CEQR Declaration E-233.

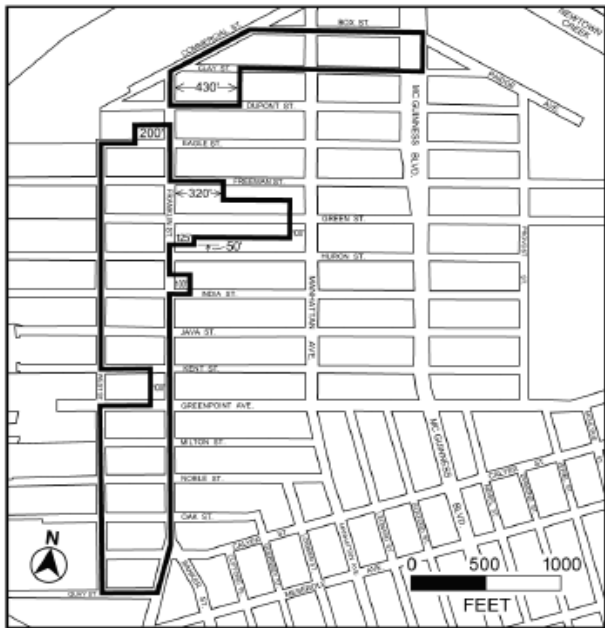
**Nos. 6 & 7
GREENPOINT/WILLIAMSBURG CONTEXTUAL REZONING
No. 6**

CD1 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 II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-90, inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A districts, in the Borough of Brooklyn, Community District 1.

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

23-922
Inclusionary housing designated areas
The Inclusionary Housing Program shall apply in the following areas:

- (a) In Community District 1, in the Borough of Brooklyn, in Waterfront Access Plan BK-1, as set forth in Section 62-352, and in the R6, R6A, R6B and R7A Districts within the areas shown on the following Maps 1 and 2:



EXISTING



PROPOSED

Map 1
Portion of Community District 1, Brooklyn



EXISTING



Map 2
Portion of Community District 1, Brooklyn

PROPOSED

* * *
No. 7
CD 1 IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12c, 13a, 13b:

1. eliminating from within an existing R6 District a C1-3 District bounded by:
 - a. Clay Street, a line 150 feet easterly of Manhattan Avenue, Eagle Street, and a line 150 feet westerly of Manhattan Avenue;
 - b. India Street, a line 150 feet easterly of Manhattan Avenue, Kent Street, and a line 150 feet westerly of Manhattan Avenue;
 - c. Norman Avenue, Manhattan Avenue, a line 100 feet southeasterly of Norman Avenue, a line midway between Manhattan Avenue and Leonard Street, a line 150 feet northwesterly and northerly of Nassau Avenue, a line 150 feet northerly of Nassau Avenue, North Henry Street, Nassau Avenue, Russell Street, a line 150 feet southerly of Nassau Avenue, a line 150 feet southeasterly of Nassau Avenue, a line midway between Leonard Street and Manhattan Avenue, a line 100 feet southeasterly of Nassau Avenue, a line midway between Lorimer Street and Manhattan Avenue, Nassau Avenue, Manhattan Avenue, Bedford Avenue, Lorimer Street, a line 150 feet northwesterly of Bedford Avenue, and a line midway between Lorimer Street and Manhattan Avenue;
 - d. a line 150 feet northerly of Driggs Avenue, Russell Street, Driggs Avenue, Monitor Street, a line 150 feet southerly of Driggs Avenue, and Humboldt Street;
 - e. a line 150 feet northerly of Driggs Avenue, a line 150 feet northwesterly of Meeker Avenue, Hausman Street, Meeker Avenue (northwesterly portion), Driggs Avenue, and Sutton Street;

- f. Richardson Street, Kingsland Avenue-Grandparents Avenue, Jackson Street, a line 100 feet westerly of Kingsland Avenue-Grandparents Avenue, Withers Street, Woodpoint Road, Frost Street, a line 100 feet northwesterly of Woodpoint Road, and a line 100 feet westerly of Kingsland Avenue-Grandparents Avenue;
 - g. Skillman Avenue, a line 150 feet easterly of Graham Avenue- Via Vespucci, a line midway between Conselyea Street and Metropolitan Avenue, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line midway between Metropolitan Avenue and Devoe Street, a line 150 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Devoe Street, and a line 150 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
 - h. a line midway between Powers Street and Grand Street, Lorimer Street, a line midway between Grand Street and Maujer Street, a line 150 feet easterly of Union Avenue, Ten Eyck Street, and Union Avenue;
 - i. Powers Street, Humboldt Street, a line midway between Powers Street and Grand Street, Bushwick Avenue, Grand Street, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line midway between Grand Street and Maujer Street, a line 150 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Maujer Street, and Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico); and
 - j. a line midway between Grand Street and Maujer Street, Bushwick Avenue, Maujer Street, and a line 150 feet westerly of Bushwick Avenue;
2. eliminating from within an existing R6 District a C2-2 District bounded by a line midway between Powers Street and Grand Street, Olive Street, Grand Street, and Bushwick Avenue;
 3. eliminating from within an existing R6 District a C2-3 District bounded by:
 - a. Eagle Street, a line 150 feet easterly of Manhattan Avenue, India Street, a line 150 feet westerly of Manhattan Avenue, a line midway between Green Street and Huron Street, a line 100 feet westerly of Manhattan Avenue, a line midway between Freeman Street and Green Street, and a line 150 feet westerly of Manhattan Avenue;
 - b. a line 150 feet northwesterly of Norman Avenue, Eckford Street, a line 150 feet southeasterly of Norman Avenue, a line midway between Leonard Street and Manhattan Avenue, a line 100 feet southeasterly of Norman Avenue, Manhattan Avenue, Norman Avenue, and Leonard Street;
 - c. a line 100 feet southeasterly of Nassau Avenue, a line midway between Leonard Street and Manhattan Avenue, Driggs Avenue, and a line midway between Manhattan Avenue and Lorimer Street;
 - d. Meeker Avenue (southeasterly portion), a line 125 feet northeasterly of Humboldt Street, Herbert Street, and Humboldt Street;
 - e. Meeker Avenue (southeasterly portion), Graham Avenue- Via Vespucci, Herbert Street, Humboldt Street, Richardson Street, a line 150 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Skillman Avenue, a line 150 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), and Richardson Street;
 - f. Jackson Street, a line 100 feet easterly of Lorimer Street, Skillman Avenue, and a line 100 feet westerly of Lorimer Street;
 - g. Skillman Avenue, a line 150 feet easterly of Union Avenue, a line midway between Conselyea Street and Metropolitan Avenue, Leonard Street, a line midway between Metropolitan Avenue and Devoe Street, Union Avenue, and a southeasterly service road of Brooklyn Queens Expressway;
 - h. Orient Avenue, Olive Street, a line midway between Sharon Street and Metropolitan Avenue, Catherine Street and its northerly centerline prolongation, a line midway between Metropolitan Avenue and Devoe Street, a line 150 feet easterly of Bushwick Avenue, Metropolitan Avenue, and the easterly boundary line of Cooper Gore Park and its northerly and southerly prolongations; and
 - i. Grand Street, Bushwick Avenue, a line midway between Grand Street and Maujer Street, and a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
 4. changing from an R6 District to an R6A District property bounded by:
 - a. Clay Street, Pulaski Bridge, McGuinness Boulevard, Greenpoint Avenue, and a line 100 feet westerly of McGuinness Boulevard;

- b. a line midway between Kent Street and Greenpoint Avenue, a line 150 feet westerly of Manhattan Avenue, a line perpendicular to the southerly street line of Greenpoint Avenue distant 150 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of Greenpoint Avenue and the southwesterly street line of Manhattan Avenue, a line midway between Greenpoint Avenue and Milton Street, and Franklin Street;
- c. Norman Avenue, a line midway between Leonard Street and Manhattan Avenue, a line 100 feet northwesterly of Nassau Avenue, a line midway between McGuinness Boulevard and Eckford Street, Nassau Avenue, a line 100 feet northeasterly of Eckford Street, a line 100 feet southeasterly of Nassau Avenue, a line midway between Leonard Street and Manhattan Avenue, Driggs Avenue, and a line midway between Manhattan Avenue and Lorimer Street;
- d. Richardson Street, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line 100 feet southerly of Conselyea Street, and a line 100 feet westerly of Graham Avenue - Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
- e. a line midway between Metropolitan Avenue and Devoe Street, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line 125 feet northerly of Grand Street, Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Powers Street, and a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
- f. Skillman Avenue, Kingsland Avenue- Grandparents Avenue, Maspeth Avenue, Olive Street, a line midway between Maspeth Avenue and Orient Avenue, a line 150 feet easterly of Bushwick Avenue and its northerly prolongation, Conselyea Street, and Woodpoint Road; and
- g. a line midway between Grand Street and Maujer Street, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Maujer Street, and Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
5. changing from a C4-3 District to an R6A District property bounded by:
- a. a line midway between Kent Street and Greenpoint Avenue, a line 100 feet westerly of Manhattan Avenue, Greenpoint Avenue, a line perpendicular to the southerly street line of Greenpoint Avenue distant 150 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of Greenpoint Avenue and the southwesterly street line of Manhattan Avenue, and a line 150 feet southwesterly and westerly of Manhattan Avenue;
- b. Powers Street, Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line 125 feet northerly of Grand Street, and a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico); and
- c. a line midway between Grand Street and Maujer Street, Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Maujer Street, and a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
6. changing from an R6 District to an R6B District property bounded by:
- a. Clay Street, a line 100 feet westerly of Manhattan Avenue, a line midway between Freeman Street and Green Street, a line 320 feet easterly of Franklin Street, Freeman Street, Franklin Street, Dupont Street, and a line 430 feet easterly of Franklin Street;
- b. Clay Street, a line 100 feet westerly of McGuinness Boulevard (westerly portion), a line 100 feet westerly of McGuinness Boulevard, Greenpoint Avenue, a line midway between Eckford Street and McGuinness Boulevard, a line 100 feet northwesterly of Nassau Avenue, a line midway between Leonard Street and Manhattan Avenue, Norman Avenue, Leonard Street, Greenpoint Avenue, a line 150 feet easterly of Manhattan Avenue, Kent Street, and a line 100 feet easterly of Manhattan Avenue;
- c. a line midway between Green Street and Huron Street, a line 100 feet westerly of Manhattan Avenue, Kent Street, a line 150 feet westerly of Manhattan Avenue, a line midway between Kent Street and Greenpoint Avenue, Franklin Street, a line 50 feet northerly of Huron Street, and a line 125 feet easterly of Franklin Street;
- d. a line midway between Greenpoint Avenue and Milton Street, a line 150 feet westerly of Manhattan Avenue, Noble Street, Lorimer Street, Norman Avenue, a line midway between Lorimer Street and Manhattan Avenue, Nassau Avenue, Lorimer Street, a line 100 feet northwesterly of Nassau Avenue, Guernsey Street, Norman Avenue, a line midway between Guernsey Street and Dobbin Street, a line 100 feet northwesterly of Meserole Avenue, a line 100 feet southwesterly of Clifford Place, Calyer Street, Banker Street, and Franklin Street;
- e. a line 100 feet southeasterly of Nassau Avenue, a line 100 feet northeasterly of Eckford Street, Driggs Avenue, and a line midway between Manhattan Avenue and Leonard Street;
- f. a line 100 feet northwesterly of Meserole Avenue, Diamond Street, Meserole Avenue, Jewel Street, a line 200 feet southeasterly of Meserole Avenue, a line midway between Jewel Street and Moultrie Street, a line 100 feet northwesterly of Norman Avenue, Moultrie Street, Norman Avenue, Monitor Street, a line 80 feet southerly of Norman Avenue, a line midway between Monitor Street and Kingsland Avenue, a line 200 feet southerly of Norman Avenue, Kingsland Avenue, a line 170 feet northerly of Nassau Avenue, a line midway between Kingsland Avenue and Sutton Street, a line 100 feet northerly of Nassau Avenue, Morgan Avenue, Nassau Avenue, Apollo Street, a line 250 feet southerly of Nassau Avenue, a line midway between Apollo Street and Van Dam Street, a line 130 feet southerly of Nassau Avenue, Van Dam Street, a line perpendicular to the westerly street line of Van Dam Street distant 50 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Van Dam Street and the northwesterly street line of Meeker Avenue, a line 100 feet northwesterly of Meeker Avenue, Hausman Street, a line perpendicular to the westerly street line of Hausman Street distant 60 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Hausman Street and the northwesterly street line of Meeker Avenue, a line 85 feet easterly of Morgan Avenue, Meeker Avenue (northwesterly portion), Driggs Avenue, Sutton Street, a line 120 feet southerly of Driggs Avenue, Kingsland Avenue, a line perpendicular to the westerly street line of Kingsland Avenue distant 50 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Kingsland Avenue and the northwesterly street line of Meeker Avenue (northwesterly portion), Monitor Street, Engert Avenue, North Henry Street, a line 100 feet northwesterly of Meeker Avenue (northwesterly portion), Russell Street, a line 250 feet southerly of Engert Avenue, Humboldt Street, McGuinness Boulevard South, Driggs Avenue, and McGuinness Boulevard;
- g. Brooklyn Queens Expressway, Kingsland Avenue- Grandparents Avenue, Skillman Avenue, Woodpoint Road, Conselyea Street, Humboldt Street, a line 100 feet southerly of Conselyea Street, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Richardson Street, Humboldt Street, Herbert Street, and North Henry Street;
- h. Richardson Street, a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line 100 feet southerly of Conselyea Street, Leonard Street, a line 100 feet northerly of Metropolitan Avenue, Lorimer Street, a line 75 feet southerly of Conselyea Street, a line 100 feet easterly of Union Avenue, Skillman Avenue, a line 100 feet westerly of Lorimer Street, Jackson Street, a line 150 feet easterly of Lorimer Street, a line midway between Withers Street and Jackson Street, Leonard Street, Withers Street, a line 100 feet easterly of Leonard Street, a line midway between Withers Street and Frost Street, Manhattan Avenue, Frost Street and a line 150 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
- i. a line 100 feet northerly of Devoe Street, Lorimer Street, a line midway between Metropolitan Avenue and Devoe Street, a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Powers Street, Lorimer Street, a line midway between Powers Street and Grand Street, and a line 100 feet easterly of Union Avenue;
- j. a line midway between Metropolitan Avenue and Devoe Street, Humboldt Street, Devoe Street, a line 100 feet southwesterly of Bushwick Avenue, a line midway between Powers Street and Grand Street, a line 200 feet westerly of Humboldt Street, a line 125 feet northerly of Grand Street, and a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
- k. a line midway between Maspeth Avenue and Orient Avenue, Olive Street, Maspeth Avenue, Debevoise Avenue, a line 70 feet northwesterly of Maspeth Avenue, Morgan Avenue, a line midway between Sharon Street and Metropolitan Avenue, Catherine Street and its northerly centerline prolongation, Powers Street, Olive Street, a line midway between Powers Street and Grand Street, a line 100 feet northeasterly of Bushwick Avenue, a line midway between Metropolitan Avenue and Devoe Street, and a line 150 feet northeasterly of Bushwick Avenue;
- l. a line midway between Grand Street and Maujer Street, Lorimer Street, Maujer Street, Leonard Street, Scholes Street, and a line 100 feet easterly of Union Avenue; and
- m. a line midway between Grand Street and Maujer Street, Bushwick Avenue, Maujer Street, and a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
7. changing from a C4-3 District to an R6B District property bounded by:
- a. Kent Street, a line 100 feet westerly of Manhattan Avenue, a line midway between Kent Street and Greenpoint Avenue, and a line 150 feet westerly of Manhattan Avenue;
- b. Kent Street, a line 150 feet easterly of Manhattan Avenue, Greenpoint Avenue, and a line 100 feet easterly of Manhattan Avenue;
- c. a line midway between Greenpoint Avenue and Milton Street, a line perpendicular to the northerly street line of Milton Street distant 125 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Milton Street and the southwesterly street line of Manhattan Avenue, Milton Street, a line perpendicular to the southerly street line of Milton Street distant 100 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of Milton Street and the southwesterly street line of Manhattan Avenue, Noble Street, and a line 150 feet southwesterly of Manhattan Avenue;
- d. Calyer Street, Leonard Street, Norman Avenue, and a line midway between Leonard Street and Manhattan Avenue;
- e. Meserole Avenue, a line midway between Lorimer Street and Manhattan Avenue, Norman Avenue, and Lorimer Street;
- f. Powers Street, a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line 125 feet northerly of Grand Street, a line 100 feet easterly of Manhattan Avenue, a line midway between Grand Street and Powers Street, and Lorimer Street; and
- g. a line midway between Grand Street and Maujer Street, a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Maujer Street, and Lorimer Street;
8. changing from a C8-2 District to an R6B District property bounded by a line midway between Conselyea Street and Metropolitan Avenue, Humboldt Street, a line 100 feet southerly of Conselyea Street, and a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
9. changing from an R6 District to an R7A District property bounded by:
- a. Clay Street, a line 100 feet easterly of Manhattan Avenue, Kent Street, and a line 100 feet westerly of Manhattan Avenue;
- b. Calyer Street, McGuinness Boulevard, Driggs Avenue, a line 100 feet northeasterly of Eckford Street, Nassau Avenue, and a line midway between Eckford Street and McGuinness Boulevard;
- c. a line midway between Metropolitan Avenue and Devoe Street, a line midway between Judge Street and Bushwick Avenue, a line midway between Powers Street and Grand Street, Olive Street, Grand Street, Bushwick Avenue, a line midway between Grand Street and Powers Street, a line 100 feet southwesterly of Bushwick Avenue, Devoe Street, and Bushwick Avenue; and
- d. Skillman Avenue and its westerly centerline prolongation, a line 100 feet easterly of Union Avenue, a line 75 feet southerly of Conselyea Street, Lorimer Street, a line 100 feet northerly of Metropolitan Avenue, Leonard Street, a line 100 feet southerly of Conselyea Street, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line midway between Metropolitan Avenue and Devoe Street, Lorimer Street, a line 100 feet northerly of Devoe Street, a line 100 feet easterly of Union Avenue, a line midway between Powers Street and Grand Street, Lorimer Street, a line midway between Grand Street and Maujer Street, a line 100 feet easterly of Union Avenue, Scholes Street, Union Avenue, and Brooklyn Queens Expressway;
10. changing from a C8-2 District to an R7A District property bounded by a line 100 feet southerly of Conselyea Street, Humboldt Street, a line midway between Metropolitan Avenue and Devoe Street, and a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);
11. changing from an R6 District to a C4-3A District property bounded by a line 150 feet southwesterly of Manhattan Avenue, a line midway between Greenpoint Avenue and Milton Street, and a line perpendicular to the southerly street line of Greenpoint Avenue distant 150 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of Greenpoint Avenue and the southwesterly street line of Manhattan Avenue;
12. changing from a C4-3 District to a C4-3A District property bounded by Kent Street, a line 100 feet easterly of Manhattan Avenue, Greenpoint Avenue,

Leonard Street, Calyer Street, a line midway between Leonard Street and Manhattan Avenue, Norman Avenue, a line midway between Manhattan Avenue and Lorimer Street, Meserole Avenue, Lorimer Street, Noble Street, a line perpendicular to the southerly street line of Milton Street distant 100 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of Milton Street and the southwesterly street line of Manhattan Avenue, Milton Street, a line perpendicular to the northerly street line of Milton Street distant 125 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Milton Street and the southwesterly street line of Manhattan Avenue, a line midway between Greenpoint Avenue and Milton Street, and a line perpendicular to the southerly street line of Greenpoint Avenue distant 150 feet westerly (as measured along the street line) from the point of intersection of the southerly street line of Greenpoint Avenue and the southwesterly street line of Manhattan Avenue;

13. changing from an R6 District to a C4-4A District property bounded by a line 125 feet northerly of Grand Street, a line 200 feet westerly of Humboldt Street, a line midway between Powers Street and Grand Street, Bushwick Avenue, a line midway between Grand Street and Maujer Street, and Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);

14. changing from a C4-3 District to a C4-4A District property bounded by a line midway between Powers Street and Grand Street, a line 100 feet easterly of Manhattan Avenue, a line 125 feet northerly of Grand Street, Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line midway between Grand Street and Maujer Street, and Lorimer Street;

15. establishing within an existing R6 District a C2-4 District bounded by

a. a line perpendicular to the westerly street line of Hausman Street distant 60 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Hausman Street and the northwesterly street line of Meeker Avenue (northwesterly portion), Hausman Street, Meeker Avenue, and a line 85 feet easterly of Morgan Avenue;

b. Meeker Avenue (southeasterly portion), a line 125 feet northerly of Humboldt Street, Herbert Street, and Humboldt Street; and

c. Meeker Avenue (southeasterly portion), Graham Avenue- Via Vespucci, Herbert Street, Humboldt Street, Richardson Street, a line 150 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Skillman Avenue, a line 150 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), and Richardson Street;

16. establishing within a proposed R6A District a C2-4 District bounded by:

a. a line midway between Kent Street and Greenpoint Avenue, a line 100 feet westerly of Manhattan Avenue, Greenpoint Avenue, a line perpendicular to the southerly street line of Greenpoint Avenue distant 150 feet westerly from the point of intersection of the southerly street line of Greenpoint Avenue and the northwesterly street line of Manhattan Avenue, a line midway between Greenpoint Avenue and Milton Street, and Franklin Street;

b. a line midway between Kent Street and Greenpoint Avenue, McGuinness Boulevard, Greenpoint Avenue, and a line 100 feet westerly of McGuinness Boulevard;

c. Norman Street, a line midway between Manhattan Avenue and Leonard Street, a line 100 feet northwesterly of Nassau Avenue, a line midway between McGuinness Boulevard and Eckford Street, Nassau Avenue, a line 100 feet northeasterly of Eckford Street, a line 100 feet southeasterly of Nassau Avenue, a line midway between Manhattan Avenue and Leonard Street, Driggs Avenue, and a line midway between Lorimer Street and Manhattan Avenue;

d. Richardson Street, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line 100 feet southerly of Conselyea Street, and a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);

e. a line midway between Metropolitan Avenue and Devoe Street, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), a line 125 feet northerly of Grand Street, and a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico); and

f. a line midway between Grand Street and Maujer Street, a line 100 feet easterly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico), Maujer Street, and a line 100 feet westerly of Graham Avenue- Via Vespucci (Graham Avenue/ Avenue of Puerto Rico);

17. establishing within a proposed R6B District a C2-4 District bounded by:

a. Dupont Street, a line 75 feet easterly of Franklin Street, Freeman Street, and Franklin Street;

b. a line 50 feet northerly of Huron Street, a

line 75 feet easterly of Franklin Street, a line midway between Kent Street and Greenpoint Avenue, and Franklin Street;

c. a line midway between Greenpoint Avenue and Milton Street, a line 75 feet easterly of Franklin Street and its southerly prolongation, Calyer Street, Banker Street, and Franklin Street;

d. a line midway between Greenpoint Avenue and Kent Street, a line 100 feet westerly of McGuinness Boulevard, Greenpoint Avenue, a line midway between Eckford Street and McGuinness Boulevard, a line 100 feet southerly of Greenpoint Avenue, Leonard Street, Greenpoint Avenue, and a line 100 feet easterly of Manhattan Avenue;

e. a line 100 feet northerly of Norman Avenue, Eckford Street, a line 100 feet southerly of Norman Avenue, and a line midway between Leonard Street and Manhattan Avenue;

f. a line perpendicular to the northeasterly street line of Lorimer Street distant 75 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Bedford Avenue and the northeasterly street line of Lorimer Street, a line midway between Manhattan Avenue and Lorimer Street, Bedford Avenue, and Lorimer Street;

g. a line 100 feet northerly of Driggs Avenue, a line 100 feet northeasterly of Eckford Street, Driggs Avenue, and Leonard Street;

h. a line 100 feet northwesterly of Nassau Avenue, Newel Street, a line 75 feet northwesterly of Nassau Avenue, Humboldt Street, a line 100 feet northerly of Nassau Avenue, Russell Street, a line 75 feet northerly of Nassau Avenue, Monitor Street, Nassau Avenue, Russell Street, a line 100 feet southerly and southeasterly of Nassau Avenue, Diamond Street, a line 75 feet southeasterly of Nassau Avenue, Newel Street, a line 100 feet southeasterly of Nassau Avenue, and McGuinness Boulevard;

i. a line 100 feet northerly of Driggs Avenue, Russell Street, Driggs Avenue, Monitor Street, a line 100 feet southerly of Driggs Avenue, Humboldt Street, Driggs Avenue, and McGuinness Boulevard;

j. a line 80 feet northerly of Driggs Avenue, Morgan Avenue, a line 100 feet northerly of Driggs Avenue, a line 85 feet easterly of Morgan Avenue, Meeker Avenue (northerly portion), Driggs Avenue, and Sutton Street;

k. Richardson Street, Kingsland Avenue- Grandparents Avenue, Jackson Street, a line 100 feet westerly of Kingsland Avenue- Grandparents Avenue, Withers Street, Woodpoint Road, Frost Street, a line 100 feet northwesterly of Woodpoint Road, and a line 100 feet westerly of Kingsland Avenue- Grandparents Avenue;

l. Jackson Avenue, a line 100 feet easterly of Lorimer Street, Skillman Avenue, and a line 100 feet westerly of Lorimer Street;

m. a line midway between Orient Avenue and Metropolitan Avenue, Olive Street, a line midway between Sharon Street and Metropolitan Avenue, Catherine Street and its northerly centerline prolongation, a line midway between Metropolitan Avenue and Devoe Street, a line 150 feet easterly of Bushwick Avenue, Metropolitan Avenue, and the easterly boundary line of Cooper Gore Park;

n. a line midway between Grand Street and Maujer Street, a line 100 feet easterly of Manhattan Avenue, Maujer Street, and a line 100 feet westerly of Manhattan Avenue; and

o. a line midway between Grand Street and Maujer Street, Bushwick Avenue, Maujer Street, and a line 100 feet westerly of Bushwick Avenue; and

18. establishing within a proposed R7A District a C2-4 District bounded by:

a. Clay Street, a line 100 feet easterly of Manhattan Avenue, Kent Street, and a line 100 feet westerly of Manhattan Avenue;

b. a line 100 feet northwesterly of Nassau Avenue, McGuinness Boulevard, a line 100 feet southeasterly of Nassau Avenue, a line 100 feet northeasterly of Eckford Street, Nassau Avenue, and a line midway between McGuinness Boulevard and Eckford Street;

c. Skillman Avenue and its westerly centerline prolongation, a line 100 feet easterly of Union Avenue, a line 75 feet southerly of Conselyea Street, Lorimer Street, a line 100 feet northerly of Metropolitan Avenue, Leonard Street, a line 100 feet southerly of Conselyea Street, Humboldt Street, a line midway between Metropolitan Avenue and Devoe Street, Lorimer Street, a line 100 feet northerly of Devoe Street, a line 100 feet easterly of Union Avenue, a line midway between Powers Street and Grand Street, Lorimer Street, a line midway between Grand Street and Maujer Street, a line 100 feet easterly of Union Avenue, Ten Eyck Street, and Union Avenue; and

d. a line midway between Powers Street and Grand Street, Olive Street, Grand Street, and Bushwick Avenue;

as shown on a diagram (for illustrative purposes only) dated March 2, 2009, and subject to the conditions of CEQR Declaration E-232.

**Nos. 8 & 9
DUMBO REZONING
No. 8**

CD 2 N 090309 ZRK
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, Section 23-90, inclusive, relating to the application of the Inclusionary Housing Program to proposed R7A and R8A districts, and Section 123-90, relating to the establishment of Special Mixed Use District #2 in DUMBO in the Borough of Brooklyn, Community District 2.

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

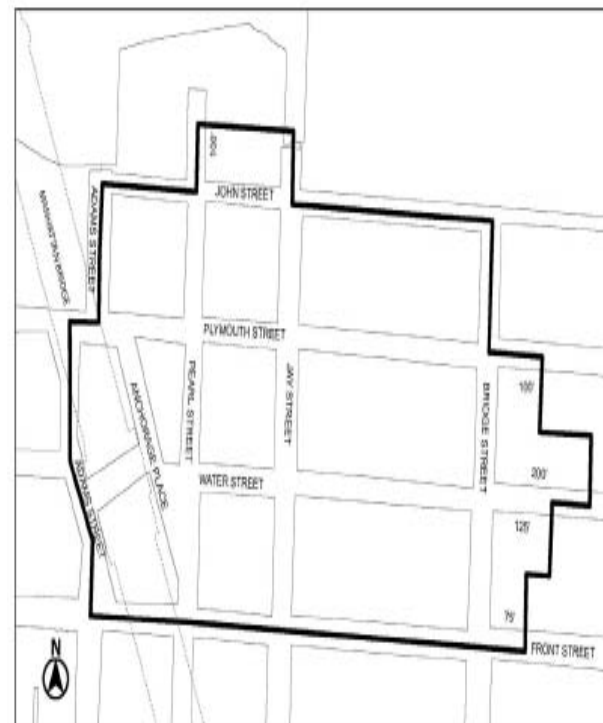
Article II: Residence District Regulations

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

**23-922
Inclusionary housing designated areas**

The Inclusionary Housing Program shall apply in the following areas:

(e) In Community District 2, in the Borough of Brooklyn, in the R7A and R8A Districts within the areas shown on the following Maps 7, 8, ~~and 9~~ and 10:



Map 10
Portion of Community District 2, Brooklyn

(f) In Community District 7, in the Borough of Manhattan, in the R9A Districts within the areas shown on the following Map ~~10~~ 11:

Map ~~10~~ 11
Portion of Community District 7, Manhattan

(g) In Community District 3, in the Borough of Brooklyn, in the R7D Districts within the areas shown on the following Maps ~~11 and 12~~ and 13:

MAP ~~11~~ 12
Portion of Community District 3, Brooklyn

MAP ~~12~~ 13
Portion of Community District 3, Brooklyn

(h) In Community District 6, in the Borough of Manhattan, in the R10 Districts within the areas shown on the following Map ~~13~~ 14:

MAP ~~13~~ 14
Portion of Community District 6, Manhattan

(i) In Community District 3, in the Borough of Manhattan, in the R7A, R8A and R9A Districts within the areas shown on the following Map ~~14~~ 15:

Map ~~14~~ 15: portion of Community District 3, Manhattan

Article XII - Special Purpose Districts

Chapter 3
Special Mixed Use District

123-63
Maximum Floor Area Ratio and Lot Coverage Requirements for Residential Buildings in R6, R7, R8 and R9 Districts Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Sections 23-142, 23-143 and paragraph (a) of Section 23-147 shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Section 23-145, or paragraph (b) of Section 23-147 for #non-profit residences for the elderly#. For purposes of this Section, #non-profit residences for the elderly# in R6 and R7 Districts without a letter suffix, shall comply with the provisions for R6A or R7A Districts, respectively, as set forth in paragraph (b) of Section 23-147. Where the designated district is an R7-3 District, the maximum #floor area ratio# shall be 5.0 and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#. Where the designated district is an R9-1 District, the

maximum #floor area ratio# shall be 9.0, and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#. However, in #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratio# shall be as set forth in Section 23-942 (Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Special Mixed Use District Designated Residence District

MX 8-Community District 1, R6 R6A R6B R7A
Brooklyn

~~MX 2-Community District 2, R7A R8A~~
Brooklyn

* * *

123-90
The #Special Mixed Use District# is mapped in the following areas:

#Special Mixed Use District# - 1:

Port Morris, The Bronx

The #Special Mixed Use District# - 1 is established in Port Morris in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 2:

~~Fulton Ferry~~DUMBO, Brooklyn

The #Special Mixed Use District# - 2 is established in DUMBO ~~Fulton Ferry~~ in Brooklyn as indicated on the #zoning maps#.

* * *

CD 2 **No. 9** **C 090310 ZMK**
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

- changing from an M1-2 District to an M1-4/R7A District property bounded by Plymouth Street, Bridge Street, a line midway between Plymouth Street and Water Street, a line 200 feet easterly of Bridge Street, Water Street, a line 125 feet easterly of Bridge Street, a line midway between Water Street and Front Street, a line 75 feet easterly of Bridge Street, Front Street, and a line 150 feet easterly of Jay Street;
- changing from an M3-1 District to an M1-4/R7A District property bounded by:
 - John Street, Bridge Street, Plymouth Street, and a line 150 feet easterly of Jay Street; and
 - Plymouth Street, a line 100 feet easterly of Bridge Street, a line midway between Plymouth Street and Water Street, and Bridge Street;
- changing from an M1-2 District to an M1-4/R8A District property bounded by Plymouth Street, a line 150 feet easterly of Jay Street, Front Street, and Adams Street;
- changing from an M3-1 District to an M1-4/R8A District property bounded by John Street, the northerly centerline prolongation of Pearl Street, a line 100 feet northerly of John Street, the northerly centerline prolongation of Jay Street, John Street, a line 150 feet easterly of Jay Street, Plymouth Street, and Adams Street; and
- establishing a Special Mixed Use District (MX-2) bounded by John Street, the northerly centerline prolongation of Pearl Street, a line 100 feet northerly of John Street, the northerly centerline prolongation Jay Street, John Street, Bridge Street, Plymouth Street, a line 100 feet easterly of Bridge Street, a line midway between Plymouth Street and Water Street, a line 200 feet easterly of Bridge Street, Water Street, a line 125 feet easterly of Bridge Street, a line midway between Water Street and Front Street, a line 75 feet easterly of Bridge Street, Front Street, Adams Street, Plymouth Street, and Adams Street;

as shown in a diagram (for illustrative purposes only) dated February 17, 2009, and subject to the conditions of CEQR Declaration E-231.

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

m19-j3

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 10 - Tuesday, June 2, 2009 at 7:30 P.M., NY Public Library - City Island Branch, Auditorium, Bronx, NY

#C 060288ZMX

IN THE MATTER OF an application submitted by City Island Estates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, by changing from an M1-1 district to an R3A district property bounded by Fordham Street, the shoreline of Long Island Sound, the northeasterly prolongation of a line 100 feet northwesterly of Carroll Street and Fordham Place.

m27-j2

DEFERRED COMPENSATION BOARD

NOTICE

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

j1-3

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting at 2:30 P.M., on Wednesday, June 10, 2009 at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contracts Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

j1-10

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, **June 02, 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 THE BRONX 09-3008 - Block VARIOUS, lot VARIOUS-

Various Addresses - Fieldston Historic District
A Romantic style planned suburb laid out in 1914 by engineer Albert Wheeler based on recommendations made by Frederick Law Olmsted and James R. Croe. The Historic District is characterized by an eclectic variety of residential buildings and styles including variants of the Colonial Revival, Craftsman, various picturesque revivals styles including Medieval, Tudor, and Mediterranean, as well as formal modernist houses. Application is to establish a Master Plan to govern certain types of alterations to buildings, other improvements and landscape improvements within the Fieldston Historic District, authorizing the staff to approve such work if it meets the requirements of the Master Plan.

BOROUGH OF THE BRONX
09-6620 - Block VARIOUS, lot VARIOUS-
Various Addresses - Fieldston Historic District
A Romantic style planned suburb laid out in 1914 by engineer Albert Wheeler based on recommendations made by Frederick Law Olmsted and James R. Croe. The Historic District is characterized by an eclectic variety of residential buildings and styles including variants of the Colonial Revival, Craftsman, and various picturesque revival styles including Medieval, Tudor, and Mediterranean, as well as formal modernist houses. Application is to adopt the Fieldston Historic District Implementation Rules for a proposed master plan for certain alterations to improvements in the Fieldston Historic District pursuant to the City Administrative Procedures Act.

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 09-8343 - Block 8023, lot 1-300 Knollwood Ave. - Douglaston Historic District
A Colonial Revival style ranch house designed by Carl Salminen and built in 1950. Application is to demolish the house and construct a new house. Zoned R1-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 09-8893 - Block 9273, lot 89-86-15 Lefferts Boulevard - Richmond Hill Republican Club - Individual Landmark
A Colonial Revival style civic building designed by Henry E. Haugaard and built in 1908. Application is to construct a rooftop addition, alter the balustrades, and install storefront infill. Zoned C2-4/R4-1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 07-7542 - Block 1965, lot 9-51 Cambridge Place - Clinton Hill Historic District
An Italianate style rowhouse built c.1856. Application is to construct a rear yard addition. Zoned R-6.

BINDING REPORT
BOROUGH OF BROOKLYN 09-7317 - Block 147, lot 2-365 Jay Street - Brooklyn Fire Headquarters - Individual Landmark
A Romanesque Revival style civic building designed by Frank Freeman and built in 1892. Application is to replace doors.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-7176 - Block 249, lot 28-134 Montague Street - Brooklyn Heights Historic District
An Anglo-Italianate style residence built in the 19th century. Application is to construct a rooftop addition and alter the rear facade. Zoned R7-1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-8624 - Block 263, lot 16-281A Henry Street - Brooklyn Heights Historic District
An Eclectic style rowhouse built in 1861-79. Application is to alter the areaway and entrance.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-8385 - Block 311, lot 21-194 Baltic Street - Cobble Hill Historic District
A brick rowhouse built c.1846. Application is to install dormers and skylight.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6531 - Block 145, lot 12-125-131 Chambers Street, aka 95-99 West Broadway; and 101-107 West Broadway, aka 113 Reade Street - Tribeca South Historic District
A Gothic Revival/Italianate style hotel building built in 1844-1845, with additions built in 1852-53, 1867-1868 and 1869, and altered in 1987-1989, and a two story building constructed in 1967-1968. Application is to modify the entrance and construct a rooftop bulkhead on 125 Chambers Street, and to demolish 101West Broadway and construct a six story building. Zoned C6-3A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-8164 - Block 175, lot 18-39 White Street - Tribeca East Historic District
A Greek Revival style converted dwelling with Italianate style additions, built in 1831-32 and 1860-61. Application is to construct a rooftop addition. Zoned C6-2A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6420 - Block 499, lot 7-110 Greene Street - SoHo-Cast Iron Historic District
A store and office building with Classical style details, designed by William Dilthy and built in 1908. Application is to legalize the installation of a rooftop railing without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7508 - Block 619, lot 22-226 West 10th Street - Greenwich Village Historic District
A Greek Revival style rowhouse built in 1847-48. Application is to construct a rear yard addition and alter the rear facade. Zoned R6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-3179 - Block 828, lot 41-230 Fifth Avenue - Madison Square North Historic District
A Beaux Arts style office building designed by Schwartz & Gross, and built in 1912-15. Application is to install two flagpoles.

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.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7925 - Block 1382, lot 15-21 East 67th Street - Upper East Side
A residence originally built in 1879-80, and altered in the neo-French Classic style by Philip Aehne in 1919. Application is to enlarge a window and replace doors.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-8132 - Block 1387, lot 14-19 East 72nd Street - Upper East Side Historic District
A Modern/neo-Classical style apartment building designed by Rosario Candela and built in 1936-37. Application is to replace windows and a door, and install awnings and signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 07-7900 - Block 1906, lot 28-101 West 121st Street - Mount Morris Park Historic District
A rowhouse designed by John Burne and built in 1890. Application is to alter the areaway and rear yard, construct a rooftop bulkhead, replace the entrance door, and legalize the removal of stained glass transoms without Landmarks Preservation Commission permits.

m19-j2

MAYOR'S OFFICE OF CONTRACT SERVICES

FRANCHISE AND CONCESSION REVIEW COMMITTEE

NOTICE

NOTICE OF FRANCHISE AND CONCESSION REVIEW COMMITTEE PUBLIC HEARING ON AGENCY CONCESSION PLANS

Notice of a Franchise and Concession Review Committee (FCRC) Public Hearing on Agency Concession Plans pursuant to Section 1-10 of the Concession Rules of the City of New York, to be held on June 8, 2009, commencing at 2:30 P.M., and located at 22 Reade Street, Spector Hall, Manhattan.

Agencies that submitted an Annual Plan include the Department of Parks and Recreation, the Department of Citywide Administration Services, the Department of Transportation, the Department of Corrections, the Department of Probation, the New York Police Department, the Department of Housing Preservation and Development, the Department of Homeless Services, the New York City Economic Development Corporation (acting through the Department of Small Business Services) and NYC and Company (acting through the Department of Small Business Services).

The Agency Annual Plans list significant and non-significant concessions expiring in Fiscal Year 2010, continuing through Fiscal Year 2010 as well as a non-exclusive list of significant and non-significant concessions that are anticipated for

Dated: May 12, 2009, New York, New York
 MICHAEL A. CARDOZO
 Corporation Counsel of the City of New York
 100 Church Street, Room 5-198
 New York, New York 10007
 Tel. (212) 788-0718

SEE MAPS ON BACK PAGES

j1-12

**RICHMOND COUNTY
 IA PART 74
 NOTICE OF PETITION
 INDEX NUMBER (CY) 4009/09**

In the Matter of the Application of THE CITY OF NEW YORK relative to acquiring title in fee simple where not heretofore acquired for the same purpose for

OAKWOOD BEACH BLUEBELT - STAGE 1

Generally bounded by Fairbanks Avenue and Dugdale Street to the North; Riga Street to the East; Emmet Avenue to the South; and Grayson Street to the West; in the County of Richmond, 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, Richmond County, IA Part 74, for certain relief.

The application will be made at the following time and place: At 320 Jay Street, 17th Floor, Room 17.21, in the Borough of Brooklyn, City and State of New York, on June 19, 2009, at 9:30 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- 1) authorizing the City to file an acquisition map in the Office of the Clerk of Richmond County;
- 2) directing that upon the filing of said map, title to the property sought to be acquired shall vest in the City;
- 3) providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury; and
- 4) 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 storage of storm water and preservation of open space in the Borough of Staten Island, City and State of New York.

The description of the real property to be acquired, located in Staten Island, is as follows:

BLOCK	LOT	INTEREST TO BE ACQUIRED
4728	2	Fee Simple Absolute
4740	15	Fee Simple Absolute
4740	16	Fee Simple Absolute
4740	14	Fee Simple Absolute
4740	13	Fee Simple Absolute
4740	11	Fee Simple Absolute
4740	9	Fee Simple Absolute
4740	7	Fee Simple Absolute
4736	15	Fee Simple Absolute
4736	12	Fee Simple Absolute
4740	1	Fee Simple Absolute
4736	1	Fee Simple Absolute
4736	6	Fee Simple Absolute
4740	21	Fee Simple Absolute
4740	24	Fee Simple Absolute
4740	33	Fee Simple Absolute
4737	18	Fee Simple Absolute
4737	14	Fee Simple Absolute
4737	13	Fee Simple Absolute
4737	1	Fee Simple Absolute
4737	5	Fee Simple Absolute
4737	7	Fee Simple Absolute
4737	9	Fee Simple Absolute
4740	35	Fee Simple Absolute
4740	36	Fee Simple Absolute
4740	37	Fee Simple Absolute
4740	41	Fee Simple Absolute
4740	43	Fee Simple Absolute
4740	46	Fee Simple Absolute
4738	3	Fee Simple Absolute
4738	13	Fee Simple Absolute
4738	1	Fee Simple Absolute
4739	29	Fee Simple Absolute
4739	20	Fee Simple Absolute
4739	3	Fee Simple Absolute
4739	1	Fee Simple Absolute
4739	9	Fee Simple Absolute
4692	21	Fee Simple Absolute
4692	18	Fee Simple Absolute
4692	28	Fee Simple Absolute
4692	11	Fee Simple Absolute
4692	33	Fee Simple Absolute
4692	1	Fee Simple Absolute

as shown on the Tax Map of the City of New York for the Borough of Staten Island as said Tax Map existed on December 1, 2007. The lands and premises to be acquired, are bounded and more fully described as follows: ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Staten Island, County of Richmond, City and State of New York more particularly bounded and described as follows:

BEGINNING at a corner formed by the intersection of the southerly side of Emmet Avenue and the westerly side of Bach Street;

RUNNING THENCE through the bed of Emmet Avenue, North 15 degrees 51 minutes 49 seconds East, a distance of 87.74 feet to a point at the northerly side of Emmet Avenue;

THENCE along the northerly side of Emmet Avenue, the following courses and distances: (1) South 49 degrees 53 minutes 40 seconds East, a distance of 91.36 feet to a point; (2) South 56 degrees 34 minutes 06 seconds East, a distance of 761.43 feet to a point;

THENCE along the southerly side of Tax Block 4740, North 49 degrees 59 minutes 35 seconds West, a distance of 704.89 feet to a point;

THENCE still along the southerly side of Tax Block 4740, North 50 degrees 22 minutes 11 seconds West, a distance of 133.97 feet to a point;

THENCE along the southerly side of Grayson Street, South 71 degrees 07 minutes 16 seconds East, a distance of 81.56 feet to a point;

THENCE along the dividing line between Tax Lot 2 in the Tax Block 4740 and Tax Lot 3 of the Tax Block 4728, North 84 degrees 48 minutes 53 seconds East, a distance 57.62 feet to a point;

THENCE along the dividing line between Tax Blocks 4740 and 4728, North 26 degrees 02 minutes 02 seconds East, a distance of 380.76 feet to a point;

THENCE along the dividing line between Tax Lot 1 in Tax Block 4740 and Tax Lot 135 in Tax Block 4728, South 51 degrees 36 minutes 47 seconds East, a distance of 30.51 feet to a point;

THENCE along the curve bearing to the right, which is the westerly side of Brook Avenue, having central angel of 5 degrees 24 minutes 52 seconds with a radius of 320.00 feet, a distance of 30.24 feet to a point;

THENCE along the center line of Fairbanks Avenue, South 51 degrees 36 minutes 46 seconds East, a distance of 288.49 feet to a point;

THENCE along the center line of Falcon Avenue, North 39 degrees 25 minutes 02 seconds East, a distance of 410.01 feet to a point;

THENCE along the center line of Dugdale Street, South 51 degrees 36 minutes 46 seconds East, a distance of 260.01 feet to a point;

THENCE along the center line of Lynn Street, South 39 degrees 25 minutes 02 seconds West, a distance of 410.01 feet to a point;

THENCE along the center line of Fairbanks Avenue, South 51 degrees 36 minutes 46 seconds East, a distance of 520.02 feet to a point;

THENCE along the center line of Riga Street, South 39 degrees 25 minutes 02 seconds West, a distance of 475.30 feet to a point at the southerly side of Emmet Avenue;

THENCE along the southerly side of Emmet Avenue, the following courses and distances: (1) North 57 degrees 35 minutes 24 seconds West, a distance of 189.37 feet to a point; (2) North 56 degrees 34 minutes 06 seconds West, a distance of 818.81 feet to a point; (3) North 49 degrees 53 minutes 40 seconds West, a distance of 60.00 feet to a place or point of beginning.

The above described parcel includes the beds of Emmet Avenue, Brook Avenue, Fairbanks Avenue, Falcon Avenue, Dugdale Street, Lynn Street, Amherst Street and Riga Street, Tax Lots 1, 11, 18, 21, 28, 33 in Tax Block 4692, Tax Lot 2 in Tax Block 4728, Tax Lots 1, 6, 12, 15 in Tax Block 4736, Tax Lots 1, 5, 7, 9, 13, 14, 18 in Tax Block 4737, Tax Lots 1, 3, 13 in Tax Block 4738, Tax Lots 1, 3, 9, 20, 29 in Tax Block 4739, Tax Lots 1, 2, 7, 9, 11, 13, 14, 15, 16, 20, 21, 24, 33, 35, 36, 37, 41, 43 and 46 in Tax Block 4740, as shown on the Tax Map of the City of New York for the Borough of Staten Island as said Tax Map existed on December 1, 2007.

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: May 8, 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) 788-0425

SEE MAPS ON BACK PAGES

m28-j10

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

SALE BY SEALED BID

SALE OF: 1 LOT OF OFFICE SUPPLIES AND 2 LOTS OF COMPUER MONITORS, UNUSED AND USED.

S.P.#: 09022

DUE: June 2, 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.

m19-j2 SALE OF: 1 LOT OF REDUCTION EQUIPMENT, USED.

S.P.#: 09023

DUE: June 11, 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.

m29-j11

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

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

GROCERIES, MISC. THE FOOD BANK OF NYC – Competitive Sealed Bids – PIN# 8570900970 – DUE 06-05-09 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.

j2

AWARDS

Goods

MEATS AND POULTRY FOR D.O.C. – Competitive Sealed Bids – PIN# 857900891 – AMT: \$823,265.50 – TO: Advanced Commodities, Inc., 840 West Bartlett Road, Suite 3, Bartlett, IL 60103.

j2

IT HARDWARE AND SOFTWARE - DOHMH – Intergovernmental Purchase – PIN# 8570901175 – AMT: \$174,090.01 – TO: Presidio Networked Solutions, 1 Penn Plaza, Suite 1924, New York, NY 10119. GSA Contract #GS-35F-4554G.

Suppliers wishing to be considered for a contract with the General Services Administration of the Federal Government are advised to contact the Small Business Utilization Center, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 18-130, New York, NY 10278 or by phone: 212-264-1234.

j2

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.

j4-17

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.

j4-17

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.

j4-17

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

PROVOX VOICE PROSTHESIS AND THERABITE JAW MOTION REHABILITATION SYSTEM – Competitive Sealed Bids – PIN# 11109138 – DUE 06-15-09 AT 3:00 P.M. – Same as or equal to Atos Medical.

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.
 Bellevue Hospital Center, Room #12 East 32, New York, NY 10016. Matthew Gaumer (212) 562-2887, matthew.gaumer@bellevue.nychhc.org

j2

Goods & Services

FIELD EVALUATION OF FIRE DOORS AND FRAMES – Competitive Sealed Bids – PIN# 22209124B – DUE 06-16-09 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. Jannet Olivera (718) 579-5992.

j2

Human/Client Service

OPERATE ON-SITE GIFT SHOP AT HARLEM AND LINCOLN HOSPITAL – Request for Proposals – PIN# 22209115 – DUE 07-14-09 AT 4:00 P.M. – Pre-proposal conference June 23, 2009 at 10:00 A.M. at Lincoln Medical and Mental Health Center, 234 East 149th Street, Bronx, NY 10451, on the First Floor Conference Room 3.

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, Purchasing Department
 234 East 149th Street, Room 2A2, Bronx, NY 10451.
 Gayle Lewis (718) 579-5057, Gayle.Lewis@nychhc.org

j2

HEALTH AND MENTAL HYGIENE

SOLICITATIONS

Services (Other Than Human Services)

EXPANDING ACCESS TO LOW COST PHARMACEUTICALS – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 10CR018100R0X00 – DUE 06-15-09 AT 4:00 P.M. – The Department is seeking proposals from a technical consultant to improve uninsured and underinsured New Yorkers' access to the lowest possible cost pharmaceuticals for their health needs. The consultant would work with DOHMH staff and community agencies, health centers, and hospitals to (1) facilitate access to medications through the Federal 340B Drug Discount Program, and (2) determine strategies to increase access to low cost generic medications and brand medications, where needed, at a lower cost. The contract will have a term of three years, the anticipated start date is 6/17/09, with a possible option to renew. The maximum available funding for a deliverable based budget is \$170,918 annually. Any questions regarding this solicitation should be addressed to the contracting officer below. NA is available on line at www.nyc.gov/health/contracting.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Health and Mental Hygiene, 2 Lafayette Street, 20th Floor
 New York, NY 10007. Cynthia Mont-Burbon (212) 341-0161
 cmontbur@health.nyc.gov

m29-j4

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Services (Other Than Human Services)

RADIATION DETECTION RESPONSE DRILLS – Government to Government – PIN# 09CD033300R0X00 – AMT: \$350,000.00 – TO: Brookhaven Science Associates (BSA), Building 185, P.O. Box 5000, Upton, New York 11973.

j2

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, mzmaira@dhs.nyc.gov

j12-24

HOUSING AUTHORITY

SOLICITATIONS

Construction/Construction Services

ASBESTOS ABATEMENT, ROOFING REPLACEMENT AND RELATED WORK AT COLLEGE POINT REHAB. – Competitive Sealed Bids – PIN# RF9002662 – DUE 06-15-09 AT 11:00 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, (212) 306-3121
 gloria.guillo@nycha.nyc.gov

j2-8

EXTERIOR BRICK AND ROOF REPLACEMENT AT SHELTON HOUSE – Competitive Sealed Bids – PIN# GR9004130 – DUE 06-16-09 AT 10:30 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

m28-j3

PURCHASING DIVISION

SOLICITATIONS

Goods

VIDEX CYBERLOCKS – Competitive Sealed Bids – RFQ #6802 RJ – DUE 06-16-09 AT 10:40 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.
 Housing Authority, 23-02 49th Avenue, 5th Floor
 Long Island City, NY 11101.
 Renato Jedreich (718) 707-5431.

j2

VARIOUS ELEVATOR PARTS – Competitive Sealed Bids – RFQ #6811 – DUE 06-16-09 AT 10:35 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.
 Housing Authority, 23-02 49th Avenue, 5th Floor SCOD
 Long Island City, NY 11101.
 http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Fax your request to (718) 707-5246.
 Atul Shah (718) 707-5450.

j2

GARAVENTA WHEELCHAIR LIFTS – Competitive Sealed Bids – RFQ #6803 – DUE 06-16-09 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.
 Housing Authority, 23-02 49th Avenue, 5th Floor SCOD
 Long Island City, NY 11101. Bid documents available via internet ONLY:
 http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Atul Shah (718) 707-5450.

j2

PARKS AND RECREATION

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction/Construction Services

RECONSTRUCTION OF ROOFS AT VARIOUS PARKS, MANHATTAN – Competitive Sealed Bids – PIN# 8462009M000C11 – DUE 07-02-09 AT 10:30 A.M. – Built up fiberglass shingle, modified bituminous roll, slate metal, green and cedar roofing, known as Contract #MG-709M. Vendor Source ID#: 60383.
RECONSTRUCTION OF WALT WHITMAN PARK – Competitive Sealed Bids – PIN# 8462009B113C01 – DUE 07-02-09 AT 10:30 A.M. - Brooklyn, known as Contract #B113-108M. Vendor Source ID#: 60381.

These procurements are subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

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, Olmsted Center, Room 64
 Flushing Meadows Corona Park, Flushing, NY 11368.
 Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov

j2

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

SALE OF SPECIALTY FOOD FROM MOBILE FOOD UNITS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# CWP-2009-A – DUE 06-26-09 AT 3:00 P.M. – At various locations, Citywide.
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.
 Gabrielle Ohayon (212) 360-1397, gabrielle.ohayon@parks.nyc.gov

m22-j5

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction/Construction Services

INSTALLATION OF IP SURVEILLANCE CAMERAS – Competitive Sealed Bids – PIN# SCA09-12924D-1 – DUE 06-16-09 AT 3:30 P.M. – Five (5) various schools (Brooklyn and Manhattan). Project Range: \$1,630,000.00 - \$1,720,000.00.

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
 1st Floor, Long Island City, NY 11101.
 Seema Menon (718) 472-8284, smenon@nycsca.org

m29-j4

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA09-12521D-1 – DUE 06-15-09 AT 2:30 P.M. – Foundations Academy (Brooklyn). Project Range:

\$1,330,000.00 to \$1,410,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Stephanie Lyle (718) 752-5854
slyle@nycsca.org

m27-j2

PAVED AREAS - CONCRETE – Competitive Sealed Bids – PIN# SCA09-12912D-1 – DUE 06-17-09 AT 11:00 A.M. – PS 156 (Bronx). Project Range: \$3,100,000.00 to \$3,265,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make checks 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

m29-j4

FLOOR ELIMINATION AND STUDENT TOILETS – Competitive Sealed Bids – PIN# SCA09-12180D-1 – DUE 06-12-09 AT 10:00 A.M. – I.S. 96 (Brooklyn). Flood Elimination, Student Toilets. Project Range: \$1,440,000.00 to \$1,520,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Anthony Largie (718) 752-5842
alargie@nycsca.org

m28-j3

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA09-11804D-1 – DUE 06-12-09 AT 3:30 P.M. – Washington Irving H.S. (Manhattan). Project Range: \$1,380,000.00 - \$1,455,000.00.

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
1st Floor, Long Island City, NY 11101.
Seema Menon (718) 472-8284, smenon@nycsca.org

m27-j2

CONTRACT SERVICES

SOLICITATIONS

Construction / Construction Services

ELECTRICAL SYSTEMS UPGRADE – Competitive Sealed Bids – PIN# SCA09-12653D-1 – DUE 06-15-09 AT 11:00 A.M. – PS 203 (Queens). Project Range: \$1,500,000.00 to \$1,584,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Lily Persaud (718) 752-5852
lpersaud@nycsca.org

m27-j2

TRANSPORTATION

AWARDS

Services (Other Than Human Services)

MANAGEMENT AND OPERATION OF QUEENS FAMILY COURT MUNICIPAL PARKING GARAGE, QUEENS – Competitive Sealed Bids – PIN# 84108QUTR339 – AMT: \$1,778,232.00 – TO: Parking Systems Plus, Inc., 28 Fourth Street, Valley Stream, NY 11581.

● DRYDOCKING, INSPECTION AND RELATED REPAIRS TO DOT FERRYBOAT MICHAEL COSGROVE

– Competitive Sealed Bids – PIN# 84108SISI335 – AMT: \$398,900.00 – TO: May Ship Repair Contracting Corp., 3075 Richmond Terrace, Staten Island, NY 10303.

● INSTALLATION AND SCARIFICATION OF THERMOPLASTIC BIKE LANE

– Competitive Sealed Bids – PIN# 84108MBTR271 – AMT: \$9,500,000.00 – TO: Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, NJ 07866.

j2

AGENCY RULES

TAXI AND LIMOUSINE COMMISSION

NOTICE

Notice of Promulgation of Rules

NOTICE IS HEREBY GIVEN in accordance with section 1043(e) of the Charter of the City of New York

“Charter” that the Taxi and Limousine Commission (“TLC”) promulgates rules to require TLC inspections and enhanced markings for for-hire vehicles and to clarify and enhance the accountability of licensed for-hire vehicle bases and vehicle owners.

These rules are promulgated pursuant to section 1043 of the Charter of the City of New York and sections 19-504 and 19-511 of the Administrative Code of the City of New York. These rules encompass matters included in the TLC’s regulatory agenda for Fiscal Years 2008 and 2009.

These rules were published for comment in the City Record on March 11, 2009. A public hearing on these rules was held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on April 16, 2009 at 9:30 A.M. Pursuant to section 1043(e)(1)(c) of the Charter, these rules will take effect 30 days following publication in the City Record.

New material is underlined.
[Material inside brackets indicates deleted material.]

Section 1. Section 6-01 of Title 35 of the Rules of the City of New York is hereby amended to add, in alphabetical order, the definitions of Base, Base License, Base Owner, Chairperson and Penalty Point to read as follows:

Base. A base is a base station, a black car base, or a luxury limousine base.

Base license. A base license is a license issued by the Commission for operation of a base.

Base owner. A base owner is an individual, partnership or corporation licensed by the Commission to operate a base.

Chairperson. The Chairperson is the chairperson of the Commission, or his or her designee.

Penalty point. A penalty point is a non-monetary penalty assessed against either a base owner or the owner of a for-hire vehicle upon conviction for violation of certain provisions of this chapter.

Section 2. The definitions of for-hire operator’s permit and for-hire vehicle permit set forth in section 6-01 of Title 35 of the Rules of the City of New York are hereby amended to read as follows:

For-hire vehicle [operator’s permit] driver’s license. A for-hire vehicle [operator’s permit] driver’s license is a [permit] license issued by the Commission to persons who meet Commission qualifications as for-hire vehicle drivers.

For-hire vehicle permit. A for-hire vehicle permit is a permit issued by the Commission to a for-hire vehicle or base owner to allow [an affiliated] a vehicle affiliated with a base to be dispatched by said base.

Section 3. Sections 6-02(a)(3) and (a)(4) of Title 35 of the Rules of the City of New York are hereby amended to read as follows:

(3) (A) A license issued to a new applicant for a for-hire vehicle license shall expire two years subsequent to the date the license was issued. A license issued to a renewing applicant for a for-hire vehicle license shall expire two years subsequent to the date on which the previous license expired. The Commission may, in its discretion, extend the expiration date of such license by up to an additional thirty-one days.

(B) A for-hire vehicle permit shall terminate prior to the expiration date upon revocation or surrender of the permit, or surrender of the vehicle’s license plates to the applicable state department of motor vehicles, and such permit shall not thereafter be renewed or reinstated.

(4)(A) [A] Prior to July 1, 2009, a renewing applicant must file a completed application on or before the expiration date of the license.

(B) (i) On and after July 1, 2009, a renewing applicant must file a completed application for renewal of a for-hire vehicle permit not less than thirty (30) days before the expiration date of the permit.

(ii) The Commission will permit a renewing applicant to file a completed application at any time up until the expiration date of the for-hire vehicle permit upon payment of a \$25 late fee.

(iii) No renewal application will be accepted after the expiration date of the for-hire vehicle permit and such permit will expire and not be renewed.

Section 4. Section 6-02(b) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(b) The term of every [base station, black car base and luxury limousine] base license issued by the Taxi and Limousine Commission under the For-Hire Vehicle Rules shall be as follows:

(1) A license issued to a new applicant applying for a license on or after July 1, 2009 shall expire [two] three years subsequent to the last day of the month in which the new license is issued. (For example, a new applicant files on October 10, 2009 [1997], and is approved by TLC on December 15, 1997. No action is taken by the City Council before March 15, 1998;] and TLC issues a license on March 24, [1998]2010. That license would expire on March 3[0]1, [2000]2013.)

(2) A license issued to a renewing applicant with a license expiring on or after July 1, 2009 shall expire [two] three years from the date on which the previous license expired. (For example, a renewing applicant whose license expired on [May]July 31, [1997]2009 would receive a license expiring on [May]July 31, [1999] 2012. An applicant who did not submit a completed renewal application until [June 15] July 31, [1997]2009 would still receive a license that expired on [May]July 31, [1999]2012, and may be subject to penalties pursuant to paragraphs ([3]5) and ([4]6) below.)

(3) Licenses issued prior to July 1, 2009 shall expire (A) two years from the date on which the previous license expired if a renewal license or (B) two years subsequent to the last day of the month in which the license was issued, if a new license.

(4[3]) A renewing applicant for a base license must file a completed application by no [less] later than sixty days before the expiration date of the license. A renewing applicant must pay a late fee of \$25 with any late application filed later than 60 days before the expiration date of the license. No renewing applicant shall be permitted to file a renewal application after the date of expiration of its license. The license of a base which fails to file a completed renewal application prior to the expiration date of the base’s license will expire and not be renewed.

([4]5) A person who engages in a licensed activity after the expiration date of a license and before the issuance of a renewal license is engaged in unlicensed activity and may be subject to penalties pursuant to applicable statutes and regulations, except as provided in paragraph ([5]6).

([5]6) If timely application for renewal of the license has been made pursuant to Rule 6-02(b)([3]4), the Chairperson shall extend the effectiveness of the license pending the review of the renewal application. If a renewal license is subsequently issued in such case, its term shall expire as provided in paragraphs (2) and (3) above. If a renewal application is denied, the applicant shall not be considered to have been unlicensed prior to the date of denial of the renewal application.

Section 5. Section 6-04(a) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(a) (i) No person shall operate a base [station, black car base or luxury limousine base] without a current and valid license from the Commission, which license is not suspended, revoked or expired. In addition to any penalties specified by this chapter, any person operating a base without a current and valid license, including a license which is suspended, revoked or expired shall be subject to penalties applicable to unlicensed operation. Subdivisions (b) through (d) and (f) and (g) and (j) of this section shall apply only to applicants for a base station license or renewal thereof, or to applicants for a change in base station location pursuant to §6-06(d) of this Chapter, except where otherwise noted.

(ii) For purposes of this subdivision (a), no suspension of a base license following a hearing under chapter 8 of this title shall be effective until notice of the suspension is given by the Commission. Such suspension shall be effective, for purposes of this subdivision (a), (A) ten days after mailing if service is made by certified mail, or (B) upon delivery if service is made by hand delivery. Where a base license is suspended for failure to pay a fine, the suspension shall be effective ten days after service of notice of the suspension, regardless of the method of service of the notice.

Section 6. Section 6-04(e) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(e) Prior to the issuance of a license for a base [station] or the renewal of a valid base [station] license, the applicant shall provide to the Commission a bond in the amount of five thousand dollars with one or more sureties to be approved by the Commission. Such bond shall be for the benefit of New York City and shall be conditioned upon the licensee complying with the requirement that the licensee dispatch only vehicles which are currently licensed by the Commission and which have a current New York City commercial use motor vehicle tax stamp and upon the payment by the licensee of all civil penalties imposed pursuant to any provision of this chapter. The bond must be maintained by the base owner for the term of the license. The bond shall further permit the Commission to draw upon the bond to satisfy any penalties incurred by the base for any violation of this chapter which have not been paid following the imposition of the penalty and the completion of any appeal. The Chairperson will give the base owner 30 days’ notice prior to drawing upon the bond to satisfy any penalty. In the event that the Commission draws on the bond, the base owner shall be assessed one penalty point.

Section 7. Section 6-04 of Title 35 of the Rules of the City of New York is hereby amended to add a new subdivision (j) thereto to read as follows:

(j) Each applicant for a base station license or for the renewal of a base station license or for a change of ownership of a base station license must submit a business plan for the base station with such application. Such business plan must, at a minimum, set forth:

(1) The business name, address, telephone number, email address and 24 hour contact number for the base station;

(2) The base station’s methods and practices for ensuring compliance with the rules of this chapter by itself, its employees, owners of vehicles affiliated with the base station, and drivers operating such vehicles;

(3) Such base station’s plans to operate within the scope of, and in compliance with, the Commission’s rules and how the base station intends to prevent recurrence of violations of the rules of this chapter incurred during the ending licensing term and the term preceding the ending term;

(4) Policies and procedures to ensure that affiliated vehicles will make use of the base station’s off-street parking location, the address of the off-street parking location and such location’s distance from the base station, and policies and procedures to ensure that affiliated vehicles not using the off-street parking location shall comply with all applicable traffic and parking regulations;

(5) The number of vehicles affiliated with the base station (or, in the case of an applicant for a new license, the number of vehicles anticipated to be affiliated with the base station upon licensure) and the average number of vehicles

anticipated to be affiliated during the term of the license:

(6) The number of requests for transportation received and the number of trips dispatched on a daily basis (or, in the case of an applicant for a new license, the number of requests anticipated to be received and the number of trips anticipated to be dispatched), and the average number of trips anticipated to be dispatched during the term of licensure;

(7) A description of how calls will be answered, rides dispatched, and complaints handled;

(8) Hours of operation of the base and office hours;

(9) A fare schedule in a form and format prescribed by the Chairperson;

(10) A plan for assuring that affiliated vehicles and the drivers of such vehicles provide transportation only through pre-arrangement made with the base station and do not accept passengers by street hail or other than by dispatch by the base station; and

(11) Such other matters as may be required by the Chairperson or the Commission as a condition of renewal of a base station license in light of the specifics of the base station's application and operating history.

Section 8. Section 6-05(a)(1) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(a)(1)(A) Any base station license or ownership interest in the licensee may be transferred to a proposed transferee who has demonstrated to the satisfaction of the Commission the qualifications to assume the duties and obligations of a base station owner provided that either the transferor or transferee shall have filed a bond to cover all the outstanding tort liabilities of the transferor arising out of the operation of a base station and the for-hire vehicle owners by the transferor which is in excess of the amount covered by any bond or insurance policy in effect pursuant to the New York State Vehicle and Traffic Law, and all outstanding fines, penalties and other liabilities which the transferor owes to the Commission shall have been satisfied. An application for approval of a transfer of an interest in a base station license or base station owner must include a business plan meeting the requirements of section 6-04(j) of this chapter. All such transfers and any changes in corporate officers or directors must be approved by the Commission in order to be effective and no such transfer or change shall be effective until approved and the Chairperson has given notice of the approval to the licensee. Furthermore, no application to approve a transfer of a base station license or an interest in a base station license or an interest in a base station owner shall be complete, and no approval of such application shall be effective, until both the transferor and transferee have appeared in person as directed by the Chairperson to complete the transfer, with such appearance to be in person for a party who is an individual, or by a general partner, if the party to the transfer is a partnership, or by an officer and stockholders holding a majority of the stock of the party, if the party to the transfer is a corporation.

(B) A base license or ownership interest in a black car base or luxury limousine base may be transferred to a proposed transferee who has demonstrated to the satisfaction of the Chairperson the qualifications to assume the duties and obligations of a base owner provided that all outstanding fines, penalties and other liabilities which the transferor owes to the Commission shall have been satisfied. All such transfers and any changes in corporate officers or directors must be approved by the Chairperson and no such transfer or change shall be effective until approved and the Chairperson has given notice of the approval to the licensee. Furthermore, no application to approve a transfer of any black car base or luxury limousine base license or an interest in such a base license or an interest in the owner of such a base shall be complete, and no approval of such application shall be effective, until both the transferor and transferee have appeared in person as directed by the Chairperson to complete the transfer, with such appearance to be in person for a party who is an individual, or by a general partner, if the party to the transfer is a partnership, or by an officer and stockholders holding a majority of the stock of the party, if the party to the transfer is a corporation.

Section 9. Section 6-05(e) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(e) The Commission shall revoke any base station license for nonuse in the event it shall find after a [public] hearing that the base station has not been in operation for sixty consecutive days, provided that such failure to operate shall not have been caused by strike, riot, war, public catastrophe or other act beyond the control of the licensee. The Commission shall also revoke, after a hearing, any base license in the event that the base location is not occupied by the base. Where the Commission finds that a particular base station cannot be operated due to an act beyond the control of the licensee, a temporary [replacement] base station license shall be issued to the same licensee for an alternative location, provided that all other requirements for such license are met and provided further that the unexpired term of the original license is six months or more. Such temporary base station license shall be for a term not to exceed 60 days. During the 60 day period, the base owner must either file an application to change the base location or must return to operation at the original base location and notify the Chairperson of the return. The temporary base station license will not be extended unless within the 60 day period the base owner either (1) files an application to change the base location and the Commission has not completed its review of the application within the 60 day period or (2) demonstrates that good cause exists for a further extension because the base owner requires additional time to return the base to the original location.

Section 10. Section 6-06(a) of Title 35 of the Rules of the City of New York is hereby amended to add new subdivisions (6), (7) and (8) thereto, to read as follows:

(a) A licensed base owner must at all times:

(6) Conspicuously display within the base the current schedule of rates charged by the base;

(7) Conspicuously display the base name, any trade, business or operating name, and the TLC license number on the front or office door of the base's premises.

(8) Maintain and have available for inspection at the base the

evidence of compliance with off street parking requirements in the form required by section 6-04(b)(1) of this chapter.

Section 11. Section 6-06(b)(3) of Title 35 of the Rules of the City of New York is hereby amended and new paragraphs (4), (5) and (6) are added, to read as follows:

(3) A base owner shall file with the Commission the name, including any trade, business, or operating name(s) used in the operation of the base or in promotions or advertising, and address of the base from which for-hire vehicles affiliated with such base are dispatched. The Chairperson may reject any such trade, business or operating name if, in the judgment of the Chairperson, such name is substantially similar to the trade, business or operating name of another base, and the base owner may not use such name. A base may use only one trade, business or operating name in its operations, including in its public communications, advertising, promotional activities, and passenger solicitation activities although a base may add an additional word such as "premium" or "select" to its approved trade name to promote a different level of service if the base offers multiple levels of service.

(4) Any trade, business or operating name approved by the Chairperson for one base may not be used by any other base, and such name will not be approved for use by any other base, unless both bases seeking to use the same trade, business or operating name share identical ownership.

(5) A base owner shall file with the Chairperson all contact information made available to or offered to the public for purposes of pre-arranging transportation for hire, including telephone numbers, Web sites and email addresses. Such telephone numbers, Web sites, email addresses and other contact information and methods may be used only with the name approved pursuant to paragraph (3) of this subdivision.

(6) A base owner shall file with the Chairperson the base's hours of operations and shall notify the Chairperson of any change in such hours of operation.

Section 12. Section 6-06(c) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(c) A base owner shall conspicuously state in all advertising, whether print, [and] broadcast, electronic and internet advertising and in all handbills, fliers, Web sites or other promotional materials and on all business cards and receipts that the base is licensed by TLC and shall include the number of the TLC license issued to the base in all such materials.

Section 13. Section 6-07(a) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(a) A base station owner shall provide an accurate and binding price quote to any prospective passenger contacting the base for transportation to a specified destination and intermediate stop(s), and if the passenger engages to receive the transportation, the price for such transportation shall be the price quoted by the base unless the passenger changes the destination or number of stops. A base owner shall not quote or charge a fare in excess of the fare prescribed by the schedule of the rates of fare on file with the Commission as required by section 6-08(c) of this chapter. A base owner shall be responsible for ensuring that transportation is provided only by pre-arrangement through the base. [A base owner shall be responsible for handling passenger complaints. Complaints about a base or an affiliated driver or vehicle that are registered with the Commission shall be logged in at the Commission, assigned a case number and referred to the appropriate base. Within ten (10) working days from the date of referral, the base shall notify the Commission in writing, making reference to the case number, regarding the satisfactory handling of any such complaint.]

Section 14. Section 6-07(b)(3) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(3) The base owner's responsibilities pursuant to paragraphs (1) and (2) shall extend to the public streets and sidewalks on either side of the street, within the city block front where the base is located, including both sides of the street on which the base is located.

Section 15. The introductory material of section 6-07(b) of Title 35 of the Rules of the City of New York is hereby amended and new paragraphs (4) and (5) are added, to read as follows:

(b) A base owner shall be responsible for overseeing the management of the base to ensure that base personnel, and the owners and drivers [operators of affiliated vehicles] of vehicles affiliated with the base, whether on duty or not, do not, within the area set forth in paragraph (3), engage in any of the following activities:

(4) A base owner shall further be responsible for ensuring that vehicles affiliated with the base or dispatched by the base and their drivers will obey all applicable traffic and parking regulations within the area set forth in paragraph 3.

(5) A base owner shall further be responsible for ensuring that vehicles affiliated with the base or dispatched by the base and their drivers when visiting the base will not create a nuisance such as by engaging in unnecessary horn honking, littering, or the playing of loud audio material within the area set forth in paragraph 3.

Section 16. Section 6-07 of Title 35 of the Rules of the City of New York is hereby amended to add new subdivisions (g), (h), (i), (j) and (k) to read as follows:

(g) A base owner shall maintain and enforce rules and policies preventing vehicles affiliated with the base or dispatched by the base and drivers of such vehicles from accepting street hails.

(h) A base owner may terminate the affiliation of a vehicle only by (1) submitting to the Chairperson a signed and dated agreement in which the vehicle owner consents to such termination or (2) by giving the vehicle owner notice to the vehicle owner's address as on file with the Commission by certified mail with return receipt requested, together with proof of mailing of such notice, with copies of the notice and proof of mailing mailed to the Commission. Such termination will become effective upon the date of the vehicle owner's agreement if termination occurs by option (1) or the date of mailing if termination occurs by option (2).

(i) Notwithstanding the provisions of subdivision (h) of this section, a vehicle's affiliation with a base will terminate automatically upon revocation of the base's license, suspension of the base's license for a continuous period in excess of 30 days, or upon expiration of the base's license. In addition, a vehicle's affiliation with a base will terminate automatically upon expiration or revocation of such vehicle's for-hire vehicle permit.

(j) A base owner shall not dispatch a vehicle which is not affiliated with such base unless (1) the base is dispatching an accessible vehicle pursuant to contract as provided by section 6-07(f) or (2) the base is dispatching a vehicle affiliated with another licensed base and the customer is informed of the dispatch of the vehicle from the second base.

(k) A base owner shall be responsible for handling customer complaints when directed by the Chairperson and shall provide any information requested by the Chairperson regarding such complaints.

Section 17. Section 6-08(c) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(c) A base owner shall be responsible for filing with the [Commission] Chairperson in a form and format prescribed by the Chairperson, [on an annual basis, or whenever there is a material change,] the schedule of the rates of fare charged by such base, including any surcharges such as credit card fees. Such a schedule shall be filed whenever rates are changed and also annually, no later than the anniversary date of the license and, in any year in which the license expires, such schedule must be filed with the renewal application. A schedule must also be filed with any application to change the ownership or location of the base. Failure to file such schedule with a renewal application or an application to change ownership or location will result in denial of the application by the Chairperson.

Section 18. Section 6-08 of Title 35 of the Rules of the City of New York is hereby amended to add a subdivision (f) thereto to read as follows:

(f) A base owner shall be responsible for maintaining paper or electronic records of all vehicles that are or have been affiliated with or dispatched by the base during the preceding 12 months, including dates of affiliation, vehicle identification numbers, Department of Motor Vehicles (or equivalent) registration numbers, for-hire vehicle permit numbers, and inspection records, together with the drivers of such vehicles including dates of operation, Department of Motor Vehicles license numbers, for-hire vehicle driver's license numbers and copies of forms affiliating and dis-affiliating vehicles.

Section 19. Section 6-11(a) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(a) A for-hire vehicle owner shall be responsible for having said for-hire vehicle licensed by the Commission. The Commission shall post on its Web site a list of vehicles holding current, valid permits. A for-hire vehicle owner shall not allow a vehicle to be dispatched unless the owner holds a current, valid for-hire vehicle permit for such vehicle which permit is not expired, suspended or revoked.

Section 20. Section 6-11(c) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(c) An owner of a for-hire vehicle shall not dispatch [n]or permit another person to dispatch such vehicle unless it is affiliated with a licensed base and such dispatch is made from the base with which the vehicle is affiliated, except when a dispatch is made pursuant to section 6-07(f) of this chapter. Dispatch of a vehicle which is not affiliated with a licensed base and dispatch of a vehicle from a base with which the vehicle is not affiliated shall constitute unlicensed operation and subject the owner to any applicable penalties for unlicensed operation unless the dispatch is made as authorized by section 6-07(j) of this chapter.

Section 21. Section 6-11(d)(2) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(d)(2) A for-hire vehicle owner, [who] which has received notice that [his] its liability insurance is to be terminated, shall surrender [his] its for-hire vehicle permit and [decal] decal(s) to the Commission on or before the termination date of the insurance, unless the vehicle owner [of the vehicle] submits proof of new insurance effective on the date of termination of the old policy before the termination of the policy.

Section 22. Section 6-11(e) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(e)(1) No unauthorized entry shall be made on [either] the for-hire vehicle permit or [decal] decal(s), nor shall any entry on [either] the for-hire vehicle permit or [decal] decal(s) be changed or defaced.

(2) An unreadable for-hire vehicle permit or [decal] decal(s) shall immediately be surrendered to the Commission for replacement.

(3) A for-hire vehicle owner shall immediately notify the Commission of the theft, loss or destruction of a for-hire vehicle permit or [decal] decal(s) of said vehicle, [and] furnish the Commission with an affidavit or information as may be required, and shall replace same.

Section 23. Section 6-11 of Title 35 of the Rules of the City of New York is hereby amended to add new subdivisions (n), (o), (p), (q), (r), (s) and (t) to read as follows:

(n) There shall not be more than one for-hire vehicle permit issued and in effect for any vehicle, as indicated by the vehicle identification number, at any one time.

(o) If the Commission receives a for-hire vehicle permit application for a vehicle, as indicated by the vehicle identification number, for which Commission records indicate that a previously issued for-hire vehicle permit is in effect and not expired, the holder of such previously issued permit shall be scheduled for a hearing to determine the fitness of such holder to hold such permit under section 8-15 of this title and the previously issued permit shall be revoked unless the holder demonstrates that the holder has transferred the permit to a new vehicle.

(p) The holder of a for-hire vehicle permit who wishes to

transfer the permit to a new vehicle must file an application to transfer the permit within fifteen days after registering the new vehicle with the New York State Department of Motor Vehicles, or comparable agency of the state of registration. No such application will be approved until the permit holder presents the vehicle for inspection at the Commission's inspection facility.

(q) No for-hire vehicle permit shall be issued to any applicant if a previous for-hire vehicle permit held by the applicant was revoked by the Commission, until the applicant for such new permit has been determined fit to hold such permit following a determination of such applicant's fitness to hold a permit under section 8-15 of this title. For purposes of this subdivision and the review of fitness required for applicants under this paragraph, a previous permit which has been revoked shall include any permit held by any partner, officer or shareholder of applicant, or by any entity in which any partner, officer, or shareholder of applicant was a partner, officer, or shareholder.

(r) A for-hire vehicle permit shall be revoked for non-use pursuant to section 19-504(g) of the Administrative Code of the City of New York if:

(1) the permit holder fails to maintain a base affiliation as required by section 6-11(c) of this chapter for 60 days;

(2) the permit holder fails to maintain insurance coverage as required by section 6-11(d) of this chapter for 60 days; or

(3) the permit holder fails to comply with the inspection requirements as required by section 6-12(c) of this chapter for 60 days.

(s) Any owner of a for-hire vehicle the for-hire vehicle permit for which has been revoked by the Commission, has expired, or has been denied renewal, must surrender the permit to the Commission, and, if the vehicle is registered in New York State, must surrender the T&LC license plates to the New York State Department of Motor Vehicles, each within 10 days after such revocation, expiration, or denial.

(t) A for-hire vehicle may be affiliated with only one base at any time.

Section 24. Section 6-12 of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

§ 6-12 Conditions of Licensure and Operation Relating to For-Hire Vehicles and Bases.

A [for-hire vehicle] base owner and a for-hire vehicle owner shall each be [jointly and severally]separately and independently responsible for compliance with the following provisions and liable for penalties for violation thereof. No for-hire vehicle [shall be used in the course of operations of a for-hire vehicle service unless the vehicle is] permit shall be issued or renewed unless the for-hire vehicle is in compliance with the requirements of this section at the time of issuance or renewal. Each for-hire vehicle must be in compliance with the following at all times during which such vehicle has a for-hire vehicle permit:

(a) (1) A current, valid Commission license decal or decals [is], which are not expired, suspended or revoked, are affixed to the front right side of the windshield of the vehicle so as to be plainly visible.

(2)(i) Beginning on September 1, 2009, each vehicle must have three (3) current, valid and unexpired Commission license decals issued by the Commission.

(ii) One of these decals must be on the front lower right side of the windshield of the vehicle and one on the lower rear corner of each of the two rear quarter windows, or, if there are no rear quarter windows, on the lower rear window just above the rear door.

(iii) Each decal must be plainly visible.

(iv) Each decal must contain all information that may be required by the Chairperson, and must be completed correctly and legibly.

(3) (i) For any vehicle for which a new application or a renewal application is made, or which is a replacement vehicle, or which is changing its base affiliation, or which is changing its license plates, beginning on September 1, 2009, the vehicle must have three (3) current, valid and unexpired Commission license decals.

(ii) One of these decals must be on the front lower right side of the windshield of the vehicle and one on the lower rear corner of each of the two rear quarter windows, or, if there are no rear quarter windows, on the lower rear window just above the rear door.

(iii) Each decal must be plainly visible.

(iv) The decals must be affixed by Commission staff.

(v) When the for-hire vehicle is replaced or changes affiliation to a different base, or changes its license plates, such vehicle must be brought to the Commission's Safety and Emissions Division to have new decals placed on the vehicle by Commission staff.

(4) Single decal exception applicable only to luxury limousines. Any for-hire vehicle that is a luxury limousine must comply with all the provisions of this subdivision (a) except that such vehicle will only be required to have a single Commission decal affixed to the front lower right side of the windshield of the vehicle.

(b) A current, valid and unexpired registration sticker from an authorized state motor vehicle department is affixed to the left front windshield so as to be plainly visible.

(c) (1) A current, valid and unexpired New York State Department of Motor Vehicles inspection sticker, which is no fewer than eight (8) months from the month of expiration on the sticker, is affixed to the front left side of the windshield so as to be plainly visible.

(2) For-hire vehicles shall be inspected three times a year and at least once every four months [, and at any other time the Commission has reason to believe that said vehicle is unfit or unsafe for use].

(3)(i) New Applications for For-Hire Vehicles That Are Model Year 1996 or Later. Beginning on September 1, 2009, and during such time as the Commission's Safety and Emissions Division is a Department of Motor Vehicles (DMV) certified inspection station, as a condition for issuance of a new for-hire vehicle permit or approval as a replacement vehicle, vehicles that are model year 1996 or later must be inspected at the Commission's

Safety and Emissions Division within ten (10) days after the issuance of T&LC plates by DMV, or after the Commission's acceptance of the application for vehicles registered outside New York State, and, in either case, must pass such inspection within sixty (60) days after the date of the first scheduled inspection of such vehicle and before issuance of a new for-hire vehicle permit. The maximum number of inspections allowed in such sixty-day period is four (4) inspections. The maximum limit of 4 inspections which must occur within 60 days applies not only to the vehicle originally submitted for licensure but also to any replacement vehicle submitted. Failure of the vehicle originally submitted for licensure and of all replacement vehicles to pass an inspection four times within 60 days will result in denial of the application. Such inspection(s) shall comply with the vehicle inspection requirements set forth in section 301 of the Vehicle and Traffic Law and shall further inspect for compliance with the owner and vehicle requirements set forth in this chapter, and shall constitute one of the inspections required by section 19-504(f) of the Administrative Code and by paragraph (2) of this subdivision, unless the vehicle has accumulated fewer than 500 miles traveled at the time the vehicle arrives at the Commission's facility for inspection in which case the inspection will be only a visual inspection. The fee for such TLC inspections shall be the fee prescribed by regulation of the DMV for inspections pursuant to section 305 of the Vehicle and Traffic Law.

(ii) New Applications for For-Hire Vehicles That Are Model Year 1995 or Earlier.

Beginning on September 1, 2009, and during such time as the Commission's Safety and Emissions Division is a DMV certified inspection station, as a condition for issuance of a new for-hire vehicle permit or approval as a replacement vehicle, vehicles that are model year 1995 and earlier must be inspected at the Commission's Safety and Emissions Division within ten (10) days after the issuance of T&LC plates by DMV, or after the Commission's acceptance of the application for vehicles registered outside New York State, and, in either case, must pass such inspection within sixty (60) days after the date of the first scheduled inspection of such vehicle and before issuance of a new for-hire vehicle permit. The maximum number of inspections allowed in such sixty-day period is four (4) inspections. The maximum limit of 4 inspections which must occur within 60 days applies not only to the vehicle originally submitted for licensure but also to any replacement vehicle submitted. Failure of the vehicle originally submitted for licensure and of all replacement vehicles to pass an inspection four times within 60 days will result in denial of the application. Such inspection(s) shall comply with the vehicle inspection requirements set forth in section 301 of the Vehicle and Traffic Law and shall further inspect for compliance with the owner and vehicle requirements set forth in this chapter, except that such inspections shall not include emissions testing and shall not constitute one of the inspections required by section 19-504(f) of the Administrative Code and by paragraph (2) of this subdivision. The fee for such TLC inspections shall be the safety inspection fee prescribed by regulation of the DMV for inspections pursuant to section 305 of the Vehicle and Traffic Law.

(4)(i) Renewals for For-Hire Vehicles That Are Model Year 1996 or Later.

Beginning on February 1, 2010, and during such time as the Commission's Safety and Emissions Division is a DMV certified inspection station, as a condition for renewal of a for-hire vehicle permit, vehicles that are model year 1996 or later must have been inspected at the Commission's Safety and Emissions Division and pass such inspection within thirty (30) days after the date of the first scheduled inspection of such vehicle and before a renewal permit will be issued. The maximum number of inspections allowed in such thirty-day period is four (4) inspections. The maximum limit of 4 inspections which must occur within 30 days applies not only to the vehicle originally submitted for licensure but also to any replacement vehicle submitted. Failure of the vehicle originally submitted for licensure and of all replacement vehicles to pass an inspection four times within 30 days will result in denial of the application. If a vehicle has not passed inspection by the permit expiration date, the vehicle shall not operate until it passes inspection. If a vehicle does not pass inspection within the thirty-day period, the vehicle shall not operate and the application shall be denied. Such inspection(s) shall comply with the vehicle inspection requirements set forth in section 301 of the Vehicle and Traffic Law and shall further inspect for compliance with the vehicle owner and for-hire vehicle requirements set forth in this chapter and shall constitute one of the inspections required by section 19-504(f) of the Administrative Code and by paragraph (2) of this subdivision. The fee for such TLC inspections shall be the fee prescribed by regulation of the DMV as set forth in paragraph (3)(i) of this subdivision.

(ii) Renewals for For-Hire Vehicles That Are Model Year 1995 or Earlier.

Beginning on February 1, 2010, and during such time as the Commission's Safety and Emissions Division is a DMV certified inspection station, as a condition for renewal of a for-hire vehicle permit, vehicles that are model year 1995 and earlier must have been inspected at the Commission's Safety and Emissions Division and pass such inspection within thirty (30) days after the date of the first scheduled inspection of such vehicle and before a renewal permit will be issued. The maximum number of inspections allowed in such thirty-day period is four (4) inspections. The maximum limit of 4 inspections which must occur within 30 days applies not only to the vehicle originally submitted for licensure but also to any replacement vehicle submitted. Failure of the vehicle originally submitted for inspection and of all replacement vehicles to pass an inspection four times within 30 days will result in denial of the application. If a vehicle has not passed inspection by the permit expiration date, the vehicle shall not operate until it passes inspection. If a vehicle does not pass inspection within the thirty-day period, the vehicle shall not operate and the application shall be denied. Such inspection(s) shall comply with the vehicle inspection requirements set forth in section 301 of the Vehicle and Traffic Law and shall further inspect for compliance with the vehicle owner and for-hire vehicle requirements set forth in this chapter, except that such inspections shall not include emissions testing and shall not constitute one of the inspections required by section 19-504(f) of the Administrative Code and by paragraph (2) of this subdivision. The fee for such TLC inspections shall be the safety inspection fee prescribed by regulation of the DMV as set forth in paragraph (3)(ii) of this subdivision.

(d) For vehicles registered with the Department of Motor Vehicles prior to April 30, 1999, a current, valid and

unexpired New York City commercial use motor vehicle tax stamp is affixed to the front right side of the windshield of the vehicle so as to be plainly visible. For vehicles registered after April 30, 1999, proof that the required commercial use motor vehicle tax for the current tax period has been paid.

(e)(1) The license plate number on said motor vehicle tax stamp, state registration and Commission decals each match, and match the license plates affixed to the vehicle.

(2) The last six digits of the vehicle identification number (VIN) on [said state registration and] the Commission decals shall [each] match[,] the last six digits of the VIN on the state registration and match the VIN of the vehicle.

(3) A for-hire vehicle that is registered in New York State [for which a for-hire vehicle license is issued or renewed on or after May 10, 2006,] must have New York State license plates affixed to the vehicle that are embossed with the legend "T & LC."

(4) A base and/or a base owner shall not dispatch, and a for-hire vehicle owner shall not allow a vehicle to be dispatched:

(A) unless the vehicle is registered in New York State and has license plates embossed with the legend "T & LC", or unless the vehicle is registered in another state and complies with any applicable license plate requirements.

(B) unless the vehicle has a current, valid for-hire vehicle permit which has not expired, been suspended, or been revoked.

(f)(1) The marking requirements of the Commission;[, including, but not limited to: Exterior identification of the base name and base vehicle number. Luxury limousines shall be exempt from the requirements of this paragraph.]

(i) Exterior Markings. Beginning on July 1, 2009, the exterior markings of a for-hire vehicle must include: the name of the base station with which the vehicle is affiliated, the base station license number, and the base station telephone number, either (1) all in letters and numerals not less than one-and-one-half inches in height, on the exterior of a door or doors on both sides of the affiliated vehicle, below the windows and not less than six inches above the bottom of the door(s); (2) all in letters and numerals not less than one inch in height in one location on the rear of the affiliated vehicle below the rear window, and not less than six inches above the bottom of the rear of the vehicle, or (3) both on the doors and rear of the vehicle. The letters and numerals must be of a color contrasting with the color of the body of the vehicle to provide easy legibility. Lettering and numbering shall be spaced to provide easy legibility and, if placed on doors on both sides of the vehicle shall be identical on both sides of the livery. All decals shall have semi-permanent adhesive. Luxury limousines and black cars shall be exempt from the requirements of this subdivision (f)(1)(i).

(2) A[n] vehicle owner may not display any advertising, either on the exterior or the interior of a for-hire vehicle, unless such advertising has been authorized by the Commission, and a permit has been issued to the owner in accordance with the provisions of the Administrative Code. The Commission shall not approve any advertising for the exterior of a for-hire vehicle that consists, in whole or in part, of roof top advertising.

(3) Any accessible vehicle licensed by the Commission shall display insignia, the design of which shall be provided by the Commission on its Web site or through means it deems appropriate as set forth on its Web site, that identify such vehicle as an accessible vehicle. Such insignia shall be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of such vehicle, and shall be visible to passengers entering the accessible vehicle.

(4) Any clean air for-hire vehicle licensed by the Commission shall display insignia, the design of which shall be provided by the Commission on its Web site or through other means it deems appropriate as set forth on its Web site, that identify such vehicle as a clean air vehicle. Such insignia shall be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of such vehicle, and shall be visible to passengers entering the clean air for-hire vehicle.

(g) A for-hire vehicle shall not be equipped with a rooflight, except for a vehicle that operates primarily in Staten Island and is affiliated with a base located in Staten Island. A rooflight on such a Staten Island vehicle must meet the specifications set forth in the definition of "rooflight" in these rules.

(h) No for-hire vehicle [used in the course of operations of a for-hire vehicle service] shall be, in whole or in part, any shade of taxicab yellow.

(i) No for-hire vehicle shall be equipped with a meter, except a wheelchair accessible livery which is participating in the dispatch program as set forth in chapter 16 of this title.

(j) The provisions of this subdivision (j) apply to the base owner and the owner of the for-hire vehicle; the driver's responsibilities are set forth separately in subdivision 6-16(e) of this chapter.

(1) Before July 1, 2009[No] each for-hire vehicle [shall be used in the course of operations of a for-hire vehicle service unless] must contain the following items [are present] in the right visor or on top of the right side of the dashboard or in the glove compartment:

[1] (A) the certificate of registration or legible photostat thereof;

[2] (B) the for-hire vehicle permit or legible photostat thereof; and

[3](C) the insurance card or legible photostat thereof.

(2) Beginning on July 1, 2009, each for-hire vehicle must contain the following items:

(A) in the right visor or on top of the right side of the dashboard or in the glove compartment:

(i) the certificate of registration or legible photostat thereof;

(ii) the insurance card or legible photostat thereof; and

(iii) the for-hire vehicle permit or legible photostat thereof.

(B) in a protective holder mounted behind the driver's seat in the vehicle (except as provided in subdivision (j)(4)):

(i) the for-hire vehicle driver's license of the driver.

(3) Beginning on September 1, 2009, each for-hire vehicle must contain the following items:

(A) in the right visor or on top of the right side of the dashboard or in the glove compartment:

(i) the certificate of registration or legible photostat thereof; and

(ii) the insurance card or legible photostat thereof.

(B) in a protective holder mounted behind the driver's seat in the vehicle (except as provided in subdivision (j)(4)):

(i) the for-hire vehicle driver's license of the driver; and

(ii) the for-hire vehicle permit.

(4) Exception regarding license and permit postings applicable only to Black Cars and Luxury Limousines. Any for-hire vehicle which is either a black car or a luxury limousine must comply with all requirements of this subdivision (j) and display all items required to be displayed as of the dates specified, except that such vehicles will not be required to display the for-hire vehicle driver's license and the for-hire vehicle permit in a protective holder mounted behind the driver's seat in the vehicle provided that those items are displayed in the vehicle in a way so as to be clearly visible from the passenger seat and available for inspection by the passenger upon request.

(k) Livery Bill of Rights. Beginning on June 26, 2009 every livery owner must post a Livery Passengers' Bill of Rights in a form and format prescribed by the Commission, which shall be posted by the Commission on its Web site or through means it deems appropriate as set forth on its Web site. The Livery Passengers' Bill of Rights must be placed in a protective holder mounted behind the front passenger's seat of the vehicle.

(k)(1) Neither a base owner nor a for-hire vehicle owner shall dispatch an affiliated vehicle while the affiliated driver's chauffeur's license is not current and valid. For purposes of these rules, a valid chauffeur's license shall mean a license which is neither expired, suspended, revoked, conditional or restricted as to use by the New York State Department of Motor Vehicles or agency of another state which issued such license for violations of traffic laws or regulations.

(2) A base owner and a for-hire vehicle owner shall not dispatch an affiliated vehicle unless the driver possesses a current for-hire operator's permit issued by the Commission. For purposes of these rules, a current operator's permit shall mean a permit issued for the current time period which is neither suspended, revoked nor expired. The Commission shall mail to each licensed base owner a copy of the suspension list(s) prepared by the Commission. There shall be a seventy-two (72) hour grace period, which shall be calculated from the date appearing on the face of the suspension list(s), during which time a licensed base owner and a for-hire vehicle owner shall not be held accountable for knowing the information contained therein.

(3) A base owner and a for-hire vehicle owner shall not knowingly allow an affiliated for-hire vehicle to be operated by a driver who is under the influence of any drugs or alcohol or whose driving ability is in any way impaired.

(l) No for-hire vehicle shall be used in the course of operations of a for-hire vehicle service when the Commission or the New York State Department of Motor Vehicles has determined that the vehicle is unsafe or unfit for use as a for-hire vehicle and the vehicle owner has been directed to remove such vehicle from service.

(m)(1) No for-hire vehicle shall be used in the course of operations of a for-hire vehicle service unless all seat belts and shoulder belts are clearly visible, accessible and in good working order.

(2) Each for-hire vehicle commencing with the 1991 model year and for all model years thereafter shall in addition to seat belts for each seating position and shoulder belts for both outside front seat positions be equipped with shoulder belts for both outside passenger rear seat positions.

(n) No vehicle shall be used to transport passengers for hire in the City of New York if said vehicle has been altered after manufacture to increase its length, width, weight or seating capacity, or to modify its chassis and/or body design, unless said modification has been made in accordance with a program approved in advance by the original vehicle manufacturer, and said alteration has been performed by a coachbuilder or other entity approved and certified by the vehicle manufacturer to perform such alterations. An original, unaltered, approved coachbuilder's or vehicle modifier's certification sticker shall be affixed to the vehicle at a location to be determined by the Commission.

(o) Any officer or employee of the Commission designated by the Chairperson of the Commission, or any police officer may conduct on-street inspections of a vehicle providing transportation for hire and operating within New York City to assure compliance with New York City regulations or where such inspections are otherwise permitted. The owner of such vehicle must repair or replace such vehicle within ten days if ordered to do so.

(p)(1) To be affiliated with a black car base, a vehicle owned or leased by a new applicant must meet the requirements set forth in sections 6-09 and 6-10 of this chapter. For purposes of this paragraph (p)(1), a "new applicant" is the owner or lessee of a vehicle who does not hold a current for-hire vehicle permit for that vehicle.

(2) To be affiliated with a black car base, a vehicle owned or leased by a renewal applicant must meet the requirements set forth in section 6-10 of this chapter. For purposes of this paragraph (p)(2), a "renewal applicant" is the owner or lessee of a vehicle who holds a current for-hire vehicle permit for that vehicle and is affiliated with a black car base when the application is submitted.]

Section 25. Title 35 of the Rules of the City of New York is

hereby amended by the addition of a new section 6-12.1 thereto, to read as follows:

§ 6-12.1 Additional Conditions of Operation of For-Hire Vehicles and Bases.

A base owner and a for-hire vehicle owner shall each be separately and independently responsible for compliance with the following provisions and liable for penalties for violation thereof.

(a)

(1) A base owner shall not dispatch or allow to operate, and a for-hire vehicle owner shall not allow to be dispatched or operated, a for-hire vehicle unless the driver's chauffeur's license is current and valid. For purposes of these rules, a valid chauffeur's license shall mean a license which is neither expired, suspended, revoked, conditional or restricted as to use by the New York State Department of Motor Vehicles or agency of another state which issued such license for violations of traffic laws or regulations. Each base owner and each for-hire vehicle owner is responsible for knowing the status of the state issued driver's license for any driver dispatched.

(2) A base owner shall not dispatch or allow to operate, and a for-hire vehicle owner shall not allow to be dispatched or operated, a vehicle unless the driver possesses a current for-hire vehicle driver's license issued by the Commission. For purposes of these rules, a current for-hire vehicle driver's license shall mean a license issued for the current time period which is neither suspended, revoked nor expired. The Commission shall post on its Web site a list of drivers and vehicles holding current, valid permits and licenses.

(3) A base owner and a for-hire vehicle owner shall not knowingly allow a for-hire vehicle to be operated by a driver who is under the influence of any drugs or alcohol or whose driving ability is in any way impaired.

(b)

(1) No for-hire vehicle shall be driven when the Chairperson or the New York State Department of Motor Vehicles or a DMV inspection facility has determined that the vehicle is unsafe or unfit for use as a for-hire vehicle. The for-hire vehicle permit shall be suspended pursuant to section 8-17(b) of this title upon such determination. In addition:

(2) If the Chairperson has determined that the vehicle is unsafe or unfit, the decals shall be confiscated by the Chairperson.

(3) If the New York State Department of Motor Vehicles or a DMV inspection facility other than the Commission has determined that the vehicle is unsafe or unfit, the vehicle owner must return the decals to the Chairperson within 72 hours of issuance of the determination.

(4) If the Chairperson has any reason to believe that any for-hire vehicle is unsafe or unfit for use, the Chairperson may order such vehicle to report to the Commission's inspection facility.

(c)

(1) Each for-hire vehicle shall have all seat belts and shoulder belts clearly visible, accessible and in good working order.

(2) Each for-hire vehicle shall in addition to seat belts for each seating position and shoulder belts for both outside front seat positions be equipped with shoulder belts for both outside passenger rear seat positions.

(d) No for-hire vehicle shall be issued a permit or be used to transport passengers for hire in the City of New York if the vehicle has been altered after manufacture to increase its length, width, weight or seating capacity, or to modify its chassis and/or body design, unless the modification has been made in accordance with a program approved in advance by the original vehicle manufacturer, and the alteration has been performed by an entity approved and certified by the vehicle manufacturer to perform such alterations. An original, unaltered, approved vehicle modifier's certification sticker shall be affixed to the vehicle at a location to be determined by the Commission.

(e) Any officer or employee of the Commission designated by the Chairperson of the Commission, or any police officer, may conduct on-street inspections of vehicles providing transportation for hire and operating within New York City to assure compliance with all applicable laws and rules and may order the vehicle to report to the Commission's inspection facility.

(f) No for-hire vehicle owner shall permit his or her vehicle to transport passengers for hire other than through pre-arrangement with a base licensed by the Commission. A for-hire vehicle owner shall be liable for penalties for any violation of this section if the vehicle is used to transport passengers other than through pre-arrangement.

(g)

(1) To be affiliated with a black car base, a vehicle owned or leased by a new applicant, beginning January 1, 2010, must meet the requirements set forth in section 6-09 and, beginning January 1, 2011, must meet the requirements set forth in section 6-10 of this chapter. For purposes of this paragraph (g)(1), a "new applicant" is the owner or lessee of a vehicle who does not hold a current for-hire vehicle permit for that vehicle.

(2) To be affiliated with a black car base, a vehicle owned or leased by a renewal applicant, beginning January 1, 2011, must meet the requirements set forth in section 6-10 of this chapter. For purposes of this paragraph (g)(2), a "renewal applicant" is the owner or lessee of a vehicle who holds a current for-hire vehicle permit for that vehicle and is affiliated with a black car base when the application is submitted.

(h) No base and no owner of a for-hire vehicle shall require that any prospective passenger must share a ride with another prospective passenger.

(i) The owner of a for-hire vehicle shall be responsible for ensuring that the driver and vehicle will obey all applicable traffic and parking regulations within the area set forth in section 6-07(b)(3) of this chapter.

(j) The owner of a for-hire vehicle shall be responsible for ensuring that the driver and the vehicle while stopped at the base with which the vehicle is affiliated or by which the vehicle is dispatched will not create a nuisance such as by engaging in horn honking, littering, or the playing of loud audio material within the area set forth in section 6-07(b)(3) of this chapter.

(k) The owner of a for-hire vehicle shall be responsible for ensuring that the vehicle is equipped with functioning heating and air conditioning equipment.

Section 26. Section 6-16 (e) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(e)(1) A driver [shall] must not operate a for-hire vehicle without a current, valid and unexpired for-hire vehicle permit decal or decals issued by the Commission. [Said] The decal shall be affixed to the [right] front right side of the windshield of the vehicle and, if three decals are required, also on each of the two rear quarter windows. The decals must be plainly visible. [and] In addition, until July 1, 2009 the following items shall be present in the for-hire vehicle:

[1](A) the [affiliated] driver's [for-hire vehicle operator's permit] for-hire vehicle driver's license;

[2](B) the certificate of registration or legible photostat thereof;

[3](C) the for-hire vehicle permit or legible photostat thereof;

[4](D) the insurance card or legible photostat thereof;

[5](E) if such for-hire vehicle is used for providing pre-arranged transportation for hire between the City of New York and an issuing jurisdiction, a trip log conforming to the requirements of §6-25 of this chapter.

(2) Beginning on July 1, 2009, the driver's for-hire vehicle driver's license must be displayed in a protective holder mounted behind the driver's seat and the vehicle must contain all other items listed in paragraph (1) of this subdivision.

(3) Beginning on September 1, 2009 a driver must not operate a for-hire vehicle without three (3) current, valid and unexpired for-hire vehicle license decals, issued by the Commission's Licensing Division, affixed, one to the front right side of the windshield of the vehicle and one to each of the two rear quarter windows, so as to be plainly visible, and the following items shall be present in the for-hire vehicle:

(A) in the right visor or on top of the right side of the dashboard or in the glove compartment:

(i) the certificate of registration or legible photostat thereof;

(ii) the insurance card or legible photostat thereof;

(B) in a protective holder mounted behind the driver's seat in the vehicle:

(i) the for-hire vehicle driver's license of the driver; and

(ii) the for-hire vehicle permit.

(C) if such for-hire vehicle is used for providing pre-arranged transportation for hire between the City of New York and an issuing jurisdiction, a trip log conforming to the requirements of §6-25 of this chapter.

Section 27. Section 6-16(o) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(o) A driver shall not charge or attempt to charge a fare above the pre-approved rate quoted by the dispatcher. A driver shall not impose or attempt to impose any additional charge for transporting a person with a disability, a service animal accompanying a person with a disability or a wheelchair or other mobility aid. No passenger shall be asked or required to tip.

Section 28. Section 6-16 of Title 35 of the Rules of the City of New York is hereby amended to add a new subdivisions (w) through (bb) to read as follows:

(w) A driver while stopped at the base with which the driver's vehicle is affiliated shall use the off-street parking facilities required by section 6-04(b) of this chapter or, if not, shall comply with all applicable traffic and parking regulations.

(x) A driver while stopped at the base with which the driver's vehicle is affiliated must not create a nuisance such as by engaging in littering or the playing of loud audio material within the area set forth in section 6-07(b)(3) of this chapter. A driver must never engage in horn honking while stopped at the base.

(y) No driver of a for-hire vehicle shall require that any prospective passenger must share a ride with another prospective passenger.

(z) A driver during his or her workshift must keep the vehicle's interior clean and scent free.

(aa) All audio equipment controlled by the driver must be turned on or off at the request of the passenger. The passenger shall have the right to select what is played on the audio equipment. Whether or not the vehicle is hired, an audio device must be played at normal volume only, and all noise ordinances shall be complied with.

(bb) A driver must turn on or off heating or air-conditioning equipment at the request of the passenger.

Section 29. Section 6-22 of Title 35 of the Rules of the City of New York is hereby amended to add the new penalties for sections 6-04(b)(4), 6-04(e), 6-05(e) 6-06(a)(6), 6-06(a)(7), 6-06(a)(8), 6-06(b)(5), 6-06(b)(6), 6-07(g)(1), 6-07(j), 6-07(k), 6-11(o), 6-11(r), 6-12(e)(4), 6-12(f)(1)(ii), 6-12(k) 6-16(w) through 6-16(bb), 6-29(b) and 6-29(d); to amend the penalties for sections 6-04(a), 6-06(d), 6-06(f), 6-07(a), 6-07(f), 6-11(a), 6-11(b), 6-11(c), 6-12(a), 6-12(c), 6-12(f)(1), 6-12(j), 6-16(e), and 6-16(o), to eliminate the penalties for former sections 6-02(b)(3) and 6-12(k)(1) through 6-12(o), and to add new penalties for new section 6-12.1(a)(1) through 6-12.1(k), to read as follows:

Rule No.	Penalty	Personal Appearance Required
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed.	
§ 6-02(b)(3)	\$25	No
**	**	**
§ 6-04(a)	\$200-1,500 and one penalty point, plus any applicable penalties under the NYC Administrative Code for unlicensed operation.	Yes
§ 6-04(b)(4)(ii)	Revocation	Yes
§ 6-04(e)	\$250 for failure to post or maintain bond; one penalty point for draw on bond.	No
§6-04(i)(j)(1)	\$25 for each day of non-compliance, to a maximum of \$10,000, and either suspension until compliance or base license revocation	Yes
**	**	**
§6-05(e)	Revocation	Yes
**	**	**
§ 6-06(a)(4)	Suspension until requirement is met	Yes
§ 6-06(a)(6)	\$50	No
§ 6-06(a)(7)	\$50	No
§ 6-06(a)(8)	\$50	No
**	**	**
§ 6-06(b)(5)	\$100	No
§ 6-06(b)(6)	\$50	No
§ 6-06(c)	\$100	No
§ 6-06(d)	Suspension of base license and one penalty point	Yes
**	**	**
§ 6-06(f)	\$250 and suspension until compliance and one penalty point.	Yes
**	**	**
6-07(a)	[\$50-250 and/or suspension until a complaint procedure satisfactory to the Commission has been implemented.] \$100 for failure to provide quote on request. \$200 for passenger overcharge, whether from any quote or from schedule of fares required to be filed with the Commission.	[Yes] No
**	**	**
§ 6-07(f)	\$1000 and, if the violation includes failure to maintain either an affiliated accessible vehicle or an arrangement with another base to provide such service, [S]suspension of the base license until compliance	Yes
§ 6-07(g)	Suspension until compliance	Yes
**	**	**
§ 6-07(j)	\$150	No
§ 6-07(k)	\$150	No
**	**	**
§ 6-08(b)	\$100	No
**	**	**
§6-11(a)	[\$200-1,500] One penalty point, plus \$500 for the first offense in 12 months; \$1000 for the second and subsequent offenses within a 12-month period.	[Yes] No
§6-11(b)	One penalty point and \$100-350 and/or suspension up to 30 days; summary suspension until compliance pursuant to §8-17(b) of this title.	Yes
§ 6-11(c)	\$150 plus penalties applicable for unlicensed operation	[No]Yes
**	**	**
§ 6-11(o)	Revocation of previously issued permit	Yes
§ 6-11(r)	Revocation	Yes
§ 6-12(a)	For failure to have the proper decal(s) \$[300 -]500 [-]for the first offense in 12 months; \$[600 -]1,000 [-] for the second offense and subsequent offenses within a 12-month period for the base and the vehicle owner; and suspension of the for-hire vehicle permit until compliance. [Base license revocation for the third offense within a 12-month period] For failure to complete the decal(s) correctly: \$100 for the vehicle owner	[Yes] No
**	**	**
§6-12(c)	Base: \$350, [and] Vehicle: \$100 and suspension of the vehicle owner license until the condition is corrected plus one penalty point.	No for Base. Yes for Vehicle
**	**	**
§ 6-12(e)(4)	Base: \$300 and one penalty point	No
§ 6-12(f)(1)(i)	\$25	No
§6-12(f)(1)(ii)	\$50	No
**	**	**
§ 6-12(j)	[\$15] 50 for each violation of this rule; however, no fine for a violation of this rule shall exceed \$ [30]100	Yes
§6-12(k)	\$100	No
[§6-12(k)(1)	\$100	No]
[§6-12(k)(2)	Base: \$100 for the first violation in 12 months \$250 for each subsequent offense within a 12-month period Owner: \$350 for the first violation \$500 for the second* violation in 24 months Revocation for third violation in 36 months	Yes]
[§6-12(k)(3)	Revocation and \$10,000	Yes]
[§6-12(l)	\$50 – 500	Yes]

[§6-12(m)(1)	\$100 – 250	Yes]
[§6-12(m)(2)	\$100 – 250	Yes]
[§6-12(n)	\$10,000 and license suspension until compliance if alteration is not approved. \$10,000 and license revocation if certification sticker is altered.	Yes]
[§6-12(o)	Suspension of for-hire vehicle permit or recognition of issuing jurisdiction vehicle license until compliance.	No]
§ 6-12.1(a)(1)	Base: \$500, except if the DMV status of the driver's license is not available on the Commission's Web site; Vehicle: \$100 and one penalty point	No
§ 6-12.1(a)(2)	Base: \$500 for the first violation in 12 months \$800 for each subsequent offense within a 12-month period Vehicle owner: \$350 and one penalty point	No
§ 6-12.1(a)(3)	Revocation and \$10,000	Yes
§ 6-12.1(b)	Vehicle owner: \$100-350 and/or suspension up to 30 days; summary suspension until compliance pursuant to section 8-17(b) of this title	Yes
§6-12.1(c)(1)	\$100-250	Yes
§6-12.1(c)(2)	\$100-250	Yes
§6-12.1(d)	Vehicle owner: \$10,000 and license suspension until compliance if alteration is not approved. \$10,000 and license revocation if certification sticker is altered.	Yes
	Base: \$1000	
§6-12.1(e)	Suspension of for-hire vehicle permit or recognition of issuing jurisdiction vehicle license until compliance.	No
§6-12.1(f)	Vehicle: During any license term, \$100 for the first violation during such term, with the penalty increasing by \$100 for each subsequent violation up to a maximum of \$10,000.	No
§6-12.1(h)	\$50	No
§6-12.1(i)	\$50	No
§6-12.1(j)	\$50	No
§6-12.1(k)	\$50	No
**	**	**
§ 6-16(e)	[\$15] 50 for each violation of this rule; however, no fine for a violation of this rule shall exceed \$ [30]100.	Yes
**	**	**
§ 6-16(o)	\$100-250 except that the penalty for seeking a tip shall be \$50, and order restitution of overcharge to the passenger	Yes
**	**	**§
§6-16(v)(3)	Suspension until compliance (If compliance after 30 days, \$200 for reinstatement)	N/A
§6-16(w)	\$50	No
§6-16(x)	\$50	No
§6-16(y)	\$50	No
§6-16(z)	\$25	No
§6-16(aa)	\$25	No
§6-16(bb)	\$25	No
**	**	**
§6-29(b)	Revocation	Yes
§6-29(d)	Revocation	Yes

* [As reads in the Official Compilation of the Rules of the City of New York. Should read: "\$500 for the second violation in 24 months."] [Emphasis added.]

Section 30. Title 35 of the Rules of the City of New York is hereby amended to add a new section 6-29 thereto to read as follows:

§6-29 Penalty Points for Bases and For-Hire Vehicles.

A base or the holder of a for-hire vehicle permit will accumulate penalty points as penalties for violation of certain rules as specified in section 6-22.

(a) When a penalty point is imposed upon a for-hire vehicle, the base with which the for-hire vehicle is affiliated will be given notice of the imposition of the point by first class mail to the base address on file with the Commission.

(b) The permit of any for-hire vehicle that accumulates four penalty points for occurrences during any license term shall be revoked.

(c) The base affiliated with any for-hire vehicle for which the for-hire vehicle permit is revoked pursuant to subdivision (b) of this section shall accumulate one penalty point.

(d) The license of any base that accumulates six penalty points for occurrences during any license term shall be revoked.

(e) The revocation of any license or permit required by this section shall occur at any time the required number of penalty points have been accumulated, even if the permit or license has been renewed subsequent to the term for which such points have been accumulated.

(f) Revocation required under this section may be imposed as part of the decision imposing the final point necessary for revocation, or the Chairperson may commence revocation proceedings against any licensee which has accumulated sufficient points to require revocation proceedings at any other time. At any time base revocation is mandated and the last penalty point arises from for-hire vehicle permit revocation pursuant to subdivision (b) of this section, revocation must be imposed following a separate revocation proceeding. Any revocation proceeding required by this section shall proceed under section 8-15 of this title.

(g) The Chairperson shall develop a point reduction program applicable to vehicles and bases.

(h) This section shall take effect on August 1, 2009, and no penalty points shall be imposed for violations occurring before that date.

Statement of Basis and Purpose

This rule amends chapter 6 of the Taxi and Limousine Commission's rules to strengthen oversight of the for-hire vehicle industry, to enhance the ties among bases and for-hire vehicle owners and FHV drivers, and to better communicate the legal status of for-hire vehicles to the public. This rule will require greater accountability of bases and vehicle owners for the lawful conduct of the for-hire business. The rule will reward greater accountability by enhancing the value of a base license.

In particular, the rule would:

As to vehicles:

- require that each for-hire vehicle be inspected at the TLC's inspection facility at upon first licensure and upon license renewal. For vehicles that are model year 1996 or later, the TLC inspection will qualify as one of the three DMV inspections required annually. Upon initial licensure of a vehicle that has been driven less than 500 miles, the inspection can be a visual inspection only, and will not count as a DMV inspection.
 - set time limits during the application or renewal process by which the TLC inspection must be passed and require that each vehicle must pass within four tries.
 - require that license decals be placed on the vehicle by the TLC only after the vehicle has passed the TLC inspection or at any time a vehicle is replaced or changes affiliation.
 - require that, starting in September, 2009, vehicles (except luxury limousines) must have three exterior TLC decals.
 - enhance requirements for exterior base identification markings for each vehicle.
 - require the summary suspension pursuant to section 8-17(b) of any for-hire vehicle permit and the return of the TLC decal(s) at any time a vehicle is found to be unfit or unsafe at its inspection.
 - require that renewal applications for for-hire vehicle permits must be filed at least 30 days prior to permit expiration. Renewing applicants may file a renewal application after that date only upon payment of a \$25 late fee and in no event later than the expiration date.
 - provide explicitly that for-hire vehicle permit termination includes revocation or surrender of the permit.
 - provide explicitly that a for-hire vehicle may be affiliated with only one base at any time.
 - prohibit a base and a vehicle owner from dispatching a for-hire vehicle from a base other than the base with which the vehicle is affiliated, although bases may dispatch vehicles from other bases provided that the customer is notified.
 - specify that applicants for for-hire vehicle permits with a prior history of vehicle permit revocation will be subject to a fitness hearing before any new permit can be issued.
 - impose penalties for vehicle owners if drivers accept street hails.
 - impose fixed penalties and suspension until compliance with respect to the for-hire vehicle permits for failure to have a valid TLC license decal on a vehicle.
 - require that vehicle owners who fail for any 60-day period to maintain affiliations or insurance or to comply with the inspection requirements, be subject to revocation under section 19-504(g) of the Administrative Code.
 - provide for the non-renewal of any for-hire vehicle permit if the vehicle is not in compliance with the requirements of section 6-12 of the TLC's rules at the time of renewal.
 - require for-hire vehicles to have heating and air conditioning.
- As to bases:
- impose new requirements for bases seeking to terminate vehicle affiliations to reduce the possibility that licensed vehicles lack affiliations.
 - require base stations to submit business plans meeting certain minimum standards with license applications, renewal applications or applications for ownership changes.
 - enhance requirements regarding base use of trade names and telephone numbers, Web sites and contact information.
 - strengthen base record keeping requirements.
 - extend the term of base licenses to three years.
 - require base license renewal applications be filed 60 days prior to license expiration.
 - enhance requirements for bases with respect to filing their rates of fare with the Commission.
 - require livery bases to provide a price quote to prospective riders.

- require bases to provide bonds.
- require base owners to maintain lists of vehicles which are affiliated with the base and their drivers.
- impose penalties for base station owners which fail to maintain a bond and for those who have failed to pay fines and penalties resulting in a draw on the bond.
- add a fine for base owners who fail to meet requirements to provide transportation service to persons with disabilities.
- provide that base transfers can occur only upon appearance of the transferor and transferee at the TLC and clarify that all base license transfers require TLC approval.

As to bases and vehicles:

- require revocation of base licenses and for-hire vehicle permits upon repeated convictions for violations of certain rules, in particular rules regarding the dispatch of unlicensed drivers.
- specify that bases, vehicle owners and drivers cannot require passengers to share rides.
- clarify that base owners and vehicle owners are separately and independently responsible for the conditions of operation of for-hire vehicles.
- specify that base owners, vehicles and drivers are responsible for obeying traffic laws and not creating a nuisance while visiting a base.

As to drivers:

- require the driver of a for-hire vehicle to keep the vehicle clean during his or her work shift.
- require the driver of a for-hire vehicle to comply with passenger requests regarding heat, air conditioning and audio equipment.

Finally, the rule provides for the posting of a Livery Passengers' Bill of Rights, as required by section 19-537 of the Administrative Code of the City of New York, recently added by local law (effective June 26, 2009).

SPECIAL MATERIALS

CITY PLANNING

NOTICE

DEPT. OF CITY PLANNING OFFICE OF MANAGEMENT AND BUDGET

NOTICE OF PROPOSED PROGRAM CHANGES TO THE 2008 CONSOLIDATED PLAN SUPPLEMENTAL NOTICE OF PROPOSED EXPENDITURE FOR COMMUNITY DEVELOPMENT PROGRAM FUNDING UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

TO ALL AGENCIES, COMMUNITY BOARDS, GROUPS AND PERSONS:

On May 4, 2009, the City published a notice regarding the availability of the City's proposal for the expenditure of Community Development (CD) funds under the American Recovery and Reinvestment Act of 2009 (ARRA). Subsequently, the Department of Housing and Urban Development (HUD) released its "Notice of Program Requirements for Community Development Block Grant Program Funding Under the American Recovery and Reinvestment Act of 2009". The notice identified additional elements which are required to be included in the City's CD/ARRA submission. HUD also clarified that the submission is actually a substantial amendment to the 2008 Consolidated Plan. The City has incorporated the additional required elements into a document entitled "Proposed Amendment to the 2008 Consolidated Plan". Please note that the programs and allocations originally identified for CD/ARRA funding have not changed.

On Wednesday, May 27th, the City's Proposed Amendment to the 2008 Consolidated Plan document will be available, one copy per person or organization, at the following locations:

The Department of City Planning The Book Store 22 Reade Street, 1st Floor New York, New York 10007 10:00 A.M. - 4:00 P.M.	The Office of Management and Budget 75 Park Place, 8th Floor Reception Area New York, New York 10007 10:00 A.M. - 5:00 P.M.
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In addition, on Wednesday, May 27, 2009 at 10:00 A.M. an Adobe PDF version of the amendment will be available for free downloading from the internet via the Department of City Planning's website at: <http://www.nyc.gov/html/dcp/html/resource/consol.shtml#cp>. Written comments on the proposed changes should be directed to Charles V. Sorrentino, Consolidated Plan Coordinator, Department of City Planning, 22 Reade Street, 4th Floor, New York, New York 10007 by (close of business) June 3, 2009. Mr. Sorrentino can be reached at (212) 720-3337, email: csorren@planning.nyc.gov. In its initial public notice regarding the CD/ARRA proposal, the City provided a 30-day comment period which would have ended on June 4, 2009. However, HUD has now allowed for a 7-day comment period in recognition that the CD/ARRA

submission is due on June 5, 2009.

City of New York:
Amanda M. Burden, Director, Department of City Planning
Mark Page, Budget Director, Office of Management and Budget

m26-j3

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 6/9/09, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
16, 20,20A	6901	267 AND P/O250

acquired in the proceeding, entitled: LEMON CREEK/SANDY BROOK STATEN ISLAND BLUEBELT SYSTEM 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

j2-9

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 6/03/09, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
1	2287	1
2,2A,3,3A,4,4A, & 5	2301	p/o 1, bed of North 10th Street, 50 bed of North 10th Street, 60 bed of North 10th and 70

Acquired in the proceeding, entitled: Bushwick Inlet Phase II 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

m18-j3

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 THE SPECIAL GREENPOINT-WILLIAMSBURG DISTRICT PROVISIONS OF THE ZONING RESOLUTION

DATE OF NOTICE: May 28, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
250 North 6th Street, Brooklyn	31/09	October 4, 2004 to Present

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

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

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

m28-j5

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: May 28, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
106 East 10th Street, Manhattan	32/09	May 7, 2006 to Present
110 East 10th Street, Manhattan	33/09	May 7, 2006 to Present
245 Lenox Avenue, Manhattan	34/09	May 8, 2006 to Present
148 West 121st Street, Manhattan	35/09	May 8, 2006 to Present
168 West 123rd Street, Manhattan	36/09	May 8, 2006 to Present
140 West 130th Street, Manhattan	37/09	May 8, 2006 to Present
152 West 132nd Street, Manhattan	38/09	May 8, 2006 to Present
535 West 152nd Street, Manhattan	39/09	May 8, 2006 to Present
648 West 158th Street, Manhattan	40/09	May 8, 2006 to Present

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

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

m28-j5

LATE NOTICES

PARKS AND RECREATION

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF CONCESSIONS FOR THE SALE OF CHRISTMAS TREES AND RELATED PRODUCTS – Competitive Sealed Bids – PIN# TR2009 – DUE 06-30-09 AT 11:00 A.M. – At various locations throughout New York City. 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.
Alexander Han (212) 360-1397, alexander.han@parks.nyc.gov

j2-15

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

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

DESIGN & CONSTRUCTION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 11, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

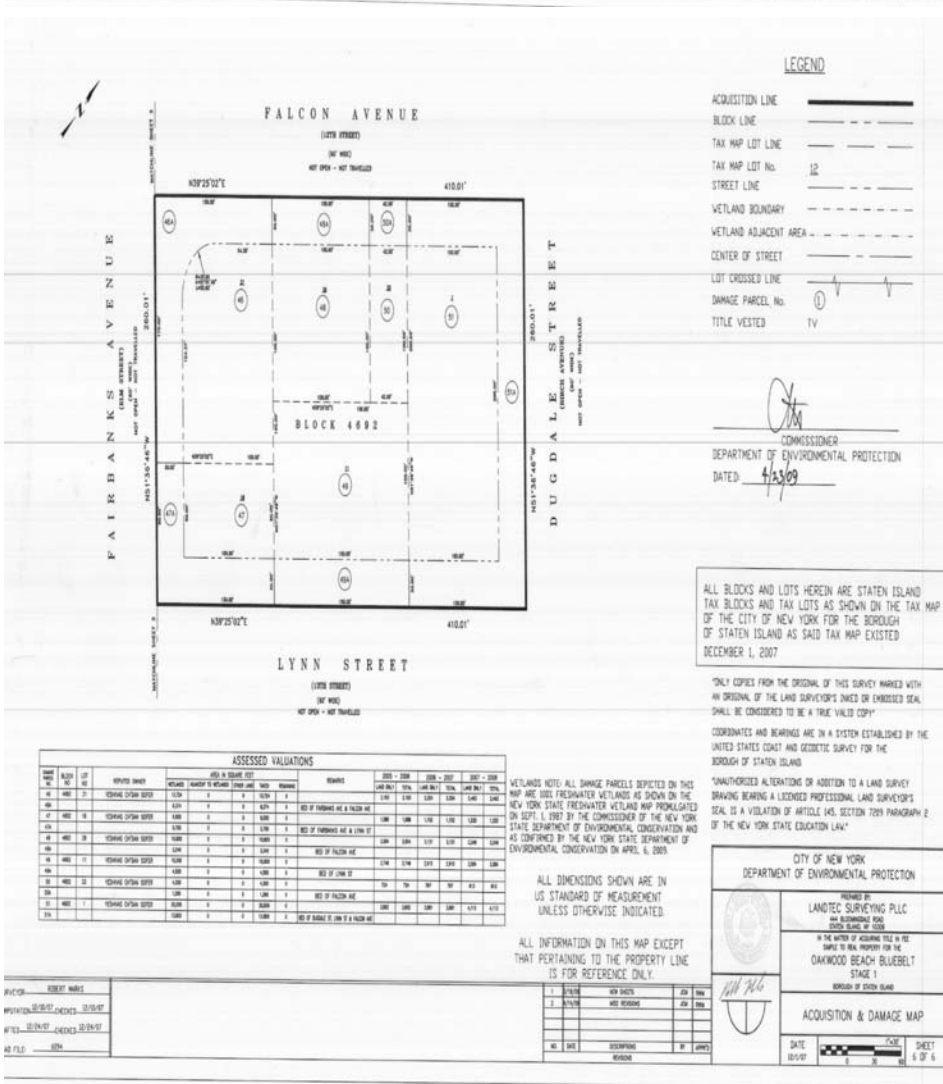
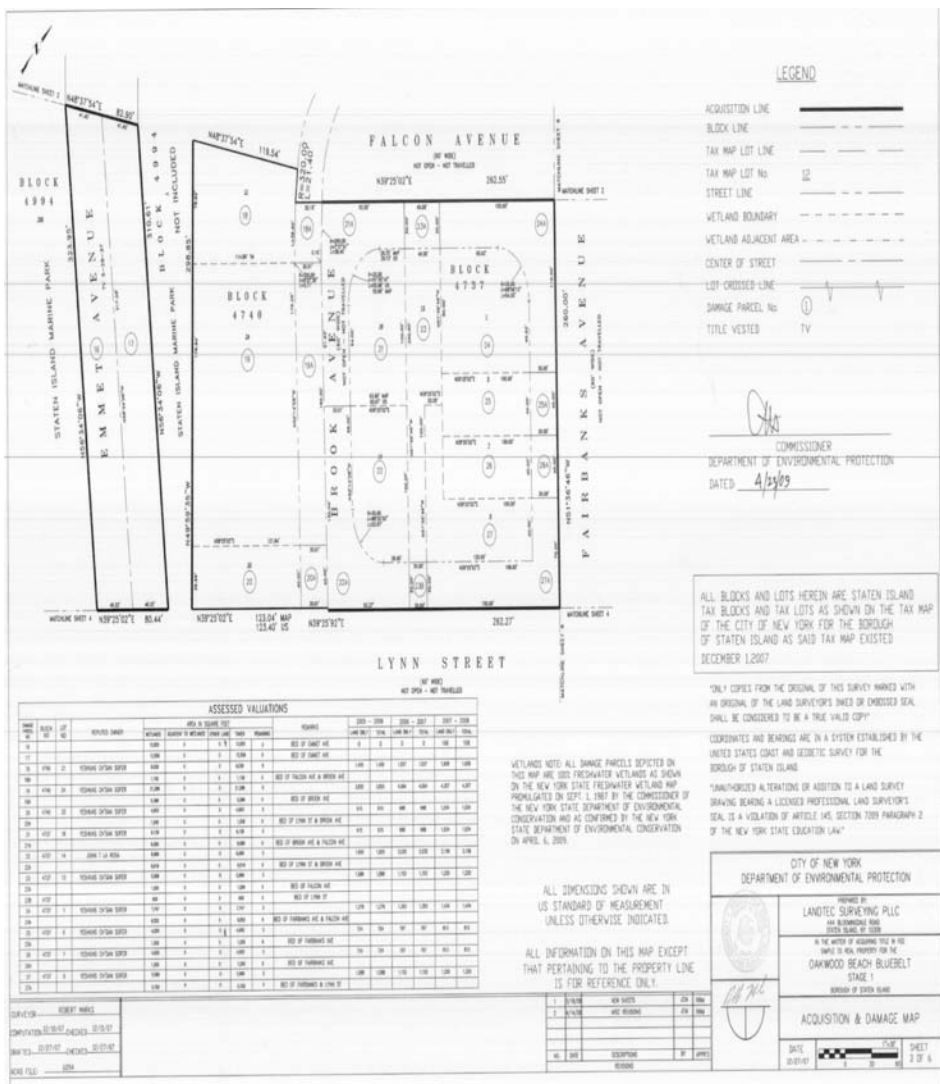
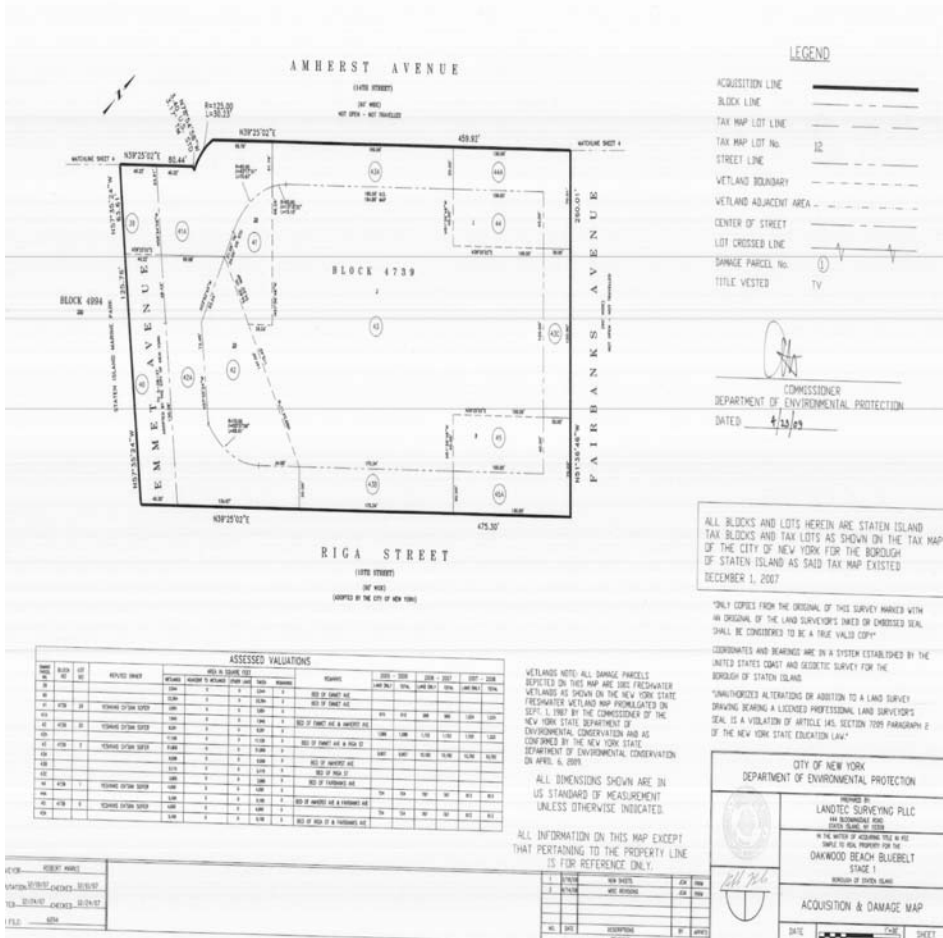
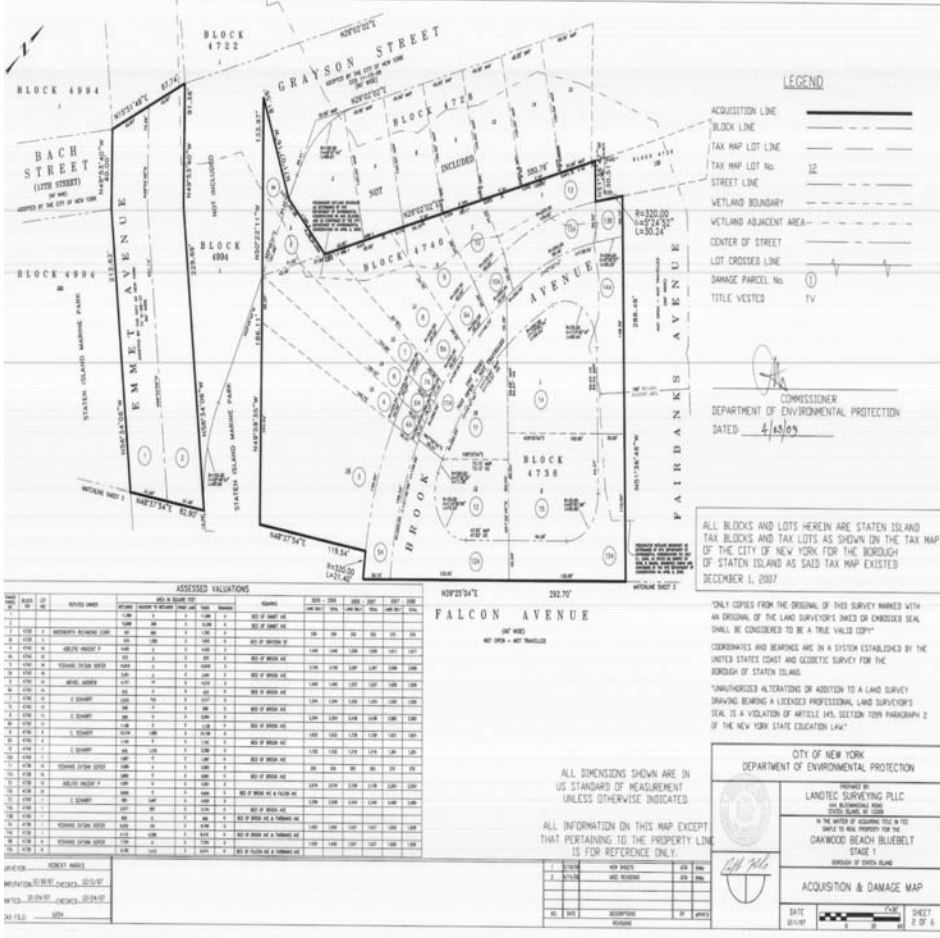
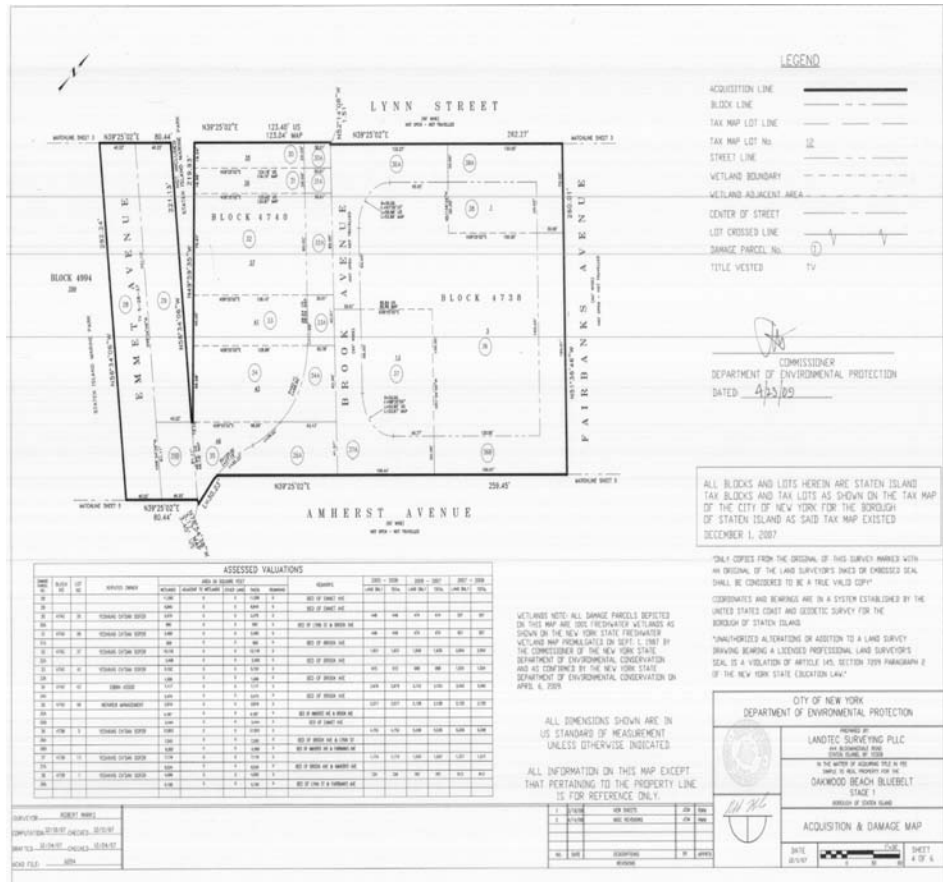
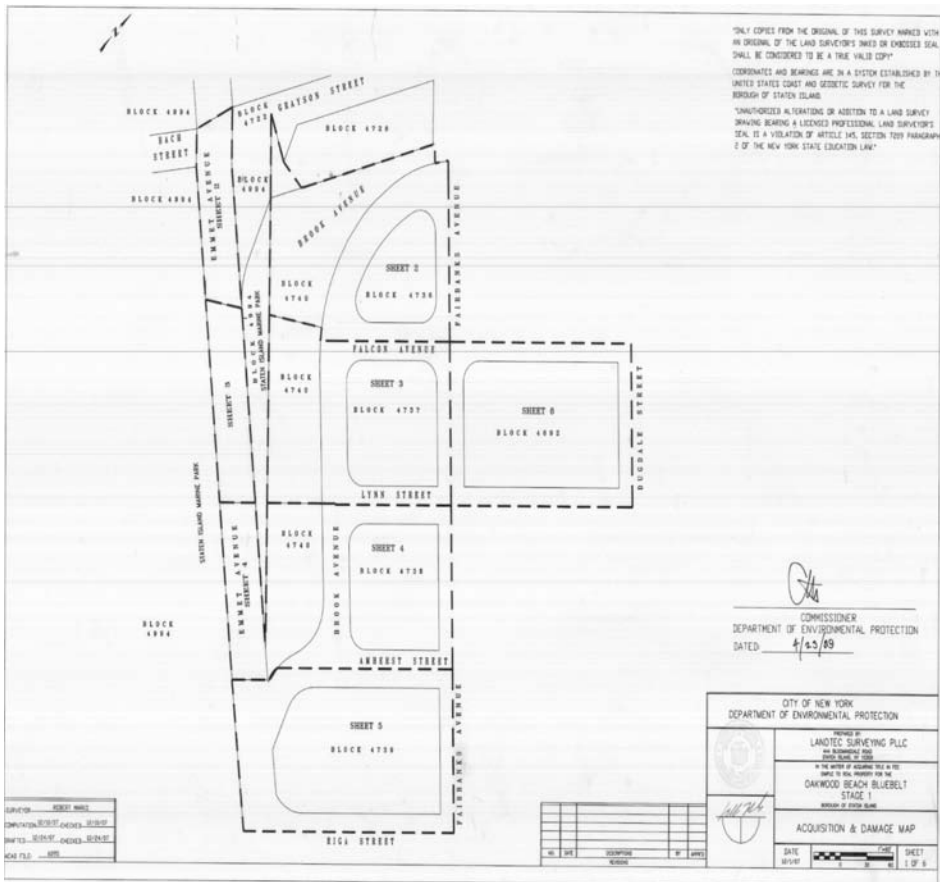
IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and Turner/STV (A Joint Venture), 375 Hudson Street, New York, NY 10014, for PO205-PA, Construction Management/Build for the Construction of the New Police Academy, Borough of Queens. The contract amount shall be \$656,000,000. The contract term shall be 1,460 Consecutive Calendar Days from the date of registration. PIN#: 8502008PD0009P.

The proposed consultant has been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

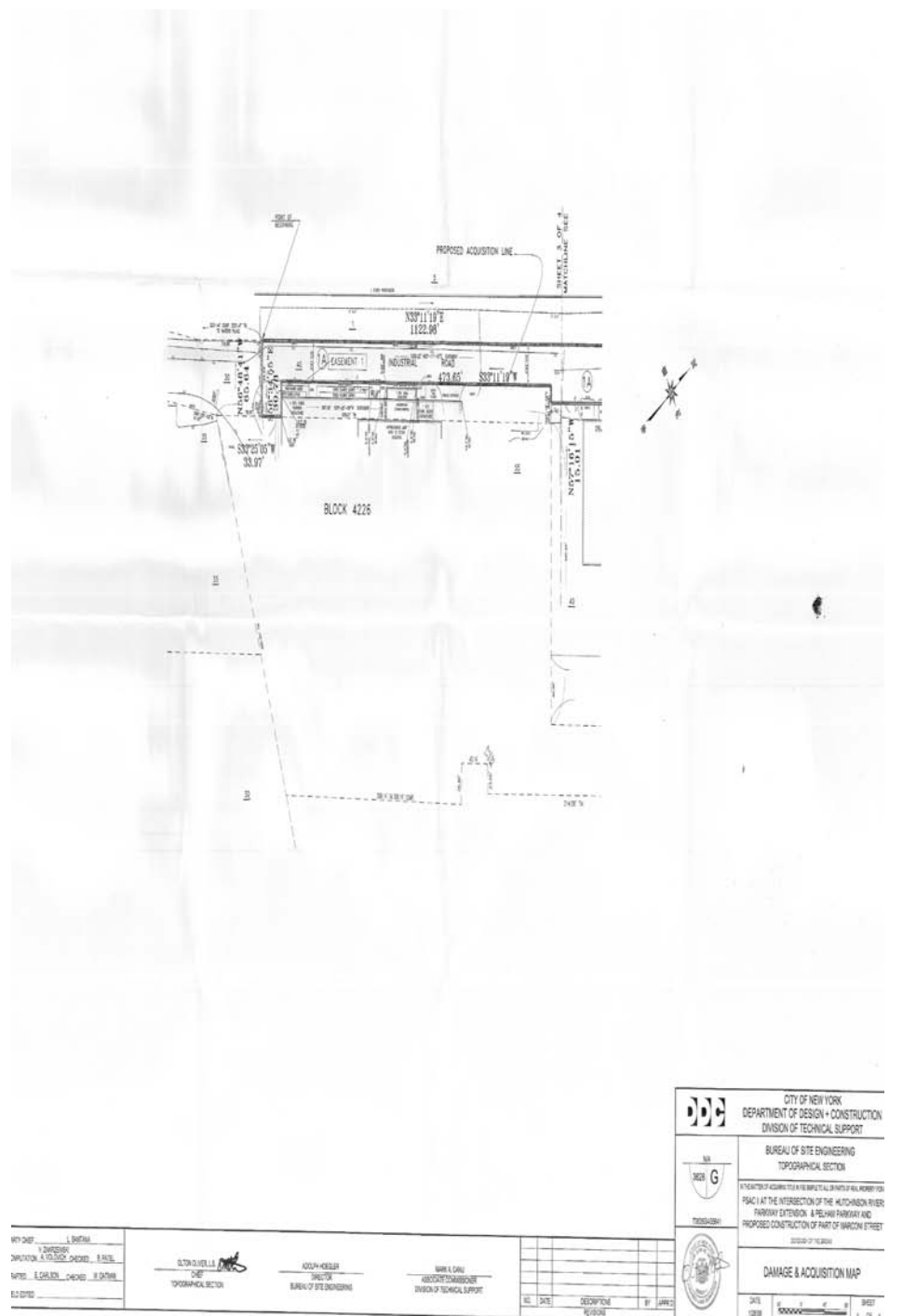
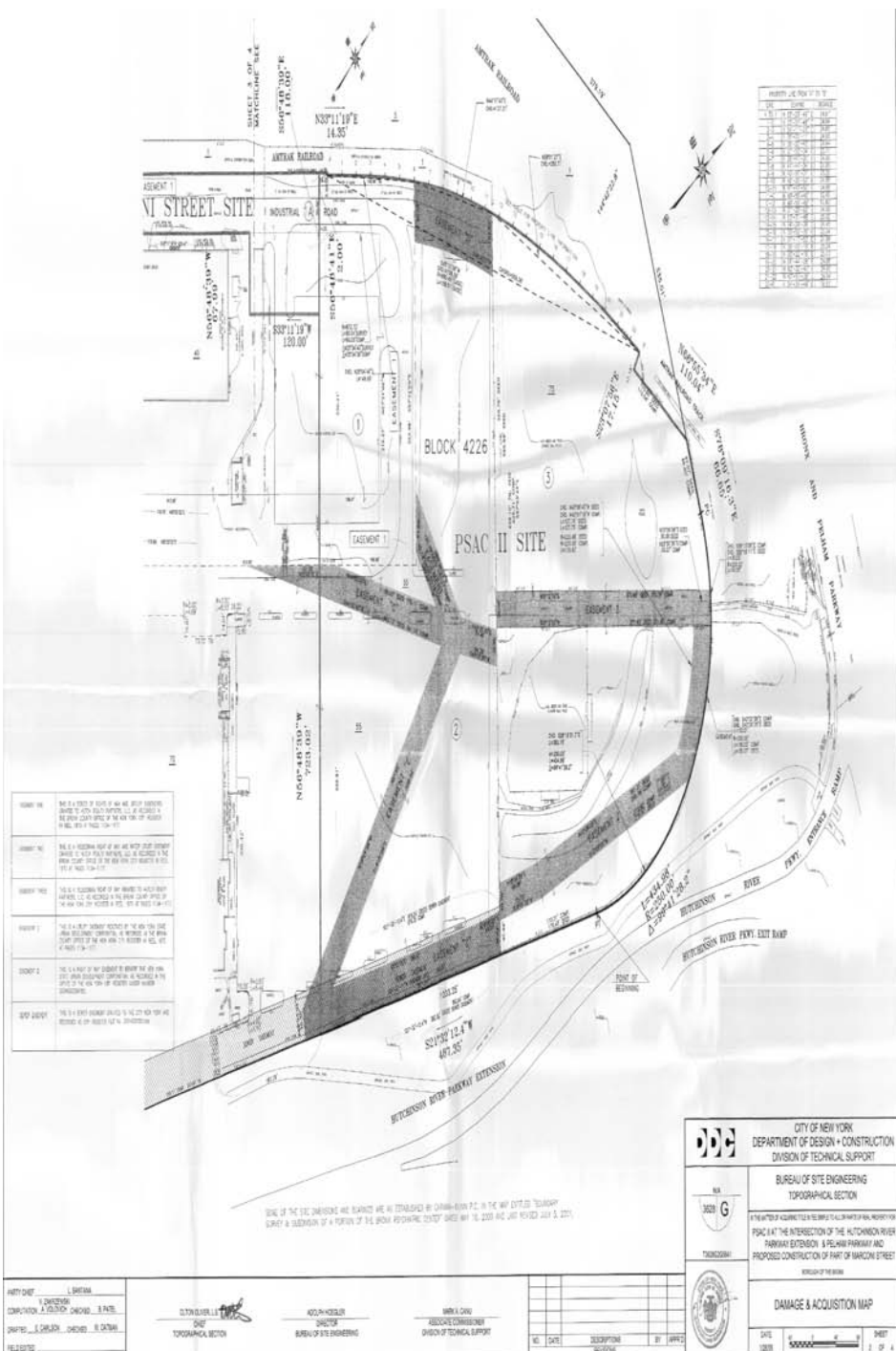
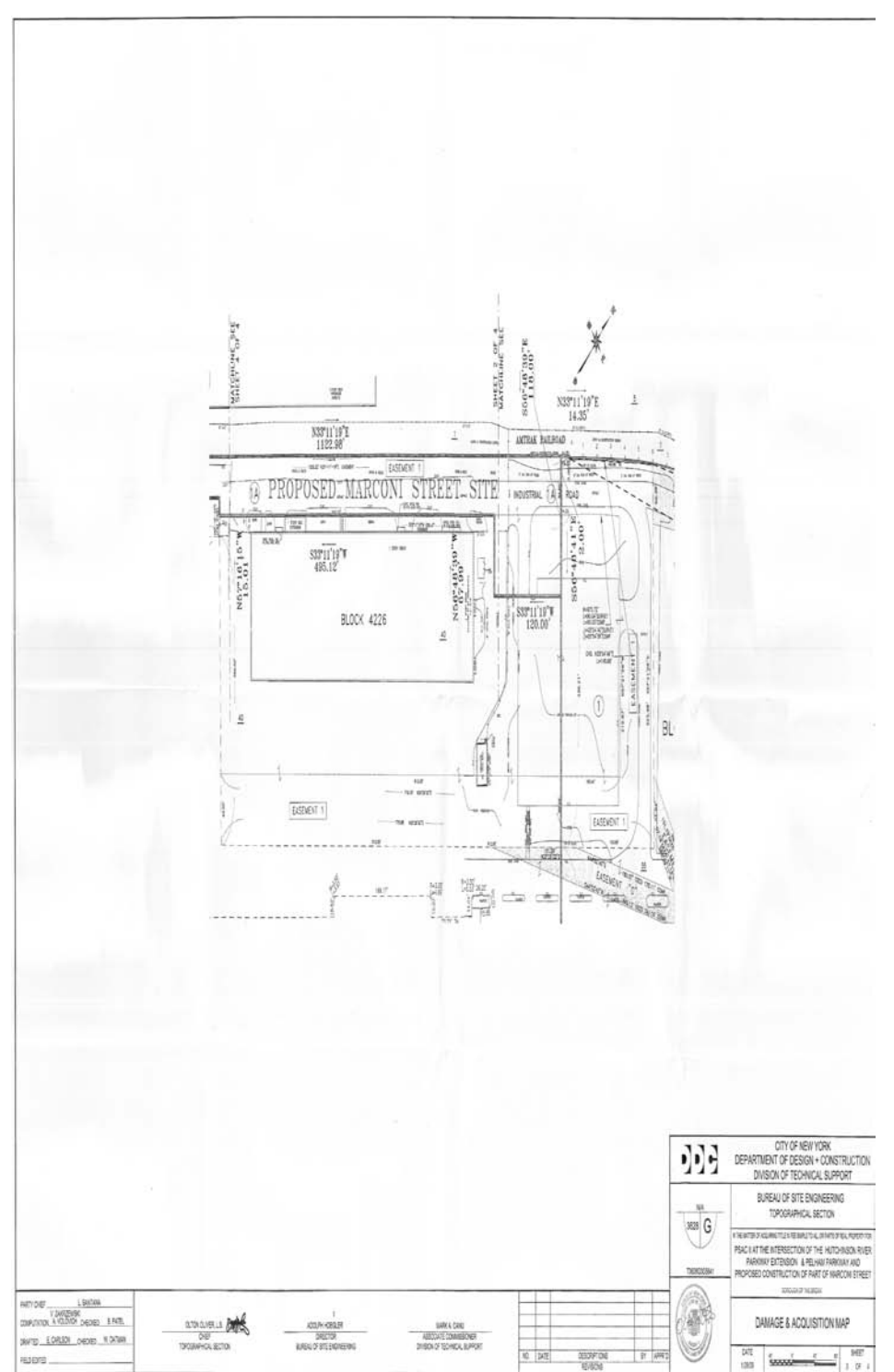
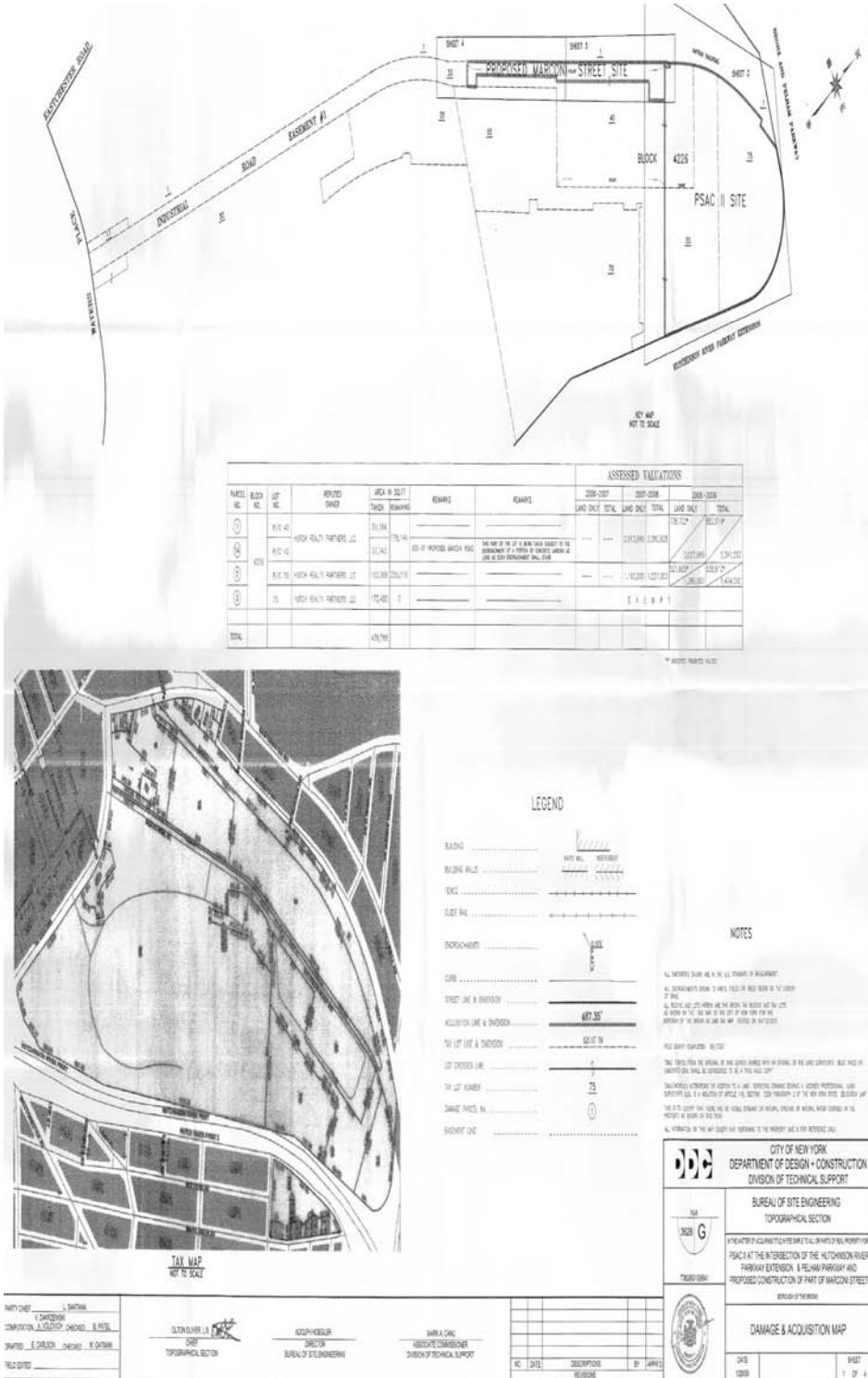
A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from June 2, 2009 to June 11, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Carol Phoenix at (718) 391-1530.

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COURT NOTICE MAPS FOR OAKWOOD BEACH BLUEBELT - STAGE 1



COURT NOTICE MAPS FOR PUBLIC SAFETY
ANSWER CENTER 2 ("PSAC 2") AND PART OF MARCONI STREET



READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

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

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

VENDOR ENROLLMENT APPLICATION

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

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

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

Attention Existing Suppliers:

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

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

SELLING TO GOVERNMENT TRAINING WORKSHOP

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

PRE-QUALIFIED LIST

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

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

NON-MAYORAL ENTITIES

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

PUBLIC ACCESS CENTER

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

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

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

PROMPT PAYMENT

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

PROCUREMENT POLICY BOARD RULES

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

COMMON ABBREVIATIONS USED IN THE CR

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

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

KEY TO METHODS OF SOURCE SELECTION

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

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

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

HOW TO READ CR PROCUREMENT NOTICES

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

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

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

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

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

☛ m27-30

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

NUMBERED NOTES

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