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THE CITY RECORD

BILL DE BLASIO

Mayor

LISETTE CAMILO

Commissioner, Department of Citywide
Administrative Services

JANAE C. FERREIRA

Editor, The City Record

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - BRONX

PUBLIC HEARINGS

NOTICE OF A VIRTUAL PUBLIC HEARING

PERMANENT OPEN RESTAURANTS PROGRAM:

A VIRTUAL PUBLIC HEARING IS BEING CALLED by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. This hearing will take place on Thursday, October 14, 2021, commencing at



11:00 A.M. Those wishing to attend this hearing can do so via the Webex link as provided for here:

Public Hearing re: Open Air Restaurants

<https://nycbp.webex.com/nycbp/j.php?MTID=m7c9fbcd15390d32670591760228ed484>

Thursday, October 14, 2021, 11:00 A.M. | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2348 129 6635

Password: bronx1014

Join by phone

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

+1-408-418-9388 United States Toll

Access code: 234 812 96635

New York City Department of Transportation in conjunction with the New York City Department of City Planning is proposing to establish and implement a Permanent Open Restaurants Program (POR) in accordance with Law 114 of 2020 enacted by the New York City Council (the "Proposed Action"). The City seeks an amendment to the New York City Zoning Resolution (ZR) and the suspension, repeal, and amendment of certain laws and provisions of the Administrative Code of the City of New York and the Rules of the City of New York (RCNY) to establish and implement a POR to succeed the temporary program established by Local Law 77 of 2020 and Mayoral Emergency Executive Orders 126 and 128.

Please direct any questions concerning this matter to the Borough President's office at (718)-590-6124.

Accessibility questions: Sam Goodman, (718) 590-6124, by: Wednesday, October 13, 2021, 4:00 P.M.



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 Landmarks, Public Sitings, and Dispositions, will hold a remote public hearing on the following matters, on Wednesday, October 13, 2021, at 10:00 A.M. The hearing will be live-streamed via the Council's website, at https://council.nyc.gov/live/. Please visit, https://council.nyc.gov/land-use/, in advance for information about how to testify and how to submit written testimony.

GLENMORE MANOR

BROOKLYN CB - 16

C 210253 ZMK

Application submitted by New York City Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17c and 17d:

- 1. changing from an R6 District to an R7A District, property bounded by Liberty Avenue, Christopher Avenue, a line 100 feet northerly of Glenmore Avenue, and a line midway between Mother Gaston Boulevard and Christopher Avenue;
2. changing from an R6 District to an R7D District, property bounded by a line 100 feet northerly of Glenmore Avenue, Christopher Avenue, Glenmore Avenue, and Mother Gaston Boulevard;
3. establishing within the proposed R7A District a C2-4 District, bounded by Liberty Avenue, Christopher Avenue, a line 100 feet northerly of Glenmore Avenue, and a line midway between Mother Gaston Boulevard and Christopher Avenue; and
4. establishing within the proposed R7D District a C2-4 District, bounded by a line 100 feet northerly of Glenmore Avenue, Christopher Avenue, Glenmore Avenue, and Mother Gaston Boulevard;

as shown on a diagram (for illustrative purposes only), dated April 19, 2021.

GLENMORE MANOR

BROOKLYN CB - 16

N 210254 ZRK

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

Matter underlined is new, to be added;

Matter struck out is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

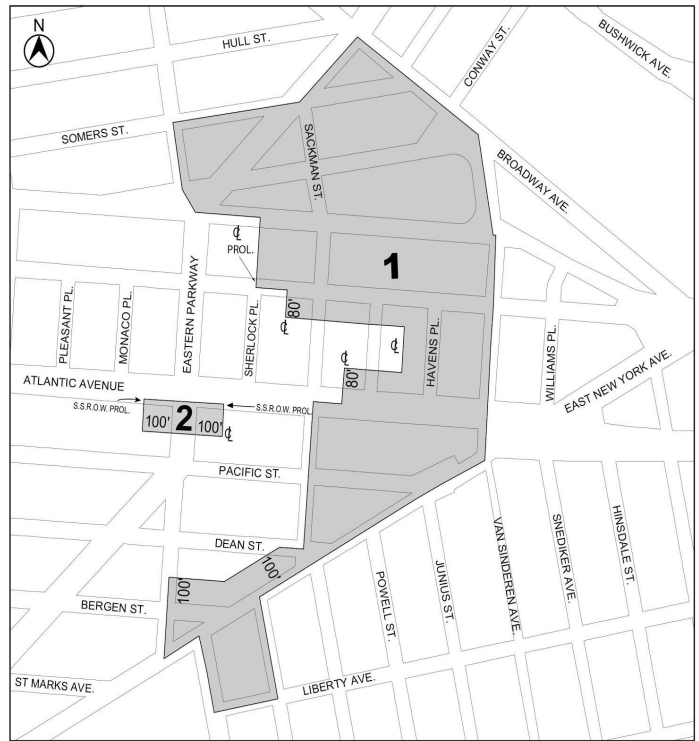
* * *

Brooklyn Community District 16

* * *

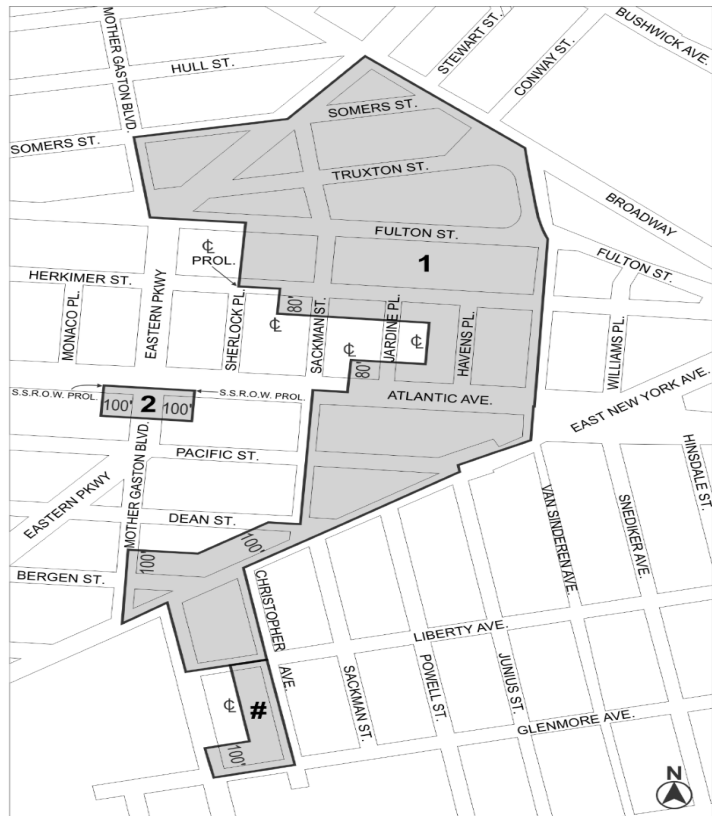
Map 1- (5/24/17) [date of adoption]

[EXISTING MAP]



Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area 1 - 4/20/16 MIH Program Option 1 and Deep Affordability Option
Area 2 - 5/24/17 MIH Program Option 1

[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area 1 - 4/20/16 - MIH Program Option 1 and Deep Affordability Option
Area 2 - 5/24/17 - MIH Program Option 1
Area # - [date of adoption] - MIH Program Option 1 and Option 2

Portion of Community District 16, Brooklyn

* * *

GLENMORE MANOR

BROOKLYN CB - 16 C 210255 HAK

Application submitted by the Department of Housing Preservation and Development (HPD)

1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property, located at 305-309 Mother Gaston Boulevard (Block 3692, Lots 1, 2, 3 and 4), 46 - 64 Christopher Avenue (Block 3692, Lots 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32), 111-117 Glenmore Avenue (Block 3692, Lots 34, 35 and 37), as an Urban Development Action Area; and
 - b. Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter, for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of an 11-story mixed use development containing approximately 232 affordable housing units, commercial and community facility space.

GLENMORE MANOR

BROOKLYN CB - 16 C 210256 HUK

Application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the third amendment to the Brownsville II Urban Renewal Plan.

TMN 1002 - WEST HARLEM RENAISSANCE - UDAAP/ARTICLE XI

MANHATTAN CB - 10 20225004 HAM

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law and Section 577 of Article XI of the Private Housing Finance Law, for approval of an urban development action area project, waiver of the area designation requirement, waiver of the requirements of Sections 197-c and 197-d of the New York City Charter, and approval of a real property tax exemption, for property, located at 101 West 141st Street, aka 621-23 Lenox Avenue (Block 2010, Lot 28) and 121-23 West 144th Street (Block 2013, Lot 20).

COOPER PARK COMMONS

BROOKLYN CB - 1 C 210480 ZMK

Application submitted by Maspeth Manager, LLC and the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 13a and 13b:

1. changing from an R6 District to an R7-2 District, property bounded by Jackson Street, Debevoise Avenue, Maspeth Avenue, and Kingsland Avenue; and
2. establishing within the proposed R7-2 District a C2-4 District, bounded by a line 150 feet northerly of Maspeth Avenue, Debevoise Avenue, Maspeth Avenue, and Kingsland Avenue.

as shown on a diagram (for illustrative purposes only), dated June 21, 2021, and subject to the terms of CEQR Declaration E-629.

COOPER PARK COMMONS

BROOKLYN CB - 1 -C 210481 ZSK

Application submitted by Maspeth Manager, LLC and the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit, pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the requirements of Section 23-66 (Height and Setback Requirements for Quality Housing Buildings) and Section 23-711 (Standard minimum distance between buildings), in connection the development of two new buildings and the enlargement and conversion of two existing buildings, within a large-scale general development, generally bounded by Jackson Street, Debevoise Avenue, Maspeth Avenue, and Kingsland Avenue/G rents Avenue (Block 2885, Lots 1, 20, 23, 28, and 32), in R7-2* and R7-2/C2-4* Districts.

* Note: The development site is proposed to be rezoned by changing an existing R6 District to R7-2 and R7-2/C2-4 Districts, under a concurrent related application for a Zoning Map change (C 210480 ZMK).

COOPER PARK COMMONS

BROOKLYN CB - 1 N 210482 ZRK

Application submitted by Maspeth Manager, LLC and the New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an

amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

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

* * *

BROOKLYN

* * *

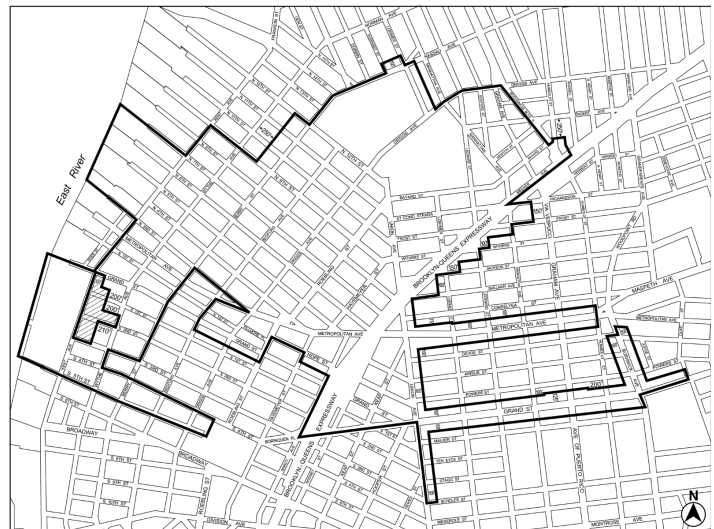
Brooklyn Community District 1

* * *

Map 2 - [date of adoption]

[EXISTING MAP]

* * *



Inclusionary Housing designated area
 Excluded Area

[PROPOSED MAP]



Inclusionary Housing designated area
 Excluded Area
 Mandatory Inclusionary Housing Area see Section 23-154(d)(3)
 Area # -- [date of adoption] -- MIH Program Option 1 and Option 2

Portion of Community District 1, Brooklyn

COOPER PARK COMMONS

BROOKLYN CB - 1

C 210483 HAK

Application submitted by the New York City Department of Housing Preservation and Development (HPD)

- 1. pursuant to Article 16 of the General Municipal Law of New York State for:
a. the designation of property, located at 288 Jackson Avenue (Block 2885, Lot 1), as an Urban Development Action Area; and
b. an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter, for the disposition of such property, to a developer, to be selected by HPD;

to facilitate the enlargement of two existing buildings and the construction of two new buildings containing approximately 556 affordable and senior housing units, a 200-bed homeless shelter and community facility and commercial space.

COOPER PARK COMMONS

BROOKLYN CB - 1

C 210484 PPK

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c of the New York City Charter, to modify the restriction limiting use of property, located at 20 Kingsland Avenue (Block 2885, Lot 10) from a health care facility use, to general community facility uses.

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

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Thursday, October 7, 2021, 3:00 P.M.



o6-13

CITY PLANNING COMMISSION

PUBLIC HEARINGS

In light of the Governor's announcement on June 24, 2021, of the end of the State-declared state of emergency, and in support of the City's continued efforts to contain the spread of COVID-19, the City Planning Commission will hold a public hearing accessible both in person and remotely.

The public hearing will be held on Wednesday, October 20, 2021, starting at 10:00 A.M. Eastern Daylight Time. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY.

Masks are required to be worn to enter the building and during the hearing.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate remotely via the teleconferencing application Zoom, as well as materials relating to the meeting: https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/290346/1

Members of the public attending remotely should observe the meeting through DCP's website. Verbal testimony can be provided remotely by joining the meeting using either Zoom or by calling the following number and entering the information listed below:

877 853 5247 US Toll-free
888 788 0099 US Toll-free

253 215 8782 US Toll Number

213 338 8477 US Toll Number

Meeting ID: 618 237 7396
[Press # to skip the Participation ID]
Password: 1

Written comments will also be accepted until 11:59 PM, one week before the date of vote. Please use the CPC Comments form that is accessible through the above webpage.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. The submission of testimony,

verbal or written, in a language other than English, will be accepted, and real time interpretation services will be provided based on available resources. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to [AccessibilityInfo@planning.nyc.gov] or made by calling [212-720-3508]. Requests must be submitted at least five business days before the meeting.

BOROUGH OF QUEENS

No. 1

BEACH 79 SELF STORAGE REZONING

CD 14

C 200299 ZMQ

IN THE MATTER OF an application submitted by 79 Arverne Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 30c, by changing from an M1-1 District to an M1-2 District property bounded by the U.S. Pierhead and Bulkhead Line, a line 80 feet westerly of Beach 77th Street, Rockaway Freeway, and a line 200 feet easterly of Beach 80th Street, as shown on a diagram (for illustrative purposes only) dated June 7, 2021, and subject to the conditions of CEQR Declaration E-624.

No. 2

160-05 ARCHER AVENUE

CD 12

N 210232 ZRQ

IN THE MATTER OF an application submitted by Archer 1 LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XI, Chapter 5 (Special Downtown Jamaica District).

Matter underlined is new, to be added;

Matter struck out is to be deleted;

Matter within # # is defined in Section 12-10;

*** indicates where unchanged text appears in the Zoning Resolution.

* * *

ARTICLE XI

SPECIAL PURPOSE DISTRICTS

Chapter 5

Special Downtown Jamaica District (DJ)

* * *

115-50

SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

* * *

115-53

Authorization for Curb Cut

The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts that are prohibited by Section 115-52 (Location of Access to the Street), provided the Commission finds that a curb cut at such location:

- (a) is not hazardous to traffic safety;
(b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular movement;
(c) will not adversely affect pedestrian movement;
(d) will not interfere with the efficient functioning of bus lanes, specially designated #streets# and public transit facilities; and
(e) will not be inconsistent with the character of the existing streetscape.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

115-60

SPECIAL PERMIT TO MODIFY USE OR BULK REGULATIONS

* * *

Resolution for adoption scheduling October 20, 2021 for public hearing.

Nos. 3 & 4

103-16 VAN WYCK EXPRESSWAY REZONING

No. 3

CD 10

C 210164 ZMQ

IN THE MATTER OF an application submitted by 10316 Van Wyck Exp LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18c:

- 1. changing from an R3A District to an R6B District property bounded by a line 100 feet southeasterly of Liberty Avenue, the northeasterly service road of Van Wyck Expressway, a line 195 feet northwesterly of 105th Avenue and its northeasterly prolongation, and a line midway between 135th Street and Van Wyck Expressway; and

- 2. establishing within a proposed R6B District a C2-3 District bounded by a line 100 feet southeasterly of Liberty Avenue, Van Wyck Expressway, a line 195 feet northwesterly of 105th Avenue, and a line midway between 135th Street and Van Wyck Expressway;

as shown on a diagram (for illustrative purposes only) dated July 26, 2021.

No. 4

N 210165 ZRQ

CD 10
IN THE MATTER OF an application submitted by 10316 Van Wyck Exp LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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 Matter ~~struck out~~ is to be deleted;
 Matter within # # is defined in Section 12-10;
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* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

QUEENS

* * *

Queens Community District 10

* * *

Map 1— [date of adoption]



Mandatory Inclusionary Housing Area see Section 23-154(d)(3)

Area 1 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 10, Queens

* * *

BOROUGH OF MANHATTAN
Nos. 5 & 6
415 MADISON AVENUE
No. 5

CD 5 **C 210453 ZSM**

IN THE MATTER OF an application submitted by 415 Madison Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-645 of the Zoning Resolution to allow an increase in the amount of floor area ratio permitted on a qualifying site where an above-grade public concourse, in the form of an open publicly accessible space is provided, in connection with a proposed commercial building, on property located at 415 Madison Avenue (Block 1284, Lot 21), in a C5-3 District, within the Special Midtown District (Southern Subarea).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

No. 6

C 210454 ZSM

CD 5
IN THE MATTER OF an application submitted by 415 Madison Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for, in conjunction with the related special permit pursuant to Section 81-645, the grant of a special permit pursuant to Section 81-685

of the Zoning Resolution, to modify:

- 1. the height and setback requirements of Section 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), as modified by Section 81-66 (Special Height and Setback Requirements);
- 2. the mandatory district plan elements of Section 81-42 (Retail Continuity Along Designated Streets); and
- 3. the mandatory street wall requirements of Sections 81-43 (Street Wall Continuity Along Designated Streets) and 81-671 (Special Street Wall Requirements);

in connection with a proposed commercial building, on property located at 415 Madison Avenue (Block 1284, Lot 21), in a C5-3 District, within the Special Midtown District (Southern Subarea).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

No. 7

DISPOSITION OF SEAPORT PROPERTIES

CD 1 **C 210444 PPM**

IN THE MATTER OF an application submitted by the Department of Small Business Services pursuant to Section 197-c of the New York City Charter for the disposition of city owned property located at the South Street Seaport area (Block 73, p/o Lots 8 and 10, and Lot 11; Block 74, p/o Lots 1 and 20; Block 95, Lot 101; Block 96, Lot 1, and p/o Lots 5, 8, 12, 13; p/o Marginal Street; and the demapped portions of Fulton Street between South Street and Water Street, Front Street between John Street and Beekman Street, and Water Street between Fulton Street and Beekman Street.

YVETTE V. GRUEL, Calendar Officer
 City Planning Commission
 120 Broadway, 31st Floor, New York, NY 10271
 Telephone (212) 720-3370



o5-20

CITYWIDE ADMINISTRATIVE SERVICES

PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN that a Real Property Public Hearing in accordance with Section 824 of the New York City Charter, will be held, on Tuesday, November 30, 2021, at 10:00 A.M., via Conference Call No. (646) 992-2010, Access Code 717-876-299. In the matter of the acquisition of 92 tax lots located in the Boroughs of Staten Island, Queens and Brooklyn as listed below, and any buildings or improvements thereon (the "Properties").

The New York City Department of Citywide Administrative Services ("DCAS"), on behalf of the New York City Department of Housing Preservation & Development ("HPD"), proposes the acquisition of the Properties in order to facilitate the New York City Build it Back Acquisition, Buyout, and Resettlement Incentives Program ("Program"). The Program is administered by HPD with federal funds from HUD Community Development Block Grant-Disaster Recovery ("CDBG-DR"), and involves the acquisition of the Properties for the purposes of creating open space and managing the redevelopment of resilient housing.

The proposed acquisition was approved by the City Planning Commission on February 1, 2017 and September 25, 2019 (ULURP Nos. C 190401 PPR/Cal. No. 12, C 190400 PQR/Cal. No. 11, C 190399 PCR/Cal. No. 10, C 170119 PCR/Cal. No. 25, C 190396 PCQ/Cal. No. 7, C 190397 PQQ/Cal. No. 8, C 190398 PPQ/Cal. No. 9, C 190394 PPK/Cal. No. 4, and C 190395 PPK/Cal. No. 6).

The proposed purchase price is \$5.

The calendar document for the public hearing is available for inspection by the public at DCAS's office, at 1 Centre Street, 20th Floor South, New York, NY 10007, by contacting Andre Hibbert at (212) 386-0308.

Note: If you need further accommodations, please let us know at least five (5) business days in advance of the Public Hearing via email at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

PROPERTIES TO BE ACQUIRED

BOROUGH OF STATEN ISLAND

BLOCK	LOT	ADDRESS
4754	53	14 KISSAM AVENUE
5309	28	130 GOODALL STREET
7859	40	687 YETMAN AVENUE

5316	102	355 TENNYSON DRIVE
6400	49	492 LIPSETT AVENUE
3793	50	50 BADEN PLACE
3410	60	81 ANDREWS STREET
3760	35	171 GRAHAM BOULEVARD
3760	33	171 GRAHAM BOULEVARD
4688	30	564 LYNN STREET
3766	15	76 FREEBORN STREET
3792	9	956 OLYMPIA BOULEVARD
5309	35	17 CRESCENT BEACH
3795	37	111A GRIMSBY STREET
4085	1	101 CEDAR GROVE AVENUE
4085	68	101 CEDAR GROVE AVENUE
3124	116	123 FATHER CAPODANNO BLVD
3736	20	176 KISWICK STREET
3734	38	181 MORELAND STREET
3734	39	183-85 MORELAND STREET
3734	41	187 MORELAND STREET
3873	28	770-76 PATTERSON AVENUE
5306	55	208 WIMAN AVENUE
5306	58	214 WIMAN AVENUE
4080	17	39 SEAFOAM STREET
4081	66	54 SEAFOAM STREET
4043	66	90 WINHAM AVENUE
4030	24	477 & 479 MILL ROAD
4030	26	477 & 479 MILL ROAD
4085	46	16 TOPPING STREET
4085	32	16 TOPPING STREET
4084	49	18 CENTER PLACE
4081	27	25 WAVECREST STREET
3884	15	1142 & 1144 OLYMPIA BOULEVARD
3884	14	1142 & 1144 OLYMPIA BOULEVARD
3728	20	398 HAMDEN AVENUE
3738	5	457 LINCOLN AVENUE
3802	5	521 LINCOLN AVENUE
3881	1	529 GREELEY AVENUE

BOROUGH OF QUEENS

BLOCK	LOT	ADDRESS
15961	102	592 BEACH 43 STREET
15961	103	592 BEACH 43 STREET
15961	104	598 BEACH 43 STREET
14234	505	66 BROADWAY
14234	580	66 BROADWAY
14228	771	145 BROADWAY
14234	584	75 BROADWAY
14234	586	75 BROADWAY
14254	1653	102-08 164 ROAD
14243	1222	99-69 163 ROAD
14255	1791	99-76 165 AVENUE
14238	1044	102-14 RUSSELL ST
14234	283	102-12A 160 AVENUE
14234	282	102-12A 160 AVENUE
14234	574	7 BRIDGE STREET
16061	33	74-16 HILLMEYER AVENUE
15954	54	455 BEACH 37 STREET
14234	500	160-69 BROADWAY
14234	587	73 BROADWAY
14234	588	73 BROADWAY
14234	537	4 BRIDGE STREET
14234	539	2 BRIDGE STREET
14234	281	102-16 160 AVENUE
14234	280	102-16 160 AVENUE
14231	819	99-41 RUSSELL STREET
14243	1219	99-73 163 ROAD
15962	59	569 Beach 43 STREET
15960	34	462 BEACH 43 STREET
15960	42	478 BEACH 43 STREET
14234	538	25 102 STREET
15655	33	14-50 GIPSON STREET
16062	33	74-22 ALMEDA AVENUE
14231	1123	99-77 FIRST STREET
14231	1124	99-77 FIRST STREET
15960	37	466A BEACH 43 STREET
14231	1120	99-75 FIRST STREET
14228	167	14A BAYVIEW AVENUE
14225	209	25 BAYVIEW AVENUE
14225	180	25 BAYVIEW AVENUE
14225	178	25 BAYVIEW AVENUE

14228	210	25 BAYVIEW AVENUE
14228	731	99-01 162 AVENUE
16120	65	239 BEACH 86 STREET
16186	65	170 BEACH 114 STREET
16065	48	527 BEACH 72 STREET
16164	20	230 BEACH 109 STREET
15967	14	428 BEACH 45 STREET
15968	92	439 BEACH 45 STREET
15968	94	439 BEACH 45 STREET

BOROUGH OF BROOKLYN

BLOCK	LOT	ADDRESS
8757	93	124 OXFORD ST
8856	1656	17 NOEL AVENUE
8845	1976	25 ABBEY COURT
8845	2060	5 BEACON COURT

Accessibility questions: Mayors Office of Contract Services, 1-212-298-0734, DisabilityAffairs@mocs.nyc.gov, by: Monday, November 22, 2021, 3:00 P.M.



o13

COMMUNITY BOARDS

■ NOTICE

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 10 - Monday, October 18, 2021, at 7:00 P.M., via Zoom videoconferencing. To participate please register in advance, at <https://us02web.zoom.us/j/88112610554?pwd=VjdEbjJoR1R5Vkc5dlNRNzNoNVl5QT09>, or view a livestream the meeting over YouTube, at <https://www.youtube.com/channel/UCPueX4MsL5dhnFZ-wqDwvKw>.

Public Hearing on Capital and Expense Budget items, for inclusion, in fiscal year 2023 budget priorities.

o12-18

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, October 20, 2021, 7:00 P.M., Board Office Meeting Room, 1097 Bergen Avenue, and via WebEx, for participants who wish to participate online.

IN THE MATTER OF An Application by Community Options New York, Inc., 161 Woodruff Avenue, Brooklyn, NY 11226, under the auspices of the New York State Office for People with Developmental Disabilities (OPWDD), pursuant to Section 41.34 of the Mental Hygiene Law, to establish a community Individualized Residential Alternative (IRA) home, for four (4) individuals, with a primary diagnosis of intellectual/developmental disability (IDD). To occupy the existing two-family home with a main floor, which has three bedrooms and two full bathrooms, living, dining and kitchen areas. The bottom level is an apartment with one bedroom and one full bathroom, kitchen, living room/dining room, with a fenced in backyard and large driveway, at 1366 East 59th Street, Brooklyn, NY 11234.

Please Note:

- The allowable occupancy for the Board Office Meeting Room (e.g. 70 members of the public will be permitted in the room).
- All meeting attendees will be required to practice physical distancing and all attendees over the age of two who are medically able to tolerate a face covering, will be required to wear a face covering, regardless of vaccination status.
- Videoconferencing information for those who wish to participate online, is as follows:

REGULAR MONTHLY BOARD MEETING – OCTOBER 20, 2021, 7:00 P.M.

Event address for Attendees: <https://nycwb.webex.com/nycwb/onstage/g.php?MTID=e841fec3360bf6910fbd0d8d3b329dfb>

Date and time: Wednesday, October 20, 2021, 7:00 P.M. Eastern Standard Time (New York, GMT-05:00)

Duration: 2 hours

Event number: 2342 285 9382
Event password: 2R79Qrp444S
Video Address: 23422859382@webex.com
 You can also dial 173.243.2.68 and enter your meeting number.
Audio Conference: United States Toll+1-408-418-9388
 Show all global call-in numbers
 Access code: 2342 285 9382

o12-20

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, October 20, 2021, 7:00 P.M., Board Office Meeting Room, 1097 Bergen Avenue, and via WebEx, for participants who wish to participate online.

A public hearing in preparation for the FY 2023 Capital and Expense Budget submissions. Neighborhood civic and block associations, and the community-at-large, are invited to submit budget requests for consideration by the Community Board for inclusion in the Capital & Expense Budget Submissions for Fiscal Year 2023.

Please Note:

- The allowable occupancy for the Board Office Meeting Room (e.g. 70 members of the public will be permitted in the room).
- All meeting attendees will be required to practice physical distancing and all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status.
- Videoconferencing information for those who wish to participate online, is as follows:

REGULAR MONTHLY BOARD MEETING

Event Address for Attendees: <https://nycrb.webex.com/nycrb/onstage/g.phpMTID=e841fec3360bf6910fbd0d8d3b329dfb>
Date and Time: Wednesday, October 20, 2021, 7:00 P.M. Eastern Standard Time (New York, GMT-05:00)
Duration: 2 hours
Event Number: 2342 285 9382
Event Password: 2R79Qrp444S
Video Address: 23422859382@webex.com
 You can also dial 173.243.2.68 and enter your meeting number.
Audio Conference: United States Toll, +1-408-418-9388,
 Access code: 2342 285 9382

o12-20

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, October 20, 2021, 7:00 P.M., Board Office Meeting Room, 1097 Bergen Avenue, and via WebEx, for participants who wish to participate online.

N 210434ZRY – Open Restaurants/Sidewalk Cafes – The New York City Department of Transportation (DOT) and Department of City Planning (DCP), are proposing a Citywide zoning text amendment, that will allow the DOT, to administer the Permanent Open Restaurant program (POR). The proposal will remove sidewalk café regulations from the Zoning Resolution, to increase geography eligibility, as sidewalk cafes will become part of a unified sidewalk and roadway outdoor dining program, administered at DOT. This Statutory Public Hearing has been duly advertised in the City Record. The Proposal Information is available at: <https://www1.nyc.gov/site/planning/plans/open-restaurants/open-restaurants-overview.page>.

Please Note:

- The allowable occupancy for the Board Office Meeting Room (e.g. 70 members of the public will be permitted in the room).
- All meeting attendees will be required to practice physical distancing and all attendees over the age of two who are medically able to tolerate a face covering will be required to wear a face covering, regardless of vaccination status.
- Videoconferencing information for those who wish to participate online, is as follows:

REGULAR MONTHLY BOARD MEETING – OCTOBER 20, 2021, 7:00 P.M.

Event Address for Attendees: <https://nycrb.webex.com/nycrb/onstage/g.phpMTID=e841fec3360bf6910fbd0d8d3b329dfb>
Date and Time: Wednesday, October 20, 2021, 7:00 P.M. Eastern Standard Time (New York, GMT-05:00)
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 You can also dial 173.243.2.68 and enter your meeting number.
Audio Conference: United States Toll, +1-408-418-9388,
 Access code: 2342 285 9382

o12-20

BOARD OF CORRECTION

■ MEETING

The New York City Board of Correction, will hold a public meeting, on Tuesday, October 19, 2021, at 9:00 A.M. The Board will discuss issues impacting the New York City jail system.

More information is available on the Board’s website, at <https://www1.nyc.gov/site/boc/meetings/october-12-2021.page>

o13-19

EMPLOYEES’ RETIREMENT SYSTEM

■ MEETING

Please be advised, that the next Common Investment Meeting of the Board of Trustees of the New York City Employees’ Retirement System is Wednesday, October 20, 2021, at 9:00 A.M.

Due, to the Covid-19 pandemic and for everyone’s safety the NYCERS Regular Board of Trustees no longer meet in person and instead the meeting is held over Zoom. However, you can still view only the public session online, at <https://comptroller.nyc.gov/services/financialmatters/pension/common-investment-meeting/>

o13-19

Please be advised, that the next Regular Meeting of the Board of Trustees of the New York City Employees’ Retirement System, is Thursday, October 14, 2021, at 9:30 A.M.

Due to the Covid-19 pandemic and for everyone’s safety, the NYCERS Regular Board of Trustees no longer meet in person and instead the meeting is held over Zoom. However you can still view the meeting online, at www.nycers.org/meeting-webcasts.

o6-13

HOUSING AUTHORITY

■ MEETING

Because of the on-going COVID-19 health crisis and in relation to Chapter 417 of the Laws of 2021, the Board Meeting of the New York City Housing Authority, scheduled for Wednesday, October 27, 2021, at 10:00 A.M., will be limited to viewing live-stream or listening via phone instead of attendance in person.

For public access, the meeting will be streamed live on NYCHA’s YouTube Channel, <http://nyc.gov/nycha>, and NYCHA’s Website, <http://on.nyc.gov/boardmeetings>, or can be accessed via Zoom by calling (646) 558-8656 using Webinar ID: 842 5292 0275 and Passcode: 4145829565.

For those wishing to provide public comment, pre-registration is required via email, to corporate.secretary@nycha.nyc.gov, or by contacting (212) 306-6088, no later than 5:00 P.M., on the day prior to the Board Meeting. When pre-registering, please provide your name, development, or organization name, contact information and item you wish to comment on. You will then be contacted with instructions for providing comment. Comments are limited to the items on the Calendar.

Speaking time will be limited to three (3) minutes. Speakers will provide comment in the order in which the requests to comment are received. The public comment period will conclude upon all speakers being heard or at the expiration of thirty (30) minutes allotted for public comment, whichever occurs first.

Copies of the Calendar are available on NYCHA's Website, at <http://www1.nyc.gov/site/nycha/about/board-calendar.page>, to the extent practicable, no earlier than 24 hours before the upcoming Board Meeting. Copies of the draft Minutes are available on NYCHA's Website, at <http://www1.nyc.gov/site/nycha/about/board-calendar.page>, no earlier than 3:00 P.M., on the Thursday following the Board Meeting.

Any changes to the schedule will be posted on NYCHA's Website, at <http://www1.nyc.gov/site/nycha/about/board-calendar.page>, to this web page and via social media, to the extent practicable, at a reasonable time before the meeting.

Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Corporate Secretary, by phone at (212) 306-6088, or by email, at corporate.secretary@nycha.nyc.gov, no later than Wednesday, October 20, 2021, at 5:00 P.M.

For additional information regarding the Board Meeting, please contact the Office of the Corporate Secretary, by phone at (212) 306-6088, or by e-mail, at corporate.secretary@nycha.nyc.gov.

o8-27

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, October 19, 2021, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency), will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, www.youtube.com/nyclpc. Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Anthony Fabre, Director of Community and Intergovernmental Affairs at, anfahre@lpc.nyc.gov, at least five (5) business days before the hearing or meeting. Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.

282 Park Place - Prospect Heights Historic District
LPC-21-06781 - Block 1165 - Lot 15 - **Zoning:** R6B
CERTIFICATE OF APPROPRIATENESS
A Renaissance Revival style rowhouse, with Romanesque Revival elements, designed by William H. Reynolds and built c. 1897. Application is to construct a stoop.

214 Jefferson Avenue - Bedford Historic District
LPC-22-00116 - Block 1833 - Lot 16 - **Zoning:** R6B
CERTIFICATE OF APPROPRIATENESS
A Renaissance Revival style rowhouse, designed by Frederick L. Hine and built c. 1909. Application is to modify a masonry opening and install a balcony and fence.

318 College Road - Fieldston Historic District
LPC-21-07195 - Block 5816 - Lot 1867 - **Zoning:** R1-2
CERTIFICATE OF APPROPRIATENESS
A house built after 1953. Application is to construct a new house on a portion of the tax lot that is to be subdivided.

1000 Grand Concourse (aka 161 East 164th Street) - Grand Concourse Historic District
LPC-20-06753 - Block 2461 - Lot 90 - **Zoning:** R8
CERTIFICATE OF APPROPRIATENESS
An Art Deco style apartment building, designed by Sugarman & Berger and built in 1935. Application is to replace windows.

15 Shore Road - Douglaston Historic District
LPC-21-08857 - Block 8044 - Lot 5 - **Zoning:** R1-1
CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style house, designed by George Hardway and built in 1910. Application is to enlarge an extension, construct a porch and patio, modify the entrance, install a skylight, relocate a driveway and curb cut, and excavate and regrade portions of the site.

182-186 Spring Street - Sullivan-Thompson Historic District
LPC-22-02315 - Block 489 - Lot 25, 23, 22 - **Zoning:** R7-2; C1-5
CERTIFICATE OF APPROPRIATENESS
A commercial building, designed by Louis A. Sheinart and built in 1921. Application is to demolish the existing building and construct a new building.

53 Pearl Street - DUMBO Historic District
LPC-21-09343 - Block 30 - Lot 4 - **Zoning:** M1-4/R8A
CERTIFICATE OF APPROPRIATENESS
An Italianate style factory building, built in c. 1880. Application is to alter ground floor openings, install new entry infill, replace the stoop and windows, and install signage.

38 East 73rd Street - Upper East Side Historic District
LPC-20-02642 - Block 1387 - Lot 49 - **Zoning:** C5-1 R8B
CERTIFICATE OF APPROPRIATENESS
A Neo-Grec/Queen Anne style house, designed by Charles Buek & Co. and built in 1886-87. Application is to legalize the construction of a rear yard addition without Landmarks Preservation Commission permit(s).

2620 Adam Clayton Powell Boulevard, 2621 Adam Clayton Powell Boulevard, 2641 Adam Clayton Powell Boulevard, 2650 Adam Clayton
LPC-22-02153 - Block Mult - Lot Mult - **Zoning:** R7-2, C1-4
CERTIFICATE OF APPROPRIATENESS
A housing project consisting of three groups of buildings and surrounding sites, designed by Archibald Manning Brown and built in 1936-1937. Application is to modify landscape elements, install miscellaneous fixtures and signage, and replace doors and storefront infill.

91 Westentry Road - Individual Landmark
LPC-21-04247 - Block 891 - Lot 99, 93 - **Zoning:** R1-1
CERTIFICATE OF APPROPRIATENESS
An empty lot, subdivided from the original lot occupied by a cottage, designed by Ernest Flagg and built in 1918. Application is to construct a new house.

o5-19

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, October 26, 2021, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency), will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Please note that the order and estimated times are subject to change. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, www.youtube.com/nyclpc. Members of the public should observe the meeting on the YouTube channel and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Anthony Fabre, Director of Community and Intergovernmental Affairs, at anfahre@lpc.nyc.gov, at least five (5) business days before the hearing or meeting. Please note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.

266 Brooklyn Avenue - Crown Heights North Historic District II
LPC-22-01515 - Block 1256 - Lot 43 - **Zoning:** R6
CERTIFICATE OF APPROPRIATENESS
An altered Italian Renaissance Revival style two-family house, designed by Mann & MacNeille and built c. 1909. Application is to install missing features on the front façade, replace windows, modify rear façade windows openings, install rooftop trellis and railings, demolish a garden wall, construct a garage and install a curb cut.

189 Argyle Road - Prospect Park South Historic District
LPC-21-09930 - Block 5117 - Lot 56 - **Zoning:** R1-2
CERTIFICATE OF APPROPRIATENESS
A Colonial Revival style house, designed by Slee & Bryson and built in 1906, and altered in 1924. Application is to replace windows, install skylights and a patio, remove a rear porch and overhang, and demolish a garage.

33 Charles Street - Greenwich Village Historic District

LPC-22-02142 - Block 612 - Lot 36 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A rowhouse built in 1869. Application is to construct rooftop and rear yard additions.

69 Gansevoort Street - Gansevoort Market Historic District

LPC-22-01806 - Block 644 - Lot 64 - **Zoning:** M1-5

CERTIFICATE OF APPROPRIATENESS

A 19th century building, altered in the Moderne style by George H. Suess in 1949. Application is to construct a rooftop addition.

525-527 Broome Street - Sullivan-Thompson Historic District

LPC-22-02598 - Block 476 - Lot 7501 - **Zoning:** M1-5B

CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival/Renaissance Revival style building, with alterations, designed by George Keister and built in 1897. Application is to replace storefronts, railings and a skylight.

399 West Broadway - SoHo-Cast Iron Historic District

LPC-22-01992 - Block 487 - Lot 20 - **Zoning:** M1-5A

CERTIFICATE OF APPROPRIATENESS

A store building, constructed c. 1860. Application is to establish a Master Plan governing the future installation of painted wall signs.

935 Broadway - Ladies' Mile Historic District

LPC-22-00096 - Block 850 - Lot 75 - **Zoning:** C6-4M/M1-5M

MISCELLANEOUS - AMENDMENT

An Italianate style store building, designed by Griffith Thomas and built 1861-62. Application is to modify and legalize storefronts and signage, installed in non-compliance with Certificate of Appropriateness 21-04543.

114 West 86th Street - Upper West Side/Central Park West Historic District

LPC-20-08750 - Block 1216 - Lot 39 - **Zoning:** R10A

CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style apartment building, designed by J.M. Felson and built in 1927-1928. Application is to legalize the replacement of windows, without Landmarks Preservation Commission permit(s).

7 East 81st Street - Metropolitan Museum Historic District

LPC-22-02942 - Block 1493 - Lot 107 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A rowhouse, designed by Griffith Thomas and built in 1878-79. Application is to reconstruct and redesign the façade.

1133 Fifth Avenue - Expanded Carnegie Hill Historic District

LPC-22-02908 - Block 1506 - Lot 3 - **Zoning:** R10

CERTIFICATE OF APPROPRIATENESS

A Neo-Federal style apartment building, designed by Emery Roth and built in 1927-1928. Application is to modify an existing rooftop addition, install pergolas, replace railings, modify masonry openings, and replace windows.

33 9th Avenue, aka 401-403 West 13th Street - Gansevoort Market Historic District

LPC-21-09093 - Block 646 - Lot 7503 - **Zoning:** M1-5

CERTIFICATE OF APPROPRIATENESS

A Neo-Romanesque style warehouse building, designed by Boring & Tilton and built in 1902-03. Application is to install signage.

◀ o13-26

TRANSPORTATION

■ NOTICE

LEGAL NOTICE

NEW YORK STATE URBAN DEVELOPMENT CORPORATION
D/B/A EMPIRE STATE DEVELOPMENT

NOTICE OF PUBLIC HEARING TO BE HELD TUESDAY, OCTOBER 19, 2021, PURSUANT TO SECTION 16 OF THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION ACT IN CONNECTION WITH THE PROPOSED HIGH LINE MOYINHAN CONNECTOR CIVIC PROJECT

PLEASE TAKE NOTICE that a public hearing, open to all persons, will be held, on Tuesday, October 19, 2021, from 6:00 P.M. until 8:00 P.M., by the New York State Urban Development Corporation d/b/a Empire State Development (“ESD”), pursuant to Section 16 of the New York State Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1968, as amended; the “UDC Act”), to consider the General Project Plan (the “General Project Plan”), for the proposed High Line Moynihan Connector Civic Project (the “Project”). Due to the COVID-19 pandemic and restrictions on public gatherings, the public hearing will be conducted as a virtual hearing utilizing the Zoom video communications and teleconferencing platform. Detailed instructions for participation in the virtual hearing can be downloaded, at <https://esd.ny.gov/high-line-connector>.

The public hearing is for the purpose of: (1) informing the public about the Project; (2) giving all interested persons an opportunity to provide comments on the General Project Plan, pursuant to Section 16 of the UDC Act; and (3), pursuant to Chapter 14 of the City Charter and Title 34, Chapter 7 of the Rules and Regulations of the City of New York, giving all interested persons an opportunity to provide comments on the granting of a revocable consent by the City of New York (the “City”), to allow the Project to span a City right-of-way.

Project Site

The proposed Project would be located primarily on property, owned by the Port Authority of New York and New Jersey (“PANYNJ”), on Manhattan Tax Block 728, Lot 1 in Community District 4, and portions of it would extend over West 30th Street and West 31st Street, which are City-Owned streets.

Project Description

The Project is described in detail in the General Project Plan, available to the public as set forth below. The Project involves the design and construction of two new elevated bridges connecting the present terminus of the High Line spur, at West 30th Street and Tenth Avenue, to the privately-owned public open space at Manhattan West, a mixed-use development, located north of West 31st Street between Ninth and Tenth Avenues. The Project would create a seamless, safe pedestrian connection from Moynihan Train Hall to destinations on the Far West Side of Midtown, including Hudson Yards, the Javits Center and the Hudson River waterfront. The Project is anticipated to be completed in 2023.

The Project would be designed and built through a public-private partnership among ESD, PANYNJ, Friends of the High Line (“FHL”) and a Brookfield Properties affiliate (“Brookfield”). FHL, which will act as the grantee for the Project, is a nonprofit organization that operates the High Line and works with the surrounding community. The grantee for purposes of the GPP will be responsible for daily maintenance and cleanliness of the Project. FHL is devoted to reimagining the role public spaces play in creating connected, healthy neighborhoods and cities. Brookfield, which will act as developer of the Project, is a global commercial real estate firm and developer, and the owner of Manhattan West. Brookfield would manage the design and construction of the Project. The budget for the Project is \$50 million and will be funded by a \$20 million State grant administered by ESD and contributions of \$20 million from Brookfield and \$10 million from FHL.

Public Purpose

The purpose of the Project is to provide a new public amenity to improve public access, connectivity and pedestrian safety between Penn Station – North America’s largest transportation hub – and destinations on Manhattan’s Far West Side. The Project would create two connected public bridges linking the High Line to publicly accessible open space at Manhattan West, providing an ADA-accessible passage from the High Line spur to Ninth Avenue directly across from the Farley Office Building and Moynihan Train Hall. This new elevated pathway would provide a safe, seamless, and inviting connection for pedestrians through a heavily trafficked and uninviting area, and would improve public access, pedestrian safety and pedestrian mobility for residents, commuters, and visitors between transportation hubs to the east (Moynihan Train Hall and Pennsylvania Station) and Hudson Yards, the High Line, and Manhattan’s Far West Side. In doing so, the proposed Project would also complement and support the recent public and private investments that are transforming Manhattan’s Far West Side.

Discretionary Actions

A number of ESD discretionary actions are subject to review, pursuant to the UDC Act. These actions include awarding a \$20 million grant to FHL for the design and construction of the Project and affirming the General Project Plan. After a public hearing is held on the draft General Project Plan and a subsequent 30-day public comment period is concluded, it is expected that if appropriate, ESD will modify and/or affirm the General Project Plan and enter into a grant disbursement agreement with FHL to administer the State’s \$20 million Project grant. In addition, to effectuate the Project, as described in the General Project Plan, ESD would exercise its statutory authority to override the New York City Charter, the New York City Zoning Resolution, the New York City Administrative Code and the Rules of the City of New York to the extent they are inconsistent with the Project and the procedures for implementation of ESD projects under the UDC Act. This override includes, but is not limited to, the applicability of the Uniform Land Use Review Procedure (“ULURP”) insofar as it otherwise would be applicable to the Project, Public Design Commission review, and procedures for the issuance of revocable consents by the New York City Department of Transportation and any other local laws which are inconsistent with the design/construction of the Project and the General Project Plan. Subject to such overrides, the New York State Uniform Fire Prevention and Building Code (the “Building Code”) will apply, including with respect to all construction, structures and infrastructure on the Project site.

Availability of the General Project Plan

The General Project Plan, which contains a detailed description of the Project, is on file at the office of ESD, 633 Third Avenue, New York, NY

10017, and is available for inspection by the general public between the hours of 9:30 A.M. to 5:00 P.M., Monday through Friday, public holidays excluded.

The General Project Plan is available at the ESD website, at <https://esd.ny.gov/high-line-connector>. The public may also inspect and/or obtain copies of the General Project Plan, by emailing HighLineMoynihan@esd.ny.gov, or calling (212) 803-2477. Pursuant to Section 16(2) of the UDC Act, ESD also has filed a copy of the General Project Plan, including the findings required under Section 10 of the UDC Act, in the office of the New York City Clerk and has provided a copy thereof to the Mayor of the City of New York, the Manhattan Borough President, the Chair of the New York City Planning Commission and the Chair of Manhattan Community Board 4.

Comments

Comments on the General Project Plan are requested. Participants who wish to provide verbal comment during the virtual meeting will have an opportunity to sign up to speak during registration and/or once the meeting has started. Comments may also be delivered in writing to ESD, 633 Third Avenue, 37th Floor, New York, NY 10017 (Attention: Stacey Teran), up until 5:00 P.M., on Friday, November 19, 2021, or sent by email to HighLineMoynihan@esd.ny.gov, up until 5:00 P.M., on Friday, November 19, 2021. Written or emailed comments received after 5:00 P.M., on November 19, 2021, will not be considered.

All verbal comments made at the public hearing and all written comments received by ESD up to 5:00 P.M., on November 19, 2021, will be considered by ESD prior to final consideration of the General Project Plan.

Dated: September 17, 2021
New York, NY

NEW YORK STATE URBAN
DEVELOPMENT CORPORATION
D/B/A EMPIRE STATE DEVELOPMENT

By: Debbie Royce
Corporate Secretary

s28-o19

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week, at: <https://www.propertyroom.com/s/nyc+fleet>

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

Vehicles can be viewed in person, at:
Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214
Phone: (718) 802-0022

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

f23-a4

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property appear in the Public Hearing Section.

j4-d30

PROCUREMENT

“Compete To Win” More Contracts!

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

● Win More Contracts, at nyc.gov/competetowin

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

HHS ACCELERATOR PREQUALIFICATION

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

ADMINISTRATION FOR CHILDREN’S SERVICES

ADMINISTRATION

■ SOLICITATION

Human Services/Client Services

CONCEPT PAPER - PARENT ADVOCATES - Request for Information - PIN#06822Y0051 - Due 12-3-21 at 12:00 A.M.

This Concept Paper outlines ACS’s vision for Parent Advocate services, for parents participating in ICSCs throughout the City. Through the RFP, ACS will seek to partner with providers who will hire parents with lived experience in the child welfare system, to serve as Parent Advocates who will provide advocacy and support to parents, youth, and families.

The Concept Paper will be released on October 13, 2021, through the PASSPort Public Portal, at: https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public.

All comments and feedback regarding this Concept Paper, must be received, no later than December 3, 2021, by 5:00 P.M. Comments should be sent, via email, to: ParentAdvocateOOA-CP@acs.nyc.gov.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other

information; and for opening and reading of bids at date and time specified above.

Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Sherene Hassen (212) 341-3443; sherene.hassen@acs.nyc.gov

o6-13

CONCEPT PAPER - SAFE WAY FORWARD - Request for Information - PIN#06822Y0050 - Due 12-3-21 at 5:00 P.M.

ACS, is releasing a Safe Way Forward Concept Paper. In the Concept Paper, ACS describes an approach that we believe will allow contractors, to serve families in child welfare experiencing intimate partner violence where there are risks to child safety and well-being. This approach has contractors work with families as systems of interconnected individuals impacted by each other's behavior; intervene in a way that is responsive to families' unique needs; and promote child safety and well-being, healing from trauma, and accountability for harmful behavior.

The Concept Paper will be released on October 13, 2021, through the PASSPort Public Portal, at: https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public

All comments and feedback regarding this Concept Paper must be received, no later than December 3, 2021, by 5:00 P.M. Comments should be sent, via email, to: SWF-CP@acs.nyc.gov

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

Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Sherene Hassen (212) 341-3443; sherene.hassen@acs.nyc.gov

o6-13

CITYWIDE ADMINISTRATIVE SERVICES

AWARD

Goods

GRP:VOLVO CONSTRUCTION EQUIPMENT (RE-AD) - Competitive Sealed Bids - PIN#8572100108 - AMT: \$2,000,000.00 - TO: Hoffman International Inc, Dba Hoffman Equipment Co, PO BOX 827885, Philadelphia, PA 19182-7885.

o13

GRP: VAC-ALL SWEEPERS - Competitive Sealed Bids - PIN#8572100085 - AMT: \$2,450,000.00 - TO: Malvese Equipment Co Inc, 1 Henrietta Street, Hicksville, NY 11801.

o13

MOBILE CRUSHING AND SCREENING PLANT - DOT - Competitive Sealed Bids - PIN#8572000143 - AMT: \$2,741,772.00 - TO: Hoffman International Inc. Hoffman Equipment Co., PO Box 827885, Philadelphia, PA 19182-7885.

o13

Goods and Services

US BANK NATIONAL ASSOCIATION - Negotiated Acquisition - Other - PIN#85720228802327 - AMT: \$48,989,237.00 - TO: U S Bank National Association, 200 South 6th Street Minneapolis, MN 55402.

There is a compelling need for services that cannot be timely met via competitive sealed bidding. The proposed term of the extension, is the minimum time necessary to meet the need, until a new contract is available.

o13

ADMINISTRATION

SOLICITATION

Goods

GRP: KOVATCH MOBILE EQUIPMENT - Competitive Sealed Bids - PIN#85722B0070 - Due 11-17-21 at 10:30 A.M.

All bids are done on PASSPort. To review the details for this solicitation and participate, please use the following link below and use the keyword search fields to find the solicitation for GRP: KOVATCH MOBILE EQUIPMENT. You can search by PIN#85722B0070 or search by keyword:

https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public

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

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Anne-Sherley Almonor (212) 386-0419; aalmonor@dcas.nyc.gov

o13

OFFICE OF CITYWIDE PROCUREMENT

AWARD

Goods

SEDAN, ALL WHEEL DRIVE POLICE SPECIFIC - Competitive Sealed Bids - PIN#85721B0102 - AMT: \$6,990,920.00 - TO: Major World CDJR LLC, DBA Major World Chrysler Dodge Jeep Ram, 50-30 Northern Boulevard, Long Island City, NY 11101.

o13

ENVIRONMENTAL PROTECTION

CUSTOMER SERVICES

INTENT TO AWARD

Goods

BCS-ACLARA METER TRANSMISSION UNITS (MTU)-SS - Request for Information - PIN#82622Y0109 - Due 10-27-21 at 2:00 P.M.

NYC Environmental Protection, intends to enter into a sole source negotiation, with Aclara for Aclara Meter Transmission Units (MTU) and accessories. Any firm which believes they can also provide this product are invited to respond to this RFI.

o7-14

WASTEWATER TREATMENT

INTENT TO AWARD

Goods

82622Y0107-BWT-SERPENTIX CONVEYOR COMPONENTS AND PARTS-SS - Request for Information - PIN#82622Y0107 - Due 10-26-21 at 2:00 P.M.

NYC Environmental Protection, intends to enter into a sole source negotiation, with Serpentix Conveyor Corporation, for Serpentix Conveyor Components and Parts. Any firm which believes they can also provide this services are invited to respond to this RFI.

o6-13

HEALTH AND MENTAL HYGIENE

ENVIRONMENTAL HEALTH

INTENT TO AWARD

Services (other than human services)

81622Y0125-COMPUTER AUTOMATION SYSTEMS INC - PIN21EN043101R0X00 - Request for Information - PIN# 81622Y0125 - Due 11-1-21 at 12:00 A.M.

Pursuant to Procurement Policy Board Rule Section 3-05, Department of Health and Mental Hygiene, intends to enter into a sole source agreement, with Computer Automation Systems Inc., to procure sole source TOXICALL database software specific for poison centers, which is used nationwide. The TOXICALL database allows PCC to upload data, to the CDC as required.

DOHMH, has determined that Computer Automation Systems Inc., is the sole source designer, developer, and supporter for the TOXICALL application and retain sole ownership of the application. It is the sole source vendor for TOXICALL and sells directly to its clients, not through resellers.

Any firm which believes is qualified to provide such product are welcome to submit an expression of interest. All related inquiries should be sent, via the Discussion Forum in PASSPort, or to Min Feng (Jason) Wang, at mwang3@health.nyc.gov, no later than November 1, 2021.

o12-19

HUMAN RESOURCES ADMINISTRATION

■ AWARD

Goods and Services

PROVISION OF SHELTER SERVICES FOR HOMELESS FAMILIES WITH CHILDREN, SOUTHERN BOULEVARD FAMILY RESIDENCE, 731 SOUTHERN BOULEVARD, BRONX, NY 10455. - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# 07119I0003024 - AMT: \$20,726,450.00 - TO: Bronx Family Network, Inc., 131 East 169th Street, Bronx, NY 10452.

Contract Term from 7/1/2021 to 6/30/2026.

◀ o13

Human Services/Client Services

SAFE HORIZON INC. RENEWAL:PARRISH I - Renewal - PIN# 06917N8252KXLR001 - AMT: \$6,118,017.59 - TO: Safe Horizon, Inc, 2 Lafayette Street, 3rd Floor, New York, NY 10007.

Term: 7/1/2021 - 6/30/2025

◀ o13

NON-EMERGENCY SCATTER SITE HOUSING AND SUPPORT SERVICES FOR PLWAS - 20 UNITS - Negotiated Acquisition - Judgment required in evaluating proposals - PIN# 06921N0457001 - AMT: \$744,233.00 - TO: Faces NY Inc., 123 West 115th Street, New York, NY 10026.

Contract Term from 7/1/2021 to 6/30/2022.

◀ o13

SRO SERVICES AT 105 CARLTON AVENUE, BROOKLYN NY 11205 - Required/Authorized Source - PIN# 06921R0282001 - AMT: \$921,156.00 - TO: Brooklyn Community Housing & Services, Inc., 105 Carlton Avenue, Brooklyn, NY 11205.

The NYC Human Resource Administration (HRA) Division of Housing and Program Planning, operates as the local homeless delivery system and provides housing support and related services to formerly homeless individuals. This is a State Mandated required/authorized source contract. (SRO Services at 105 Carlton Avenue, Brooklyn, NY 11205)

◀ o13

INVESTIGATION

■ AWARD

Services (other than human services)

RENEWAL-IVANTI SECURITY CONTROLS PATCH FOR WORKSTATION AND S - Intergovernmental Purchase - PIN# 03221O0007001 - AMT: \$25,083.00 - TO: Insight Public Sector Inc., 6820 South Harl Avenue, Tempe, AZ 85283.

2021260 Renewal-Ivanti Security Controls Patch for Workstation and Server Subscription

◀ o13

MAYOR'S FUND TO ADVANCE NEW YORK CITY

FINANCE AND OPERATIONS

■ SOLICITATION

Goods and Services

BUILDING HEALTHY COMMUNITIES - COMMUNITY FOOD ACTION; SMALL GRANTS FOR COMMUNITY-LED FOOD PROJECTS - Request for Proposals - PIN# MF20213 - Due 11-1-21 at 11:59 P.M.

The Mayor's Fund to Advance New York City (Mayor's Fund), on behalf of the Building Healthy Communities (BHC) initiative, is accepting proposals for community-led food projects in neighborhoods that have faced especially severe impacts of COVID-19. The following neighborhoods are focus areas for the NYC Office of Neighborhood Safety as well as the Taskforce on Racial Inclusion and Equity. In order to support food security and relief, equitable access to nutritious food, and local ownership of food systems, BHC is offering small grants to community based groups interested in leading or continuing short-term community-based food access or pilot projects. Projects can include distributing food to households in need, increasing healthy food

access and food justice through education and advocacy, supporting access to locally grown produce through local community gardens, hosting cooking workshops or demonstrations, and more. Groups can either have experience leading such projects or be building a new program. Youth Build Healthy Communities! This grant opportunity includes specific funds to support groups of youth who are leading community food projects for their peers and greater community. Youth groups are encouraged to apply. *Please note that being selected for this grant does not exclude grantees from standard permitting and/or licensing requirements.

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.

Mayor's Fund to Advance New York City, 253 Broadway, 6th Floor, New York, NY 10007. Cesaryna Pena (212) 788-7794; fundrfrp@cityhall.nyc.gov

o4-18

SANITATION

■ AWARD

Construction/Construction Services

JEMCO ELECTRICAL CONTRACTORS, INC. RENEWAL #1 - Renewal - PIN# 82719B8210KXLR001 - AMT: \$15,000,000.00 - TO: Jemco Electrical Contractors Inc., 271 42nd Street, Brooklyn, NY 11232.

JEMCO Electrical Contract - Construction.

◀ o13

TRANSPORTATION

FRANCHISES, CONCESSIONS & CONSENTS

■ SOLICITATION

Services (other than human services)

REQUEST FOR PROPOSALS - FOOD AND BEVERAGE CONCESSION AT PIER 11 IN MANHATTAN - Request for Proposals - PIN# 84122MNAD511 - Due 11-5-21 at 2:00 P.M.

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

Transportation, 55 Water Street, 9th Floor, New York, NY 10041. Brandon Budelman (212) 839-9625; bbudelman@dot.nyc.gov

s29-o13

AGENCY RULES

ADMINISTRATIVE TRIALS AND HEARINGS

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing? The Office of Administrative Trials and Hearings is proposing amendments that would update penalties for violations of the Water Supply Law, rules pertaining to backflow devices, and rules that govern drilling and excavation.

When and where is the Hearing? OATH will hold a public hearing on the proposed rule. The public hearing will take place from 10:00 a.m. through 11:00 a.m. on November 16, 2021. The hearing will be conducted by video conference and is accessible by:

- **Internet Video and Audio.** For access, visit:
<https://nyc-oath.webex.com/nyc-oath/j.php?MTID=m7e932415290f00cfb535b8b136af30f1>
When prompted, enter **Meeting ID: 2336 470 3597**
Password: OATH
- **Phone.** For access, dial: **1-646-992-2010**
When prompted, enter **Meeting ID: 23364703597##**

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

- **Website.** You can submit comments to OATH through the NYC rules website at <http://rules.cityofnewyork.us/>.
- **Email.** You can email written comments to Rules_Oath@oath.nyc.gov.
- **Mail.** You can mail written comments to OATH, Attention: Joy Thompson, Assistant General Counsel, 100 Church Street, 12th Floor, New York, NY 10007.
- **Fax.** You can fax written comments to OATH, Attention: Joy Thompson, Assistant General Counsel, at 212-361-1900.
- **By Speaking at the Hearing.** Anyone who wants to comment on the proposed rules at the public hearing may speak for up to three minutes. Please access the public hearing by internet video and audio or by telephone using the instructions above.

Is there a deadline to submit written comments? You may submit written comments until **5:00 p.m. on November 16, 2021.**

What if I need assistance to participate in the hearing? You must tell us in advance if you need a reasonable accommodation of a disability at the hearing, including a sign language interpreter. You may contact us by email at enolan@oath.nyc.gov or by telephone at (212) 436-0708 to request a reasonable accommodation. Please tell us by November 15, 2021.

Can I review the comments made on the proposed rule? You can review the comments that have been submitted online by visiting the NYC rules website at <http://rules.cityofnewyork.us/>. Shortly after the public hearing, a summary of oral comments and copies of all written comments will be available to the public on OATH's website, at <https://www1.nyc.gov/site/oath/about/legal-resources-and-rule-making.page>.

What authorizes OATH to make this rule? Sections 1043, 1049, and 1049-a of the New York City Charter authorize OATH to make this proposed rule. This proposed rule is included in OATH's regulatory agenda for this Fiscal Year.

Where can I find OATH's rules? OATH's rules are located in title 48 of the Rules of the City of New York.

What laws govern the rulemaking process? OATH must comply with the requirements of section 1043, 1049, and 1049-a of the City Charter when creating or changing rules. This notice is made according to the requirements of section 1043, 1049, and 1049-a of the New York City Charter.

Statement of Basis and Purpose of Proposed Rule

Pursuant to the authority set forth in sections 1043, 1049, and 1049-a of the New York City Charter, the Office of Administrative Trials and Hearings (OATH) is proposing to update penalties for violations of title 24, chapter 3 of the Administrative Code, also known as the Water Supply Law; title 15, chapter 20 of the Rules of the City of New York (RCNY), pertaining to backflow devices; and 15 RCNY, chapter 57, Drilling and Excavation Rules, recently adopted by the Department of Environmental Protection (DEP). OATH's Water Penalty Schedule is located in 48 RCNY § 3-126. The provisions codified in 48 RCNY, chapter 6 govern Environmental Control Board adjudicatory proceedings, as well as other proceedings under the jurisdiction of OATH's Hearings Division.

The proposed rule would make the following changes to 48 RCNY § 3-126:

- Add a penalty for a violation of section 24-303.1 of the Administrative Code, a recent addition that prohibits the illegal discharge of fracking waste. The penalty of \$2,500 and the default penalty of \$10,000 are provided for in the statute.
- Amend the description for a violation of 15 RCNY § 20-04(d) to include failure to submit an initial test report for a backflow prevention device, in addition to failure to install. This reflects the description that is generally used on summonses.
- Add a penalty for a violation of 15 RCNY § 20-04(i), a newly added provision that prohibits the removal, swapping, or bypassing of a backflow prevention device without DEP approval. The proposed penalty of \$700 is the same as that for failing to install a backflow device.

- Add a penalty for a violation of 15 RCNY § 20-05(t), a newly added provision that requires the plumber who removes a water meter to submit a photograph of the meter to DEP. The proposed penalty of \$350 is in line with the existing penalty for meter removal without a permit.
- Add a penalty for a violation of 15 RCNY § 20-08(b)(4), which requires the installation of a backflow device on connections to fire hydrants. While this is not a new rule, it is being added to the penalty schedule as it is cited somewhat frequently and should, therefore, have its own penalty instead of being under the miscellaneous provision. The proposed penalty of \$300 is a greater incentive to comply than the miscellaneous penalty of \$150.
- Add penalties for violations of the Drilling and Excavation Rules. These rules, which recently went into effect and are found in 15 RCNY chapter 57, include requirements for drilling and excavation activities conducted in areas where DEP has underground infrastructure, such as water tunnels, in order to prevent possible damage to such infrastructure. The proposed penalty of \$900 is nearly as high as possible (since the legal maximum is \$1,000) while still allowing for a higher default penalty, as violations of these rules would be issued to property owners and real estate developers, and the penalty needs to be as much of a deterrent as possible in order to avoid the possibility of very costly damage to DEP infrastructure.

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

Section 1. Section 3-126 of title 48 of the Rules of the City of New York is amended by changing the entries under the heading "General Provisions" and adding new entries under the heading "Drilling & Excavation Rules" to read as follows:

GENERAL PROVISIONS			
A.C. § 24-303.1	<u>Illegal discharge of fracking waste</u>	\$2500	\$10000
A.C. § 24-308	Illegal Use of Hydrant(s)	\$750	\$1000
A.C. § 24-337	Illegal waste of water (Residential)	\$250	\$500
A.C. § 24-339	Distribution/Sale/Import/Installation of water wasting plumbing fixtures	\$475	\$950
A.C. § 24-346(b)	Failure to comply with Commissioner's Order	\$750	\$1000
15 RCNY § 20-01(b)(1)	Plumbing work w/o permit	\$250	\$500
15 RCNY § 20-01(e)	Failed to produce permit on demand	\$150	\$300
15 RCNY § 20-01(f)	Failed to obtain/return emergency permit	\$250	\$500
15 RCNY § 20-02(b)	Unlawful connection to City main	\$700	\$1000
15 RCNY § 20-03(k)(4)	Failed to protect curb valve/box from damage	\$250	\$500
15 RCNY § 20-03(w)	Failed to replace old service pipes upon establishment of new water service	\$250	\$500
15 RCNY § 20-03(x)	Failed to install meter on unmetered property when service pipe is replaced/ repaired/relaid/installed	\$350	\$700
15 RCNY § 20-04(d)	Failed to install a backflow preventer <u>or submit initial test report</u>	\$700	\$1000
15 RCNY § 20-04(e)	Failed to submit an annual test report for a backflow preventer	\$500 or mitigation penalty of \$50	\$1000
15 RCNY § 20-04(i)	<u>Removed/swapped/bypassed backflow device without DEP approval</u>	\$700	\$1000
15 RCNY § 20-05(a)	No meter in place	\$250	\$500

15 RCNY § 20-05(b)(1)	Meter repair/removal w/o permit	\$350	\$700
15 RCNY § 20-05(b)(2)	Failed to return meter permit	\$350	\$700
15 RCNY § 20-05(d)(5)	No reading receptacle for remote pad	\$250	\$500
15 RCNY § 20-05(g)	Improper size/type of meter	\$250	\$500
15 RCNY § 20-05(i)(1)	Meter not readily accessible	\$250	\$500
15 RCNY § 20-05(i)(2)-(12)	Improper setting of meter	\$250	\$500
15 RCNY § 20-05(i)(12)	Failed to design meter setting to ensure electrical continuity	\$150	\$300
15 RCNY § 20-05(j)	Prohibited meter bypass	\$500	\$1000
15 RCNY § 20-05(k)	Improper meter pit/box/vault construction	\$350	\$700
15 RCNY § 20-05(m)(1)	Failed to install new meter after unpermitted disconnection of old meter	\$750	\$1000
15 RCNY § 20-05(n)	Breaking seal on equipment w/o permit	\$500	\$1000
15 RCNY § 20-05(p)	Inadequate protection of meter/remote receptacle/AMR Transmitter/wiring	\$250	\$500
15 RCNY § 20-05(p)(2)	Relocated remote receptacle or AMR transmitter without permit	\$250	\$500
15 RCNY § 20-05(t)	Failed to submit photo of meter to DEP	\$350	\$1000
15 RCNY § 20-06	A.C./refrigeration violation	\$350	\$700
15 RCNY § 20-07(c)	Failed to submit self-certification of domestic water service pipe installation	\$250	\$500
15 RCNY § 20-08(a)(6)	Lawn/garden watering prohibited time/manner	\$150	\$300
15 RCNY § 20-08(a)(7)	Sidewalk flushing prohibited time/manner	\$150	\$300
15 RCNY § 20-08(a)(9)	Prohibited use of water for car washing	\$150	\$300
15 RCNY § 20-08(b)(4)	Failed to install backflow preventer on hose connected to fire hydrant	\$300	\$600
15 RCNY Chapter 20	Violation of miscellaneous rules regarding use and supply of water	\$150	\$300
	DRILLING & EXCAVATION RULES		
15 RCNY § 57-03	Drilling or excavating in restricted area without permit	\$900	\$1000
15 RCNY § 57-05(b)	Violating general condition(s) of drilling/excavation permit	\$900	\$1000
15 RCNY § 57-05(b)(1)	Failure to notify DEP 30 days prior to commencement of drilling or excavation	\$900	\$1000
15 RCNY § 57-05(b)(2)	Failure to drill/excavate only to depth specified in permit	\$900	\$1000
15 RCNY § 57-05(b)(3) and (5)	Failure to abandon and/or seal any unpermitted borehole or well	\$900	\$1000
15 RCNY § 57-05(b)(4) and (6)	Failure to abandon and/or fill any unpermitted excavation	\$900	\$1000

15 RCNY § 57-05(b)(7)	Failure to use blowout preventer when required	\$900	\$1000
15 RCNY § 57-05(b)(10)	Failure to provide required, certified documentation within 30 days of completion of drilling or excavation	\$900	\$1000
15 RCNY § 57-05(b)(11)	Failure to conduct required deviation survey	\$900	\$1000

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

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

**RULE TITLE: Amendment of Water Penalty Schedule
REFERENCE NUMBER: 2021 RG 076**

RULEMAKING AGENCY: Office of Administrative Trials and Hearings

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: September 30, 2021

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

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

**RULE TITLE: Amendment of Water Penalty Schedule
REFERENCE NUMBER: OATH-ECB-109**

RULEMAKING AGENCY: Office of Administrative Trials and Hearings

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Mitigated penalties are available as set forth in the proposed rule.

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

September 30, 2021
Date

o13

**FINDING OF SUBSTANTIAL NEED FOR EARLIER
IMPLEMENTATION**

I hereby find, and represent to the Mayor, that there is a substantial need for the implementation, immediately upon its final publication in The City Record, of amendments to sections 1-01, 1-11, 1-14, 1-28, 1-30, 1-31, 1-45, and 1-49 of Chapter 1; 5-01a, 5-02 of Chapter 5; and 6-01, 6-09, 6-10, 6-24, 6-24a of Chapter 6 of Title 48 of the Rules of the City of New York.

This declaration is made pursuant to Section 1043(f)(1)(d) of the New York City Charter.

State and local authorities have facilitated the use of remote methods to conduct adjudications during the COVID-19 pandemic. Mayoral Emergency Executive Orders 177, 179, and subsequent Orders of extension have broadened OATH's authority to adjudicate most

summonses filed in the Hearings Division by telephone, and most petitions filed in the Trials Division by videoconference. During this period, the agency developed and refined the processes and protocols that make telephone and videoconference communications easier to use and more efficient.

As of this date, OATH continues to adjudicate most matters remotely. For reasons of health and safety, OATH seeks to ensure the uninterrupted continuation of remote proceedings and thus proposes this amendment to facilitate and establish OATH's generalized use of remote methods of adjudication.

Even with the preventive measures presently in place, were generalized in-person hearings to be fully reinstated at this time, OATH would be unable to maintain at safe distances the full complement of parties, witnesses, adjudicators and staff required to process the almost 1,000 matters heard daily. The processing of cases involves hundreds of individuals standing and sitting in close proximity for a number of hours in tightly packed waiting rooms, waiting to be brought before a hearing officer in even closer quarters. In these times of pandemic, these conditions are not ideal. The agency recognizes that the ongoing risk of COVID-19 transmission means that remote appearances remain a critical option for many New Yorkers, because these proceedings allow them to avail themselves of their right to due process while keeping themselves safe. To prevent any potential interruption of this option, the expeditious adoption of these rules is necessary.

In addition to establishing the option to adjudicate remotely, OATH proposes an additional amendment to the rules that will streamline and modernize tribunal processes and make them more secure. This rule would allow for the service by e-mail of Trials Division trial and conference notices.

Without the Mayor's finding, the amendments to Chapters 1, 5, and 6 will not take effect until November 9, 2021. In order to avoid a potential interruption of the remote appearance option in these times of pandemic, there is a substantial need for bringing these rules into effect immediately upon publication in The City Record.

Joni Kletter, Commissioner
Chief Administrative Law Judge, OATH

Approved: Bill de Blasio
Mayor

Date: October 5, 2021

Hon. Joni Kletter:
Commissioner and Chief Administrative Law Judge
Office of Administrative Trials and Hearings

Re: Conduct of Hearings and Trials by Remote Means

No. 2021 RG 061

Dear Commissioner Kletter:

Pursuant to New York City Charter § 1043 subd. c, the above-referenced rule has been reviewed and determined to be within the authority delegated by law to your agency.

Sincerely,

/s/ Steven L. Goulden

STEVEN GOULDEN
Senior Counsel
Division of Legal Counsel

cc: Joy Thompson (OATH)
Olga Statz (OATH)
Frank Ng (OATH)
Francisco Navarro (Mayor's Office of Operations)

Notice of Adoption of Rule

Pursuant to the authority vested in the Office of Administrative Trials and Hearings (OATH) by sections 1043, 1049, and 1049-a of the New York City Charter, OATH has adopted amendments to chapters 1, 5 and 6 of title 48 of the Rules of the City of New York.

The Environmental Control Board voted to approve a proposed version of these amendments on August 12, 2021. A proposed version of these amendments was published in The City Record on August 20, 2021. A public hearing was held on September 20, 2021. One person spoke at the hearing, and one written comment was received. The Environmental Control Board voted to approve a final version of these amendments on October 5, 2021.

Statement of Basis and Purpose of Rule

Pursuant to sections 1043, 1049, and 1049-a of the New York City Charter, which authorize the Chief Administrative Law Judge of the Office of Administrative Trials and Hearings (OATH) to establish rules of conduct, OATH has adopted amendments to provisions of title 48 of the Rules of the City of New York in order to clarify, refine, and establish rules for the conduct of remote proceedings. OATH also has adopted amendments to streamline and modernize its Trials Division's and Hearings Division's processes. The provisions codified in chapter 6 of title 48 of the Rules of the City of New York amended by this proposal govern Environmental Control Board adjudicatory proceedings, as well as other proceedings under the jurisdiction of OATH's Hearings Division.

State and local authorities facilitated the use of remote methods to conduct adjudications during the COVID-19 pandemic. Mayoral Emergency Executive Order 177, dated January 27, 2021, and Mayoral Emergency Executive Order 179, dated February 1, 2021, which have since been extended by a series of subsequent Mayoral Emergency Executive Orders, broadened OATH's authority to adjudicate most summonses filed in the OATH Hearings Division and petitions filed in the OATH Trials Division by remote means. In implementing these Mayoral Emergency Executive Orders, OATH developed and refined the processes and protocols that make telephone and videoconference communications easier to use and more efficient.

As of the date of this notice, OATH continues to adjudicate most matters remotely. In order to ensure that parties appearing before OATH continue to have the option to appear remotely even beyond the end of the present local declaration of emergency, OATH amended its rules to make appropriate procedural adjustments and to establish OATH's general ability to use remote methods of adjudication.

Prior to the pandemic, the full complement of parties, witnesses, adjudicators, and staff required to process the nearly 1,000 matters heard daily by OATH involved hundreds of individuals. Because of space constraints and the ongoing risk of COVID-19 transmission from close in-person contact, remote appearances remain a critical option for many New Yorkers, in order to ensure that they may avail themselves of their right to due process in contesting a City agency's enforcement or disciplinary action. The adoption of these rules was necessary to prevent any potential interruption of this option.

Section one of this rule amends section 1-01 of title 48 of the Rules of the City of New York by adding definitions for "appearance" and "remote means."

A definition of "appearance," much like the one added by section one of this rule, already exists in chapter 6 of title 48 of the Rules of the City of New York. By adding this definition in chapter one, OATH provided the same clarity regarding proceedings in the OATH's Trials Division. This definition of "appearance" incorporates the term "remote means" to allow for a broader range of remote proceedings at the discretion of OATH's Trials Division. "Remote means" encompasses a wide range of means of communication that do not require the physical presence of the parties.

Section two of this rule amends the definition of "trial" in section 1-01 of title 48 of the Rules of the City of New York to clarify that such proceedings may, at the discretion of the OATH Trials Division, be conducted either in person or by remote means.

Section three of this rule amends subdivisions (a) and (c) of section 1-11 of title 48 of the Rules of the City of New York to further clarify that appearances before the OATH Trials Division are not limited to those occurring in person.

Section four of this rule amends subdivision (a) of section 1-14 of title 48 of the Rules of the City of New York to specify that, with respect to the rule prohibiting *ex parte* communications in the OATH Trials Division, parties may be present either in person or by remote means.

Section five of this rule amends subdivision (a) of section 1-28 of title 48 of the Rules of the City of New York to ensure that notices contain all relevant information respecting the time, means, and, if applicable, location of OATH Trials Division conferences and trials, whether live or remote. Section five also authorizes that notice of conferences or trial be served by e-mail, upon consent of the parties.

Section six of this rule amends subdivision (a) of section 1-30 of title 48 of the Rules of the City of New York, regarding the procedures of conferences, to substitute the phrase "appear at" for "attend," as "attend" could potentially be misinterpreted, without further context, to require a party's in person presence. The substitution clarifies that appearances at conferences may be by remote means, where permitted by OATH's Trials Division. This section also removes a provision authorizing telephonic conduct of conferences, as other sections of this rule broadly expand the potential use of remote means of appearance, beyond telephonic means.

Section seven of this rule amends subdivisions (b) and (c) of section 1-31 of title 48 of the Rules of the City of New York to allow OATH Trials Division settlement conferences to be conducted by remote means, under certain circumstances. This provision will increase the efficiency of OATH's Trials Division by allowing law clerks and other personnel specifically designated by the Chief Administrative Law Judge to oversee settlement negotiations to provide that such individuals cannot be called to testify in any proceeding concerning statements made at a settlement conference. Insulating these personnel from being called to testify will allow them to effectively oversee such conferences and promote candor and constructive negotiations at settlement hearings.

Section eight of this rule amends section 1-45 of title 48 of the Rules of the City of New York to substitute the word "appear" for the phrase "be present," as the phrase "be present" could potentially be misinterpreted, without further context, to require a party's in-person appearance. The substitution is intended to clarify that appearances at conferences may be conducted by remote means, where permitted by OATH's Trials Division.

Section nine of this rule amends subdivisions (a) and (b) of section 1-49 of title 48 of the Rules of the City of New York to provide that public access of OATH Trials Division proceedings may be in person or by remote means, in the discretion of the Administrative Law Judge.

Section 10 of this rule amends subdivisions (a) and (c) of section 5-02 of title 48 of the Rules of the City of New York to specify that, with respect to certain proceedings concerning the Taxi and Limousine Commission (TLC), the TLC may produce complaining witnesses either in person or by remote means.

Section 11 of this rule amends the definition of "appearance" in section 6-01 of title 48 of the Rules of the City of New York to provide that an appearance may be made in person or by remote means, at the discretion of OATH's Hearings Division, as provided by other rules included in title 48.

Section 12 of this rule amends section 6-01 of title 48 of the Rules of the City of New York to add a definition of "remote means" nearly identical to the amendment in section two, above, but applicable to OATH's Hearings Division.

Section 13 of this rule amends subdivisions (b), (e), and (f) of section 6-09 of title 48 of the Rules of the City of New York to provide that appearances before OATH's Hearings Division made by written communication, including communication transmitted by postal mail or through the internet, are subject to particularized protocols and procedures that are distinct from those applicable to telephonic communication, videoconferencing, in-person appearances, or other similar means of appearance. Authorization for the use of written appearance methods will require the permission of the Tribunal. These rules are also intended to instruct attorneys and representatives appearing in person on 15 or more summonses on any given hearing date to adhere to the specific protocols and processes identified in section 6-24 of the subchapter. Separate provisions apply to hearings held by telephone, videoconferencing, or by other similar remote means, as set forth in section 6-24a, detailed below.

Section 14 of this rule amends the title and subdivision a of section 6-10 of title 48 of the Rules of the City of New York to clarify that only written means of communication, including written communication transmitted by postal mail, online, or other similar remote means, as permitted by OATH's Hearings Division, are subject to the procedures set forth in such section 6-10 of title 48 of the Rules of the City of New York.

Section 15 of this rule repeals subdivision (d) of section 6-10 of title 48 of the Rules of the City of New York, relating to adjudications by telephone before OATH's Hearings Division, because only written means of communication are contemplated by that section, based on the revisions made by section 14 of this rule.

Section 16 of this rule amends section 6-24 of title 48 of the Rules of the City of New York to require attorneys and representatives appearing in person on 15 or more summonses on any given hearing date to provide a list of applicable summonses three days prior to such hearing date. This rule will help OATH's Hearing Division efficiently process to completion the high volume of matters typically heard in person and provide personnel with sufficient time to sort and assign matters.

Section 17 of this rule adds a new section 6-24a to title 48 of the Rules of the City of New York that limits individual attorneys and representatives appearing before OATH's Hearings Division by telephone, videoconferencing, or other similar remote means to 25 summonses per hearing date, and requires attorneys and representatives to provide a list of summonses three days prior to such hearing date, regardless of the total number of summonses on which he or she is appearing remotely. This amendment will help OATH's Hearings Division efficiently process to completion the high volume of matters heard by OATH's Hearings Division by telephone, videoconferencing, or other similar remote means and provide personnel with sufficient time to sort and assign matters.

These rules will promote the efficiency of OATH's adjudications.

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

Section 1. Section 1-01 of title 48 of the Rules of the City of New York is amended by adding definitions for "appearance" and "remote means" in appropriate alphabetical order to read as follows:

Appearance. "Appearance" means a communication with the OATH Trials Division or any other participation in a proceeding before the OATH Trials Division by a party, the attorney or representative of a party, or another individual in connection with a petition that is or was pending before the OATH Trials Division. An appearance may be made in person or, at the discretion of the OATH Trials Division, by remote means.

Remote means. "Remote means" refers to any means of communication or attendance, as applicable, that does not require the physical presence of a party, representative, or other individual and that has been approved by the OATH Trials Division. At the discretion of the OATH Trials Division, remote means may include, but are not limited to, telephonic communication, postal mail and online communication, including e-mail and videoconferencing.

§ 2. The definition of "trial" in section 1-01 of title 48 of the Rules of the City of New York is amended to read as follows:

Trial. "Trial" means a proceeding before an administrative law judge in the OATH Trials Division. Such proceedings may either be conducted in person or, at the discretion of the OATH Trials Division, by remote means.

§ 3. Subdivisions (a) and (c) of section 1-11 of title 48 of the Rules of the City of New York are amended to read as follows:

(a) [A party] Parties may appear [in person] themselves, by an attorney, or by a duly authorized representative. A person appearing for a party [, including by telephone conference call,] is required to file a notice of appearance with OATH. Docketing of a case by an attorney or representative of a party will be deemed to constitute the filing of a notice of appearance by that person. The filing of any papers by an attorney or representative who has not previously appeared will constitute the filing of a notice of appearance by that person, and must conform to the requirements of subdivisions (b), (d) and (e) of this section.

(c) Absent extraordinary circumstances, no application may be made or argued by any attorney or other representative who has not filed a notice of appearance. Any application submitted on behalf of a party or participation in a conference [, whether by e-mail, letter or phone,] will be deemed an appearance by the attorney or representative. After making such an appearance, the attorney or representative must file a notice of appearance in conformity with subdivisions (b), (d) and (e) of this section.

§ 4. Subdivision (a) of section 1-14 of title 48 of the Rules of the City of New York is amended to read as follows:

(a) Except for ministerial matters, on consent, in an emergency, or as provided in § 1-31(a), communications with the administrative law judge concerning a case must only occur with all parties present, either in person or by remote means. If an administrative law judge receives an ex parte communication concerning the merits of a case to which he or she is assigned, then he or she must promptly disclose the communication by placing it on the record, in detail, including all written and oral communications and identifying all individuals with whom he or she has communicated. A party desiring to rebut the ex parte communication will be allowed to do so upon request.

§ 5. Subdivision (a) of section 1-28 of title 48 of the Rules of the City of New York is amended to read as follows:

(a) When a case is placed on either the trial calendar or the conference calendar, and within the time provided in § 1-26(d), if applicable, the party that placed the case on the calendar must serve each other party with notice of the following: the date, the time and, if applicable, the place of the trial or conference and whether the OATH Trials Division has determined if it will be held in person or by remote means; each party's right to representation by an attorney or other representative at the trial or conference; the requirement that a person representing a party at the trial or conference must file a notice of appearance with OATH prior to the trial or conference; and, in a notice of a trial served by the petitioner, the fact that failure of the respondent or an authorized representative of the respondent to appear at the hearing may result in a declaration of default, and a waiver of the right to a trial or other disposition against the respondent. The notice may be served personally [or], by mail, or, upon consent of the parties, by e-mail, and appropriate proof of service must be maintained. A copy of the notice of conference, with proof of service, must be filed with OATH at or before the commencement of the conference. A copy of the notice of trial, with proof of service, must be filed with OATH at or before the commencement of the trial.

§ 6. Subdivision (a) of section 1-30 of title 48 of the Rules of the City of New York is amended to read as follows:

(a) All parties are required to [attend] appear at conferences as scheduled unless timely application is made to the administrative

law judge. Participants must be prompt and prepared to begin on time. No particular format for conducting the conference is required. The structure of the conference may be tailored to the circumstances of the particular case. The administrative law judge may propose mediation and, where the parties consent, may refer the parties to the Center for Creative Conflict Resolution or other qualified mediators. [In the discretion of the administrative law judge, conferences may be conducted by telephone.]

§ 7. Subdivisions (b) and (c) of section 1-31 of title 48 of the Rules of the City of New York are amended to read as follows:

(b) If settlement is to be discussed at the conference, each party must have an individual possessing authority to settle the matter, either present at the conference or readily accessible. All individuals participating in the conference shall be present or readily accessible either in person or, at the discretion of the OATH Trials Division, by remote means, as applicable. A settlement conference will be conducted by an administrative law judge or other individual designated by the Chief Administrative Law Judge, other than the administrative law judge assigned to hear the case. During settlement discussions, upon notice to the parties, the administrative law judge or other person conducting the conference may confer with each party and/or representative separately.

(c) All settlement offers, whether or not made at a conference, will be confidential and will be inadmissible at trial of any case. Administrative law judges or other individuals designated by the Chief Administrative Law Judge to conduct settlement conferences must not be called to testify in any proceeding concerning statements made at a settlement conference.

§ 8. Section 1-45 of title 48 of the Rules of the City of New York is amended to read as follows:

§ 1-45 Failure to Appear.

All parties, attorneys and other representatives are required to [be present] appear at OATH and to be prepared to proceed at the time scheduled for commencement of trial. Commencement of trial, or of any session of trial, will not be delayed beyond the scheduled starting time except for good cause as determined in the discretion of the administrative law judge. Absent a finding of good cause, and to the extent permitted by the law applicable to the claims asserted in the petition, the administrative law judge may direct that the trial proceed in the absence of any missing party or representative, render a disposition of the case adverse to the missing party, or take other appropriate measures, including the imposition of sanctions listed in § 1-13(e). Relief from the direction of the administrative law judge may be had only upon motion brought as promptly as possible pursuant to § 1-50 or § 1-52. The administrative law judge may grant or deny such a motion, in whole, in part, or upon stated conditions.

§ 9. Subdivisions (a) and (b) of section 1-49 of title 48 of the Rules of the City of New York are amended to read as follows:

(a) Other than settlement conferences, all proceedings are open to the public, unless the administrative law judge finds that a legally recognized ground exists for closure of all or a portion of the proceeding, or unless closure is required by law. Members of the public may be provided access to such proceedings in person or by remote means, in the discretion of the administrative law judge. Trial witnesses may be excluded from proceedings other than their own testimony in the discretion of the administrative law judge.

(b) No person may make or cause to be made a stenographic, electronic, audio, audio-visual or other verbatim or photographic reproduction of any trial or other proceeding, whether such trial or other proceeding is conducted in person [, by telephone, or otherwise] or by remote means, except upon application to the administrative law judge or as otherwise provided by law (e.g. N.Y. Civil Rights Law, § 52). Such application must be addressed to the discretion of the administrative law judge, who may deny the application or grant it in full, in part, or upon such conditions as the administrative law judge deems necessary to preserve the decorum of the proceedings and to protect the interests of the parties, witnesses and any other concerned persons.

§ 10. Subdivisions (a) and (c) of section 5-02 of title 48 of the Rules of the City of New York are amended to read as follows:

(a) Pursuant to Administrative Code § 19-506.1, the TLC must produce the complaining witness in person or by remote means where such witness's credibility is relevant to the summons being adjudicated. [If the TLC is unable to produce such witness in person, the TLC must make reasonable efforts to make the witness available during the hearing by videoconferencing or teleconferencing.]

(c) If the Respondent previously requested an adjournment to obtain the testimony of the complaining witness, the non-attendance of the complaining witness, either in person or by remote means, will be considered a failure by the TLC to produce a complaining witness under paragraph (b) and may be grounds for the Hearing Officer to dismiss the summons.

§ 11. The definition of "appearance" in section 6-01 of title 48 of the Rules of the City of New York is amended to read as follows:

"Appearance" means a communication with the Tribunal [that is made] or any other participation in a proceeding before the Tribunal by a party [or], the attorney or representative of a party, or another individual in connection with a summons that is or was pending before the Tribunal. An appearance may be made in person [, online] or by [other] remote [methods approved by] means at the discretion of the Tribunal, as provided in this title.

§ 12. Section 6-01 of title 48 of the Rules of the City of New York is amended by adding a new definition of "remote means" in appropriate alphabetical order to read as follows:

"Remote means" refers to any means of communication or attendance, as applicable, that does not require the physical presence of a party, representative, or other individual and that has been approved by the Tribunal. At the discretion of the Tribunal, remote means may include, but are not limited to, telephonic communication, postal mail and online communication, including e-mail and videoconferencing.

§ 13. Subdivisions (b), (e) and (f) of section 6-09 of title 48 of the Rules of the City of New York are amended to read as follows:

(b) A Respondent may appear for a hearing by:

(1) Appearing [in person] themselves or by representative either by telephone, videoconferencing, or similar remote means or in person at the place, date, and time scheduled for the hearing. Respondent's appearance is timely if Respondent or Respondent's representative appears at the scheduled hearing location in person or by telephone, videoconferencing, or similar remote means, and is ready to proceed within three (3) hours of the scheduled hearing time for a summons. However, a representative or attorney appearing on fifteen (15) or more summonses on a given hearing date must comply with the requirements set forth in § 6-24 to be considered timely; or

(2) Appearing by written communication, including postal mail, written online communication, or by other similar remote [methods] means, pursuant to § 6-10[, only where the summons indicates that such opportunity is available to a Respondent. Where the summons requires personal appearance, a Respondent must appear pursuant to subsection (1) of this subdivision] when the opportunity to do so is offered by the Tribunal.

(e) *Failure to Appear by Respondent.* A Respondent's failure to appear timely pursuant to subsection (1) of subdivision (b) of this section, or to make a timely request to reschedule pursuant to § 6-05 constitutes a default and subjects the Respondent to penalties in accordance with § 6-20.

(f) Notwithstanding any other provision of this section, attorneys or registered representatives who appear in person on fifteen (15) or more summonses on a given hearing date, and those who appear remotely on any matter, must comply with the requirements set forth in § 6-24 and § 6-24a respectively. Failure to do so constitutes a default and subjects the Respondent to penalties in accordance with § 6-20.

§ 14. The title and subdivision (a) of section 6-10 of title 48 of the Rules of the City of New York are amended to read as follows:

§ 6-10 Written Remote Adjudications.

(a) When the opportunity to do so is offered by the Tribunal, a Respondent may contest a violation by written communication, including by postal mail, written online communication, [by telephone] or by other similar remote [methods] means, as permitted by the Tribunal.

§ 15. Subdivision (d) of section 6-10 of title 48 of the Rules of the City of New York, relating to adjudications by telephone, is REPEALED.

§ 16. Section 6-24 of title 48 of the Rules of the City of New York is amended to read as follows:

§ 6-24 Pre-hearing Notification of Schedule for Attorneys and Registered Representatives for In Person Hearings.

(a) No attorney or registered representative may appear in person on fifteen (15) or more summonses on a given hearing date unless:

(1) No later than noon [two (2)] three (3) business days before the scheduled hearing date, the Tribunal office in the borough where the cases are scheduled to be heard receives from the attorney or registered representative by email a written list of all scheduled cases;

(2) Notices of Appearance are submitted in advance of the scheduled hearing, as directed by the Tribunal, to the Tribunal office in the borough where cases are scheduled to be heard; and

(3) [The attorney or registered representative appears at or before the scheduled hearing time, at the place and date for the scheduled hearing. The timeliness requirements set forth in § 6-09(b)(1), which allows a Respondent or a Respondent's representative to appear within three (3) hours of the scheduled hearing time, does not apply when an attorney or representative is appearing on fifteen (15) or more summonses on a given hearing date] The Respondent's

attorney or representative appears no later than the earliest scheduled hearing time set forth on the summonses to be heard. The timeliness requirements set forth in § 6-09(b)(1) do not apply in such circumstances.

(b) Cases may be added to this list on the day of the hearing at the discretion of the Tribunal.

§ 17. Subchapter F of chapter 6 of title 48 of the Rules of the City of New York is amended by adding a new section 6-24a to read as follows:

§ 6-24a Pre-hearing Notification of Schedule for Attorneys and Registered Representatives for Hearings by Telephone, Video-Conferencing or Other Similar Remote Means.

(a) No attorney or registered representative may appear by telephone, video-conferencing or other similar remote means unless:

(1) No later than noon three (3) business days before the scheduled hearing date, the Tribunal receives from the attorney or registered representative a list of all scheduled summonses in a format required by the Tribunal;

(2) The attorney or registered representative submits only one list per hearing date and submits that list electronically pursuant to the Tribunal's direction to a recipient designated by the Tribunal, regardless of the county in which the summonses were scheduled;

(3) The attorney or registered representative makes no changes or additions to the list, unless it is to withdraw their representation on a matter; and

(4) The attorney or registered representative calls in for their first scheduled hearing no later than the earliest scheduled hearing time as set forth on the summonses or reschedule notices to be heard. The timeliness requirements set forth in § 6-09(b)(1) do not apply in such circumstance.

(b) No one registered representative or attorney may appear by remote means on a single hearing date for more than twenty-five (25) summonses, unless an exception is granted by the Tribunal prior to the hearing date.

(c) Where a law firm or representative firm has more than twenty-five (25) cases scheduled on a hearing date, it must assign an additional registered representative or attorney for each group of up to twenty-five (25) summonses to be heard on that date, unless an exception is granted by the Tribunal prior to the hearing date.

(d) The law firm or representative firm must provide the names of the additional registered representatives or attorneys who will appear on the additional groups of cases on that date. Once a registered representative or attorney is assigned to appear on a group of summonses, a different registered representative or attorney may not appear in their place.

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BUILDINGS

■ NOTICE

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendments to Section 103-04 of Chapter 100 of Title 1 of the Rules of the City of New York, regarding façade inspections.

This rule was first published on August 12, 2021 and a public hearing thereon was held on September 15, 2021.

Dated: 10/4/21 /s/ Melanie E. La Rocca
New York, New York Commissioner

Statement of Basis and Purpose of Rule

Rule 103-04 sets out requirements for façade inspections and report filing. The purpose of these amendments is to:

- clarify the physical examination requirements for buildings that do not front a public right of way
- clarify how the number of stories is determined for the purposes of façade inspections
- provide a mechanism for owners who did not file a report in the previous cycle to file at any time in the next cycle.

The Department of Buildings' authority for this rule is found in sections 643 and 1043 of the New York City Charter and Article 302 of the New York City Administrative Code.

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

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

Section 1. Subparagraph (iv) of paragraph (2) of subdivision (c) of section 103-04 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(iv) The methods used to examine the building must permit a complete inspection of same. Except as herein required, the use of a scaffold or other observation platform is preferred, but the QEWI may use other methods of inspection as he/she deems appropriate. Physical examinations from scaffolding or other observation platform (“close-up inspections”) must be performed at intervals of not more than 60'-0”, with the minimum number of physical examinations per total length of facade elevation noted in the table below. If the building does not front a public right-of-way, physical examinations are to be performed at a representative sample of the facade elevations with a minimum of one examination per building. All physical examinations shall occur along a path from grade to top of an exterior wall fronting each public right-of-way, using at least one scaffold drop or other observation platform configuration, including all exterior wall setbacks. The QEWI shall determine the most deleterious locations and perform physical examinations at those locations. The use of drones, high resolution photography, non-destructive testing, or other similar methods does not eliminate the requirements for close-up inspections.

§ 2. Subparagraph (i) of paragraph (4) of subdivision (c) of section 103-04 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(i) The requirements of this rule apply to all buildings with exterior walls or parts thereof that are greater than six stories [in height, including the basement, but not the cellar, as defined in the building code, and], regardless of the information in the Certificate of Occupancy. For buildings [constructed on sloped sites] that contain six (6) [full] stories above grade plane plus [one partial story] a cellar, where more than half the height of that [partial story] cellar as measured at any individual exterior wall is above [existing grade and/or adjacent to open areas (e.g.,] the adjacent ground level, including but not limited to areaways, yards, and ramps[)], all walls of such building shall be subject to facade inspection. Conditions requiring facade inspections may also include other structures that add to the height of the building as per section BC 504. The Commissioner shall determine which additional buildings and/or parts thereof are required to file in accordance with this rule.

§ 3. Subparagraph (v) of paragraph (4) of subdivision (c) of section 103-04 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding an exception following clause (C) to read as follows:

Exception: Starting in Cycle 10, owners whose buildings have their most recent status as “No Report Filed” may file a report prior to the start of their designated filing window provided that all applicable civil penalties set out in subdivision (d) of this section are paid at the time of filing.

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HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

Notice of Adoption of Amendments to Rules Regarding Lead Poisoning Prevention and Control

NOTICE IS HEREBY GIVEN that, pursuant to the authority vested in the Commissioner of the Department of Housing Preservation and Development (“HPD”) by sections 1043 and 1802 of the New York City Charter, Local Law number 66 for the year 2019, and section 27-2090 of the Administrative Code of the City of New York, HPD is adopting amendments to Chapter 11 of Title 28 of the Rules of the City of New York, concerning lead poisoning prevention and control, to amend the definition of lead-based paint and other conforming amendments.

Statement of Basis and Purpose

These amendments to Chapter 11 of Title 28 of the Rules of the City of New York implement Local Law number 66 for the year 2019 (Local Law 66), which provides for an amendment to the definition of lead-based paint once HPD promulgates a rule stating that the federal Department of Housing and Urban Development (HUD) has provided at least one performance characteristic sheet (PCS) approving a commercially available x-ray fluorescence analyzer (XRF) tested at the level of 0.5 milligrams of lead per square centimeter. HUD has approved a PCS which provides for use of an XRF (currently Viken Detection Model Pb200i) to test for lead paint using the action level of 0.5 milligrams of lead per square centimeter. Therefore, HPD is amending its lead paint rules to include a statement about HUD's approval and to incorporate the amended definition of lead-based paint, as required by Local Law 66. Local Law 66 defines lead-based paint as "0.5 milligrams of lead per square centimeter or greater, as determined by laboratory analysis, or by an x-ray fluorescence analyzer."

The amendments to the rules clarify that, upon an XRF reading at the level of 0.5 milligrams of lead per square centimeter, HPD inspectors will presume lead-based paint on a surface during an inspection of lead paint hazards using an XRF, based upon the new lead paint definition. The PCS for the Viken Detection Model Pb200i classifies 0.5 milligrams of lead per square centimeter as inconclusive for lead paint, therefore, in accordance with existing law (Local Law number 1 for the year 2004), HPD will issue a presumed lead violation for surfaces that test at this level, based upon the presence of peeling lead paint and the residency of a child under the age of six in a multiple dwelling constructed before 1960, and permit owners to contest the presumption by submitting a laboratory analysis of a paint chip sample from the surface where the violation was placed. If the paint chip sample test is negative, the violation will be closed. If the paint chip sample test is positive or no paint chip sampling is completed, owners will be required to remediate the positive lead paint hazard violation pursuant to the law.

For exemption applications, HPD will presume lead-based paint exists for XRF readings submitted at 0.5 milligrams of lead per square centimeter if the testing is classified as inconclusive according to the PCS, unless the application contains a laboratory analysis of a paint chip sample of the surface from which the 0.5 XRF reading was taken that is negative for lead-based paint. In addition, under these amendments, owners will be permitted to submit exemption applications using the current lead paint definition of 1.0 mg/cm² until March 1, 2022, as long as the testing for such exemption application was performed prior to December 1, 2021, which is the effective date of the new lead paint definition. The new definition applies to all activities under Article 14 of the Housing Maintenance Code.

Additional information about the rule is available under the Local Law and Rules tab on the HPD website: www.nyc.gov/lead-based-paint.

New material is underlined.
[Deleted material is bracketed]

Section 1. Subdivision (t) of section 11-01 of chapter 11 of title 28 of the rules of the city of New York is amended to read as follows:

(t) Lead-based paint. (1) "Lead-based paint" shall mean paint or other similar surface coating material containing 1.0 milligrams of lead per square centimeter or greater, as determined by laboratory analysis, or by an x-ray fluorescence analyzer. If an x-ray fluorescence analyzer is used, readings shall be corrected for substrate bias when necessary as specified by the performance characteristic sheets released by the United States environmental protection agency and the United States department of housing and urban development for the specific x-ray fluorescence analyzer used. X-ray fluorescence readings shall be classified as positive, negative or inconclusive in accordance with the United States department of housing and urban development "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing" (July 2012) and the performance characteristic sheets released by the United States environmental protection agency and the United States department of housing and urban development for the specific x-ray fluorescence analyzer used. X-ray fluorescence readings that fall within the inconclusive zone, as determined by the performance characteristic sheets, shall be confirmed by laboratory analysis of paint chips, results shall be reported in milligrams of lead per square centimeter and the measure of such laboratory analysis shall be definitive. If laboratory analysis is used to determine lead content, results shall be reported in milligrams of lead per square centimeter. Where the surface area of a paint chip sample cannot be accurately measured or if an accurately measured paint chip sample cannot be removed, a laboratory analysis may be reported in percent by weight. In such case, lead-based paint shall mean any paint or other similar surface-coating material containing more than 0.5 percent of metallic lead, based on the non-volatile content of the paint or other similar surface-coating material.

(2) The federal department of housing and urban development has provided a performance characteristic sheet approving a commercially available x-ray fluorescence analyzer tested at the level of 0.5

milligrams of lead per square centimeter. Notwithstanding paragraph (1) of this subdivision, on and after December 1, 2021, "lead-based paint" shall mean paint or other similar surface coating material containing 0.5 milligrams of lead per square centimeter or greater, as determined by laboratory analysis, or by an x-ray fluorescence analyzer. X-ray fluorescence readings shall be classified as positive or negative in accordance with such performance characteristic sheet or other guidance. If laboratory analysis is used to determine lead content, results shall be reported in milligrams of lead per square centimeter. Where the surface area of a paint chip sample cannot be accurately measured or if an accurately measured paint chip sample cannot be removed, a laboratory analysis may be reported in percent by weight. In such case, lead-based paint shall mean any paint or other similar surface-coating material containing more than 0.25 percent of metallic lead, based on the non-volatile content of the paint or other similar surface-coating material.

§ 2. Section 11-07 of chapter 11 of title 28 of the rules of the city of New York is amended to read as follows:

§11-07 **Presumption.**

(a) In any multiple dwelling erected prior to January first, nineteen hundred sixty, it shall be presumed that the paint or other similar surface-coating material in any dwelling unit where a child of applicable age resides or in the common areas of such multiple dwelling is lead-based paint.

(b) For purposes of the definition of lead-based paint set forth in section 27-2056.2(7)(b) of article 14 of the housing maintenance code and subdivision (t)(2) of section 11-01 of these rules, if such paint or other similar surface-coating material in a multiple dwelling erected prior to January 1, 1960 where a child of applicable age resides or in the common areas of such multiple dwelling, has not been tested by an x-ray fluorescence analyzer (XRF) and measured to be negative for lead-based paint in accordance with the performance characteristic sheet (PCS), or has been tested by an XRF and such test result is inconclusive in accordance with such PCS, and a laboratory analysis of a paint chip sample has not been performed, such paint is lead-based paint.

(c)(1) The presumption established in this section may only be rebutted as provided in paragraph (2) of this subdivision by the registered owner, registered officer or director of a corporate owner or by a registered managing agent of such multiple dwelling by submitting to the department:

(i) a sworn written statement, supported by XRF lead-based paint testing [sampling] results, including a description of the testing methodology and manufacturer and model of instrument used to perform such testing or [sampling] laboratory tests of paint chip samples;

(ii) a sworn written statement by the person who performed the testing or paint chip sampling if performed by an employee or agent of the owner which shall include a copy of the certificate of training as a certified lead-based paint inspector or risk assessor as provided in subdivision (d) of this section;

(iii) a copy of the inspection report provided by the person who performed the testing or paint chip sampling which shall include a description of the surfaces in each room where such testing or paint chip sampling was performed; and

(iv) a copy of the results of such testing [and/or] or such laboratory tests of paint chip samples performed by an independent laboratory certified by the state of New York where such [testing] paint chip sampling has been performed.

(2) Such written statement and all supporting documentation shall be submitted to the department not later than [six (6) days before] the date set for correction in the notice of violation in accordance with paragraph (1) of this subdivision, and may only be submitted to rebut the presumption where the department has not performed an XRF test prior to issuing such violation]. Receipt by the department of a complete application in accordance with this subdivision including such written statement and such supporting documentation shall toll the time period to correct the violation. Receipt of an incomplete application shall not toll the time period for correction of the violation] or where the department has performed an XRF test with a result classified as inconclusive for lead-based paint in accordance with the PCS.

(3) The department shall notify the registered owner, registered officer or director of a corporate owner or registered managing agent of such multiple dwelling of its determination in writing [, and, if the department determines that such presumption has not been rebutted, such notice shall set a date for correction of the violation].

(c) (d) Where x-ray fluorescence (XRF) testing or laboratory sampling is performed to rebut the presumption established in this section, the performance of such testing or sampling shall be in accordance with the applicable definition for lead-based paint established in §11-01(t) of these rules and §27-2056.2(7) of article 14 of the housing maintenance code. Laboratory analysis for paint chip samples shall be permitted only where XRF tests fall within the inconclusive zone for the particular XRF machine or where the configuration of the surface or component to be tested is such that

an XRF machine cannot accurately measure the lead content of such surface or component. Laboratory tests of paint chip samples, where performed, shall be reported in mg/cm2, unless the surface area of a paint chip sample cannot be accurately measured, or if an accurately measured paint chip sample cannot be removed, in which circumstance the laboratory test may be reported in percent by weight as provided in such applicable lead-based paint definition. Where paint chip sampling has been performed, the sworn written statement by the person who performed the testing shall include a statement that such sampling was done in accordance with 40 CFR §745.227 or successor provisions.

[(d)] (e) Testing performed to rebut the presumption may only be performed by a person who has been certified as a lead-based paint inspector or risk assessor in accordance with subparts L and Q of 40 CFR part 745 or successor provisions and such testing shall be performed in accordance with 40 CFR §745.227(a) and (b), or successor provisions.

§ 3. Subdivisions (b), (e), and (f) of section 11-08 of chapter 11 of title 28 of the rules of the city of New York are amended to read as follows:

§11-08 Exemption from Presumption—Lead Free and Lead Safe.

(b) (1) Lead Free Exemption. A lead free exemption will be granted where such owner or such other person specified in subdivision (a) of this section submits a written determination made by a lead-based paint inspector or risk assessor certified pursuant to subparts L and Q of 40 CFR part 745 or successor provisions, and in accordance with 40 CFR §745.227(b), or Chapter 7 of the department of housing and urban development's Guidelines for Evaluation and Control of Lead-Based Paint Hazards in Housing (2012), that each tested surface and component in each dwelling unit in such multiple dwelling or in the individual dwelling unit, if applying for an exemption of a particular dwelling unit in such multiple dwelling, or in a common area of a multiple dwelling, (i) is free of lead-based paint, [as defined] in accordance with the applicable definition for lead-based paint established in §11-01(t) of these rules and §27-2056.2(7) of article 14 of the housing maintenance code, or (ii) has been made free of lead-based paint through the complete removal of lead-based paint from any surface or component, or the removal or replacement of any surface or component that may have contained lead-based paint. In applying for a lead free exemption, such owner or other specified person shall confirm in the exemption application that, to the best of his or her knowledge, no surfaces in the dwelling unit, dwelling, or common area for which the exemption is sought that contain paint have been encapsulated or contained. X-ray fluorescent analyzer (XRF) readings submitted at 0.5 milligrams of lead per square centimeter that are inconclusive in accordance with the performance characteristic sheet will be presumed to contain lead-based paint unless the application contains a laboratory analysis of a paint chip sample of the surface from which the 0.5 XRF reading was taken that is negative for lead-based paint.

(2) Lead Safe Exemption. A lead safe exemption will be granted where the owner or such other person specified in subdivision (a) of this section submits a written determination made by a lead-based paint inspector or risk assessor certified pursuant to subparts L and Q of 40 CFR part 745 or successor provisions, and in accordance with 40 CFR §745.227(b), or Chapter 7 of the department of housing and urban development's Guidelines for Evaluation and Control of Lead-Based Paint Hazards in Housing (2012), that lead-based paint, in accordance with the applicable definition for lead-based paint established in §11-01(t) of these rules and §27-2056.2(7) of article 14 of the housing maintenance code, on each surface and component (i) in each dwelling unit from which lead-based paint was not fully removed or replaced, or (ii) in each dwelling unit in a property if the exemption is based upon the appropriate sampling combination of components and surfaces in each unit, or (iii) in a common area of a multiple dwelling, has been contained so that each surface tested is negative for such lead-based paint or has been encapsulated. For purposes of this section, the term "contained" shall mean that every surface containing lead-based paint has been temporarily covered, enclosed and sealed with sheetrock or similar durable construction material to eliminate gaps which may allow access to or dispersion of dust or other matter from the underlying surface. XRF readings submitted at 0.5 milligrams of lead per square centimeter that are inconclusive in accordance with the performance characteristic sheet will be presumed to contain lead-based paint unless the application contains a laboratory analysis of a paint chip sample of the surface from which the 0.5 XRF reading was taken that is negative for lead-based paint.

(e)(1) Upon submission of a complete application for exemption to the department, such multiple dwelling or common area or other part thereof, or dwelling unit, the department shall review such application and notify the applicant whether the multiple dwelling, or common area or other part thereof, or dwelling unit, has been granted a lead safe or lead free exemption from application of the presumption established under article 14 of the housing maintenance code and §11-07 of these rules.

(2)(i) The department may revoke a lead safe exemption granted pursuant to this section where the department determines, after

inspection, that a surface in any dwelling unit for which lead-based paint was contained or to which an encapsulant was applied is no longer intact or sealed.

(ii) The department may revoke a lead safe or lead free exemption upon failure by an owner to provide records related to encapsulation or containment monitoring as requested by the Department.

(3) The department shall revoke a lead safe or lead free exemption upon the:

(i) issuance of a denial of a rebuttal of a lead-based paint violation based upon the presumption of lead paint for such dwelling unit filed pursuant to subdivision a of section 27-2056.5 where the department finds that lead-based paint was present on a surface that was subject to such exemption,

(ii) issuance of a lead-based paint violation based upon testing by the department for such dwelling unit,

(iii) issuance of an order to abate lead-based paint hazards or unsafe lead-based paint by the department of health and mental hygiene,

(iv) issuance of a denial of an objection to such a commissioner's order to abate filed pursuant to section 173.13 of the health code, or

(v) issuance of a determination that the exemption was based upon fraud, mistake, or misrepresentation.

(4) For exemptions that were approved prior to [the effective date of the rule promulgated by the department pursuant to paragraph (b) of subdivision (7) of section 27-2056.2 of the administrative code] December 1, 2021 pursuant to the definition of lead-based paint in paragraph (a) of subdivision (7) of section 27-2056.2 of article 14 of the housing maintenance code and subdivision (t)(1) of section 11-01 of these rules, a lead free or lead safe exemption shall be deemed revoked upon the turnover of a dwelling unit [on or after such effective date and subject to subdivision (f) of this section] on or after December 1, 2021. Owners may continue to submit applications for exemptions using such definition of lead-based paint, provided that (i) the testing for lead-based paint was conducted prior to December 1, 2021, (ii) the complete application for exemption is submitted to the department on or before March 1, 2022 and (iii) there was or will be no turnover of the unit between December 1, 2021 and March 1, 2022. Exemptions that are granted using such definition of lead-based paint shall be deemed revoked upon the turnover of a dwelling unit after December 1, 2021.

(f)(1) On or after [the effective date of the rule promulgated by the department pursuant to paragraph (b) of subdivision (7) of section 27-2056.2 of the administrative code] December 1, 2021, an owner who had received [a lead free or lead safe] any exemption prior to such date must notify the department whenever an exempted unit becomes vacant. The exemption from the presumption for such vacant unit shall be deemed revoked on the date of the vacancy, regardless of whether an owner has failed to provide the required notification, and such unit shall be subject to all of the requirements of law relating to units that are not exempt from the presumption of lead-based paint. The owner of such unit may apply for a new exemption by submitting an application as provided in this section, and the testing required pursuant to this section shall be performed using the definition of lead-based paint in effect on and after [such date] December 1, 2021.

(2) An owner may also apply for a lead free or lead safe exemption [for the first time] on or after [the effective date of the rule promulgated by the department pursuant to paragraph (b) of subdivision (7) of section 27-2056.2 of the administrative code as provided in this section] November 1, 2021, and the testing required pursuant to this section shall be performed using the definition of lead-based paint [in effect on and after such date] in paragraph (b) of subdivision (7) of section 27-2056.2 of article 14 of the housing maintenance code and paragraph (2) of subdivision (t) of section 11-01 of these rules.

§ 4. This rule shall take effect on December 1, 2021, provided, however, that paragraph (2) of subdivision (f) of section 11-08 of chapter 11 of title 28 of the rules of the city of New York, as amended by section three of this rule, shall be deemed to have been in effect on November 1, 2021 for purposes of submission of exemption applications.

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SPECIAL MATERIALS

MAYOR'S OFFICE OF CONTRACT SERVICES

■ NOTICE

Notice of Intent to Issue New Solicitation(s) Not Included in FY 2022 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitation(s) not included in the FY 2022 Annual Contracting Plan and Schedule that is published, pursuant to New York City Charter § 312(a):

Agency: Administration for Children's Services
Description of services sought: Quality Assurance and Claiming for Child Care Subsidy System
Start date of the proposed contract: 1/1/2022
End date of the proposed contract: 12/31/2022
Method of solicitation the agency, intends to utilize: MWBE
Noncompetitive
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

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CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel for the Board of Election Poll Workers for period ending 08/06/21.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel for the Board of Election Poll Workers for period ending 08/06/21.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists MENDIETA and MENDONCA.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel for the Board of Election Poll Workers for period ending 08/06/21.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel for the Board of Election Poll Workers for period ending 08/06/21.

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like NAZARIO IVETTE, NELSON WOODLYNE, NEWLAND CHLOE, etc.

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like PEREZ AMBELY, PERKINS BRYAN, PERKINS DESTINY, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like OLEARY DANIEL, OLIVE NATASHA, OLIVIO WHITNEY, etc.

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like PROTAY IRTIZA, PUGH EUNICE, PUGLIESE DOLORES, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like RAI INDRA, RAI MONIKA, RAISA TAHMINA, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, TITLE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like PENG MINGHUE, PERCIVAL ROBERT, PEREIRA CLAUDIO, etc.

Table with columns: NAME, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists employees like RICE, RICH, RIGG-REIVES, etc.

Table with columns: NAME, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists employees like SCHUMEISTER, SCOTT, SEALE, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists poll workers like ROBERTSON, ROBINSON, ROBINSON, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists poll workers like SHERMAN, SHERPA, SHETTY, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists poll workers like SALCEDO-HIRALDO, SALMA, SAMARCO, etc.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 08/06/21

Table with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists poll workers like SONGINI, SORIANO, SORIANO, etc.

