



# THE CITY RECORD

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## THE CITY RECORD

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### CITY COUNCIL

#### ■ PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Monday, November 26, 2012:

#### MERCEDES HOUSE

MANHATTAN CB - 4 N 120305 ZRM  
Application submitted by Clinton Park Holdings pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 6 (Special Clinton District).

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

Article IX, Chapter 6 - Special Clinton District.

#### 96-80 EXCLUDED AREAS

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

- (a) parcels within the blocks bounded by West 50th Street, Tenth Avenue, West 56th Street and Eleventh Avenue, provided that in this area the provisions of Sections 96-40 (MODIFICATION OF GENERAL LARGE-SCALE DEVELOPMENT PROVISIONS), 96-51 (Mandatory Tree Planting Provisions) and 96-82 (C6-3X Districts) shall apply.

In addition, for parcels in C6-3X Districts, bounded by West 53rd Street, Tenth Avenue, West 54th Street and Eleventh Avenue, the following shall be permitted #uses# below the level of any floor occupied by #dwelling units#:

- (1) automobile showrooms with automobile sales and preparation of automobiles for delivery;
- (2) automobile repairs; and

- (3) New York City Police Department stables for horses, with #accessory# automobile parking.

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

For a #building#, that at the time of approval by the Department of Buildings, included space designed for stable use for New York City Police Department horses, and the ceiling height of such stable space, as measured from the #base plane#, exceeds 23 feet, then any floor space occupied by #accessory# parking located on the floor immediately above such stable space and immediately below the level of any floor occupied by #dwelling units# shall be exempted from the definition of #floor area#.

\*\*\*

#### DOWNTOWN BROOKLYN PARKING TEXT

##### BROOKLYN CB - 2 N 120384 (A) ZRK

Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article X, Chapter I (Special Downtown Brooklyn District) to modify the parking regulations of the Special Downtown Brooklyn District.

#### Article X Special Purpose Districts

##### Chapter 1 Special Downtown Brooklyn District

#### 101-01 Definitions

For purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS), Section 101-302 (Definitions Specific to the Atlantic Avenue Subdistrict) or in this Section.

#### Automated parking facility

An "automated parking facility" shall refer to an #accessory# off-street parking facility or #public parking garage# where vehicular storage and retrieval within such facility is accomplished entirely through a mechanical conveyance system, and shall not refer to a parking facility with parking lift systems that require an attendant to operate the vehicle that is to be parked.

Development or to develop

For purposes of this Chapter, "development" includes a #development#, an #enlargement# or an #extension#.

To "develop" is to create a #development#.

#### 101-50 OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

The provisions of Article II, Chapter 5 (ACCESSORY OFF-

STREET PARKING AND LOADING REGULATIONS), and Article III, Chapter 6 (ACCESSORY OFF-STREET PARKING AND LOADING REGULATIONS), shall apply, except as modified in this Section 101-50, inclusive.

#### 101-51 Minimum Parking Requirements in R7-1 Districts

In R7-1 Districts, the provisions of Article II, Chapter 5 (ACCESSORY OFF-STREET PARKING AND LOADING REGULATIONS), shall apply, except that

The provisions of this Section shall apply to all districts within the #Special Downtown Brooklyn District#, except R6B Districts:

- (a) The #accessory# parking requirements of Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified to require #accessory# off-street parking spaces for at least ~~50~~20 percent of the total number of new #dwelling units#.

- (b) There shall be no minimum parking requirement for #affordable housing units# as defined in Section 23-90 (INCLUSIONARY HOUSING), inclusive, or for #dwelling units# eligible for reduced parking pursuant to Section 25-25 (Modification of Requirements for Public, Publicly-Assisted and Government-Assisted Housing or for Non-profit Residences for the Elderly).

#### 101-52 Curb Cut Restrictions

Along the #streets# specified on Map 5 (Curb Cut Restrictions) in Appendix E of this Chapter, no curb cuts for parking facilities or loading berths shall be permitted.

However, the City Planning Commission may, by authorization, permit a curb cut, on a #street# specified on Map 5, for parking facilities and loading berths on a #zoning lot# that does not have access or egress on another #street#, provided that such curb cut will not unduly inhibit surface traffic or result in conflict between pedestrian and vehicular circulation, and will result in a good overall site plan.

#### 101-53 Reservoir Spaces

The provisions of this Section shall apply to parking facilities created after (date of adoption) or for parking facilities enlarged by 50 or more spaces after (date of adoption). For the purpose of determining required reservoir spaces, fractions equal to or greater than one-half resulting from the calculations in this Section shall be considered one reservoir space.

- (a) Attended parking facilities

Attended #accessory# off-street parking facilities, #public parking garages# or #public parking lots# with more than 25 off-street parking spaces shall provide the following amount of off-street reservoir space at the vehicular entrance:

- (1) for parking facilities with more than 25 parking spaces and up to 50 parking spaces: five percent of the total number of parking spaces;
- (2) for parking facilities with more than 50 parking spaces and up to 100 parking spaces: ten percent of the total number of parking spaces;
- (3) for parking facilities with more than 100 parking spaces and up to 200 parking spaces: ten parking spaces; and
- (4) for parking facilities with more than 200 off-street parking spaces: five percent of the total number of parking spaces. However such number of reservoir spaces need not exceed 50.

- (b) #Automated parking facilities#

For #automated parking facilities#, off-street reservoir space at the vehicle entrance shall be provided as set forth in paragraph (a) of this Section.

Each individual parking location where a driver is permitted to leave a vehicle for transfer to a mechanized automobile

storage and retrieval unit shall constitute one reservoir space. Additional reservoir spaces may be located where drivers queue to access such locations for vehicle transfer.

In addition, the number of reservoir spaces required pursuant to paragraph (a) of this Section may be reduced where the Commissioner of Buildings determines that the operational characteristics of such #automated parking facility# warrant such a reduction.

(c) Self-parking facilities

For self-parking #accessory# off-street parking facilities, #public parking garages# and #public parking lots#, where entering vehicles are required to stop before a mechanically operated barrier before entering the parking facility, such barrier shall be placed a minimum of 20 feet beyond the #street line#.

**101-54  
Garages**

**101-541  
Public parking garages**

#Public parking garages# with 225 or fewer spaces shall be permitted as of right, provided that such garages are, except for entrances and exits, entirely below the level of any #street# or #publicly accessible open area# upon which such facility, or portion thereof, fronts. In addition to a maximum number of 225 public parking spaces, such garages may include required #accessory# parking spaces, which may be provided at any level. Any #accessory# parking spaces that are not required shall be included with all other public parking spaces in such #public parking garage# for the purpose of applying any regulations in this Resolution relating to the number or location of parking spaces in such #public parking garage#.

**101-542  
Off-site accessory parking spaces in public garages**

Section 36-57 (Accessory Off-Street Parking Spaces in Public Garages) shall be modified to allow #accessory# off-street parking spaces in any #public parking garage developed# after (date of adoption) provided such off-site spaces comply with the provisions of Section 101-56 (Location of Off-Site Parking Spaces).

**101-543  
Pedestrian safety**

The provisions of this Section shall apply to parking facilities created after (date of adoption) or for parking facilities enlarged by 50 or more spaces after (date of adoption). For all #accessory# parking garages and #public parking garages#, the following safety features shall be provided at all vehicular exit points:

- (a) a 'stop' sign which shall be clearly visible to drivers. Such signage shall comply with the standards set forth in the Manual of Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration (FHWA) for a conventional single lane road; and
- (b) a speed bump, which shall be located within the exit lane of the parking facility. Such speed bump shall:
- (1) span the entire width of such exit lane;
  - (2) have a minimum of two inches in height, as measured from the adjoining grade of the exit lane and shall have a maximum depth of 12 inches; and
  - (3) be located a minimum of four feet beyond the #street line#, as measured perpendicular to the #street line#.

**101-544  
Stackers in garages**

Within an enclosed attended parking facility with parking lift systems, for individual lifted trays upon which a vehicle is stored, each tray upon which a vehicle is stored shall be considered 153 square feet of #floor area#, except for portions exempt from the definition of #floor area# pursuant to Section 12-10 (DEFINITIONS).

**101-545  
Automated parking facilities**  
For an #automated parking facility#, the minimum size of spaces regulated in Sections 25-62 (Size and Location of Spaces) and 36-351 (Size of spaces) shall not apply. For the purpose of calculating parking spaces in #automated parking facilities#, each tray upon which a vehicle is stored shall constitute one off-street parking space. However, auxiliary parking trays may be exempted from constituting a parking space where the Commissioner of Buildings determines that such auxiliary parking trays are needed to routinely store and retrieve vehicles for the efficient operation of such #automated parking facility#.

Within an #automated parking facility#, each tray upon which a vehicle is stored shall be considered 153 square feet of #floor area#, except for portions exempt from the definition of #floor area# pursuant to Section 12-10 (DEFINITIONS).

**101-546  
Special permit for public parking garages**

Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) shall not apply to #public parking garages#. In lieu thereof, the following provisions shall apply.

The City Planning Commission may permit:

- (a) a #public parking garage# that does not comply with the provisions of Section 101-541 (Public parking garages) provided that such garage complies with all other applicable regulations set forth in Section 101-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS); and
- (b) floor space on one or more #stories#, up to a height of 23 feet above #curb level#, to be exempted from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS).

In order to grant a special permit for such #use# or #floor area# exemption, the Commission shall find:

- (1) that such #use# will be compatible with the surrounding area, and will not adversely affect the growth and development of #uses# comprising vital and essential functions in the general area within which such #use# is to be located;
- (2) the proposed materials and articulation of the #street wall# of the parking facility are compatible with #buildings# in the surrounding area;
- (3) the ground floor level of such parking facilities that front upon #streets# with a width of 60 feet or more, or that front upon public access areas, is occupied by #commercial#, #community facility# or #residential uses# that generate activity on all such adjoining #streets# or public areas, except at the entrances and exits to the parking facility. Where site planning constraints make such #uses# infeasible, the parking facility shall be screened from such adjoining #streets# or public access areas with a strip at least five feet deep, densely planted with shrubs or trees that are at least four feet high at the time of planting and that are of a type which may be expected to form a year-round dense screen at least six feet high within three years. Where such screening is not desirable, a total of at least 50 percent of the exterior building wall with adjacent parking spaces shall consist of opaque materials that include graphic or sculptural art, or living plant material;
- (4) any floor space above the ground floor level utilized for parking is located, to the greatest extent feasible, behind #commercial#, #community facility# or #residential floor area#, so as to minimize the visibility of the parking facility from adjoining #streets# with a width of 60 feet or more, or public access areas. Any exterior wall of the parking facility visible from an adjoining #street# or public access area shall be articulated in a manner that is compatible with #buildings# in the surrounding area;
- (5) that such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow and that the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby;
- (6) that such #use# and its vehicular entrances and exits are so located as to draw a minimum of vehicular traffic to and through residential #streets# in nearby areas; and
- (7) that, if any floor space is exempted from the definition of #floor area#, such additional floor space is necessary to prevent excessive on-street parking demand and relieve traffic congestion.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area including limitations on #signs#, or requirements for shielding of floodlights, or locations of entrances and exits.

**101-55  
Restrictions on Use of Accessory Off-Street Parking Spaces**

The provisions of Section 36-46 (Restrictions on Use of Accessory Off-Street Parking Spaces) shall apply, provided that all #Commercial Districts# within the #Special Downtown Brooklyn District# shall be considered a C6 District for the purposes of such Section, inclusive. However, the provisions of this Section shall not apply within the Atlantic Avenue Subdistrict.

**101-56  
Location of Off-Site Parking Spaces**

Sections 25-50 and 36-40 (RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES) shall apply, except that where the #use# generating the parking requirement and the #zoning lot# providing the parking spaces are both within the #Special Downtown Brooklyn District#, Sections 25-521 and 36-421 (Maximum distance from zoning lot) shall be modified to permit #accessory# parking spaces to be located up to 2,500 feet from the #zoning lot# occupied by the #residences# to which they are accessory.

\* \* \*

**101-60  
FULTON MALL SUBDISTRICT**

\* \* \*

**101-63  
Modification of Accessory Off-Street Parking and Loading Requirements**

The parking regulations of Section 101-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS) shall apply except as set forth in this Section, inclusive.

\* \* \*

**101-70  
ATLANTIC AVENUE SUBDISTRICT**

\* \* \*

**101-74  
Modification of Accessory Off-Street Parking and Loading Requirements**

The provisions of Section 101-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS), inclusive, shall not apply within the Atlantic Avenue Subdistrict.

**The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Monday, November 26, 2012:**

**800-SEAT PRIMARY SCHOOL  
QUEENS CB - 4 20105658 SCQ**  
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 800-Seat Primary School facility located on the east side of 98th Street between 50th and Christie Avenues (Block 1891, Lots 1, 12, 15, 20 and 22), Borough of Queens, Community School District No. 24.

**444-SEAT PRIMARY SCHOOL**

**QUEENS CB - 5 20125527 SCQ**  
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 444-Seat Primary School facility located at 360 Seneca Avenue (Block 3425, Lot 7), Borough of Queens, Community School District No. 24.

**The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Monday, November 26, 2012.**

n19-26

■ HEARING

**HEARING BY THE COMMITTEE ON RULES,  
PRIVILEGES AND ELECTIONS**

**THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON TUESDAY, NOVEMBER 27, 2012 AT 10:30 A.M. IN THE COMMITTEE ROOM AT CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTERS:**

**Advice and Consent**

- **Preconsidered-M**, Communication from the Mayor submitting the name of Nicholas Scopetta, a resident of Manhattan, for appointment to the New York City Conflicts of Interest Board pursuant to §§ 31 and 2602 of the *New York City Charter*. Should Mr. Scopetta receive the advice and consent of the Council, he will replace Steven Rosenfeld and serve the remainder of a six-year term that will expire on March 31, 2014.

**AND SUCH OTHER BUSINESS AS MAY BE NECESSARY**

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

Michael M. McSweeney  
City Clerk, Clerk of the Council

n20-27

**CITY PLANNING COMMISSION**

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street, New York, NY, on Wednesday, November 28, 2012 at 10:00 A.M.**

**BOROUGH OF THE BRONX**

No. 1

**CROTONA PARK CHILD CARE CENTER**

**CD 3 C 120259 PQX**

**IN THE MATTER OF** an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 1600 Crotona Park East (Block 2939, Lot 90), for continued use as a child care center.

**BOROUGH OF MANHATTAN**

Nos. 2, 3 & 4

**SPECIAL HUDSON SQUARE REZONING & TEXT AMENDMENT**

No. 2

**CD 2 C 120380 ZMM**

**IN THE MATTER OF** an application submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12a:

1. changing from an M1-5B District to an M1-6 District property bounded by the former centerline of the Avenue of the Americas and its southerly prolongation, Canal Street, and the Avenue of the Americas and its southerly centerline prolongation; and
2. establishing a Special Hudson Square District bounded by West Houston Street, a line 100 feet easterly of Varick Street, Vandam Street, Avenue of the Americas, Spring Street, Avenue of the Americas and its southerly centerline prolongation, Canal Street, Hudson Street, Spring Street, and Greenwich Street;

as shown on a diagram (for illustrative purposes only) dated August 20, 2012, and subject to the conditions of CEQR Declaration E-288.

No. 3

**CD 2 N 120381 ZRM**

**IN THE MATTER OF** an application submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, to add Article VIII Chapter 8, establishing the Special Hudson Square District in Community District 2, Borough of Manhattan and to modify related Sections.

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

**Article 1  
General Provisions**

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

\* \* \*

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

\* \* \*

Establishment of the Special Hillside Preservation District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 9, the #Special Hillside Preservation District# is hereby established.

Establishment of the Special Hudson Square District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 8, the #Special Hudson Square District# is hereby established.

Establishment of the Special Hudson Yards District

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 3, the #Special Hudson Yards District# is hereby established.

\* \* \*

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

\* \* \*

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

\* \* \*

Special Hillside Preservation District (2/2/11)

The "Special Hillside Preservation District" is a Special Purpose District mapped in Staten Island designated by the letters "HS" in which special regulations set forth in Article XI, Chapter 9, apply.

Special Hudson Square District

The #Special Hudson Square District# is a Special Purpose District designated by the letters "HSQ", in which special regulations set forth in Article VIII, Chapter 8, apply.

Special Hudson Yards District (2/2/11)

The "Special Hudson Yards District" is a Special Purpose District designated by the letters "HY" in which special regulations set forth in Article IX, Chapter 3, apply.

\* \* \*

**Article VII – Administration**

\* \* \*

**Chapter 3 - Special Permits by the Board of Standards and Appeals**

\* \* \*

**73-244**  
**In C2, C3, C4\*, C6-4\*\*, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District**

In C2, C3, C4\*, C6-4\*\*, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the #Special Tribeca Mixed Use District#, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing, for a term not to exceed three years, provided that the following findings are made:

- (a) that a minimum of four square feet of waiting area within the #zoning lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. A plan shall be provided to the Board to ensure that the operation of the establishment will not result in the gathering of crowds or the formation of lines on the #street#;
- (b) that the entrance to such #use# shall be a minimum of 100 feet from the nearest #Residence District# boundary;
- (c) that such #use# will not cause undue vehicular or pedestrian congestion in local #streets#;
- (d) that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhoods;
- (e) that such #use# will not cause the sound level in any affected conforming #residential use#, #joint living-work quarters for artists# or #loft dwelling# to exceed the limits set forth in any applicable provision of the New York City Noise Control Code; and
- (f) that the application is made jointly by the owner of the #building# and the operators of such eating or drinking establishment.

The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows, provision of sound-lock vestibules, specification of acoustical insulation, maximum size of establishment, kinds of amplification of musical instruments

or voices, shielding of flood lights, adequate screening, curb cuts or parking.

Any violation of the terms of a special permit may be grounds for its revocation.

\* In C4 Districts where such #use# is within 100 feet from a #Residence District# boundary

\*\* In C6-4 Districts mapped within that portion of Community District 5, Manhattan, bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West 16th Street and West 17th Street, and a line 100 feet east of Sixth Avenue

\* \* \*

**Article VIII - Special Purpose Districts**

\* \* \*

**Chapter 8**  
**Special Hudson Square District**

**88-00**  
**GENERAL PURPOSES**

The Special Hudson Square District established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) support the growth of a mixed residential, commercial and industrial neighborhood by permitting expansion and new development of residential, commercial and community facility uses while promoting the retention of commercial uses and light manufacturing uses;
- (b) recognize and enhance the vitality and character of the neighborhood for workers and residents;
- (c) encourage the development of buildings compatible with existing development;
- (d) regulate conversion of buildings while preserving continued manufacturing or commercial use;
- (e) encourage the development of affordable housing;
- (f) promote the opportunity for workers to live in the vicinity of their work;
- (g) retain jobs within New York City; and
- (h) promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

**88-01**  
**Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS). Qualifying building

For the purposes of this Chapter, a "qualifying #building#" shall be any #building# that contained at least 70,000 square feet of #floor area# on (date of referral).

**88-02**  
**General Provisions**

In harmony with the general purposes and intent of this Resolution and the general purposes of the #Special Hudson Square District#, the provisions of this Chapter shall apply within the #Special Hudson Square District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

**88-03**  
**District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Hudson Square District# Plan.

The District Plan includes the following map in the Appendix to this Chapter:

Map 1 Special Hudson Square District and Subdistricts

This map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

**88-04**  
**Subdistricts**

In order to carry out the purposes and provisions of this Chapter, two subdistricts are established as follows:

Subdistrict A

Subdistrict B.

The Subdistricts are specified on Map 1 (Special Hudson Square District and Subdistricts) in the Appendix to this Chapter.

**88-05**  
**Applicability of District Regulations**

**88-051**  
**Applicability of Article I, Chapter 5**

The conversion to #dwelling units# of non-#residential buildings# erected prior to January 1, 1977, or portions thereof, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (Minor Modifications), paragraph (b), except as superseded or modified by the provisions of this Chapter.

**88-10**  
**SUPPLEMENTAL USE REGULATIONS**

All permitted #uses# in the underlying districts, as set forth in Section 42-10 (USES PERMITTED AS-OF-RIGHT), shall comply with the provisions set forth in this Section, inclusive.

**88-11**  
**Residential Use**

#Residential use# shall be permitted in accordance with the provisions of this Section.

(a) Residential use as-of-right

#Residential use# shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. As a condition to receiving a building permit, such absence of a qualifying #building# on the #zoning lot# must be demonstrated to the satisfaction of the Department of Buildings.

(b) Residential use by certification

#Residential use# shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot#, as it existed on (date of referral), will contain at least the amount of non-#residential floor area# that existed within such qualifying #buildings# on the zoning lot on (date of referral), subject to the following:

- (1) non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not count toward meeting the requirements of this certification.

However, non-#residential floor area# converted to #residential# vertical circulation space and lobby space need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-#residential floor area# that existed within such qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #residential#, or for any #development# containing #residences#.

**88-12**  
**Community Facility Use**

The #community facility use# regulations applicable in M1 Districts shall not apply in the #Special Hudson Square District#. In lieu thereof, all #community facility uses# listed in Use Groups 3 and 4 shall be permitted, except that #community facilities# with sleeping accommodations shall only be permitted in accordance with paragraphs (a) or (b) of this Section, as applicable.

(a) #Community facilities# with sleeping accommodations shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. As a condition to receiving a building permit, such absence of a qualifying #building# on the #zoning lot# shall be demonstrated to the satisfaction of the Department of Buildings.

(b) #Community facilities# with sleeping accommodations shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of non-#residential floor area# that existed within qualifying #buildings# on the zoning lot on (date of referral), subject to the following:

- (1) non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall

not count toward meeting the requirements of this certification.

However, non-residential floor area converted to vertical circulation and lobby space associated with a community facility with sleeping accommodations need not be replaced as non-residential floor area.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-residential floor area that existed within such qualifying buildings on (date of referral) on the zoning lot. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in use from non-residential to community facility uses with sleeping accommodations, or for any development containing community facility uses with sleeping accommodations.

- (c) Ground floor community facility uses shall be subject to the streetscape provisions set forth in Section 88-131 (Streetscape Provisions).

### 88-13 Commercial Use

The commercial use regulations applicable in M1 Districts shall apply in the Special Hudson Square District, except that:

- (a) food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited as to the size of the establishment;
- (b) uses listed in Use Group 6A, other than food stores, Use Groups 6C, pursuant to Section 42-13, 6E, 10 and 12B, shall be limited to 10,000 square feet of floor area at the ground floor level, per establishment. Portions of such establishments located above or below ground floor level shall not be limited in size;
- (c) ground floor commercial uses shall be subject to special streetscape provisions set forth in Section 88-131 (Streetscape provisions);
- (d) commercial uses permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive;
- (e) transient hotels shall be allowed, except that:
- (1) development or enlargement of transient hotels with greater than 100 sleeping units on zoning lots where residential use is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the "residential development goal" has been met for the Special Hudson Square District as set forth in this paragraph, (e)(1), or,
  - (2) where such "residential development goal" has not been met, by special permit pursuant to Section 88-132 (Special permit for large transient hotels):

#### Residential Development Goal

The residential development goal shall be met when at least 2,255 dwelling units, permitted pursuant to the provisions of Section 88-11 (Residential Use), within the Special Hudson Square District have received temporary or final certificates of occupancy subsequent to [date of enactment].

- (3) A change of use within a qualifying building to a transient hotel with greater than 100 sleeping units shall only be allowed by special permit, pursuant to Section 88-132;
- (f) eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244.

### 88-131 Streetscape provisions

For zoning lots with street frontage of 50 feet or more, the location of certain uses shall be subject to the following use requirements:

- (a) For uses located on the ground floor or within five feet of curb level, limited to Use Groups 6A, 6C, 7B, 8A, 8B, 9A, 10A, 12A and 12B, shall have a depth of at least 30 feet from the building wall facing the street and shall extend along a minimum of 50 percent of the width of the street frontage of the zoning lot.
- (b) The remainder of the street frontage of the

zoning lot may be occupied by any permitted uses, lobbies or entrances to parking spaces, except that lobbies shall be limited to a total width of 40 feet per street frontage. The 30 foot minimum depth requirement shall not apply where a reduction in such depth is necessary in order to accommodate a residential lobby or vertical circulation core.

- (c) In Subdistrict A, for portions of a building bounding a public park, the ground floor requirements of paragraph (a) of this Section shall apply to 100 percent of the width of the street frontage of the zoning lot, and residential lobbies and schools shall be permitted uses on the ground floor for purposes of compliance with paragraph (a) of this Section.

For zoning lots with street frontage of less than 50 feet, no special ground floor requirements shall apply.

Enclosed parking spaces, or parking spaces covered by a building, including such spaces accessory to residences, shall be permitted to occupy the ground floor provided they are located beyond 30 feet from the building wall facing the street.

Any ground floor street wall of a development or enlargement that contains uses listed in Use Groups 1 through 15, not including dwelling units, shall be glazed with transparent materials which may include show windows, transom windows or glazed portions of doors, provided such transparent materials have a minimum width of two feet. Such transparency shall occupy at least 50 percent of the surface area of each such ground floor street wall between a height of two feet, and 12 feet or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. The lowest level of any transparency that is provided to satisfy the requirements of this Section shall not be higher than four feet above the curb level, with the exception of transom windows. In addition, the maximum width of a portion of the ground floor level street wall without transparency shall not exceed ten feet. However, where an entrance to a parking facility is provided, the requirements of this Section shall not apply to that portion of the ground floor street wall occupied by such an entrance.

### 88-132 Special permit for large transient hotels

- (a) Developments or enlargements

In the Special Hudson Square District, prior to the "residential development goal" set forth in paragraph (f) of Section 88-13 (Commercial Use) having been achieved, the City Planning Commission may permit developments or enlargements of transient hotels with greater than 100 sleeping units on zoning lots where residential use is permitted as-of-right, in accordance with paragraph (a) of Section 88-11 (Residential Use), provided the Commission finds that:

- (1) sufficient development sites are available in the area to meet the "residential development goal"; or
- (2) a harmonious mix of residential and non-residential uses has been established in the surrounding area, and such transient hotel resulting from a development or enlargement is consistent with the character of such surrounding area.

- (b) Changes of use

In the Special Hudson Square District, the City Planning Commission may permit the change of use of floor area within qualifying buildings to a Use Group 5 transient hotel with greater than 100 sleeping units provided that, at minimum, the amount of floor area changed to such transient hotel is:

- (1) preserved for Use Group 6B office use within a qualifying building located within the Special Hudson Square District, or
- (2) created for Use Group 6B office use within a building developed after (date of referral), or within the enlarged portion of a building, where such enlargement was constructed within one year of the date an application pursuant to this Section is filed with the Department of City Planning (DCP). Such developed or enlarged buildings may be located anywhere within the Special Hudson Square District, and shall have either temporary or final certificates of occupancy for Use Group 6B office use.

In order to permit such change of use, the Commission shall find that the proposed transient hotel is so located as not to impair the essential character, or the future use or development, of the surrounding area.

A restrictive declaration acceptable to the DCP shall be executed and recorded, binding the owners, successors and assigns to preserve an amount of Use Group 6B office use within a qualifying building, or created within a development or

enlargement, as applicable. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in use from Use Group 6B office use to any other use.

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

### 88-14 Manufacturing Use

In the Special Hudson Square District, manufacturing uses permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive.

### 88-20 SIGN REGULATIONS

In the Special Hudson Square District, signs are subject to the regulations applicable in C6-4 Districts, as set forth in Section 32-60, inclusive.

### 88-30 SPECIAL BULK REGULATIONS

Except as modified in this Chapter, the following bulk regulations shall apply:

- (a) For developments, enlargements, or changes of use containing residences, the bulk regulations of an R10 District, as set forth in Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) shall apply;
- (b) For developments, enlargements, or changes of use containing manufacturing, commercial or community facility uses, the bulk regulations set forth in Article IV, Chapter 3 (Bulk Regulations), shall apply.

For the purposes of applying the regulations of this Section, Greenwich Street shall be a wide street.

### 88-31 Floor Area Regulations

Except in Subdistricts A and B, the maximum floor area ratio for zoning lots that do not contain residences shall be 10.0; no floor area bonuses shall apply.

The maximum base floor area ratio for zoning lots that contain residences shall be 9.0 plus an amount equal to 0.25 times the non-residential floor area ratio provided on the zoning lot, provided that such base floor area ratio does not exceed 10.0. Such floor area ratio may be increased to a maximum of 12.0 only as set forth in Section 88-32 (Inclusionary Housing).

### 88-311 Special floor area regulations in Subdistrict A

For zoning lots in Subdistrict A that do not contain residences, the maximum floor area ratio shall be 10.0; no floor area bonuses shall apply.

For zoning lots in Subdistrict A containing residences, the maximum floor area ratio shall be 9.0 plus an amount equal to 0.25 times the non-residential floor area ratio provided on the zoning lot, provided that such base floor area ratio does not exceed 10.0.

Any floor space designated for use as a school shall be exempted from the definition of floor area for the purposes of calculating the permitted floor area ratio for community facility uses and the total maximum floor area ratio of the zoning lot, provided that such school is either:

- (a) a public school, subject to the jurisdiction of the New York City Department of Education, pursuant to an agreement accepted by the School Construction Authority; or
- (b) a charter school, subject to the New York State Education Law, pursuant to an agreement with a charter school organization.

### 88-312 Special floor area regulations in Subdistrict B

The maximum floor area ratios in Subdistrict B shall be as set forth in the following table:

	Maximum Floor Area Ratio <sup>1</sup>
Residential Use	5.4 <sup>1</sup>
Community Facility Use	6.5
Commercial Use	6.0
Manufacturing Use	6.0

<sup>1</sup> May be increased to a maximum of 7.2 only as set forth in Section 88-32 (Inclusionary Housing)

### 88-32 Inclusionary Housing

The Special Hudson Square District, except Subdistrict A, shall be an Inclusionary Housing designated area, and the provisions of Section 23-90 (INCLUSIONARY HOUSING) applicable to R10 Districts shall apply, except that within Subdistrict B, the provisions of Section 23-90 applicable to R8 Districts shall apply.

**88-33  
Height and Setback**

In the #Special Hudson Square District#, the height and setback regulations of the underlying districts shall not apply. In lieu thereof, the provisions of this Section shall apply to all #buildings#.

(a) Rooftop regulations

(1) Permitted obstructions

The provisions of Section 33-42 shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or that the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.

In addition, dormers may penetrate a maximum base height provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all such dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

(2) Screening requirements for mechanical equipment

For all #developments#, #enlargements# and #conversions# of non-#residential floor area# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully screened on all sides. However, no such screening requirements shall apply to water tanks.

(b) Height and setback

(1) #Street wall# location

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to the minimum base height or the height of the #building#, whichever is less. On #narrow streets# beyond 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line#. For the purposes of this paragraph, (b), portions of #street walls# located up to 18 inches from a #street line# shall be considered to be located on the #street line# where a vertical element of such #street wall# is located on the #street line# and rises without setback from ground level to the top of the second #story# at intervals of at least once every 15 feet in plan and, above the level of the second #story#, where a vertical element rises without setback to the applicable minimum base height at an interval of at least once every 30 feet in plan.

On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#.

Above the level of the ground floor, recesses shall be permitted beyond 20 feet of an adjacent #building# and beyond 30 feet of the intersection of two #street lines#, as follows:

(i) Along #wide streets#

Recesses shall be provided at the level of each #story# entirely above a height of 60 feet, up to the maximum base height of the #building#. Such recesses shall have a minimum depth of five feet and a width between 10 and 40 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

(ii) Along #narrow streets#

Above the level of the second #story#, recesses in #street

walls# deeper than 18 inches shall be permitted. Such recesses may not exceed 30 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

(2) Base height

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and a maximum base height of 150 feet.

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 60 feet, or the height of the #building#, whichever is less, up to a maximum base height of 125 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may apply along a #narrow street# to a distance of 100 feet from its intersection with a #wide street#.

(3) Required setbacks and maximum #building# heights

(i) Along #wide streets#

The provisions of this paragraph, (b)(3)(i), shall apply to #buildings#, or portions thereof, located on #wide streets#, and on #narrow streets# within 100 feet from their intersection with a #wide street#. The portion of such #building# above a height of 150 feet shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. The maximum height of such #buildings# shall be 320 feet. In addition, the gross area of each of either the highest two or three #stories# of such #building# located entirely above a height of 230 feet, shall not exceed 80 percent of the gross area of the #story# directly below such highest two or three #stories#.

(ii) Along #narrow streets#

The provisions of this paragraph, (b)(3)(ii), shall apply to #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet from their intersection with a #wide street#.

The portion of such #building# above a height of 125 feet shall be set back from the #street wall# of the #building# at least 15 feet, except such dimensions may include the depth of any permitted recesses in the #street wall#.

The maximum height of such #buildings# shall be 185 feet. For #buildings# containing #residences#, no portion of such #building# exceeding a height of 125 feet shall be nearer to a #rear yard line# than ten feet.

(4) Maximum length of #building wall#

The maximum length of any #story# located entirely above a height of 150 feet shall not exceed 150 feet. Such length shall be measured in plan view by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a level of 150 feet.

(5) Vertical #enlargements#

(i) Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section.

(ii) Existing #buildings# with #street walls# that rise without setback to a height of at least 80 feet may be vertically #enlarged# in excess of one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section.

provided such #enlarged# portion is located at least 10 feet from a #wide street# and at least 15 feet from a #narrow street#.

**88-331**

**Special height and setback regulations in Subdistrict A**

For #zoning lots# in Subdistrict A, the regulations in paragraph (b) of Section 88-33 applicable to #wide streets# shall apply, except where modified or superseded by the regulations of this Section.

(a) Maximum #building# height

The maximum height of #buildings# shall be 430 feet.

(b) Lot coverage

Below a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 30 percent of the #lot area# of the #zoning lot#. Above a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 20 percent of the #lot area# of the #zoning lot#.

(c) Modification of #bulk# regulations for #zoning lots# bounding a #public park#

In the case of a #zoning lot line# #abutting# the boundary of a #public park#, such #zoning lot line# shall be considered to be a #wide street line# for the purposes of applying all #bulk# regulations of this Resolution except for #street wall# regulations. For the purposes of applying #street wall# regulations in the case of a #zoning lot line# #abutting# the boundary of a #public park#, a line no more than 45 feet west of and parallel to the nearest boundary line of the #public park# shall be considered a #wide street line#.

(d) #Street wall# location

The #street wall# provisions of this Chapter shall apply, except that, for the portion of a #building# bounding a #public park#, the #street wall# shall be located at the #street line# for at least 50 percent of the frontage bounding the #public park# and shall rise to the minimum base height, but not higher than the maximum base height.

**88-332**

**Special height and setback regulations in Subdistrict B**

For #zoning lots# in Subdistrict B, the regulations in paragraph (b) of Section 88-33 shall not apply. In lieu thereof, the height and setback regulations applicable in a C6-2A District shall apply.

**88-333**

**Courts**

Those portions of #buildings# that contain #residences# shall be subject to the court provisions applicable in R10 Districts as set forth in Section 23-80 (Court Regulations, Minimum Distance between Windows and Walls or Lot Lines and Open Area Requirements), inclusive.

**88-40**

**YARD REGULATIONS**

In the #Special Hudson Square District#, the yard provisions applicable in C6 Districts shall apply.

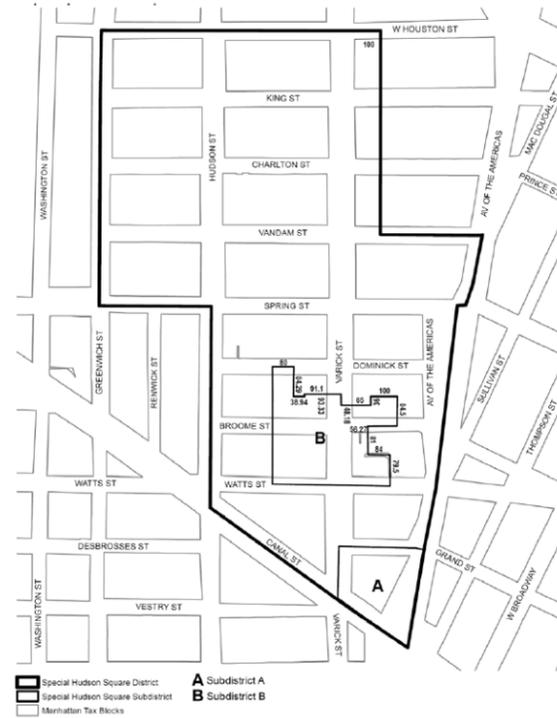
**88-50**

**PARKING AND LOADING REGULATIONS AND CURB CUT LOCATIONS**

In the #Special Hudson Square District#, the parking regulations applicable in C6-4 Districts, as set forth in Article III, Chapter 6, and as modified, pursuant to Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1,2,3,4,5,6,7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) shall apply.

**Appendix A**

**Map 1 - Special Hudson Square District and Subdistricts**



APPENDIX F  
Inclusionary Housing Designated Areas

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing designated areas# are mapped in #Commercial Districts#, the residential district equivalent has instead been specified for each map.

Table of  
Inclusionary Housing Designated Areas

by Zoning Map

Zoning Map	Community District	Maps of Inclusionary Housing Designated Areas
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9b	Queens CD 2	Map 1
9d	Queens CD 2	Map 1, Map 2
12a	Manhattan CD 1	Map 1
12a	Manhattan CD 2	Map 1
12c	Manhattan CD 3	Map 1
12c	Brooklyn CD 1	Map 1, Map 2

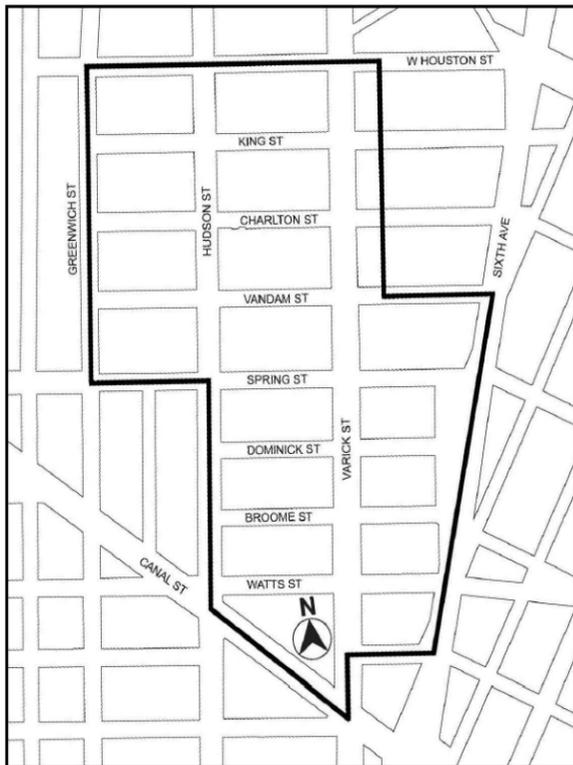
**Manhattan**  
Manhattan Community District 1

Manhattan Community District 2

In the M1-6 Districts within the areas shown on the following Map 1:

Map 1

#Special Hudson Square District# – see Section 88-32  
Portion of Community District 2, Manhattan



No. 4

**CD 2** **N 120381 (A) ZRM**  
**IN THE MATTER OF** an application submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, to add Article VIII Chapter 8, establishing the Special Hudson Square District in Community District 2, Borough of Manhattan and to modify related Sections.

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

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

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

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

**Establishment of the Special Hillside Preservation District**

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 9, the #Special Hillside Preservation District# is hereby established.

**Establishment of the Special Hudson Square District**

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 8, the #Special Hudson Square District# is hereby established.

**Establishment of the Special Hudson Yards District**

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 3, the #Special Hudson Yards District# is hereby established.

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

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

**Special Hillside Preservation District (2/2/11)**

The “Special Hillside Preservation District” is a Special Purpose District mapped in Staten Island designated by the letters “HS” in which special regulations set forth in Article XI, Chapter 9, apply.

**Special Hudson Square District**

The #Special Hudson Square District# is a Special Purpose District designated by the letters “HSQ”, in which special regulations set forth in Article VIII, Chapter 8, apply.

**Special Hudson Yards District (2/2/11)**

The “Special Hudson Yards District” is a Special Purpose District designated by the letters “HY” in which special regulations set forth in Article IX, Chapter 3, apply.

**Article VII – Administration**

**Chapter 3 - Special Permits by the Board of Standards and Appeals**

**73-244**  
**In C2, C3, C4\*, C6-4\*\*, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District**

In C2, C3, C4\*, C6-4\*\*, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the #Special Tribeca Mixed Use District#, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing, for a term not to exceed three years, provided that the following findings are made:

- (a) that a minimum of four square feet of waiting area within the #zoning lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. A plan shall be provided to the Board to ensure that the operation of the establishment will not result in the gathering of crowds or the formation of lines on the #street#;
- (b) that the entrance to such #use# shall be a minimum of 100 feet from the nearest #Residence District# boundary;
- (c) that such #use# will not cause undue vehicular or pedestrian congestion in local #streets#;
- (d) that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhoods;
- (e) that such #use# will not cause the sound level in any affected conforming #residential use#, #joint living-work quarters for artists# or #loft dwelling# to exceed the limits set forth in any applicable provision of the New York City Noise Control Code; and
- (f) that the application is made jointly by the owner of the #building# and the operators of such eating or drinking establishment.

The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows, provision of sound-lock vestibules, specification of acoustical insulation, maximum size of establishment, kinds of amplification of musical instruments or voices, shielding of flood lights, adequate screening, curb cuts or parking.

Any violation of the terms of a special permit may be grounds for its revocation.

- \* In C4 Districts where such #use# is within 100 feet from a #Residence District# boundary
- \*\* In C6-4 Districts mapped within that portion of Community District 5, Manhattan, bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West 16th Street and West 17th Street, and a line 100 feet east of Sixth Avenue

**Article VIII - Special Purpose Districts**

**Chapter 8**  
**Special Hudson Square District**

**88-00**  
**GENERAL PURPOSES**

The Special Hudson Square District established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) support the growth of a mixed residential, commercial and industrial neighborhood by permitting expansion and new development of residential, commercial and community facility uses while promoting the retention of commercial uses and light manufacturing uses;
- (b) recognize and enhance the vitality and character of the neighborhood for workers and residents;
- (c) encourage the development of buildings compatible with existing development;
- (d) regulate conversion of buildings while preserving continued manufacturing or commercial use;
- (e) encourage the development of affordable housing;
- (f) promote the opportunity for workers to live in the vicinity of their work;
- (g) retain jobs within New York City; and
- (h) promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

**88-01**  
**Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS).

**Qualifying building**

For the purposes of this Chapter, a “qualifying #building#” shall be any #building# that contained at least 70,000 square feet of #floor area# on (date of referral).

**88-02**  
**General Provisions**

In harmony with the general purposes and intent of this Resolution and the general purposes of the #Special Hudson Square District#, the provisions of this Chapter shall apply within the #Special Hudson Square District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

**88-03**  
**District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Hudson Square District# Plan.

The District Plan includes the following map in the Appendix to this Chapter:

**Map 1 Special Hudson Square District and Subdistrict**

This map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

**88-04**  
**Subdistricts**

In order to carry out the purposes and provisions of this Chapter, the following subdistrict is established:

**Subdistrict A**

The Subdistrict is specified on Map 1 (Special Hudson Square District and Subdistrict) in the Appendix to this Chapter.

**88-05**  
**Applicability of District Regulations**

**88-051**  
**Applicability of Article I, Chapter 5**

The conversion to #dwelling units# of non-#residential buildings# erected prior to January 1, 1977, or portions thereof, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (Minor Modifications), paragraph (b), except as superseded or modified by the provisions of this Chapter.

**88-10**  
**SUPPLEMENTAL USE REGULATIONS**

All permitted #uses# in the underlying districts, as set forth in Section 42-10 (USES PERMITTED AS-OF-RIGHT), shall comply with the provisions set forth in this Section, inclusive.

**88-11**  
**Residential Use**

#Residential use# shall be permitted in accordance with the provisions of this Section.

- (a) Residential use as-of-right

#Residential use# shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. As a condition to receiving a building permit, such absence of a qualifying #building# on the #zoning lot# must be demonstrated to the satisfaction of the Department of Buildings.

(b) Residential use by certification

#Residential use# shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot#, as it existed on (date of referral), will contain at least the amount of non-#residential floor area# that existed within such qualifying #buildings# on the zoning lot on (date of referral), subject to the following:

- (1) non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not count toward meeting the requirements of this certification.

However, non-#residential floor area# converted to #residential# vertical circulation space and lobby space need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-#residential floor area# that existed within such qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #residential#, or for any #development# containing #residences#.

**88-12  
Community Facility Use**

The #community facility use# regulations applicable in M1 Districts shall not apply in the #Special Hudson Square District#. In lieu thereof, all #community facility uses# listed in Use Groups 3 and 4 shall be permitted, except that #community facilities# with sleeping accommodations shall only be permitted in accordance with paragraphs (a) or (b) of this Section, as applicable.

(a) #Community facilities# with sleeping accommodations shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. As a condition to receiving a building permit, such absence of a qualifying #building# on the #zoning lot# shall be demonstrated to the satisfaction of the Department of Buildings.

(b) #Community facilities# with sleeping accommodations shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of non-#residential floor area# that existed within qualifying #buildings# on the zoning lot on (date of referral), subject to the following:

- (1) non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not count toward meeting the requirements of this certification.

However, non-#residential floor area# converted to vertical circulation and lobby space associated with a #community facility# with sleeping accommodations need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-#residential floor area# that existed within such qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #community facility uses# with sleeping accommodations, or for any #development# containing #community facility uses# with sleeping accommodations.

(c) Ground floor #community facility uses# shall be subject to the streetscape provisions set forth in Section 88-131 (Streetscape Provisions).

**88-13  
Commercial Use**

The #commercial use# regulations applicable in M1 Districts shall apply in the #Special Hudson Square District#, except that:

- (a) food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited as to the size of the establishment;
- (b) #uses# listed in Use Group 6A, other than food stores, Use Groups 6C, pursuant to Section 42-13, 6E, 10 and 12B, shall be limited to 10,000 square feet of #floor area# at the ground floor level, per establishment. Portions of such establishments located above or below ground floor level shall not be limited in size;
- (c) ground floor #commercial uses# shall be subject to special streetscape provisions set forth in Section 88-131 (Streetscape provisions);
- (d) #commercial uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive;
- (e) #transient hotels# shall be allowed, except that:
  - (4) #development# or #enlargement# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the "residential development goal" has been met for the #Special Hudson Square District# as set forth in this paragraph, (e)(1), or, where such "residential development goal" has not been met, by special permit pursuant to Section 88-132 (Special permit for large transient hotels):

**Residential Development Goal**

The residential development goal shall be met when at least 2,255 #dwelling units#, permitted pursuant to the provisions of Section 88-11 (Residential Use), within the #Special Hudson Square District# have received temporary or final certificates of occupancy subsequent to [date of enactment].
  - (5) A change of #use# within a qualifying #building# to a #transient hotel# with greater than 100 sleeping units shall only be allowed by special permit, pursuant to Section 88-132;
- (f) eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244.

**88-131  
Streetscape provisions**

For #zoning lots# with #street# frontage of 50 feet or more, the location of certain #uses# shall be subject to the following #use# requirements:

- (d) For #uses# located on the ground floor or within five feet of #curb level#, limited to Use Groups 6A, 6C, 7B, 8A, 8B, 9A, 10A, 12A and 12B, shall have a depth of at least 30 feet from the #building wall# facing the #street# and shall extend along a minimum of 50 percent of the width of the #street# frontage of the #zoning lot#.
- (e) The remainder of the #street# frontage of the #zoning lot# may be occupied by any permitted #uses#, lobbies or entrances to parking spaces, except that lobbies shall be limited to a total width of 40 feet per #street# frontage. The 30 foot minimum depth requirement shall not apply where a reduction in such depth is necessary in order to accommodate a #residential lobby# or vertical circulation core.
- (f) In Subdistrict A, for portions of a #building# bounding a #public park#, the ground floor #use# requirements of paragraph (a) of this Section shall apply to 100 percent of the width of the #street# frontage of the #zoning lot#, and #residential# lobbies and #schools# shall be permitted #uses# on the ground floor for purposes of compliance with paragraph (a) of this Section.

For #zoning lots# with #street# frontage# of less than 50 feet, no special ground floor #use# requirements shall apply.

Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor provided they are located beyond 30 feet from the #building wall# facing the #street#.

Any ground floor #street wall# of a #development# or #enlargement# that contains #uses# listed in Use Groups 1 through 15, not including #dwelling units#, shall be glazed with transparent materials which may include #show

windows#, transom windows or glazed portions of doors, provided such transparent materials have a minimum width of two feet. Such transparency shall occupy at least 50 percent of the surface area of each such ground floor #street wall# between a height of two feet, and 12 feet or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. The lowest level of any transparency that is provided to satisfy the requirements of this Section shall not be higher than four feet above the #curb level#, with the exception of transom windows. In addition, the maximum width of a portion of the ground floor level #street wall# without transparency shall not exceed ten feet. However, where an entrance to a parking facility is provided, the requirements of this Section shall not apply to that portion of the ground floor #street wall# occupied by such an entrance.

**88-132  
Special permit for large transient hotels**

(c) Developments or enlargements

In the #Special Hudson Square District#, prior to the "residential development goal" set forth in paragraph (f) of Section 88-13 (Commercial Use) having been achieved, the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11 (Residential Use), provided the Commission finds that:

- (1) sufficient development sites are available in the area to meet the "residential development goal"; or
- (2) a harmonious mix of #residential# and non-#residential uses# has been established in the surrounding area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with the character of such surrounding area.

(d) Changes of use

In the #Special Hudson Square District#, the City Planning Commission may permit the change of #use# of #floor area# within qualifying #buildings# to a Use Group 5 #transient hotel# with greater than 100 sleeping units provided that, at minimum, the amount of #floor area# changed to such #transient hotel# is:

- (2) preserved for Use Group 6B office #use# within a qualifying #building# located within the #Special Hudson Square District#, or
- (2) created for Use Group 6B office #use# within a #building developed# after (date of referral), or within the #enlarged# portion of a #building#, where such #enlargement# was constructed within one year of the date an application pursuant to this Section is filed with the Department of City Planning (DCP). Such #developed# or #enlarged buildings# may be located anywhere within the #Special Hudson Square District#, and shall have either temporary or final certificates of occupancy for Use Group 6B office #use#.

In order to permit such change of #use#, the Commission shall find that the proposed #transient hotel# is so located as not to impair the essential character, or the future use or development, of the surrounding area.

A restrictive declaration acceptable to the DCP shall be executed and recorded, binding the owners, successors and assigns to preserve an amount of Use Group 6B office #use# within a qualifying #building#, or created within a #development# or #enlargement#, as applicable. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from Use Group 6B office #use# to any other #use#.

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

**88-14  
Manufacturing Use**

In the #Special Hudson Square District#, #manufacturing uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive.

**88-20  
SIGN REGULATIONS**

In the #Special Hudson Square District#, #signs# are subject to the regulations applicable in C6-4 Districts, as set forth in Section 32-60, inclusive.

**88-30  
SPECIAL BULK REGULATIONS**

Except as modified in this Chapter, the following bulk regulations shall apply:

- (c) For #developments#, #enlargements#, or changes of #use# containing #residences#, the #bulk# regulations of an R10 District, as set forth in Article II, Chapter 3 (Bulk Regulations for

Residential Buildings in Residence Districts) shall apply:

- (d) For #developments#, #enlargements#, or changes of #use# containing #manufacturing#, #commercial# or #community facility uses#, the #bulk# regulations set forth in Article IV, Chapter 3 (Bulk Regulations), shall apply.

For the purposes of applying the regulations of this Section, Greenwich Street shall be a #wide street#.

### 88-31 Floor Area Regulations

Except in Subdistrict A, the maximum #floor area# ratio for #zoning lots# that do not contain #residences# shall be 10.0; no #floor area# bonuses shall apply.

The maximum base #floor area ratio# for #zoning lots# that contain #residences# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0. Such #floor area ratio# may be increased to a maximum of 12.0 only as set forth in Section 88-32 (Inclusionary Housing).

### 88-311 Special floor area regulations in Subdistrict A

For #zoning lots# in Subdistrict A that do not contain #residences#, the maximum #floor area# ratio shall be 10.0; no #floor area# bonuses shall apply.

For #zoning lots# in Subdistrict A containing #residences#, the maximum #floor area ratio# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0.

Any floor space designated for #use# as a #school# shall be exempted from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#, provided that such school is either:

- (a) a public school, subject to the jurisdiction of the New York City Department of Education, pursuant to an agreement accepted by the School Construction Authority; or
- (b) a charter school, subject to the New York State Education Law, pursuant to an agreement with a charter school organization.

### 88-32 Inclusionary Housing

The #Special Hudson Square District#, except Subdistrict A, shall be an #Inclusionary Housing designated area#, and the provisions of Section 23-90 (INCLUSIONARY HOUSING) applicable to R10 Districts shall apply.

### 88-33 Height and Setback

In the #Special Hudson Square District#, the height and setback regulations of the underlying districts shall not apply. In lieu thereof, the provisions of this Section shall apply to all #buildings#.

- (a) Rooftop regulations

#### (1) Permitted obstructions

The provisions of Section 33-42 shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or that the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.

In addition, dormers may penetrate a maximum base height provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all such dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

#### (2) Screening requirements for mechanical equipment

For all #developments#, #enlargements# and #conversions# of non-#residential floor area# to #residences#, all mechanical equipment located on any roof of a #building# or other structure# shall be fully screened on all sides. However, no

such screening requirements shall apply to water tanks.

- (b) Height and setback

#### (1) #Street wall# location

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to the minimum base height or the height of the #building#, whichever is less. On #narrow streets# beyond 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line#. For the purposes of this paragraph, (b), portions of #street walls# located up to 18 inches from a #street line# shall be considered to be located on the #street line# where a vertical element of such #street wall# is located on the #street line# and rises without setback from ground level to the top of the second #story# at intervals of at least once every 15 feet in plan and, above the level of the second #story#, where a vertical element rises without setback to the applicable minimum base height at an interval of at least once every 30 feet in plan.

On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#.

Above the level of the ground floor, recesses shall be permitted beyond 20 feet of an adjacent #building# and beyond 30 feet of the intersection of two #street lines#, as follows:

#### (i) Along #wide streets#

Recesses shall be provided at the level of each #story# entirely above a height of 60 feet, up to the maximum base height of the #building#. Such recesses shall have a minimum depth of five feet and a width between 10 and 40 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

#### (ii) Along #narrow streets#

Above the level of the second #story#, recesses in #street walls# deeper than 18 inches shall be permitted. Such recesses may not exceed 30 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

#### (2) Base height

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and a maximum base height of 150 feet.

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 60 feet, or the height of the #building#, whichever is less, up to a maximum base height of 125 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may apply along a #narrow street# to a distance of 100 feet from its intersection with a #wide street#.

#### (3) Required setbacks and maximum #building# heights

#### (i) Along #wide streets#

The provisions of this paragraph, (b)(3)(i), shall apply to #buildings#, or portions thereof, located on #wide streets#, and on #narrow streets# within 100 feet from their intersection with a #wide street#. The portion of such #building# above a height of 150 feet shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. The maximum height of such #buildings# shall be 320 feet. In addition, the gross area of each of either the highest two or three #stories# of

such #building# located entirely above a height of 230 feet, shall not exceed 80 percent of the gross area of the #story# directly below such highest two or three #stories#.

#### (ii) Along #narrow streets#

The provisions of this paragraph, (b)(3)(ii), shall apply to #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet from their intersection with a #wide street#.

The portion of such #building# above a height of 125 feet shall be set back from the #street wall# of the #building# at least 15 feet, except such dimensions may include the depth of any permitted recesses in the #street wall#.

The maximum height of such #buildings# shall be 185 feet.

For #buildings# containing #residences#, no portion of such #building# exceeding a height of 125 feet shall be nearer to a #rear yard line# than ten feet.

#### (4) Maximum length of #building wall#

The maximum length of any #story# located entirely above a height of 150 feet shall not exceed 150 feet. Such length shall be measured in plan view by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a level of 150 feet.

#### (5) Vertical #enlargements#

(i) Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section.

(ii) Existing #buildings# with #street walls# that rise without setback to a height of at least 80 feet may be vertically #enlarged# in excess of one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section, provided such #enlarged# portion is located at least 10 feet from a #wide street# and at least 15 feet from a #narrow street#.

### 88-331 Special height and setback regulations in Subdistrict A

For #zoning lots# in Subdistrict A, the regulations in paragraph (b) of Section 88-33 applicable to #wide streets# shall apply, except where modified or superseded by the regulations of this Section.

- (a) Maximum #building# height  
The maximum height of #buildings# shall be 430 feet.

#### (b) Lot coverage

Below a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 30 percent of the #lot area# of the #zoning lot#. Above a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 20 percent of the #lot area# of the #zoning lot#.

- (c) Modification of #bulk# regulations for #zoning lots# bounding a #public park#

In the case of a #zoning lot line# #abutting# the boundary of a #public park#, such #zoning lot line# shall be considered to be a #wide street line# for the purposes of applying all #bulk# regulations of this Resolution except for #street wall# regulations. For the purposes of applying #street wall# regulations in the case of a #zoning lot line# #abutting# the boundary of a #public park#, a line no more than 45 feet west of and parallel to the nearest boundary line of the #public park# shall be considered a #wide street line#.

- (d) #Street wall# location

The #street wall# provisions of this Chapter shall apply, except that, for the portion of a #building# bounding a #public park#, the #street wall# shall be located at the #street line# for at least 50 percent of the frontage bounding the #public park# and shall rise to the minimum base height, but not higher than the maximum base height.

### 88-332 Courts

Those portions of #buildings# that contain #residences# shall

be subject to the court provisions applicable in R10 Districts as set forth in Section 23-80 (Court Regulations, Minimum Distance between Windows and Walls or Lot Lines and Open Area Requirements), inclusive.

**88-40  
YARD REGULATIONS**

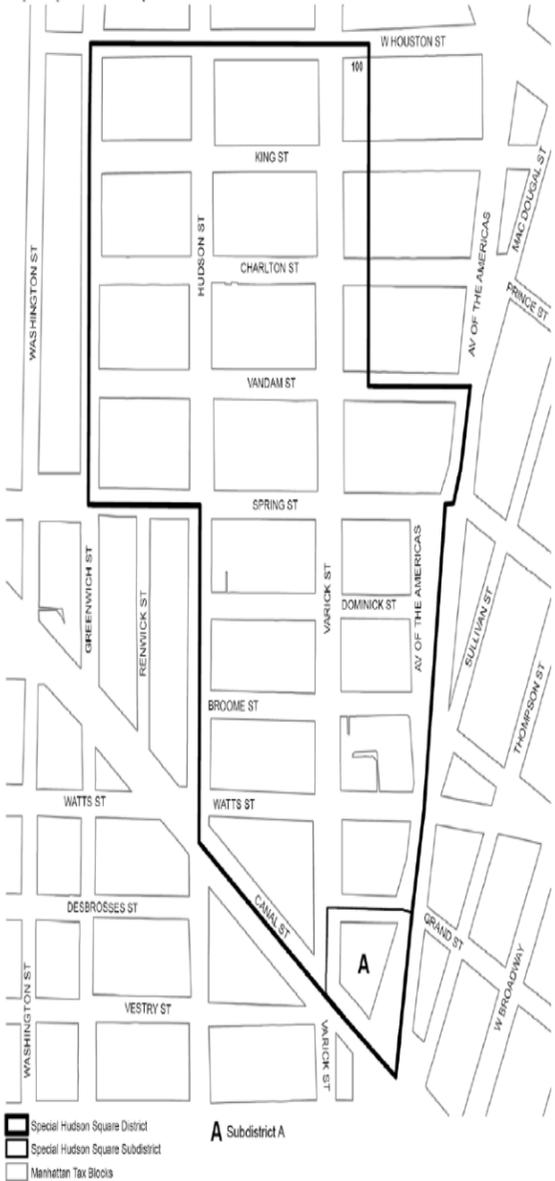
In the #Special Hudson Square District#, the yard provisions applicable in C6 Districts shall apply.

**88-50  
PARKING AND LOADING REGULATIONS AND CURB CUT LOCATIONS**

In the #Special Hudson Square District#, the parking regulations applicable in C6-4 Districts, as set forth in Article III, Chapter 6, and as modified, pursuant to Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1,2,3,4,5,6,7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) shall apply

**Appendix A**

**Map 1 - Special Hudson Square District and Subdistrict**



**APPENDIX F  
Inclusionary Housing Designated Areas**

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing designated areas# are mapped in #Commercial Districts#, the residential district equivalent has instead been specified for each map.

Table of Inclusionary Housing Designated Areas

**by Zoning Map**

Zoning Map	Community District	Maps of Inclusionary Housing Designated Areas
* * *	* * *	* * *
9b	Queens CD 2	Map 1
9d	Queens CD 2	Map 1, Map 2
12a	Manhattan CD 1	Map 1
12a	Manhattan CD 2	Map 1
12c	Manhattan CD 3	Map 1
12c	Brooklyn CD 1	Map 1, Map 2
* * *	* * *	* * *

**Manhattan**

Manhattan Community District 1

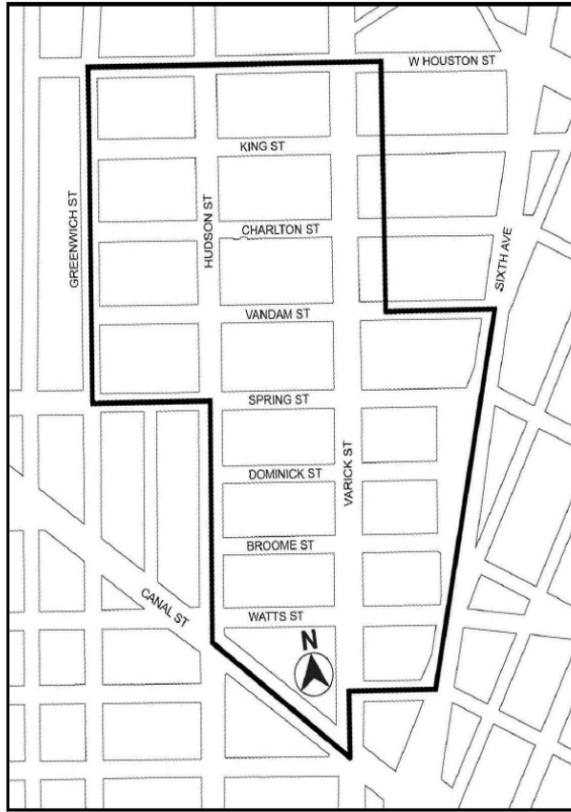
\* \* \*

Manhattan Community District 2

In the M1-6 Districts within the areas shown on the following Map 1:

**Map 1**

**#Special Hudson Square District# - see Section 88-32**



Portion of Community District 2, Manhattan

**NOTICE**

On Wednesday, November 28, 2012, at 10:00AM in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) (CEQR # 12DCP045M) concerning zoning map and zoning text amendments affecting an 18-block area within the Hudson Square neighborhood of Manhattan Community District 2. The affected area is bounded generally by West Houston and Vandam Streets to the north, Avenue of the Americas and approximately 100 feet east of Varick Street to the east, Canal and Spring Streets to the south, and Hudson and Greenwich Streets to the west. The Proposed Action would facilitate a proposal by the applicant, the Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York, to create a Special Purpose zoning district (the "Special Hudson Square District"), within the affected area, allow new residential development to occur in the Special Hudson Square District, incentivize affordable housing, institute provisions to limit conversions of non-residential buildings to residential use and retain certain commercial uses. The public hearing will also consider a modification to the Proposed Action, (ULURP No. 120381ZRM(A)). Written comments on the DEIS are requested and would be received and considered by the Lead Agency until Monday, December 10, 2012.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 12DCP045M.

**BOROUGH OF QUEENS  
No. 5  
PROLOGIS JFK SITE**

**CD 13 C 130023 PPQ**  
IN THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property located in the JFK Industrial Business Zone, on the south side of 146th Avenue, between 153rd Court and 157th Street (Block 14260, p/o Lot 1), pursuant to zoning.

**BOROUGH OF BROOKLYN  
No. 6  
4 METROTECH PLAZA OFFICE SPACE**

**CD 2 N 130111 PXK**  
IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 4 MetroTech (Block 2059, Lot 1) (HRA offices).

**BOROUGH OF MANHATTAN  
No. 7**

**1112 ST. NICHOLAS AVENUE OFFICE SPACE  
CD 12 N 130106 PXM**  
IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 1112 St. Nicholas Avenue (Block 2124, Lot 1) (CB 12 offices).

**No. 8**

**EAST VILLAGE/LES HISTORIC DISTRICT  
CD 3 N 130097 HKM**  
IN THE MATTER OF a communication dated October 19, 2012, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the East Village/Lower East Side Historic District, by the Landmarks Preservation Commission on

October 9, 2012 (Designation List No. 460/LP-2491). The district boundaries are:

Area I of the East Village/Lower East Side Historic District consists of the property bounded by a line beginning at the northeast corner of Second Avenue and East 2nd Street, extending westerly across Second Avenue and continuing westerly along the northern curblin of East 2nd Street to its intersection with a line extending southerly from the western side wall of 26 East 2nd Street, northerly along the western side wall of 26 East 2nd Street, easterly along the northern property line of 26 East 2nd Street and a portion of the northern property line of 28 East 2nd Street, northerly along a portion of the western property line of 28 East 2nd Street, easterly along a portion of the northern property line of 28 East 2nd Street and the northern property lines of 30 to 36 East 2nd Street to the western curblin of Second Avenue, northerly along the western curblin of Second Avenue to its intersection with a line extending easterly from the southern property line of 43 Second Avenue, westerly along the western property lines of 43 to 45-47 Second Avenue, westerly along a portion of the southern property line of 30 East 3rd Street to the northern curblin of East 3rd Street, westerly along the southern curblin of East 3rd Street to its intersection with a line extending southerly from the western property line of 7 East 3rd Street, northerly along the western property line of 7 East 3rd Street, westerly along the southern property line of 56 East 4th Street and a portion of the southern property line of 54 East 4th Street, northerly along a portion of the western property line of 54 East 7th Street, northerly along a portion of the western property line of 54 East 7th Street to the northern curblin of East 4th Street, easterly along the northern curblin of East 4th Street to its intersection with a line extending southerly from the western property line of 57 East 4th Street, northerly along the western property line of 57 East 4th Street, westerly along a portion of the southern property line of 210-214 East 5th Street, northerly along the western property line of 210-214 East 5th Street to the northern curblin of East 5th Street, westerly along the northern curblin of East 5th Street to its intersection with a line extending southerly from the western property line of 207 East 5th Street, northerly along the western property line of 207 East 5th Street, easterly along the northern property lines of 207 to 223 East 5th Street and a portion of the northern property line of 225 East 5th Street, northerly along the western property line of 226 East 6th Street to the southern curblin of East 6th Street, easterly along the southern curblin of East 6th Street to its intersection with a line extending southerly from the western property line of 103 Second Avenue (aka 239 East 6th Street), northerly along the western property lines of 103 Second Avenue (aka 239 East 6th Street) and 105 Second Avenue and a portion of the western property line of 107-113 Second Avenue, easterly along a portion of the northern property line of 107-113 Second Avenue, northerly along a portion of the western property line of 107-113 Second Avenue and the western property line of 46 East 7th Street to the northern curblin of East 7th Street, westerly along the northern property line of East 7th Street to its intersection with a line extending southerly from the western property line of 11 East 7th Street, northerly along the western property line of 11 East 7th Street, easterly along the northern property lines of 11 to 39 East 7th Street and a portion of the northern property line of 41-43 East 7th Street, northerly along western property line of 125 Second Avenue, easterly along a portion of the northern property line of 125 Second Avenue, northerly along the western property lines of 127 Second Avenue to 131 Second Avenue (aka 36 St. Mark's Place) to the southern curblin of St. Mark's Place, easterly along the southern curblin of St. Mark's Place, southerly along the western curblin of Second Avenue to the southwest corner of Second Avenue and East 7th Street, easterly along the southern curblin of East 7th Street to its intersection with a line extending southerly from the western property line of 49 East 7th Street, northerly along the western property line of 49 East 7th Street, easterly along the northern property line of 49 East 7th Street, northerly along a portion of the western property line of 51 East 7th Street, easterly along the northern property lines of 51 to 65 East 7th Street, southerly along a portion of the eastern property line of 65 East 7th Street, easterly along the northern property lines of 67 to 69 East 7th Street, northerly along a portion of the western property line of 71 East 7th Street, easterly along the northern property lines of 71 to 73-75 East 7th Street, southerly along a portion of the eastern property line of 73-75 East 7th Street, easterly along the northern property line of 77 East 7th Street, northerly along a portion of the western property line of 79 East 7th Street, easterly along the northern property lines of 79 to 85 East 7th Street, southerly along the eastern property line of 85 East 7th Street to the northern curblin of East 7th Street, westerly along the northern curblin of East 7th Street to its intersection with a line extending northerly from the eastern property line of 84 East 7th Street, southerly along the eastern property line of 84 East 7th Street, westerly along the southern property line of 84 East 7th Street, southerly along a portion of the eastern property line of 82 East 7th Street and the eastern property line of 341 East 6th Street, continuing across East 6th Street and along the eastern property line of 340 East 6th Street, westerly along the southern property lines of 340 to 306-308 East 6th Street, southerly along the eastern property line of 92-94 Second Avenue, westerly along a portion of the southern property line of 92-94 Second Avenue, southerly along the eastern property line of 88-90 Second Avenue (aka 301 East 5th Street) to the southern curblin of East 5th Street, easterly along the southern curblin of East 5th Street to its intersection with a line extending northerly from the eastern property line of 86 Second Avenue (aka 300 East 5th Street), southerly along the eastern property lines of 86 Second Avenue (aka 300 East 5th Street) to 72 Second Avenue (aka 91 East 4th Street) to the northern curblin of East 4th Street, westerly along the northern curblin of East 4th Street to its intersection with a line extending northerly from the eastern property line of 68-70 Second Avenue (aka 86 East 4th Street), southerly along the eastern property

lines of 68-70 Second Avenue (aka 86 East 4th Street) to 64 Second Avenue, easterly along a portion of the northern property line of 60-62 Second Avenue, southerly along the eastern property line of 60-62 Second Avenue, easterly along a portion of the northern property line of 51-55 East 3rd Street, northerly along a portion of the western property line of 51-55 East 3rd Street, easterly along a portion of the northern property line of 51-55 East 3rd Street and the northern property line of 57 East 3rd Street, southerly along the eastern property line of 57 East 3rd Street to the southern curblineline of East 3rd Street, easterly along said curblineline to a point on a line extending northerly from the eastern property line of 64 East 3rd Street, southerly along the eastern property line of 64 East 3rd Street, easterly along a portion of the northern property line of 52-74 East 2nd Street, southerly along the eastern property line of 52-74 East 2nd Street, westerly along a portion of the southern property line of 52-74 East 2nd Street, southerly along the eastern property line of 80 East 2nd Street to the northern curblineline of East 2nd Street, westerly along said curblineline to a point on a line extending northerly from the eastern property line of 77 East 2nd Street, southerly along said line and the eastern property line of 77 East 2nd Street, westerly along the southern property lines of 77 and 75 East 2nd Street, southerly along a portion of the eastern property line of 67-69 East 2nd Street, westerly along the southern property lines of 67-69 and 59-63 East 2nd Street, northerly along a portion of the western property line of 59-63 East 2nd Street, westerly along the southern property line of 47-55 East 2nd Street, southerly along a portion of the eastern property line of 43-45 East 2nd Street (aka 32-34 Second Avenue), westerly along the southern property line of 43-45 East 2nd Street to the eastern curblineline of Second Avenue, northerly along said curblineline, easterly along the southern curblineline of East 2nd Street to a point on a line extending southerly from the western property line of 52-74 East 2nd Street, northerly along said line and the western property line of 52-74 East 2nd Street, westerly along the southern property lines of 54-56 and 50-52 East 3rd Street, northerly along a portion of the western property line of 50-52 East 3rd Street, westerly along the southern property lines of 48 through 40-42 East 2nd Street (aka 50-52 Second Avenue) to the eastern curblineline of Second Avenue, and southerly along said curblineline to the point or place of beginning.

Area II of the East Village/Lower East Side Historic District consists of the property bounded by a line beginning at the northeast corner of First Avenue and East 7th Street, extending northerly along the eastern curblineline of First Avenue to its intersection with a line extending westerly from the northern property line of 122 First Avenue, easterly along the northern property line 122 First Avenue, northerly along a portion of the western property line of 95 East 7th Street, easterly along the northern property lines of 95 to 109 East 7th Street, southerly along a portion of the eastern property line of 109 East 7th Street, easterly along the northern property line of 111-115 East 7th Street, southerly along a portion of the eastern property line of 117-119 East 7th Street, easterly the northern property lines of 117-119 to 129 East 7th Street, southerly along the eastern property line of 129 East 7th Street to the northern curblineline of East 7th Street, westerly along the northern curblineline of East 7th Street to its intersection with a line extending northerly from the eastern property line of 122 East 7th Street, southerly along the eastern property line of 122 East 7th Street, easterly along the northern property lines of 439 to 441 East 6th Street and 101 Avenue A to the western curblineline of Avenue A, southerly along the western curblineline of Avenue A to the northern curblineline of East 6th Street, westerly along the northern curblineline of East 6th Street to its intersection with a line extending southerly from the western property line of 405 East 6th Street, northerly along said property line, easterly along the northern property line of 405 East 6th Street, northerly along the western property line of 94 East 7th Street and across East 7th Street to its northern curblineline, and westerly along the northern curblineline of East 7th Street to the point of the beginning.

#### **YVETTE V. GRUEL, Calendar Officer**

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

**n14-28**

## **COMMUNITY BOARDS**

### **■ PUBLIC HEARINGS**

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

#### **BOROUGH OF BROOKLYN**

COMMUNITY BOARD NO. 18 - Wednesday, November 21, 2012, 7:00 P.M., Community Board Office, 1097 Bergen Avenue, Brooklyn, NY

#### **BSA# 206-12-BZ**

Premises: 2372 East 70th Street between Avenues W and X An application filed pursuant to Section 23-141 of the Zoning Resolution for a special permit to legalize removal of existing one-car garage and convert the area into recreational use in a R3-1 zoning district.

**n15-21**

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

#### **BOROUGH OF QUEENS**

COMMUNITY BOARD NO. 07 - Monday, November 26, 2012, 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, Flushing, NY

#### **#C070352ZMQ**

Flushing Meadows East

IN THE MATTER OF an application submitted by Avery Fowler Owners pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map: changing from an M1-1 district to a C2-6A district property; and changing from an M1-2 district to a C2-6A property bounded by Avery Avenue, the southerly centerline prolongation of Haight Street, Fowler Avenue and 131st Street.

**n20-26**

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

#### **BOROUGH OF QUEENS**

COMMUNITY BOARD NO. 07 - Monday, November 26, 2012, 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, Flushing, NY

#### **BSA# 05-00-BZ**

27-22/26 College Point Boulevard Request for a variance from the use regulations of ZR 22-10. The requested variance will permit within an R4 residential zoning district the change of use from a Use Group 16 automotive service station and one-family dwelling to a Use Group 6 Bank at 27-22/26 College Point Boulevard in Queens (The "Zoning Lot").

**n20-26**

## **BOARD OF CORRECTION**

### **■ MEETING**

Please take note that the next meeting of the Board of Correction will be held on November 26, 2012 at 9:00 A.M., in the Conference Room of the Board of Correction. Located at: 51 Chambers Street, Room 929, New York, NY 10007.

At that time, there will be a discussion of various issues concerning New York City's correctional system.

**n19-26**

## **ENVIRONMENTAL CONTROL BOARD**

### **■ MEETING**

#### **OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS / ENVIRONMENTAL CONTROL BOARD**

The next meeting will take place on Thursday, November 29, 2012 at 66 John Street, 10th Floor Conference Room, New York, NY 10038 at 9:15 A.M., at the call of the Chairman.

**n19-21**

## **LANDMARKS PRESERVATION COMMISSION**

### **■ PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **November 27, 2012 at 9:00 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF QUEENS 12-2297 - Block 1266, lot 7501-79-15 35th Avenue - Jackson Heights Historic District A neo-Georgian style apartment building designed by Cohn Brothers and built in 1936-37. Application is to legalize the installation of an areaway fence without Landmarks Preservation Commission permit(s). Community District 3.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 13-5383 - Block 2563, lot 72-127 Milton Street - Greenpoint Historic District An Italianate style rowhouse designed by Thomas C. Smith and built c. 1876. Application is to alter window openings at the rear elevation and excavate the rear yard. Community District 1.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 13-2190 - Block 249, lot 34-146 Montague Street - Brooklyn Heights Historic District A 19th century rowhouse, later altered with Gothic style elements. Application is to legalize a display box installed without a Landmarks Preservation Commission permit. Zoned R7-1, C1-3. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 13-6245 - Block 244, lot 17-177 Montague Street - Former Brooklyn Trust Company Building- Individual & Interior Landmark A neo-Italian Renaissance style bank building and banking hall designed by York & Sawyer and built in 1913-16. Application is to alter the facade, and install a canopy. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 12-2916 - Block 261, lot 29-90 Joralemon Street - Brooklyn Heights Historic District A Greek Revival style rowhouse built in 1855. Application is to install a cornice. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 13-1756 - Block 221, lot 29-

70 Henry Street - Brooklyn Heights Historic District A one-story store building built in the 19th Century and later altered. Application is to demolish the existing building and construct a new building. Zoned R7-1, C1-5. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 13-7280 - Block 238, lot 8-1 Pierrepont Street - Brooklyn Heights Historic District A brick apartment house with neo-Gothic style features designed by Caughy & Evans and built in 1924. Application is to establish a Master Plan governing the future installation of windows at the 11th and 12th floors. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 13-6583 - Block 1922, lot 1-171-185 Steuben Street - Pratt Institute Faculty Rowhouses- Individual Landmark Eight Colonial Revival style rowhouses designed by Hobart A. Walker and built in 1907. Application is to replace windows. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 13-6265 -Block 235, lot 37-105 Willow Street - Brooklyn Heights Historic District An Eclectic-Diverse style rowhouse built between 1861-1879. Application is to construct a rooftop bulkhead and railing and alter windows on the rear facade. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 13-6099 - Block 1073, lot 14-20 Montgomery Place - Park Slope Historic District A rowhouse with Romanesque Revival style elements built in 1897-98. Application is to excavate the cellar. Zoned R7B. Community District 6.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF BROOKLYN 13-4696 - Block 1151, lot 80-175 Prospect Place - Prospect Heights Historic District An altered Italianate style rowhouse built circa 1870. Application is to excavate the rear yard and to construct a rear yard addition. Zoned R6B. Community District 6.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 13-7939 - Block 172, lot 5-372 Broadway - Tribeca East Historic District An Italianate style store and loft building built in 1852-54. Application is to construct a rooftop addition, alter the lot-line facade and fire-escapes, and install storefront infill. Zoned C6-4A. Community District 1.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 13-5558 - Block 294, lot 8-54 Canal Street - S. Jarmulowsky Bank Building - Individual Landmark A neo-Renaissance style bank and office building designed by Rouse & Goldstone and built in 1911-12. Application is to construct a rooftop addition, and to install windows, balconies and ground-floor infill. Zoned C6-2C. Community District 1.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 13-6664 - Block 617, lot 1-76 Greenwich Avenue - Greenwich Village Historic District A brick building built in the mid -1980's and designed by Ferrenz and Taylor. Application is to amend Certificate of Appropriateness 12-7254 for the demolition of the building and the construction of a park. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 11-7958 - Block 592, 79 lot - 123 Washington Place - Greenwich Village Historic District A transitional Federal style rowhouse built in 1831. Application is to construct a rear yard addition, alter a dormer window, and excavate the rear yard. Zoned R6. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 13-3756 - Block 590, lot 10-275 Bleecker Street - Greenwich Village Historic District - Extension II A Federal/Italianate style row house, built c.1818 and altered in 1876. Application is to modify storefront cladding installed without Landmarks Preservation Commission permits. Community District 2.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 13-6318 - Block 672, lot 1-601 West 26th Street - Starrett-Lehigh Building - Individual Landmark An International style warehouse building designed by Russell G. and Walter M. Cory with Yasuo Matsui and built in 1930-31. Application is to replace windows. Community District 4.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 13-6228 - Block 1015, lot 29-1501 Broadway - Paramount Building - Individual Landmark A French Beaux-Arts style-inspired skyscraper designed by Rapp and Rapp and built in 1926-1927. Application is to install a marquee with LED lighting and to create window openings. Community District 5.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 13-6206 - Block 875, lot 35-141 East 19th Street - Gramercy Park Historic District A rowhouse with Italianate style details built in 1842 and altered in the early 20th Century. Application is to construct an addition and stair bulkhead. Zoned R8B, LH1. Community District 6.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 13-6148 - Block 1198, lot 60-70 West 85th Street - Upper West Side/Central Park Historic District A Romanesque Revival style rowhouse designed by John G. Prague and built in 1894-95. Application is to construct rooftop and rear yard additions. Community District 7.

#### **CERTIFICATE OF APPROPRIATENESS**

BOROUGH OF MANHATTAN 13-1690 - Block 1249, lot 16-

337 West 87th Street -Riverside-West End Historic District  
A Renaissance Revival style rowhouse design by Thom and Wilson and built in 1893. Application is to construct a rear yard addition. Zoned R8. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-6410 - Block 1501, lot 1-1080 Fifth Avenue - Expanded Carnegie Hill Historic District  
A Modern style apartment building designed by Wechsler & Schimenti and built in 1960-61. Application is to modify the door surround and replace window and door grilles.  
Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-6306 - Block 1379, lot 51-30 East 65th Street - Upper East Side Historic District  
An apartment house designed by Kikkins & Lyras and built in 1959. Application is to modify the vestibule and replace the canopy. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-6628 - Block 1405, lot 14-131 East 70th Street, aka 960 Lexington Avenue - Upper East Side Historic District  
An rowhouse designed by Robert Mook and built circa 1871, and altered in the Anglo- Italianate style by Grosvenor Atterbury in 1909-11. Application is to replace an existing rear addition. Zoned C1-5, R9X. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-5210 - Block 1383, lot 36-686 Park Avenue - Upper East Side Historic District  
A neo-Federal style residence designed by Delano and Aldrich built in 1917-19. Application is to install an LED sign box. Zoned R-10. Community District 8.

n13-27

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **December 4, 2012 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF QUEENS 13-7280 - Block 8038, lot 58-17 Hollywood Avenue – Douglaston Historic District  
A freestanding Colonial Revival style house designed by Phillip Richardson and built in 1908. Application is to replace windows and alter the porch. Community District 11.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 13-7092 - Block 259, lot 26-7 Columbia Place – Brooklyn Heights Historic District  
A Greek Revival style frame house built in 1848. Application is to construct a new dormer. Zoned R6. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 13-6583 - Block 1922, lot 1-171-185 Steuben Street and 220-234 Willoughby Avenue – Pratt Institute Faculty Rowhouses – Individual Landmark  
Nineteen Colonial Revival style rowhouses designed by Hobart A. Walker and built in 1907. Application is to replace windows. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-7097 - Block 474, lot 26-38 Greene Street, aka 38-40 Greene Street and 90-94 Grand Street – SoHo-Cast Iron Historic District  
A store and warehouse building with French and Italianate style elements designed by Griffith Thomas and built in 1867. Application is to alter the ground floor and install storefronts. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-8061 - Block 544, lot 76-7 East 7th Street – Cooper Union – Individual Landmark  
An Italianate style brownstone clad school building designed by Frederick A. Paterson and built in 1853-59 with late stucco clad rooftop additions. Application is to extend the temporary installation of a sculpture. Community District 3.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-7317 - Block 1583, lot 25-6 Henderson Place – Henderson Place Historic District  
A Queen Anne style rowhouse designed by Lamb and Rich and built in 1882. Application is to reconstruct the façade. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-6385 - Block 1385, lot 16-21 East 70th Street – Gustav & Virginia Pagenstecher House – Individual Landmark – Upper East Side Historic District  
A neo-French Classic style rowhouse designed by William J. Rogers and built in 1918 -19. Application is to alter the ground floor and the rear façade, install balconies and new lot-line windows, and construct a rooftop addition.  
Zoned C5-1. Community District 8.

n20-d4

## BOARD OF STANDARDS AND APPEALS

### ■ PUBLIC HEARINGS

**DECEMBER 4, 2012, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, **Tuesday morning, December 4, 2012, 10:00 A.M.**, in **Spector Hall,**

**22 Reade Street,** New York, N.Y. 10007, on the following matters:

### SPECIAL ORDER CALENDAR

**135-46-BZ**  
APPLICANT – Eric Palatnik, P.C., for Arielle A. Jewels, Inc., owner.  
SUBJECT – Application March 30, 2012 – Extension of Term (\$11-411) and Amendment (\$11-413) of previously approved variance which permitted an Automotive Service Station (UG 16B), which accessory uses, within a residential zoning district, which expired on January 29, 2012. The application seeks to convert the use to Auto Laundry (UG 16B) hand car wash; Waiver for the Rules. R4 zoning district.  
PREMISES AFFECTED – 3802 Avenue U, southeast corner of East 38th Street, between Ryder Avenue and East 38th Street, Block 8555, Lot 37, Borough of Brooklyn.  
**COMMUNITY BOARD #18BK**

**812-61-BZ**  
APPLICANT – Peter Hirshman, for 80 Park Avenue Condominium, owner.  
SUBJECT – Application June 28, 2012 – Extension of Term (\$11-411) of a previously approved variance permitting in a residential district, the use of an existing accessory multiple dwelling garage for transient parking, which expires on October 24, 2012. R10 & R8B zoning district.  
PREMISES AFFECTED – 74-82 Park Avenue, southwest corner of East 39th Street and Park Avenue, Block 868, Lot 7502, Borough of Manhattan.  
**COMMUNITY BOARD #6M**

**165-91-BZ**  
APPLICANT – Law Offices of Stuart A. Klein, for United Talmudical Academy, owner.  
SUBJECT – Application August 17, 2012 – Extension of Term of a previously approved Special Permit (\$73-19) which permitted the construction and operation of a school (UG 3) which expires on September 15, 2012. M1-2 zoning district.  
PREMISES AFFECTED – 45 Williamsburg Street West, aka 32-46 Hooper Street, Block 2203, Lot 20, Borough of Brooklyn.  
**COMMUNITY BOARD #1BK**

### APPEALS CALENDAR

**97-12-A & 98-12-A**  
APPLICANT – Fried Frank by Richard G. Leland, Esq., for Van Wagner Communications, LLC.  
OWNER OF PREMISES - 620 Properties Associates, LLC.  
SUBJECT – Application April 11, 2012 – Appeal from determination of Manhattan Borough Commissioner of Department of Buildings regarding right to maintain existing advertising sign in manufacturing district. M1-5/CL zoning district.  
PREMISES AFFECTED – 620 12th Avenue, between 47th and 48th Streets, Block 1095, Lot 11, Borough of Manhattan.  
**COMMUNITY BOARD #4M**

**108-09-A & 109-12-A**  
APPLICANT – Davidoff Malito & Hutcher LLP, for Lamar Advertising of Penn LLC.  
OWNER OF PREMISES - Kehley Holding Corp.  
SUBJECT – Application April 18, 2012 – Appeal from Department of Buildings' determinations that signs are not entitled to non-conforming use status as accessory business or non-commercial signs, pursuant to Z.R.§§42-58 and 52-61.  
PREMISES AFFECTED – 46-12 Third Avenue, between 46th and 47th Streets, Block 185, Lot 25, Borough of Brooklyn.  
**COMMUNITY BOARD #7BK**

**205-12-A**  
APPLICANT – Fried Frank by Richard G. Leland, Esq., for Van Wagner Communication LLC.  
OWNER OF PREMISES – Borden Realty Corporation.  
SUBJECT – Application June 29, 2012 –Appeal from the determination of the Department of Buildings that th e subject sign is not entitled to non -conforming use status as an advertising sign .R7-2 /C2-4 (HRW) Zoning District .  
PREMISES AFFECTED – 355 Major Deegan Expressway, bounded by Exterior Street, Major Deegan Expressway to the east, Harlem River to the west, north of the Madison Avenue Bridge, Block 2349, Lot 46, Borough of Bronx.  
**COMMUNITY BOARD #1BX**

**DECEMBER 4, 2012, 1:30 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, **December 4, 2012, at 1:30 P.M.**, in **Spector Hall, 22 Reade Street,** New York, N.Y. 10007, on the following matters:

### ZONING CALENDAR

**75-12-BZ**  
APPLICANT – Sheldon Lobel, P.C., for 547 Broadway Realty, Inc. c/o Andrews Building Corporation, owner.  
SUBJECT – Application March 30, 2012 – Variance (\$72-21) to permit the legalization of a the use of retail (UG 6) on the first floor and expand the use into the cellar with accessory use in the sub-cellar, contrary to §42-14 (D)(2)(b). M1-5B zoning district.  
PREMISES AFFECTED – 547 Broadway, between Prince Street and Spring Street, Block 498, Lot 15, Borough of Manhattan.  
**COMMUNITY BOARD #2M**

**200-12-BZ**  
APPLICANT – Sheldon Lobel, P.C., for Oversea Chinese Mission, owner.  
SUBJECT – Application June 26, 2012 – Variance (\$72-21) to permit the enlargement of the existing UG4 house of worship contrary §109-121 (floor area), §109-122 (lot coverage) and §54-31 (enlargement of non-complying building). C6-2 zoning district.  
PREMISES AFFECTED – 154 Hester Street, southwest corner of Hester Street and Elizabeth Street, Block 204, Lot 16, Borough of Manhattan.  
**COMMUNITY BOARD #2M**

**244-12-BZ**  
APPLICANT – Watchel, Masyr & Missry LLP by Ellen Hay

for EQR-600 Washington LLC, owner; Gotham Gym 1 LLC, lessee.  
SUBJECT – Application August 8, 2012 – Special Permit (\$73-36) to permit a physical culture establishment (*Gotham Gym*). M1-5 zoning district.  
PREMISES AFFECTED – 600 Washington Street, west side of Washington Street between Morton and Leroy Streets, Block 602, Lot 10, Borough of Manhattan.  
**COMMUNITY BOARD #2M**

**258-12-BZ**  
APPLICANT – Holland & Knight, LLP, for Old Firehouse No. 4 LLC, owner.  
SUBJECT – Application August 29, 2012 – Variance (\$72-21) to permit the conversion of two buildings into a single-family residence which does not comply with lot coverage, minimum distance between buildings and minimum distance of legally required windows. R8B zoning district.  
PREMISES AFFECTED – 113 East 90th Street, north side of East 90th Street, 150' west of the intersection of 90th Street, and Park Avenue, Block 1519, Lot 7, Borough of Manhattan.  
**COMMUNITY BOARD #8M**

*Jeff Mulligan, Executive Director*

n21-23

## TAXI AND LIMOUSINE COMMISSION

### ■ MEETING

#### Notice of Commission Meeting

**THE NEW YORK CITY TAXI & LIMOUSINE COMMISSION will hold a Commission Meeting on Thursday, November 29, 2012 at 9:00 a.m., in the 2nd Floor Auditorium of 125 Worth Street, New York, NY 10013.**

**PLEASE NOTE: The first item on the agenda is a motion to enter into executive session. Should this motion pass, the Commission will immediately enter into executive session, closed to the public. Following the executive session, the public is invited to attend the regular Commission Meeting, which will resume at 10:00 a.m.**

If you need a reasonable accommodation of a disability to participate in the Meeting, you may contact the Office of Legal Affairs. Please contact the Office of Legal Affairs if you need open captioning service. You must contact us by telephone at 212-676-1135 or email at tlcrules@tlc.nyc.gov by Monday, November 26, 2012.

The TLC meeting facility is also wheelchair accessible.

n21

## PROPERTY DISPOSITION

## CITYWIDE ADMINISTRATIVE SERVICES

### ASSET MANAGEMENT

#### ■ PUBLIC AUCTION

PROPOSED LEASES OF CERTAIN NEW YORK CITY REAL PROPERTY  
SEALED BID PUBLIC LEASE AUCTION

PUBLIC NOTICE IS HEREBY GIVEN THAT The Department of Citywide Administrative Services, Asset Management will conduct a Sealed Bid Public Lease Auction pertaining to Long-Term Leases, Short-Term Leases and Licenses on December 4, 2012, at 1 Centre Street, 18th floor Bid Room, New York, New York 10007. Sealed bids will be accepted from 10:00 A.M. to 11:00 A.M. and opened at 11:00 A.M.

The offerings, including Terms and Conditions and Special Terms and Conditions, are set forth in a brochure which will be available on November 1, 2012. For further information, including a brochure and a bid packet, please visit the DCAS website after November 1, 2012 at nyc.gov/dcas or contact Shelley Goldman at 212-386-0608.

In accordance with Section 384 of the City Charter, long term leases will be offered for the properties listed below at Sealed Bid Public Lease Auction. A Public Hearing was held on August 15, 2012 at 22 Reade Street, in the Borough of Manhattan in the matter of the two properties listed below.

#### Brooklyn, Block 6036, Part of Lot 1

Property Address: 8501 Fifth Avenue  
Property Type: Ground floor retail store and basement space  
Minimum Annual Bid: \$99,960  
Inspection Dates: Thursday, November 8, 2012, 11:00 A.M. to 12:00 P.M.  
Friday, November 16, 2012, 10:00 A.M. to 11:00 A.M.

#### Brooklyn, Block 6036, Part of Lot 1

Property Address: 8509 Fifth Avenue  
Property Type: Ground floor retail store and basement space  
Minimum Annual Bid: \$85,680  
Inspection Dates: Thursday, November 8, 2012, 10:00 A.M. to 11:00 A.M.  
Friday, November 16, 2012, 11:00 A.M. to 12:00 P.M.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, NY 10007, (212) 788-7490, no later than fourteen (14) days prior to the auction.

TDD users should call VERIZON relay services.

o16-d4

PROPOSED LEASES OF CERTAIN NEW YORK CITY  
REAL PROPERTY  
SEALED BID PUBLIC LEASE AUCTION

PUBLIC NOTICE IS HEREBY GIVEN THAT The Department of Citywide Administrative Services, Asset Management will conduct a Sealed Bid Public Lease Auction pertaining to Long-Term Leases, Short-Term Leases and Licenses on December 4, 2012, at 1 Centre Street, 18th floor Bid Room, New York, New York 10007. Sealed bids will be accepted from 10:00 A.M. to 11:00 A.M. and opened at 11:00 A.M.

The offerings, including Terms and Conditions and Special Terms and Conditions, are set forth in a brochure which will be available on November 1, 2012. For further information, including a brochure and a bid packet, please visit the DCAS website after November 1, 2012 at nyc.gov/dcas, or contact us at 212-386-0335.

In accordance with New York Administrative Code Section 4-203, the properties listed below will be offered at Sealed Bid Public Lease Auction:

**Queens, Block 3880, Lot 91**

Property Description:

Unimproved land located approximately 167 feet from the north west corner of Margaret Place and Trotting Course Lane

Minimum **Monthly** Bid: \$9,000

Inspection Dates: Tuesday, November 13, 2012, 1:00 P.M. to 2:00 P.M.  
Tuesday, November 20, 2012, 11:00 A.M. to 12:00 P.M.

**Staten Island, Block 1107, Lot 100**

Property Description:

Unimproved land and adjacent land underwater located approximately 86 feet north of Richmond Terrace between Winant Street and Newark Avenue

Minimum **Monthly** Bid: \$6,000

Inspection Dates: Friday, November 9, 2012, 12:00 P.M. to 1:00 P.M.  
Thursday, November 15, 2012, 11:00 A.M. to 12:00 P.M.

**Brooklyn, Block 2896, Lot 999**

Property Description:

Unimproved land (bed-of-street) located at the bed of Skillman Street between Morgan Avenue and Vandervoort Avenue

Minimum **Monthly** Bid: \$6,200

Inspection Dates: Wednesday, November 14, 2012, 11:00 A.M. to 12:00 P.M.  
Tuesday, November 20, 2012, 1:00 P.M. to 2:00 P.M.

**Queens, Block 13420, Lots: 8 and 999**

Property Description:

Unimproved land located west side of 183rd Street, 200 feet south of the southwest corner of 150th Drive and 183rd Street

Minimum **Monthly** Bid: \$6,500

Inspection Dates: Thursday, November 15, 2012, 12:00 P.M. to 1:00 P.M.  
Wednesday, November 21, 2012, 11:00 A.M. to 12:00 P.M.

**Queens, Block 13432, Lots:** Part of Lot 6, Part of Lot 20, Part of Lot 21, Part of Lot 40, Part of Lot 46, Part of Lot 49, Part of Lot 53; and

**Block 13433, Lots:** Part of Lot 2, 5, 10, Part of Lot 15, Part of Lot 20, Part of Lot 23, Part of Lot 29, Part of Lot 34, Part of Lot 36, Part of Lot 53, Part of Lot 55, Part of Lot 57, 59, 69, Part of Lot 999 (formerly known as 150th Road)

Property Description:

Unimproved land located on the east side of 183rd Street, 80 feet north of Rockaway Boulevard

Minimum **Monthly** Bid: \$23,460

Inspection Dates: Thursday, November 15, 2012, 1:00 P.M. to 2:00 P.M.  
Wednesday, November 21, 2012, 12:00 P.M. to 1:00 P.M.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, NY 10007, (212) 788-7490, no later than fourteen (14) days prior to the auction.

TDD users should call VERIZON relay services.

n1-d4

**CITYWIDE PURCHASING**

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Purchasing is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>. To begin bidding, simply click on 'Register' on the home page. There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more. Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Purchasing, 1 Centre Street, 18th Floor, New York, NY 10007.

n1-d4

**POLICE**

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

The following listed property is in the custody, of the Property Clerk Division without claimants. Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

**INQUIRIES**

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

**FOR MOTOR VEHICLES**

(All Boroughs):

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

**FOR ALL OTHER PROPERTY**

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

j1-d31

**PROCUREMENT**

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

- Win More Contracts at [nyc.gov/competetowin](http://nyc.gov/competetowin)

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

**AGING**

■ AWARDS

*Human / Client Services*

**NEIGHBORHOOD SENIOR CENTERS** – Innovative Procurement – Available only from a single source – The attached list of vendors have been awarded a contract by the Dept for the Aging for the provision of Neighborhood Senior Center programs (e.g. congregate lunch, case assistance, health management, etc). The contract terms shall each be from December 1, 2012 to June 30, 2016, each with a renewal option from July 1, 2016 to November 30, 2018.

Catholic Charities Neighborhood Services, Inc.  
191 Joralemon Street, 14th Fl., Brooklyn, NY 11201  
PIN#: 12513NC1025E - \$1,395,786

Catholic Charities Neighborhood Services, Inc.  
191 Joralemon Street, 14th Fl., Brooklyn, NY 11201  
PIN#: 12513NC1025F - \$1,654,290

St. Gabriels Episcopal Church  
331 Hawthorne Street, Brooklyn, NY 11225  
PIN#: 12513NC1027M - \$1,124,909

Jewish Association for Services for the Aged  
247 West 37th Street, 9th Fl., New York, NY 10018  
PIN#: 12513NC1026N - \$1,513,655

Jewish Association for Services for the Aged  
247 West 37th Street, 9th Fl., New York, NY 10018  
PIN#: 12513NC1026Q - \$990,886

Jewish Association for Services for the Aged  
247 West 37th Street, 9th Fl., New York, NY 10018  
PIN#: 12513NC1026H - \$1,473,112

Catholic Charities Neighborhood Services, Inc.  
191 Joralemon Street, 14th Fl., Brooklyn, NY 11201  
PIN#: 12513NC1024X - \$1,596,271

Young Israel Programs, Inc.  
111 John Street, Suite 450, New York, NY 10038  
PIN#: 12513NC1027T - \$1,439,013

Jewish Association for Services for the Aged  
247 West 37th Street, 9th Fl., New York, NY 10018  
PIN#: 12513NC1014E - \$692,669

Agudath Israel of America Community Services, Inc.  
42 Broadway, 14th Fl., New York, NY 10004  
PIN#: 12513NC1030C - \$1,150,649

The Spanish Speaking Elderly Council-RAICES, Inc.  
460 Atlantic Avenue, Brooklyn, NY 11217  
PIN#: 12513NC1044R - \$1,090,861

Catholic Charities Neighborhood Services, Inc.  
191 Joralemon Street, 14th Fl., Brooklyn, NY 11201  
PIN#: 12513NC1043B - \$2,734,407

New York Foundation for Senior Citizens, Inc.  
11 Park Place, Suite 1416, New York, NY 10007  
PIN#: 12513NC1034P - \$985,511

Find Aid for the Aged, Inc.  
160 West 71st Street, Rm. 2F, New York, NY 10023  
PIN#: 12513NC1033P - \$1,544,370

Alpha Phi Alpha Senior Citizens Center  
220-01 Linden Blvd., Cambria Heights, NY 11411  
PIN#: 12513NC1044N - \$1,361,601

Jewish Community Council of Greater Coney Island  
3001 West 37th Street, Brooklyn, NY 11224  
PIN#: 12513NC1026V - \$1,920,018

Jewish Association for Services for the Aged  
247 West 37th Street, 9th Fl., New York, NY 10018  
PIN#: 12513NC1014C - \$2,252,377

Jewish Association for Services for the Aged  
247 West 37th Street, 9th Fl., New York, NY 10018  
PIN#: 12513NC1026P - \$1,210,640

Bergen Basin Community Development Corp.  
/Millennium Development Corp.  
2331 Bergen Avenue, Brooklyn, NY 11234  
PIN#: 12513NC1027A - \$1,244,610

BronxWorks, Inc.  
60 East Tremont Avenue, Bronx, NY 10453  
PIN#: 12513NC1013K - \$1,303,791

BronxWorks, Inc.  
60 East Tremont Avenue, Bronx, NY 10453  
PIN#: 12513NC1013L - \$778,859

Kips Bay Boys and Girls Club, Inc.  
1930 Randall Avenue, Bronx, NY 10473  
PIN#: 12513NC1014F - \$1,136,883

YM YWHA of the Bronx/Riverdale YM-YWHA  
5625 Arlington Avenue, Bronx, NY 10471  
PIN#: 12513NC1015C - \$1,805,951

Northeast Bronx Senior Citizens Center  
2968 Bruckner Blvd., Bronx, NY 10465  
PIN#: 12513NC1014J - \$1,879,063

The Spanish Speaking Elderly Council-RAICES, Inc.  
460 Atlantic Avenue, Brooklyn, NY 11217  
PIN#: 12513NC1044T - \$1,011,514

Catholic Charities Neighborhood Services, Inc.  
191 Joralemon Street, 14th Fl., Brooklyn, NY 11201  
PIN#: 12513NC1043A - \$2,577,586

Jewish Community Council of Greater Coney Island  
3001 West 37th Street, Brooklyn, NY 11224  
PIN#: 12513NC1026S - \$2,499,688

William Hodson Community Center, Inc.  
1320 Webster Avenue, Bronx, NY 10456  
PIN#: 12513NC1015B - \$1,442,711

The Spanish Speaking Elderly Council RAICES, Inc.  
460 Atlantic Avenue, Brooklyn, NY 11217  
PIN#: 12513NC1027H - \$1,514,681

Jewish Association for Services for the Aged  
247 West 37th Street, 9th Fl., New York, NY 10018  
PIN#: 12513NC1026L - \$931,509

The Spanish Speaking Elderly Council RAICES, Inc.  
460 Atlantic Avenue, Brooklyn, NY 11217  
PIN#: 12513NC1027J - \$982,360

United Block Association, Inc.  
292 5th Avenue, Suite 305, New York, NY 10001  
PIN#: 12513NC10358 - \$1,078,293

Chinese-American Planning Council, Inc.  
150 Elizabeth Street, New York, NY 10012  
PIN#: 12513NC10322 - \$3,282,036

Queens Community House, Inc.  
108-25 62nd Drive, Forest Hills, NY 11375  
PIN#: 12513NC1044M - \$1,668,222

SEBCO Development, Inc.  
885 Bruckner Blvd., Bronx, NY 10459  
PIN#: 12513NC1015A - \$1,649,296

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**CITYWIDE ADMINISTRATIVE SERVICES**

**CITYWIDE PURCHASING**

■ SOLICITATIONS

*Services (Other Than Human Services)*

**PUBLIC SURPLUS ONLINE AUCTION** – Other – PIN# 0000000000 – DUE 12-31-14.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Department of Citywide Administrative Services,  
66-26 Metropolitan Avenue, Queens Village, NY 11379.  
Donald Lepore (718) 417-2152; Fax: (212) 313-3135;  
[dlepore@dcas.nyc.gov](mailto:dlepore@dcas.nyc.gov)

**MUNICIPAL SUPPLY SERVICES**

■ AWARDS

*Goods*

**FURNITURE - DCAS** – Intergovernmental Purchase – PIN# 8571300164 – AMT: \$155,200.00 – TO: Herman Miller, Inc., 855 East Main Avenue, P.O. Box 302, Zeeland, MI 49464. OGS Contract #PC64023.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

☛ n21

**PC AGGREGATE PURCHASE - OEM**

– Intergovernmental Purchase – PIN# 8571300134 – AMT: \$270,270.50 – TO: Hewlett-Packard Company, 300 Hanover Street, Palo Alto, CA 94304. OGS Contract #PT65350.  
**● BOOKS AND NON-PRINT LIBRARY MATERIALS - DOC** – Intergovernmental Purchase – PIN# 8571300144 – AMT: \$360,648.00 – TO: West Publishing Corp., dba West Group, 610 Opperman Drive, Eagan, MN 55123. OGS Contract #PC64242.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

☛ n21

■ VENDOR LISTS

*Goods*

**EQUIPMENT FOR DEPARTMENT OF SANITATION** – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

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

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j5-d31

**ENVIRONMENTAL PROTECTION**

**AGENCY CHIEF CONTRACTING OFFICER**

■ INTENT TO AWARD

*Services (Other Than Human Services)*

**CAT-415** – Sole Source – Available only from a single source - PIN# 82613S0005 – DUE 12-05-12 – DEP intends to enter into a Sole Source Agreement with the Catskill Watershed Corporation for CAT-415: Septic System Rehabilitation and Replacement Program IV-Home Reimbursement. This Capital contract was negotiated with the Catskill Watershed Corporation (“CWC”) pursuant to the 2007 FAD Part II, (2012-2017) and consistent with the 2010 Water Supply Permit whereby DEP will provide Thirty-six million dollars (\$36,000,000) for the continuation and implementation of the Residential Septic Repair and Remediation Program, to be known here as the Septic IV Program. The City has agreed to commit significant new resources for the continuation and expansion of key watershed protection and partnership programs in the City’s watershed that lies west of the Hudson River (“West of Hudson Watershed”) which were initially funded and implemented pursuant to the 1997 Watershed Memorandum of Agreement (“Watershed MOA”). Any firm which believes it can also provide the required service IN THE FUTURE is invited to so, indicated by letter which must be received no later than December 05, 2012, 4:00 P.M. at: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373, Attn: Ms. Debra Butlien, dbutlien@dep.nyc.gov, (718) 595-3423.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
 Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Glorivee Roman (718) 595-3226; Fax: (718) 595-3208; glroman@dep.nyc.gov

n15-21

**HEALTH AND HOSPITALS CORPORATION**

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

**HOUSING AUTHORITY**

■ SOLICITATIONS

*Construction / Construction Services*

**INSTALLATION OF PLAY EQUIPMENT AT JOHNSON HOUSES** – Competitive Sealed Bids – PIN# GD1208142 – DUE 12-12-12 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA. Documents can also be obtained by registering with I-supplier and downloading documents.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
 Housing Authority, 90 Church Street, New York, NY 10007. Latrena Johnson (212) 306-3223; Fax: (212) 306-5151; latrena.johnson@nycha.nyc.gov

☛ n21

**PARKS AND RECREATION**

■ INTENT TO AWARD

*Goods & Services*

**SAFARI MAINTENANCE AND SUPPORT RENEWAL** – Sole Source – Available only from a single source - PIN# 85755846 – DUE 11-30-12 AT 12:00 P.M. – Department of Parks and Recreation intends to enter into a Sole Source negotiation with The Active Network. The Active Network provides Parks and Recreation with Safari software. Safari software intended purpose is to track, record membership and permits for Parks and Recreation. Maintenance and support is also provided. Any firm that would like to express their interest in providing services for similar projects in the future may do so by joining the city bidders list by filling out the NYC-FMS vendor enrollment application available on-line at www.NYC.gov/selltonyc, and hard copy by calling the Vendor Enrollment Center at (212) 857-1680.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
 Parks and Recreation, 24 W. 61st Street, 4th Floor, New York, NY 10023. Dorothea Clinton (212) 830-7934; Fax: (917) 849-6666; Dorothea.Clinton@parks.nyc.gov

n19-26

**CAPITAL PROJECTS**

■ AWARDS

*Construction Related Services*

**DESIGN SERVICES FOR THE RECONSTRUCTION OF A PORTION OF THE BALL FIELDS** – Sole Source – Available only from a single source - PIN# 8462011B073D01 – AMT: \$178,520.96 – TO: Prospect Park Alliance, 95 Prospect Park West, Brooklyn, NY 11215.

☛ n21

**REVENUE AND CONCESSIONS**

■ SOLICITATIONS

*Services (Other Than Human Services)*

**DEVELOPMENT, OPERATION AND MAINTENANCE OF AN OUTDOOR CAFE AND BIKE RENTAL STATION** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# Q99-SB-O-BK BR 2012 – DUE 01-04-13 AT 3:00 P.M. – Request for Proposals (RFP) for the Development, Operation, and Maintenance of an Outdoor Cafe and Bike Rental Station, with optional Entertainment Venue and Boat Rental concession, at Flushing Meadows Corona Park, Queens.

There will be a recommended on-site proposer meeting and site tour on Friday, December 7, 2012 at 1:00 P.M. We will meet at the Ederle Terrace Pavilion. If you are considering responding to this RFP, please make every effort to attend this recommended meeting. To obtain driving or general directions to Ederle Terrace, please call (718) 760-6600.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
 Parks and Recreation, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, NY 10021. Glenn Kaalund (212) 360-1397; Fax: (212) 360-3434; glenn.kaalund@parks.nyc.gov

n16-30

**OPERATION AND MAINTENANCE OF A CAFE AT HUNTER’S POINT SOUTH** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# QHPS-SB-2012 – DUE 01-11-13 AT 3:00 P.M. – There will be a recommended on-site proposer meeting on Wednesday, December 5, 2012 at 11:00 A.M. We will be meeting in Room 407 of the Arsenal, which is located at 830 5th Avenue, in Central Park, Manhattan. If you are considering responding to this RFP, please make every effort to attend this recommended meeting.

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

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
 Parks and Recreation, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, NY 10021. Alexander Han (212) 360-1397; Fax: (212) 360-3434; alexander.han@parks.nyc.gov

n16-30

**MAINTENANCE OF LAKESIDE IN PROSPECT PARK, BROOKLYN** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# PPA01-BK-2012 – DUE 01-31-13 AT 2:00 P.M.

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

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
 Parks and Recreation, Prospect Park Alliance, 95 Prospect Park West, Brooklyn, NY 11215. Barbara Christ (646) 393-9031; Fax: (212) 360-3434; bchrist@prospectpark.org

n16-30

**PROBATION**

**CONTRACT PROCUREMENT**

■ INTENT TO AWARD

*Human / Client Services*

**MENTAL HEALTH/JUVENILE JUSTICE DIVERSION PROJECT** – Negotiated Acquisition – PIN# 78111R0006001N001 – DUE 11-23-12 AT 5:00 P.M. DOP Is entering into a Negotiated Acquisition Extension for the Mental Health/Juvenile Justice Diversion Project. The services are to maintain juvenile justice youth in the community and address the mental health and substance abuse issues that put them at risk of placement. The extension is critical to ensure continuity of services to youth served JCCA of New York. The contract term shall be from January 1, 2012 through December 31, 2013.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
 Department of Probation, 33 Beaver Street, 21st Street, New York, NY 10004. Vincent Perneti (212) 232-0656; uperneti@probation.nyc.gov

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**SMALL BUSINESS SERVICES**

■ SOLICITATIONS

*Services (Other Than Human Services)*

**PAY FOR SUCCESS VALIDATOR - CUNY ASAP PROGRAM** – Negotiated Acquisition – PIN# 80113N0004 – DUE 11-27-12 AT 12:00 P.M. – The New York City Department of Small Business Services (SBS), on behalf of the Center for Economic Opportunity (CEO), intends to enter into negotiations with one or more qualified vendors with expertise in providing verification and validation of outcome targets for the CUNY ASAP program. The CUNY ASAP program is designed to help students earn their Associate Degrees within three years by providing academic, social, and financial supports. The selected Vendor will advise and agree to the use of specific methodologies to assess outcomes, monitor outcome measures, and determine whether outcomes targets have been met. The selected Vendor will provide documentation that these targets have been met. Funding for this project is contingent upon receipt of a federal Department of Labor Employment and Training Administration grant. (EPIN: 80113N0004).

A contract award will be made by the Negotiated Acquisition source selection method, pursuant to City of New York Procurement Policy Board Rules (PPB Rules) Section 3-04(b)(2) because SBS has determined that it is neither practical nor advantageous to award the proposed contract by competitive sealed bids or competitive sealed proposals, and that this source selection method is in the City’s best interest.

It is anticipated that the contract to be awarded through this solicitation will have an initial four-year term with one 1-year renewal commencing on January 1, 2013 and ending on December 31, 2016.

Any vendors with similar expertise that wishes to express an interest to be considered for this procurement is invited to do so by contacting Daryl Williams, Agency Chief Contracting Officer by e-mail at procurementhelpdesk@sbs.nyc.gov or by mail sent to NYC SBS, Attn: Daryl Williams, 110 William Street, 7th Floor, New York, NY 10038 or by fax to (212) 618-8867. All expressions of interest must be received by the Agency by November 27, 2012 by 12:00 P.M. All expressions of interest must include the following information: Contact Person’s Name, Organization’s Name, Address, Telephone Number, Fax Number, and E-mail Address.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
 Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038. William Choi (212) 618-8728; Fax: (212) 618-8867; wchoi@sbs.nyc.gov

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**AGING**

■ NOTICE

**Notice of Concept Paper**

Prior to the release of a Request for Proposals (RFP) for the Naturally Occurring Retirement Community (NORC) Program, the NYC Department for the Aging (DFTA) has developed a Concept Paper that presents the Department’s approach to this essential program. The Concept Paper describes the types of NORCs that DFTA seeks to fund and various elements of program design, as well as other information of interest to potential proposers. We invite your review and comment. The NORC Concept Paper will be posted on DFTA’s website at www.nyc.gov/aging beginning November 28, 2012.

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**FINANCE**

■ NOTICE

**NOTICE OF INTEREST RATES ON NEW YORK CITY INCOME AND EXCISE TAXES AND ANNUAL VAULT CHARGE**

Pursuant to the power vested in the Commissioner of Finance by §11-537(f)(1), §11-687(5)a, §11-715(h)(1), §11-817(g)(1),

§11-905(g) (1), §11-1114(g) (1), §11-1213(g) (1), §11-1317(d)(2), §11-1413 (g)(1), §11-1515(g)(1), §11-2114(g)(1), §11-2414(g)(1), §11-2515(g)(1), and §11-2714(g)(1) of the Administrative Code of the City of New York, notice is hereby given of the interest rates to be set for the period January 1, 2013 through March 31, 2013 for underpayments and, where applicable, overpayments of New York City income and excise taxes and the Annual Vault Charge.

Interest on overpayments of the following taxes that remain or become overpaid on or after January 1, 2013 is to be paid at the rate of 2%:

City Business Taxes (General Corporation Tax and Banking Corporation Tax)  
(Chapter 6 of Title 11 of the Administrative Code of the City of New York)

City Unincorporated Business Income Tax  
(Chapter 5 of Title 11 of the Administrative Code of the City of New York)

Tax upon Foreign and Alien Insurers  
(Chapter 9 of Title 11 of the Administrative Code of the City of New York)

Interest on underpayments of the following taxes and charges that remain or become underpaid on or after January 1, 2013 is to be paid at the rate of 7.5%:

City Unincorporated Business Income Tax  
(Chapter 5 of Title 11 of the Administrative Code of the City of New York)

City Business Taxes (General Corporation Tax and Banking Corporation Tax)  
(Chapter 6 of Title 11 of the Administrative Code of the City of New York)

Commercial Rent or Occupancy Tax  
(Chapter 7 of Title 11 of the Administrative Code of the City of New York)

Tax on Commercial Motor Vehicles and Motor Vehicles for Transportation of Passengers  
(Chapter 8 of Title 11 of the Administrative Code of the City of New York)

Tax Upon Foreign and Alien Insurers  
(Chapter 9 of Title 11 of the Administrative Code of the City of New York)

Utility Tax  
(Chapter 11 of Title 11 of the Administrative Code of the City of New York)

Horse Race Admissions Tax  
(Chapter 12 of Title 11 of the Administrative Code of the City of New York)

Cigarette Tax  
(Chapter 13 of Title 11 of the Administrative Code of the City of New York)

Tax on Transfer of Taxicab Licenses  
(Chapter 14 of Title 11 of the Administrative Code of the City of New York)

Tax on Coin Operated Amusement Devices  
(Chapter 15 of Title 11 of the Administrative Code of the City of New York)

Real Property Transfer Tax  
(Chapter 21 of Title 11 of the Administrative Code of the City of New York)

Tax on Retail Licensees of the State Liquor Authority  
(Chapter 24 of Title 11 of the Administrative Code of the City of New York)

Tax on Occupancy of Hotel Rooms  
(Chapter 25 of Title 11 of the Administrative Code of the City of New York)

Annual Vault Charge  
(Chapter 27 of Title 11 of the Administrative Code of the City of New York)

Questions regarding this notice may be directed to the New York City Department of Finance, Legal Affairs Division, 345 Adams Street, 3rd Floor, Brooklyn, New York, 11201 (718) 403-3600.

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## MAYOR'S OFFICE OF OPERATIONS

### NOTICE

#### NOTICE OF REPORT AND ADVISORY BOARD REVIEW COMMISSION RECOMMENDATIONS

Pursuant to Charter §1113, the Report and Advisory Board Review Commission's held a public meeting on November 19, 2012 and voted to retain the following Reports:

1. Class Size Report (Charter §522(c)-(f))
2. Industrial and Commercial Incentive Program Report (Administrative Code §11-267)
3. Outreach Programs Report (Charter §612(a)(7))
4. Permanent Housing Needs Report (Charter §614)
5. Preliminary Mayor's Management Report (Charter §12)
6. Temporary and Non-Standard Classroom Report (Charter §522(b))

The Commission voted to waive the following Reports and Advisory Boards:

1. NYC Commission for the Foster Care of Children (Administrative Code §21-118)
2. Drug Enforcement/Drug Abuse Task Force (Administrative Code §3-111)
3. Drug Enforcement/Drug Abuse Task Force Report (Administrative Code §3-111)
4. Consumers Council (Charter §2204)
5. Inter-Agency Advisory Council on Towing (Administrative Code §20-521)
6. Zoning and Planning Report (Charter §192(f))
7. Use of Refuse Burning Equipment without Control Apparatus Report (Administrative Code §24-158)
8. Tattoo Regulation Advisory Committee (Administrative Code §17-361)

9. Horse Drawn Cab Stand Report (Administrative Code §19-174)
10. Ultra Low Sulfur Diesel Fuel for Ferries Report (Administrative Code §19-307)
11. Resource Recovery Task Force (Charter §1403)
12. Arson Strike Force (Administrative Code §15-301)
13. Arson Strike Force Report (Administrative Code §15-303)
14. Criminal Justice Account Allocation of Funds Report (Administrative Code §5-605)
15. Sustainable Stormwater Management Plan Report (Administrative Code §24-526.1)

A complete copy of the waiver determinations has been filed with the City Council and is included below.

#### Background

In November 2010, New York City voters approved a Charter Revision Commission referendum proposal to review and assess the continued usefulness of reporting requirements and advisory boards established by the City Charter, Administrative Code, and local law. The Commission is chaired by the Director of the Mayor's Office of Operations and consists of representatives from the City Council, the Office of the Corporation Counsel, the Department of Information Technology and Telecommunications (DOITT), and the Office of Management & Budget (OMB).

As part of its review, the Commission conducts outreach and holds public hearings to solicit feedback from groups and organizations that are the subject of, or are affected by, the reports and boards under the Commission's purview. Following this outreach process, the Commission may vote to retain or waive a reporting requirement, in whole or in part, or in the case of an advisory board, may vote to retain or dissolve it. The Commission must prepare formal determinations for all waiver recommendations. Thereafter, the City Council may vote either to approve or disapprove the Commission's waiver and dissolution recommendations.

More information about the Commission is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards) or by contacting the Commission staff at [ReportsandBoards@cityhall.nyc.gov](mailto:ReportsandBoards@cityhall.nyc.gov).

#### Waiver Determinations

The Commission's fifteen waiver determinations are provided, in their entirety, below:

#### **New York City Commission for the Foster Care of Children, Administrative Code §21-118**

**SUMMARY:** Administrative Code §21-118 establishes the New York City Commission for the Foster Care of Children and requires the Mayor to appoint fifteen public members who are active in the field of child care to the Commission. The provision requires the Commission to meet at least monthly (except in July and August) and make recommendations to the Commissioner of the Administration for Children's Services ("ACS"), the Administrative Judge of the New York State Family Court, and other appropriate authorities. The Commission is required to advise on the following areas: foster care standards, the extent and nature of the facilities required to provide adequate foster care, the type and age range of children to be admitted to temporary shelters, potential studies of temporary shelters, records and statistics to be reported, foster care agency performance and program development, and lengths of stay in shelters.

#### **DETERMINATION:** Waiver

**RATIONALE:** The Commission on Reports and Advisory Boards staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(2). Specifically:

1. **The body does not substantially further the mission of City agencies with which it interacts or within which it is located.**

The Commission has been dormant for almost twenty years and had a previous period of dormancy prior to 1991. In or around 1991, Mayor David Dinkins appointed members to this commission. The Commission had apparently been dormant before that point, because Mayor Dinkins wrote that he "re-established the long dormant Mayor's Commission for the Foster Care of Children." It is ACS's understanding that Mayor Rudolph Giuliani returned this commission to "dormant" status in or around 1994. No Mayor since Mayor Dinkins has appointed any members of the public to serve on this Commission, and it is ACS's understanding that no meetings have been held since the end of 1993. The Commission has remained dormant because ACS has developed more effective ways to solicit the perspectives of experts and community members. As the Commission is currently not active, it does not substantially further the mission of City agencies. ACS has several other programs and initiatives with similar purpose and function that are better suited to the current operations and resources of ACS (see #2).

2. **The function or jurisdiction of the body is entirely or partly duplicative of the function or jurisdiction of another mandated body.**

The intended functions and jurisdiction of the New York City Commission for the Foster Care of Children are duplicative of the various functions of ACS, as described below. In addition, prior ACS Commissioner John Mattingly created the "Commissioner's Advisory Board," as a way to gather expertise and insight from various stakeholders in the child welfare arena and/or directors of agencies with whom ACS works closely. ACS's current Commissioner Ronald Richter continues to hold quarterly meetings of this Advisory Board to work and communicate closely with stakeholders and leaders of other agencies. The members of the Board include representatives from the City Council, City agencies, State Family Court, advocacy groups such as Children's Aid Society, Lawyers for Children, and Harlem Children's Zone, professors, foundations, and other community organizations.

Many of the required duties of the Commission duplicate the work of ACS. The Family Permanency Services Division, the Family Support Services Division, the Division of Child Protection, and the Family Court Legal Services Division

work both within and across divisions to develop policy and provide recommendations to the Commissioner relating to foster care. The agency's Division of Policy, Planning and Measurement, particularly the Performance Measurement, Management, and Improvement Unit within that division, establish standards for foster care in the City. That unit also studies and reports on the nature and extent of the facilities required to provide adequate foster care for children. ACS's Children's Center provides temporary shelter, and the Agency's staff continues to develop and improve policies surrounding the shelters. The agency sends child welfare reports to the Council regularly. The Agency Program Assistance unit reviews performance of foster care agencies and institutions receiving public funding, and provides them with guidance and assistance when needed. The Commissioner and the Deputy Mayor of Health and Human Services incorporate feedback from the Commissioner's Advisory Board and the Agency's divisions into new policies that affect foster care. Internally, ACS is always working to decrease the length of stay of children in temporary shelters. ACS continues to explore and implement different methods in order to secure the best outcomes for New York City's children, in and out of foster care. For example, ACS launched the Community Partnerships Initiative in 2007, now called the Community Partnerships Program, where ACS works side-by-side with neighborhood organizations to promote child safety and strengthen the community's ability to keep children safe and support families. The Community Partnerships Program also provides the Agency with a vehicle to aid in disseminating information to communities. Since 2007, ACS has created eleven Community Partnerships throughout New York City. The Partnerships are coalitions of Children's Services, child welfare agencies, Head Start and Child Care provider agencies, and other stakeholders. They explore innovative, community-based strategies that can positively impact child welfare outcomes for the City's children. The coalitions include forums where members share resources, ideas, information, and referrals, and the participants engage in joint planning, service coordination, training, and advocacy. The Partnerships focus on four main tasks: promoting innovative approaches to a coordinated service delivery system; family team conferences that contribute to decision-making about the needs, services, and safety plans appropriate to each family's particular circumstances; supporting existing and recruiting new foster and adoptive parents in communities where they are needed; and facilitating visits between parents, children, and siblings in foster care.

3. **The benefits and usefulness of the body do not outweigh the expenditure of public resources to support and interact with it.**

The expenditure of public resources to re-convene this Commission for the first time in two decades and to allocate funds to pay for the salary of the executive director and the assistant to the executive director, as directed by Administrative Code §21-118, would outweigh any potential benefits and usefulness of this body.

4. **Additional factors in support of a waiver:**

The Commission did not receive any public comments or testimony in opposition to the proposed waiver.

Two criteria did not support a waiver. First, the function or jurisdiction of the body is not limited to the production of reports that have been waived pursuant to Charter Section 1113. However, staff did not assign much weight to this factor, as the functions of the body seem to be duplicative of other efforts. Second, the function or jurisdiction of the body is not irrelevant in light of changing circumstances and needs. ACS recognizes the intended functions of this body and studies of child welfare are ongoing and do remain relevant in light of changing circumstances and needs. However, the purpose of the body is already addressed in a number of different ways within the Agency through the various divisions of ACS, as well as through the Commissioner's Advisory Board. Consequently, the discrete function of this body would not further the mission of the Agency and is duplicative of existing efforts.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). No comments were submitted to the Commission in favor or in opposition of this waiver.

#### **Drug Enforcement and Drug Abuse Task Force, Administrative Code §3-111(a)**

**SUMMARY:** Administrative Code §3-111(a) establishes a Drug Enforcement and Drug Abuse Task Force with members appointed by the Mayor including representatives of the Police Department, Human Resources Administration, Department of Health and Mental Hygiene, Department of Correction, Department of Housing Preservation and Development, Department of Finance, Department of Probation, and the Criminal Justice Coordinator ("CJC"). CJC chairs the Task Force. The Task Force is instructed to request participation by representatives of the Health and Hospitals Corporation, Board of Education, each of the District Attorney's offices, and the Special Narcotics Prosecutor. Section 3-111(b) charges the Task Force with submitting an informal quarterly report of its ongoing coordination activities, and a formal annual report including any findings and recommendations.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Task Force based on a weighing of the criteria specified in Charter §1113(e)(2). Specifically:

1. **The body does not substantially further the mission of City agencies with which it**

**interacts or within which it is located**

The Substance Abuse Task Force, which has not met in at least ten years, no longer furthers the mission of the agencies that form its membership. CJC found that a task force formed to talk about drug abuse generally is not effective, and instead, CJC pursues more targeted efforts and solutions. In addition to CJC, other member agencies – NYPD and DOHMH – continue to undertake various efforts to address drug addiction, including by working on the Mayor's Task Force on Prescription Painkiller Abuse, as well as providing reports concerning the treatment of individuals addicted to drugs. That Task Force includes members of the Substance Abuse Task Force, such as DOHMH, HRA and the Police Department, and focuses on many of the goals of the Substance Abuse Task Force (including preventing addiction and treating addicts). Since the creation of the Substance Abuse Task Force, the various District Attorneys' offices have created alternative to incarceration programs, which place people accused of crimes into drug treatment programs. Additionally, in 2009, the State adopted a judicial diversion program that diverts certain criminal offenders to drug treatment programs. Moreover, DOHMH has a Bureau of Alcohol and Drug Use Prevention, Care and Treatment, which among other things has promoted safe needle exchange and naloxone distribution. These efforts by various City and State agencies have vastly improved the quality of care addicted persons get in the City since the Substance Abuse Task Force was created, and the approach of focusing on a specific outcome has been deemed much more useful than the general Substance Abuse Task Force.

**2. The function or jurisdiction of the body is entirely or partly duplicative of the function or jurisdiction of another mandated body**

This task force would overlap with the work that the member agencies are already doing. The NYPD, DOHMH and the District Attorney's offices routinely provide detailed statistics on the ongoing effort to prevent drug abuse. In addition to these bodies, which routinely provide treatment and analysis of persons addicted to the traditional drugs of the 1970s and 1980s, the Mayor has formed the Prescription Painkiller Task Force, whose representation overlaps with the membership of the Substance Abuse Task Force. Prescription painkillers are the most abused drugs in New York City and have accounted for more overdose deaths than heroin and cocaine combined. The members of the Prescription Painkiller Task Force work collaboratively to address the serious rise in the abuse of prescription opioids, by identifying public health and law enforcement strategies and by advocating for State legislation to assist in the City's effort to combat the opioid epidemic.

**3. The function or jurisdiction of the body is limited to the production of reports that have been waived pursuant to Charter Section 1113**

The Commission staff recommends a waiver of the report requirement as well. This reporting requirement was one of the key functions of the Task Force. Indeed, the reporting requirement is the only stated requirement of the Task Force in the Administrative Code. The report is duplicative of the efforts of the NYPD, District Attorneys' offices and DOHMH, all of whom regularly provide reports concerning the treatment of individuals addicted to drugs, in their efforts to combat drug abuse.

**4. The function or jurisdiction of the body is irrelevant in light of changing circumstances and needs**

The Task Force was originally formed to address the crack epidemic of the 1980s. While efforts to combat all types of drug abuse remain a high priority, this particular Task Force is no longer necessary. Since the time the Task Force was formed, there have been many more focused developments in terms of drug treatment. As stated earlier, the City began successful alternative to incarceration programs and State law now permits judges to divert people accused of crimes into drug treatment. Additionally, DOHMH has stepped up efforts since the 1980s to provide substance abuse counseling to those who are addicted to narcotics.

**5. The benefits and usefulness of the body do not outweigh the expenditure of public resources to support and interact with it**

The Task Force no longer meets and has not met in many years. Any usefulness that it would serve is outweighed by the resources that would be required to reconvene it.

**6. Additional factors in support of a waiver**

The Commission did not receive any public comments or testimony in opposition to the proposed waiver.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). No comments were submitted to the Commission in favor or in opposition of this waiver.

**Drug Enforcement and Drug Abuse Task Force Report, Administrative Code §3-111(b)**

**SUMMARY:** Administrative Code §3-111(a) establishes a Drug Enforcement and Drug Abuse Task Force with members appointed by the Mayor including representatives of the Police Department, Human Resources Administration, Department of Health and Mental Hygiene, Department of Correction, Department of Housing Preservation and Development, Department of Finance, Department of Probation, and the Criminal Justice Coordinator. The Criminal Justice Coordinator chairs the Task Force. The Task Force is instructed to request participation by

representatives of the Health and Hospitals Corporation, Board of Education, each of the District Attorney's offices, and the Special Narcotics Prosecutor. Section 3-111(b) charges the Task Force with submitting an informal quarterly report of its ongoing coordination activities, and a formal annual report including any findings and recommendations.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(1). Specifically:

**1. The report does not provide useful information for evaluating the results of programs, activities, and functions and their effectiveness in achieving their goals and objectives.**

If produced, the Substance Abuse Task Force Report would not provide useful information because the Task Force assigned with creating the report has not met in at least 10 years. The Substance Abuse Task Force and its report no longer further the mission of the agencies that form its membership. CJC found that a task force formed to talk about drug abuse generally is not effective, and instead, CJC pursues more targeted efforts and solutions. In addition to CJC, other member agencies – NYPD and DOHMH – continue to undertake various efforts to address drug addiction, including by working on the Mayor's Task Force on Prescription Painkiller Abuse, as well as providing reports concerning the treatment of individuals addicted to drugs. That Task Force includes members of the Substance Abuse Task Force, such as DOHMH, HRA and the Police Department, and focuses on many of the goals of the Substance Abuse Task Force (including preventing addiction and treating addicts). Since the creation of the Substance Abuse Task Force Report, the various District Attorneys' offices have created alternative to incarceration programs, which place people accused of crimes into drug treatment programs. Additionally, in 2009, the State adopted a judicial diversion program that diverts certain criminal offenders to drug treatment programs. Moreover, DOHMH has a Bureau of Alcohol and Drug Use Prevention, Care and Treatment, which among other things has promoted safe needle exchange and naloxone distribution. These efforts by various City and State agencies have vastly improved the quality of care addicted persons get in the City since the Substance Abuse Task Force was created, and the approach of focusing on a specific outcome has been deemed much more useful than the general Substance Abuse Task Force. Additionally, these agencies regularly report on the persuasiveness of drug addiction problems and on the effectiveness of their treatment solutions.

**2. The report does not provide useful information for assessing the effectiveness of the management of City resources.**

The Report would look at the problem of substance abuse generally, as opposed to specific issues like prescription drug abuse or opioid addiction. A better way to evaluate the management of City resources is to look at specific programs and their results, which the City does regularly through the work described above. The agencies who tackle specific substance abuse issues regularly report on the effectiveness of their programs and initiatives.

**3. Whether the report is entirely or partially duplicative of the subject matter of any other mandated report.**

It is understood that this reporting requirement was one of the key functions of the Task Force. Indeed, the only stated requirement of the Task Force in the Administrative Code provisions is the reporting requirement. Any report issued by the Task Force would overlap with the work that the member agencies are already doing. The NYPD, DOHMH and the District Attorney's offices routinely provide detailed statistics on the ongoing effort to prevent drug abuse. In addition to these bodies, which routinely provide treatment and analysis of persons addicted to the traditional drugs of the 1970s and 1980s, the Mayor has formed the Prescription Painkiller Task Force, whose representation overlaps with the membership of the Substance Abuse Task Force. Prescription painkillers are the most abused drugs in New York City and have accounted for more overdose deaths than heroin and cocaine combined. The members of the Prescription Painkiller Task Force work collaboratively to address the serious rise in the abuse of prescription opioids, by identifying public health and law enforcement strategies and by advocating for State legislation to assist in the City's effort to combat the opioid epidemic.

**4. The report is irrelevant in light of changing circumstances, current information needs and technological advances.**

The Task Force and Report were originally established to address the crack epidemic of the 1980s. While efforts to combat all types of drug abuse remain a high priority, this particular Task Force Report is no longer necessary. Since the time the Task Force was formed, there have been many more focused developments in terms of drug treatment. As stated earlier, the City began successful alternative to incarceration programs and State law now permits judges to divert people accused of crimes into drug treatment. Additionally, DOHMH has stepped up efforts since the 1980s to provide substance abuse counseling to those who are addicted to narcotics.

**5. The benefits and usefulness of the report do not outweigh the expenditure of public resources to produce it.**

The Task Force no longer produces reports and has not done so in many years. Any usefulness that it would serve is outweighed by any resources that would be required to assemble the members of the Substance Abuse Task Force and provide reports.

**6. Additional factors in support of a waiver:**

The Commission did not receive any public comments or testimony in opposition to the proposed waiver.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). No comments were submitted to the Commission in favor or in opposition of this waiver.

**Consumers Council, Charter §2204**

**SUMMARY:** Charter §2204 establishes a consumers council, consisting of the Commissioner of Consumer Affairs, ex officio, and twelve Mayoral appointees representing a cross section of consumer interests, to advise the Commissioner on general goals for the development of programs, undertake studies and reports, and foster cooperation among City, State and federal agencies and private groups.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Consumers Council based on a weighing of the criteria specified in Charter §1113(e)(2). Specifically:

**1. The body does not substantially further the mission of the City agency with which it interacts.**

The Council was most useful when the Department of Consumer Affairs was first established in 1968. However, today the agency uses a wide variety of outreach mechanisms, many of which are facilitated by improved technology, to more effectively exchange information and feedback with businesses and consumers. The Department now conducts industry meetings, open houses, outreach days, and social media to interface with a much broader array of the public than a formal body of twelve individuals can provide. The Department conducts intensive outreach to businesses and consumers through close involvement with Business Improvement Districts, business associations, Chambers of Commerce, community boards, events at senior center centers and schools throughout the City, obviating the need or added value of the Council.

**2. The body is irrelevant in light of changing circumstances and needs.**

As stated above, since the Council's inception in 1968, the agency has found more effective ways to stay in close contact with its 55 regulated industries and the consumers that are impacted by them, through regular in-person and social media outreach.

**3. The benefits and usefulness of the body do not outweigh the expenditure of public resources to support and interact with it.**

The Consumers Council has met once in the last few years, and the Department indicated that more than 100 staff hours were dedicated to preparing and coordinating the meeting. The existence of the Council does not significantly benefit the public or the agency, nor does it outweigh the cost of supporting it. Staff time and resources would be better spent focusing on other outreach methods that provide meaningful contact with businesses and consumers.

Two criteria did not support a waiver. First, the Council is not duplicative of the function or jurisdiction of any other mandated body. This criterion was not significant as the Council has become irrelevant in light of more effective outreach tools. Second, the Council's function or jurisdiction is not limited to the production of reports that have been waived pursuant to Charter §1113. On balance, the broader role of the Council was not compelling as a sufficient reason to withhold the waiver.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). Common Cause, a nonpartisan advocacy organization, provided the only comment on this advisory board, opposing the waiver because it felt that ad hoc outreach was not a replacement for a mandated formal council. The Department submitted written testimony, which was published on the Commission's website, in response to the Common Cause comment about the necessity of the waiver.

**Interagency Advisory Council on Towing, Administrative Code §20-521**

**SUMMARY:** Administrative Code §20-521 establishes an Interagency Advisory Council consisting of the Police ("NYPD") and Transportation ("DOT") Commissioners, both of whom serve ex-officio, and a representative of the Mayor's Office. The Council may make recommendations to the Department of Consumer Affairs ("DCA") Commissioner concerning the criteria for the issuance of licenses for towing vehicles and for authorization to participate in the rotation tow program and directed accident response program. At the DCA Commissioner's request, the Council may advise and assist the agency on any matter concerning the City's regulation of towing.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Inter-Agency Advisory Council on Towing based on a

weighing of the criteria specified in Charter §1113(e)(2). Specifically:

- 1. The body does not substantially further the mission of the City agency with which it interacts.**

This Council was created when regulation of the towing industry was transferred from NYPD to DCA in 1987. Since NYPD was still the primary enforcing agency at the time, the Interagency Advisory Council was established so that the two agencies would have the opportunity to hold ongoing meetings to address any issues as they arose during that transition period. DOT was included as a member of the Council because the law concerning the non-consensual vehicle towing on private property is codified in a DOT chapter of the Administrative Code. DCA, not DOT, enforces that law and DOT has never played a role in towing or Council activities.

Over time all three of the agencies involved recognized that there was little need for formal Council meetings. NYPD continues to enforce laws applicable to the towing industry through both the Directed Accident Response Program and the Rotation Tow Program and administers the Arterial Tow Program, while DCA establishes rules and regulations for licensing the tow industry. DCA has ongoing contact with NYPD's legal division and precinct commands as needed. The Director of DCA's licensing division is in regular contact with NYPD on tow truck dispatch. Both agencies feel that these targeted, ongoing communications allow the agencies to address towing issues as they arise, obviating the need for a Council.

- 2. The body is irrelevant in light of changing circumstances and needs.**

See above.

- 3. The benefits and usefulness of the body do not outweigh the expenditure of public resources to support and interact with it.**

The Council no longer meets and has not met in many years. Any usefulness that it would serve is outweighed by the resources that would be required to reconvene it.

Two criteria did not support a waiver. First, the Council is not duplicative of the function or jurisdiction of any other mandated body. This criterion was not significant as the Council has become irrelevant in light of more effective outreach tools. Second, the Council's function or jurisdiction is not limited to the production of reports that have been waived pursuant to Charter §1113.

On balance, the broader role of the Council was not compelling as a sufficient reason to withhold the waiver.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). The Commission did not receive any comments supporting or opposing this waiver.

#### **Zoning and Planning Report, Charter §192(f)**

**SUMMARY:** Charter §192(f) requires the City Planning Commission to file a Zoning and Planning Report with the Mayor, City Council, Public Advocate, borough presidents and community boards every four years. The report must include: 1) a statement of the Commission's planning policy, taking into consideration other related City reports and findings; 2) a summary of significant plans and studies completed or undertaken by the Department of City Planning ("DCP") in the preceding four years; 3) an analysis of zoning resolutions that may merit reconsideration in light of the Commission's planning policy; and 4) proposals for implementing the planning policy.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(1). Specifically:

- 1. The report does not provide useful information for evaluating the results of programs, activities, and functions and their effectiveness in achieving their goals and objectives.**

The Report, as established by Charter § 192(f), does not evaluate programs or activities. The Report evaluates the need for future planning and zoning changes; however, the City Planning Commission typically identifies, analyzes and publicizes these changes more regularly than the every four year period called for in the Charter through means other than the Report (see #4 below).

- 2. The report does not provide useful information for assessing the effectiveness of the management of City resources.**

The Report does not address the management of City resources and thus does not serve as a basis for assessment.

- 3. The report is partially duplicative of the subject matter of other mandated reports.**

The report is duplicative of several available resources. The Charter mandate requires a statement of planning policy that is paralleled and superseded in the City Charter requirement for PlaNYC as a result of Local Law 17 of 2008. PlaNYC requires placing planning in a broader interagency context than the Zoning and Planning Report. PlaNYC requirements include reporting on population projections and a series of required analysis topics such as housing, open

space, transportation, water quality, infrastructure, and climate change. While §192(f) does not specify the topics to be included in the Zoning and Planning Report, topics covered have mirrored those of PlaNYC such as "housing and the urban fabric"; "moving people and goods"; and "moving water and waste." Preparation of future Zoning and Planning Reports would be duplicative of the materials included in PlaNYC, while being less complete as a comprehensive planning tool.

- 4. The report is irrelevant in light of changing circumstances, current information needs and technological advances.**

The Zoning and Planning Report was intended to require periodic reconsideration of the relationship of zoning to planning objectives. Added in the 1989 Charter reform during the pre-Internet era, it was intended to engage the public on important planning issues that affect zoning policy. The drafters could not have contemplated modern means of communicating and updating planning information. In the Internet era, the presentation and dissemination of planning information and policies are far more frequent and immediate than a periodic hard-copy Zoning and Planning Report. Today's resources include:

- As part of its ongoing communication to the public, DCP maintains a Department Strategic Plan on its website. This strategic plan was significantly updated in 2011, and is updated more frequently than the requirement for the quadrennial Zoning and Planning Report.
- In addition to the Strategic Plan, the DCP Website also features an interactive citywide map that allows the public to navigate all of the DCP's active planning studies, as well as other available information regarding demographic, land use and planning information that inform planning policy.

The flexibility and frequency with which the DCP can communicate new policy ideas to the public through the website results in fresher and more abundant information than can be provided in a once every four year publication. The City dialogue regarding planning policies is better served by this more dynamic and flexible practice.

- 5. The benefits and usefulness of the report do not outweigh the expenditure of public resources to produce it.**

DCP anticipates that preparation of the Report would require at least three full time staff members for approximately one out of every four years, as well as significant staff time from the Parks and Recreation Department, Department of Environmental Protection and the Economic Development Corporation. In light of the Report's redundancy, lack of useful information, and irrelevancy as stated above, the benefits would not outweigh these significant expenditures.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards).

The potential waiver of the Report elicited one statement in opposition, which was submitted by Common Cause, a nonpartisan advocacy group. Common Cause raised concerns that the waiver would replace a Charter requirement with reliance on Mayoral initiatives and criticized DCP for failing to engage in long term strategic planning. DCP submitted written testimony, which was published on the Commission's website, in response to the Common Cause testimony, noting that future comprehensive PlaNYC reports are required under Local Law 17 of 2008 and that the agency's other reports and plans address long term strategic planning.

#### **Use of Refuse Burning Equipment without Control Apparatus Report, Administrative Code §24-158(b)**

**SUMMARY:** Administrative Code §24-158 prohibits the operation of Department of Sanitation incinerators without the use of a control apparatus to regulate emission levels. Subdivision (b) requires the Commissioner of Environmental Protection to issue a biannual report to the City Council detailing compliance, the cause of any noncompliance, and what action is being undertaken to ensure compliance.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(1). Specifically:

- 1. The report does not provide useful information for evaluating the results of programs, activities, and functions and their effectiveness in achieving their goals and objectives.**

The reporting requirement has become obsolete. The Department of Sanitation no longer uses incinerators to burn refuse as a method of disposal, and thus there is no longer a program, activity, or function to be evaluated. Under the current New York City Comprehensive Solid Waste Management Plan (SWMP) which covers the period of 2006 through 2025 and which was adopted by the New York City Council in July 2006 and approved by New York State Department of Environmental Conservation in October 2006, the Department of Sanitation is currently implementing a long-term barge and rail-based system. The system relies on existing City waste infrastructure and a mix of public and private facilities to export Department-managed waste that is not prevented, reused, recycled or composted each day through Department programs out of the City. All Department-managed waste in Staten Island and the Bronx, and a portion from Brooklyn, is currently transported out of the City by rail, and the remainder of Department-managed

waste in the City is exported out of the City by long-haul trucks under interim contracts.

- 2. The report does not provide useful information for assessing the effectiveness of the management of City resources.**

Because the Department no longer operates the equipment that is the subject of this Report, there are no resources to be assessed for effectiveness.

- 3. The report is irrelevant in light of changing circumstances, current information needs and technological advances.**

As stated above, the City's waste management policies and practices have changed since this reporting requirement was promulgated, and, as a result, the Report is irrelevant.

- 4. The benefits and usefulness of the report do not outweigh the expenditure of public resources to produce it.**

If the Report were produced, it would require a small expense related to writing and delivering the document. However, even this minimal expenditure would be a waste of resources in light of the non-usefulness of the Report.

- 5. Additional factors in support of a waiver.**

The Commission did not receive any public comments or testimony in opposition to the proposed waiver.

One criterion did not support a waiver—the Report is not duplicative of any other mandated report. However, the lack of duplication was not a significant factor because the Report is outdated.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). No comments were submitted to the Commission in favor or in opposition of this waiver.

#### **Tattoo Regulation Advisory Committee, Administrative Code §17-361**

**SUMMARY:** Administrative Code §17-361 establishes the Tattoo Regulation Advisory Committee to advise the Commissioner of Health and Mental Hygiene on issues relating to tattooing, including rules needed to carry out laws relating to tattooing. The Mayor and Speaker appoint eight members who are licensed dermatologists, have experience in tattooing or training of tattooing, or are knowledgeable in sterilization and sanitary procedures. The Commissioner of Health and Mental Hygiene appoints the chair.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(2). Specifically:

- 1. The body does not substantially further the mission of City agencies with which it interacts or within which it is located**

The Tattoo Regulation Advisory Committee was created because of concerns about infection control practices when tattooing was first regulated. In 1961, after an outbreak of hepatitis in New York City, the City banned tattooing and did not lift the ban until 1997. The Advisory Committee was created when the ban was lifted.

There has not been a single outbreak of hepatitis in the City in the years since the ban. The Administrative Code requires a license to engage in tattooing. Applicants must pass a Department of Mental Health and Hygiene (DOHMH) exam and pay a biennial license fee. By law, the exam must cover knowledge of health issues, including infection control, utilization of universal precautions as recommended by the federal centers for disease control and prevention, and proper methods of waste disposal. Licensees face fines ranging from \$300 to \$1,000 if found guilty of operating illegally. The risks of disease from inadequate tattoo safety have been reduced, and tattoo safety can be ensured through other efforts. While disease and infection control are priorities for DOHMH, a specific advisory committee on tattoo regulation is not necessary to ensure tattoo safety.

- 2. The function or jurisdiction of the body is entirely or partly duplicative of the function or jurisdiction of another mandated body**

Any risks of infectious diseases transmitted through tattooing are best monitored through the Bureau of Communicable Disease of DOHMH's Division of Disease Control. This Bureau aims to rapidly recognize and respond to communicable disease threats in order to prevent or control ongoing transmission. The Bureau has a surveillance unit that responds when infection control issues are identified, and can provide guidance to businesses and the public on safe practices. The unit conducts surveillance for 73 infectious diseases or conditions, and responds to complaints made about tattooing conditions.

- 3. The function or jurisdiction of the body does not remain relevant in light of changing circumstances and needs**

There is no evidence suggesting that tattooing is currently being practiced in an unsafe manner; therefore, the body's discrete function is no longer relevant. Any health concerns raised by tattooing would be best addressed through DOHMH's Division of Disease Control.

**4. Whether the benefits and usefulness of the body outweigh the expenditure of public resources to support and interact with it**

Because the Advisory Committee is no longer relevant, any expenditure of public resources by the Advisory Committee would outweigh its benefits and usefulness.

**5. Additional factors in support of a waiver**

The Commission did not receive any public comments or testimony in opposition to the proposed waiver.

One criterion did not support a waiver — The function or jurisdiction of the body is not limited to the production of reports that have been waived pursuant to Charter Section 1113. However, the staff did not heavily weigh this factor, as the functions of the body seem to be duplicative of other efforts.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). No comments were submitted to the Commission in favor or in opposition of this waiver.

**Horse Drawn Cab Stand Report, Administrative Code §19-174(c)**

**SUMMARY:** Administrative Code §19-174 regulates the designation of locations for passengers boarding horse drawn cabs and the operations of the cab stands. Subdivision (c) requires the Department of Transportation ("DOT") annually to review the existing locations of the stands and any proposals to establish or eliminate stands. The report must detail DOT's review and include a list of the locations and reasons why proposals were either accepted or rejected.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(1). Specifically:

- 1. The report does not provide useful information for evaluating the results of programs, activities, and functions and their effectiveness in achieving their goals and objectives.**

The reporting requirement does not provide useful information for evaluating results or effectiveness of horse drawn cab stand locations. DOT has not received any proposals to eliminate or add new locations since approximately 2008; stand locations are not regularly eliminated or added. DOT's primary objective for the stand locations is to facilitate traffic movement and safety. Accordingly, DOT does not annually review existing locations, except to maintain signage (e.g. replacing or relocating a sign) and to provide an inventory of all authorized parking locations Citywide. DOT focuses on enforcing curbside regulations for horse drawn cab stands, which is more central to the agency's mission. The Report would not provide further useful information in consideration of the agency's objectives to facilitate traffic movement and safety.

- 2. The report does not provide useful information for assessing the effectiveness of the management of City resources.**

Operation of horse drawn carriages is licensed by the New York City Department of Consumer Affairs (DCA). According to DOT's Parking Bureau, there are currently five locations, totaling 33 stands, all of which are within the periphery of Central Park and have remained unchanged. The location and number of these stands does not have any bearing on resource allocation to DOT because they are licensed by DCA; therefore, the reporting requirement would not influence it either.

- 3. The report is irrelevant in light of changing circumstances, current information needs and technological advances.**

This Report is not relevant because, as indicated above, DOT has not received any proposals to eliminate or add new locations since approximately 2008, and existing locations have remained unchanged. Stand location regulations are maintained in an internal database. A better alternative is for DOT to continue to maintain such internal records for purposes of installing and maintaining street signage for curbside regulations.

- 4. The benefits and usefulness of the report do not outweigh the expenditure of public resources to produce it.**

Given the marginal usefulness of the report, the costs — including costs of inspectors surveying each stand location — would outweigh the benefits.

**5. Additional factors in support of a waiver.**

The Commission did not receive any public comments or testimony in opposition to the proposed waiver.

One criterion did not support a waiver—the Report is not duplicative of any other mandated report.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and

City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). No comments were submitted to the Commission in favor or in opposition of this waiver.

**Ultra Low Sulfur Diesel Fuel for Ferries Report, Administrative Code §19-307(j)**

**SUMMARY:** Administrative Code §19-307, enacted in 2008, regulates the use of ultra low sulfur diesel (ULSD) fuel and the best available technology for reducing the emission of pollutants for city ferries. Subdivision (j) requires the Mayor to issue an annual report to the City Council regarding the use of diesel fuel-powered city ferries and the ULSD fuel used to power them, as well as the use of best available technology and other authorized technology.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(1). Specifically:

- 1. The Report does not provide useful information for evaluating the results of programs, activities, and functions and their effectiveness in achieving their goals and objectives.**

The reporting requirement does not provide useful information for evaluating best available technology (BAT) for new ferry engine upgrades because DOT has already retrofitted six ferries, and is currently in the process of retrofitting its last two ferries. Accordingly, the Report will effectively become obsolete as all ferries will have been retrofitted by 2013. In addition, once ferry engines are upgraded, there are no further enhancements to the engine, other than maintenance of the ferry. Any further upgrades would entail elevating the classification level (from Tier II to III, or from III to IV), which would require the procurement of a new ferry, and would not fit into the reporting requirement because section 19-307 only requires reporting on Tier II.

Another reason that the report is not useful to the agency is that BAT changes from year to year. At the time of retrofitting any ferry engine, the *existing* BAT at that time is utilized, whereas the Report would contain *previous* BAT utilized at the time the Report was written. The Department of Transportation (DOT) determined that previous BAT did not factor into which BAT to use for current upgrades. Therefore, consulting the Report would not enhance the function of DOT's ferries in achieving lower emissions because prior years' BAT would not be evaluated when retrofitting engines.

The information on the use of ULSD is not useful because by next year, all of the ferries will be retrofitted to use ULSD. In addition, the Department currently reports on ULSD in PlaNYC (explained further below), so reporting on that here would be duplicative.

- 2. The Report does not provide useful information for assessing the effectiveness of the management of City resources.**

This report is not effective with regard to assessing the effectiveness of the management of DOT's resources as resources are allocated in accordance with each ferry engine's manuals and/or maintenance and operational requirements. DOT has found that the manuals are the most relevant and up to date source for determining upgrades. The reporting requirement, on the other hand, sets up a schedule for engine upgrades, without specifying which BAT or equipment to use. The report also does not assist the Office of Management and Budget (OMB) in assessing allocations of resources to DOT because the Report would contain outdated information. Again, since six ferries have already been upgraded, and the two remaining are in progress, the report would not provide new useful information on allocations of resources.

- 3. The Report is entirely or partially duplicative of the subject matter of another mandated report.**

While DOT does not currently produce the Report, it provides similar information in the City's PlaNYC report. In that publication, DOT reports on the progress of ferry engine upgrades and its operations with ultra low sulfur diesel fuel, i.e., how many ferries have been retrofitted to reduce emission levels. PlaNYC differs slightly from the report in that it does not contain information on BAT used to achieve such emission levels. The most recent publication, dated April 2011, is available on the [nyc.gov](http://nyc.gov) website. DOT also reports to the Regional Air Team Group on percentages of emissions reductions, based on the number of ferry trips which use ULSD fuel. The Group consists of the Port Authority, U.S. Environmental Protection Agency, N.Y. State Department of Environmental Conservation, and N.J. Department of Environmental Protection. Any such report is available to the public upon request.

- 4. The Report is irrelevant in light of changing circumstances, current information needs and technological advances.**

This Report is not relevant because, as indicated above in response to the first factor, DOT has already retrofitted six out of eight of its fleet, with the remaining two currently being retrofitted to Tier II.<sup>1</sup>

<sup>1</sup> Tiers are different emission standards established by the U.S. Environmental Protection Agency. The higher the level, the more stringent the emission level (i.e. least amount of emissions permitted).

- 5. The benefits and usefulness of the Report do not outweigh the expenditure of public resources to produce it.**

The costs to produce the Report would outweigh the benefits

and usefulness. The cost to DOT would include hiring a consultant to produce the information required in the Report, which the agency estimates would cost approximately \$100,000 to \$300,000. This would outweigh the usefulness of the Report because any BAT utilized at the time the Report is written would be irrelevant by the time subsequent retrofits are designed and procured.

**6. Additional factors in support of a waiver.**

The Commission did not receive any public comments or testimony in opposition to the proposed waiver.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). No comments were submitted to the Commission in favor or in opposition of this waiver.

**Resource Recovery Task Force, Charter §1403(f)**

**SUMMARY:** Charter §1403(f) establishes a Resource Recovery Task Force to advise and make recommendations to the Commissioners of Environmental Protection and Sanitation on programs relating to energy and materials recovery for the City's solid and liquid wastes. The Task Force consists of no more than twelve employees, in addition to clerical staff and an executive director who is appointed by both Commissioners.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Resource Recovery Task Force based on a weighing of the criteria specified in Charter §1113(e)(2). Specifically:

- 1. The body does not substantially further the mission of the City agencies with which it interacts.**

The Resource Recovery Task Force was established in 1977 when the Department of Sanitation ("DSNY") was part of the City of New York's Environmental Protection Administration superagency, together with the Department of Environmental Protection ("DEP") and Air Resources. It was comprised of five to eight people at different times, and their initial role and purpose was to develop, advise and make recommendations for a Solid Waste Management Plan for managing the City's solid waste and later implement it. The Task Force was made up of salaried employees and held no meetings but rather conducted regular business in the course of their workday at DSNY.

In the late 1970s DSNY formed the Office of Resource Recovery and Waste Disposal Planning headed by a Deputy Commissioner. The Office's mission, staff and work were duplicative of the Task Force. The Office is now known as the Bureau of Long Term Export. This Bureau today is responsible for implementing the long term waste export programs under New York City's Comprehensive Solid Waste Management Plan ("SWMP") which the New York City Council adopted in July 2006, and was approved by the New York State Department of Environmental Conservation in October 2006.

There is no need for the Task Force because the impacted agency has already formalized its work through salaried employees in the Bureau of Long Term Export, which is charged with developing and implementing the SWMP after extensive public hearings.

- 2. The body is entirely duplicative of the function and jurisdiction of another mandated body.**

The Resource Recovery Task Force, whose purpose was to develop a Solid Waste Management Plan incorporating waste management and energy technologies existing at that time and later implement it, does not substantially further the impacted agencies' missions since this work is already being accomplished by DSNY's Bureau of Long Term Export. The Bureau undertook a comprehensive review of the activities undertaken to implement the City's first SWMP in 1992, as amended, an evaluation of where and how those efforts should be refocused to better meet the City's solid waste management needs, information on the City's ongoing solid waste management programs, and an extensive process of consultation with interested parties. Since the SWMP was approved by the State in 2006, the Bureau, working with other agencies, has advanced the SWMP goals and mission, and substantially completed many of the projects and initiatives discussed in the approved SWMP. The Task Force is long outdated, duplicative, and would not substantially further the missions of DSNY, which now has jurisdiction for resource recovery, nor DEP, which works in cooperation with the Bureau.

- 3. The body is irrelevant in light of changing circumstances and needs.**

The existence of a Resource Recovery Task Force is long outdated and no longer necessary, as its intended function is duplicative of the Bureau of Long Term Export for DSNY.

- 4. The benefits and usefulness of the body do not outweigh the expenditure of public resources to support and interact with it.**

Convening the Task Force would require dedicating time, resources and staff from both DEP and DSNY to duplicate functions already served by DSNY's Bureau of Long Term Export for no additional value.

One criterion did not support a waiver. The Task Force's function or jurisdiction is not limited to the production of

reports that have been waived pursuant to Charter §1113. On balance, this criterion was not compelling as a sufficient reason to withhold the waiver.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). The Commission did not receive any comments supporting or opposing a waiver of the Resource Recovery Task Force.

**Arson Strike Force, Administrative Code §§15-301 and 15-302**

**SUMMARY:** Administrative Code §§15-301 and 15-302 establish an Arson Strike Force to foster cooperation between City agencies to combat arson. The Force is chaired by a representative from the Mayor's Office with representatives from the Fire Department, Police Department, Department of Human Resources, Department of Housing Preservation and Development, and Department of Finance.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Arson Strike Force based on a weighing of the criteria specified in Charter §1113(e)(2). Specifically:

1. **The body does not substantially further the mission of the City agencies with which it interacts.**

Administrative Code §15-301 explains the establishment of the Arson Strike Force and the attendant reporting requirement by citing the need for greater cooperation among City agencies in addressing increasing incidences of arson. Since the Strike Force was established in 1978 the incidence of arson has fallen significantly from the peak in the 1970s, mitigating the need for studies and recommendations on the subject matter. In addition, the Fire and Police Department address arson and do not need recommendations from the Strike Force to do so. Arson investigations are conducted by the Fire Department and the Police Department as part of their regular functions. The Fire Department conducts systematic reviews of trends and patterns in arson through a data-based computer system the agency maintains. The missions of the other three agencies on the Strike Force (Human Resources, Housing Preservation and Development, and Finance) are impacted by today's arson issues only minimally as the crime has so significantly abated since the Force's inception.

2. **The body is irrelevant in light of changing circumstances and needs.**

The Strike Force was established in 1978 at a time when, according to the enabling statute, there had been increasing incidents of arson endangering life and property in the City. New York City's arson epidemic was a major issue for the City in the 1970s, but in the decades since the epidemic has abated and arson crimes have fallen significantly. The Fire Department, which oversees the Bureau of Fire Investigation, does not believe that a Strike Force is needed to control a problem that has now greatly diminished.

3. **The benefits and usefulness of the body do not outweigh the expenditure of public resources to support and interact with it**

Convening the Task Force would require dedicating time, resources, and staff from five agencies and the Mayor's Office to issue an annual report of findings and recommendations for an epidemic that abated a long time ago. The Strike Force has been defunct since at least the 1990s because the expenditures required and the issue's limited scope do not warrant convening the group.

Two criteria did not support a waiver. First, the strike Force is not duplicative of the function or jurisdiction of another mandated body. Second, the Strike Force's function or jurisdiction is not limited to the production of reports that have already been waived pursuant to Charter §1113—instead the Commission is seeking to simultaneously waive the related reporting requirement at the next scheduled public meeting. On balance, these two criteria were not compelling as a sufficient reason to withhold the waiver.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). The Commission did not receive any comments supporting or opposing a waiver of the Arson Strike Force.

**Arson Strike Force Report, Administrative Code §15-303**

**SUMMARY:** Administrative Code §15-303 requires the Arson Strike Force to submit to the Mayor and Council each September an annual report with any findings and recommendations of the Strike Force.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(1). Specifically:

1. **The report does not provide useful information for evaluating the results of programs, activities, and functions and their**

**effectiveness in achieving their goals and objectives.**

Administrative Code §15-301 explains the establishment of the Arson Strike Force and the attendant reporting requirement by citing the need for greater cooperation among City agencies in addressing increasing incidences of arson. Since this reporting requirement was established in 1978 the incidence of arson has fallen significantly from the peak in the 1970s, mitigating the need for studies and recommendations on the subject matter. In addition, the Fire and Police Department address arson and do not need recommendations from the Strike Force to do so. Arson investigations are conducted by the Fire Department and the Police Department as part of their regular functions. The Fire Department conducts systemic reviews of trends and patterns in arson through a data-based computer system the agency maintains. The missions of the other three agencies on the Strike Force (Human Resources, Housing Preservation and Development, and Finance) are impacted by today's arson issues only minimally as the crime has so significantly abated since the Force's inception.

2. **The report does not provide useful information for assessing the effectiveness of the management of City resources.**

The Arson Strike Force since at least the 1990s and as a result has not produced the Report.

3. **The report is irrelevant in light of changing circumstances, current information needs and technological advances.**

The Strike Force and related annual report were established in 1978 at a time when, according to the enabling statute, there had been increasing incidents of arson endangering life and property in the City. New York City's arson epidemic was a major issue for the City in the 1970s, but in the decades since the epidemic has abated and arson crimes have fallen significantly. The Fire Department, which oversees the Bureau of Fire Investigation, believes that there is no longer a need for a body to look systemically at the issue of arson and to issue recommendations.

4. **The benefits and usefulness of the report do not outweigh the expenditure of public resources to produce it.**

Drafting the Report would require dedicating time, resources and staff from five agencies and the Mayor's Office to develop findings and recommendations for an epidemic that abated a long time ago. The Strike Force has been defunct, and the Report has gone unpublished, since at least the 1990s because the expenditures required and the limited nature of this problem do not warrant convening the group to draft such a Report.

One criterion did not support issuing a waiver. Specifically, the Report is not duplicative of the subject matter of other mandated reports. On balance, this criterion was not a sufficient reason to withhold the waiver.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). The Commission did not receive any comments in support or opposition of this waiver.

**Criminal Justice Account Allocation of Funds Report, Administrative Code §5-605**

**SUMMARY:** Administrative Code §5-605 established a reporting requirement for the Criminal Justice Account, which is a special accounting of the revenues and expenditures included in the safe streets-safe city omnibus criminal justice program. The section requires the Director of the Office of Management and Budget, in consultation with the Police Commissioner and other agency heads, to report annually on the actual year spending of the account and any changes to funding allocation, as well as the status of implementation of the program. The provision also requires the report to include information about new hires, civilianization and workload sharing efforts of NYPD, patrol strength around the City, and the implementation status of specific programs.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(1). Specifically:

1. **The report does not provide useful information for evaluating the results of programs, activities, and functions and their effectiveness in achieving their goals and objectives.**

In February 1991, Mayor Dinkins created the safe streets-safe city program, which raised the size of the City's police force and hired more civilians for support duties. The program was funded by a Criminal Justice Account. This account received its funding from the City, imposing a 12.5% temporary income surcharge on City residents. It was also funded by real estate taxes, lottery funds, and other sources. The surcharge expired at the end of 1998, and the Criminal Justice Account was eliminated. The other sources expired as well. Since that time, the report on the Criminal Justice Account has not been prepared.

2. **The report does not provide useful information for assessing the effectiveness of the management of City resources.**

When the report was published, it provided useful information on the expenditure of resources and implementation of the safe street-safe city program. The report would no longer provide useful information for assessing the effectiveness of the management of City resources, because there are no resources allocated to the account.

3. **The report is irrelevant in light of changing circumstances, current information needs and technological advances.**

The report is not relevant since the funding supporting the Criminal Justice Account expired at the end of 1998.

4. **The benefits and usefulness of the report do not outweigh the expenditure of public resources to produce it.**

There would be no benefit to producing the report because there is no funding in the Account and, therefore, nothing about which to report.

5. **Additional factors in support of a waiver.**

The Commission did not receive any public comments or testimony in opposition to the proposed waiver.

One criterion did not support a waiver—the Report is not duplicative of any other mandated report.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards). No comments were submitted to the Commission in favor or in opposition of this waiver.

**Sustainable Stormwater Management Plan Report, Admin Code §24-526.1(b)(4)**

**SUMMARY:** Local Law 5 of 2008 required the Mayor's Office of Long-Term Planning and Sustainability (OLTPS) to develop and implement a sustainable stormwater management plan to reduce combined sewer overflows (CSOs) and improve water quality in the waterways surrounding New York City. The Sustainable Stormwater Management Plan was released in December 2008. Since the release of the plan, the City has implemented innovative stormwater management projects to demonstrate the feasibility of using more sustainable strategies to control stormwater runoff before it enters the city's sewers and overwhelms the system. These efforts led to the creation of the New York City Green Infrastructure Plan in September 2009, which is now memorialized in the City's CSO Consent Order, a legal agreement with the State of New York, to invest \$1.5 billion over the next 18 years to implement a green infrastructure strategy to manage stormwater. Administrative Code §24-526.1(b)(4) requires the OLTPS to submit a report every two years on the implementation status of the measures in the Sustainable Stormwater Management Plan. The report must include a quantitative assessment, where possible, and a qualitative assessment of the progress made toward achieving each of the milestones in the plan.

**DETERMINATION:** Waiver

**RATIONALE:** The Commission staff recommends the waiver of the Report based on a weighing of the criteria specified in Charter §1113(e)(1). Specifically:

1. **The report does not provide useful information for evaluating the results of programs, activities, and functions and their effectiveness in achieving their goals and objectives.**

The Sustainable Stormwater Management Plan served an important function by providing a baseline analysis which demonstrated that there is great value in using innovative new methods to manage stormwater in New York City. However, the usefulness of the Sustainable Stormwater Management Plan has largely been superseded by a newer report, the City's Green Infrastructure Plan. Also, the PlaNYC update released in April 2011 incorporated key commitments from the Sustainable Stormwater Management Plan and the NYC Green Infrastructure Plan. Therefore, reports on the Sustainable Stormwater Management Plan are less useful since the milestones and commitments by the City of New York to undertake sustainable stormwater management efforts are now largely found in PlaNYC and the CSO Consent Order that is based on the Green Infrastructure Plan.

2. **The report does not provide useful information for assessing the effectiveness of the management of City resources.**

The report is not intended to provide information for assessing the effectiveness of the management of City resources since it is understood that the purpose of the document was largely to make the argument for and begin implementation of sustainable stormwater management in New York City. The Sustainable Stormwater Management Plan achieved these purposes. More useful toward the assessment of the effectiveness of the management of City resources are the annual updates to PlaNYC and the CSO Consent Order. To the extent the report covering the Sustainable Stormwater Management Plan does assess the effectiveness of managing City resources, that information would be redundant with these other reports.

3. **Whether the report is entirely or partially duplicative of the subject matter of any other mandated report.**

The vast majority of the report is duplicative of multiple other mandated reports listed below:

- Annual Update to CSO Consent Order (i.e. the NYC Green Infrastructure Plan Update), which is mandated through an agreement between the City and the State
- PlaNYC Progress Report, which is mandated by Local Law 17 of 2008 to be produced annually
- Annual CSO BMP Report, which is mandated by the U.S. Environmental Protection Agency.

The report is also partially duplicative of the annual update to the "DEP Strategy 2011-2014."

The Sustainable Stormwater Management Plan primarily included milestones through October 1, 2010. The vast majority of those milestones were completed, reconsidered, or incorporated into PlaNYC. There were also several "long-term" milestones. Many of these "long-term" milestones called for "exploring options for funding" for stormwater management source control, which is something that the City has achieved by signing an agreement with the State to make an historic \$1.5 billion public investment in green infrastructure over the next 18 years. Another major set of "long-term" milestones involved "monitoring and reporting" for stormwater source control pilot projects, which occurred in the NYC Green Infrastructure Plan 2011 Update and will happen in subsequent reports on the implementation of the CSO Consent Order and PlaNYC. A few of the "long-term" milestones have already been completed or incorporated into PlaNYC. A small number of remaining "long-term" milestones have been reconsidered as the City has prioritized its resources on implementing the Green Infrastructure Plan, which is the most important thing the City can do to reduce combined sewer overflows and improve water quality.

**4. The report is irrelevant in light of changing circumstances, current information needs and technological advances.**

The content of the Sustainable Stormwater Management Plan remains relevant, but the document itself does not require additional reporting in light of the recently modified mandated reporting that will take place for the CSO Consent Order (which now incorporates green infrastructure and sustainable stormwater management), as well as PlaNYC.

**5. The benefits and usefulness of the report do not outweigh the expenditure of public resources to produce it.**

The time and effort to write and produce the report outweighs the benefit of providing information that is primarily available in other reports. A small number of milestones in the Sustainable Stormwater Management Plan are not incorporated into the reporting for the NYC Green Infrastructure Plan or other mandated reporting. These

include reporting on the NYC Plaza Program, a series of pilot road reconstruction projects, Belt Parkway bridge projects, and ballfield source control projects. All of these projects are relatively minor in scale and impact. The actual amount of stormwater that would be captured by these projects pales in comparison to the projects that are being implemented through the City's mandated commitment to invest \$1.5 billion in green infrastructure over the next 18 years.

Testimony from the Stormwater Infrastructure Matters (S.W.I.M) Coalition raised numerous points in opposition to the waiver, including listing out the milestones that are not incorporated in the NYC Green Infrastructure Plan. Specifically, they raise the following concerns:

- They commented that the Sustainable Stormwater Management Plan and the NYC Green Infrastructure Plan cover different geographic areas.
  - David Bragdon, director of OLTPS, responded that the NYC Green Infrastructure Plan does focus primarily on combined sewer areas, but that is because the remaining water quality challenges facing New York City's waterways are primarily due to pollution from combined sewer overflows. The NYC Green Infrastructure Plan also improves stormwater management in separate sewer areas, principally through the adoption of new rules in January 2012 requiring additional on-site stormwater controls for new construction and major building alterations.
- The S.W.I.M. Coalition argued that specific aspects of the plan require revision, including sidewalk standards, road reconstruction, and maintenance options; low- and medium-density residential buildings; and green sector employment.
  - David Bragdon responded that the City continues to pursue changes to sidewalk standards and incorporated a milestone in the April 2011 Update to PlaNYC to renew this commitment. The City has developed a number of strategies to incorporate green infrastructure into road reconstructions and will evaluate opportunities to implement projects, if they prove to be cost effective, through the implementation of the \$1.5 billion green infrastructure strategy. The City has already addressed maintenance of green infrastructure through the execution of an interagency agreement between the Department of Environmental Protection (DEP) and the Department of Transportation (DOT) and the Department of Parks and Recreation (DPR). The City

is also improving sustainable stormwater management on low- and medium-density residential buildings through the adoption of the January 2012 on-site stormwater rule and continues to evaluate potential strategies through the implementation of pilot studies such as green and blue roof technologies. Finally, the City fulfilled the milestone in the Sustainable Stormwater Management Plan regarding green employment by releasing the New York City Green Economy Plan in October 2009. Further, addressing green employment and job creation is a benefit of the City's green infrastructure strategies, but it is not the primary focus of these initiatives.

The benefits of providing updates on the Sustainable Stormwater Management Plan are outweighed by the costs in staff time and resources, especially considering that overall progress on the City's efforts to improve water quality and reduce combined sewer overflows are covered by mandatory reports for the NYC Green Infrastructure Plan, PlaNYC, and other documents. Creating an additional report for the Sustainable Stormwater Management Plan would involve the work of 1 staff member in the Mayor's Office working full-time for approximately one month, assistance from approximately 12 staff from other agencies, and approval from senior City officials, including the Deputy Mayor for Operations and the Commissioners from DEP, DPR, DDC, and DOT. The expenditure is estimated to be approximately \$10,000 annually.

**SOLICITATION OF SUPPORT:** In accordance with Charter §1113(d)(2), the Commission sent e-mail notifications about the public hearing and potential waiver of this Report to 387 individuals and organizations, including elected officials, community boards, and nonprofit and advocacy groups. These individuals and organizations were identified by the Commission, with input from the City Council and City agencies, as the subject of or otherwise affected or benefited by the requirement under review. A copy of the Commission's e-mail notification list is available at [www.nyc.gov/ReportsandBoards](http://www.nyc.gov/ReportsandBoards).

One organization, the Stormwater Infrastructure Matters (S.W.I.M.) Coalition, provided detailed testimony against the waiver of this report. One other organization, Citizens Union, included opposition of a general nature to the waiver of this report in their testimony, which opposed the waivers of several other reports and advisory bodies as well. These testimonies, in addition to the response by David Bragdon, Director of OLTPS, are available at the web address above. Specific concerns raised in S.W.I.M.'s testimony and the OLTPS's response to those concerns are detailed in #5 above.

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**CHANGES IN PERSONNEL**

DEPARTMENT OF EDUCATION ADMIN FOR PERIOD ENDING 10/12/12						
NAME			TITLE			
	NUM	SALARY		ACTION	PROV	EFF DATE
MOBIJOHN	MATTHEW E	06786	\$21,760.00	RESIGNED	YES	09/07/12
OCHOA	HENRY	B0087	\$85,000.00	APPOINTED	YES	09/16/12
OJEDA	GRACE	56057	\$39,000.00	APPOINTED	YES	09/04/12
OJOMO JOSEPH	ADETUTU	50910	\$53,031.00	APPOINTED	YES	09/23/12
ORANGE	DARRYL	10026	\$100,254.00	INCREASE	YES	08/30/12
OSTRUM	EVA	R 10062	\$141,274.00	APPOINTED	YES	09/04/12
PANAGOULIAS	DINO	10031	\$95,000.00	INCREASE	YES	06/05/12
PELERIN	MARIE	50910	\$53,031.00	APPOINTED	YES	09/23/12
PERALTA	MARIA	C 56057	\$37,072.00	APPOINTED	YES	09/30/12
PETERSON	PATRICIA	M 06217	\$60,731.00	APPOINTED	YES	09/04/12
PIERRE	MARIA	54483	\$53,143.00	RETIRED	NO	09/28/12
PLUNKETT	ANTHONY	J 10031	\$75,000.00	RESIGNED	YES	09/23/12
PORT	AMANDA	F 06218	\$56,094.00	APPOINTED	YES	09/25/12
QUIROZ	MAUREEN	06216	\$56,094.00	APPOINTED	YES	09/04/12
RICCIARDI	MARY	56057	\$32,237.00	APPOINTED	YES	09/23/12
ROBERTS	ROBERT	10062	\$81,000.00	APPOINTED	YES	09/23/12
ROCKIS	KAREN	12158	\$53,910.00	RESIGNED	NO	10/01/12
RODRIGUEZ	IAN	10251	\$31,852.00	RESIGNED	NO	09/23/12
ROSA	DIALY	10031	\$81,000.00	INCREASE	YES	06/06/12
ROSE	JENELLE	K 56058	\$52,322.00	INCREASE	YES	09/23/12
SAMPONG	DAVID	06786	\$39,474.00	APPOINTED	YES	09/18/12
SANDERS	STEPHANI	56057	\$32,237.00	APPOINTED	YES	09/30/12
SANDRU	ADRIANA	54503	\$29,927.00	APPOINTED	YES	09/06/12
SANTANA	ROBERTO	56057	\$32,237.00	APPOINTED	YES	09/30/12
SEALEY	RASHIDA	M 56057	\$37,072.00	RESIGNED	YES	09/04/12
SEBILI	NELIDA	10031	\$81,000.00	INCREASE	YES	08/24/12
SHAYEK	SOPHIA	06218	\$56,094.00	RESIGNED	YES	09/23/12
SINGH	WAYLON	A 06786	\$37,440.00	APPOINTED	YES	09/09/12
SINGLETON	SHANTELL	M 12750	\$38,484.00	INCREASE	YES	09/19/12
SLAUGHTER	CHRIS	56057	\$32,237.00	RESIGNED	YES	09/20/12
SOSA VASQUEZ	VLADIMIR	56057	\$32,237.00	APPOINTED	YES	09/05/12
STANLEY	JANELLE	L 56058	\$45,497.00	APPOINTED	YES	09/21/12
STEVENSON	ANASTASI	06688	\$49,059.00	RESIGNED	YES	09/23/12
SWANDA	JENNIFER	L 10033	\$65,000.00	INCREASE	YES	09/19/12
TANCHEZ	SONIA	54503	\$29,991.00	RETIRED	YES	10/05/12
TAVERAS	ISRAEL	U 56057	\$37,072.00	RESIGNED	YES	08/22/12
THOMPSON	DONALD	K 12158	\$49,427.00	APPOINTED	YES	09/23/12
TINOCO	CARMEN	54503	\$25,653.00	APPOINTED	YES	08/29/12
TOOMER	HOWARD	S 10031	\$91,052.00	RESIGNED	YES	09/23/12
TSANG	SAU WAN	10026	\$77,668.00	INCREASE	YES	09/23/12
VARGAS	CARMEN	L 56057	\$38,201.00	DECEASED	YES	09/01/12
VAYSMAN	ANNA	06773	\$58,564.00	INCREASE	YES	09/30/12
WALKER	YUSEF	L 13616	\$59,604.00	INCREASE	YES	09/16/12
WALTON	WAYNE	56056	\$27,351.00	APPOINTED	YES	09/23/12
WALTUCH	RACHEL	G 06217	\$60,731.00	INCREASE	YES	04/04/10
WATTS	DELORES	10251	\$35,402.00	RETIRED	NO	10/04/12
WIGFALL	ANGELIQU	54503	\$29,927.00	DECREASE	YES	09/30/12
WILLIAMS	DEMIETRA	K 10026	\$88,000.00	INCREASE	YES	08/31/12
WILLIE	KIM	10026	\$88,000.00	INCREASE	YES	09/23/12
WILSON	MINNIE	L 40925	\$57,202.00	RETIRED	YES	09/20/12
WORFF	AMY	1263A	\$70,000.00	APPOINTED	YES	09/13/12
ZEPHYR	KASHA	50910	\$53,031.00	APPOINTED	YES	09/23/12
ZWEIG	JACQUELI	S 10026	\$81,000.00	RESIGNED	YES	09/26/12

OFFICE OF PROBATION FOR PERIOD ENDING 10/12/12						
NAME			TITLE			
	NUM	SALARY		ACTION	PROV	EFF DATE
PERNETTI	VINCENT	C 82950	\$106,000.00	RESIGNED	YES	09/30/12

DEPARTMENT OF BUSINESS SERV. FOR PERIOD ENDING 10/12/12						
NAME			TITLE			
	NUM	SALARY		ACTION	PROV	EFF DATE
CASO LATIMER	ANA	M 10209	\$12,960.00	DECREASE	YES	09/30/12
CHRISTO	JOSEPH	J 10009	\$71,000.00	RESIGNED	YES	09/28/12

NEALE	CHRISTOP M	95146	\$98,000.00	INCREASE	YES	09/09/12
SHIELDS	KRISTEN M	10232	\$16,000.00	RESIGNED	YES	08/17/12

HOUSING PRESERVATION & DVLPMNT FOR PERIOD ENDING 10/12/12						
NAME			TITLE			
	NUM	SALARY		ACTION	PROV	EFF DATE
ABDALRAHIM	ALADDIN	31670	\$51,936.00	RESIGNED	NO	09/16/12
AMABILE	GABRIELL A	10053	\$99,007.00	INCREASE	YES	09/30/12
ANTOLINI	MICHAEL J	06688	\$41,000.00	APPOINTED	YES	09/16/12
APPLE	DOUGLAS N	95532	\$200,096.00	RESIGNED	YES	04/01/12
BALDOR	BRIAN	21210	\$55,345.00	RESIGNED	NO	09/16/12
BAUMEL	ELLIS	10026	\$110,000.00	INCREASE	YES	09/30/12
BETEGON	PORFIRIO T	34173	\$56,335.00	INCREASE	NO	09/02/12
BROWN JR	LESTER C	10026	\$98,676.00	INCREASE	YES	09/30/12
CLARK	CAROL A	95566	\$129,707.00	RESIGNED	YES	08/24/12
FKKRU	DINSIRI	12627	\$84,000.00	APPOINTED	NO	09/04/12
KIMBLE	JOHN	10026	\$110,000.00	APPOINTED	YES	09/30/12
KIRNOS	MIKHAIL	31670	\$51,936.00	RETIRED	NO	10/03/12
LOUIE	VIVIAN	12627	\$88,649.00	APPOINTED	NO	09/04/12
MARCUS	AMY	L 12627	\$88,649.00	INCREASE	NO	09/04/12
PEART	SANDRA N	10026	\$91,990.00	INCREASE	YES	09/30/12
PERS	EDWARD	22508	\$88,341.00	RETIRED	NO	09/25/12
SETAREHSHENAS	ELISSA	R 10050	\$80,859.00	INCREASE	YES	09/30/12
SEWELL	ALEXANDR	10026	\$160,692.00	RESIGNED	YES	09/23/12
TORRES	JOSE A	34202	\$59,035.00	RETIRED	NO	09/29/12
UDELL	BARBARA	12627	\$88,649.00	APPOINTED	NO	09/04/12
VALENTINE	GENEEN	30085	\$69,085.00	RESIGNED	NO	09/05/12
YOUNG	PERCIVAL L	22508	\$77,214.00	RETIRED	YES	09/29/12
YOUNG	PERCIVAL L	34202	\$69,873.00	RETIRED	NO	09/29/12

DEPARTMENT OF BUILDINGS FOR PERIOD ENDING 10/12/12						
NAME			TITLE			
	NUM	SALARY		ACTION	PROV	EFF DATE
CUGINI	STEPHEN	31627	\$65,000.00	RESIGNED	YES	10/04/12
EGNATIOS-BEENE	JOHN	B 30087	\$75,959.00	RESIGNED	YES	09/28/12
KING-FESTA	MARILYN	10050	\$191,692.00	RETIRED	YES	06/01/10
RODRIGUEZ	LOUIS A	31624	\$65,971.00	RESIGNED	NO	09/20/12

DEPT OF HEALTH/MENTAL HYGIENE FOR PERIOD ENDING 10/12/12						
NAME			TITLE			
	NUM	SALARY		ACTION	PROV	EFF DATE
AGOSTO	PARTIA	L 10251	\$27,697.00	APPOINTED	NO	09/30/12
BALLARD	PATRICIA	95946	\$92,592.00	RETIRED	YES	09/28/12
BALLARD	PATRICIA	52613	\$58,878.00	RETIRED	NO	09/28/12
BLEIER	REBECCA	E 21849	\$55,593.00	INCREASE	YES	09/30/12
BURHANS	ROBERT	L 10026	\$186,000.00	APPOINTED	YES	09/30/12
CAMACHO	WILLIAM	10095	\$90,000.00	INCREASE	YES	09/30/12
CHEUNG	CHI YAN	10250	\$34,624.00	APPOINTED	YES	06/13/12
CRAIG	MARINETT	51022	\$29,420.00	APPOINTED	YES	09/30/12
DEAN	EMILY	W 10124	\$45,978.00	APPOINTED	NO	09/16/12
DIEGUEZ	ALISON	1002A	\$56,937.00	APPOINTED	YES	09/23/12
DOTY	MARY	5100B	\$25,870.00	RESIGNED	YES	09/28/06
DZHEMILOVA	ZAREMA	5100B	\$29,200.00	APPOINTED	YES	09/23/12
EUBUCOMWAN	OSAZEE	51022	\$29,420.00	RESIGNED	YES	09/23/12
EVANS	SHANA	D 10209	\$10,260.00	RESIGNED	YES	09/30/12
FATADE	STEPHEN	51022	\$29,420.00	APPOINTED	YES	09/23/12
FERRARA	DANIEL	21849	\$79,965.00	INCREASE	YES	09/30/12
FUENTES	BEVERLY	E 51022	\$29,420.00	RESIGNED	YES	08/26/12
GREELEY	MAUREEN	83052	\$59,713.00	RETIRED	YES	10/05/12
HANSEN	MICHAEL	A 21744	\$81,903.00	RESIGNED	YES	09/22/12
HANSEN	MICHAEL	A 12627	\$68,466.00	RESIGNED	NO	09/22/12
HERMAN	JAMES	L 21849	\$73,462.00	INCREASE	YES	09/30/12
HOWARD	MARILYN	5100B	\$29,200.00	RESIGNED	YES	09/23/12
HUYCK	MELISSA	A 21849	\$69,304.00	INCREASE	YES	09/30/12
IRVINE	MARY	K 21744	\$104,664.00	INCREASE	YES	09/23/12

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## READER'S GUIDE

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

### NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

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

### VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc). To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

### SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit [www.nyc.gov/html/sbs/nycbiz](http://www.nyc.gov/html/sbs/nycbiz) and click on Summary of Services, followed by Selling to Government.

### PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc).

### NON-MAYORAL ENTITIES

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

### PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit [www.nyc.gov/mocs](http://www.nyc.gov/mocs).

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

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

### PROMPT PAYMENT

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

### PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc)

### COMMON ABBREVIATIONS USED IN THE CR

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

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

### KEY TO METHODS OF SOURCE SELECTION

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

CSB	Competitive Sealed Bidding including multi-step <i>Special Case Solicitations/Summary of Circumstances:</i>
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	
CP/PQ/4	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
DP	Demonstration Project
SS	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition <i>For ongoing construction project only:</i>
NA/8	Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors

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

### HOW TO READ CR PROCUREMENT NOTICES

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

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

## SAMPLE NOTICE:

### POLICE

#### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

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

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

*NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.*

☛ m27-30

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