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TABLE OF CONTENTS

PUBLIC HEARINGS & MEETINGS

Brooklyn Borough President2593
Citywide Administrative Services2593
City Planning Commission2593
Community Boards2593
Consumer Affairs2594
Employees Retirement System2594
Landmarks Preservation Commission ..2594
Office of the Mayor2595
Transportation2595

COURT NOTICE

Supreme Court2595
New York County2595

PROPERTY DISPOSITION

Citywide Administrative Services2595
Office of Citywide Purchasing2595
Police2595

PROCUREMENT

Administration for Children's Services .2596
Aging2596
Brooklyn Navy Yard2596
Engineering2596
Citywide Administrative Services2596
Office of Citywide Purchasing2596
Municipal Supply Services2596
Vendor Lists2596
Comptroller2596
Asset Management2596

Design and Construction2596
Contracts2596
Economic Development Corporation ..2596
Contracts2596
Education2597
Office of Emergency Management2597
Health and Hospitals Corporation2597
Housing Authority2597
General Services2597
Risk Finance2597
Human Resources Administration2597
Agency Chief Contracting Officer/Contracts2597
Labor Relations2597
Law2597
Parks and Recreation2597

Contract Administration2597

AGENCY PUBLIC HEARINGS

Aging2598
Environmental Protection2599

AGENCY RULES

Health and Mental Hygiene2599
Housing Preservation and Development 2603

SPECIAL MATERIALS

Citywide Administrative Services2604
Distracting Commission2604
Mayor's Office of Environmental Remediation2604
Probation2604
Changes in Personnel2604
LATE NOTICE
City Council2604

THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

EDNA WELLS HANDY, Commissioner, Department of Citywide Administrative Services.
ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BROOKLYN BOROUGH PRESIDENT

■ PUBLIC HEARINGS

UNIFORM LAND USE REVIEW PROCEDURE

NOTICE IS HEREBY GIVEN that, pursuant to Sections 82 and 197-C of the New York City Charter, the Brooklyn Borough President will hold a public hearing on the following matters in the **Borough President's Court Room, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 4:00 P.M. on Thursday, September 27, 2012.**

CALENDAR ITEM 1 MAPLE LANES VIEWS ZONING MAP AMENDMENT COMMUNITY DISTRICT 12 090154 ZMK

In the matter of an application submitted by Fairmont Lanes, LLC 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 an R6A District property bounded by the southerly boundary line of the Long Island Railroad right-of-way, 60th Street, 16th Avenue, and 61st Street. This rezoning would result in the development Maple Lanes Views a mixed-use community facility and multi-family residential project consisting 112 units and 56 parking spaces within twenty-five buildings, one of which includes a House of Worship, with varying heights from four to seven stories among the residential properties.

Note: To request a sign language interpreter, or to request TTD services, call Mr. Kevin Parris at (718) 802-3856 at least five business days before the day of the hearing.

CITYWIDE ADMINISTRATIVE SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY ACQUISITIONS AND DISPOSITIONS PUBLIC HEARING, in accordance with Section 824 of the New York City Charter, will be held at 10:30 A.M. on October 10, 2012 in the 2nd floor conference room, 22 Reade Street, in Manhattan in the matter of a proposed lease for the City of New York, as tenant, of approximately 173,595 rentable square feet of space on part of the 1st floor, part of the mezzanine, part of the basement and part of the sub-basement in a building located at 890 Garrison Avenue (Block 2739, Lot 15) in the Borough of Bronx, to be used for general and administrative offices and related accessory use by the

Human Resources Administration or such other successor agency as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed use was approved by the City Planning Commission pursuant to NYC Charter Section 195 on November 16, 2012 (CPC Appl. No. N 120084 PXX) Calendar No. 9.

The proposed Lease shall be for a period of approximately twenty (20) years commencing on the earlier of (1) the date of occupancy or (2) Substantial Completion of alterations and improvements. Rent shall commence ninety (90) days after lease commencement (Rent Commencement Date) at an annual rental of \$3,860,678.00 (\$22.24 per square foot) for first two (2) years, \$5,946,403.00 (\$34.25 per square foot) for the following three (3) years, \$6,038,740.00 (\$34.79 per square foot) for the following five (5) years, \$6,315,753.00 (\$36.38 per square foot) for the following five (5) years and \$6,685,103.00 (\$38.51 per square foot) for the last five (5) years, payable in equal monthly installments at the end of each month.

Tenant shall have the right to terminate the Lease in its entirety or in part, effective on the tenth (10th) anniversary of the Rent Commencement Date, or at any time thereafter, upon either eighteen (18) or twelve (12) months prior written notice to Landlord, all as more specifically set forth in the Lease. If the Tenant elects to terminate the Lease in its entirety or in part, Tenant will pay to Landlord a termination fee, all as more specifically set forth in the Lease.

The Tenant shall have the right renew the Lease for two periods of five (5) years each at the greater of 95% Fair Market Value or the then escalated rent, upon eighteen (18) months prior written notice to the Landlord, all as more specifically set forth in the Lease.

Further information, including public inspection of the proposed lease may be obtained at One Centre Street, Room 2000 North, New York, NY 10007. To schedule an inspection, please contact Chris Fleming at (212) 386-0315.

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 FIVE (5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

TDD users should call VERIZON relay services.

ASSET MANAGEMENT

■ PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT a Voluntary Public Hearing will be held on Wednesday, October 24, 2012 at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan, commencing at 10:00 A.M., in the matter of removing a deed restriction on a property in the Borough of Manhattan.

The Department of Citywide Administrative Services, proposes to remove the Not-For-Profit school uses restriction that limits the use and the development of Block 422, Lot 43, located in the Borough of Manhattan. This action is intended to promote the productive use of this property. Consideration for this action is \$540,000.

If approved by the Mayor of the City of New York, the Department of Citywide Administrative Services shall be authorized to modify this deed.

The calendar document for the voluntary public hearing is available for inspection by the public at the Department of Citywide Administrative Services office at 1 Centre Street, 20th Floor North, New York, NY 10007, Attention: Joseph Valentino (212) 386-0611.

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

1 Parcel

Borough of Manhattan
Block 422, Lot 43

s21

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, October 3, 2012 at 10:00 A.M.

BOROUGH OF MANHATTAN No. 1 BAILEY HOUSE

CD 11 C 100179 ZSM
IN THE MATTER OF an application submitted by Park 121 Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-921 of the Zoning Resolution to allow a non-profit institution without sleeping accommodations (Use Group 4A), on a portion of the ground floor and on the third and fourth floors of an existing 4-story building on property located at 1741-1751 Park Avenue (Block 1770, Lots 1, 101, 2, 3, 4 and 72), in an M1-4 District.

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

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

s20-o3

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. 13 - Thursday, September 27, 2012 at 7:00 P.M., Coney Island Hospital, 2601 Ocean Parkway, (2nd Fl. Auditorium), Brooklyn, NY

Public Hearing on list of priorities for Capital and Expense Budget items for 2014

BSA# 214-12-BZ
2784 Coney Island Avenue
Application for special permit pursuant to Zoning Resolution 11-411 and 11-412, an existing automotive laundry use. Application to reinstate and extend the term of the previous BSA, and to amend previous approval to permit the elimination of lot 72 and the gasoline service use.

BSA# 255-12-BZ
247-249/3062/3063/89 Brighton Beach Avenue
Application to permit enlargement of existing buildings to contain commercial and community facility uses that exceeds permitted FAR, located commercial use above the 1st story ceiling and does not provide required accessory parking.

s21-27

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 09 - Monday, September 24, 2012, 7:00 P.M., Middle School 61, 400 Empire Boulevard, Brooklyn, NY

BSA# 197-08-BZ

341/349 Troy Avenue (a.k.a. 1515 Carroll Street) Volume II application submitted by Stuart A. Klein, Esq., so amend the previously approved variance by the BSA. Amendment requested would be to allow for a rooftop mechanical space which is beyond the dimensions set forth in the Zoning Resolution for a permitted obstruction; to decrease the number of dwelling units by creating larger apartments, and to reduce the number of parking spaces accordingly.

s18-24

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 10 - Monday, September 24, 2012 at 7:15 P.M., Shore Hill Community Room, 9000 Shore Road, Brooklyn, NY

BSA# 115-12-BZ

Premises: 701 and 745 64th Street Application pursuant to Section 73-44 for a special permit for proposed reduction in the number of accessory off-street parking spaces required by the provisions, uses in parking requirement category in Use Group 6 and ambulatory diagnostic or treatment facilities in Use Group 4 at the Premises.

s18-24

CONSUMER AFFAIRS

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, PURSUANT TO LAW, that the New York City Department of Consumer Affairs will hold a Public Hearing on Wednesday, September 26th 2012, at 2:00 P.M., at 66 John Street, 11th floor, in the Borough of Manhattan, on the following petitions for sidewalk café revocable consent:

- 1) 402 8th Ave. Rest. Inc.
402 8th Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 2) 430 LLC
430 Hudson Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 3) 68th St. Café Inc.
2014 Broadway, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 4) Babalu, LLC
3233 East Tremont Avenue, in the Borough of Bronx
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 5) Clay Farm, LLC
149 7th Street, in the Borough of Brooklyn
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 6) Ephesus NYC Corp.
483 Columbus Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 7) Fusha 58 Inc.
1065 First Avenue, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed small sidewalk café for a term of two years.)
- 8) Javier And David Restaurant, Corp.
1618 St. Nicholas Avenue, in the Borough of Manhattan
(To continue to, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 9) John-Phil Tavern Corp.
350 East 53rd Street, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 10) Nidaja LLC
491 Columbus Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 11) Pepe's Rest. Group LLC
170 West 4th Street, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 12) Santorini Food Inc.
108-40 Corona Avenue, in the Borough of Queens
(To establish, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 13) The Original Homestead Restaurant Inc.
56 Ninth Avenue, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 14) The Shoreham LLC
39 West 55th Street, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)

15) Three Beans Inc.
93 Avenue A, in the Borough of Manhattan
(To modify, maintain, and operate an unenclosed sidewalk café for a term of two years.)

16) Twist It Top It Frozen Yogurt LLC
158-18A Crossbay Blvd., in the Borough of Queens
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)

Individuals requesting Sign Language Interpreters should contact the Department of Consumer Affairs, Licensing division, 42 Broadway, 5th Floor, New York, NY 10004, (212) 487-4379, no later than five (5) business days before the hearing.

☛ s21

EMPLOYEES RETIREMENT SYSTEM

■ INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, September 25, 2012 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

s18-24

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, **October 2, 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 11-7051 – Block 10313, lot 32-115-16 179th Street – Addisleigh Park Historic District
A Tudor Revival style free-standing house built prior to 1926. Application is to replace aluminum siding.
Community District 12.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4943 – Block 144, lot 40-60 Hudson Street – The Western Union Building – Individual and Interior Landmark
A Dutch and German Expressionist style building and lobby designed by Voorhees, Gmelin and Walker and built 1928-1930. Application is to construct a flue enclosure.
Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7197 – Block 188, lot 7503-127 Hudson Street - Tribeca West Historic District
An Early Twentieth Century Commercial style building with neo-Renaissance style elements designed by Charles C. Haight and built in 1912. Application is to install signage.
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 balconies and ground-floor infill. Zoned C6-2C. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-9018 – Block 633, lot 45-747 Greenwich Street – Greenwich Village Historic District
A Greek Revival style rowhouse built in 1835. Application is to excavate a passageway and construct a new building at the rear of the lot. Zoned C1-6. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-3149 – Block 512, lot 20-150-152 Mercer Street, aka 579-581 Broadway – SoHo-Cast Iron Historic District
A storehouse built c. 1860. Application is to install new storefront infill and modify the iron shutters at the second floor to install windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0275 – Block 532, lot 15-230 Mercer Street, aka 663-665 Broadway – NoHo Historic District
A neo-Gothic style store and loft building designed by V. Hugo Koehler and built in 1911-12. Application is to legalize the installation of banner poles and stretch banners without Landmarks Preservation Commission permits.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-6229 – Block 230, lot 5-321 Canal Street - SoHo-Cast Iron Historic District
A Federal style rowhouse built in 1821, and altered in the mid-19th century to accommodate a commercial ground floor. Application is to alter a dormer on the rear facade.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-2098 – Block 625, lot 58-

328 West 4th Street, aka 38 8th Street - Greenwich Village Historic District
A residential/commercial brick building built in 1841-42, designed by Tarleton B. Earle, and altered in 1924. Application is to enlarge a window. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4071 – Block 553, lot 15-52 West 8th Street – Greenwich Village Historic District
A commercial building designed by Frederick Kiesler and built in 1927 and later altered. Application is to alter the facade, install new storefront infill, a marquee, and signage.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4777 – Block 572, lot 45-5 West 8th Street – Greenwich Village Historic District
A neo-Classical style apartment building designed by Hugo Kafka, and built in 1900-02. Application is to alter the ground floor, and install lighting, a marquee, signage, awnings, and a painted wall sign. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4316 – Block 612, lot 38-37 Charles Street - Greenwich Village Historic District
A rowhouse built in 1869. Application is to construct a rear yard addition. Zoned R-6. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4108 – Block 719, lot 60-430 West 22nd Street – Chelsea Historic District
A Greek Revival style rowhouse designed by Edwin Forrest and built in 1843. Application is to alter a window opening.
Community District 4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4375 – Block 1260, lot 20-27-35 West 44th Street, aka 26-30 West 45th Street - The Harvard Club of New York City - Individual Landmark
A neo Georgian style clubhouse building, designed by McKim, Mead and White, with additions built in 1903, 1915, 1947, and the early 21st century. Application to construct additions. Zoned C6-45. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4135 – Block 834, lot 29-17 West 32nd Street – (Former) Aberdeen Hotel – Individual Landmark
A Beaux-Arts style hotel designed by Harry B. Mulliken and built in 1902-04. Application is to install a barrier-free access ramp. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0708 – Block 824, lot 28-28-30 West 23rd Street and 32-46 West 23rd Street – Ladies' Mile Historic District
A neo-Renaissance style store and loft building designed by Maynicke & Franke and built in 1910-11 and a Commercial Palace style store building designed by Henry Fernbach, Hugo Kafka and William Schickel & Co. and built in stages between 1878 and 1892. Application is to install rooftop mechanical equipment. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-5956 – Block 822, lot 70-54 West 21st Street - Ladies' Mile Historic District
A neo-Renaissance style store and loft building, designed by Maynicke & Franke and built in 1909-1910. Application is to replace windows. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4617 – Block 856, lot 7502-4 East 27th Street – Madison Square North Historic District
A Beaux-Arts style store building designed by Francis H. Kimball and Harry E. Donnell and built in 1906-07. Application is to alter the ground floor and install a flagpole and lighting. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4760 – Block 999, lot 1 1552 Broadway, aka 167 West 46th Street – I. Miller Building – Individual Landmark
A commercial building altered by Louis H. Friedland in 1926 with theatrical sculptures by Alexander Stirling Calder. Application is to remove interior floors and the east party wall, and to install rooftop HVAC equipment.
Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-5928 – Block 1302, lot 64-12 East 78th Street – Metropolitan Museum Historic District
A neo-Italian Renaissance style rowhouse built in 1886-87. Application is to legalize painting the facade in non-compliance with Certificate of No Effect 11-0771.
Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-3914 – Block 1406, lot 11-123 East 71st Street - Upper East Side Historic District
An Italianate style residence built c.1865, and heavily altered in 1904 by Thomas Nash. Application is to construct a rooftop addition. Zoned R8B. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4017 – Block 1906, lot 36-239 Lenox Avenue – Mount Morris Park Historic District
A rowhouse built in 1883-84. Application is to install an exhaust duct at the rear facade. Community District 10.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 13-4198 – Block 5939, lot 442-5251 Independence Avenue – Riverdale Historic District
An Italianate style house built in 1853, altered with neo-Classical style elements by Cameron Clark in 1931. Application is to construct an addition. Zoned R1-1, NA-2. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-1910 – Block 40, lot 1-

68 Jay Street – DUMBO Historic District
A Daylight Factory style building with transitional American Round Arch style elements designed by William Higginson and built in 1915. Application is to create a Master Plan governing the future installation of storefront infill and signage, and to legalize alterations to the loading dock without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-4850 – Block 1072, lot 7502-25 Montgomery Place – Park Slope Historic District
A late Romanesque Revival style rowhouse designed by C. P. H. Gilbert and built in 1892. Application is to replace a bay window at the rear facade. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-4035 – Block 323, lot 39-6 Strong Place – Cobble Hill Historic District
A transitional Greek Revival/ Italianate style townhouse. Application is to alter the rear facade and parapet. Zoned R6. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-4877 – Block 1094, lot 32-592 10th Street - Park Slope Historic District Extension
A Queen Anne style flats building with neo-Grec style elements designed by Louis Bonnert and built in 1891. Application is to alter the rear façade and install new windows. Community District 6.

s19-o2

OFFICE OF THE MAYOR

■ PUBLIC HEARINGS

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAWS

PURSUANT TO STATUTORY REQUIREMENT, NOTICE IS HEREBY GIVEN that proposed local laws numbered and titled hereinafter have been passed by the Council and that a public hearing on such proposed local laws will be held in the Blue Room at City Hall, Borough of Manhattan, New York City, on **Tuesday, October 2, 2012 at 10:00 A.M.:**

Int. 404-A – To amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences.

Michael R. Bloomberg
Mayor

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of City Legislative Affairs, 253 Broadway, 14th Floor, New York, NY 10007, (212) 788-3678, no later than five business days prior to the public hearing.

s21

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Friday, October 12, 2012. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 37 Bridge Street LLC to construct, maintain and use a ramp and an entrance detail on the north sidewalk of Bridge Street, east of Plymouth Street, in the Borough of Brooklyn The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2023 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

From the approval date to June 30, 2013- \$761/annum

For the period July 1, 2013 to June 30, 2014 - \$782
For the period July 1, 2014 to June 30, 2015 - \$803
For the period July 1, 2015 to June 30, 2016 - \$824
For the period July 1, 2016 to June 30, 2017 - \$845
For the period July 1, 2017 to June 30, 2018 - \$866
For the period July 1, 2018 to June 30, 2019 - \$887
For the period July 1, 2019 to June 30, 2020 - \$908
For the period July 1, 2020 to June 30, 2021 - \$929
For the period July 1, 2021 to June 30, 2022 - \$950
For the period July 1, 2022 to June 30, 2023 - \$971

the maintenance of a security deposit in the sum of \$,5000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#2 In the matter of a proposed revocable consent authorizing FC Forest Avenue Associates, LLC to continue to maintain and use a force main, together with a manhole, under and along Forest Avenue, between Morrow Street and South Avenue, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$15,080
For the period July 1, 2010 to June 30, 2011 - \$15,541
For the period July 1, 2011 to June 30, 2012 - \$15,993
For the period July 1, 2012 to June 30, 2013 - \$11,174
For the period July 1, 2013 to June 30, 2014 - \$11,486
For the period July 1, 2014 to June 30, 2015 - \$11,798
For the period July 1, 2015 to June 30, 2016 - \$12,110

For the period July 1, 2016 to June 30, 2017 - \$12,422
For the period July 1, 2017 to June 30, 2018 - \$12,734
For the period July 1, 2018 to June 30, 2019 - \$13,046

the maintenance of a security deposit in the sum of \$22,900 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#3 In the matter of a proposed revocable consent authorizing Pfizer Inc. to continue to maintain and use electrical sockets, together with electrical cables, on and in the north sidewalk of East 42nd Street, west of Second Avenue, and on and in the west sidewalk of Second Avenue, north of East 42nd Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period from July 1, 2010 to June 30, 2020 - \$250/annum

the maintenance of a security deposit in the sum of \$3,800 and the insurance shall be the amount of One Million Dollars (1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#4 In the matter of a proposed revocable consent authorizing Square-Arch Realty Corp. to construct, maintain and use pipes, recovery wells and junction boxes, under and along the west sidewalk of Fifth Avenue, between Washington Square North and West 8th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2023 and provides among others terms and condition for compensation payable to the city according to the following schedule:

From the Approval Date to June 30, 2013 - \$5,040/annum

For the period July 1, 2013 to June 30, 2014 - \$5,181
For the period July 1, 2014 to June 30, 2015 - \$5,322
For the period July 1, 2015 to June 30, 2016 - \$5,463
For the period July 1, 2016 to June 30, 2017 - \$5,604
For the period July 1, 2017 to June 30, 2018 - \$5,745
For the period July 1, 2018 to June 30, 2019 - \$5,886
For the period July 1, 2019 to June 30, 2020 - \$6,027
For the period July 1, 2020 to June 30, 2021 - \$6,168
For the period July 1, 2021 to June 30, 2022 - \$6,309
For the period July 1, 2022 to June 30, 2023 - \$6,450

the maintenance of a security deposit in the sum of \$6,500 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#5 In the Matter of a proposed revocable consent authorizing Versace USA, Inc. to continue to maintain and use a sidewalk plague on the east sidewalk of Fifth Avenue, between East 51st Street and East 52nd Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among others terms and conditions for compensation payable to the city according to the following schedule:

For the period from July1, 2012 to June 30, 2022-\$300/annum

The maintenance of a security deposit in the sum of \$1,000 and the insurance shall be in the amount of One Million dollars (\$1,000,000) per occurrence, and Two Million Dollars (2,000,000) aggregate.

s21-o12

COURT NOTICE

SUPREME COURT

■ NOTICE

NEW YORK COUNTY IAS PART 55 NOTICE OF ACQUISITION INDEX NUMBER 450430/2012E

In the Matter of the Application of

THE CITY OF NEW YORK,

Petitioner,

To Acquire by Exercise of its Powers of Eminent Domain, Permanent Easements, Temporary Easements and an Estate for a Term of Years in the whole and in portions of Certain Real Property Known as Tax Block 706, Lots 1, 10, and 55, Located in the Borough of Manhattan, Required as Part of the

No. 7 SUBWAY EXTENSION - HUDSON YARDS
REZONING AND DEVELOPMENT PROGRAM; PHASE 1,
STAGE 9.

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of New York, IAS Part 55 (Hon. Cynthia S. Kern, J.S.C.), duly entered in the office of the Clerk of the County of New York on August 10, 2012, the application of the City of New York to acquire by eminent domain easements in certain real property, where not heretofore acquired for the same purpose, required for Phase 1, Stage 9 of the No. 7 Subway Extension - Hudson Yards Rezoning and Development Program was granted, and the City was thereby authorized to file an acquisition map with the Office of the County Clerk, County of New York, or the office of the City Register, Borough of Manhattan. Said

map, showing the property interests acquired by the City, was filed with the City Register, Borough of Manhattan on August 20, 2012. Title to the easements vested in the City of New York on August 20, 2012.

PLEASE TAKE FURTHER NOTICE, that the City has acquired permanent easements, interim easements, and temporary easements in the whole and in portions (the "Easement Areas") of tax **Block 706, Lots 1, 10 and 55** in the Borough of Manhattan, City, County, and State of New York (the "Permanent, Interim, and Temporary Easements"), as shown on said acquisition map and as described in the Easement Agreement, which Easement Agreement is annexed to the order as Exhibit A, to enable Grantee (as defined in the Easement Agreement), inclusive of the City, and Grantee's Designees (as defined in the Easement Agreement), to enter upon and use the Easement Areas for the sole purposes of construction, installation, maintenance, repair, operation, inspection and reconstruction of the subway improvements in connection with the No. 7 Subway Line extension, or other such transportation purposes as the City, its successors or assigns may deem desirable, together with the legal right of possession, to the extent not heretofore obtained. The easements acquired by the City in this Acquisition Stage are located on the block generally bounded by Hudson Park and Boulevard and Eleventh Avenue, West 34th and West 35th Streets, all in the Borough of Manhattan, City, County and State of New York.

PLEASE TAKE FURTHER NOTICE, that pursuant to said Order, each condemnee shall have a period of six months from the date of entry of the Acquisition Order in which to file a written claim or notice of appearance with the Clerk of the Supreme Court, New York County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007, attention Rochelle Cohen, Room 5-243 and upon Carter Ledyard & Milburn LLP, attention John R. Casolaro, 2 Wall Street, New York, New York, 10005.

Pursuant to EDPL § 504, the claim shall include:

- (A) the name and post office address of the condemnee;
- (B) reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- (C) a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,
- (D) if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

PLEASE TAKE FURTHER NOTICE, that, pursuant to § 5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007 on or before August 20, 2014 (which is two (2) calendar years from the title vesting date).

Dated: September 6, 2012, New York, New York
MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
100 Church Street, Rm 5-243
New York, New York 10007
Tel. (212) 788-0714

s10-21

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF 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.

jy24-d1

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

“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.”

ADMINISTRATION FOR CHILDREN’S SERVICES

■ SOLICITATIONS

Human/Client Services

NON-SECURE DETENTION GROUP HOMES –

Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06811N0004 – DUE 05-31-13 AT 2:00 P.M. – The Administration for Children’s Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 5/31/13.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10038.
Patricia Chabla (212) 341-3505; Fax: (212) 341-3625; patricia.chabla@dfa.state.ny.us

j1-n14

AGING

■ AWARDS

Human/Client Services

TRANSPORTATION – Renewal – PIN# 12513TRAN446 – AMT: \$425,728.00 – TO: Hellenic American Neighborhood Action Committee, Inc., 49 West 45th Street, 4th Fl., New York, NY 10036.

s21

BROOKLYN NAVY YARD

ENGINEERING

■ SOLICITATIONS

Construction Related Services

SPECIAL AND PROGRESS INSPECTIONS DURING RENOVATION-CONSTRUCTION PROJECT – Request for Proposals – PIN# 090172 – DUE 10-05-12 AT 3:00 P.M. – Progressional services for special inspections and progress inspections as required by NYCDOB for the Green

Manufacturing Complex at the Brooklyn Navy Yard-Phase II - Phase VI. Detailed information with respect to this RFP is available on BNYDC’s website: www.brooklynnavyyard.org.

Mandatory pre-proposal conference on Friday, September 28, 2012 at 11:00 A.M. Failure to attend will result in bidder disqualification.

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.
Brooklyn Navy Yard Development Corp., Building 292, 63 Flushing Avenue, Unit 300, Brooklyn, NY 11205.
Ray Rybak (718) 907-5945; Fax: (718) 643-9296; rribak@brooklynnavyyard.com

s21

CITYWIDE ADMINISTRATIVE SERVICES

■ SOLICITATIONS

Goods

TRAILER, EMS STATION RELOCATION - FDNY – Other – PIN# 857PS1300058 – DUE 10-16-12 AT 1:00 P.M. – PRE-SOLICITATION CONFERENCE for the above-listed services will be held on October 16, 2012 at 1:00 P.M. at DCAS/OCF, 1 Centre Street, 23rd Floor Conference Room A, New York, NY 10007. Please review the attached specifications before you attend the conference.

A copy of the bid can be downloaded from the City Record Online site at <http://a856-internet.nyc.gov/nycvendonline/home.asp>. Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov, by telephone at (212) 669-8610 or by fax at (212) 669-7603.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007.
Joseph Vacirca (212) 669-8616; Fax: (212) 669-7581; jvacirca@dcas.nyc.gov

s21

OFFICE OF 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; dlepor@dcas.nyc.gov

s6-f25

MUNICIPAL SUPPLY SERVICES

■ 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

COMPROLLER

ASSET MANAGEMENT

■ AWARDS

Services (Other Than Human Services)

INVESTMENT MANAGEMENT SERVICES – Renewal – PIN# 0150881170101P – AMT: \$4,525,000.00 – TO: Taplin Canida and Habacht LLC, 1001 Brickell Bay Drive, Suite 2100, Miami, FL 33131.

s21

DESIGN & CONSTRUCTION

■ AWARDS

Construction/Construction Services

REI SERVICES FOR THE REHABILITATION FOR HIGH BRIDGE – Competitive Sealed Bids – PIN# 8502011VP0041P – AMT: \$4,294,111.20 – TO: LiRo Engineers, Inc./Greenman-Pederson, Inc. JV, 3 Aerial Way, Syosset, NY 11791.

s21

CONTRACT

■ SOLICITATIONS

Construction/Construction Services

RECONSTRUCTION OF COLLAPSED OR OTHERWISE DEFECTIVE STORM, SANITARY OR COMBINED VITRIFIED CLAY PIPE SEWERS – Competitive Sealed Bids – PIN# 85012B0105 – DUE 10-18-12 AT 11:00 A.M. – PROJECT NO.: SEQ201BS5/DDC PIN: 8502012SE0031C in various locations, Queens. Vendor Source ID#: 81753.

- RECONSTRUCTION OF COLLAPSED OR OTHERWISE DEFECTIVE STORM, SANITARY OR COMBINED VITRIFIED CLAY PIPE SEWERS – Competitive Sealed Bids – PIN# 85012B0098 – DUE 10-16-12 AT 11:00 A.M. PROJECT NO.: SEQ201BS3/DDC PIN: 8502012SE0019C in various locations, Brooklyn. Vendor Source ID#: 81752.
- RECONSTRUCTION OF COLLAPSED OR OTHERWISE DEFECTIVE STORM, SANITARY OR COMBINED VITRIFIED CLAY PIPE SEWERS – Competitive Sealed Bids – PIN# 85012B0099 – DUE 10-23-12 AT 11:00 A.M. PROJECT NO.: SEQ201BN3/DDC PIN: 8502012SE0018C in various locations, Brooklyn. Vendor Source ID#: 81751.
- REHABILITATION OF SANITARY AND COMBINED SEWERS BY USING DEP APPROVED LINING METHOD – Competitive Sealed Bids – PIN# 85012B0095 – DUE 10-23-12 AT 11:00 A.M. PROJECT NO.: SE-LC-16/DDC PIN: 8502012SE0024C in various locations, Citywide. Vendor Source ID#: 81750.
- EMERGENCY REHABILITATION OF SANITARY AND COMBINED SEWERS BY USING SHOTCRETE METHOD – Competitive Sealed Bids – PIN# 85012B0094 – DUE 10-18-12 AT 11:00 A.M. PROJECT NO.: SE-GUN-14/DDC PIN: 8502012SE0025C in various locations, Citywide. Vendor Source ID#: 81749.

Experience Requirements. Apprenticeship participation requirements apply to these contracts.

Bid documents are available at: <http://www.nyc.gov/buildnyc>.

These bid solicitations include M/WBE participation goal(s) for subcontracted work. For the M/WBE goals, please visit our website at www.nyc.gov/buildnyc see “Bid Opportunities.” For more information about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Bid Document Deposit - \$35.00 per set. Company check or Money order only. No cash accepted. Late bids will not be accepted.
Department of Design and Construction, 30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2200; Fax: (718) 391-2615.

s21

ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

■ SOLICITATIONS

Goods & Services

CONEY ISLAND WEST 15TH STREET AMUSEMENTS – Request for Proposals – PIN# 5275-0 – DUE 10-23-12 AT 4:00 P.M. – NYCEDC is seeking proposals for a lease agreement for the development and operation of amusement rides, game booths and/or ancillary entertainment attraction at the properties located at 1502 Surf Avenue and 1501 Boardwalk West in the Coney Island neighborhood in the Borough of Brooklyn. The site is approximately 40,700 sf and is located in the entertainment/amusement core of the Coney Island Special Zoning District. The site is currently owned by the City. NYCEDC anticipates entering into a lease agreement for the site for a term of up to 10 years, although proposals may suggest other terms.

At the turn of the 20th Century, Coney Island was known as “the People’s Playground;” a vibrant entertainment destination with amusement parks, restaurants, hotels, and abundant retail shops attracting millions of visitors annually. Today, of the eight million New York residents and 46 million tourists who visit the City annually, approximately five million make their way to Coney Island each summer to enjoy the beach, amusement rides, and entertainment events. Building on the area’s assets, the public sector has invested more than \$400 million since 2001 in amenities such as MCU Park, the new Stillwell Subway Terminal, the design of a state-of-the-art public plaza and pavilion at Steeplechase Plaza, lighting of the Parachute Jump, and the restoration and repair of the famous Riegelmann Boardwalk. The reestablishment of a dynamic amusement area is a vital step towards realizing the vision of a reimagined Coney Island.

NYCEDC plans to select a developer on the basis of factors stated in the RFP which include, but are not limited to: the quality of the proposal, the qualifications of the development team, the proposal’s consistency with the overall City goals, demonstrated successful experience in performing services similar to those encompassed in the RFP, and the proposed financial terms.

Companies who have been certified with the New York City Department of Small Business Services as Minority and Women Owned Business Enterprises (“M/WBE”) are strongly encouraged to apply. To learn more about M/WBE certification and NYCEDC’S M/WBE program, please visit <http://www.nycedc.com/opportunitymwdbe>.

An optional site visit session will be held on Thursday, September 27, 2012 at 1:00 P.M. at the south west corner of West 15th Street and Surf Avenue. Those who wish to attend should RSVP by email to west15rfp@nycedc.com on or before Wednesday, September 26, 2012.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 5:00 P.M. on Wednesday, October 3, 2012. Questions regarding the subject matter of this RFP should be directed to west15rfp@nycedc.com. Answers to all questions will be posted by Tuesday, October 9, 2012, to www.nycedc.com/RFP.

The RFP is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday, from NYCEDC. Please submit five (5) sets of your proposal to: NYCEDC, 110 William Street, Attention: Maryann Catalano, Senior Vice President, Contracts.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Economic Development Corp., 110 William Street, New York, NY 10038. Maryann Catalano (212) 312-3969; Fax: (212) 312-3918; west15rfp@nycedc.com

s21

EDUCATION**SOLICITATIONS***Goods & Services*

REQUIREMENTS CONTRACT FOR THE TESTING AND BALANCING OF AIR AND WATER SYSTEMS – Competitive Sealed Bids – PIN# B2181040 – DUE 11-14-12 AT 4:00 P.M. – The Contractor shall provide all labor, equipment, instruments, services, and supervision required and necessary to completely test, adjust, balance and report on air and water systems to achieve required air and water flow rates. To download, please go to <http://schools.nyc.gov/Offices/DCEP/RequestsforBids/Default.htm>. If you cannot download, send an e-mail to vendorhotline@schools.nyc.gov with the RFB number and title in the subject line. For all questions related to this RFB, please e-mail sepstei@schools.nyc.gov with the RFB number and title in the subject line of your e-mail.

There will be a pre-bid conference on Wednesday, October 17, 2012 at 10:00 A.M. at 65 Court Street, 12th Floor, Conference Room 1201, Brooklyn, NY 11201.

Bid opening date and time: November 15, 2012 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.
Department of Education, 65 Court Street, Suite 1202, Brooklyn, NY 11201. Shelley Epstein (718) 935-2300; sepstei@schools.nyc.gov

s21

OFFICE OF EMERGENCY MANAGEMENT**SOLICITATIONS***Goods & Services***CONTINUITY OF OPERATIONS (COOP)**

APPLICATION – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 01712P0003 – DUE 10-31-12 AT 10:00 A.M. – The New York City (NYC) Office of Emergency Management (OEM) is seeking an appropriately qualified vendor to supply a secure commercial-off-the-shelf application for the New York City Continuity of Operations (COOP) program. This application will be utilized by 43 city agencies and should incorporate business continuity and data security best practices to ensure ease of configuration, plan creation, content management, and plan formatting, reporting and interfacing with other data sources.

The projected start date of this contract is August 1, 2013. The anticipated contract term will be for a period of 15 months with three (3) two (2) year options to renew.

Any vendor interested in providing these services should download a copy of the RFP and any possible addenda from the OEM website beginning on Wednesday, September 26, 2012 at 10:00 A.M. The OEM website is <http://www.nyc.gov/html/oem/html/businesses/rfp.shtml>.

A pre-proposal conference will be held on Wednesday, October 3, 2012 at 11:00 A.M. If you plan to attend this conference, OEM requires that you RSVP in advance. Refer to the Request for Proposal to find out how to RSVP.

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.
Office of Emergency Management, 165 Cadman Plaza East, Brooklyn, NY 11201. Brian Genzmann (718) 422-4867; Fax: (718) 246-6011; bgenzmann@oem.nyc.gov

s21

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**GENERAL SERVICES****SOLICITATIONS***Goods & Services*

GSD INSTALLATION OF V/C FLOOR TILE IN APTS. – Competitive Sealed Bids – DUE 10-12-12 – PIN# 38931 - Van Dyke I Houses - Brooklyn Due at 10:15 A.M. PIN# 38932 - Sumner Houses - Brooklyn Due at 10:20 A.M. PIN# 38933 - Farragut Houses - Brooklyn Due at 10:25 A.M. PIN# 38934 - Various Brooklyn West - Brooklyn Due at 10:30 A.M.

PIN# 38935 - Sedgwick Houses - Bronx Due at 10:35 A.M. PIN# 38936 - Forest Houses - Bronx Due at 10:40 A.M. PIN# 38937 - Edenwald Houses - Bronx Due at 10:45 A.M. PIN# 38938 - Various Manhattan North - Manhattan Due at 10:50 A.M.

Term One (1) Year. Please ensure that bid response includes documentation as required and attached/included in electronic bid proposal submittal. Failure to comply will result in your bid being deemed non-responsive.

Bids in excess of \$250K - Bid Security in the amount of five percent (5 percent) is required at time of bid; and Performance and Payment Bonds in the amount equal to one hundred percent (100 percent) of the contract price are required at time of award.

Interested firms may obtain a copy and submit it on NYCHA's website: <http://www.nyc.gov/html/nycha/html/business/business.shtml>. Vendors are instructed to access "Doing Business with NYCHA;" then click- "Selling Goods and Services to NYCHA" link; then click on "Getting Started" to create a log-in utilizing log-in credentials; "New User, Request Log-in ID or Returning iSupplier User. Upon access, reference applicable RFQ/PIN number per solicitation.

Vendors electing to submit a non-electronic bid (paper document) will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check or Cash only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to 12th Floor, General Services Procurement Group. A bid package will be generated at time of request.

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, 12th Floor, New York, NY 10007. Sabrina Steverson (212) 306-6771; sabrina.steverson@nycha.nyc.gov

s21

GSD INSPECTION, TESTING AND REPAIR OF FIRE STANDPIPE AND SPRINKLER SYSTEMS – Small Purchase – DUE 10-05-12 –

PIN# 38925 - Various Bronx North - Bronx Due at 10:00 A.M. PIN# 38926 - Various Brooklyn East - Brooklyn Due at 10:05 A.M.

PIN# 38927 - Various Manhattan South - Manhattan Due at 10:10 A.M.

No Bid Security required.

Interested firms may obtain a copy and submit solicitation response on NYCHA's website: Doing Business with NYCHA. <http://www.nyc.gov/nychabusiness>. Vendors are instructed to access the "Doing Business with NYCHA" link; then "Selling Goods and Services to NYCHA." Click on "Getting Started" to register, establish Log-in credentials or access your log in. Upon access, reference applicable RFQ number per solicitation.

Vendors electing to submit a non-electronic bid (paper document) will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to 12th Floor, General Services Procurement Group. A bid package will be generated at time of request. Note (*): Vendor/Supplier submitting sealed non-electronic ("paper") bids must include a copy of your receipt as proof of purchase.

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, 12th Floor, New York, NY 10007. Sabrina Steverson (212) 306-6771; Fax: (212) 306-0755; sabrina.steverson@nycha.nyc.gov

s21

GSD EXTERMINATING SERVICES FOR BED BUGS IN APARTMENTS – Competitive Sealed Bids –

DUE 10-12-12 – PIN# 38928 - Various Bronx Developments - Due at 10:00 A.M. PIN# 38929 - Various Brooklyn Developments - Brooklyn Due at 10:05 A.M. PIN# 38930 - Various Queens and Staten Island Developments - Queens and Staten Island Due at 10:10 A.M.

The work to be performed under this contract consists of exterminating services: identifying, treating and eliminating bedbugs in affected NYCHA Apartments. At the discretion of the Authority's Administering Department, the contractor may be required to perform work at any Development located in the five (5) Boroughs of New York City. The contractor must be properly licensed by NYSDEC; registered pest control contractor in the State of New York; possess General Liability Insurance for Pest Control work and pesticides applicators must be certified by NYSDEC in category 7A. Please ensure that bid response includes documentation as required and attached/included in electronic bid proposal submittal. Failure to comply will result in your bid being deemed non-responsive.

Bid Security in the amount of five percent (5 percent) is required at time of bid and Performance and Payment Bonds in an amount equal to one hundred percent (100 percent) of the contract price is required upon award. The cost for bonding and insurance shall be reimbursed by NYCHA to the Contractor as a pass thru without mark-up and shall be included in the second payment to the Contractor. The Contractor must submit proof, acceptable to NYCHA of the bonding and insurance costs. Acceptable proof is an invoice or break down letter from the Contractor's carrier that is specific to this contract only.

Interested firms may obtain a copy and submit it on NYCHA's website: Doing Business with NYCHA. <http://www.nyc.gov/html/nycha/html/business/business.shtml>. Vendors are instructed to access the "Register Here" link for "New Vendors;" if you have supplied goods or services to NYCHA in the past and you have your log-in credentials, click the "Log into iSupplier" link under "Existing Vendor." If you do not have your log-in credentials, click the "Request a Log-in ID" using the link under "Existing Vendor." Upon access, reference applicable RFQ number per solicitation.

Vendors electing to submit a non-electronic bid (paper document) will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to 12th Floor, General Services Procurement Group. A bid package will be generated at time of request.

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, 12th Floor, New York, NY 10007. Sabrina Steverson (212) 306-6771; sabrina.steverson@nycha.nyc.gov

s21

RISK FINANCE**SOLICITATIONS***Services (Other Than Human Services)*

EXCESS WORKERS' COMPENSATION AND EMPLOYEES' LIABILITY – Request for Proposals – PIN# WC2013 – DUE 10-26-12 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, Towers Watson One Stamford Plaza, 263 Treser Blvd., 8th Fl., Stamford CT, 06901-3227. Paul Perry (203) 351-5171; Fax: (203) 363-1990; paul.perry@towerswatson.com; maria.riccardelli@towerswatson.com

s21

HUMAN RESOURCES ADMINISTRATION**AGENCY CHIEF CONTRACTING OFFICER/CONTRACTS****AWARDS***Human / Client Services*

NON EMERGENCY PERMANENT CONGREGATE HOUSING FOR PERSON'S LIVING WITH AIDS – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06906X0043CNVN002 – AMT: \$487,659.36 – TO: Food First, Inc., 165 Conover Street, Brooklyn, NY 11231. AGENCY PIN: 069-13H-083101. PERIOD OF PERFORMANCE: 11/01/2012-06/30/2013.

s21

LABOR RELATIONS**INTENT TO AWARD***Services (Other Than Human Services)*

SPECIALIZED LEGAL SERVICES IN SUPPORT OF LITIGATION – Negotiated Acquisition – PIN# 214120000409 – DUE 09-22-12 AT 9:00 A.M. – The Office of Labor Relations intends to enter into negotiations with Proskauer Rose LLP to purchase the above referenced services. Any vendor wishing to be placed on the City's legal services list for future solicitations may do so at nyc.gov/selltonyc. The term of the contract will be for 07/01/2012-06/30/2015; with two two-year options for renewal.

This solicitation and procurement received all necessary approvals from the Mayor's Office of Contract Services, the Law Department and the Office of Management and Budget.

The Office of Labor Relations requires experienced legal representation at a high level of expertise in order to assist the City with complex Impasse Proceedings under the Taylor Law. The Vendor has successfully provided these services for OLR, and the current contract and its renewal options expired on June 30, 2012. OLR received a Determination of the Corporation Counsel that Competitive Sealed Proposals were not practicable due to the confidentiality of the services required.

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.
Office of Labor Relations, 40 Rector Street, 3rd Floor, New York, NY 10006. Tamara Lubansky (212) 306-7338; Fax: (212) 306-7795; tlubansk@olr.nyc.gov

s21

LAW**SOLICITATIONS***Services (Other Than Human Services)*

LICENSED PRIVATE INVESTIGATOR SERVICES – Negotiated Acquisition – PIN# 02512X100017 – DUE 10-16-12 AT 5:00 P.M. – The New York City Law Department is seeking licensed private investigators to perform investigatory tasks, including, but not limited to surveillance, video-taping, locating and interviewing witnesses, case work-up investigations, pre-trial investigations, trial preparation and trial testimony. Interested firm should document at least three years of successful prior experience investigating personal injury claims for government agencies, law firms, large corporations or insurers.

Firms must hold a current New York State Private Investigators license issued by the New York Department of State. The corporation Counsel has determined that it is not practicable or not advantageous to use Competitive Sealed proposals as the method of source selection for award of these contracts, which are for consulting services in support of litigation.

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.
*Law Department, 100 Church Street, Room 5-205, New York, New York 10007. Sandy Carles (212) 788-0742; acarles@law.nyc.gov
Law Department, Services of Legal Process Window, Communications Unit, 4th Floor, Room 4-313, 100 Church Street, New York, NY 10007.*

s19-25

PARKS AND RECREATION**CONTRACT ADMINISTRATION****SOLICITATIONS***Construction / Construction Services*

CONSTRUCTION OF A COMFORT STATION ON BALCOM AVENUE, IN COMMUNITY PARK – Competitive Sealed Bids – PIN# 8462012X126C05 – DUE 10-23-12 AT 10:30 A.M. – Between Schley and Dewey Avenues in Community Park, located in Ferry Point Park,

The Bronx, known as Contract #X126-408MA2.
E-PIN: 84612B0140.

This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.

A pre-bid meeting is scheduled on Wednesday, October 10, 2012, at 11:30 A.M. at the site.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, Olmsted Center, Room 64, Flushing Meadows Corona Park, Flushing, NY 11368.
Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

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

AGING

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Friday, October 5, 2012 at 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan commencing at 10:30 A.M. on the following:

IN THE MATTER of the one (1) proposed contract between the Department for the Aging of the City of New York and the Contractor listed below, for the provision of Neighborhood Senior Center programs (e.g. congregate lunch, case assistance, health management, etc). The contract term shall be from November 1, 2012 to June 30, 2016, with a renewal option from July 1, 2016 to October 31, 2018. The contract amount and the Community District in which the program is located are identified below.

CONTRACTOR/ADDRESS

Samuel Field YM & YWHA, Inc.
58-20 Little Neck Parkway, Little Neck, NY 11362
Site Address
58-20 Little Neck Parkway, Little Neck, NY 11362
E-PIN/PIN 12511N0003050/12513NC1044X
Amount \$1,381,857
Boro/CD QN, CD 11

The proposed contract is being funded through the Innovative Procurement Method pursuant to Section 3-12 of the PPB Rules.

A draft copy of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from September 21, 2012 to October 5, 2012, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

IN THE MATTER of the one (1) proposed contract between the Department for the Aging of the City of New York and the Contractor listed below, for the provision of Neighborhood Senior Center programs (e.g. congregate lunch, case assistance, health management, etc). The contract term shall be from November 1, 2012 to June 30, 2016, with a renewal option from July 1, 2016 to October 31, 2018. The contract amount and the Community District in which the program is located are identified below.

CONTRACTOR/ADDRESS

Jewish Community Center of Staten Island
1466 Manor Road, SI, NY 10314
Site Address
189 Gordon St., SI, NY 10304
E-PIN/PIN 12511N0003072/12513NC10547
Amount \$945,300
Boro/CD SI, CD 1

The proposed contract is being funded through the Innovative Procurement Method pursuant to Section 3-12 of the PPB Rules.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request to speak should be sent to Betty Lee, ACCO, at the Dept for the Aging (DFTA), 2 Lafayette St, Room 400, NY, NY 10007. If DFTA receives no written requests to speak within the prescribed time, DFTA

reserves the right not to conduct the Public Hearing. A draft copy of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from September 21, 2012 to October 5, 2012, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

IN THE MATTER of the one (1) proposed contract between the Department for the Aging of the City of New York and the Contractor listed below, for the provision of Neighborhood Senior Center programs (e.g. congregate lunch, case assistance, health management, etc). The contract term shall be from December 1, 2012 to June 30, 2016, with a renewal option from July 1, 2016 to November 30, 2018. The contract amount and the Community District in which the program is located is identified below.

CONTRACTOR/ADDRESS

Sephardic Multi Service Senior Center, Inc.
485 Kings Highway, Bklyn., NY 11223
Site Address
482-485 Kings Highway, Bklyn., NY 11223
E-PIN/PIN 12511N0003207/12513NC1027F
Amount \$3,157,350
Boro/CD BK, CD 15

The proposed contract is being funded through the Innovative Procurement Method pursuant to Section 3-12 of the PPB Rules.

A draft copy of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from September 21, 2012 to October 5, 2012, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Tuesday, September 25, 2012 at 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan commencing at 9:30 A.M. on the following:

IN THE MATTER of the eleven (11) proposed contracts between the Department for the Aging of the City of New York and the Contractors listed below, 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. The contract amounts and the Community Districts in which the programs are located are identified below.

CONTRACTOR/ADDRESS

Catholic Charities Community Services Archdiocese of NY
1011 First Ave., 6th Fl., New York, NY 10022
Site Address
230 Broadway, SI, NY 10310
E-PIN/PIN 12511N0003070/12513NC10545
Amount \$869,796
Boro/CD SI, CD 1

Staten Island Community Services Friendship Clubs, Inc.
11 Sampson Ave., Staten Island, NY 10308
Site Address
184 Schmidts Lane, SI, NY 10314
E-PIN/PIN 12511N0003080/12513NC10553
Amount \$659,419
Boro/CD SI, CD 2

Bronx Works, Inc.
60 East Tremont Ave., Bronx, NY 10453
Site Address
515 Jackson Ave., Bx., NY 10455
E-PIN/PIN 12511N0003069/12513NC1013L
Amount \$778,855
Boro/CD BX, CD 1

Bronx Works, Inc.
60 East Tremont Ave., Bronx, NY 10453
Site Address
236 E Tremont Ave., Bx., NY 10457
E-PIN/PIN 12511N0003071/12513NC1013M
Amount \$715,753
Boro/CD BX, CD 5

Child Development Center Of The Mosholu Montefiore Community Center, Inc., 3450 DeKalb Ave., Bronx, NY 10467
Site Address
5365 Broadway, Bx., NY 10463
E-PIN/PIN 12511N0003073/12513NC1013N
Amount \$987,065
Boro/CD BX, CD 8

East Side House Settlement, Inc.
337 Alexander Ave., Bronx, NY 10454
Site Address
188-190 Lincoln Avenue, Bx., NY 10454
E-PIN/PIN 12511N0003077/12513NC1013Q
Amount \$313,560
Boro/CD BX, CD 1

Institute For The Puerto Rican/Hispanic Elderly, Inc.
105 East 22nd Street, Suite 711, New York, NY 10010
Site Address
1315 Franklin Ave., Bx., NY 10456
E-PIN/PIN 12511N0003085/12513NC1013V
Amount \$985,485
Boro/CD BX, CD 3

Jewish Association For Services For The Aged
247 West 37th St., New York, NY 10018

Site Address
2049 Bartow Ave., Bx., NY 10475
E-PIN/PIN 12511N0003088/12513NC1013Z
Amount \$985,270
Boro/CD BX, CD 10

Jewish Association For Services For The Aged
247 West 37th St., 9th Fl., New York, NY 10018
Site Address
2705 Schley Ave., Bx., NY 10465
E-PIN/PIN 12511N0003093/12513NC1014E
Amount \$692,662
Boro/CD BX, CD 10

Presbyterian Senior Services
2095 Broadway- Suite 409, New York, NY 10023
Site Address
1181 Nelson Ave., Bx., NY 10452
E-PIN/PIN 12511N0003115/12513NC1014N
Amount \$883,829
Boro/CD BX, CD 4

Regional Aid For Interim Needs, Inc.
811 Morris Park Ave., Bronx, NY 10462
Site Address
3377 White Plains Rd., Bronx, NY 10467
E-PIN/PIN 12511N0003114/12513NC1014P
Amount \$937,013
Boro/CD BX, CD 12

The proposed contracts are being funded through the Innovative Procurement Method pursuant to Section 3-12 of the PPB Rules.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request to speak should be sent to Betty Lee, ACCO, at the Dept for the Aging (DFTA), 2 Lafayette St, Room 400, NY, NY 10007. If DFTA receives no written requests to speak within the prescribed time, DFTA reserves the right not to conduct the Public Hearing.

A draft copy of each of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from September 11, 2012 to September 25, 2012, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Tuesday, September 25, 2012 at 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan commencing at 3:00 P.M. on the following:

IN THE MATTER of the ten (10) proposed contracts between the Department for the Aging of the City of New York and the Contractors listed below, 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. The contract amounts and the Community Districts in which the programs are located are identified below.

CONTRACTOR/ADDRESS

Elmcors Youth and Adult Activities, Inc.
33-16 108th St., Corona, NY 11368
Site Address
98-19 Astoria Blvd., Queens, NY 11369
E-PIN/PIN 12511N0003024/12513NC1042Y
Amount \$776,870
Boro/CD QN, CD 3

Elmcors Youth and Adult Activities, Inc.
33-16 108th St., Corona, NY 11368
Site Address
98-16 55th Ave., Queens, NY 11368
E-PIN/PIN 12511N0003022/12513NC1043K
Amount \$526,621
Boro/CD QN, CD 4

Jewish Association for Services for the Aged
247 W 37th Street, 9th Floor, New York, NY 10018
Site Address
106-20 Shore Front Parkway, Queens, NY 11694
E-PIN/PIN 12511N0003037/12513NC10401
Amount \$939,962
Boro/CD QN, CD 14

Korean Community Services of Metropolitan N.Y., Inc.
35-56 159th Street, Flushing, NY 11358
Site Address
37-06 111th St., Queens, NY 11368
E-PIN/PIN 12511N0003038/12513NC1044K
Amount \$863,820
Boro/CD QN, CD 3

Selfhelp Community Services Inc.
520 8th Ave., 5th Fl., New York, NY 10018
Site Address
34-30 137th Street, Queens, NY 11355
E-PIN/PIN 12511N0003051/12513NC1044A
Amount \$993,164
Boro/CD QN, CD 7

Young Israel Programs, Inc.
111 John St., Suite 450, New York, NY 10038
Site Address
68-07 Burns St., Queens, NY 11375
E-PIN/PIN 12511N0003061/12513NC10497
Amount \$920,970
Boro/CD QN, CD 6

Young Israel Programs, Inc.
111 John St., Suite 450, New York, NY 10038
Site Address
2716 Healy Ave., Queens, NY 11691
E-PIN/PIN 12511N0003060/12513NC1044V
Amount \$783,921
Boro/CD QN, CD 14

Fort Greene Council
966 Fulton Street, Brooklyn, NY 11238
Site Address
400 Hart St., Bklyn., NY 11206
E-PIN/PIN 12511N0003169/12513NC1025U
Amount \$890,774
Boro/CD BK, CD 3

Jewish Association For Services For The Aged
247 West 37th Street, 9th Floor, New York, NY 10018
Site Address
2880 W 12th St., Bklyn., NY 11224
E-PIN/PIN 12511N0003179/12513NC1026K
Amount \$772,484
Boro/CD BK, CD 13

Jewish Association For Services For The Aged
247 West 37th Street, 9th Floor, New York, NY 10018
Site Address
202 Graham Ave., Bklyn., NY 11206
E-PIN/PIN 12511N0003184/12513NC1026Q
Amount \$990,885
Boro/CD BK, CD 1

The proposed contracts are being funded through the Innovative Procurement Method pursuant to Section 3-12 of the PPB Rules.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request to speak should be sent to Betty Lee, ACCO, at the Dept for the Aging (DFTA), 2 Lafayette St, Room 400, NY, NY 10007. If DFTA receives no written requests to speak within the prescribed time, DFTA reserves the right not to conduct the Public Hearing.

A draft copy of each of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from September 12, 2012 to September 25, 2012, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

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ENVIRONMENTAL PROTECTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on October 4, 2012 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and ABB, Inc., 29801 Euclid Avenue, Wickliffe, Ohio 44092 for 1296-NR: Service and Repair of Distributed Control System at North River WPCP. The Contract term shall be 1095 consecutive calendar days with an option to renew for one year from the date of the written notice to proceed. The Contract amount shall be \$1,371,669.00 - Location: Borough of Manhattan - PIN 82612S0015.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from September 21, 2012 to October 4, 2012 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Note: Individuals requesting Sign Language Interpreters should contact Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on October 4, 2012 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Parsons Main of New York, Inc., 100 Broadway, New York, New York 10005 for TCM-BT-53-CM: Construction Management Services for Construction of Rondout-West Branch Bypass Tunnel and Repairs to the Existing Aqueduct. The Contract term shall be 3,714 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$70,445,624.00 - Location: NYC Watershed Region - EPIN 82612P0015.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from September 21, 2012 to October 4, 2012 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Note: Individuals requesting Sign Language Interpreters should contact Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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AGENCY RULES

HEALTH AND MENTAL HYGIENE

■ NOTICE

NOTICE OF ADOPTION OF AMENDMENTS TO ARTICLE 5 OF THE NEW YORK CITY HEALTH CODE

In compliance with §1043(b) of the New York City Charter (the “Charter”) and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Article 5 of the New York City Health Code (the “Health Code”) was published in the City Record on June 19, 2012 and a public hearing was held on July 26, 2012. No one testified but two written comments were received. No changes have been made to the resolution. At its meeting on September 13, 2012, the Board of Health adopted the following resolution.

Statutory Authority

These amendments to the New York City Health Code (the “Health Code”) are issued in accordance with §§556, 558 and 1043 of the New York City Charter (the “Charter”).

- Section 556 of the Charter provides the Department of Health and Mental Hygiene (the “Department”) with authority to regulate all matters affecting health in the City of New York.
- Section 558(b) and (c) of the Charter empower the Board of Health (the “Board”) to amend the Health Code and to include in the Health Code all matters over which the Department has authority.
- Section 1043 of the Charter gives the Department rulemaking powers.

Statement of Basis and Purpose

The Commissioner currently issues permits for temporary food service establishments (TFSE) to operate for up to 14 days at a time. These permits currently cost \$20.00. Each time a TFSE wants to operate at a new venue, a new permit is required. In practice, however, the Department has observed an increasing number of operators who obtain this permit and operate every weekend, at recurring events, or at many different events throughout the City during any given year.

The Board of Health is amending the TFSE provisions in Article 5 to:

- change the TFSE permit to an annual permit, rather than to an event-specific 14-day permit, to reflect how these permits are actually used, and,
- raise the fee for this permit from \$20.00 to \$70.00 to reflect the administrative costs of issuing individual permits.

While the price of the permit will go up, operators will be in a position to save money by purchasing one annual permit at \$70.00 rather than multiple event-specific permits at \$20.00 each. Although an annual permit will be issued, any operator of a TFSE who wishes to participate in any street or other event must still obtain the permission of the event sponsor, and comply with all other applicable provisions of the Health Code and other law.

Two written comments were received from local community organizations, objecting to the repeal of the one day permit stating that food service establishments in their neighborhoods that participated in single events during the year would need to pay a \$70 fee for permits to operate a TFSE at the event. However, the analysis of the costs to the Department of charging a TFSE permit fee showed that the same costs apply whether the permit is being issued for one event or multiple events and the Department may not establish any permit fee that does not reflect the actual costs of issuing the permit. In addition, Health Code §88.05 (c) provides that any food service establishment holding a currently valid permit does not need to obtain an additional TFSE permit to participate in any temporary event.

Accordingly, Article 5 (General Permit Provisions) has been amended, changing the fee for a permit for a TFSE from \$20.00 to \$70.00, and, in accordance with Health Code §88.05 (d), all TFSE permits will be good for one year, recognizing the fact that many TFSEs operate at events that recur throughout the year, more than 14 days at a time, and sometimes every weekend.

The resolution is as follows:

Matter to be deleted is in brackets []
New matter is underlined

RESOLVED, that §5.07 of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes as follows:

§5.07 Expiration dates; fees.

Description of Activity Under Permit	Health Code or other Law Section Reference	Fee	Date Expiration
* * *			
NON-RETAIL FOOD PROCESSING ESTABLISHMENT: Permit to maintain or operate a non-retail food processing establishment	81.05 (c)	\$200.00	One year from end of the month in which the initial application was submitted or, in the case of a renewal, one year from date of last permit expiration
TEMPORARY FOOD SERVICE ESTABLISHMENTS:	88.03 (a)	[\$20.00] \$70.00	[Maximum of fourteen (14) consecutive days] <u>One year from end of the month in which the initial application was</u>

submitted or, in the case of a renewal, one year from date of last permit expiration

PREScription FORMULA PREPARATION:	115.05	\$50.00	March 31
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Notes: §5.07 was amended by resolution adopted September 13, 2012 changing the \$20.00 fee for a temporary 14-day food service establishment permit to an annual permit with a \$70.00 fee.

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NOTICE OF ADOPTION OF AMENDMENTS TO ARTICLE 11 AND 13 OF THE NEW YORK CITY HEALTH CODE

In compliance with §1043(b) of the New York City Charter (the “Charter”) and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Article 11 and Article 13 of the New York City Health Code (the “Health Code”) was published in the City Record on June 19, 2012 and a public hearing was held on July 23, 2012. No one testified but two written comments were received. In response to the comments, changes were made to clarify the resolution. At its meeting on September 13, 2012, the Board of Health adopted the following resolution.

Statutory Authority

These amendments to the New York City Health Code (the “Health Code”) are issued in accordance with §§556, 558 and 1043 of the New York City Charter (the “Charter”).

- Section 556 of the Charter provides the Department of Health and Mental Hygiene (the “Department”) with authority to regulate all matters affecting health in the City of New York.
- Sections 558(b) and (c) of the Charter empower the Board of Health (the “Board”) to amend the Health Code and to include in the Health Code all matters over which the Department has authority.
- Section 1043 of the Charter gives the Department rulemaking powers.

Statement of Basis and Purpose

One of the most important duties of any public health agency is to investigate and control communicable diseases. As the local health officer for the City of New York (NYC), the Commissioner of the Department is required “to make such an investigation as the circumstances may require for the purpose of verifying the diagnosis, ascertaining the source of infection...to collect and submit, or cause to be collected and submitted, for laboratory examination such specimens as may furnish necessary or desirable information in determining the source of infection or in assisting diagnosis: ...” New York State Sanitary Code §2.6 [10 NYCRR Chapter 1].

Similarly, Health Code §11.03(e) provides that upon receiving a report of a disease or condition required to be reported, the Department may conduct any surveillance, epidemiological and laboratory investigation necessary to verify diagnosis, ascertain sources or causes of infection, identify additional cases, and implement public health measures to control the disease and prevent further morbidity or mortality. These provisions authorize the Department to require collection of specimens for laboratory examination for testing to be performed by the Department or as designated by the Department.

Neonatal Herpes

Neonatal herpes is an uncommon but serious infection with a high case fatality rate; since 2006, 15 NYC neonates have died from herpes. In 2006, Health Code §11.03 was amended to make neonatal herpes simplex virus (HSV) infection a reportable disease. There are approximately 15 laboratory-confirmed cases reported each year, and 2-4 additional cases that meet a case definition for probable infection but are not laboratory-confirmed. The Department believes that the number of confirmed cases is an underestimate, because health care providers fail to obtain specimens for herpes virus detection, do not send specimens to laboratories that can perform the necessary testing, and obtain specimens after starting anti-viral treatment, which can reduce the likelihood of detecting virus in a specimen.

State Sanitary Code §2.5 provides that a “physician in attendance on a person affected with or suspected of being affected with any of the diseases mentioned in this section shall submit to an approved laboratory, or to the laboratory of the State Department of Health, for examination of such specimens as may be designated by the State Commissioner of Health, together with data concerning the history and clinical manifestations pertinent to the examination: ... Herpes infection in infants aged 60 days or younger (neonatal) ...”

Nucleic Acid Amplification Tests (NAAT)

Nucleic acid amplification tests (NAAT) are a form of molecular testing. They are more sensitive than cultures for the detection of HSV infection. However, few health care providers and hospitals have ready access to laboratories that are able or authorized to perform NAAT on swabs from skin vesicles, and opportunities for laboratory-confirmation of herpes infection have been missed. The New York State Department of Health Wadsworth Center laboratories have the ability to perform NAAT and other molecular analyses.

Highly sensitive NAAT testing of suspected neonatal herpes specimens benefits individual cases and public health in three ways:

- (1) It enables confirmation of the diagnosis, and reassures physicians and parents that, given the serious threat to the neonate’s life posed by a herpes infection, treatment for herpes should be started and continued despite the risks associated with such treatment.
- (2) Public health officials can more accurately document disease incidence.
- (3) Public health officials can prioritize cases for investigation to determine how transmission occurred and how it can be prevented in the future.

Amendment of Article 11

The Board is amending Article 11 by adding a new §11.10 requiring health care providers to obtain swab specimens from vesicular skin lesions in a neonate presenting with possible HSV infection before or when starting treatment of the infant with anti-viral drugs, and to submit the specimens to the NYS Department of Health Wadsworth Center laboratory for diagnostic testing. State Sanitary Code §2.5 provides that a “physician in attendance on a person affected

with or suspected of being affected with any of the diseases mentioned in this section shall submit to an approved laboratory, or to the laboratory of the State Department of Health, for examination of such specimens as may be designated by the State Commissioner of Health, together with data concerning the history and clinical manifestations pertinent to the examination [in cases of]: ... Herpes infection in infants aged 60 days or younger (neonatal) ...” The State Sanitary Code clearly states the authority of the State Commissioner of Health to require submission of such specimens, and the Department believes that a similar provision is necessary in the City’s Health Code. The Department does not intend that this requirement result in delaying necessary treatment.

The language of the original proposal has been clarified in response to a comment received, indicating that there could be possible confusion about where positive and negative results should be forwarded and stating that results of analyses by Wadsworth Center laboratories are to be sent to the Department.

Amendment of Article 13

NYC neonatal herpes surveillance data, collected since 2006 when the disease was made reportable, are used for local and national provider education and to support investigations to determine if cases are related. However, even when infection is laboratory-confirmed as HSV infection, viral type (indicating whether infection is due to HSV type 1 or HSV type 2) is unknown approximately 15% of the time. Data regarding viral type will help the Department understand factors associated with infection, factors associated with virulence of each type, and the impact that future vaccines are likely to have on neonatal HSV infection.

Accordingly, the Board is also amending Article 13 to add a new §13.09 to require that clinical laboratories detecting HSV in any specimen from infants sixty days of age or less submit such specimens and derived materials to the Wadsworth Center laboratories for such further testing as the Department determines may be needed. The language originally proposed, which used only the term testing “as needed” has been clarified to provide explicitly that the Department will specify what testing if any will be conducted and that both positive and negative results of testing should be sent to the Department. If the specimen has already been identified as positive for HSV, the Department may determine that no further testing is needed. In addition, the phrase “unless otherwise directed by the Department has been added so that the Department may require that specimens be sent to other laboratories for testing if the Wadsworth Center laboratories become unavailable for any reason.

The resolution is as follows:

Matter to be deleted is in brackets []
New matter is underlined

RESOLVED, that Article 11 (Reportable Diseases and Conditions) of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be amended, adding a new §11.10, to be printed together with explanatory notes as follows:

§11.10 Neonatal herpes simplex. At or before initiating treatment for a suspected case of herpes simplex virus infection occurring in a child aged 60 days or less, the health care provider ordering treatment shall collect specimens from one or more vesicles or from any skin lesions suggestive of herpetic disease. Unless otherwise directed by the Department, all such specimens shall be sent by the provider to the New York State Department of Health Wadsworth Center laboratories for diagnostic testing using molecular methods, and reports of positive and negative results shall be forwarded to the Department by the Wadsworth Center laboratories.

Notes: §11.10 was added to Article 11 by resolution adopted September 13, 2012. It requires physicians and other health care providers to obtain specimens from vesicular skin lesions on infants suspected of having neonatal herpes simplex virus at or before starting anti-viral treatment to enable prompt and accurate diagnosis. It also requires such health care provider to submit the specimens to New York State Department of Health for testing unless otherwise directed by the Department.

RESOLVED, that the Table of Section Headings in Article 11 of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be amended, adding a new §11.10, to be printed together with explanatory notes as follows:

ARTICLE 11 REPORTABLE DISEASES AND CONDITIONS

§11.01 Definitions.
* * *
§11.09 Blood Lead Reporting and Children’s Blood Lead Registry.
§11.10 Neonatal herpes simplex.
§11.11 Confidentiality of reports and records.
* * *

Notes: Article 11 was amended by resolution adopted September 13, 2012 to add a new §11.10 that requires physicians and other health care providers to obtain specimens from vesicular skin lesions on infants suspected of having neonatal herpes simplex virus at or before starting anti-viral treatment to enable prompt and accurate diagnosis, and submit the specimens to the New York State Department of Health for testing.

RESOLVED, that Article 13 (Clinical Laboratories) of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be amended, adding a new §13.09, to be printed together with explanatory notes as follows:

§13.09 Neonatal herpes simplex specimens. When a clinical laboratory detects herpes simplex virus in a specimen collected from a child 60 days of age or less, the laboratory shall, unless otherwise directed by the Department, send the original specimen and any derived materials to the New York State Department of Health Wadsworth Center laboratories, or another laboratory determined by the Department for further testing as specified by the Department. If testing is conducted, positive and negative test results shall be forwarded to the Department.

Notes: §13.09 was added to Article 13 by resolution adopted September 13, 2012. It requires clinical laboratories to forward portions of specimens from infants in which herpes simplex virus is detected to the New York State Department of Health Wadsworth Center or other laboratories for such testing as the Department determines is needed.

RESOLVED, that the Table of Section Headings in Article 13 of the New York City Health Code, found in Title 24 of the

Rules of the City of New York, be amended, adding a new §13.09, to be printed together with explanatory notes as follows:

ARTICLE 13 CLINICAL LABORATORIES

§13.01 Definitions.
* * *
§13.07 Reporting of Hemoglobin A1C.
§13.09 Neonatal herpes simplex specimens.

Notes: Article 13 was amended by resolution adopted September 13, 2012 to add a new §13.09 that requires clinical laboratories to forward portions of specimens from infants in which herpes simplex virus is detected to the New York State Department of Health Wadsworth Center laboratories for further testing as may be specified by the Department.

☛ s21

NOTICE OF ADOPTION OF AN AMENDMENT TO ARTICLE 181 OF THE NEW YORK CITY HEALTH CODE

In compliance with §1043(b) of the New York City Charter (the “Charter”) and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Article 181 of the New York City Health Code (the “Health Code”) was published in the City Record on June 19, 2012 and a public hearing was held on July 23, 2012. At its meeting on September 13, 2012, the Board of Health adopted the following resolution.

Statutory Authority

These amendments to the Health Code are promulgated pursuant to §§558 and 1043 of the Charter.

- Sections 558(b) and (c) of the Charter empower the Board of Health to amend the Health Code and to include in the Health Code all matters to which the authority of the Department of Health and Mental Hygiene (the “Department” or “DOHMH”) extends.
- Section 1043 grants the Department rule-making authority.

The amendment reflects the Department’s historic power to supervise the control of communicable disease in New York City. Section 556 of the Charter provides the Department with broad jurisdiction to regulate all matters affecting health in the City of New York. The control of communicable disease is a core public health function.

Statement of Basis and Purpose

The purpose of this amendment is to require written consent from a parent or legal guardian when direct oral suction will be performed during his or her son’s circumcision. The written consent will require that the parent or guardian has been told that the Department advises against direct oral suction because of certain risks associated with the practice, including infection with herpes simplex virus and its potentially serious consequences, such as brain damage and death. Knowing the risks posed by direct oral suction, a parent or legal guardian can then make an informed choice about whether it should be performed as part of the circumcision.

The amendment requires persons performing circumcisions which include direct oral suction to retain copies of signed consent forms for at least one year and to make them available to the Department upon request.

Background

Male circumcision, which involves cutting off skin and leaving an open wound on the penis, carries a risk for infection. It should be performed under sterile conditions to protect the open wound from infection. There is a practice involving direct contact between the mouth of a person performing or assisting in performing a circumcision and the infant’s circumcised penis (“direct oral suction”). When direct oral suction is performed as part of circumcision, there is a risk that the person performing direct oral suction will transmit herpes simplex virus to the infant being circumcised.

Between 2004 and 2011, the Department learned of 11 cases of laboratory-confirmed herpes simplex virus infections in male infants following circumcisions that were likely to have been associated with direct oral suction. Two of these infants died, and at least two others suffered brain damage. The parents of some of these infants have said that they did not know before their child’s circumcision that direct oral suction would be performed. In addition, since 2004, the Department has received multiple complaints from parents whose children may not have been infected with herpes simplex virus or other infectious diseases but who were also not aware that direct oral suction was going to be performed as part of their sons’ circumcisions.

The amendment

The new Health Code provision, §181.21 — Consent for direct oral suction as a part of circumcision — requires that if direct oral suction is to be performed as part of a circumcision, the person performing the circumcision must obtain prior written consent from a parent or legal guardian. The written consent would document that a parent has been given notice that direct oral suction is to be performed and that the parent has been informed that the Department advises against direct oral suction because the practice carries a risk of transmission to the infant of herpes simplex virus infection. A copy of the signed consent form must be given to the parent or legal guardian signing the consent. The person performing the circumcision will have to maintain the original for at least one year after the circumcision is performed, and make it available for inspection at the request of the Department.

In response to comments received, the resolution has been amended to allow use of a consent form other than one approved and provided by the Department if the form used contains certain elements deemed necessary for a parent or legal guardian to document that she or he has given consent. The language of the consent now includes a reference to the Department’s concerns about the risks of direct oral suction, and indicates that the consent must be obtained by the person performing the circumcision whenever direct oral suction is performed regardless of whether this person performs direct oral suction himself or it is done by another person assisting him.

The resolution is as follows:

Note- matter in [] brackets to be deleted;
Matter underlined is new.

RESOLVED, that Article 181 of the New York City Health

Code, found in Title 24 of the Rules of the City of New York, and the same hereby is, amended, by adding a new §181.21, to be printed together with explanatory notes, to read as follows:

§ 181.21 Consent for direct oral suction as part of a circumcision.

(a) Direct oral suction means contact between the mouth of a person performing or assisting in the performance of a circumcision and an infant’s circumcised penis.
(b) Written consent required. A person may not perform a circumcision that involves direct oral suction on an infant under one year of age, without obtaining, prior to the circumcision, the written signed and dated consent of a parent or legal guardian of the infant being circumcised using a form provided by the Department or a form which shall be labeled “Consent to perform oral suction during circumcision,” and which at a minimum shall include the infant’s date of birth, the full printed name of the infant’s parent(s), the name of the individual performing the circumcision and the following statement: “I understand that direct oral suction will be performed on my child and that the New York City Department of Health and Mental Hygiene advises parents that direct oral suction should not be performed because it exposes an infant to the risk of transmission of herpes simplex virus infection, which may result in brain damage or death.”
(c) Retention of consent forms. The person performing the circumcision must give the parent or legal guardian a copy of the signed consent form and retain the original for one year from the date of the circumcision, making it available for inspection if requested by the Department.

Notes: §181.21 was added to Article 181 by resolution adopted September 13, 2012 to require that persons who perform circumcisions on infants under one year of age that include the application of direct oral suction obtain the written consent of a parent prior to performance of the circumcision and warn the parent of the Department’s concerns about the risks of infection posed by direct oral suction.

RESOLVED, that the Table of Section Headings of Article 181 of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be, and the same hereby is, amended, to be printed together with explanatory notes, to read as follows:

ARTICLE 181 PROTECTION OF PUBLIC HEALTH GENERALLY

§181.01 Definitions.
* * *
§181.21 **Consent for direct oral suction as part of a circumcision.**

Notes: Article 181 was amended by resolution adopted September 13, 2012 adding a new §181.21 requiring written parental consent for circumcisions performed on an infant under one year of age that includes the application of direct oral suction to the infant’s penis in view of the Department’s concerns about the risks of transmission of infection to such infants through the practice of direct oral suction.

☛ s21

RESOLUTION DATED: SEPTEMBER 13, 2012

At a meeting of the Board of Health of the Department of Health and Mental Hygiene held on September 13, 2012, the following resolution was adopted:

WHEREAS, the Board of Health has found that the following chemical compounds (collectively referred to as “synthetic phenethylamines”), which are not listed as controlled substances on Schedules I through V of §3306 of the Public Health Law and are not approved by the federal Food and Drug Administration (“FDA”), are commonly marketed as “bath salts”, plant food and other ordinary household goods at numerous locations throughout the city:

3, 4-Methylenedioxyamphetaminone (Methylone);
4-Methoxymethcathinone;
3-Fluoromethcathinone;
4-Fluoromethcathinone; Ethylpropion (Ethcathinone);
2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);
2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);
2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);
2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);
2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);
2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);
2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);
2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P); and

WHEREAS, synthetic phenethylamines stimulate the body’s nervous system, and cause effects similar to those caused by cocaine and amphetamines, including but not limited to increased heart rate and blood pressure, hallucinations, paranoia, suicidal thoughts, violent behavior, nausea and vomiting; and

WHEREAS, synthetic phenethylamines are designer drugs specifically synthesized with a similar, but slightly modified, structure of a controlled substance in order to avoid existing drug laws and can be continually chemically modified to avoid legal repercussions while maintaining their intended effects and usages; and

WHEREAS, On May 20, 2011, the Commissioner of Health of the State of New York issued an Order banning the sale and distribution of products with
3,4- Methylenedioxyamphetaminone (Methylone),
4-Methylmethcathinone (Mephedrone),
Methylenedioxypropylvalerone (MDPV),
4-Methoxymethcathinone, 3-Fluoromethcathinone,
4- Fluoromethcathinone, and compounds structurally related to these synthetic chemical compounds; and

WHEREAS, products containing synthetic phenethylamines, including those named in the May 20, 2011 Order, remain prevalent drugs of abuse and continue to be packaged, distributed and sold throughout the City of New York as “bath salts” and other ordinary household goods; and

WHEREAS, from January 1, 2012 through September 1, 2012, the New York City Poison Control Center received 126 calls regarding poisonings from products containing synthetic phenethylamines; and

WHEREAS, a “cannabinoid” is a class of chemical compounds in the marijuana plant and the cannabinoid Δ 9-tetrahydrocannabinol (THC) is the primary psychoactive constituent of marijuana. “Synthetic cannabinoids” encompass a wide variety of chemicals that are synthesized and marketed to mimic the action of THC. They are chemical compounds that are cannabinoid receptor agonists and include, but are not limited to, any material, compound, mixture, or preparation that is not listed in the Schedules I

through IV of §3306 of the Public Health Law, is not approved by the federal Food and Drug Administration, and contains any quantity of the following substances, their salts, isomers (whether optical, positional or geometric), homologues (analogs), and salts of isomers and homologues (analogs), unless specifically exempted, whenever the existence of these salts, isomers, homologues (analogs), and salts of isomers and homologues (analogs) is possible within the specific chemical designation:

Naphthoylindoles. Any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent. (Other names in this structural class include but are not limited to: JWH 015, JWH 018, JWH 019, JWH 073, JWH 081, JWH 122, JWH 200, JWH 210, JWH 398, AM 2201, and WIN 55212).

Naphthylmethylindoles. Any compound containing a 1-H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent. (Other names in this structural class include but are not limited to: JWH-175 and JWH-184).

Naphthoylpyrroles. Any compound containing a 3-(1-naphthoyl) pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent. (Other names in this structural class include but are not limited to: JWH 307).

Naphthylmethylindenes. Any compound containing a naphthylmethyl indene structure with substitution at the 3-position of the indene ring by an alkyl haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent. (Other names in this structural class include but are not limited to: JWH-176).

Phenylacetylindoles. Any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. (Other names in this structural class include but are not limited to: RCS-8 (SR-18), JWH 250, JWH 203, JWH-251 and JWH 302).

Cyclohexylphenols. Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent. (Other names in this structural class include but are not limited to: CP 47,497 (and homologues (analogs)), cannabicyclohexanol, and CP 55,940).

Benzoylindoles. Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. (Other names in this structural class include but are not limited to: AM 694, Pravadoline (WIN 48,098), RCS 4, and AM-679).

[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo [1,2,3-de]-1, 4-benzoxazin-6-yl]-1-naphthalenylmethanone. (Other names in this structural class include but are not limited to: WIN 55,212-2).

(6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol. (Other names in this structural class include but are not limited to: HU-210).

(6aS, 10aS)-9-(hydrxymethyl)-6,6-demethyl-3-(2-methyloctan-2-yl)-6a,7,10, 10a-tetrahydrobenzo[c]chromen-1-ol (Dezanabinol or HU-211).

Adamantoylindoles. Any compound containing a 3-(1-adamantoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the adamantyl ring system to any extent. (Other names in this structural class include but are not limited to: AM-1248).

xii. Any other synthetic chemical compound that is a cannabinoid receptor agonist that is not listed in Schedules I through V of §3306 of the Public Health Law, or is not an FDA approved drug; and

WHEREAS, synthetic cannabinoids are frequently applied to plant materials and then packaged and marketed online, and in convenience stores, gas stations and smoke shops as incense, herbal mixtures or potpourri, and often carry a “not for human consumption” label, and are not approved for medical use in the United States; and

WHEREAS, products containing synthetic cannabinoids are produced, distributed, marketed and sold, as a supposed “legal alternative” to marijuana and for the purpose of being consumed by an individual, most often by smoking, either through a pipe, a water pipe, or rolled in cigarette papers; and

WHEREAS, pursuant to §3306 of the Public Health Law, the Commissioner of Health of the State of New York issued an Order on March 28, 2012 banning the sale and distribution of products containing synthetic cannabinoids in the State of New York; and

WHEREAS, pursuant to §3.09 of the New York City Health Code, the Commissioner of the Department of Health and Mental Hygiene issued an Order on March 29, 2012 banning the sale and distribution of products containing synthetic cannabinoids in the City of New York; and

WHEREAS, as of September 1, 2012, there have been ninety calls to the City of New York’s Poison Control Center this calendar year about adverse reactions to synthetic cannabinoids and reported side effects which may include:

tachycardia (increased heart rate); paranoid behavior, agitation and irritability; nausea and vomiting; confusion; drowsiness; headache; hypertension; electrolyte abnormalities; seizures; and syncope (loss of consciousness); and

WHEREAS, products containing synthetic cannabinoids continue to be sold throughout the City of New York and remain prevalent drugs of abuse, especially among teens and young adults; and

WHEREAS, on July 9, 2012, President Barack Obama signed a Bill (S. 3187) into law that banned the sale and distribution of products containing some of the synthetic phenethylamines and synthetic cannabinoids listed in this resolution by placing them on the federal Schedule I list of substances under the federal Controlled Substances Act (21 U.S.C. §812(c)); and

WHEREAS, on August 7 2012, the Public Health and Health Planning Council of the State of the New York, at the request of the Commissioner of Health of New York, and pursuant to Public Health Law § 225(4) and (5) and Article 2 of the State Administrative Procedures Act, amended the New York Sanitary Code making it a violation to possess, manufacture, distribute, sell or offer to sell synthetic phenethylamines or synthetic cannabinoids, or products containing the same (the regulation can be viewed online at the Department of Health’s Internet address <http://www.health.ny.gov/professionals/narcotic/>); and

WHEREAS, the Commissioner of Health of the State of New York and the Commissioner of the Department of Health and Mental Hygiene of the City of New York have issued Orders banning the manufacture, distribution, sale or offering to sell of synthetic phenethylamines and synthetic cannabinoids in both the state and the city of New York; and

WHEREAS, the distribution, sale, and offer to sell of synthetic phenethylamines and synthetic cannabinoids, or products containing the same, including but not limited to the products listed in the Appendix to this Resolution, endanger the health of the people of the city of New York and constitutes a nuisance, as defined by §17-142 of the Administrative Code of the City of New York and by §3.09 of the Health Code; and

WHEREAS, the Board of Health has found that public notice and awareness of the federal and state prohibitions against the possession, manufacture, sale or distribution of products containing synthetic phenethylamines or synthetic cannabinoids is essential to immediately address the escalating use of these substances and the negative consequences they cause; and

WHEREAS, the Board of Health has found that personal service of this Resolution on all of the places possessing, manufacturing, selling or distributing synthetic phenethylamines or synthetic cannabinoids in the City of New York is impracticable and would result in delay prejudicial to public health.

IT THEREFORE IS RESOLVED, that all persons and businesses in the City of New York shall immediately cease and desist from possessing, manufacturing, distributing, selling or offering to sell products containing: (a) synthetic phenethylamines or any compound that has a chemical structure that is substantially similar to the synthetic phenethylamines identified in this document, and is not listed as a controlled substance in Schedules I through V of § 3306 of the Public Health Law, and is not approved by the Food and Drug Administration (FDA); or (b) synthetic cannabinoids.

IT IS FURTHER RESOLVED that this resolution shall take effect immediately.

A true copy.

Thomas A. Farley, MD, MPH
Chairman of the Board of Health

Rena Bryant
Secretary

Filed with the City Clerk September 13, 2012

APPENDIX

Products Believed to Contain Synthetic Phenethylamines:

Bliss, Blue Light, Blue Silk, Charge, Cosmic, Blast, Disco Concentrate Bath Salts, Ivory Snow, Ocean Burst, Pure Ivory, Purple Wave, Snow Leopard, Stardust (Star Dust), Tranquility Bath Salts, White Dove, White Knight, White Rush, Zeus 2, Ivory Wave, White Lightning, Hurricane Charlie, White Girl, Blue Magic, Silverback Bath Salts, Raving Dragon, Cloud 9, Purple Tranquility, Zoom2, Aura, Red Dove, Vanilla Sky, White Horse, Ivory Coast, Energy I, MDPK, Magic, Super Coke, Amped Rave, Snow Blind, Crystal Bubbly, Eight Ballz, White Water Rapid, Avalanche, Bizaro and Voodoo Powder

Products Believed to Contain Synthetic Cannabinoids:

K2, Spice, Chronic Spice, Spice Gold, Spice Silver, Spice Smoked Bien, Skunk, Black Mamba, Zohai, Mr. Nice Guy, K3, K3 Legal, Genie, Sence, Smoke, Chill X, Earth Impact, Galaxy Gold, Space Truckin, Solar Flare, Moon Rocks, Aroma, Scope, Sky High and Red X Dawn.

extends. Section 1043 grants the Department rule-making authority.

Statement of Basis and Purpose

Background of amendment

Children’s camps (a term that includes summer day camps, children’s overnight camps, and children’s traveling summer day camps) provide a structured place for children up to the age of 16 years during the summer months, when the majority of young people are not in school. In the 2010 summer season, DOHMH issued permits to 862 children’s camps in New York City (NYC). Approximately 165,000* children attended these programs. Most camps provide food and beverages for campers.

*This number may be an overrepresentation as camps often operate multiple sessions for the season and children who attend multiple sessions are counted per session in the DOHMH database.

Overview of amendment

The amendment is intended to address childhood obesity and to both improve the diets and health of children attending camps by establishing nutritional requirements for children’s camps that hold permits issued pursuant to Article 48 of the Health Code. These provisions:

- Prohibit service of certain beverages to campers, specifically:
 - Sugary drinks,
 - Non-100% juice,
 - Beverages with additives, and
 - Higher fat and flavored milk;
- Require potable water; and
- Prohibit camper access to vending machines both on and off camp premises.

The goal of this amendment is to decrease the amount of energy-dense items that children attending New York City camps consume.

Basis for the amendment

- **Childhood obesity has reached critical levels**
Nearly 40% of NYC public school students (K-8) are obese or overweight.^{1,2} Obese children are more likely than normal-weight children to have risk factors for heart disease³, type 2 diabetes⁴ and many other disorders and conditions.^{5,6,7} Obese children are more likely to become obese adults,^{8,9} and obesity in adulthood is associated with serious diseases and conditions, and with higher rates of death.¹⁰

- **Sugary drinks are a leading driver of the obesity epidemic**
Children have dramatically increased their intake of sugary drinks over the last few decades. At the same time, consumption of healthy beverages such as milk has declined.^{11,12,13} Sugary drinks are the primary source of added sugars and a significant contributor of excess calories in children’s diets.¹⁴ Sugar intake has been linked to heart disease risk factors in adolescents,¹⁵ and there is also a link between sugary drinks and weight gain.^{16,17,18,19,20}

According to DOHMH survey in 2009, 44% of NYC children aged 6 to 12 years consumed more than 1 sugary drink per day.²¹ As for public high school students, 26% had consumed 2 or more sugary drinks per day in the last week.²²

- **Experts recommend limits on 100% juice**
The United States Department of Agriculture (USDA)²³ and the American Heart Association²⁴ recommend limiting children’s intake of 100% juice. When consumed in moderation, 100% juice can be a healthy beverage; however, the USDA recommends that the majority of a child’s recommended fruit servings should come from whole fruit. Despite this recommendation, children are consuming more than half of their fruit intake as juice. One hundred percent (100%) juice intake has been associated with higher body weight in overweight and obese children,²⁵ which is of great concern given the large number of overweight and obese children in New York City.

- **Snacking on energy-dense foods and high-calorie beverages leads to weight gain²⁶**
Not only are children drinking more sugary drinks than they were several decades ago, but they are also snacking more.²⁷ Although nutrition experts recommend that children consume snacks that are nutritious and minimally processed,²⁸ young people often snack on unhealthy foods, such as sugary drinks, candy, salty snacks, and dessert items.²⁹

- **Experts recommend that additives be limited in children’s diets**
The nation’s leading health advisory organization, The Institute of Medicine (IOM), has taken the position that additives such as caffeine and artificial sweeteners should be limited in children’s diets. They recommend that foods and beverages served to children through school meal programs should be caffeine-free, as caffeine “has no place in foods and beverages offered in schools.”³⁰ With regard to non-nutritive sweeteners, the IOM states that “there is still uncertainty, particularly about long-term use and about low-level exposure effects on health and development in children” and recommends that high school-age students should limit consumption to after the school day.³¹

- **Children are heavily influenced by their environment**
Young people are greatly affected by what is around them.³² Vending machines, which typically sell energy-dense foods, may increase the number of unhealthy snacks that children consume.^{33,34} Like other child care settings in NYC, such as early child care centers and schools, camps should provide an environment that promotes—rather than undermines—health and wellness.

- **These requirements are similar to other City and national guidelines pertaining to children**
These include: Article 47³⁵ of the New York City Health Code, the New York City Department of Education’s Wellness Policy³⁶ and Chancellor’s Regulation A-812,³⁷ New York City Food Standards,³⁸ *Dietary Guidelines for Americans, 2010*,³⁹ and guidelines issued by the IOM.⁴⁰

¹ Centers for Disease Control and Prevention. Obesity in K-8

students: New York City, 2006-07 to 2010-11 school years. *Morbidity and Mortality Weekly Report*. 2011;60:1673-1678.

² New York City Department of Health and Mental Hygiene. NYC Vital Signs: Childhood Obesity is a Serious Concern in New York City. June 2009. <http://www.nyc.gov/html/doh/downloads/pdf/survey/survey-2009fitnessgram.pdf>. Accessed May 17, 2012.

³ Freedman DS, Mei Z, Srinivasan SR, Berenson GS, Dietz WH. Cardiovascular risk factors and excess adiposity among overweight children and adolescents: The Bogalusa Heart Study. *J Pediatr*. 2007;150:12-17.e2.

⁴ Hannon TS, Rao G, Arslanian SA. Childhood obesity and type 2 diabetes mellitus. *Pediatrics*. 2005;116:473-480.

⁵ Han JC, Lawlor DA, Kimm SY. Childhood obesity. *Lancet*. 2010;375:1737-1748.

⁶ Dietz W. Health consequences of obesity in youth: Childhood predictors of adult disease. *Pediatrics*. 1998;101:518-525.

⁷ Biro FM, Wien M. Childhood obesity and adult morbidities. *Am J Clin Nutr*. 2010;91:1499S-1505S.

⁸ Whitaker RC, Wright JA, Pepe MS, Seidel KD, Dietz WH. Predicting obesity in young adulthood from childhood and parental obesity. *N Engl J Med*. 1997;37:869-873.

⁹ Serdula MK, Ivery D, Coates RJ, Freedman DS, Williamson DF, Byers T. Do obese children become obese adults? A review of the literature. *Prev Med*. 1993;22:167-177.

¹⁰ National Institutes of Health. Clinical Guidelines on the Identification, Evaluation, and Treatment of Overweight and Obesity in Adults: the Evidence Report. Bethesda, MD: National Institutes of Health, U.S. Department of Health and Human Services; 1998.

¹¹ Harnack L, Stang J, Story M. Soft drink consumption among US children and adolescents: Nutritional consequences. *J Am Diet Assoc*. 1999;99:436-441.

¹² Nielsen S, Popkin B. Changes in beverage intake between 1977 and 2001. *Am J Prev Med*. 2004;27:205-210.

¹³ Wang Y, Bleich S, Gortmaker S. Increasing caloric contribution from sugar-sweetened beverages and 100% fruit juices among US children and adolescents, 1988-2004. *Pediatrics*. 2008;121:e1604-e1614.

¹⁴ Reedy J, Krebs-Smith SM. Dietary sources of energy, solid fats, and added sugars among children and adolescents in the United States. *J Am Diet Assoc*. 2010;110:1477-1484.

¹⁵ Welsh, J, Sharma A, Cunningham SA, Vos M. Consumption of added sugars and indicators of cardiovascular disease risk among US adolescents. *Circulation*. 2011;123:249-257.

¹⁶ Fiorito LM, Marini M, Francis LA, Smiciklas-Wright H, Birch LL. Beverage intake of girls at age 5 y predicts adiposity and weight status in childhood and adolescence. *Am J Clin Nutr*. 2009;90:935-942.

¹⁷ Ludwig DS, Peterson KE, Gortmaker SL. Relation between consumption of sugar-sweetened drinks and childhood obesity: A prospective, observational analysis. *Lancet*. 2001;357:505-508.

¹⁸ Malik VS, Schulze MB, Hu FB. Intake of sugar-sweetened beverages and weight gain: A systematic review. *Am J Clin Nutr*. 2006;84:274-88.

¹⁹ Mozaffarian D, Hao T, Rimm EB, Willett W, Hu FB. Changes in diet and lifestyle and long-term weight gain in women and men. *N Engl J Med*. 2011;364(25):2392-2404.

²⁰ Schulze MB, Manson JE, Ludwig DS, Colditz GA, Stampfer MJ, Willett WC, Hu FB. Sugar-sweetened beverages, weight gain, and incidence of type 2 diabetes in young and middle-aged women. *JAMA*. 2004;292:927-34.

²¹ New York City Department of Health and Mental Hygiene, Child Health Survey 2009.

²² New York City Department of Health and Mental Hygiene, Youth Risk Behavior Survey 2009.

²³ U.S. Department of Agriculture and U.S. Department of Health and Human Services. Dietary Guidelines for Americans, 2010. 7th Edition, Washington, DC: U.S. Government Printing Office, December 2010. <http://www.health.gov/dietaryguidelines/>. Accessed May 17, 2012.

²⁴ American Heart Association. AHA Scientific Position: Dietary recommendations for healthy children. http://www.heart.org/HEARTORG/GettingHealthy/Dietary-Recommendations-for-Healthy-Children_UCM_303886_Article.jsp. Accessed May 17, 2012.

²⁵ USDA. Dietary Guidelines for Americans, 2010.

²⁶ Bisset S, Gauvin L, Potvin L, Paradis G. Association of body mass index and dietary restraint with changes in eating behaviour throughout late childhood and early adolescence: a 5-year study. *Pub Health Nutr*. 2007;10(8):780-789.

²⁷ Piernas C, Popkin BM. Trends in snacking among U.S. children. *Health Affairs*. 2010;29:398-404.

²⁸ USDA, Dietary Guidelines for Americans.

²⁹ Piernas et al. (2010)

³⁰ IOM (Institute of Medicine). 2007. Nutrition Standards for Foods in Schools: Leading the Way Toward Healthier Youth. Washington, DC: The National Academies Press.

³¹ IOM, Nutrition Standards for Foods in Schools.

³² Centers for Disease Control and Prevention. Children's Food Environment State Indicator Report, 2011. <http://www.cdc.gov/obesity/downloads/ChildrensFoodEnvironment.pdf>. Accessed May 17, 2012.

³³ Neumark-Sztainer D, French SA, Hannan PJ, Story M, Fulkerson JA. School lunch and snacking patterns among high school students: Associations with school food environment and policies. *Int J Behav Nutr Phys Act*. 2005;2:14.

³⁴ Center for Science in the Public Interest. Dispensing Junk: How School Vending Undermines Efforts to Feed Children Well. May 2004. http://www.cspinet.org/new/pdf/dispensing_junk.pdf. Accessed May 17, 2012.

³⁵ 24 RCNY Health Code 47 (2012).

³⁶ New York City Department of Education. Wellness Policy. Issued June 2010. http://schools.nyc.gov/NR/rdonlyres/2B99376C-5BA2-4D97-9F85-1C5DA395EFF4/0/NYCDOEWellnessPolicy_June2010.pdf. Accessed May 17, 2012.

³⁷ New York City Department of Education. Regulation of the Chancellor A-812. Issued February 25, 2010. <http://schools.nyc.gov/NR/rdonlyres/381F4607-7841-4D28-B7D5-0F30DDB77DFA/78296/A812FINAL.pdf>. Accessed May 17, 2012.

³⁸ New York City Department of Health and Mental Hygiene. New York City Food Standards. <http://www.nyc.gov/html/doh/html/cardio/cardio-vend-nutrition-standard.shtml>. Accessed May 17, 2012.

³⁹ USDA, Dietary Guidelines for Americans.

⁴⁰ IOM, Nutrition Standards for Foods in Schools.

Response to Comments

Five written comments regarding the proposed amendment were received during the public comment period. Of these, three comments supported the proposal and two opposed it. In addition, one organization provided oral testimony at the public hearing in support of the proposal.

One comment opposing the proposal stated that, despite its positive intent, the proposal would make camps less appealing to families and children. The other comment opposing the proposal said that the resolution was unclear, and that choices about consumption and availability of sugary drinks should be the responsibility of parents. As noted above, the Department believes that the compelling scientific evidence supporting associations between sugary drinks, childhood obesity, and other negative health consequences requires action.

In response to a comment requesting clarification about the new requirements, the Department will provide education and technical assistance to camps, including information on the products covered and suggested alternatives.

At the June 12 meeting of the Board of Health, a Board

member asked if allowing only water and restricting sugary drinks at camps would increase the risk of dehydration among campers. The Department has reviewed the available literature and found that while hydration needs vary dramatically by individual and setting, most recreationally active youths will readily drink water when it is made available. Subdivision (e) has been modified to clarify that potable water must be made available at all times, to encourage its consumption during activities and avoid dehydration. It must also be served with meals.

No other changes have been made to the resolution.

The resolution is as follows.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the text below, unless otherwise specified or unless the context clearly indicates otherwise.

New text is underlined; deleted material is in [brackets].

RESOLVED, that Article 48 of the New York City Health Code, found in Title 24 of the Rules of the City of New York be, and the same hereby is, amended, by adding a new §48.28, to be printed together with explanatory notes, to read as follows:

§48.28 Nutritional requirements for beverages; camper access to vending machines.

(a) Sugary Drinks. Except as provided in subdivision (c) and (d), permittees must not serve campers beverages that contain more than ten (10) calories per eight (8) ounces or beverages that are sweetened with sugar or another caloric sweetener including, but not limited to, high fructose corn syrup, sucrose, and honey.

(b) Additives. Beverages that permittees provide to campers must not contain caffeine, artificial sweeteners, or non-nutritive sweeteners including, but not limited to, stevia and erythritol.

(c) Milk. Except when permitted by federal law, milk that permittees provide to campers must be unflavored, unsweetened milk with 1% or less milk-fat, unless milk with a higher fat content is medically required for an individual child as documented by the child's medical provider.

(d) 100% Juice. Except when permitted by federal law, permittees must not provide more than one portion of juice to campers daily, and such portion must not contain more than six (6) ounces and must consist of 100% fruit or vegetable juice.

(e) Water. Potable water to which no artificial or natural sweetener has been added must be made available and be easily accessible to campers at all times, including at meals and snacks.

(f) Vending machines. Wherever feasible and practicable, permittees must restrict access to food and beverage vending machines in child-accessible areas of the camp during camp hours of operation, and must prohibit campers from using food and beverage vending machines during camp hours and on camp trips.

Notes: §48.28 was added to Article 48 by resolution adopted September 13, 2012 to establish requirements for beverages provided to campers by permittees and to prohibit access to vending machines. Its intent is to prevent children from being provided with, and having access to, minimally nutritious beverages and snacks while attending camp, and to contribute to a more healthful diet. The goal is to decrease consumption of energy-dense snacks and sugary drinks among children attending camps in the City. In the context of prohibiting use of vending machines, “wherever feasible and practicable” means that wherever possible campers should be barred from using food and beverage vending machines without causing undue hardship to persons other than campers and camp staff who might reasonably need to access the vending machines on camp premises, or at other locations by campers on camp trips.

RESOLVED, that the Table of Section Headings of Article 48 of the New York City Health Code, found in Title 24 of the Rules of the City of New York be, and the same hereby is, amended, to read as follows:

ARTICLE 48 SUMMER DAY CAMPS, CHILDREN'S OVERNIGHT CAMPS, CHILDREN'S TRAVELING SUMMER DAY CAMPS, AND MUNICIPAL CAMPS			
§48.01	Scope.	*	*
§48.27	Modification		
§48.28	Nutritional requirements for beverages; camper access to vending machines.		

Notes: Article 48 was further amended by resolution adopted by the Board of Health on September 13, 2012 to add a new §48.28 (Nutritional requirements for beverages; camper access to vending machines) to establish requirements for beverages provided to campers by permittees and to prohibit access to vending machines. Its intent is to prevent children from being provided with, and having access to, minimally nutritious beverages and snacks while attending camp and to contribute to a more healthful diet.

NOTICE OF ADOPTION OF AN AMENDMENT (§81.53) TO ARTICLE 81 OF THE NEW YORK CITY HEALTH CODE

In compliance with § 1043(b) of the New York City Charter (the “Charter”) and pursuant to the authority granted to the Board of Health by § 558 of said Charter, a notice of intention to amend Article 81 of the New York City Health Code (the “Health Code”) was published in the City Record on June 19, 2012 and a public hearing was held on July 24, 2012. Approximately 32,000 written and oral comments were received in support of the proposal and approximately 6,000 comments were received in opposition to it. Two changes were made to the proposal. At its meeting on September 13, 2012 the Board adopted the following resolution.

Statutory Authority

This amendment to the Health Code is promulgated pursuant to §§ 556, 558 and 1043 of the Charter. Sections 558(b) and (c) of the Charter, and pursuant to the Department's historic power to regulate restaurants and food safety in New York City.

- Section 556 of the Charter provides the Department of Health and Mental Hygiene (“Department”) with jurisdiction to regulate all matters affecting health in the City of New York.
 - Section 556(c)(2) empowers the Department to supervise the control of chronic disease;
 - Section 556(c)(9) empowers the Department to supervise and regulate the food supply.

- Section 558(b) and (c) of the Charter empower the Board of Health to amend the Health Code and to include in it all matters to which the Department's authority extends.
- Section 1043 of the Charter grants the Department rulemaking powers.

Statement of Basis and Purpose

Background of the amendment

The Charter provides the Department with broad jurisdiction to protect and promote the health of all New Yorkers. Regulation of food service establishments (“FSEs”) is a core public health function. The Department enforces provisions of the Health Code, the State Sanitary Code, Public Health Law and other applicable laws relating to food served directly to consumers throughout New York City. This includes regulation of food that is commercially prepared and sold by FSEs. The Department issues permits to and inspects all New York City FSEs, as defined in §81.03(s) and (aa) of the Health Code in an attempt to ensure safe and healthy dining options.

FSEs are an important source of food and beverages for New York City residents. An estimated one third of daily caloric intake comes from foods purchased and prepared outside of the home, and this proportion is increasing.¹ By eating out more, people are more likely to be exposed to oversized beverages sold at restaurants.^{2,3}

Obesity is epidemic among New Yorkers and the consequences are devastating

More than half of New York City adults (58%) are now overweight or obese⁴ and more than 20% of the City's public school children (K-8) are obese.⁵ Obesity is a risk factor for heart disease, cancer and diabetes.⁶ Adults who are obese are almost twice as likely to develop diabetes as those who are overweight and almost three times as likely as those who are at a healthy weight.⁷ Childhood obesity leads to serious health consequences, including cardiovascular disease and increased mortality.⁸ As a result of obesity, today's children may have a shorter life expectancy than their parents.⁹

Sugary drinks are a leading driver of the obesity epidemic and are associated with dangerous chronic diseases

Americans consume 200-300 more calories daily than 30 years ago, with the largest single increase due to sugary drinks.¹⁰ Sugary drinks are also the largest source of added sugar in the average American's diet, comprising nearly 43% of added sugar intake.¹¹ A 20 ounce sugary drink can contain the equivalent of 16 packets of sugar. These drinks are associated with long-term weight gain among both adults and youth.^{12,13,14,15} With every additional sugary beverage a child drinks daily, his/her odds of becoming obese increase by 60%.¹⁶ In addition, high consumption of sugary drinks is linked to an increased risk of heart disease and diabetes.^{17,18,19} These drinks are the primary source of added sugars (sugars and syrups that are added to foods or beverages when they are processed or prepared) in children's diets.²⁰ Sugar intake has also been linked to heart disease risk factors in adolescents.²¹

New Yorkers are consuming excessive quantities of sugary drinks

Sugary drink consumption among New York City residents is alarming. More than 30% of adult New Yorkers report drinking one or more sugary drink per day.²² These rates are much higher in minority and low-income communities. Many residents in low-income neighborhoods report drinking 4 or more sugary drinks daily.²³ New York City youth are also consuming these drinks in large quantities: in 2009, 44% of NYC children aged 6 to 12 years consumed more than 1 sugary drink per day,²⁴ and 26% of public high school students consumed 2 or more sugary drinks per day in the last week.²⁵

Portion sizes are increasing – and bigger portions lead to greater consumption of sugary drinks

The trend toward larger portion sizes has occurred in parallel with increases in the prevalence of obesity and people being overweight.²⁶ Serving sizes of manufacturer-packaged carbonated soft drinks have exploded – the original Coca-Cola bottle size was 6.5 fluid ounces, which is significantly smaller than the vast majority of sizes for sale today.²⁷ Fountain drink portions at restaurants are also growing - beverage portion sizes at McDonald's have increased 457% since 1955, from 7 fluid ounces to 32 fluid ounces.^{28,29} Some restaurants in New York City offer individual drink sizes up to 64 fluid ounces. A sugary drink of this size contains 780 calories and 54 teaspoons of sugar, and no nutrients.

Larger portions lead to increased consumption and calorie intake.^{30,31,32} When people are given larger portions they unknowingly consume more and do not experience an increased sense of satiety. In one study, people eating soup from self-refilling bowls ate 73% more, without perceiving that they had eaten more or feeling more full.³³ The same holds true with beverages. When served more fluid ounces of a beverage, people drink more without decreasing the amount of food they eat or experiencing a difference in “fullness” or thirst.³⁴

¹ Guthrie JF, Lin BH, Frazao E. Role of food prepared away from home in the American diet, 1977-78 versus 1994-96: Changes and consequences. *Society for Nutrition Education* 2002; 34:140-50.

² Guthrie JF et al. (2002)

³ National Restaurant Association (NRA). Industry at a Glance. 2005.

⁴ New York City Department of Health and Mental Hygiene. Community Health Survey 2010.

⁵ Centers for Disease Control and Prevention. Obesity in K-8 students – New York City, 2006-07 to 2010-11 school years. *Morbidity and Mortality Weekly Report* 2011; 60(49): 1673-78.

⁶ National Institutes of Health. Clinical Guidelines on the Identification, Evaluation, and Treatment of Overweight and Obesity in Adults: the Evidence Report. Bethesda, MD: National Institutes of Health, U.S. Department of Health and Human Services; 1998.

⁷ Narayan KMV, Boyle JP, Thompson TJ, Gregg EW, Williamson DF. Effect of BMI on lifetime risk for diabetes in the U.S. *Diabetes Care* 2007; 30(6):1562-66.

⁸ Han JC, Lawlor DA, Kimm SY. Childhood obesity. *Lancet* 2010; 375:1737-48.

⁹ Olshansky SJ, Passaro DJ, Hershow RC, Layden J, Carnes BA, Brody J, Hayflick L, Butler RN, Allison DB, Ludwig DS. A potential decline in life expectancy in the United States in the 21st century. *New England Journal of Medicine* 2005; 352(11): 1138-45.

¹⁰ Finkelstein EA, Ruhm CJ, Kosa KM. Economic causes and consequences of obesity. *Annual Review of Public Health* 2005; 26:239-57.

¹¹ Guthrie JF, Morton JF. Food sources of added sweeteners in the diets of Americans. *Journal of the American Dietetic Association* 2000; 100:43-51.

¹² Malik VS, Schulze MB, Hu FB. Intake of sugar-sweetened beverages and weight gain: A systematic review. *American Journal of Clinical Nutrition* 2006; 84:274-88.

¹³ Mozaffarian D, Hao T, Rimm EB, Willett WC, Hu FB. Changes in diet and lifestyle and long-term weight gain in women and men. *New England Journal of Medicine* 2011; 364(25): 2392-404.

¹⁴ Malik VS, Popkin BM, Bray GA, Despres J-P, Hu FB. Sugar-

sweetened beverages, obesity, type 2 diabetes mellitus, and cardiovascular disease risk. *Circulation* 2010; 121(11):1356-64.

15 Schulze MB, Manson JE, Ludwig DS, Colditz GA, Stampfer MJ, Willett WC, Hu FB. Sugar-sweetened beverages, weight gain, and incidence of type 2 diabetes in young and middle-aged women. *Journal of the American Medical Association* 2004; 292(8):927-34.

16 Ludwig DS, Peterson KE, Gortmaker SL. Relation between consumption of sugar-sweetened drinks and childhood obesity: A prospective, observational analysis. *Lancet* 2001; 357:505-8.

17 Fung TT, Malik V, Rexrode KM, Manson JE, Willett WC, Hu FB. Sweetened beverage consumption and risk of coronary heart disease in women. *American Journal of Clinical Nutrition*. 2009; 89:1037-42.

18 Malik VS et al. (2010)

19 Schulze MB et al. (2004)

20 Reedy J, Krebs-Smith SM. Dietary sources of energy, solid fats, and added sugars among children and adolescents in the United States. *Journal of the American Dietetic Association* 2010; 110:1477-84.

21 Welsh JA, Sharma A, Cunningham SA, Vos MB. Consumption of added sugars and indicators of cardiovascular disease risk among US adolescents. *Circulation* 2011; 123:249-57.

22 New York City Department of Health and Mental Hygiene. Community Health Survey 2010.

23 Alberti P, Noyes P. Sugary drinks: How much do we consume? New York, NY. New York City Department of Health and Mental Hygiene, 2011.

24 New York City Department of Health and Mental Hygiene. Child Health Survey 2009.

25 New York City Department of Health and Mental Hygiene. Youth Risk Behavior Survey 2009.

26 Young LR, Nestle M. The contribution of expanding portion sizes to the US obesity epidemic. *American Journal of Public Health* 2002; 92(2):246-49.

27 Retrieved on 5/7/2012 from: <http://www.thecoca-colacompany.com/ourcompany/historybottling.html>.

28 Young LR, Nestle M. Portion sizes and obesity: Responses of fast-food companies. *Journal of Public Health Policy* 2007; 28:238-48.

29 Retrieved on January 6, 2012 from: <http://nutrition.mcdonalds.com/getnutrition/nutritionfacts.pdf>.

30 Wansink B, Painter JE, North J. Bottomless bowls: Why visual cues of portion size may influence intake. *Obesity Research* 2005; 13(1): 93-100.

31 Flood JE, Roe LS, Rolls BJ. The effect of increased beverage portion size on energy intake at a meal. *Journal of the American Dietetic Association* 2006; 106:1984-90.

32 Nielsen SJ, Popkin BM. Patterns and trends in food portion sizes, 1977-1998. *Journal of the American Medical Association* 2003; 289(4): 450-53.

33 Wansink B et al. (2005)

34 Flood JE et al. (2006)

Overview of the Amendment

The purpose of the amendment is to address the obesity epidemic among the City's residents by limiting the maximum size of sugary beverages sold or provided in FSEs. Article 81 of the Health Code concerns food preparation and food establishments. The amendment adds a new section 81.53 that prohibits these establishments from selling or providing sugary beverages in large cups or containers. It also prohibits establishments from selling or providing large self-service cups or containers.

The amendment takes effect 6 months after it is adopted. It establishes a fine of \$200 for each occasion that it is violated. By addressing the increasing size of sugary drinks and reacquainting New Yorkers with more appropriate portion sizes, the City is taking an important step in reducing sugary drink consumption and combating obesity and its resulting morbidity and mortality.

Specifically, the amendment:

- Sets a maximum size for sugary drinks: Sugary drinks may not be sold or provided in cups or containers that can contain more than 16 fluid ounces.
- Sets a maximum size for self-service cups: Food service establishments may not sell or provide self-service cups that can contain more than 16 fluid ounces.
- Sets a fine for violations: No more than two hundred dollars for each violation as described in the proposed rule.

Response to Comments

No changes have been made to the amendment in response to comments the Department received. The language in subdivisions (b) and (c), however, has been modified to clarify that the limitation extends to any cup or container used for a sugary drink or provided for a self-service drink.

The resolution is as follows:

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the text below, unless otherwise specified or unless the context clearly indicates otherwise.

Matter in [brackets] is deleted.
Matter underlined is new.

RESOLVED, that Article 81 of the New York City Health Code, found in Title 24 of the Rules of the City of New York is amended to add a new §81.53, to be printed together with explanatory notes to read as follows:

§ 81.53 Maximum Beverage Size

(a) Definition of terms used in this section.

(1) Sugary drink means a carbonated or non-carbonated beverage that:

- (A) is non-alcoholic;
- (B) is sweetened by the manufacturer or establishment with sugar or another caloric sweetener;
- (C) has greater than 25 calories per 8 fluid ounces of beverage; and
- (D) does not contain more than 50 percent of milk or milk substitute by volume as an ingredient.

The volume of milk or milk substitute in a beverage will be presumed to be less than or equal to 50 percent unless proven otherwise by the food service establishment serving it.

(2) Milk substitute means any liquid that is soy-based and is intended by its manufacturer to be a substitute for milk.

(3) Self-service cup means a cup or container provided by a food service establishment that is filled with a beverage by the customer.

(b) Sugary drinks. A food service establishment may not sell, offer, or provide a sugary drink in a cup or container that is able to contain more than 16 fluid ounces.

(c) Self-service cups. A food service establishment may not sell, offer, or provide to any customer a self-service cup or container that is able to contain more than 16 fluid ounces.

(d) Violations of this section. Notwithstanding the fines, penalties, and forfeitures outlined in Article 3 of this Code, a food service establishment determined to have violated this section will be subject to a fine of no more than two hundred dollars for each violation and no more than one violation of this section may be cited at each inspection of a food service establishment.

Notes: §81.53 was added to Article 81 by resolution adopted September 13, 2012 to establish maximum sizes for sugary drinks and self-service beverage cups sold and offered in FSEs. People tend to consume more calories at meals that include large beverage sizes. Its intent is to address the supersize trend and reacquaint New Yorkers with smaller portion sizes, leading to a reduction in consumption of sugary drinks among New York City residents.

IT IS FURTHER RESOLVED, that the Table of Section Headings of Article 81 of the New York City Health Code, found in Title 24 of the Rules of the City of New York is being amended, to read as follows:

ARTICLE 81 FOOD PREPARATION AND FOOD ESTABLISHMENTS

§81.01 **Scope.** * * *

§81.55 **Modification by Commissioner.**

§81.53 **Maximum Beverage Size.** s21

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on amendments to rules relating to the alternative enforcement program

Date/Time: December 21, 2012
10:00 A.M. to 11:00 A.M.

Location: 100 Gold Street, Room 5R2 (Fifth Floor)
New York, N.Y. 10038

Contact: Assistant Commissioner Grace DeFina
100 Gold Street, Room 4C1
New York, N.Y. 10038

Proposed Rule Amendment

Pursuant to the authority vested in the City of New York Department of Housing Preservation and Development (HPD) by Chapter 61 of the New York City Charter (Charter) and by New York City Administrative Code §27-2153 and in accordance with Charter §1043(b), HPD intends to propose amendments to rules relating to the Alternative Enforcement Program. The proposed amendment was included in HPD's regulatory agenda and is promulgated as the result of amendments to Administrative Code §27-2153.

Instructions

- Prior to the hearing, written comment regarding these rules may be sent to Assistant Commissioner Grace DeFina, 100 Gold Street, Room 4C1, New York, New York 10038. Written comments may also be submitted electronically through NYC RULES at www.nyc.gov/nycrules, on or before December 21, 2012.
- Individuals seeking to testify should notify HPD at the above address prior to the date of the hearing. Speakers will be limited to five minutes.
- Individuals requesting a sign language interpreter or other form of reasonable accommodation for a disability should notify Assistant Commissioner Grace DeFina at the above address by December 1, 2012.
- After the hearing, written comments and a summary of oral comments received at the hearing may be requested by calling the Office of Legal Affairs, between 9:00 A.M. and 5:00 P.M., at (212) 863-8381.

STATEMENT OF BASIS AND PURPOSE

Under the Alternative Enforcement Program (AEP), the Department of Housing Preservation and Development (HPD) identifies distressed buildings in need of repair and systems replacement, and monitors progress by owners towards correction of Housing Maintenance Code violations, or undertakes correction of the violations itself. The New York City Council recently amended Administrative Code §27-2153 to authorize HPD to set the criteria used to select buildings for the program. As a result, HPD is amending the AEP rules to include these new criteria. The selection of the criteria is based upon five years of experience in enforcing the AEP. The new criteria are intended to better target buildings likely to benefit from inclusion in the AEP, use agency resources more effectively to improve the positive outcome for these buildings, increase the cost effectiveness of the AEP, and prevent buildings from reentering the program at a later date. An analysis of the effect of selection criteria on the inventory of buildings entering the program is set forth in HPD's report entitled, "The Alternative Enforcement Program: 5 Year Report: 2007-2012," available on HPD's website. New criteria will be used for identifying buildings for participation in the program beginning January 31, 2013.

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

New material in the following rule is underlined, deleted material is in [brackets].

Section one. Section 36-01 of Chapter 36 of Title 28 of the Rules of the City of New York is amended by renumbering subdivisions c and d as subdivisions e and f, respectively and adding a new subdivision c to read as follows:

(c) Emergency Repair Charge. "Emergency Repair Charge" shall mean a charge or lien incurred as the result of repair work ordered by the Department pursuant to §§27-2125 or 27-2127 of the Housing Maintenance Code.

§2. Section 36-04 of Chapter 36 of Title 28 of the Rules of the City of New York is amended to read as follows:

§36-04. Education Course.

An owner or managing agent or other designated representative of a building which is the subject of an order by the Department pursuant to subdivision k of §27-2153 of the Housing Maintenance Code, [shall] may be required to complete a course of training relating to building operation and maintenance, approved by the Department, prior to discharge of the building from the Alternative Enforcement Program. The charge for participation in such course shall be \$300 for each participant. Such charge shall be paid prior to commencement of participation in such course.

§3. Chapter 36 of Title 28 of the Rules of the City of New York is amended by adding a new section 36-05 to read as follows:

§36-05 Criteria for Identification of Buildings for Participation in the Alternative Enforcement Program.

(a) Beginning in the sixth year of the Alternative Enforcement Program, the Department will use the following criteria to identify distressed buildings for participation in the program:

(1) A multiple dwelling that contains at least three but not more than nineteen dwelling units must have:

(i) A ratio of open hazardous and immediately hazardous violations that were issued by the Department within the three-year period prior to such identification that equals in the aggregate five or more such violations for every dwelling unit in the multiple dwelling; and

(ii) Paid or unpaid Emergency Repair Charges of five thousand dollars (\$5,000.00) or more, which were incurred within the three-year period prior to such identification.

(2) A multiple dwelling that contains twenty or more dwelling units must have:

(i) A ratio of open hazardous and immediately hazardous violations that were issued by the Department within the three-year period prior to such identification that equals in the aggregate three or more such violations for every dwelling unit in the multiple dwelling; and

(ii) Paid or unpaid Emergency Repair Charges of two thousand five hundred dollars (\$2,500.00) or more, which were incurred within the three-year period prior to such identification.

(b) For purposes of identifying buildings for participation in the Alternative Enforcement Program pursuant to this section, those buildings having the highest amount of paid and unpaid Emergency Repair Charges incurred within the two-year period prior to such identification shall be selected first.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087**

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Alternate Enforcement Program Rules

REFERENCE NUMBER: 2012 RG 064

RULEMAKING AGENCY: Department of Housing Preservation and Development

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

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

/s/ STEVEN GOULDEN Date: August 30, 2012
Acting Corporation Counsel

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

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Alternate Enforcement Program Rules

REFERENCE NUMBER: HPD-8

RULEMAKING AGENCY: Department of Housing Preservation and Development

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco Navarro September 4, 2012
Mayor's Office of Operations Date

SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ NOTICE

**OFFICIAL FUEL PRICE SCHEDULE NO. 6949
FUEL OIL AND KEROSENE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 9/17/2012
3187250	5.0	#1DULS	CITY WIDE BY DELIVERY	GLOBAL MONTELLO GROUP	+0.0471 GAL. 3.7393 GAL.
3187250	6.0	#1DULS	P/U	GLOBAL MONTELLO GROUP	+0.0471 GAL. 3.6143 GAL.
3187251	11.0	#1DULS >=80%	CITY WIDE BY DELIVERY	SPRAGUE ENERGY CORP.	+0.0471 GAL. 3.8850 GAL.
3187251	12.0	#1DULS B100 <=20%	CITY WIDE BY DELIVERY	SPRAGUE ENERGY CORP.	+0.0471 GAL. 5.1508 GAL.
3187251	13.0	#1DULS >=80%	P/U	SPRAGUE ENERGY CORP.	+0.0471 GAL. 3.8007 GAL.
3187251	14.0	#1DULS B100 <=20%	P/U	SPRAGUE ENERGY CORP.	+0.0471 GAL. 5.0664 GAL.
3087064	1.0	#1DULSB50	CITY WIDE BY TW	METRO FUEL OIL CORP.	+0.0580 GAL. 4.4402 GAL.
3187249	1.0	#2DULS	CITY WIDE BY DELIVERY	CASTLE OIL CORPORATION	+0.0191 GAL. 3.4501 GAL.
3187249	2.0	#2DULS	P/U	CASTLE OIL CORPORATION	+0.0191 GAL. 3.4086 GAL.
3187249	3.0	#2DULS	CITY WIDE BY DELIVERY	CASTLE OIL CORPORATION	+0.0191 GAL. 3.4656 GAL.
3187249	4.0	#2DULS	P/U	CASTLE OIL CORPORATION	+0.0191 GAL. 3.4286 GAL.
3187249	7.0	#2DULS >=80%	CITY WIDE BY DELIVERY	CASTLE OIL CORPORATION	+0.0191 GAL. 3.4579 GAL.
3187249	8.0	#2DULS B100 <=20%	CITY WIDE BY DELIVERY	CASTLE OIL CORPORATION	+0.0191 GAL. 3.5951 GAL.
3187249	9.0	#2DULS >=80%	P/U	CASTLE OIL CORPORATION	+0.0191 GAL. 3.4186 GAL.
3187249	10.0	#2DULS B100 <=20%	P/U	CASTLE OIL CORPORATION	+0.0191 GAL. 3.5521 GAL.
3387022	15.10	#2DULS	BARGE MTF III & ST. GEORGE & WI	SPRAGUE ENERGY CORP.	+0.0191 GAL. 3.5460 GAL.
3087065	2.0	#2DULSB50	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	+0.0440 GAL. 4.2644 GAL.
3287257	7.10	#2DULSDISP	DISPENSED	SPRAGUE ENERGY CORP.	+0.0191 GAL. 3.7865 GAL.
3187222	2.0	#4	CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0224 GAL. 3.0909 GAL.
3187222	3.0	#6	CITY WIDE BY TW	CASTLE OIL CORPORATION	+0.0245 GAL. 2.9228 GAL.
3187263	1.0	JETA	FLOYD BENNETT	METRO FUEL OIL CORP.	+0.0296 GAL. 3.9062 GAL.
3187221	1.0	ULSH	CITY WIDE BY DELIVERY	METRO FUEL OIL CORP.	+0.0191 GAL. 3.3866 GAL.
3187221	4.0	ULSH >=80%	CITY WIDE BY DELIVERY	METRO FUEL OIL CORP.	+0.0191 GAL. 3.4518 GAL.
3187221	5.0	ULSH B100 <=20%	CITY WIDE BY DELIVERY	METRO FUEL OIL CORP.	+0.0191 GAL. 3.5763 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6950
FUEL OIL, PRIME AND START**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 9/17/2012
3087225	1.0	#4	CITY WIDE BY TW	METRO FUEL OIL CORP.	+0.0224 GAL. 3.5344 GAL.
3087225	2.0	#6	CITY WIDE BY TW	METRO FUEL OIL CORP.	+0.0245 GAL. 3.3219 GAL.
3087154	1.0	ULSH MANH	F & S PETROLEUM CORP.	+0.0191 GAL. 3.4704 GAL.	
3087154	79.0	ULSH BRONX	F & S PETROLEUM CORP.	+0.0191 GAL. 3.4704 GAL.	
3087154	157.0	ULSH BKLYN, QUEENS, SI	F & S PETROLEUM CORP.	+0.0191 GAL. 3.5504 GAL.	

**OFFICIAL FUEL PRICE SCHEDULE NO. 6951
FUEL OIL AND REPAIRS**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 9/17/2012
3087218	1.0	#4	CITY WIDE BY TW	PACIFIC ENERGY	+0.0224 GAL. 3.4757 GAL.
3087218	2.0	#6	CITY WIDE BY TW	PACIFIC ENERGY	+0.0245 GAL. 3.3748 GAL.
3087115	1.0	ULSH MANH & BRONX	PACIFIC ENERGY	+0.0191 GAL. 3.2958 GAL.	
3087115	80.0	ULSH BKLYN, QUEENS, SI	PACIFIC ENERGY	+0.0191 GAL. 3.3010 GAL.	

**OFFICIAL FUEL PRICE SCHEDULE NO. 6952
GASOLINE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 9/17/2012
3187093	6.0	E85	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	-0.0694 GAL. 2.6884 GAL.
3187093	2.0	PREM	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	+0.1320 GAL. 3.6822 GAL.
3187093	4.0	PREM	P/U	SPRAGUE ENERGY CORP.	+0.1320 GAL. 3.6031 GAL.
3287257	6.10	PREM	CITY WIDE BY VEHICLE	SPRAGUE ENERGY CORP.	+0.1320 GAL. 4.0217 GAL.
3187093	1.0	U.L.	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	+0.1284 GAL. 3.3489 GAL.
3187093	3.0	U.L.	P/U	SPRAGUE ENERGY CORP.	+0.1284 GAL. 3.2728 GAL.
3287257	1.10	U.L.	MANH P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.1284 GAL. 3.7601 GAL.
3287257	2.10	U.L.	BX P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.1284 GAL. 3.6601 GAL.
3287257	3.10	U.L.	BR P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.1284 GAL. 3.6601 GAL.
3287257	4.10	U.L.	QNS P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.1284 GAL. 3.6601 GAL.
3287257	5.10	U.L.	S.I. P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.1284 GAL. 3.6601 GAL.

REMINDER FOR ALL AGENCIES:

Please Send Inspection Copy Of Receiving Report for all Gasoline (E85, UL & PREM) Delivered By Tank Wagon to DMSS/Bureau Of Quality Assurance (BQA), 1 Centre St., 18th Floor, NY, NY 10007.

DISTRICTING COMMISSION

■ NOTICE

PUBLIC NOTICE IS HEREBY GIVEN THAT, pursuant to Section 87 of the Public Officers Law, the City of New York 2012-2013 Districting Commission designates Carlos Carino as its Records Access Officer and Thaddeus Hackworth as its Appeals Officer. A request for inspection of records must be made in writing and indicate the nature, content, and date of the record in sufficient detail so as to enable its identification. Requestors will be contacted to schedule an appointment to inspect and copy records, when available. Records may be inspected only in the presence of the Commission's Records Access Officer. Records are available for public inspection and copying, upon appointment, on weekdays between the hours of 9:30 A.M. and 5:00 P.M. at the office of the NYC Districting Commission, 253 Broadway, 7th Floor, New York, NY 10007. The fee for copying of records not in excess of nine inches by fourteen inches is 25 cents per page, and the fee for copying of records in excess of nine inches by fourteen inches is the actual cost of reproduction.

☛ s21

MAYOR'S OFFICE OF ENVIRONMENTAL REMEDIATION

■ NOTICE

The New York City Office of Environmental Remediation (OER) has received a NYC Voluntary Cleanup Program (VCP) application from Webster Avenue Management for a site located at 207 Harrison Avenue in Williamsburg section of Brooklyn, New York. Site No. 13CVCP074K is assigned to this project.

Information regarding this site, including the site cleanup plan, can be found at: <http://www.nyc.gov/html/oen/html/repository/RBrooklyn.shtml>

The public comment period on the cleanup plan ends on October 12, 2012. Please send comments to Shaminder Chawla, NYCOER, 100 Gold Street, 2nd Fl., New York, NY 10038 or to shaminderc@dep.nyc.gov

☛ s21

PROBATION

■ NOTICE

Notice of Concept Paper

The Department of Probation (DOP) will release the ECHOES (Every Child Has an Opportunity to Excel and Succeed) Program Concept Paper on September 24, 2012. This concept paper is the precursor to a forthcoming Request for Proposals (RFP) that will include programming for young people involved in the juvenile justice system. In collaboration with the Center for Economic Opportunity (CEO), the New York City Department of Probation (DOP) will implement ECHOES, an alternative-to-placement program serving youth on probation throughout the five boroughs. All responses to this ad are due by October 19, 2012 and should be directed to: NYC Department of Probation, Vincent Perneti, 33 Beaver Street, 21st Floor, New York, NY 10004 or acco@probation.nyc.gov.

s17-21

CHANGES IN PERSONNEL

**BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 08/31/12**

NAME	NUM	SALARY	ACTION	PROV	EFF DATE
RODRIGUEZ	INOCENCI	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RODRIGUEZ	JESSICA	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RODRIGUEZ	KIMBERLY	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RODRIGUEZ	MARIA	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RODRIGUEZ	MARILUZ J	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RODRIGUEZ	ROSARINA	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RODRIGUEZ-ORTIZ	OTILIA	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROJAS	INGRID A	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROLLOCKS	MELISSA T	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROMAN	GLADYS E	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROMANOFSKY	CHARLES S	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROMERO	ENGELITA	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RONDON	LUIS	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RONI	MIRZA M	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSA	JERMAINE	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSA	SELIE	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSA	SHARON L	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSADO	JULISSA I	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSADO	LISA	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSAMBERT	RACHEL S	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSARIO	MARIO	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSARIO	WANDA	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSENBLUM	GEORGE A	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSKOFF	DANIEL	9POLL	\$1.0000	APPOINTED	YES 08/19/12
ROSKOFF	LYNETTE	9POLL	\$1.0000	APPOINTED	YES 08/19/12
ROSS	ANTHONY	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSS	ELAINE M	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROSSI	SAMUEL J	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROUSE	ALEXIS	9POLL	\$1.0000	APPOINTED	YES 01/01/12
ROY	GREGORY	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RUCANDO	THERESA	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RUIZ	ANGEL	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RUIZ	MARIA I	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RUIZ	MILDRED	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RUIZ	PABLO	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RYAN	JONATHAN D	9POLL	\$1.0000	APPOINTED	YES 01/01/12
RYAN	MARYANNE T	9POLL	\$1.0000	APPOINTED	YES 01/01/12

☛ s21

LATE NOTICE

CITY COUNCIL

■ PUBLIC HEARINGS

HEARING BY THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON MONDAY, SEPTEMBER 24, 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

- **M-882**, Communication from the Mayor submitting the name of Paula G. Berry, a resident of Brooklyn, for re-appointment to the New York City Waterfront Management Advisory Board pursuant to §§ 31 and 1303 of the *New York City Charter*. Should Ms. Berry receive the advice and consent of the Council, she will be eligible to serve the remainder of a three-year term that expires on August 31, 2015.
- **M-883**, Communication from the Mayor submitting the name of Henry Wan, a resident of Queens, for re-appointment to the New York City Waterfront Management Advisory Board pursuant to §§ 31 and 1303 of the *New York City Charter*. Should Mr. Wan receive the advice and consent of the Council, he will be eligible to serve the remainder of a three-year term that expires on August 31, 2015.
- **M-884**, Communication from the Mayor submitting the name of Susan Grossman, a resident of Manhattan, for re-appointment to the New York City Tax Commission pursuant to §§ 31 and 153 of the *New York City Charter*. Should Ms. Grossman receive the advice and consent of the Council, she will be eligible to serve the remainder of a six-year term that expires on January 6, 2018.

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

☛ s21-24