

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)		
Bar 9 Entertainment Corp		Bar 9		
STREET ADDRESS		CROSS STREETS		
807 Ninth Avenue NYC		W. 53rd : W 54th Sts		
OWNER	NAME:	Steven Padernacht	ATTORNEY	
	PHONE:	(917) 562-8347	NAME:	
	FAX:		Frank Palillo	
MANAGER	NAME:	Same as above	ATTORNEY	
	PHONE:		PHONE:	
	FAX:		(212) 227-1640	
		LANDLORD	NAME:	
			PHONE:	
			FAX:	
			Orca LLC	
			(347) 368-6033	
DESCRIPTION OF BUSINESS				
Establishment Type:		<input checked="" type="checkbox"/> Bar/Tavern <input type="checkbox"/> Bed & Breakfast <input type="checkbox"/> Eating Place Beer <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Restaurant <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Club (Fraternal Organization - Members Only) <input type="checkbox"/> Other (Explain): Bar/Arcade		
Method of Operation:		<input type="checkbox"/> Restaurant <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Pizzeria <input type="checkbox"/> Cafe <input checked="" type="checkbox"/> Other (Explain): Bar/Arcade Tavern		
License Type:		<input checked="" type="checkbox"/> On-Premise <input type="checkbox"/> Wine <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer		
APPLICATION TYPE (check one)	<input type="checkbox"/> New	Has applicant owned or managed a similar business?	YES	<input checked="" type="radio"/> NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input checked="" type="radio"/> Transfer	What is the prior license #?	1255859	
		What is the expiration date on the prior license?	9-30-15	
		Are you making any alterations or operational changes?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	4pm-2am	—————→					12 PM — 2 AM		
	Music	"	"	"	"	"	"	"		
	Kitchen	5pm-2AM	—————→					"	"	
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables	
	145	140	15	60	-0-	1	11			
How many floors are there? What is the capacity for each floor? (please respond in space provided)					<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	Ground flr & basement		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A			
Will applicant have bottle service?					YES	<input checked="" type="radio"/> NO	N/A			
Will you be hosting private parties and promotional events?					<input checked="" type="radio"/> YES	NO	N/A	occasional		
Will outside promoters be used?					YES	<input checked="" type="radio"/> NO	N/A			
Will the security plan submitted be implemented?					<input checked="" type="radio"/> YES	NO	N/A	M.B.D.		
Will State certified security personnel be used?					<input checked="" type="radio"/> YES	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	NO	N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					<input checked="" type="radio"/> YES	NO	N/A			
If you plan to have music, what type(s)?					<input checked="" type="radio"/> BACKGROUND	<input checked="" type="radio"/> LIVE MUSIC	<input checked="" type="radio"/> DJ	occasional		
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="radio"/> YES	NO	N/A			
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?					<input checked="" type="radio"/> YES	NO	N/A			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					<input checked="" type="radio"/> YES	NO	N/A			

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<u>NO</u>	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

LOCATION & ZONING				
Primary Zoning District:	<u>R-8</u>		Overlay (If Applicable):	<u>C 1-5</u>
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<u>NO</u>	N/A	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<u>YES</u>	NO	N/A	
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<u>YES</u>	NO	N/A	
Is a Public Assembly permit required?	<u>YES</u>	NO	N/A	
Are your plans filed with DOB?	YES	NO	N/A	<u>not yet</u>
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1			
	# 2			
	# 3			

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

- FACADE WILL BE ~~INSTALL~~ ~~INSTALL~~ INSTALLED
IN ACCORDANCE WITH
ATTACHED DRAWING. NO WINDOWS
WILL BE CAPABLE OF BEING
OPENED.

~~ACCOMMODATION~~

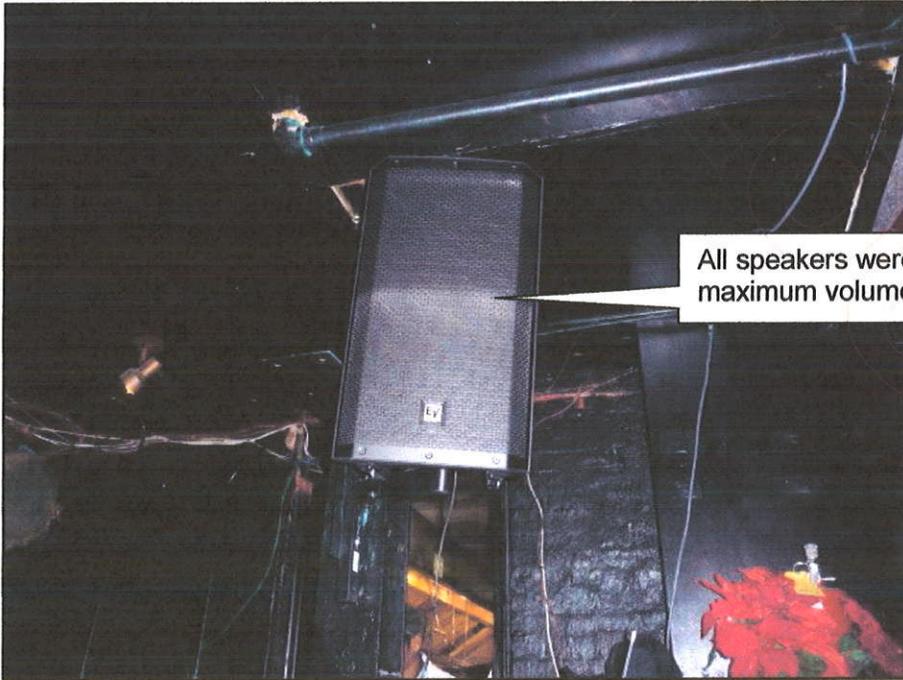
- ACCOMMODATION ^{OF ATTACHED} REPORT WILL BE IMPLEMENTED & FOLLOWED.

- NO LIVE MUSIC WILL BE PERFORMED
~~LATE~~ AFTER 11:00 P.M. LIVE
MUSIC WILL BE LIMITED TO
4 MUSICIANS OR FEWER.

- FRONT DOOR WILL ONLY BE
OPENED FOR ENTERING &
EXITING AND NOT KEPT OPEN.



With your sound system playing full-volume music, I took sound readings in and around the space.



All speakers were set to maximum volume.



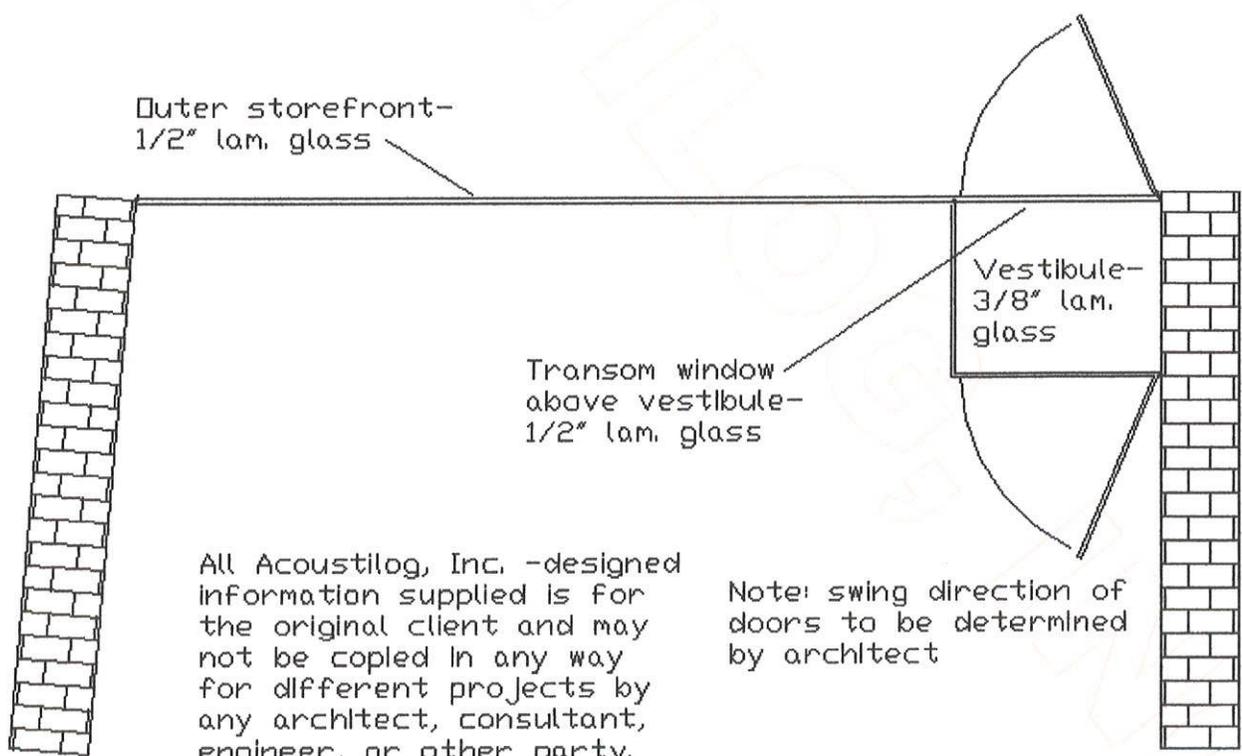
The storefront consists of operable doors which are not sealed to the outside. The windows are thin Plexiglass that leak sound. These doors and windows will be replaced by the new storefront.



The header over the storefront is presently hollow. This will be removed and then sealed up with plywood.



Add the inside vestibule and replace the outside storefront.



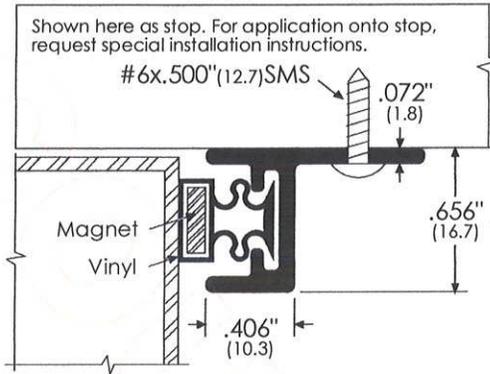
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Note: swing direction of doors to be determined by architect

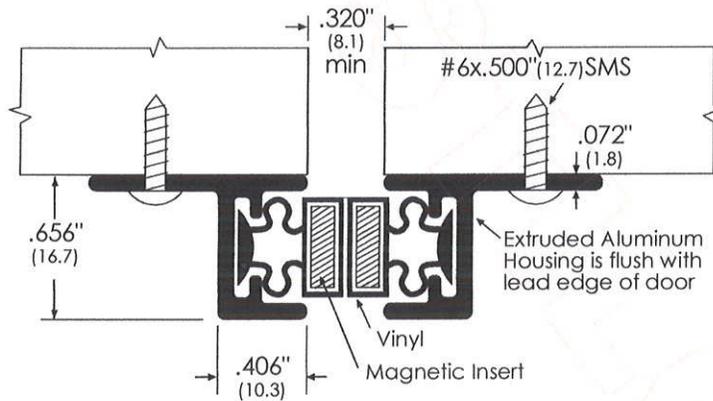
SMOKE PERFORMANCE



The rubber seal in this gasket provides protection from smoke infiltration in accordance with provisions of NFPA 101 Life Safety Code and NFPA 80 Standard for Fire Doors and Other Opening Protectives



**Head and Jamb Protection
- Magnetic**



**Surface Mounted Meeting Stile
- Both Doors Active
- Magnetic**

Legend:
A = Aluminum
D = Dark Bronze Anodized

ANSI/BHMA

Head & Jamb	#370A / 370D	R3L165 R3L105
Meeting Stiles	#370A / 370D	R3L735



415 Concord Avenue tel: 718.585.3230
Bronx, NY 10455 fax: 718.292.2243
email: zero@zerointernational.com
web site: www.zerointernational.com

Part No:
370

Notes:

Part Description:
See above for options

Provided By:	Customer Name:	Job No:	Date:
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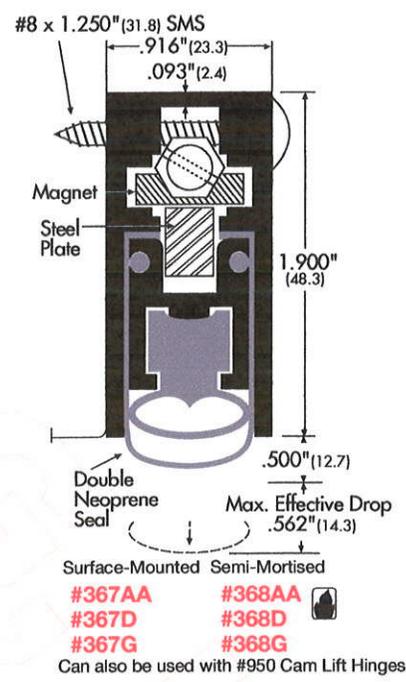
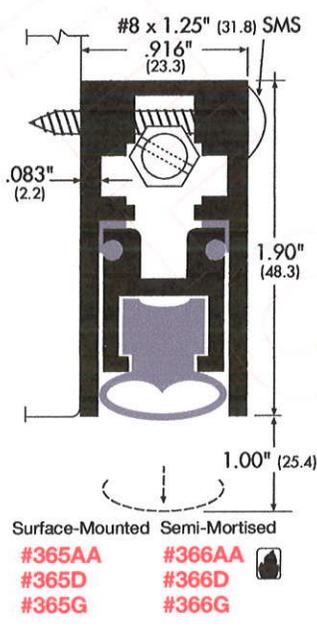
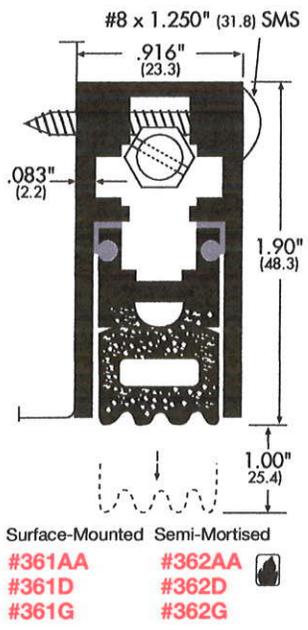
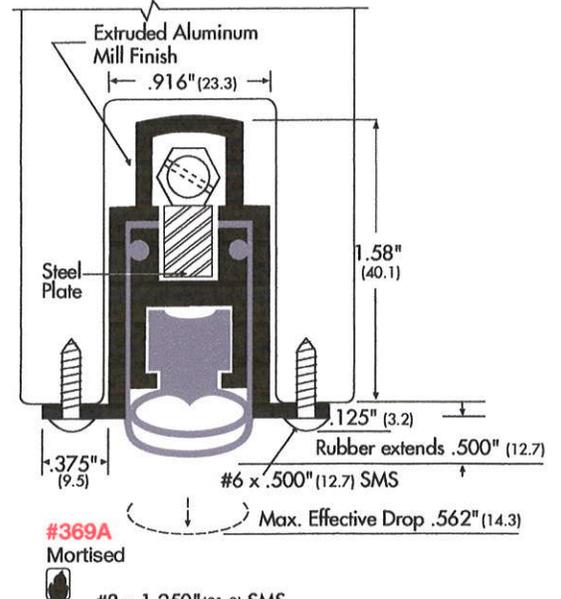
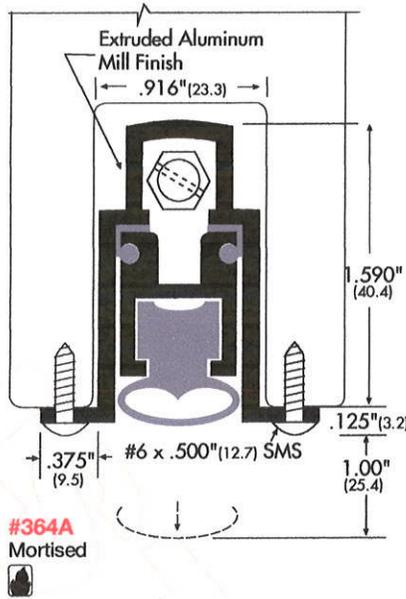
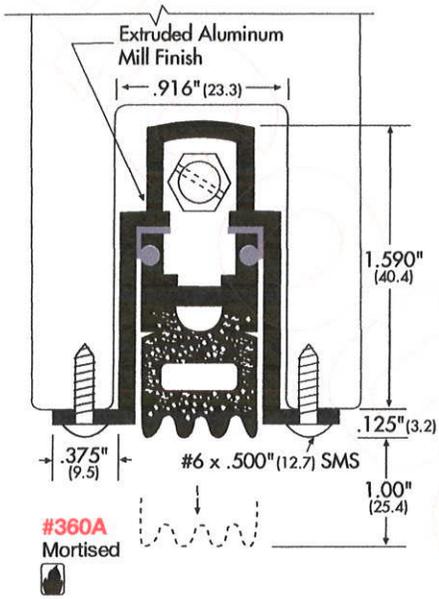


Sill Protection Automatic Door Bottoms

Note: A = Aluminum AA = Anodized Aluminum
D = Dr. Bronze Anodized BK = Black Anodized
G = Simulated Bronze Anodized

Heavy Duty

Door Bottoms

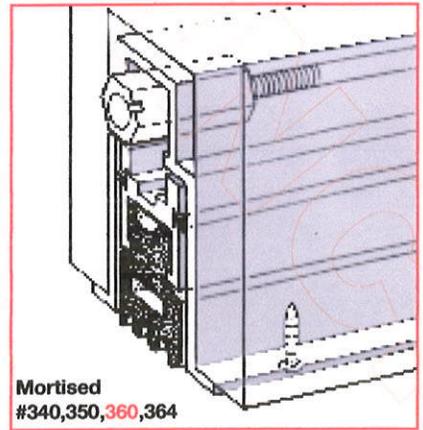
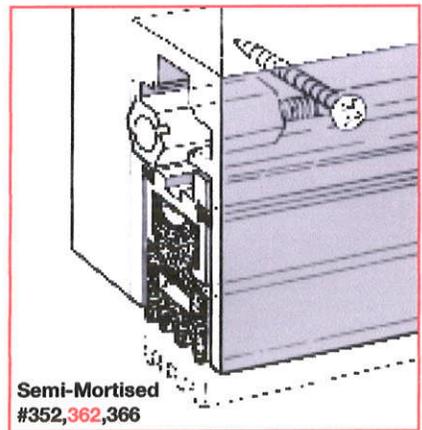
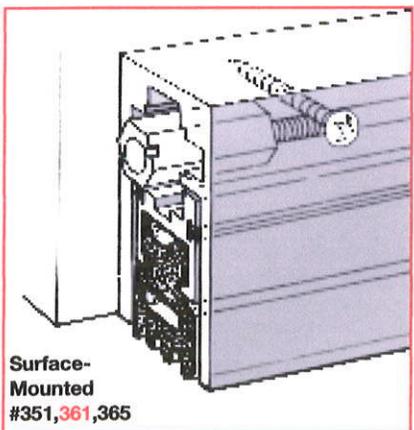


- #361AA
- #361D
- #361G
- #362AA
- #362D
- #362G

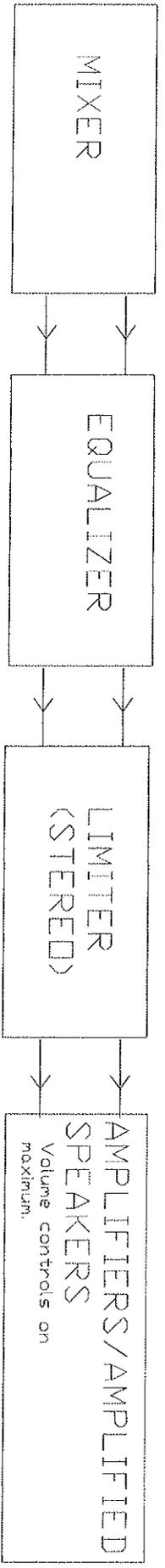
- #365AA
- #365D
- #365G
- #366AA
- #366D
- #366G

- #367AA
- #367D
- #367G
- #368AA
- #368D
- #368G

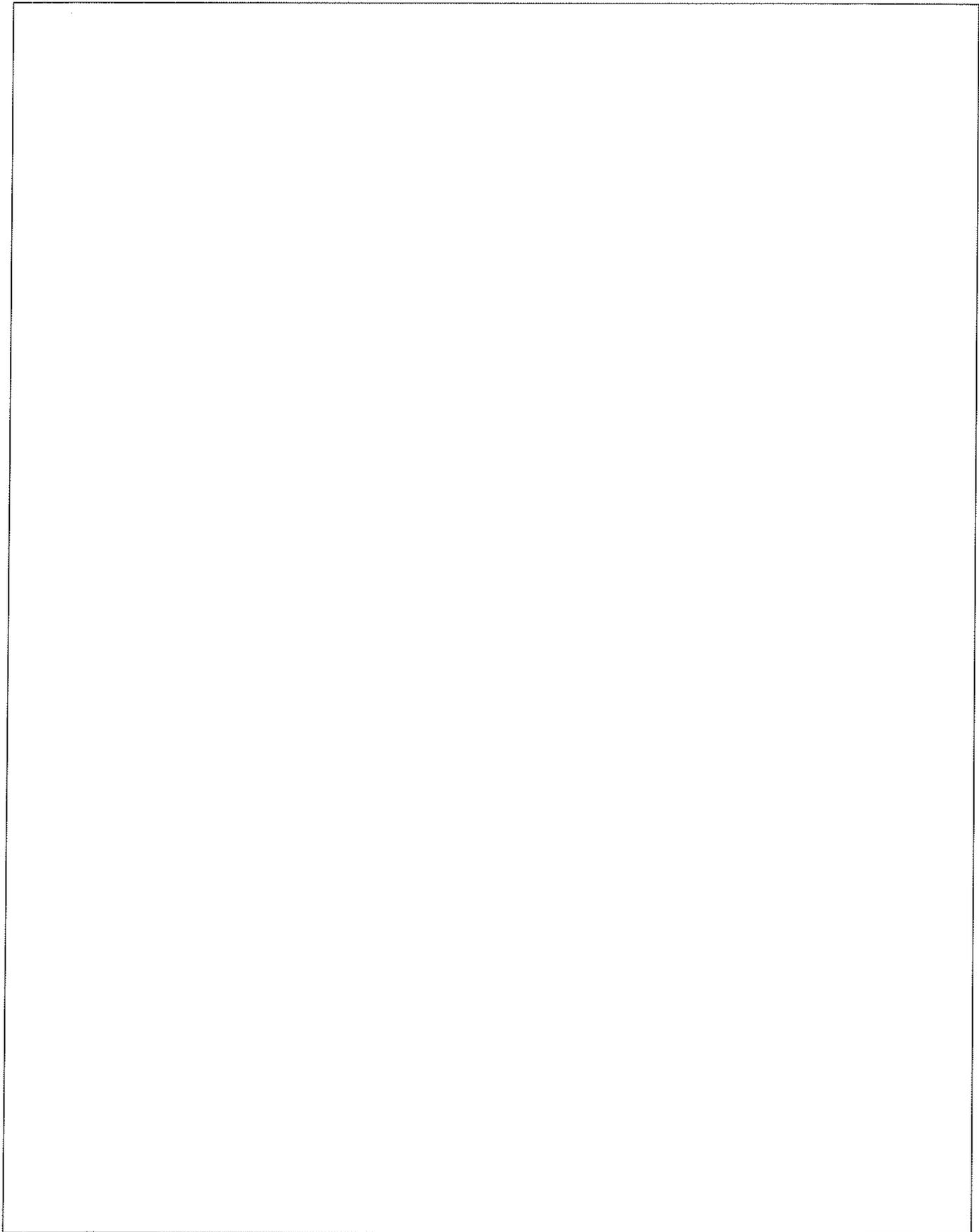
Can also be used with #950 Cam Lift Hinges



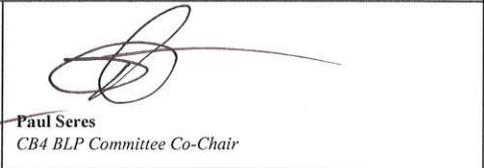
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NOTE- LIMITER AND EQUALIZER FUNCTIONS CAN BE COMBINED IN ONE PROCESSOR



Manhattan Community Board 4 (MCB4) recommends:	<input checked="" type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval
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CB4 REPRESENTATIVES		
 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Paul Seres <i>CB4 BLP Committee Co-Chair</i>

APPLICANT AGREEMENT WITH THE COMMUNITY

Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

SIGN HERE →	 SIGNATURE OF APPLICANT	1/5/15 DATE
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 1/13/15

ACOUSTILOG^{INC.}

19 Mercer Street, NY, NY 10013 (212) 925-1365 Fax: (212) 966-4216 www.acoustilog.com

January 9, 2015

Mr. Steven Padernacht
Bar 9 Entertainment Corp.
3605 Sedgwick Avenue
Bronx, NY 10463

Re: Bar 9, 807 Ninth Avenue, New York, NY 10019

Dear Mr. Padernacht,

I inspected the premises on January 7, 2015 to determine what sound control measures should be implemented to minimize noise transfer to the nearby residents via the storefront.

DBA VS ONE-THIRD OCTAVE BAND MUSIC LEVELS

One way that the sound levels were measured was using the A-weighting decibel scale. The dB (A) decibel scale (see Noise Code Section §24-231 a1) is the most common type of sound measurement, which represents an overall measurement of all frequencies, but with a strong tendency to ignore the low-frequency "bass" sounds. The A-weighted decibels require only a simple sound level meter to measure them. They are shown in the LASMax column on the right-hand side of the frequency graph in this report. dBA is what the City DEP inspectors usually use, and they normally consider anything above 42 dBA to be unreasonable.

The C-weighted decibels or dBC (see Noise Code Section §24-231 a3) are also an overall measurement of all frequencies, but this measurement includes the important low-frequency "bass" sounds. However, dBC readings pick up so many frequencies at the same time that they usually do not distinguish between normal background noise and music beats.

One-third octave band sound level readings (see Noise Code Section §24-231 a2) were also taken, using a complex spectrum analyzer. These readings are measured in decibels, or dB. The loudest sounds produced by the music are in the low frequencies below 200 Hertz. This is commonly called bass, which sounds like thumping or vibration, and is the sound most likely to cause neighbor complaints. Bass and drums usually cause sounds in these frequency ranges. They are shown on the left-hand side of the graph.

THE NOISE CODE - MUSIC

§24-231 Commercial music.

(a) No person shall make or cause or permit to be made or caused any music originating from or in connection with the operation of any commercial establishment or enterprise when the level of sound attributable to such music, as measured inside any receiving property welling unit:

(1) is in excess of 42 dB(A) as measured with a sound level meter; or

(2) is in excess of 45 dB in any one-third octave band having a center frequency between 63 hertz and 500 hertz (ANSI bands numbers 18 through

27, Inclusive), in accordance with American National Standards Institute standard S1.6-1984; or

(3) causes a 6 dBC or more increase in the total sound level above the ambient sound level as measured in decibels in the "C" weighting network provided that the ambient sound level is in excess of 62 dBC.

TEST AND INSPECTION

With your sound system playing loud music in the bar, I took sound readings inside and outside the bar. All speakers were set to maximum volume, which measured 103 dBC, slow response, in the center of the room.

The sound system consists of two large EV speakers and one small one, plus a subwoofer under the sound mixing console, all facing toward the street. There are additional speakers either facing the back of the space or actually located in the back.

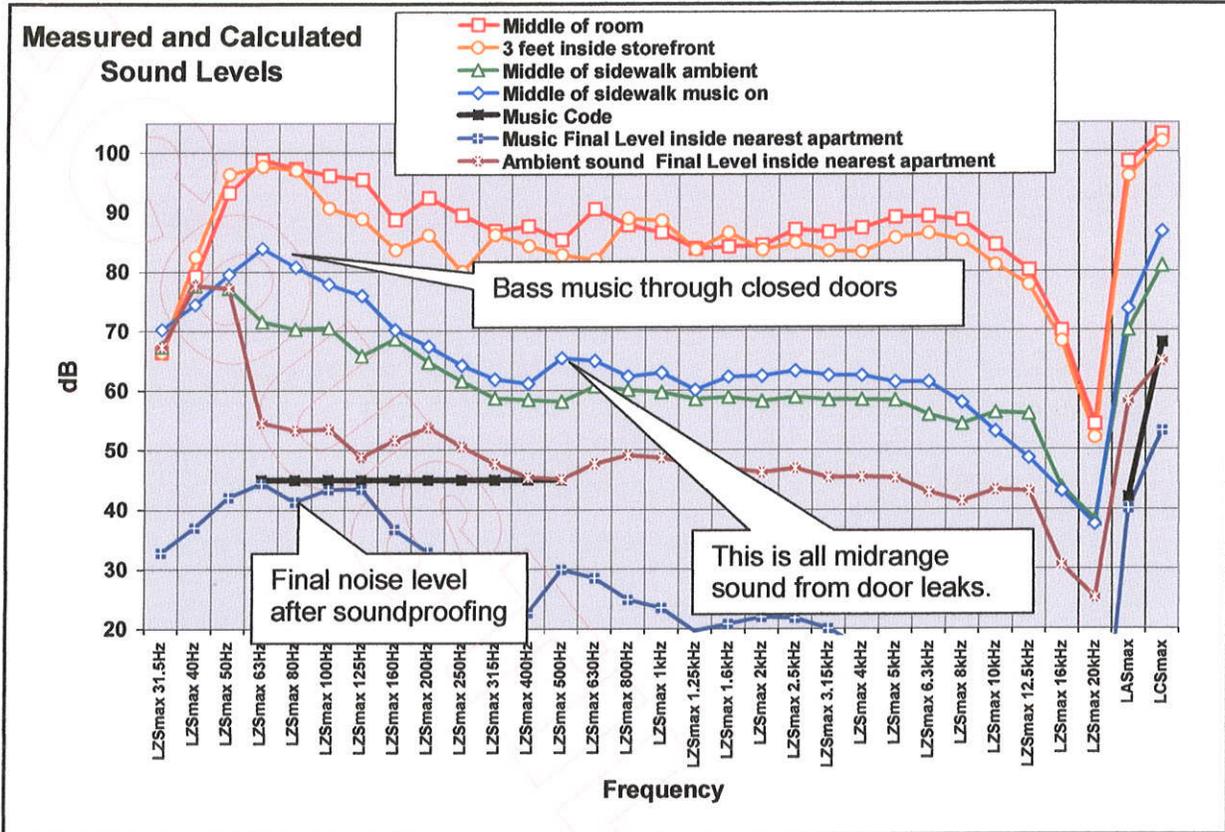
The storefront consists of operable doors which are not sealed to the outside. The door windows are thin Plexiglass that leak sound. The main entrance door also has a thin Plexiglass window and the wood bottom of the door is thin, less than ½". The header over the storefront is hollow. All of these factors contribute to the present levels of outside music leakage.

With the doors closed, this sound leakage goes out onto the sidewalk and then enters the windows of apartments above and next door, as well into apartments across the street.

RESULTS

The graph below shows that the bass music is what people would hear the loudest either on the street or in apartments which face the street. The music measured as high as 83 decibels on the sidewalk with the door closed. Inside the nearest affected apartments, with the windows fully open, the sound would be reduced to 59 decibels. After installing the soundproofing, this will drop to 44 decibels or lower, which would comply with the 45-decibel Code limit at 63 – 500 Hertz.

The sound of midrange music also leaks out of the current storefront, but at a reduced level. This midrange music will also be reduced and will comply with the Noise Code limits.



ANALYSIS

I have calculated the sound levels that would be heard inside the nearest windows with the recommended soundproofing and have determined the maximum allowable music levels which should be played in the bar.

The storefront door and entrance door leakage is very serious since the sound level on the sidewalk can easily transfer into apartment windows in the area. While the ambient sound in that area is high due to traffic, the pattern of bass beats from music distinguishes it from cars and trucks and is thus more audible. Even with the entrance door closed, the bass and midrange sound leaks out through the cracks around the door. However, the low-frequency bass sound is the most significant noise.

I am recommending that you add an inside vestibule with a second entrance door. This will greatly reduce the noise coming through the present single entrance door. In addition, the existing storefront doors will be replaced with a sealed glass storefront. This storefront glass will have to be much more massive than the thin Plexiglass that exists now. These steps are necessary to dramatically attenuate the bass sounds which leak out.

Bass music will be reduced approximately 10 decibels using these methods. Data is attached.

RECOMMENDATIONS

EXISTING STOREFRONT

1. The existing storefront doors will be replaced with a sealed glass storefront window and a glass door with a metal frame.
2. All of the glass for the door and the windows will be 1/2" thick clear laminated glass, with a 0.03" thick PVB interlayer.

INSIDE VESTIBULE

3. Behind the existing storefront will be an inside vestibule with a second entrance door.
 - a. The vestibule must have a ceiling slightly lower than the existing bar ceiling. The vestibule can be built using aluminum framing and an aluminum-framed glass inner door. The horizontal top of the vestibule can also be glass, which means you would be able to see the existing exit sign not only from inside the bar but from inside the vestibule as well.
 - b. All of the glass for the inside door and vestibule will be 3/8" thick clear laminated glass, with a 0.03" thick PVB interlayer.
4. The outside storefront and vestibule will mount right on the existing floor.
5. At the top of the storefront, it will attach to a horizontal double layer of 3/4" plywood which will bridge the gap between the last two ceiling joists or header. Silicone-seal that connection. This will require removing the hollow storefront header.
6. The outside storefront and vestibule must make an airtight seal to the north and south wall brick walls, using silicone caulk.
7. There will be a transom window above the vestibule.

DOOR SEALS

8. I recommend that you install door seals on all of the sound doors. Add weatherstripping on three sides and a rubber floor seal to the bottom of each door. The Zero Weatherstripping Company, whose phone number is 1800-635- 5335, supplies excellent acoustical door seals. Each door will be treated as follows:
 - a. Use Model 370A Magnetic seals for the top and sides, which would make your door seal as well as a refrigerator. If there are aluminum door frames, attach a 1/8" thick x 3/4" wide steel strip to the 3 edges of the door to allow the magnet to work.
 - b. For the bottoms of the doors, use Automatic Closing Drop Seal model number 361AA. This is a surface-mounted aluminum sealing mechanism with a jamb button to drop the seal when the door closes. The drop seal closes against a smooth hard surface so a flat saddle may be needed. Make sure the saddle is strong enough to stay flat under heavy use including hand truck deliveries.
 - c. The seals can be ordered by calling Zero and giving them the dimensions of your door. Allow for the height of the drop seal when specifying the side seals. Add these seals to your doorframe right on the existing stops.
 - d. The seals must be silicone-caulked to prevent small installation gaps.

- e. The seals should be installed to a close perfect fit, but not so tightly that the door is hard to close.

SOUND SYSTEM

9. The sound system will incorporate an equalizer. The equalizer will then feed into a limiter. Both functions can be accomplished with a DBX Driverack PA+. Installed in the system right after the mixer and locked with a password, it will prevent the sound system from exceeding a pre-determined sound level, set by the sound installer.
10. Set the volume on all speakers to maximum before adjusting the limiter.
11. Attenuate (lower) the low frequencies using a high-pass filter set to a 3 dB down point of 50 Hertz.
12. Using the unit's output level control, set the sound in the center of the room to a level of 96 dBC Slow. The sound installer can do this with a simple Radio Shack sound level meter. Set the meter to read "C", and "Slow". This will be a good starting point from which to operate the sound system, but can be fine-tuned later if desired.
13. To ensure accuracy of the meter, you can bring it to my office to be calibrated.
14. Set the Stereo Output Limiters to COUPLE both channels together, which makes the Channel 1 controls affect both channels. The rest of the instructions are thus for the left channel only.
15. Set the limiter's Ratio control to infinity, the Peak Stop to off, the Attack and Release time to midway and Auto, Over-Easy to off, and the Threshold control so as to normally limit only 3 decibels during typical music playing. If the music tries to get louder for any reason, the sound will stay at the same volume.
16. Musicians will also have to be monitored using the sound level meter. Levels in the center of the room must remain no higher than 96 dBC Slow.

If I can be of further assistance, please call.

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Yours Truly,



Alan Fierstein
President

acoustilog1@verizon.net

All readings re: .0002 microbar. Readings taken with Bruel & Kjaer 2260/2270 Analyzer, Bruel & Kjaer 4135, 4145, 4165, 4189 or 4190 Microphone, Acoustilog 232A Reverberation Timer. Calibrated to Bruel & Kjaer 4220 Sound Source or Quest CA-15A.

dbx Home > DriveRack® > DriveRack® PA+



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DriveRack® PA+ Complete Loudspeaker Management System

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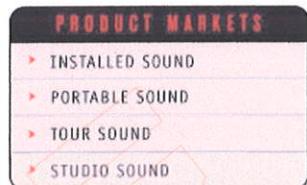


FEATURES

- Setup Wizard Steps Through Speaker and Amp Selection and Levels
- Auto EQ™ Wizard with 28-Band RTA Tunes Your System For The Venue
- AFS™ Wizard Helps Eliminate Feedback
- Stereo Feedback Elimination with 12 feedback notch filters
- dbx 120A Sub-harmonic Synthesizer
- Classic dbx Input Compression
- JBL® Speaker and Crown® Power Amp Tunings included
- USB Firmware and Speaker Tunings Field Updatable With Harman HiQnet™ System Architect
- Full time RTA function
- Front-Panel Output Mutes
- Pink Noise Generator (used with Auto EQ and Auto Level Wizards)
- Linked Stereo DSP Processing for ease of use
- 24-Bit ADC/24-Bit DAC, >113 dB Dynamic Range
- 2-Channel XLR Input and 6-Channel XLR Output
- 2x3, 2x4, 2x5, 2x6 Crossover Configurations
- Dual 28-band Graphic EQ-Linked or Dual Mono
- Stereo Multi-band Parametric EQ
- Stereo Output Limiters
- Output Alignment Delay
- Power on/off Mute Circuitry
- Front-panel RTA-M XLR input with phantom power
- 25 User Programs/25 Factory Programs
- Full Graphic LCD Display
- Front Panel Input and Output Meters

The best just got even better! The DriveRack PA, far and away the world's most popular loud speaker management system has now become the DriveRack PA+; the best has indeed gotten better. Showcasing all the features that users around the world have come to expect, including easy setup, rock-solid reliability and unparalleled sound quality, the new version has gone to great lengths to earn its "plus." With more settings, more control and enhanced circuitry, the sound you seek is right at your fingertips.

Although the DriveRack PA+ is loaded with functions and features, it is easy to set-up and use. The dbx exclusive Set Up Wizards walk you through system set up with easy to follow step-by-step instructions. Just pick your speakers and amps from the built-in list on the PA+ and then let the Auto Level Wizard™ fine tune the level settings of each speaker. You can then let the Auto EQ® Wizard help you further optimize your sound. Finish up by using the AFS Wizard, which automatically sets filters to eliminate any feedback during performances. Within minutes, your system will sound like it was tuned by a pro! No experience required. Get the most out of your PA with the DriveRack PA+, the worldwide standard in loudspeaker management.



For product availability and pricing please contact your local dealer

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RCASH SPEND \$30. GET \$10 TO REDEEM ON YOUR NEXT VISIT. [LEARN MORE](#)

Music & Audio Accessories Sound meters Digital Sound Level Meter

Digital Sound Level Meter
Model: Digital2015 Catalog #: 21-095

Price: **\$49.99**

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In Stock Online

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[See technical specifications](#)
[See features of this product](#)

accessories manual

Product Summary

Fine-tune your audio.

Fine-tune your PA or stereo systems audio response to match the acoustic environment with this Digital Sound Level Meter. It comes with a carrying case for travel and features an easy-to-read display.

- Carrying case protects the meter when traveling
- Easy-to-read display, sound range 30-130db, digit LCD display
- You can fine-tune your PA or stereo systems audio response to match the acoustic environment

Pricing and availability: Please note that all prices are subject to change without prior notice. Prices advertised on this site are for online orders only. Prices on some items may differ from those advertised in RadioShack stores. All merchandise may not be available at all stores, and all stores may not participate in all sales promotions. We recommend you contact the store to confirm product availability and price.

Shipping

Usually ships in 1 - 2 business days

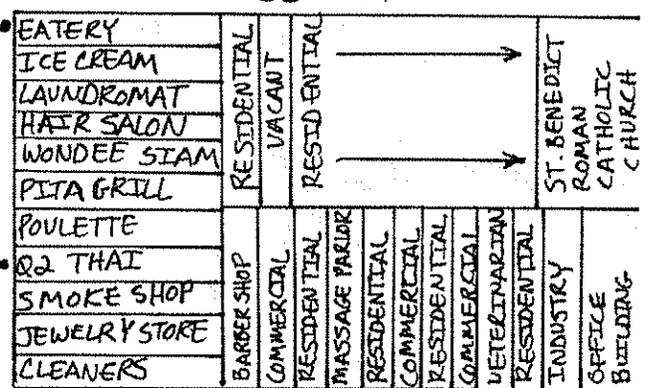
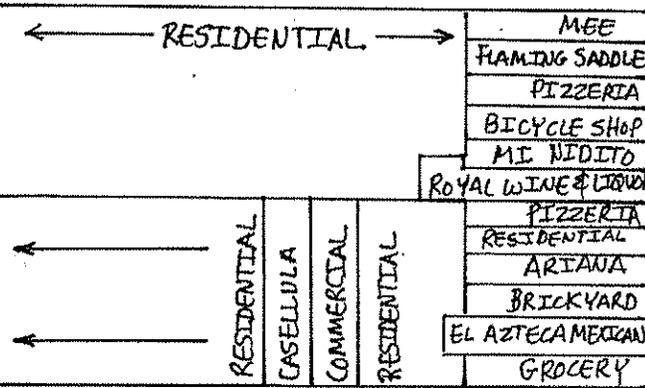
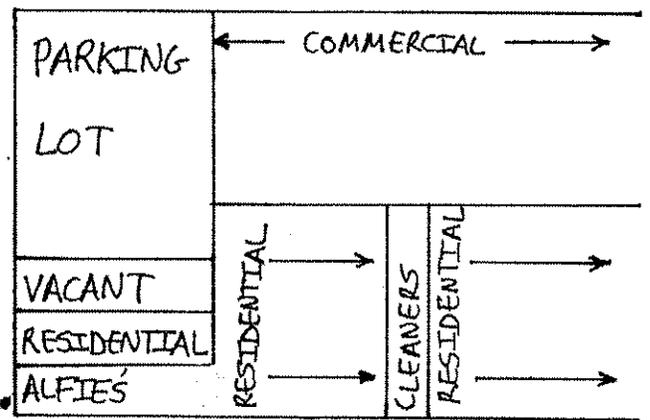
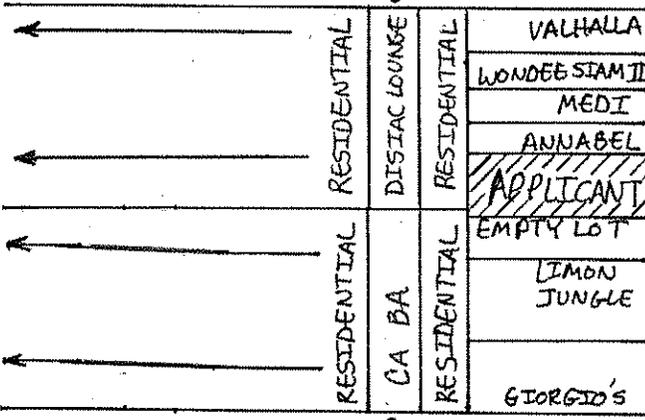
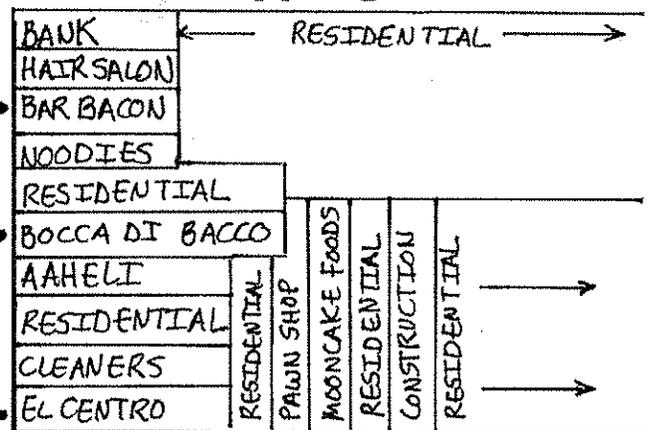
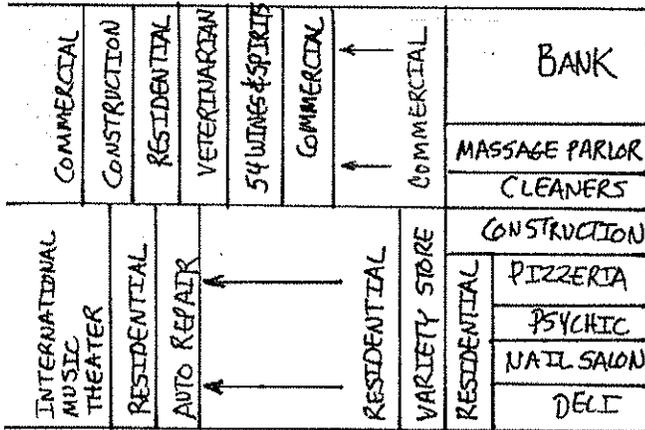
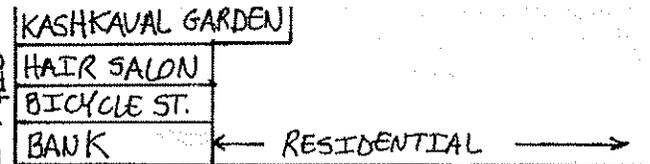
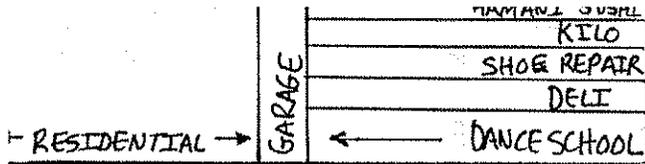
In store: [Check availability](#)

By phone: 1-800-843-7422

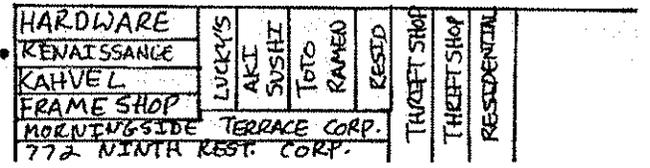
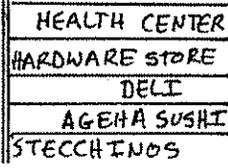
Manufacturer Warranty

- Parts: 12 month
- Labor: 12 month





AREA SURVEY
807 9TH AVENUE
NEW YORK, N.Y.
JANUARY 7, 2015
NOT TO SCALE

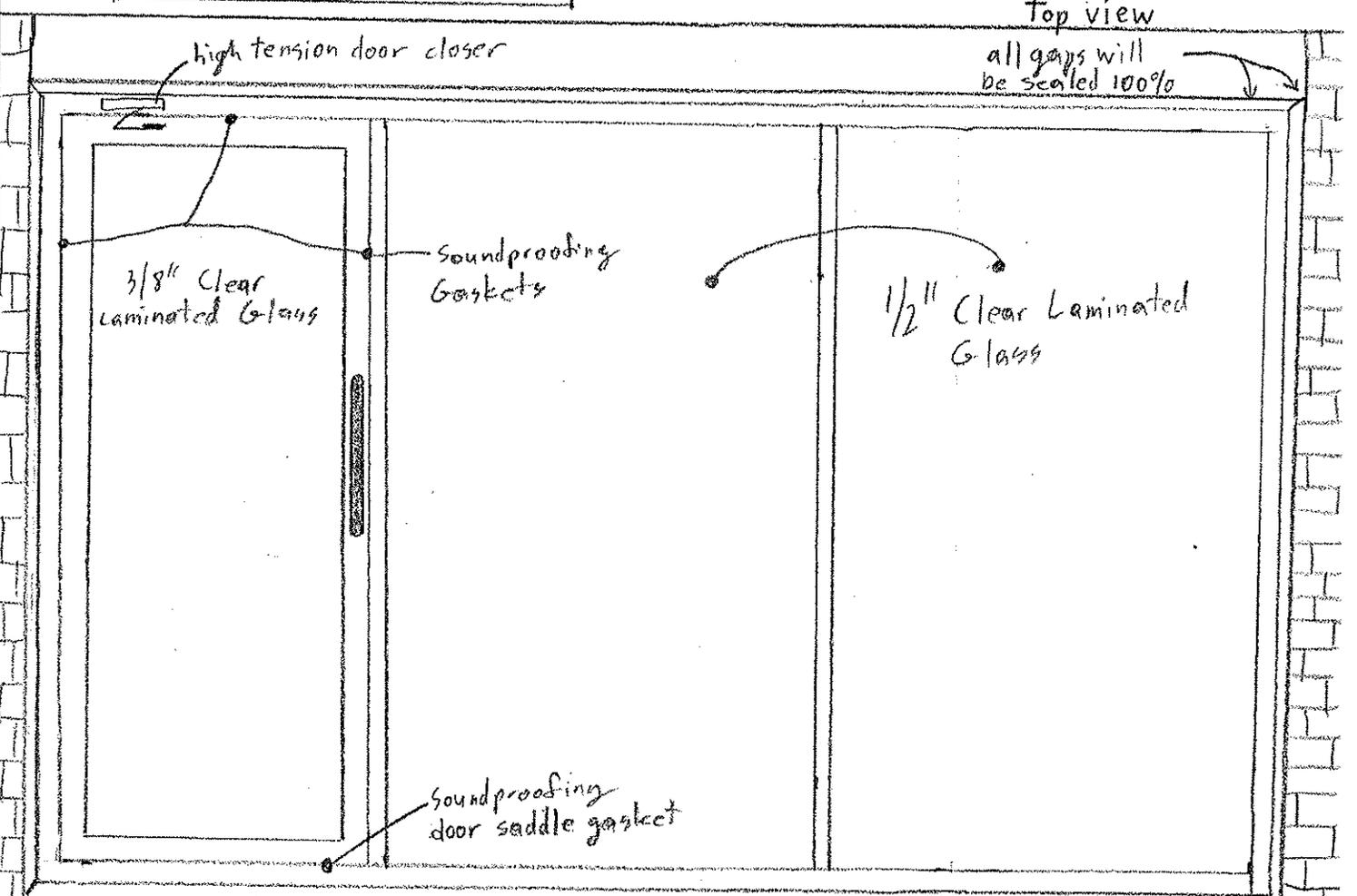
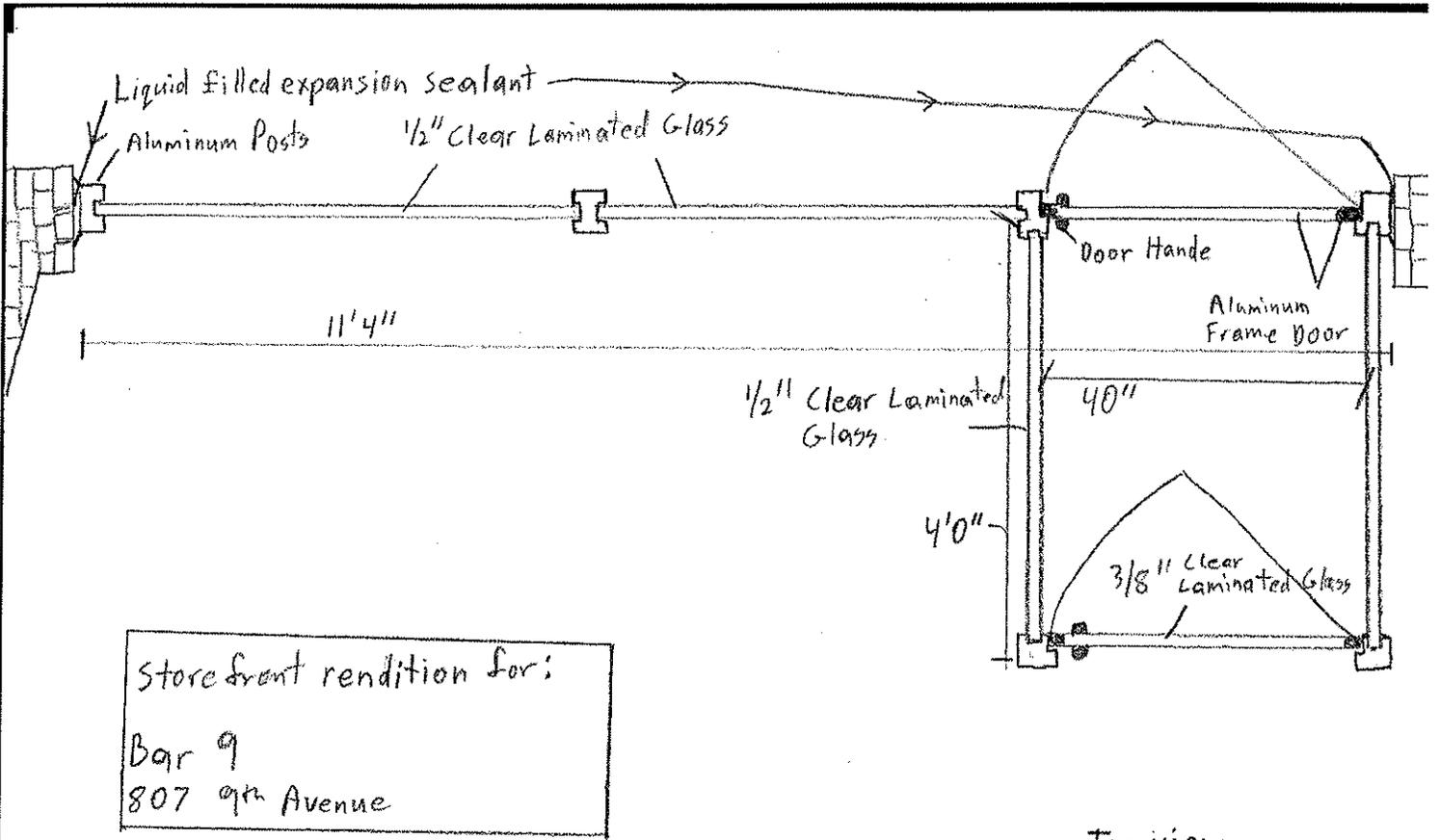


RE: 807 9TH AVENUE

1. Annabel - 809 9TH Avenue - 35'
2. Limon Jungle - 803 9TH Avenue - 42'
3. Medi Wine Bar - 811-813 9TH Avenue - 65'
4. Alfie's - 800 9TH Avenue - 121'
5. CA BA - 401 West 53RD Street - 115'
6. Eatery - 798 9TH Avenue - 173'
7. Disiac Lounge - 400 1/2 West 54TH Street - 138'
8. Valhalla - 815 9TH Avenue - 114'
9. Flaming Saddles - 793 9TH Avenue - 177'
10. El Centro - 824 9TH Avenue - 204'
11. Mi Nidito - 789 9TH Avenue - 226'
12. Bocca & Bacco - 828 9TH Avenue - 294'
13. Brickyard - 785 9TH Avenue - 276'
14. El Azteca Mexican Restaurant - 783 9TH Avenue - 303'
15. Bar Bacon - 832-836 9TH Avenue - 310'
16. Renaissance - 776 9TH Avenue - 447'

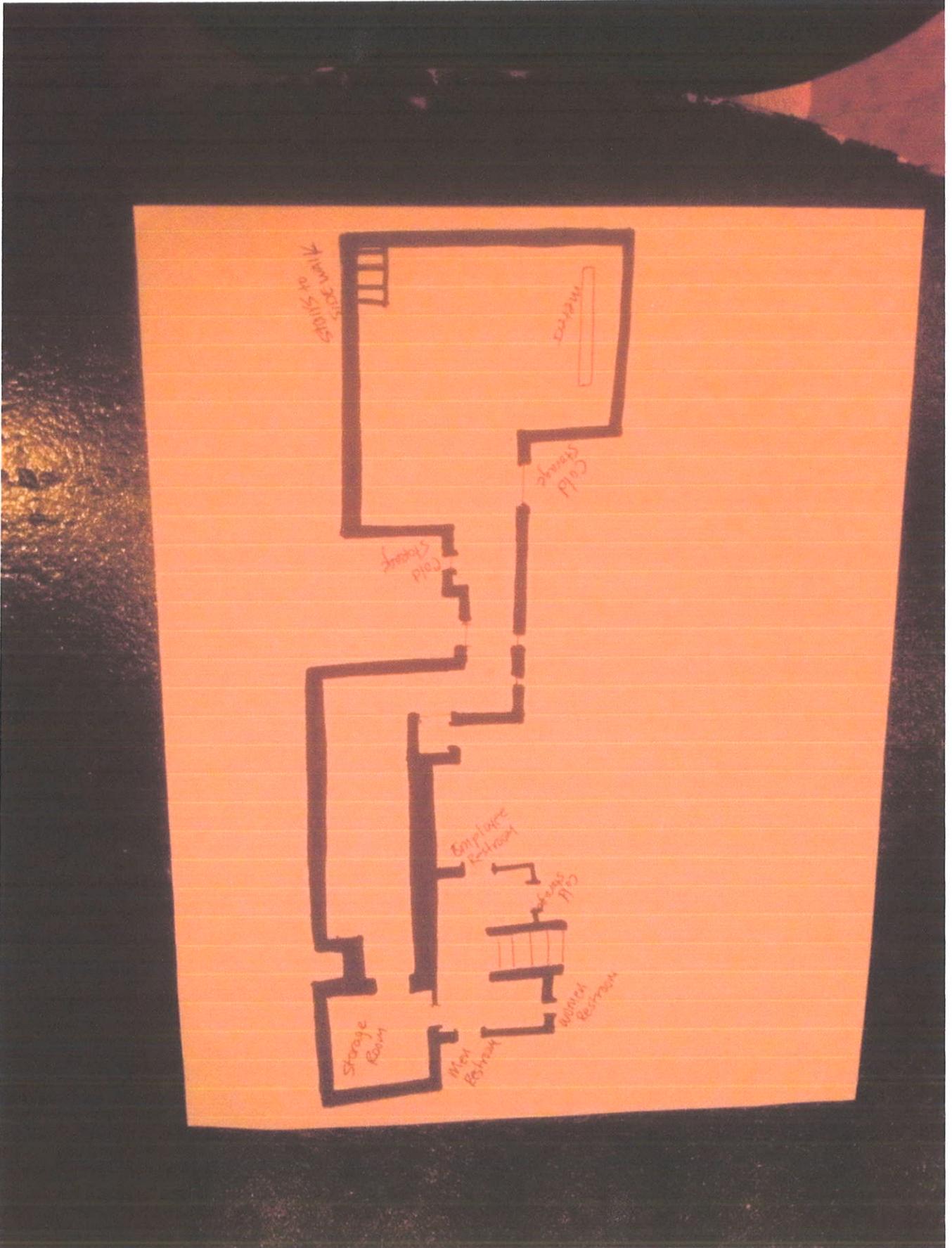
Churches & Schools

There are no churches or schools within 500' of the premise.



Outside view

A.C.T. Trading Inc. 2170 31st Street, Astoria, NY 11105
 Alexander Tzelios 718-473-0900 acttradinginc@icloud.com



DEPARTMENT OF HOUSING AND BUILDINGS
BOROUGH OF MANHATTAN, CITY OF NEW YORK

No. **44447**

Date **August 4, 1955**

CERTIFICATE OF OCCUPANCY

(Standard form adopted by the Board of Standards and Appeals and issued pursuant to Section 646 of the New York Charter, and Sections C.26-181.0 to C.26-187.0 inclusive Administrative Code 2.13.1. to 2.13.7. Building Code.)

This certificate supersedes C. O. No.

To the owner or owners of the building or premises:

THIS CERTIFIES that the ~~new~~ ~~altered~~ ~~existing~~ building--premises located at

807 Ninth Avenue

Block **1063** Lot **32**

, conforms substantially to the approved plans and specifications, and to the requirements of the building code and all other laws and ordinances, and of the rules and regulations of the Board of Standards and Appeals, applicable to a building of its class and kind at the time the permit was issued; and

CERTIFIES FURTHER that, any provisions of Section 646F of the New York Charter have been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent.

NYC Alt. No. **19-1947**

Construction classification--

Class 2 Nonfireproof

Occupancy classification--**Old Law Tenement** Height **5** stories, **55** feet.

Class "A" Multiple Dwelling

Date of completion--**August 3-1955**

Located in **Retail**

Use District

B Area 1 1/2

Height Zone at time of issuance of permit **1646-1954, 1216-1947**

This certificate is issued subject to the limitations hereinafter specified and to the following regulations of the Board of Standards and Appeals: (Calendar numbers to be inserted here)

PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOADS Lbs. per Sq. Ft.	PERSONS ACCOMMODATED		
		MALE	FEMALE	TOTAL
Cellar	On ground			
1st Story	100			145
2nd to 5th Story Incl.				

Boiler room and Storage
One (1) Store (restaurant)
Three (3) apartments on Each Story

THIS CERTIFICATE SHALL ALSO BE CONSIDERED A CERTIFICATE OF COMPLIANCE OR OCCUPANCY UNDER SECTION 301 OF THE MULTIPLE DWELLING LAW.

Sec. 61.23 sub 4 Building Code, C.26-273.0 Adm. Code

"Prior to the occupancy of a structure erected or altered after January 1, 1939, the address of each floor of said structure as stated in the certificate of occupancy shall be permanently posted under glass and maintained in the main entrance hall of such structures."

Joseph S. ...
Borough Superintendent

NO CHANGES OF USE OR OCCUPANCY NOT CONSISTENT WITH THIS CERTIFICATE SHALL
BE MADE UNLESS FIRST APPROVED BY THE BOROUGH SUPERINTENDENT

Unless an approval for the same has been obtained from the Borough Superintendent, no change or rearrangement in the structural parts of the building, or affecting the light and ventilation of any part thereof, or in the exit facilities, shall be made; no enlargement, whether by extending on any side or by increasing in height shall be made; nor shall the building be moved from one location or position to another; nor shall there be any reduction or diminution of the area of the lot or plot on which the building is located.

The building or any part thereof shall not be used for any purpose other than that for which it is certified.

The superimposed, uniformly distributed loads, or concentrated loads, producing the same stresses in the construction in any story shall not exceed the live loads specified on reverse side; the number of persons of either sex in any story shall not exceed that specified when sex is indicated, nor shall the aggregate number of persons in any story exceed the specified total; and the use to which any story may be put shall be restricted to that fixed by this certificate except as specifically stated.

This certificate does not in any way relieve the owner or owners or any other person or persons in possession or control of the building, or any part thereof from obtaining such other permits, licenses or approvals as may be prescribed by law for the uses or purposes for which the building is designed or intended; nor from obtaining the special certificates required for the use and operation of elevators; nor from the installation of fire alarm systems where required by law; nor from complying with any lawful order for additional fire extinguishing appliances under the discretionary powers of the fire commissioner; nor from complying with any lawful order issued with the object of maintaining the building in a safe or lawful condition; nor from complying with any authorized direction to remove encroachments into a public highway or other public place, whether attached to or part of the building or not.

If this certificate is marked "Temporary", it is applicable only to those parts of the building indicated on its face, and certifies to the legal use and occupancy of only such parts of the building; it is subject to all the provisions and conditions applying to a final or permanent certificate; it is not applicable to any building under the jurisdiction of the Housing Division unless it is also approved and endorsed by them, and it must be replaced by a full certificate at the date of expiration.

If this certificate is for an existing building, erected prior to March 14, 1916, it has been duly inspected and it has been found to have been occupied or arranged to be occupied prior to March 14, 1916, as noted on the reverse side, and that on information and belief, since that date there has been no alteration or conversion to a use that changed its classification as defined in the Building Code, or that would necessitate compliance with some special requirement or with the State Labor Law or any other law or ordinance; that there are no notices of violations or orders pending in the Department of Housing and Buildings at this time; that Section 646F of the New York City Charter has been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent, and that, so long as the building is not altered, except by permission of the Borough Superintendent, the existing use and occupancy may be continued.

"§ 646F. No certificate of occupancy shall be issued for any building, structure, enclosure, place or premises wherein containers for combustibles, chemicals, explosives, inflammables and other dangerous substances, articles, compounds or mixtures are stored, or wherein automatic or other fire alarm systems or fire extinguishing equipment are required by law to be or are installed, until the fire commissioner has tested and inspected and has certified his approval in writing of the installation of such containers, systems or equipment to the Borough Superintendent of the borough in which the installation has been made. Such approval shall be recorded on the certificate of occupancy."

Additional copies of this certificate will be furnished to persons having an interest in the building or premises, upon payment of a fee of fifty cents per copy.

Contract No. 90

BLUE CARPET 5 STAR SECURITY GROUP INC.
468W. 158 St, Suite 2A
New York, N.Y. 10031

SECURITY GUARD SERVICES AGREEMENT

THIS AGREEMENT made effective as of the 2nd day of January 2015

BETWEEN:

Bar 9 Entertainment Corporations.

DbA Bar 9
807 9th Avenue,
New York, N.Y. 10019

- And -

Blue Carpet 5 Star Security Group Inc.

468W. 158 St., Suite 2A
New York, N.Y. 10031

Also Known as **Blue Carpet** ("Contractor")
N.Y. State License ID# 110000154001

WHEREAS, Manager requires professional security and protective services for its premises located at **Bar 9**, which is a bar lounge.

AND WHEREAS, Contractor represents that it is professionally qualified, able and ready to provide such Services; By New York State Certified Security Guards

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the covenants and Premises contained in this Agreement, the parties hereto agree as follows:

1. Definitions

"**The Location**" means the Building municipally known as **Bar 9** and located at **807 9th Avenue, New York, N.Y. 10019**

"**Manager**" means "Location Representative" _____.

2. Services

Manager hereby retains **Contractor** as an independent security and protection service, to perform the Services set out in **Exhibit A – Scope of Services**, attached hereto and made a part hereof by reference,

And such additional or amended services as the parties may agree in writing (collectively, the "Services").

Exhibit A: To secure the premises. To check for proper identification of patrons As much as possible protect safety of patrons attending the contracted location. Also to protect and secure the location mentioned above. To act as a liaison between the local authorities. Example. Police and fire departments and city authorities. And to report all significant incidents to Blue Carpet in a timely manner.

3. Term of Agreement

This Agreement shall be effective for a period of 6 months, commencing on December _____, 2014 expiring on Jun _____, 2015.

4. Service Rates

4.1 The Services shall be provided at the rates set out in **Exhibit B – Service Rates**, attached hereto
Exhibit B: Blue Carpet Security shall be paid a total of \$125.00 per man Sunday - Thursday shifts and \$150 per man for Friday - Saturday shift the first 6 months. HOLIDAY PAY is at a rate of

DOUBLE TIME on select major industry holidays, such as New Years, St. Patrick's Day, 4th Of July, Memorial Day Weekend, Halloween etc. Any additional HOLIDAYS will subject to review by Blue Carpet, and the VENUE on a date by date basis. Extra guards scheduled at the last moment (without 36 hour notice) will be paid at the \$150 weekend rate. The guards will only be paid through Blue Carpets 5 Star Security Group's payroll. NEVER DIRECTLY BY THE VENUE, OR ITS MANAGEMENT, OR AGENTS.

- 2 -

5. Invoicing and Payment

5. Blue Carpet (The Contractor) will issue a detailed invoice to Manager of Bar 9. (The location) to cover all security guard services. Contractor will issue a [weekly] invoice which shall reference the service dates and invoice number.

5.2 Payment is due upon receipt of invoice unless otherwise agreed to by Contractor. Bar 9 will make Payment by cash, money order or check. In the case of a problem with a check deposit, there will be a \$50 bounce check fee. Bar 9's management is to immediately pay the balance in cash.

5.3 Payment must be received within 3 days after receipt of the invoice. Invoices not paid within The 3-day period, will accrue interest at the rate of 20% of the total balance per day, starting on the 4th day.

6. Independent Contractor

6.1 Contractor undertakes performance of the Services as an independent contractor and shall not be Construed as an employee of Manager, and this agreement will not be misconstrued to create a partnership, or joint venture, between the parties.

6.2 Contractor will not have the right or authority to create any obligation or responsibility on Manager's behalf or to obligate or bind Manager in any respect. Contractor further warrants and Represents that it has no obligation or indebtedness that would impair its ability to fulfill its obligations under this Agreement.

7. Employee Warrant

7. The Location and its management and employees agree not to interfere with, coerce or attempt to hire any employee past or present of Blue Carpet without authority of the company, or without due compensation to Blue Carpet.

8. Insurance Coverage

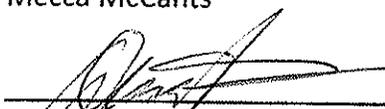
8.1 Contractor shall, at its own expense, keep in force at all times for the duration of this Agreement, General Liability Insurance including property damage and personal injury insurance with a limit of 1 Million Dollars (\$1,000,000.00) per occurrence, and 2 Million Dollars (2,000,000) General aggregate.

9. Upon signing this agreement, both parties agree to all terms set above. This agreement is binding and can only be amended in writing and must be agreed to and signed off by representatives of both parties.

_____ **Bar 9 Entertainment, LLC** Representative () date _____

 (Vice President) **Blue Carpet 5 Star Group Inc.** Rep () date _____

Mecca McCants

 _____ **C.E.O Blue Carpet 5 Star Security Group Inc.**

Dennis J. Newman

This is your Official TIPS® Certification Card.

Carry it with you as evidence of your skills and knowledge in the responsible sale and consumption of alcohol.

Congratulations!

By successfully completing the TIPS (Training for Intervention ProcedureS) program, you have taken your place in the forefront of a nationwide movement to reduce the tragedies resulting from the misuse of alcohol. We value your participation in the TIPS program.

You will help to provide a safer environment for your patrons, peers and/or colleagues by using the techniques you have learned and taking a positive approach towards alcohol use.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 703-524-1200. Thank you for your dedication to the responsible sale and consumption of alcohol.

Sincerely,



Adam F. Chafetz
President, HCI

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Sincerely,



Adam F. Chafetz
President, HCI

IMPORTANT: Keep a copy of this card for your records. Write down your certification number because you will need it when contacting TIPS. For assistance or additional information, contact Health Communications, Inc. by using the information provided on the reverse side of your certification card. There is a minimal charge for a replacement card if your original card becomes lost, damaged or stolen.

	eTIPS On Premise 2.0 SSN:	New York
Issued:	1/2/2015	XXX-XX-XXXX
ID#:	3891497	Expires: 1/2/2018
		D.O.B.: XXXXX/XXXX
		John J Lauro
		807 9th Ave
		New York, NY 10019-5636
For service visit us online at www.gettips.com		

IMPORTANT: Keep a copy of this card for your records. Write down your certification number because you will need it when contacting TIPS. For assistance or additional information, contact Health Communications, Inc. by using the information provided on the reverse side of your certification card. There is a minimal charge for a replacement card if your original card becomes lost, damaged or stolen.

	eTIPS On Premise 2.0 SSN:	New York
Issued:	1/5/2015	XXX-XX-XXXX
ID#:	3892887	Expires: 1/5/2018
		D.O.B.: XXXXX/XXXX
		Lauren E Scott
		Bar Nine
		807 9th Ave
		New York, NY 10019-5636
For service visit us online at www.gettips.com		

