



THE CITY RECORD

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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

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

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

QUEENS BOROUGH PRESIDENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN given that a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on Thursday, May 22, 2008 at 10:30 A.M., in the Borough Presidents Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

CD 07 - BSA# 1098-83 BZ - IN THE MATTER OF an application submitted by Walter T. Gorman, P.E. on behalf of Joseph, M. Mattone, Estate of James J. Mannix, pursuant to Section 73-11 of the NYC Zoning Resolution, to waive the rules of practice and procedure and amend and extend the term of an existing special permit for a period of ten (10) years for continued operation of a gasoline service station in an R5/C1-2 district located at **147-10 Northern Boulevard**, Block 5016, Lot 18, Zoning Map 10c, Flushing, Borough of Queens.

CD 13 - BSA# 85-08 BZ - IN THE MATTER OF an application submitted by Slater & Beckerman, LLP on behalf of Braddock Avenue Owners, Inc., pursuant to Section 73-30 of the NYC Zoning Resolution, for a special permit for a non-accessory radio facility as part of New York City Department of Information Technology and Telecommunications (DoITT) New York City Wireless Network (NYCWIn) in an R4 district located at **222-89 Braddock Avenue**, Block 7968, Lot 31, Zoning Map 15a, Queens Village, Borough of Queens.

CD 03 - ULURP# 060466 MMQ - IN THE MATTER of an application submitted by Slater & Beckerman, LLP on behalf of GTJ Co. Inc., pursuant to Sections 197-c and 199 of the NYC Charter and Section 5-430 et. of the NYC Administrative Code for an amendment to the City Map to allow the discontinuance and closing of 88th Street between 23rd Avenue and 24th Avenue and portions 24th Avenue between 88th Street and 90th Place; the delineation of a permanent sewer easement; The adjustment of grades necessitated thereby; and acquisition or disposition of real properties related thereto, in Community District 3, Zoning Map 9C, East Elmhurst Borough of Queens.

CD 14 - ULURP# 080371 ZMQ - IN THE MATTER of an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the NYC Charter for an amendment of the Zoning Map, Section Nos. 25b, 30b, 30c, 31a affecting all or portions of 280 blocks in Rockaway, Borough of Queens.

NOTE: Individuals requesting Sign Language Interpreters should contact the Borough President's Office,

(718) 286-2860, TDD users should call (718) 286-2656, no later than FIVE BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

m16-22

CITY COUNCIL

■ NOTICE

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, May 20, 2008:

SPORTS PLUS CAFÉ, INC.

BRONX CB - 9 20075306 TCX
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition for Sports Plus Café, Inc., to continue to maintain and operate an unenclosed sidewalk café located at 1161 Castle Hill Avenue.

VILLAGE DEN RESTAURANT

MANHATTAN CB - 2 20085221 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Twelfth Street Corp., d/b/a as Village Den Restaurant, to continue to maintain and operate an unenclosed sidewalk café located at 225 West 12th Street.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, May 20, 2008:

P.S. 163-BROOKLYN

BROOKLYN CB - 11 20085211 SCK
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, 665-seat primary/intermediate school facility to be located at 109 Bay 14th Street (Tax Block 6399, Tax Lot 26 in portion), Community School District No. 20.

BATTERY PARK CITY P/I SCHOOL

MANHATTAN CB - 1 20085305 SCM
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, 950-seat primary/intermediate school facility to be generally located on the eastside of Battery Place between First Place and Second Place in the Battery Park City section of Manhattan (Block 16, Lot 40), Community School District No. 2.

P.S. 48-QUEENS

QUEENS CB - 12 20085164 SCQ
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, 650-seat primary/intermediate school facility to be generally located on the southeast corner of 155th Street and 108th Avenue in the Jamaica section of

Queens (Block 10144, Lot 42 in portion), Community School District No. 28.

30TH STREET PIER LEASE

BROOKLYN CB - 7 20085592 PNK
Application pursuant to §1301(2)(f) and (g) of the New York City Charter concerning the proposed maritime lease at the South Brooklyn Marine Terminal between the Department of Small Business Services and Sims Municipal Recycling of New York LLC.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, May 20, 2008:

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

- Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Projects are consistent with the policy and purposes of Section 691 of the General Municipal Law;
- Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
- Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
- Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
- Approve an exemption of the projects from real property taxes pursuant to Section 696 of the General Municipal Law for 20085534 HAK, 20085535 HAK and 20085536 HAK.

NON-ULURP NO.	ADDRESS	BLOCK/LOT	BORO	COMMUNITY PROGRAM	BOARD
20085533 HAK	572 Pacific Street	928/17	Brooklyn	Asset Sales	06
20085534 HAK	274 Wilson Avenue 439 Wilson Avenue 1297 Putnam Avenue 360, 366 Linden Street 1015 Halsey Street	3297/33 370/04 3369/53 3337/18,20 3401/40	Brooklyn	New Foundations	04
20085535 HAK	2425, 2427 Mermaid Ave. 3216 Mermaid Avenue 2814-2816 W. 16th Street 3566 Canal Avenue	7014/52,53 7048/06 7021/16 6978/22	Brooklyn	New Foundations	13
20085536 HAK	569 Christopher Ave. 533 Thatford Avenue 156, 158, 160, 166, & 168 Riverdale Avenue 434 Bristol Street 152, 154, 156 Newport St.	3856/05 3627/55 3600/29,31,32,34,134 3600/35 3613/31,32,33	Brooklyn	New Foundations	16
20085537 HAQ	419 Beach 45th Street	15968/102	Queens	Asset Sales	14
20085538 HAR	200 Vanderbilt Avenue	2868/26	Staten Island	Asset Sales	01
20085539 HAM	1463, 1465, 1475 & 1473 Fifth Avenue	1745/2,3,69	Manhattan	Cornerstone	11

m14-20

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, June 4, 2008, commencing at 10:00 A.M.

BOROUGH OF BRONX

No. 1

ST. ANN'S AVENUE DEVELOPMENT

CD 1 C 050018 ZMX

IN THE MATTER OF an application submitted by Ebling Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

- 1. changing from an M1-1 District to an R7X District property bounded by East 159th Street, Eagle Avenue, East 156th Street and St. Ann's Avenue; and
2. establishing within the proposed R7X District a C2-3 District bounded by East 159 Street, a line 100 feet southeasterly of St. Ann's Avenue, East 156th Street, and St. Ann's Avenue,

as shown on a diagram (for illustrative purposes only) dated March 24, 2008.

BOROUGH OF BROOKLYN

No. 2

CARROLL GARDENS ZONING TEXT AMENDMENT

CD 6 N 080345 ZRK

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning the modification of bulk regulations in Articles II and III, relating to certain narrow streets in Community District 6 in the Borough of Brooklyn.

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

* * *

23-10 OPEN SPACE AND FLOOR AREA REGULATIONS

* * *

23-145 For residential buildings developed or enlarged pursuant to the Quality Housing Program

R6 R7 R8 R9 R10
In the districts indicated, the maximum #lot coverage# and the maximum #floor area ratio# for any #residential building# on a #zoning lot developed# or #enlarged# pursuant to the Quality Housing Program shall be as set forth in the following table and the maximums for #developments#, or #enlargements# where permitted, located within 100 feet of a #wide street# in R6, R7 or R8 Districts without a letter suffix outside the #Manhattan Core#, shall be as designated by the same district with an asterisk. In an R6 District inside the #Manhattan Core# located within 100 feet of a #wide street#, the maximums shall be indicated by the same district with a double asterisk.

MAXIMUM LOT COVERAGE AND FLOOR AREA RATIO FOR QUALITY HOUSING BUILDINGS (in percent) Maximum #Lot Coverage#

Table with 4 columns: District, #Corner Lot#, #Interior Lot# or #Through Lot#, Maximum #Floor Area Ratio#

In Community District 6 in the Borough of Brooklyn, the following #streets# shall be considered #narrow streets# for the purposes of applying #floor area# and open space regulations: Second, Carroll and President Streets, between Smith and Hoyt Streets; First Place, Second Place, Third Place and Fourth Place.

* * *

23-20 DENSITY REGULATIONS

* * *

23-22 Maximum Number of Dwelling Units or Rooming Units

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10
In all districts, as indicated, the maximum number of #dwelling units# or #rooming units# shall equal the maximum #residential floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. In R1 through R5 Districts, no #rooming units# shall be permitted and any #dwelling unit# shall be occupied by only one #family#. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit# or #rooming unit#.

For the purposes of this Section, where a #floor area ratio# is determined pursuant to Sections 23-142 or 23-143, notwithstanding the #height factor# of the #building#, the maximum #residential floor area ratio# shall be 2.43 in an R6 District within 100 feet of a #wide street#, 3.44 in an R7 District, and 6.02 in an R8 District. In an R6 District beyond

100 feet of a #wide street#, the maximum #residential floor area ratio# shall be as specified in Sections 23-142 or 23-143, or 2.2, whichever is greater.

In Community District 6 in the Borough of Brooklyn, the following #streets# shall be considered #narrow streets# for the purposes of applying density regulations: Second, Carroll and President Streets, between Smith and Hoyt Streets; First Place, Second Place, Third Place and Fourth Place.

FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS OR ROOMING UNITS

Table with 3 columns: District, Factor for #Dwelling Units#, Factor for #Rooming Units#

* for #single-# and #two-family detached# and #semi-detached residences#
** for #residences# in a #predominantly built-up area#
*** for #buildings# subject to the provisions of Section 25-633 (Prohibition of curb cuts in certain districts)

* * *

23-60 HEIGHT AND SETBACK REGULATIONS

* * *

23-67 Special Provisions Relating to Specified Streets

23-671 Special Provisions for Zoning Lots Directly Adjoining Public Parks

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10
In all districts, as indicated, a #public park# with an area of between one and fifteen acres shall be considered a #wide street# for the purpose of applying the regulations set forth in Section 23-63 (Maximum Height of Front Wall and Required Front Setbacks) to any #building or other structure# on a #zoning lot# adjoining such #public park#. However, the provisions of this Section shall not apply to a #public park# more than 75 percent of which is paved.

23-672 Special provisions for certain streets in Community District 6 in the Borough of Brooklyn

In Community District 6 in the Borough of Brooklyn, the following #streets# shall be considered #narrow streets# for the purposes of applying height and setback regulations: Second, Carroll and President Streets, between Smith and Hoyt Streets; First Place, Second Place, Third Place and Fourth Place.

* * *

24-57 Modifications of Height and Setback Regulations R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for certain #community facility uses# in specified situations, the Board of Standards and Appeals may modify the regulations set forth in Sections 24-51 to 24-55, inclusive, relating to Height and Setback Regulations, in accordance with the provisions of Section 73-64 (Modifications for Community Facility Uses).

In Community District 6 in the Borough of Brooklyn, the following #streets# shall be considered #narrow streets# for the purposes of applying height and setback regulations: Second, Carroll and President Streets, between Smith and Hoyt Streets; First Place, Second Place, Third Place and Fourth Place.

* * *

35-24 Special Street Wall Location and Height and Setback Regulations in Certain Districts

* * *

TABLE B HEIGHT AND SETBACK FOR BUILDINGS IN NON-CONTEXTUAL DISTRICTS

Table with 4 columns: District, Minimum Base Height, Maximum Base Height, Maximum Building Height

* * *

* Refers to that portion of a district which is within 100 feet of a #wide street#
** Refers to that portion of a district on a #narrow street#, except within a distance of 100 feet from its intersection with a #wide street#
*** Core refers to #Manhattan Core#.

Note: In Community District 6 in the Borough of Brooklyn, the following #streets# shall be considered #narrow streets# for the purposes of applying height and setback regulations: Second, Carroll and President Streets, between Smith and Hoyt Streets; First Place, Second Place, Third Place and Fourth Place.

BOROUGH OF MANHATTAN

No. 3

HERITAGE HOUSE

CD 11 C 080195 HAM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
a) the designation of property located at 50, 52, 54, 56, 58, and 60 East 131st Street (Block 1755, Lots 45-49, and 146), as an Urban Development Action Area; and
b) an Urban Development Action Area Project for such area; and

- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a six-story building, tentatively known as Heritage House, with approximately 40 residential units, to be developed under the Department of Housing Preservation and Development's Cornerstone Program.

BOROUGH OF QUEENS

No. 4

NYPD MAINTENANCE FACILITY

CD 5 C 080013 PCQ

IN THE MATTER OF an application submitted by the New York City Police Department and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 49-21 and 48-23 Metropolitan Avenue (Block 2611, lots 460, 470, and p/o lots 452, 454, 1001, and 1002) for use as a vehicle maintenance facility.

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

m16-j4

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street, New York, New York, on Wednesday, May 21, 2008, commencing at 10:00 A.M.

BOROUGH OF BROOKLYN

No. 1

MADISON/PUTNAM HOUSING

CD 3 C 080278 HAK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
a) the designation of property located at 924 and 928 Madison Street (Block 1484, Lots 6 and 8); and 1023, 1013, 1007, 1052, and 1054 Putnam Avenue (Block 1484, Lots 35, 41, and 43; and Block 1486, Lots 15 and 16), as an Urban Development Action Area; and
b) an Urban Development Action Area Project for such area; and

- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of seven residential buildings, tentatively known as Madison/Putnam, with approximately 48 units, to be developed under the Housing Preservation and Development's Cornerstone Program.

BOROUGH OF MANHATTAN

No. 2

WEST END AVENUE PARKING GARAGE

CD 7 C 080153 ZSM

IN THE MATTER OF an application submitted by Extell Development Company pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 20 spaces on a portion of the ground floor, cellar and sub-cellar of a proposed residential building on property located at 531-539 West End Avenue (Block 1247, Lots 33, 34, 35, 36, 37 & 135), in an R10A District. Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street,

New York, N.Y. 10007.

**No. 3 & 4
610 LEXINGTON AVENUE
No. 3**

CD 4-8 N 080177 ZRM
IN THE MATTER OF an application submitted by Park Avenue Hotel Acquisition, LLC, and 375 Park Avenue L.P., pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York concerning Article VIII, Chapter 1, Special Midtown District, concerning Section 81-212 (Special provisions for transfer of development rights from landmark sites), Community District #5, Borough of Manhattan.

Matter underlined is new, to be added;
Matter within # # is defined in Section 12-10;
Matter in ~~strikeout~~ is text to be deleted;
*** indicates where unchanged text appears in the zoning resolution

Article VIII: Special Purpose Districts
Chapter 1: Special Midtown District

**81-212
Special provisions for transfer of development rights from landmark sites**

The provisions of Section 74-79 (Transfer of Development Rights for Landmark Sites) shall apply in the #Special Midtown District# subject to the modification set forth in this Section and Sections 81-254, 81-266 and 81-277 pertaining to special permits for height and setback modifications, Section 81-747 (Transfer of development rights from landmark theaters) and Section 81-85 (Transfer of development rights from landmark sites within the Special Fifth Avenue Subdistrict).

The provisions of Section 74-79 pertaining to the meaning of the term "adjacent lot" in the case of lots located in C5-3, C5-5, C6-6, C6-7 or C6-9 Districts are modified to apply in the #Special Midtown District# where the "adjacent lot" is in a C5-3, C6-6, C6-7, C6-5.5, C6-6.5 or C6-7T District. The provisions of paragraph (c) of Section 74-792 as applied in the #Special Midtown District# shall be subject to the restrictions set forth in the table in Section 81-211 on the development rights (FAR) of a landmark "granting lot" for transfer purposes.

Wherever there is an inconsistency between any provision in Section 74-79 and the table in Section 81-211, the table in Section 81-211 shall apply.

Within the Grand Central Subdistrict, any transfer of development rights from a landmark site may be made pursuant to either Section 74-79 or Section 81-63, but not both.

For new #developments# or #enlargements# in C5-3, C6-6, C6-7 and C6-7T Districts, the Commission may also modify or waive the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) and requirements governing the minimum dimensions of a court, where:

the required minimum distance as set forth in Section 23-86 is provided between the #legally required windows# in the new #development# or #enlargement# and a wall or #lot line# on the #zoning lot# occupied by the landmark; and the required minimum distance is protected by a light and air easement acceptable to the Department of City Planning and recorded in the County Clerk's office of the county in which such tracts of land are located.

For new #developments# or #enlargements#, on #zoning lots# located in C5-3, C6-6, C6-7 and C6-7T Districts and with frontage on streets on which curb cuts are restricted pursuant to Section 81-44, the Commission may also modify or waive the number of loading berths required pursuant to Section 36-62 (Required Accessory Loading Berths). In granting such special permit, the Commission shall find that:
(a) a loading berth permitted by City Planning Commission authorization pursuant to Section 81-44 would have an adverse impact on the landmark #building# or other structure# that is the subject of the special permit;
(b) because of existing #buildings# on the #zoning lot#, there is no other feasible location for the required loading berths; and
(c) the modification or waiver will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement.

For new #developments# or #enlargements#, on #zoning lots# located in C5-3, C6-6, C6-7 and C6-7T Districts, the Commission may also modify the dimensions and minimum clear height required for pedestrian circulation space pursuant to Section 81-45 (Pedestrian Circulation Space) and 37-50 (Requirements for Pedestrian Circulation Space). In granting such special permit, the Commission shall find that the modification will result in a distribution of #bulk# and arrangement of #uses# on the #zoning lot# that relate more harmoniously with the landmark #building# or other structure# that is the subject of the special permit.

No. 4

CD 5 C 080178 ZSM
IN THE MATTER OF an application submitted by Park Avenue Hotel Acquisition, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following sections of the Zoning Resolution:

- Sections 81-212* and 74-79 - to allow the transfer of 200,965 square feet of floor area from property located at 375 Park Avenue (Block 1307, Lots 1 and 9001) that is occupied by a landmark building to property located at 610 Lexington Avenue (Block 1307, Lots 14 and 59), to modify the requirements of Section 23-851 (Minimum Dimension of Inner Courts), Section 23-861 (Minimum Distance

Between Legally Required Windows and Walls or Lot Lines/General Provision), Section 36-62 (Required Accessory Off-Street Loading Berths), and Section 81-45 (Pedestrian Circulation Space) and Section 37-07 (Requirements for Pedestrian Circulation Space); and

- Section 81-277 - to modify the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation)

to facilitate the development of a 63-story mixed use building on property located at 610 Lexington Avenue (Block 1307, Lots 14 and 59), in a C6-6 District, within the Special Midtown District.

* Note: A zoning text change is proposed under a concurrent related application (N 080177 ZRM) for amendment to Sections 81-212 (Special provisions for transfer of development rights from landmark sites). Plans for this proposal are on file with the City Planning Commission and may be seen at 22 Reade Street, Room 3N, New York, N.Y. 10007.

**SPECIAL HUDSON YARDS, CLINTON & MIDTOWN
TEXT AMENDMENTS
No. 5**

CD 4 N 080184 ZRM
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District), concerning Article IX, Chapter 6 (Special Clinton District), and concerning Article VIII, Chapter 1 (Special Midtown District)

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

Article VIII - Special Purpose Districts

Chapter 1
Special Midtown District

* * *
81-741
General provisions
* * *

- (d) Additional floor area bonuses

All #developments# located on the west side of Eighth Avenue between 42nd and 45th Streets within the Theater Subdistrict may receive an increase in #floor area# pursuant to Section ~~96-21 (Floor Area Increase) 96-22 (Special Regulations for Eighth Avenue Perimeter Area)~~ for those #developments# complying with the provisions of Section 23-90 (INCLUSIONARY HOUSING).

* * *
Article IX - Special Purpose Districts
Chapter 3
Special Hudson Yards District

* * *
93-05
Applicability of District Regulations
* * *
93-054
Applicability of Chapter 4 of Article VII
* * *

93-055
Modification of use and bulk regulations for zoning lots bounding Hudson Boulevard Park

Where the #lot line# of a #zoning lot# coincides with the boundary of the #public parks# located between West 35th Street, Hudson Boulevard East, West 33rd Street and Eleventh Avenue, such #lot line# shall be considered to be the #street line# of Hudson Boulevard West for the purposes of applying all #use# and #bulk# regulations of this Resolution.

Where the #lot line# of a #zoning lot# coincides with the boundary of the #public park# located between West 39th Street, Tenth Avenue, West 38th Street and Eleventh Avenue, such #lot line# shall be considered to be the #street line# of Hudson Boulevard East and West, as applicable, for the purposes of applying all #use# and #bulk# regulations of this Resolution.

* * *
93-14
Retail Continuity Along Designated Streets

Map 2 (Mandatory Ground Floor Retail) in Appendix A of this Chapter specifies locations where the special ground floor #use# and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 50 percent of the building's #street# frontage, as indicated on Map 2.

#Uses# located on the ground floor level or within five feet of #curb level#, and within 50 feet of the #street line# shall be limited to #commercial uses# permitted by the underlying zoning district, but not including #uses# listed in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 or 12D. A building's #street# frontage shall be allocated exclusively to such #uses#, except for lobby space, entryways or entrances to subway stations. In no event shall the length of #street# frontage occupied by lobby space or entryways exceed, in total, 40 feet or 25 percent of the building's total #street# frontage, whichever is less, except that the width of a lobby need not be less than 20 feet. For any new #development# or #enlargement# on such designated retail #streets#, each ground floor #street wall# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such

glazed area shall occupy at least 70 percent of the area of each such ground floor #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk or public access area. Not less than 50 percent of such area shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials. For #developments# or #enlargements# fronting upon Hudson Boulevard that are adjacent to existing #buildings# located within the Hudson Boulevard #street# bed or #public park#, glazing shall not be required. However, the Hudson Boulevard #street wall# of such new #development# or #enlargement# shall be designed in a manner that will enable the glazing requirements of this section to be met upon demolition of the #buildings# within the #street# bed or #public park#.

The provisions of this Section shall not apply along the northern #street# frontage of West 35th through West 39th Streets within 100 feet of Eleventh Avenue, as shown on Map 2. However, any #zoning lot# fronting on such #streets# and partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this Section to the entire West 35th, West 36th, West 37th, West 38th or West 39th Street frontage of the #zoning lot#.

* * *
93-20
FLOOR AREA REGULATIONS
* * *

93-223
Maximum floor area ratio in Hell's Kitchen Subdistrict D

- (a) Subareas D1 and D2

In Subareas D1 and D2 of Hell's Kitchen Subdistrict D, the basic maximum #floor area ratios# of non-#residential buildings# are set forth in Row A in the table in Section 93-22 and may be increased to the amount specified in Row C pursuant to Section 93-31 (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section 93-32. The basic maximum #floor area ratios# of any #building# containing #residences# are set forth in Row B.

The #floor area ratio# of any #building# containing #residences# may be increased from 6.5 pursuant to Section 93-31 (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section 93-32, and pursuant to Section 23-90 (INCLUSIONARY HOUSING), as modified by Section 93-23, as follows:

- (1) The #residential floor area ratio# may be increased from 6.5 to a maximum of 12.0 only if for every five square feet of #floor area# increase pursuant to Sections 93-31 or 93-32 there is a #floor area# increase of six square feet, pursuant to Section 23-90, as modified by Section 93-23.
- (2) Any #floor area# increase above a #floor area ratio# of 12.0 shall be only pursuant to Section 93-31 or 93-32.

Furthermore, in Subarea D1, the #floor area ratio# on a #zoning lot# may exceed 13.0 only where the community facility #floor area ratio# is not less than the excess of such #floor area ratio# above 13.0.

* * *
93-30
SPECIAL FLOOR AREA REGULATIONS

93-31
District Improvement Fund Bonus

In the #Special Hudson Yards District# and Area P-2 of the #Special Garment Center District#, the Chairperson of the City Planning Commission shall allow, by certification, the applicable basic maximum #floor area ratio# to be increased up to the maximum amount specified in Sections 93-21, 93-22 or 121-31, as applicable, provided that instruments in a form acceptable to the City are executed and recorded ~~ensuring~~ and that, thereafter, a contribution ~~and been~~ be deposited in the #Hudson Yards District Improvement Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area# for such #development# or #enlargement#.

The Commissioner of Buildings shall not authorize the construction of any #development# or #enlargement# utilizing #floor area# bonused pursuant to this Section, including foundations with respect thereto, nor shall the construction of any bonused portion thereof be authorized, until the Chairperson has certified that the requirements of this Section have been met Nothing herein shall limit the ability of the Commissioner of Buildings to issue a permit for the construction of a #development# or #enlargement# which does not utilize such bonused floor area.

~~Such~~ The contribution amount shall be \$100 per square foot of #floor area# as of January 19, 2005, and shall be adjusted by the Chairperson annually on July 1 of the following year and each year thereafter. Such adjustment shall occur on August 1 of each calendar year, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics for the twelve months ended on June 30 of that year. The contribution amount shall be determined based upon the rate which is in effect at the time the contribution is received, and contributions may be made only on days when the Hudson Yards Infrastructure Corporation (the "Corporation") is open for business and during business hours as specified by the

Corporation.

The Commission may promulgate rules regarding the administration of this Section, and the Commission may also, by rule, adjust the contribution amount specified in the preceding paragraph to reflect changes in market conditions within the #Hudson Yards Redevelopment Area# if, in its judgment, the adjusted amount will facilitate the district-wide improvements that are consistent with the purposes of this Chapter and the purposes of the #Special Garment Center District#. The Commission may make such an adjustment by rule, not more than once a year.

For any such adjustment by rule decreasing the contribution amount, or increasing the contribution amount by more than the percentage change in the Consumer Price Index for all urban consumers, the following shall apply:

- (a) Such rule shall be effective for not more than two years; and
(b) The Commission shall not publish the proposed rule pursuant to the City Administrative Procedure Act unless the City Council Land Use Committee and the Department of City Planning have jointly filed an application for a zoning text amendment under Section 201 of the New York City Charter, which would make such adjustment of the contribution amount permanently effective. The contribution amount established under such rule as finally adopted shall continue in effect with further adjustments based upon the Consumer Price Index for all urban consumers, until the next adjustment of the contribution amount pursuant to this Section.

Such contribution amount shall be payable or secured at the time foundation work has been completed and the Commissioner of Buildings shall not authorize any additional construction until the Chairperson has certified that payment has been made or adequate security therefore has been provided.

93-34 Distribution of Floor Area in the Large-Scale Plan Subdistrict A

- (b) Requirements for application
An application filed with the Chairperson of the Commission for the distribution of #floor area# by certification pursuant to paragraph (a) of this Section shall be made jointly by the owner of the #development# rights of the Eastern Rail Yards Subarea A1 and the receiving site and shall include:
(1) a site plan and #floor area# zoning calculations for the receiving site; and
(2) a copy of the distribution instrument legally sufficient in both form and content to effect such a distribution, together with a notice of the restrictions limiting further development of the Eastern Rail Yards Subarea A1.

Such notice of restrictions shall be filed by the owners of the respective sites in the Borough Office of the Register of the City of New York, indexed against the Eastern Rail Yards Subarea A1 and the receiving site, a certified copy of which shall be submitted to the Chairperson of the Commission. Receipt of certified copies thereof shall be a pre-condition to issuance of any building permit for any #development# or #enlargement# utilizing #floor area# distributed pursuant to this Section, including foundations with respect thereto, including any foundation or alteration permit, for any #development# or #enlargement# on the receiving site.

93-50 SPECIAL HEIGHT AND SETBACK REGULATIONS IN SUBDISTRICTS A THROUGH E

In Subdistricts A through E, the height and setback regulations set forth in Section 93-42 shall apply, except that such regulations are modified in certain locations as set forth in this Section. Such modifications include the establishment of #street wall# location regulations, minimum base heights, and maximum length of building walls for towers, and modifications of maximum base heights, depths of required setbacks, and tower #lot coverage#. Special provisions for recesses and sidewalk widenings are as follows:

- (a) Recesses
Where #street walls# are required to be located on #street lines# or sidewalk widening lines, ground floor recesses up to three feet deep shall be permitted for access to building entrances, and deeper recesses shall be permitted only where necessary to comply with the pedestrian circulation space provisions of Section 93-63. Above the level of the second #story# and up to any specified minimum base height, recesses are permitted provided that the aggregate length of such recesses does not exceed 30 percent of the length of the required #street wall# at any level, and the depth of such recesses does not exceed five feet. No limitations on recesses shall apply above any specified minimum base height or to any portion of a #zoning lot# where #street walls# are not required.
Where #street walls# are required to extend along the entire #street# frontage of a #zoning lot#, no recesses shall be permitted within 20 feet of an adjacent #building#, or within 30 feet of the

intersection of two #street lines# except where corner articulation rules apply.

- (b) Sidewalk Widenings
Where a #street wall# is required to extend along the entire #street# frontage of a #zoning lot#, and such #street# is intersected by a #street# with a mandatory sidewalk widening, no #street wall# shall be required within such sidewalk widening. Where corner articulation rules apply, the inner boundary of any required sidewalk widening may be considered to be the #street line#. The mandatory #street wall# requirements are illustrated on Map 3 in Appendix A of this Chapter. Where sidewalk widening lines are specified, such lines shall be parallel to and five or ten feet from the #street line#, as required pursuant to Section 93-61 and illustrated on Map 4 (Mandatory Sidewalk Widenings) in Appendix A.

93-512 Subareas A3, A4 and A5 of the Large-Scale Plan Subdistrict A

- (a) Hudson Boulevard
For the purposes of this paragraph, (a), Hudson Boulevard shall be considered to be a #wide street#. The #street wall# of the #development# or #enlargement# shall be located on the Hudson Boulevard sidewalk widening line and extend along at least 70 percent of the length of the Hudson Boulevard frontage of the #zoning lot#, and shall rise without setback to a minimum base height of 90 feet and a maximum base height of 120 feet. On #corner lots#, the maximum base height may apply along intersecting #narrow street lines# for a distance of 100 feet from its intersection with Hudson Boulevard. Above a height of 120 feet, a setback at least 25 feet in depth is required from the Hudson Boulevard #street line#, and setbacks from intersecting #narrow streets# shall comply with the provisions of paragraph (b) of Section 93-42 (Height and Setback in Subdistricts A through E).

Alternatively, for #zoning lots# that occupy the entire Hudson Boulevard #block# front, the Hudson Boulevard #street wall# may rise above a height of 120 feet without setback at the Hudson Boulevard sidewalk widening line, provided that:

- (1) the aggregate width of such #street wall# facing Hudson Boulevard does not exceed 100 feet;
(2) all other portions of the #building# that exceed a height of 120 feet are set back at least 25 feet from the Hudson Boulevard #street line# at a height not lower than 90 feet; and
(3) all portions of the #building# that exceed a height of 120 feet are set back from a #narrow street# in compliance with the provisions of paragraph (b) of Section 93-42.

For the purposes of applying the #street wall# location and setback provisions of this paragraph to #development# and #enlargement# fronting on the #public park# between West 38th and West 39th Streets, the #street lines# and sidewalk widening lines of Hudson Boulevard shall be prolonged northward to West 39th Street.

93-513 Four Corners Subarea A2

- (a) Hudson Boulevard
The provisions of paragraph (a) of Section 93-512 (Subareas A3, A4 and A5 of the Large-Scale Plan Subdistrict A) shall apply, except that the maximum base height shall be 150 feet.; and, for the purposes of applying such #street wall# location and setback provisions to #development# and #enlargement# fronting upon the #public park# between West 33rd and West 35th Streets, the westerly #street line# and sidewalk widening lines of Hudson Boulevard West shall be prolonged southward to West 33rd Street.

93-54 Special Height and Setback Regulations in Hell's Kitchen Subdistrict D

93-541 Height and setback in Subareas D1 and D2

- (a) Tenth Avenue
(1) For #zoning lots# that do not occupy the entire Tenth Avenue #block# front, and for #zoning lots# that occupy the entire Tenth Avenue #block# front where existing #residential buildings# will remain, the #street wall# of any #development# or #enlargement# shall be located on and extend along the entire Tenth Avenue #street line#, except that to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such lines. Such #street wall# shall rise without setback to a minimum base

height of 90 feet and a maximum base height of 150 feet, except that such minimum base height requirement shall not apply to any existing #residential buildings# to remain. Where such #zoning lots# also front upon a #narrow street#, these provisions shall apply along such #narrow street# frontage for a minimum distance of 50 feet and a maximum distance of 100 feet from the intersection of Tenth Avenue. Above a height of 150 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply.

- (2) For #zoning lots# that occupy the entire Tenth Avenue #block# front, and where no existing #buildings# fronting upon Tenth Avenue will remain, the #street wall# of the #development# or #enlargement# shall be located within 10 feet of the Tenth Avenue #street line# and extend along the entire Tenth Avenue frontage of the #zoning lot# and shall rise without setback to a minimum base height of 90 feet and a maximum base height of 150 feet. These provisions shall apply for a minimum distance of 50 feet and a maximum distance of 100 feet from the intersection of Tenth Avenue.

Above a height of 150 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply. Alternatively, for #zoning lots# that occupy the entire Tenth Avenue #block# front and no portion of any #building# is within 10 feet of the Tenth Avenue #street line#, the Tenth Avenue #street wall# may rise above 150 feet without setback, provided that:

- (i) the aggregate width of such #street wall# does not exceed 100 feet;
(ii) all other portions of the #building# that exceed a height of 150 feet are set back at least 10 feet from the Tenth Avenue #street wall# of the #building# at a height not lower than 90 feet; and
(iii) all portions of the #building# that exceed a height of 150 feet are set back from a #narrow street# in compliance with the provisions of paragraph (b) of Section 93-42, and
(iv) all portions of the Tenth Avenue #street wall# that do not exceed a height of 90 feet are located ten feet from the Tenth Avenue #street line#, except that recesses may be provided in accordance with the recess provisions of paragraph (a) of Section 93-50. Above a height of 90 feet, up to a height of 150 feet, any #street wall# facing Tenth Avenue shall be located no closer to Tenth Avenue than 10 feet.

- (b) Hudson Boulevard
The regulations set forth in paragraph (a) of Section 93-512 (Subareas A3, A4 and A5 of the Large-Scale Plan Subdistrict A) shall apply, except that wherever a setback from the Hudson Boulevard #street line# is required to be at least 25 feet deep, such setback depth may be reduced to 15 feet.

- (c) Midblocks between Tenth Avenue and Hudson Boulevard
The regulations set forth in paragraph (c) of Section 93-512 shall apply.

- (d) Length of building wall
The maximum length of any #story# located above a height of 150 feet that faces north or south shall not exceed 100 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 150 feet. Any side of such rectangle from which perpendicular lines may be drawn to the nearest #narrow street line# shall not exceed 100 feet.

- (e) Tower #lot coverage#
Where more than one tower on a #zoning lot# contains #residences#, the minimum #lot area# requirement of paragraph (c)(1) of Section 93-42 shall not apply to the highest 80 feet of at least half of the number of such towers.

93-542 Height and setback in Subareas D4 and D5

In Subareas D4 and D5 of Hell's Kitchen Subdistrict D, the underlying height and setback regulations shall apply, except that:

- (a) the rooftop regulations set forth in Section 93-41 shall apply to all #development# or #enlargement#; and
(b) within the C2-5 District of Subarea D4, #commercial uses# shall be limited to two #stories# or a height of 30 feet, whichever is less.

(c) within the C1-7A District of Subarea D5, recesses in the #street wall# of any #building# facing Ninth Avenue shall not be permitted within 20 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except as provided for permitted corner articulation.

93-55 Special Height and Setback Regulations in the South of Port Authority Subdistrict E

In the South of Port Authority Subdistrict E, for any #development# or #enlargement# on a #zoning lot# fronting on Eighth Avenue, the #street wall# of such #development# or #enlargement# shall be located on the Eighth Avenue sidewalk widening line and extend along the entire #street# frontage of the #zoning lot#. Such #street wall# shall rise without setback to a minimum height of 90 feet or the height of the #building#, whichever is less, and a maximum height of 120 feet. Above a height of 90 feet, no portion of the #development# or #enlargement# shall penetrate a #sky exposure plane# that begins at a height of 120 feet above the Eighth Avenue sidewalk widening line and #street lines# of West 39th Street and West 40th Streets, as applicable, and rises over the #zoning lot# at a slope of four feet of vertical distance for each foot of horizontal distance except as provided below:

- (a) any portion of the #building or other structure developed# or #enlarged# pursuant to the tower regulations of Sections 33-45 or 35-63, as applicable, may penetrate the #sky exposure plane#,
(b) permitted obstructions, as listed in paragraph (a) of Section 93-41, may penetrate the #sky exposure plane#. In addition, a dormer, as listed in paragraph (c) of Section 23-62, may penetrate the #sky exposure plane#.

93-55 93-56 Special Permit for Modification of Height and Setback Regulations

93-65 Transit Easements

Any #development# or #enlargement# on a #zoning lot# that includes the locations listed below shall provide an easement for subway-related use and public access to the subway mezzanine or station:

- (a) The area bounded by Tenth Avenue, West 41st Street, a line 190 feet east of and parallel to Tenth Avenue, and a line 55 feet south of and parallel to West 41st Street. The entrance shall be accessed from Tenth Avenue.
(b) The area bounded by the western boundary of the #public park# between West 34th and West 35th Streets, West 34th Street, a line 40 feet west of and parallel to the western boundary of the #public park# between West 34th and West 35th Streets, and a line 75 feet north of and parallel to West 34th Street. The entrance shall be accessed from the #public park# between West 34th and West 35th Streets.
(c) The area bounded by Eleventh Avenue, West 36th Street, a line 90 feet east of and parallel to Eleventh Avenue, a line 50 feet south of and parallel to West 36th Street, a line 50 feet east of and parallel to 11th Avenue, and West 34th Street. The entrance shall be accessed from West 36th Street or 11th Avenue within 50 feet of West 36th Street.

- (d)(b) For any #development# or #enlargement# on a #zoning lot# that includes the southwest corner of West 40th Street and Eighth Avenue, the transit easement shall accommodate a relocated subway entrance from the adjoining sidewalk to a location within the #development# or #enlargement#.

Article IX - Special Purpose Districts

Chapter 6 Special Clinton District

96-20 PERIMETER AREA #Developments# within the Perimeter Area shall be eligible for increased #floor area# only pursuant to Sections 96-21 (Special Regulations for 42nd Street Perimeter Area) or 96-22 (Special Regulations for Eighth Avenue Perimeter Area)....

96-21 Special Regulations for 42nd Street Perimeter Area

The provisions of this Section shall apply to #developments# or #enlargements# located in all #Commercial Districts# within the area bounded by the following:

- (b) Floor area regulations
(2) Floor area regulations in Subarea 2 In Subarea 2 of the 42nd Street Perimeter Area as shown in Appendix B, the basic #floor area ratio# of any #development# or #enlargement# shall be 10.0. However, the #floor area ratio# of any #development# or #enlargement# containing #residential use# may exceed 10.0 to a maximum of 12.0 only in accordance with the provisions of Section 23-90 (INCLUSIONARY HOUSING), except that any units for

which a #floor area# increase has been earned pursuant to Section 23-90 shall be within the #Special Clinton District#. For #developments# or #enlargements# that have fully utilized the Inclusionary Housing Program, the maximum permitted #floor area ratio# may be increased from 12.0 to 15.0 for a new legitimate theater to be used as a legitimate theater or non-profit performing arts space in accordance with the provisions of Section 96-25 (Floor Area Bonus for New Legitimate Theater Use).

Where a transit easement volume is required on a #zoning lot# in Subarea 2, such easement volume may be temporarily used by the owner of the #zoning lot# for any permitted #uses# until such time as required by the Transit Authority or by its designee for subway purposes. Any such floor spaces occupied by such transit easement volume shall not count as #floor area#. Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #zoning lot# prior to the time at which public #use# of the easement area is required. A minimum notice of six months in writing shall be given by the Transit Authority to the owner of the #zoning lot# to vacate the tenants of such temporary #uses#.

96-25 Floor Area Bonus for New Legitimate Theater Use

Within Subarea 2 of the 42nd Street Perimeter Area as shown in Appendix A of this Chapter, for #developments# or #enlargements# located within the area bounded by West 42nd Street, Dyer Avenue, West 41st Street and Eleventh Avenue that have fully utilized a #floor area# increase pursuant to Section 23-90 (INCLUSIONARY HOUSING), three additional square feet of #floor area# may be provided for each square foot of new legitimate theater #use#, the #floor area ratio# may be increased from 12.0 to a maximum of 15.0, provided that for every three square feet of bonused #floor area#, one square foot of such bonused #floor area# shall be used for new "performance space", which, for the purposes of this Section 96-25 shall mean space to be used as a legitimate theater or non-profit performing arts space. Such bonused #floor area# shall be permitted only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the following conditions shall exist have been met:

- (a) the total #floor area ratio# on the #zoning lot# shall not exceed 15.0;
(b)(a) all #floor area# for any performance space for which a bonus is received pursuant to this Section shall be limited to floor space exclusively associated with legitimate theater or non-profit performing arts #use#, including auditorium, orchestra, balconies, stage and theater equipment space, wings, dressing rooms, rehearsal space, lobbies, lounges, ticket offices, rest rooms, and circulation space. Any other bonused performance space shall not comprise more than 25% of the total #floor area# for which a bonus is received;
(c) a letter from the Department of Cultural Affairs shall be submitted certifying that:

- (d)(1) a signed lease shall be has been provided from a the prospective theater operator of the performance space, or a written commitment from the owner of the theater performance space if such owner is also the operator, for occupancy of the theater performance space and its operation as a legitimate theater or non-profit performing arts space for a period of not less than five years, pursuant to an operating plan and program therefor;
(2) the proposed operator of the performance space has the fiscal and managerial capacity to successfully operate such space;
(3) preliminary design plans have been provided to the Department of Cultural Affairs for the performance space, which include sufficient detail regarding core, shell, structural, mechanical, electrical, plumbing and HVAC systems, necessary to ensure that such performance space will operate efficiently for its intended use, and
(e)(4) a plan and program shall be accompanied by written commitment from such owner of the financial resources available to ensure timely completion of the identified scope of work; a written commitment has been provided ensuring that there are financial resources available for the timely

- completion of the identified scope of work, and
(5) the proposed operator of the performance space will have a program of regularly scheduled presentations that are open to the public.

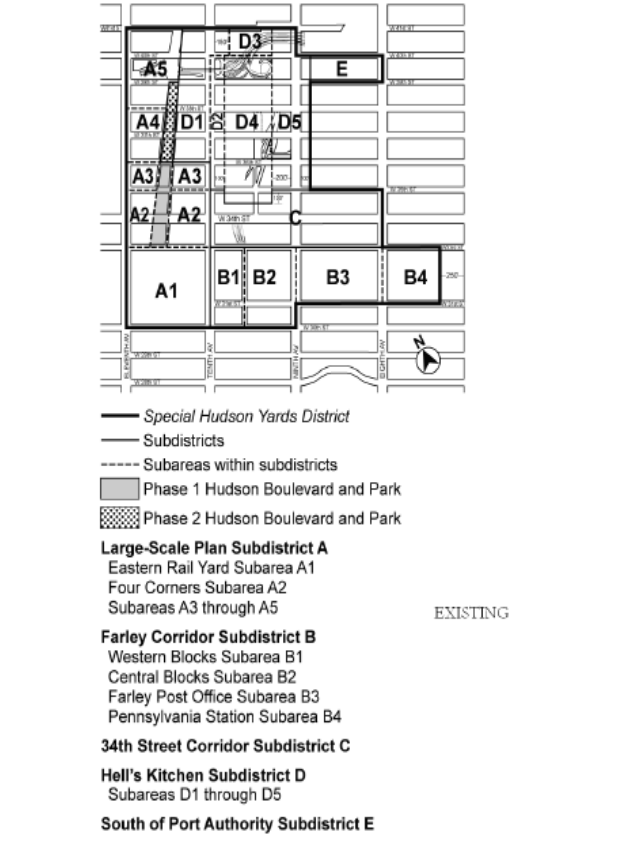
(d) a legal commitment shall be has been provided for inspection and ongoing maintenance of the theater performance space to ensure its continued availability for theater #use# as a legitimate theater or non-profit performing arts space. Such inspection shall be conducted every five years by a licensed engineer or architect, and a report issued to the Chairperson of the City Planning Commission and the Commissioner of the Department of Cultural Affairs and notice of such report shall be published in the City Record. Such report shall describe the condition of the theater performance space and identify any maintenance or repair work necessary to ensure the physical and operational soundness of the theater performance space and establish a plan and program for such work, including providing that adequate resources be made available to ensure timely completion of such maintenance or repair work; and

(e) a legal commitment shall be has been provided for continuance of the #use# of all #floor area# for which a bonus has been received pursuant to this Section as a legitimate theater or non-profit performing arts space and providing that in the event of a change of operator, as defined by the Commissioner of the Department of Cultural Affairs, the owner or operator shall obtain a new letter certifying that the provisions of paragraph (c) of this Section have been met as to the proposed operator. Such legal commitment shall also prohibit #use# as an #adult establishment# for the life of the related #development#.

Such legal commitments shall be in the form of a declaration of restrictions, filed and duly recorded in the Borough Office of the Register of the City of New York, binding upon the owner and any lessee of the theater performance space and their successors and assigns, a certified copy of which shall be submitted to the Chairperson of the City Planning Commission. The filing of such declaration and the posting of any bond or other security required by the Chairperson of the City Planning Commission under the terms of such declaration, and receipt of such a certified copy of such declaration, shall be preconditions to issuance of any building permit, including any foundation or alteration permit, for any #development# or #enlargement#.

The owner shall not apply for or accept a temporary certificate of occupancy for that portion of the #development# or #enlargement# identified under the terms of the declaration of restrictions as utilizing the increased #floor area# permitted pursuant to this Section, and the Department of Buildings shall not issue a temporary certificate of occupancy for such portion of the #development# or #enlargement#, until the Chairperson through consultation with the Commissioner of the Department of Cultural Affairs has certified that the theater performance space is substantially complete, which shall, for this purpose, mean that such theater performance space is usable by the public. The owner shall not apply for or accept a permanent certificate of occupancy for such portion of the #development# or #enlargement#, nor shall the Department of Buildings issue a permanent certificate of occupancy for such portion, the #development# or #enlargement# until the theater performance space has been finally completed in accordance with the approved plans and such final completion has been certified by the Chairperson through consultation with the Commissioner of the Department of Cultural Affairs. The declaration of restrictions shall be noted on any Temporary or Final Certificate of Occupancy for the #building#.

Special Hudson Yards District Zoning Resolution Section: 93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (1/19/05) Map 1: Special Hudson Yards District, Subdistricts and Subareas



Special Hudson Yards District

Zoning Resolution Section: 93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (1/1905)
Map 2: Mandatory Ground Floor Retail

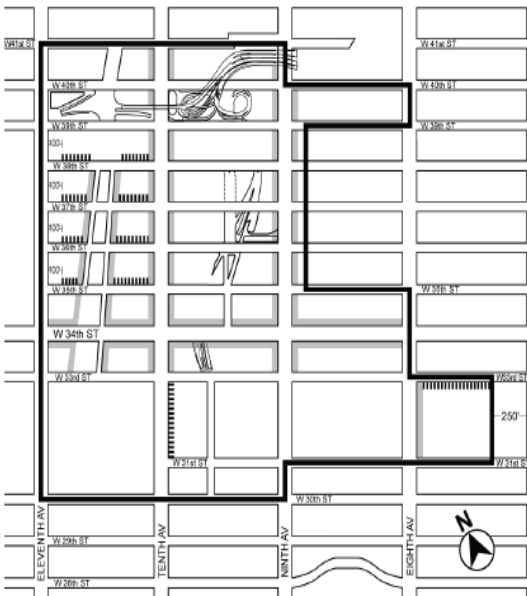


- Special Hudson Yards District
- 100% Retail Requirement
- - - 50% Retail Requirement

EXISTING

Special Hudson Yards District

Zoning Resolution Section: 93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (1/1905)
Map 2: Mandatory Ground Floor Retail

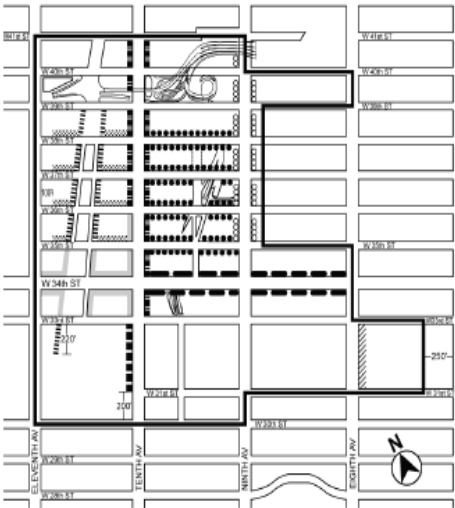


- Special Hudson Yards District
- 100% Retail Requirement
- - - 50% Retail Requirement

PROPOSED

Special Hudson Yards District

Zoning Resolution Section: 93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (1/1905)
Map 3: Mandatory Street Wall Requirements

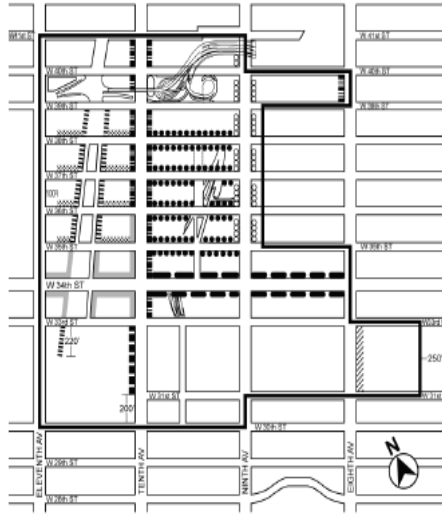


Street Wall Pattern	Minimum Base Height	Maximum Base Height	Percentage of zoning lot street frontage that must be occupied by a street wall
.....	60'	85'	100%
.....	60'	85'	None
.....	60'	120'	50%
.....	90'	120'	70%
.....	60'	150'	70%
.....	90'	150'	100%
.....	90'	150'	70%
.....	90'	150'	35%
.....	120'	150'	100%

EXISTING

Special Hudson Yards District

Zoning Resolution Section: 93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (1/1905)
Map 3: Mandatory Street Wall Requirements

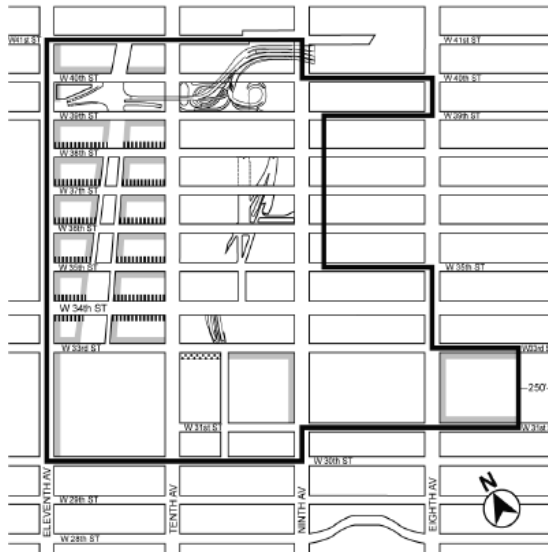


Street Wall Pattern	Minimum Base Height	Maximum Base Height	Percentage of zoning lot street frontage that must be occupied by a street wall
.....	60'	85'	100%
.....	60'	85'	None
.....	60'	120'	50%
.....	90'	120'	70%
.....	60'	150'	70%
.....	90'	120'	100%
.....	90'	150'	100%
.....	90'	150'	70%
.....	90'	150'	35%
.....	120'	150'	100%

PROPOSED

Special Hudson Yards District

Zoning Resolution Section: 93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (1/1905)
Map 4: Mandatory Sidewalk Widening



- 10' Sidewalk widening
- 5' Sidewalk widening
- 5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

EXISTING

Special Hudson Yards District

Zoning Resolution Section: 93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (1/1905)
Map 4: Mandatory Sidewalk Widening

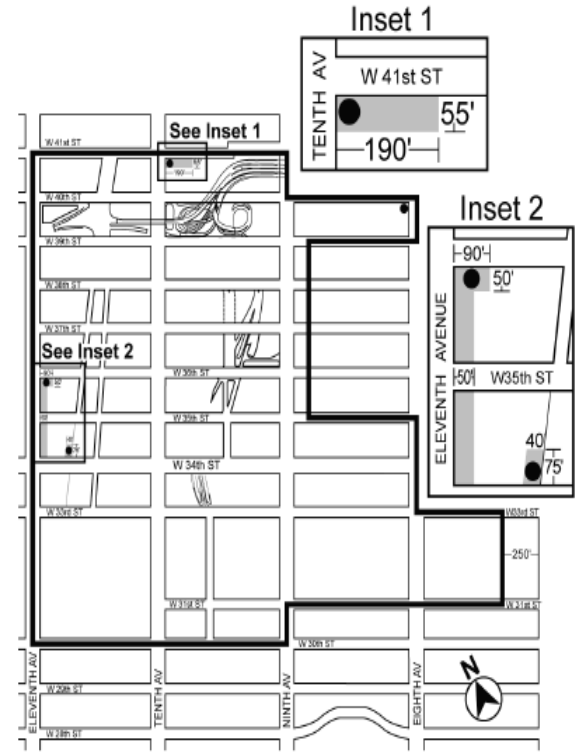


- 10' Sidewalk widening
- 5' Sidewalk widening
- 5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

PROPOSED

Special Hudson Yards District

Zoning Resolution Section: 93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (1/1905)
Map 5: Transit Easements and Subway Entrances

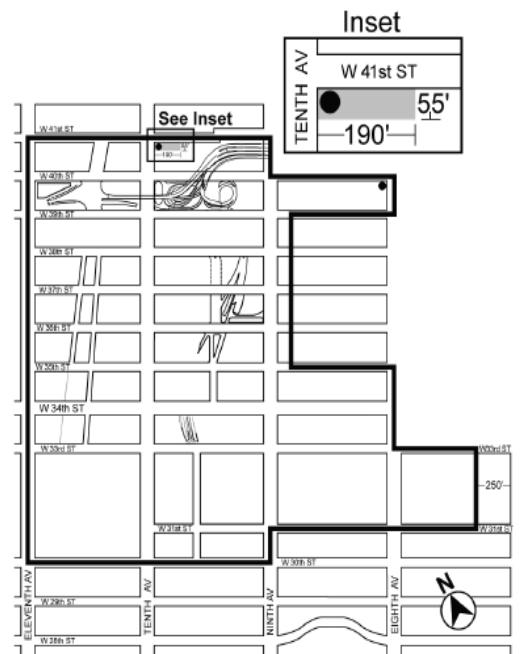


- Special Hudson Yards District
- Transit Easement
- Subway Entrance

EXISTING

Special Hudson Yards District

Zoning Resolution Section: 93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (1/1905)
Map 5: Transit Easement and Subway Entrance



- Special Hudson Yards District
- Transit Easement
- Subway Entrance

PROPOSED

m8-21

CITY PLANNING

NOTICE

**PUBLIC NOTICE OF A SCOPING MEETING
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(CEQR No. 08DCP071X)**

Notice is hereby given that pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) AND 6 NYCRR 617.8 (State Environmental Quality Review) that the New York City department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, has determined that a draft environmental impact statement is to be prepared for the proposed actions related to the redevelopment of Lower Concourse Rezoning and Related Actions, CEQR Number 08DCP071X. The proposal is a Type I action.

The New York City Department of City Planning (DCP) proposes zoning text and map amendments that would affect 30 blocks located in the Mott Haven neighborhood of Bronx Community District 1. The area proposed to be rezoned is generally bounded by East 149th Street and East 144th Street to the north, the Major Deegan Expressway and Park Avenue to the south, Morris Avenue to the east, and the Harlem River to the west.

The proposal includes the following public land-use actions:

Zoning Map Amendments

- Change from M1-2 to C6-2A all or portions of four blocks generally located along the Grand Concourse south of East 144th Street and north of East 138th

Street between Walton Avenue and the Metro North rail right-of-way.

- Change from M2-1 to R7-2/ C2-4 and C4-4 all or portions of two blocks along the Harlem River Waterfront south of East 149th Street and north of the Metro North rail bridge.
- Change from M1-2 and C4-4 to MX (M1-4/ R8A) all or portions of six blocks generally located south of East 149th Street and north of East 140th Street, between Exterior Street and Walton Avenue.
- Change from M1-2 to MX (M1-4/ R6A) all or portions of six blocks in two areas generally located south of East 144th Street, north of East 138th Street between Gerard and Walton Avenues in one area, and located south of East 146th Street and north of East 139th Street, between Canal Place and Rider Avenue.
- Change from M1-2 and M2-1 to MX (M1-4/ R7X) all or portions of seven blocks generally located along East 138th Street between Park and Third Avenues.
- Change from M1-2 to MX (M1-4/ R7A) all or portions of ten blocks generally located along Third, Morris, and Lincoln Avenues between East 144th Street and the Major Deegan Expressway.
- Change from M1-2 and M2-1 to M1-4 portions of five blocks generally located south East 138th Street and north of the Major Deegan Expressway, between Park and Third Avenues.
- Change from M1-2 to C4-4 one block located south East 149th Street and north of East 144th Street, between Morris Avenue and the Metro North rail right-of-way.

Zoning Text Amendments

- Establish a Special Mixed Use District (MX) on all or portions of 25 blocks between Exterior St. and Walton Ave., south of East 149th St. and north of East 138th St., and between Park and Morris Avenues, south of East 146th St. and north of the Major Deegan Expressway.
- Create the Lower Concourse Waterfront Access Plan (WAP) affecting two Harlem River waterfront blocks located between the Harlem River and Exterior Street, south of East 149th Street and north of the Metro North Railroad Bridge over the Harlem River. This area is proposed to be rezoned to R7-2/C2-4 and C4-4 from M2-1, with the exception of the proposed park, which would remain zoned M2-1. The proposed WAP would specify the location of public access areas and visual corridors and apply special bulk regulations to waterfront lots.
- Create the Special Lower Concourse Waterfront District on two Harlem River waterfront blocks extending between the Harlem River and Exterior Street, south of East 149th Street and north of the Metro North Railroad Bridge over the Harlem River. This area is proposed to be rezoned to R7-2/C2-4 and C4-4 from M2-1, with the exception of the proposed park, which would remain zoned M2-1. The special district regulations would modify the restrictions on base and tower heights, maximum tower footprints, and the location of towers. An authorization would be available to allow narrow or shallow lots to waive out of proposed height, bulk, and waterfront open space requirements. The level of the shore public walkway would be required to be raised at least to the height of the Oak Point Rail line for all waterfront properties. Screening requirements would mandate usable floor area facing all waterfront public access areas. Usable floor area would be required for the ground floor facing streets. Restrictions in C2-4 commercial overlays on the location of commercial space in mixed-use buildings would be modified to allow flexibility in locating commercial areas.
- Modify food store regulations. The proposed zoning text amendment would permit food stores of any size as-of-right within the proposed rezoning area. Currently, food stores over 10,000 square feet are only allowed within M1 districts by special permit of the City Planning Commission. Food stores of any size would be allowed as-of-right within M1-4 zoning districts in Bronx Community District 1.
- Establish inclusionary zoning in the rezoning area. The proposed zoning text amendment would apply the Inclusionary Housing program within the rezoning area in the Bronx, Community District 1. New base and bonus FARs would apply to new residential development. Base FARs would apply to developments that do not use the Inclusionary Zoning bonus. The full bonus FAR would apply to buildings that provide 20% of the total new housing floor area as affordable residential floor area in accordance with the Inclusionary Housing program.

City Map Change

- DCP, in conjunction with the Department of Parks and Recreation, is proposing changes to the City Map for the mapping of a new two-acre park located along the Harlem River Waterfront within the rezoning area. The park would be located between the Harlem River and Exterior Street; generally

south of the prolongation of East 146th Street and north of the prolongation of East 144th Street. Although the site is located within the boundaries of the proposed Special Lower Concourse Waterfront District, the special district regulations would not apply. Under the proposed actions, the site would remain zoned M2-1.

The proposed action is intended to provide opportunities for new residential and commercial development, and the enhancement and upgrading of waterfront areas in the South Bronx. The proposed action would create opportunities for new housing development on underutilized and vacant land in this highly transit-accessible location. In addition, the proposed mixed-use districts would permit the continuation of light industrial uses as well as the development of new light industrial uses. Lifting restrictions on the size of food stores within the rezoning area would provide additional opportunities for new grocery stores in the South Bronx, which is currently underserved by such stores. Finally, the action would encourage the development of the under-utilized Harlem River waterfront, extending waterfront access from the Gateway Center area south to the Port Morris community.

The proposed actions are projected to result in development on the 31 projected development sites including an increase of 3,414 dwelling units (591 of which would be affordable pursuant to the city's Inclusionary Housing program), a total of 735,477 square feet of commercial space (571,162 square feet of retail space, 164,275 square feet of hotel space), 63,700 square feet of community facility space, a net reduction of 308,872 square feet of industrial space, and a net reduction of 598,351 of office space. In the future without the proposed action, given the current zoning and commercial and residential housing trends in the area, it is anticipated that the proposed project area would experience nominal growth in commercial and light manufacturing uses. Most of the projected growth is expected to include further development of self-storage facilities, drive-through restaurants, gasoline station and convenient stores, office uses, and warehouses.

The analysis year for the proposed action is 2018.

A public scoping meeting has been scheduled for Thursday, June 19, 2008, beginning at 4:00 P.M., in the cafeteria of Hostos Community College, 3rd Floor, 450 Grand Concourse, Bronx, New York 10451. Written comments will be accepted by the lead agency through the tenth day following the scoping meeting.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may be obtained from the Environmental Assessment and Review Division, New York City Department of City Planning, 22 Reade Street, 4E, New York, New York 10007, Robert Dobruskin, AICP, Director (212) 720-3423; or from the Office of Environmental Coordination, 253 Broadway, 14th Floor, New York, New York 10007, Robert Kulikowski, Ph.D., Director (212) 788-2937.

m20

COMPTROLLER

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Municipal Building, One Centre Street, Room 650 conference room, on Thursday, May 29, 2008 at 11:00 A.M. on the following item:

(1) In the matter of a proposed contract between the Office of the Comptroller and F & C Management Limited, Exchange House, Primrose Street, London EC2A,2NY, U.K. for the provision of convertible bonds investment management services for the Teachers' Retirement System of the City of New York, acting on behalf of said System and such other additional Systems, funds and accounts as may be designated in writing from time to time by the Comptroller. The term of the contract will commence April 1, 2008 and remain in effect through March 31, 2011 with options to renew for one or more additional renewal periods not to exceed six years. The contract amount for investment management services is not to exceed \$1,615,000. The cost of services will be paid from the corpus of the city pension fund. PIN: 015-07810904 FQ.

The proposed contractors were selected pursuant to a competitive sealed proposal process in accordance with Section 3-03 of the PPB Rules.

A copy of the contract, or excerpt thereof, can be seen at the Office of the Comptroller, One Centre Street, Room 650, New York, New York 10007, Monday through Friday excluding holidays commencing on May 20, 2008 through May 29, 2008 between 10:00 A.M. - Noon and 1:30 - 4:30 P.M.

m20

ECONOMIC DEVELOPMENT CORPORATION

■ JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Small Business Services to be held on Monday, June 2, 2008 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 P.M. relative to:

INTENT TO AWARD a concession for operation of the Downtown Manhattan Heliport for a term of ten (10) years to FirstFlight Inc., a Nevada corporation, 236 Sing Sing Road, Horseheads, NY 14845. Compensation to the City will be the greater of the Minimum Annual Guarantee ("MAG") or the Percentage of Gross Receipts ("PGR") as follows: **MAG Year 1: \$1,200,000; MAG Year 2: 1,245,000, MAG Year 3:**

\$1,292,250, MAG Year 4: \$1,341,863 MAG Year 5: \$1,393,956, MAG Year 6: \$1,448,654, MAG Year 7: \$1,506,086, MAG Year 8: \$1,566,390, MAG Year 9: \$1,629,710, MAG Year 10: \$1,696,196. PGR will be paid to the City at the rate of 18% of the first \$5 million of gross receipts ("Base Receipts") plus 25% of gross receipts in excess of the Base Receipts.

Location: A draft copy of the concession agreement may be reviewed on May 23, 2008 through June 2, 2008 between the hours of 10:00 A.M. and 5:00 P.M., excluding weekends and holidays, at NYCEDC located at 110 William Street, 6th Floor, New York, New York 10018. A draft copy of the concession agreement can be obtained at a cost of \$20.50. All payments shall be made at the time of pickup by cash, cashier's check, or bank order made out to the New York City Economic Development Corporation. No personal checks are accepted.

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

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

m16-j2

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, May 27, 2008 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.

m19-23

ENVIRONMENTAL CONTROL BOARD

■ MEETING

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

m19-21

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ PUBLIC HEARING

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

Notice of a Franchise and Concession Review Committee ("FCRC") Public Hearing on Agency Concession Plans pursuant to Section 1-10 of the Concession Rules of the City of New York, to be held on June 2, 2008, commencing at 2:30 P.M., and located at 22 Reade Street, Spector Hall, Manhattan. At this hearing, the FCRC shall further solicit comments about the provisions of the Concession Rules from the vendor community, civic groups and the public at large.

The following agencies submitted Concession Plans: the Department of Parks & Recreation, the Department of Citywide Administrative Services, the Department of Transportation, the Department of Corrections, the Office of Management and Budget, the New York City Economic Development Corporation (on behalf of the Department of Small Business Services), and NYC & Company (on behalf of the Department of Small Business Services).

The portfolio of concessions covered by the Plans includes significant and non-significant existing concessions and anticipated new concessions. Furthermore, the Plans include:

- Department of Parks and Recreation: pushcarts, restaurants, golf courses, marinas, snack bars, tennis professionals, Christmas trees, parking lots.
- Department of Citywide Administrative Services: maritime and non-maritime occupancy permits.
- Department of Transportation: food kiosks, vending machines.
- Department of Corrections: commissary services, food court, lockers
- Office of Management and Budget: vending machines
- New York City Economic Development Corporation (on behalf of the Department of Small Business Service): pier shed, maritime and non-maritime occupancy permits.
- NYC & Company (on behalf of the Department of Small Business Services): marketing, advertising, intellectual property & trademark merchandising.

Interested parties may obtain a copy of the Plans by contacting Christian Stover by phone at (212) 442-6449 or via email at cstover@cityhall.nyc.gov. Hard copies will be provided at a cost of \$.25 per page by check or money order made payable to the NYC Department of Finance. Upon request, a pdf version of the Agency Concession Plans is available free of cost. The FCRC shall consider the issues raised at the public hearing in accordance with the procedures set forth in the Charter under the City Administrative Procedure Act.

m16-j2

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Special Public Meeting on Tuesday, May 27th, 2008 at 11:00 A.M. at 22 Reade Street, Spector Hall, Borough of Manhattan.

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

m16-27

IN REM FORECLOSURE RELEASE BOARD

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the In Rem Foreclosure Release Board will meet on Monday, June 2, 2008 at 10:00 A.M. at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

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

m20-j2

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

PUBLIC HEARINGS

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE ("FCRC") PUBLIC HEARING to be held on Monday, June 2, 2008 commencing at 2:30 P.M. at 22 Reade Street, Borough of Manhattan, in the matters of: (i) a change of control of NEON Transcom, Inc. ("NEON"), and (ii) the proposed Amendment to NEON's Franchise Agreement and Appendix G, "Ownership and Control of franchisee as of the Effective Date and any approved mortgages, pledges and leases" ("proposed Amendment"). Said Franchise Agreement authorizes NEON to install, operate and maintain facilities on, over and under the City's inalienable property to provide Local High Capacity Telecommunications Services. Columbia Transmission Communications Corporation ("Columbia Transcom") was granted a franchise on April 12, 2000. On September 10, 2003, the FCRC approved a change of control of such franchise, by sale of all the stock in Columbia Transcom to NEON Communications, Inc., and the name of the franchisee was changed to NEON Transcom, Inc. On November 10, 2004 the FCRC approved a second change of control whereby NEON Communications, Inc. (parent corporation of the franchisee) became a subsidiary of Globix Corporation ("Globix") with NEON Transcom, Inc. remaining the franchisee. In 2007, Globix changed its name to NEON Communications Group, Inc.

A copy of the existing Franchise Agreement and the proposed Amendment may be viewed at DoITT, 75 Park Place, 9th Floor, New York, New York 10007, commencing on May 12, 2008 through June 2, 2008, between the hours of 9:30 A.M. and 3:30 P.M., excluding Saturdays, Sundays and holidays. Hard copies of the existing Franchise Agreement and proposed Amendment may be obtained, by appointment, at a cost of \$.25 per page. All payments shall be made at the time of pickup by check or money order made out to the New York City Department of Finance. The proposed Amendment may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers by phone at (212) 788-6610 or by email at RChambers@doitt.nyc.gov.

NOTE: Individuals requesting sign language interpreters at the public hearing should contact the Mayor's Office of Contract Services, Public Hearing Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay service.

The Hearing may be cablecast on NYC TV-Channel 74.

m9-30

NOTICE OF A SPECIAL FRANCHISE AND CONCESSION REVIEW COMMITTEE (FCRC) PUBLIC HEARING to be held on Tuesday, May 20, 2008 commencing at 3:00 P.M. and continuing until at least 6:00 P.M. at the New York City College of Technology, 285 Jay Street, Borough of Brooklyn, in the matter of a proposed Franchise Agreement authorizing Verizon New York Inc. to provide Citywide cable television services. The proposed agreement also includes, but is not limited to, provisions regarding consumer protection, public, educational and government channels, and a schedule for deployment and service availability. The term of the agreement as proposed would be twelve (12) years and Verizon New York Inc. would pay 5% of cable service gross revenues to the City of New York.

All persons entitled to notice under Section 894.7 of Title 16 of the New York State Codes, Rules and Regulations shall be given full opportunity to participate in the hearing and to ask questions of the applicant or any other participant in the hearing in accordance with the requirements of said Section 894.7.

Copies of the proposed Franchise Agreement and application are available for public inspection during normal business hours at DoITT, 75 Park Place, 9th Floor, New York, New York 10007 commencing April 29, 2008 through May 20, 2008.

Hard copies of the proposed Franchise Agreement may be obtained, by appointment, at a cost of \$.25 per page. All payments shall be made at the time of pickup by check or money order made out to the New York City Department of Finance. The proposed Franchise Agreement may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers by phone at (212) 788-6610 or by email at RChambers@doitt.nyc.gov

NOTE: Individuals requesting sign language interpreters at the public hearing should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay service.

Recordings of the hearing may be cablecast on NYC TV-Channel 74.

a29-m20

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, **May 20, 2008** 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 08-6693 - Block 78, lot 23-21-47 45th Avenue - Hunters Point Historic District
An Italianate style rowhouse built by Root & Rust in c.1870. Application is to alter the rear facade and construct a rear yard addition. Zoned R6B.

BINDING REPORT
BOROUGH OF QUEENS 08-1461 - Block 4960, lot 1-137-35 Northern Boulevard - Flushing Municipal Courthouse, formerly Flushing Town Hall-Individual Landmark
A Romanesque Revival style courthouse and Town Hall built in 1862. Application is to alter the areaway, install fences, and install a barrier-free access lift.

ADVISORY REPORT
BOROUGH OF BROOKLYN 08-7854 - Block 7777, lot 7777- Ashland Place and Lafayette Avenue - Brooklyn Academy of Music Historic District
Residential thoroughfares developed in the 1850s. Application is to install light poles, tree pits, and alter the sidewalk paving.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-7847 - Block 2121, lot 46-67 Greene Avenue - Fort Greene Historic District
A vacant lot. Application is to legalize excavation work performed without Landmarks Preservation Commission permits and to construct a four-story building. Zoned R6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-6905 - Block 258, lot 17-20-34 Joralemon Street - Brooklyn Heights Historic District
A group of eclectic style brick apartment houses with a central courtyard designed by Alfred White and built in 1890. Application is to construct a garage and park space within the courtyard. Zoned LH1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-6594 - Block 1078, lot 65-523 3rd Street - Park Slope Historic District
A Queen Anne style rowhouse built c.1889. Application is to construct a rear yard addition. Zoned R6B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-7743 - Block 322, lot 35-430 Henry Street - Cobble Hill Historic District
A Greek Revival style rowhouse built c.1840 and altered in the 20th century. Application is to install dormer windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-7753 - Block 5238, lot 66-718 East 18th Street - Fiske Terrace-Midwood Park Historic District
A Colonial Revival style house designed by Benjamin Driesler and built in 1907. Application is to construct a bay window and rear addition. Zoned R1-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-7047 - Block 5180, lot 1-1600 Dorchester Road - Ditmas Park Historic District
A Colonial Revival style house designed by Benjamin Driesler, built in 1904, and enlarged in 1908 by Frank Stanley. Application is to create a curb cut and install a parking pad.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-5646 - Block 179, lot 13-74 Hudson Street - Tribeca West Historic District
A parking lot. Application is to construct a one-story building. Zoned C6-2A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7893 - Block 217, lot 1-250 West Street, aka 30 Hubert Street, aka 398 Washington Street - Tribeca North Historic District
A neo-Renaissance style warehouse designed by William H. Birkmire and built in 1903-1906. Application is to alter the facades, install a cornice windows and storefront infill, and construct a rooftop addition. Zoned C6-3A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6667 - Block 220, lot 36-38-44 Laight Street - Tribeca North Historic District

A Renaissance Revival style warehouse, designed by Clinton and Russell and built in 1896. An application to legalize the construction of a bulkhead and the installation of rooftop HVAC equipment in non-compliance with Certificate of Appropriateness 01-6868 and Miscellaneous/Amendments 03-5245 and the installation of rooftop railings without a Landmarks Preservation Commission permits; and to install new rooftop railing.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-5981 - Block 474, lot 13-55 Mercer Street - SoHo-Cast Iron Historic District
An Italianate style store building designed by Griffith Thomas and built in 1871-72. Application is to modify entrances, to demolish a portion of the rear wall, and to construct rooftop additions, and to legalize the removal of a fire escape without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6497 - Block 511, lot 16-600-602 Broadway, aka 134-136 Crosby Street - SoHo-Cast Iron Historic District
A store building designed by Samuel A. Warner and built in 1883-84. Application is to install rooftop HVAC equipment.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-5063 - Block 519, lot 20-38 King Street - Charlton-King-Vandam Historic District
A Greek Revival style rowhouse built in 1840. Application is to install a new entry door and cornice and paint the front facade.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7129 - Block 615, lot 15-264 West 12th Street - Greenwich Village Historic District
A Greek Revival style rowhouse built in 1841 and altered in the late 19th century. Application is to construct a rear yard addition. Zoned C-6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7305 - Block 566, lot 18-20 East 9th Street - Greenwich Village Historic District
An apartment house built in 1965. Application is to enlarge ground floor window openings.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-4019 - Block 646, lot 57-421-425 West 13th Street - Gansevoort Market Historic District
A neo-Renaissance style warehouse building designed by Hans E. Meyen and built in 1901-1902. Application is to install a new metal canopy and replace existing light fixtures and signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-5803 - Block 820, lot 45-136 Fifth Avenue- Ladies' Mile Historic District
A commercial building built in 1850 and altered in 1982. Application is to install signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7278 - Block 819, lot 59-26-30 West 18th Street - Ladies' Mile Historic District
A through block building designed by Richard Cook and built in 2007. Application is to legalize the installation of a flagpole and banner without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7721 - Block 823, lot 23-29 West 21st Street - Ladies' Mile Historic District
A neo-Renaissance style store and loft building designed by James E. Ware & Sons and built in 1909. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6636 - Block 825, lot 12-30 West 24th Street - Ladies' Mile Historic District
A neo-Gothic style store and loft building designed by Browne & Almiroty and built in 1911. Application is to legalize the installation of light fixtures without Landmarks Preservation Commission permits, and to install two flagpoles and a banner.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7636 - Block 894, lot 37-149 East 38th Street - George S. Bowdoin Stable-Individual Landmark
A Dutch Revival style stable designed by Ralph S. Townsend and built in 1902. Application is to install a bracket sign and plaques. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7772 - Block 1259, lot 29-5-13 West 43rd Street - Century Association Building - Individual Landmark
An Italian Renaissance style clubhouse designed by McKim, Mead and White and built in 1889-1891. Application is to alter an entrance.

ADVISORY REPORT
BOROUGH OF MANHATTAN 08-7104 - Block 1111, lot 1-Central Park, East 102nd Street entrance - Central Park - Scenic Landmark
A playground, originally constructed in 1936 and rebuilt circa 1972, within an English Romantic style public park designed in 1856 by Olmsted and Vaux. Application is to alter a vehicular entrance, pedestrian pathways and surrounding landscaping.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6028 - Block 1383, lot 43-42 East 69th Street - Upper East Side Historic District
A neo-French Renaissance style residence designed by C.P.H. Gilbert and built in 1919-21. Application is to install bollards and security cameras.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7890 - Block 1387, lot 48-40 East 73rd Street - Upper East Side Historic District
A neo-Grec style residence built in 1885-86. Application is to install an areaway fence. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6918 - Block 1392, lot 28-61 East 77th Street - Upper East Side Historic District
A neo-Federal style school building with Beaux-Arts features, designed by Harde and Hasselman, and built in 1916. Application is to create a new window opening.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6703 - Block 1387, lot 36-760 Park Avenue - Upper East Side Historic District
A neo-Renaissance style apartment building designed by W.L. Rouse and L.A. Goldstone and built in 1923-24. Application is to alter window openings and construct a greenhouse addition. Zoned R10.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 06-2657 - Block 1184, lot 99-316 West 75th Street - West End-Collegiate Historic District
A Renaissance Revival style townhouse, designed by C. P.H. Gilbert and built in 1895-1897. Application is to construct a rooftop addition. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-4655 - Block 1250, lot 7502-334 West 89th Street - Riverside-West End Historic District
A Renaissance Revival style rowhouse designed by Ralph S. Townsend and built in 1893-94. Application is to modify the areaway fence.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 08-2767 - Block 5821, lot 2800-4662 Grosvenor Avenue - Fieldston Historic District
A Mid-Twentieth Century Modern style house, designed by Harold J. Rosen, and built 1957-1959. Application is to alter the facades, front entrance and windows. Zoned R1-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 08-3155 - Block 5812, lot 60-4595 Fieldston Road - Fieldston Historic District
A Mediterranean Revival style house, designed by Dwight James Baum and built in 1927-1928. Application is to construct an addition, install a pool and fence and alter the rear yard. Zoned R1-2.

m7-20

NOTICE IS HEREBY GIVEN THAT pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **June 03, 2008** 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 MANHATTAN 08-8617 - Block 617, lot 55-20 7th Avenue - Greenwich Village Historic District
A contemporary institutional building designed by Arthur A. Schiller and Albert Ledner and built in 1962-63. Application is to demolish the existing building and construct a new hospital building on the site pursuant to Section 25-309 of the NYC Administrative Code.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-7642 - Block 253, lot 35-18 Grace Court Alley - Brooklyn Heights Historic District
A brick carriage house built in the 19th century. Application is to construct a rooftop addition. Zoned R6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-4237 - Block 2566, lot 51-155 Noble Street - Greenpoint Historic District
A neo-Gothic style club house building designed by Gustave Erda, and built in 1924. Application is to alter the areaway and install a canopy and signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-7201 - Block 1945, lot 4-367 Waverly Avenue - Clinton Hill Historic District
A one-story commercial building. Application is to modify the existing building and construct a new 3 story addition. Zoned R6B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-8445 - Block 487, lot 16-393 West Broadway - Soho-Cast Iron Historic District
A warehouse designed by J.B. Snook & Sons, and built in 1889-90. Application is to raise the parapet wall and to install new window openings.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7877 - Block 141, lot 28-172 Duane Street - Tribeca West Historic District
An Italianate store and loft building built in 1871-1872 and altered in 1988 by Vincenzo Polsinelli. Application is to construct a four-story plus penthouse and rooftop addition. Zoned C6-2A TMU.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-4746 - Block 745, lot 9-351 West 21st Street - Chelsea Historic District
A Greek Revival style rowhouse built in 1847-48. Application is to construct rooftop and rear yard additions. Zoned R7B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6703 - Block 1387, lot 36-760 Park Avenue - Upper East Side Historic District
A neo-Renaissance style apartment building designed by W.L. Rouse and L.A. Goldstone and built in 1923-24. Application is to alter window openings and construct a greenhouse addition. Zoned R10.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6890 - Block 1382, lot 1-857 Fifth Avenue - Upper East Side Historic District
An apartment building designed by Robert L. Bien and built in 1961. Application is to construct a terrace greenhouse.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-5824 - Block 1196, lot 137-6 West 83rd Street - Upper East Side/Central Park West Historic District
A neo-Grec style rowhouse designed by Christian Blinn and built in 1881-1882. Application is to construct a rear yard addition. Zoned R8B.

m20-j3

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, June 3, 2008**, at **9:30 A.M.**, the Landmarks Preservation Commission will conduct a **continued** public hearing at **Tishman Auditorium, New York University School of Law, Vanderbilt Hall, 40 Washington Square South, Borough of Manhattan**, with respect to the following proposed Historic District. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEM TO BE HEARD

LP-2302 PROPOSED WEST CHELSEA HISTORIC DISTRICT, BOROUGH OF MANHATTAN

Boundary Description

The proposed West Chelsea Historic District consists of the property bounded by a line beginning at the intersection of the northern curblin of West 28th Street and the eastern curblin of the West Side Highway (aka Joe DiMaggio Highway, Twelfth Avenue), extending easterly along the northern curblin of West 28th Street to a point formed by its intersection with a line extending northerly from the eastern property line of 548-552 West 28th Street (aka 547-553 West 27th Street), continuing southerly across the roadbed, along said property line, and across the roadbed to the southern curblin of West 27th Street, easterly along said curblin to a point formed by its intersection with a line extending northerly from the eastern property line of 536-542 West 27th Street, southerly along said property line to the southern property line of 534 West 27th Street, easterly along said property line and the southern property lines of 532 through 516 West 27th Street, to the western property line of 510-514 West 27th Street, northerly along said property line to the southern curblin of West 27th Street, easterly along said curblin to a point formed by its intersection with a line extending northerly from the eastern property line of 510-514 West 27th Street, southerly along said property line to the southern property line of 510-514 West 27th Street, westerly along a portion of said property line to the eastern property line of 513 West 26th Street, southerly along said property line and across the roadbed to the northern curblin of West 26th Street, easterly along said curblin to the western curblin of Tenth Avenue, southerly along said curblin and across the roadbed to the southern curblin of West 25th Street, westerly along said curblin to a point formed by its intersection with a line extending northerly from the eastern property line of 210-218 Eleventh Avenue (aka 564-568 West 25th Street), southerly along said property line to the southern property line of 210-218 Eleventh Avenue (aka 564-568 West 25th Street), westerly along said property line to the eastern curblin of Eleventh Avenue, northerly along said curblin and across the roadbed to the northern curblin of West 25th Street, easterly along said curblin to a point formed by its intersection with the western property line of 551-555 West 25th Street, northerly along said property line to the northern property line of 551-555 West 25th Street, easterly along said property line and the property lines of 549 through 543 West 25th Street to the western property line of 518-534 West 26th Street, northerly along said property line to the southern curblin of West 26th Street, westerly along said curblin and across the roadbed to the western curblin of Eleventh Avenue, southerly along said curblin to a point formed by its intersection with a line extending easterly from the southern property line of 239-243 Eleventh Avenue (aka 600-626 West 26th Street), westerly along said property line to the western property line of 239-243 Eleventh Avenue (aka 600-626 West 26th Street), northerly along said property line to the southern curblin of West 26th Street, westerly along said curblin to the eastern curblin of the West Side Highway (aka Joe DiMaggio Highway, Twelfth Avenue), northerly across the roadbed and along said curblin to the point of the beginning.

m16-j3

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 40 Worth Street, Room 814 commencing at 2:00 P.M on Wednesday, May 28, 2008. Interested Parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

#1 In the matter of a proposed revocable consent authorizing 23rd Street Properties LLC to continue to maintain and use nine (9) lampposts, together with electrical conduits, on the south sidewalk of West 23rd Street between Fifth Avenue and Avenue of the Americas, in the Borough of Manhattan. The proposed revocable consent is for a term of 10 years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2018 - \$1,350/per annum

the maintenance of a security deposit in the sum of \$350, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing The Trustees of Columbia University in the City of New York to construct, maintain and use geothermal wells, together with piping, in the south sidewalk of West 122nd Street, east of Claremont Avenue, in the Borough of Manhattan. For the first year of the consent, the annual period commencing on the date of the final approval of this consent by the Mayor (the "Approval Date") and terminating on June 30, 2008:

\$14,422/annum

For the period July 1, 2008 to June 30, 2009 - \$14,833

For the period July 1, 2009 to June 30, 2010 - \$15,244

For the period July 1, 2010 to June 30, 2011 - \$15,655

For the period July 1, 2011 to June 30, 2012 - \$16,066

For the period July 1, 2012 to June 30, 2013 - \$16,477

For the period July 1, 2013 to June 30, 2014 - \$16,888

For the period July 1, 2014 to June 30, 2015 - \$17,299

For the period July 1, 2015 to June 30, 2016 - \$17,710

For the period July 1, 2016 to June 30, 2017 - \$18,121

For the period July 1, 2017 to June 30, 2018 - \$18,532

the maintenance of a security deposit in the sum of \$18,600, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing Mount Sinai School of Medicine of New York University to continue to maintain and use light poles, together with electrical conduits, on and in the sidewalk area of the north side of East 98th Street and on the south side of East 99th Street, east of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2008 to June 30, 2018 - \$1,350/per annum

the maintenance of a security deposit in the sum of \$18,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing 203 East 72nd Street Corp. to maintain and use electrical conduits and six (6) lampposts on the north sidewalk of East 72nd Street east of Third Avenue, in front of 1251-1265 Third Avenue (a/k/a 201-207 East 72nd Street), in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2018 - \$900/per annum

the maintenance of a security deposit in the sum of \$1,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing Ten-Eighty Apartment Corporation to continue to maintain and use planted areas on the east sidewalk of Fifth Avenue, north of East 89th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2018 - \$460/per annum

the maintenance of a security deposit in the sum of \$6,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$50,000.

m8-28

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

SALE BY SEALED BID

SALE OF: MISCELLANEOUS SCRAP METAL

S.P.#: 08019

DUE: June 2, 2008

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
DCAS, Division of Municipal Supply Services, 18th Floor, Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.

m16-30

ENVIRONMENTAL PROTECTION

■ SOLICITATIONS

Goods

SALE OF TIMBER AND FIREWOOD AT THE NEVERSINK RESERVOIR - FOREST MANAGEMENT PROJECT #5022 – Competitive Sealed Bids – PIN# LM20085022 – DUE 06-12-08 AT 4:00 P.M. – Project includes selling approximately 202,798 board feet (International 1/4" Rule) of standing mixed hardwood and softwood timber and 89.5 cords of mostly hardwood cordwood.

Contractors are required to attend one of two public showings in order to receive a bid package that is necessary to submit a valid bid. The mandatory showings will be held on Thursday, May 29, 2008 at 2:00 P.M. and Friday, May 30, 2008 at 10:00 A.M. Required Contractor Qualification:

1. The Contractor must maintain the required Workers Compensation and Disability Benefits Coverage.
2. The Contractor shall furnish and maintain a Commercial General Liability Insurance Policy.
3. The Contractor should have demonstrated experience in harvesting timber and have the necessary equipment to do so.

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.

NYCDEP, P.O. Box 358, Grahamsville, New York 12740.
Nathan Hart (845) 985-2275 ext. 129.

☛ m20-22

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

■ AUCTION

PUBLIC AUCTION SALE NUMBER 1132

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is May 19, 2008 from 10:00 A.M. - 2:00 P.M. Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on May 20, 2008 at approximately 9:00 A.M. Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck St.)

For information concerning the inspection and sale of these items, call the Property Clerk Division's Auction Unit information line (646) 610-4614.

m7-20



New Today...

first time procurement ads appearing today!

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. As part of this effort, the City is pleased to announce the following contracting opportunities for construction/construction services and construction-related services.

AMT: \$149,600.00 – TO: Quartet Sales, Inc., 436 Ferry Street, Newark, NJ 07105.

☛ m20

CITY UNIVERSITY

■ SOLICITATIONS

Services

CSI CAMPUS TO S.I. FERRY TERMINAL SHUTTLE BUS SERVICE – Competitive Sealed Bids – PIN# 0423451JEB – DUE 06-19-08 AT 11:00 A.M. – Provide scheduled shuttle bus service between the campus of the College of Staten Island and the Staten Island Ferry Terminal. Mandatory pre-bid site visit: Thursday, June 5, 2008 at 10:00 A.M. at Building 3A, Room 102. Bids are due 11:00 A.M. on June 19th, 2008.

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.

College of Staten Island, Purchasing Department, 2800 Victory Boulevard, Building 3A-102, Staten Island, New York 10314. Sandra Lebow (718) 982-2450. Please fax your request to (718) 982-2456.

☛ m20

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

FISH, FRESH AND FROZEN – Competitive Sealed Bids – PIN# 8570801231 – DUE 05-23-08 AT 10:00 A.M.

Department of Citywide Administrative Services, Office of Vendor Relations, 1 Centre Street, Room 1800, New York, NY 10007. Jeanette Megna (212) 669-8610.

☛ m20

EGGS, SHELL, FRESH – Competitive Sealed Bids – PIN# 8570801284 – DUE 05-23-08 AT 10:00 A.M.

Department of Citywide Administrative Services, Office of Vendor Relations, 1 Centre Street, Room 1800, New York, NY 10007. Jeanette Megna (212) 669-8610.

☛ m20

LAMPS, LARGE – Competitive Sealed Bids – PIN# 8570801076 – DUE 06-05-08 AT 10:30 A.M.
● LIFT SYSTEM, MOBILE, 4 POST, 24 VOLT DSNY RE-AD – Competitive Sealed Bids – PIN# 8570801290 – DUE 06-04-08 AT 10:30 A.M.

Department of Citywide Administrative Services, Office of Vendor Relations, 1 Centre Street, Room 1800, New York, NY 10007. Jeanette Megna (212) 669-8610.

☛ m20

■ AWARDS

Goods

LADDER, WOOD, STEP – Competitive Sealed Bids – PIN# 857800612 – AMT: \$57,830.40 – TO: Kass Industrial Supply Corp., 1715 Washington Avenue, Bronx, NY 10457.
● GLOVES: STERILE/NON-STERILE – Competitive Sealed Bids – PIN# 857701489 – AMT: \$49,140.00 – TO: Arj Med, Inc., 37 West 39th Street, Suite 706, New York, NY 10018.
● BW TECHNOLOGIES GAS DETECTORS AND PARTS – Competitive Sealed Bids – PIN# 857701490 – AMT: \$342,000.00 – TO: The Olympic Glove and Safety Co., Inc., 75 Main Avenue, P.O. Box 9410, Elmwood Park, NJ 07407.
● MUGS: POLYPROPYLENE HOT/COLD DOC RE-AD – Competitive Sealed Bids – PIN# 857800813 –

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

■ SOLICITATIONS

Services

INTERACTIVE WHITE BOARDS – RFB – PIN# B0751040 – DUE 05-28-08 AT 5:00 P.M. – Bid opening: Thursday, May 29th, 2008 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.
 NYCDOE, Division of Contracts and Purchasing, Room 1201 65 Court Street, Brooklyn, NY 11201, (718) 935-2300
<http://schools.nyc.gov/dcp>

☛ m20

HEALTH AND HOSPITALS CORPORATION

■ SOLICITATIONS

Goods

WHITACRE 25G X 5 LONG LENGTH SPINAL NEEDLE – Competitive Sealed Bids – PIN# 231-08-091 – DUE 05-30-08 AT 11:00 A.M. – For Woodhull Medical and Mental Health Center, Anesthesiology and Pain Management Department.
● CYLINDER RACKS – Competitive Sealed Bids – PIN# 231-08-090 – DUE 05-30-08 AT 10:00 A.M. For Woodhull Medical and Mental Health Center, Respiratory Care Department.

Bid document fee \$25.00 per set (check or money order), non-refundable, made payable to NYCHHC.

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.

Cumberland Diagnostic and Treatment Center, Rm. C-39 100 North Portland Avenue, Brooklyn, NY 11205.
 Abraham Caban (718) 260-7593, abraham.caban@nychhc.org

☛ m20

BLANKET ORDER FOR MEDICAL SURGICAL SUPPLIES – Competitive Sealed Bids – PIN# 222080107 – DUE 06-01-08 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.

Generations+/Northern Manhattan Health Network c/o Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Erik Bryan, Procurement Analyst II, (718) 579-5532.

☛ m20

MAINTENANCE/PLUMBING SHOP – Competitive Sealed Bids – PIN# 22208108 – DUE 06-01-08 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.

Generations+/Northern Manhattan Health Network c/o Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Karen Crawford, Procurement Analyst II, (718) 579-5308.

☛ m20

REPAIR ITEMS NEEDED FROM PLUMBING SHOP – Competitive Sealed Bids – PIN# 11208130 – DUE 06-03-08 AT 11:00 A.M. – For necessary and urgent repair located through-out the campus.

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.

Generations+/Northern Manhattan Health Network for Metropolitan Hospital Center c/o Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451.

Giselle Rodriguez (718) 579-5087.

☛ m20

Services

LABORATORY SERVICES – Competitive Sealed Bids – PIN# 231-08-092 – DUE 05-30-08 AT 2:00 P.M. – For Woodhull Medical and Mental Health Center, Pathology Department, located at 760 Broadway, Brooklyn, NY 11206. Bid document fee \$25.00 per set (check or money order), non-refundable, made payable to NYCHHC.

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.

Cumberland Diagnostic and Treatment Center, Rm. C-39 100 North Portland Avenue, Brooklyn, NY 11205.
 Abraham Caban (718) 260-7593, abraham.caban@nychhc.org

☛ m20

FIRE EVALUATION OF 150 FIRE DOORS – Competitive Sealed Bids – PIN# 11208127 – DUE 05-22-08 AT 3:00 P.M. – A pre-bid conference will be held on 5/28/2008 at 10:00 A.M. at Harlem Hospital Center, 506 Lenox Avenue, New York, NY 10037, in the Old Nurses Residence, Third Floor Conference Room.

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.

Generations+/Northern Manhattan Health Network for Harlem Hospital c/o Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451.

Junior Cooper (718) 579-5096.

☛ m20

Construction/Construction Services

RADIOLOGY SCHOOL LAB CONSTRUCTION – Competitive Sealed Bids – PIN# 231-08-093 – DUE 06-06-08 AT 10:00 A.M. – For Woodhull Medical and Mental Health Center, Radiology Department, located at 760 Broadway, Brooklyn, NY 11206. Mandatory site visits scheduled June 2, 2008 at 10:00 A.M. or 11:00 A.M. at Woodhull Medical and Mental Health Center, 760 Broadway, Brooklyn, NY 11206, Rm. 1BC04. All questions are due 6-3-08 by e-mail to Jackie Gelly at Jackie.Gelly@nychhc.org. Bid document fee of \$25.00 per set (check or money order), non-refundable, made payable to NYCHHC.

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.

Cumberland Diagnostic and Treatment Center, Rm. C-39 100 North Portland Avenue, Brooklyn, NY 11205.
 Abraham Caban (718) 260-7593, abraham.caban@nychhc.org

☛ m20

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ AWARDS

Services (Other Than Human Services)

GERIATRIC MENTAL HEALTH INITIATIVE – BP/City Council Discretionary – PIN# 08PO178101R0X00 – AMT: \$100,000.00 – TO: Spanish Speaking Elderly Council - Raices, Inc., 460 Atlantic Avenue, Brooklyn, NY 11217.

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HOUSING AUTHORITY

PURCHASING DIVISION

■ SOLICITATIONS

Goods

FURNISH PLUMBING GATE VALVES – Competitive Sealed Bids – RFQ #5564 HS – DUE 06-11-08 AT 10:30 A.M.

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

Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Harvey Sherkman (718) 707-5466.

☛ m20

HOUSING PRESERVATION & DEVELOPMENT

■ AWARDS

Services (Other Than Human Services)

LABORATORY AND FIELD TESTING SERVICES – Small Purchase – PIN# 80608K806104 – AMT: \$100,000.00 – TO: Enviro-Probe, Inc., 3830 Park Avenue, Edison, NJ 08820.
● LABORATORY AND FIELD TESTING SERVICES – Small Purchase – PIN# 80608K806103 – AMT: \$100,000.00 – TO: International Asbestos Testing Laboratories, Inc., 9000 Commerce Parkway, Suite B, Mount Laurel, NJ 08054.

☛ m20

OFF-TRACK BETTING

PURCHASING DEPARTMENT

■ SOLICITATIONS

Goods

BUILDING SUPPLIES – Competitive Sealed Bids – PIN# 0875770937 – DUE 06-04-08 AT 2:30 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.

Off-Track Betting Corporation, Purchasing Department 1501 Broadway, 10th Floor, New York, NY 10036. Danielle Narvaez (212) 221-5200 ext. 1-5241#.

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SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

NEW KITCHEN RENOVATION/REHABILITATION OF 1ST, 4TH, AND 5TH FLOORS – Competitive Sealed Bids – PIN# SCA08-11965D-1 – DUE 06-09-08 AT 11:00 A.M. – Young Women's Leadership Academy (Queens). Project Range: \$14,930,000.00 to \$15,720,000.00. Non-refundable bid document charge: \$250.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be Pre-Qualified by the SCA.

Pre-bid meeting date: May 28, 2008 at 11:00 A.M. at Young Women's Leadership Academy, 2315 Newtown Avenue, Astoria, NY 11102, meet at the Custodian Office.

Limited List: Bids will only be accepted from the following Construction Managers/Prime General Contractors (See Attached List):
 Bri-Den Construction Co., Lo Sardo General Contractors, Whitestone Construction, EMB Contracting, B.G. National Plumbing and Heating, Kafka Construction, Inc., J. Petrocelli Contracting, Inc., Stonewall Contracting Corp., Komi Construction, Inc., Rockmore Contracting Corp., Stalco Construction, Inc., WDF, Inc., Micron General Contractors, Inc., AMCI Construction, Inc., Champion Construction Corp., Orba Construction Corp., P&K Contracting, TNS Management Services, Inc.

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

School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101 (718) 752-5843.

☛ m20-27

ELEVATOR UPGRADE – Competitive Sealed Bids – PIN# SCA08-11855D-1 – DUE 06-06-08 AT 11:30 A.M. – Three (3) Various Schools (Brooklyn). Project Range: \$2,430,000.00 to \$2,560,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101 (718) 752-5843.

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TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

■ SOLICITATIONS

Goods

UPHOLSTERED TOLLBOOTH STOOLS – Competitive Sealed Bids – PIN# WH135900000 – DUE 06-04-08 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.

Triborough Bridge and Tunnel Authority, 2 Broadway, Bid Suite, New York, NY 10004, Bid Administration, (646) 252-7094, vprocure@mtabt.org All bids must be delivered to the 2 Broadway, Bid Suite, located at the 3 Stone Street entrance. Please allow extra time for delivery.

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PROCUREMENT

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. As part of this effort, the City is pleased to announce the following contracting opportunities for construction/construction services and construction-related services.

CITY UNIVERSITY

■ SOLICITATIONS

Services

CSI CAMPUS TO S.I. FERRY TERMINAL SHUTTLE BUS SERVICE – Competitive Sealed Bids – PIN# 0423451JEB – DUE 06-19-08 AT 11:00 A.M. – Provide scheduled shuttle bus service between the campus of the College of Staten Island and the Staten Island Ferry Terminal. Mandatory pre-bid site visit: Thursday, June 5, 2008 at 10:00 A.M. at Building 3A, Room 102. Bids are due 11:00 A.M. on June 19th, 2008.

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.

College of Staten Island, Purchasing Department, 2800 Victory Boulevard, Building 3A-102, Staten Island, New York 10314. Sandra Lebow (718) 982-2450. Please fax your request to (718) 982-2456.

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CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

FISH, FRESH AND FROZEN – Competitive Sealed Bids – PIN# 8570801231 – DUE 05-23-08 AT 10:00 A.M.

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

Department of Citywide Administrative Services Office of Vendor Relations, 1 Centre Street, Room 1800 New York, NY 10007. Jeanette Megna (212) 669-8610.

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EGGS, SHELL, FRESH – Competitive Sealed Bids – PIN# 8570801284 – DUE 05-23-08 AT 10:00 A.M.

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

Department of Citywide Administrative Services Office of Vendor Relations, 1 Centre Street, Room 1800 New York, NY 10007. Jeanette Megna (212) 669-8610.

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LAMPS, LARGE – Competitive Sealed Bids – PIN# 8570801076 – DUE 06-05-08 AT 10:30 A.M.
● LIFT SYSTEM, MOBILE, 4 POST, 24 VOLT DSNY RE-AD – Competitive Sealed Bids – PIN# 8570801290 – DUE 06-04-08 AT 10:30 A.M.

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

Department of Citywide Administrative Services Office of Vendor Relations, 1 Centre Street, Room 1800 New York, NY 10007. Jeanette Megna (212) 669-8610.

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■ AWARDS

Goods

LADDER, WOOD, STEP – Competitive Sealed Bids – PIN# 857800612 – AMT: \$57,830.40 – TO: Kass Industrial Supply Corp., 1715 Washington Avenue, Bronx, NY 10457.
● GLOVES: STERILE/NON-STERILE – Competitive Sealed Bids – PIN# 857701489 – AMT: \$49,140.00 – TO: Arj Med, Inc., 37 West 39th Street, Suite 706, New York, NY 10018.

Services

REPAIR AND REFURBISH USED PORTABLE METAL DEPOSITORY CABINETS – Competitive Sealed Bids – PIN# 08FIN2820000 – DUE 06-12-08 AT 3:00 P.M. – A pre-bid conference is scheduled for 05/28/08 at 10:30 A.M. Reservations must be made with Robin Golubow, Contract Manager at (646) 252-7340 no later than noon the preceding work day.

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.

Triborough Bridge and Tunnel Authority, 2 Broadway, Bid Suite, New York, NY 10004, Bid Reception Desk, (646) 252-6101 vprocure@mtabt.org. Call for fee.

All bids must be delivered to the 2 Broadway, Bid Suite, located at the 3 Stone Street entrance. Please allow extra time for delivery.

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● BW TECHNOLOGIES GAS DETECTORS AND PARTS – Competitive Sealed Bids – PIN# 857701490 – AMT: \$342,000.00 – TO: The Olympic Glove and Safety Co., Inc., 75 Main Avenue, P.O. Box 9410, Elmwood Park, NJ 07407.

● MUGS: POLYPROPYLENE HOT / COLD DOC RE-AD – Competitive Sealed Bids – PIN# 857800813 – AMT: \$149,600.00 – TO: Quartet Sales, Inc., 436 Ferry Street, Newark, NJ 07105.

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■ VENDOR LISTS

Goods

ACCEPTABLE BRAND LIST – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

- Mix, Biscuit - AB-14-1:92
- Mix, Bran Muffin - AB-14-2:91
- Mix, Corn Muffin - AB-14-5:91
- Mix, Pie Crust - AB-14-9:91
- Mixes, Cake - AB-14-11:92A
- Mix, Egg Nog - AB-14-19:93
- Canned Beef Stew - AB-14-25:97
- Canned Ham Shanks - AB-14-28:91
- Canned Corned Beef Hash - AB-14-26:94
- Canned Boned Chicken - AB-14-27:91
- Canned Corned Beef - AB-14-30:91
- Canned Ham, Cured - AB-14-29:91
- Complete Horse Feed Pellets - AB-15-1:92
- Canned Soups - AB-14-10:92D
- Infant Formula, Ready to Feed - AB-16-1:93
- Spices - AB-14-12:95
- Soy Sauce - AB-14-03:94
- Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

j4-jy17

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:

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

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8562.

j4-jy17

OPEN SPACE FURNITURE SYSTEMS - CITYWIDE – In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8562.

j4-jy17

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

■ SOLICITATIONS

Services

INTERACTIVE WHITE BOARDS – RFB – PIN# B0751040 – DUE 05-28-08 AT 5:00 P.M. – Bid opening: Thursday, May 29th, 2008 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.

NYCDOE, Division of Contracts and Purchasing, Room 1201 65 Court Street, Brooklyn, NY 11201, (718) 935-2300 <http://schools.nyc.gov/dcp>

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FINANCIAL INFORMATION SERVICES AGENCY

■ INTENT TO AWARD

Services (Other than Human Services)

THE CITY OF NEW YORK'S FINANCIAL MANAGEMENT SYSTEM – Sole Source – PIN# 12709EX00090 – DUE 05-27-08 AT 10:00 A.M. – Enter into a negotiated acquisition extension with CGI Technologies

and Solutions, Inc. for the continued support of the technical infrastructure, modification of the baseline application, and in the assistance with implementing the ADVANTAGE 3 upgraded application software for The City of New York's Financial Management System. In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, FISA intends to use the negotiated acquisition process to extend the above subject contract term to ensure continuity of our financial management system. The term of the contract is projected to be for seventeen years, from July 1, 2008 to December 31, 2025.

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. *Financial Information Services Agency, 450 West 33rd Street, 4th Floor, New York, NY 10001-2603. Marisol Cintron (212) 857-1540.*

m19-23

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-3863.

j1-d31

SOLICITATIONS

Goods

WHITACRE 25G X 5 LONG LENGTH SPINAL NEEDLE – Competitive Sealed Bids – PIN# 231-08-091 – DUE 05-30-08 AT 11:00 A.M. – For Woodhull Medical and Mental Health Center, Anesthesiology and Pain Management Department.
● CYLINDER RACKS – Competitive Sealed Bids – PIN# 231-08-090 – DUE 05-30-08 AT 10:00 A.M. For Woodhull Medical and Mental Health Center, Respiratory Care Department.

Bid document fee \$25.00 per set (check or money order), non-refundable, made payable to NYCHHC.

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. *Cumberland Diagnostic and Treatment Center, Rm. C-39 100 North Portland Avenue, Brooklyn, NY 11205. Abraham Caban (718) 260-7593, abraham.caban@nychhc.org*

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BLANKET ORDER FOR MEDICAL SURGICAL SUPPLIES – Competitive Sealed Bids – PIN# 222080107 – DUE 06-01-08 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. *Generations+/Northern Manhattan Health Network c/o Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Erik Bryan, Procurement Analyst II, (718) 579-5532.*

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MAINTENANCE/PLUMBING SHOP – Competitive Sealed Bids – PIN# 22208108 – DUE 06-01-08 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. *Generations+/Northern Manhattan Health Network c/o Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Karen Crauford, Procurement Analyst II, (718) 579-5308.*

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REPAIR ITEMS NEEDED FROM PLUMBING SHOP – Competitive Sealed Bids – PIN# 11208130 – DUE 06-03-08 AT 11:00 A.M. – For necessary and urgent repair located throughout the campus.

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. *Generations+/Northern Manhattan Health Network for Metropolitan Hospital Center c/o Lincoln Hospital Center 234 East 149th Street, Bronx, NY 10451. Giselle Rodriguez (718) 579-5087.*

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Services

LABORATORY SERVICES – Competitive Sealed Bids – PIN# 231-08-092 – DUE 05-30-08 AT 2:00 P.M. – For Woodhull Medical and Mental Health Center, Pathology Department, located at 760 Broadway, Brooklyn, NY 11206. Bid document fee \$25.00 per set (check or money order), non-refundable, made payable to NYCHHC.

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. *Cumberland Diagnostic and Treatment Center, Rm. C-39 100 North Portland Avenue, Brooklyn, NY 11205. Abraham Caban (718) 260-7593, abraham.caban@nychhc.org*

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FIRE EVALUATION OF 150 FIRE DOORS – Competitive Sealed Bids – PIN# 11208127 – DUE 05-22-08 AT 3:00 P.M. – A pre-bid conference will be held on 5/28/2008 at 10:00 A.M. at Harlem Hospital Center, 506 Lenox Avenue, New York,

NY 10037, in the Old Nurses Residence, Third Floor Conference Room.

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. *Generations+/Northern Manhattan Health Network for Harlem Hospital c/o Lincoln Hospital Center 234 East 149th Street, Bronx, NY 10451. Junior Cooper (718) 579-5096.*

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FURNISH AND INSTALL HEATING COILS AT HARLEM HOSPITAL CENTER – Competitive Sealed Bids – PIN# 11208128 – DUE 06-02-08 AT 3:00 P.M. – A pre-bid conference will be held on May 22nd at 9:30 A.M. at Harlem Hospital Center, 506 Lenox Avenue, New York, NY 10037, in the Old Nurses Residence, 3rd Floor Conference Room.

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. *Generations+/Northern Manhattan Health Network for Metropolitan Hospital Center c/o Lincoln Hospital Center 234 East 149th Street, Bronx, NY 10451. Giselle Rodriguez (718) 579-5087.*

m19-j2

Construction / Construction Services

RADIOLOGY SCHOOL LAB CONSTRUCTION – Competitive Sealed Bids – PIN# 231-08-093 – DUE 06-06-08 AT 10:00 A.M. – For Woodhull Medical and Mental Health Center, Radiology Department, located at 760 Broadway, Brooklyn, NY 11206. Mandatory site visits scheduled June 2, 2008 at 10:00 A.M. or 11:00 A.M. at Woodhull Medical and Mental Health Center, 760 Broadway, Brooklyn, NY 11206, Rm. 1BC04. All questions are due 6-3-08 by e-mail to Jackie Gelly at Jackie.Gelly@nychhc.org. Bid document fee of \$25.00 per set (check or money order), non-refundable, made payable to NYCHHC.

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. *Cumberland Diagnostic and Treatment Center, Rm. C-39 100 North Portland Avenue, Brooklyn, NY 11205. Abraham Caban (718) 260-7593, abraham.caban@nychhc.org*

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HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

SOLICITATIONS

Human / Client Service

NEW YORK/NEW YORK III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO0763 – DUE 02-13-09 AT 3:00 P.M. – The New York City Department of Health and Mental Hygiene (DOHMH) is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York/New York III Supportive Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. Beginning on February 16, 2007, RFPs may be picked up in person at the address below, between the hours of 10:00 A.M. and 4:00 P.M. on business days only. The RFP is also on line at: <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynycongregate-20070117-form.shtml> A pre-proposal conference will be held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, NY. Any questions regarding this RFP must be sent in writing in advance to Karen Mankin at the above address or fax to (212) 219-5890. All questions submitted will be answered at the Pre-Proposal conference. All proposals must be hand delivered at the Agency Chief Contracting Officer, Room 812, New York, NY 10013.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organizations, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Health and Mental Hygiene, 93 Worth Street, Room 812 New York, NY 10013. Karen Mankin (212) 219-5873 kmankin@health.nyc.gov*

f16-jy30

AWARDS

Services (Other Than Human Services)

GERIATRIC MENTAL HEALTH INITIATIVE – BP/City Council Discretionary – PIN# 08PO178101R0X00 – AMT: \$100,000.00 – TO: Spanish Speaking Elderly Council - Raices, Inc., 460 Atlantic Avenue, Brooklyn, NY 11217.

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HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human / Client Service

SAFE HAVEN OPEN-ENDED RFP – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-08S-04-1164 – DUE 08-27-10 – The Department of Homeless Services has issued an Open Ended Request for Proposals (PIN 071-08S-04-1164) as of August 27, 2007 seeking appropriately qualified vendors to develop and operate a stand-alone Safe Haven for chronic street homeless single adults and/or adult couples without minor children.

There is no due date for proposals under this RFP. Proposals will be reviewed by the Department as they are received and

contracts will be awarded on an on-going basis until the Department's needs are met.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004. Suellen Schulman (212) 361-8400, sschulma@dhs.nyc.gov*

a27-f12

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 01-02-09 AT 2:00 P.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Request for proposals is also available on-line at www.nyc.gov/cityrecord

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004. Marta Zmoira (212) 361-0888, mzoita@dhs.nyc.gov*

f29-d31

HOUSING AUTHORITY

CAPITAL PROJECTS DIVISION

SOLICITATIONS

Construction / Construction Services

BRICK REPAIR AT VARIOUS LOCATIONS (BROOKLYN/STATEN ISLAND) B – Competitive Sealed Bids – PIN# BW7023195 – DUE 06-06-08 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Housing Authority, 90 Church Street, 11th Floor. Gloria Guillo, (212) 306-3121, gloria.guillo@nycha.nyc.gov*

m16-22

PURCHASING DIVISION

SOLICITATIONS

Goods

FURNISH PLUMBING GATE VALVES – Competitive Sealed Bids – RFQ #5564 HS – DUE 06-11-08 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Harvey Sherkman (718) 707-5466.*

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HOUSING PRESERVATION & DEVELOPMENT

AWARDS

Services (Other Than Human Services)

LABORATORY AND FIELD TESTING SERVICES – Small Purchase – PIN# 80608K806104 – AMT: \$100,000.00 – TO: Enviro-Probe, Inc., 3830 Park Avenue, Edison, NJ 08820.
● LABORATORY AND FIELD TESTING SERVICES – Small Purchase – PIN# 80608K806103 – AMT: \$100,000.00 – TO: International Asbestos Testing Laboratories, Inc., 9000 Commerce Parkway, Suite B, Mount Laurel, NJ 08054.

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JUVENILE JUSTICE

SOLICITATIONS

Human / Client Service

CORRECTION: PROVISION OF NON-SECURE DETENTION CENTERS – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13007DJJ001 – DUE 11-14-08 AT 3:00 P.M. – CORRECTION: The NYC Department of Juvenile Justice (DJJ) is seeking one or more appropriately qualified vendors to provide non-secure detention services for youth. Services shall include, but not be limited to, custody, basic youth care, food, clothing, shelter, education, health care, recreation, court related services, social work and case management services, social skills instruction, group sessions and monitoring and supervision of these services. In addition, the contract will require that a defibrillator shall be located in each program facility and that all staff requiring CPR training shall be certified in use of said defibrillator.

Each program facility will provide at least 10 and no more than 12 beds in accordance with the applicable regulations promulgated by the New York State Office of Children and Family Services (NYS OCFS), 9 N.Y.C.R.R. Section 180 et seq. The Department is seeking to provide services at facilities that will be operational at any time from January 1, 2007 to December 31, 2010. A vendor may submit an offer for more than one Facility Option. Current Agency vendors operating non-secure group homes that have contracts expiring in calendar year 2006 are urged to respond to this solicitation.

All program facilities shall be appropriately equipped to provide services for male or female youth as required by the Department, and be located in one of the five boroughs. The term of the contracts awarded from this solicitation will be for three years and will include an additional three-year option to renew. The anticipated maximum average annual funding available for each contract will be \$1,067,000, excluding start-up costs. Proposed start-up costs will be considered in addition to the proposed annual line item budget. Greater consideration will be given to applicants offering more competitive prices. If your organization is interested in being considered for award of the subject contract, please hand deliver a written expression of interest addressed to my attention at 110 William Street, 13th Floor, New York, NY 10038. The expression of interest should specifically address the following:

1. Indicate each program facility for which the vendor is submitting.
2. Describe each proposed facility, its location, and proposed date of operation.
3. Attach appropriate documentation demonstrating the current use of each proposed facility and the vendor's site control of the facility for a period of at least 3 years.
4. For each proposed facility,
 - a) Indicate the number of beds to be provided and demonstrate that the facility has the capacity to provide the indicated number of beds.
 - b) Demonstrate that the facility will be appropriately equipped to provide services for male or female youth.
5. Demonstrate the vendor's organizational capability to:
 - a) Provide the indicated number of beds at each proposed facility. (If the vendor is a current provider, also demonstrate the capability to provide the indicated number of beds in addition to those already provided.)
 - b) Ensure that each proposed facility will be fully operational by required date in accordance with the applicable regulations promulgated by the New York State Office of Children and Family Services (NYS OCFS), 9 N.Y.C.R.R. Section 180 et seq.
6. Demonstrate the quantity and quality of the vendor's successful relevant experience.
7. Attach for each proposed facility three-year annual line item operating budget. Include staffing details. Proposed start up costs should be included in addition to the proposed three-year annual line item operating budget.

All expressions of interest received in the manner set forth will be reviewed to determine if they are responsive to the material requirements of this solicitation. Expressions of interest determined to be non-responsive will not be further considered. Expressions of interest determined to be responsive will be considered in terms of the following factors:

- Appropriateness of each proposed facility.
- Demonstrated site control of each proposed facility.
- Demonstrated level of organizational capability to provide the proposed number of beds and to ensure that each proposed facility is fully operational by the applicable requisite date.
- Demonstrated quantity and quality of successful relevant experience.
- Annual budget amount and cost effectiveness of the budget.

The Department will enter into negotiations with the vendor(s) determined to be the best qualified at the time of evaluation, based on consideration of the above-cited factors. A contract will be awarded to the responsible vendor(s) whose offer(s) is/are determined to be the most advantageous to the City, taking into consideration the price and the other factors set forth in this solicitation. In the case that a vendor is eligible for award of more than one program facility, the Department reserves the right, based upon the vendor's demonstrated organizational capability and the best interest of the City, respectively, to determine how many and for which program facility(ies) the vendor will be awarded a contract.

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 Juvenile Justice, 110 William Street
20th Floor, New York, NY 10038.
Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

n20-13

OFF-TRACK BETTING

PURCHASING DEPARTMENT

■ SOLICITATIONS

Goods

BUILDING SUPPLIES – Competitive Sealed Bids – PIN# 0875770937 – DUE 06-04-08 AT 2:30 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.
Off-Track Betting Corporation, Purchasing Department
1501 Broadway, 10th Floor, New York, NY 10036.
Danielle Narvaez (212) 221-5200 ext. 1-5241#

m20

PARKS AND RECREATION

CAPITAL PROJECTS DIVISION

■ INTENT TO AWARD

Construction Related Services

DESIGN AND CONSTRUCTION SUPERVISION SERVICES – Sole Source – Available only from a single source – PIN# 8462007M271DC1 – DUE 05-28-08 AT 4:30 P.M. – The Department of Parks and Recreation, Capital Projects Division, intends to enter into Sole Source negotiations with Harlem RBI, to provide Design and Construction Supervision services for the Reconstruction of

two Harlem RBI Ballfields, located at East 101st Street, between 1st and 2nd Avenues, Manhattan.

Any firms that would like to express their interest in providing services for similar projects in the future may do so. All expressions of interest must be in writing to the address listed here and received by May 28, 2008. You may join the City Bidders list by filling out "NYC-FMS Vendor Enrollment Application" available on-line at "NYC.gov/selltonyc" and on hard copy by calling the Vendor Enrollment Center at (212) 857-1680.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, Olmsted Center, Room 61
Flushing Meadows-Corona Park, Flushing, NY 11368.
Grace Fields-Mitchell (718) 760-6687
grace.fields-mitchell@parks.nyc.gov

m14-20

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

LOW VOLTAGE ELECTRICAL/FIRE ALARM REPLACEMENT – Competitive Sealed Bids – PIN# SCA08-11482D-1 – DUE 06-03-08 AT 1:30 P.M. – PS 121 (Bronx). Project Range: \$1,430,000.00 to \$1,510,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5852.

m14-20

FLOOD ELIMINATION – Competitive Sealed Bids – PIN# SCA08-11155D-1 – DUE 06-04-08 AT 11:30 A.M. – PS 1 (Manhattan). Project Range: \$3,180,000.00 to \$3,345,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5854.

m14-20

FINAL CERTIFICATE OF OCCUPANCY FOR MULTICAMPUS WORK/PUBLIC ADDRESS SYSTEM – Competitive Sealed Bids – PIN# SCA08-11403D-1 – DUE 06-02-08 AT 2:00 P.M. – Erasmus Hall HS (Brooklyn). Project Range: \$1,620,000.00 to \$1,710,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5843.

m14-20

PARAPETS/LOW VOLTAGE – Competitive Sealed Bids – PIN# SCA08-11239D-1 – DUE 06-03-08 AT 12:00 P.M. – PS 9 (Brooklyn). Project Range: \$2,780,000.00 to \$2,925,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5849.

m15-21

AIRCRAFT NOISE ABATEMENT/EXTERIOR MODIFICATION/ROOFS/EXTERIOR DOORS – Competitive Sealed Bids – PIN# SCA08-06632D-1 – DUE 06-13-08 AT 11:00 A.M. – Beach Channel High School (Queens). Project Range: \$51,700,000.00 to \$54,425,000.00. Non-refundable bid document charge: \$250.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5842.

m16-22

ELECTRICAL SYSTEM/AUDITORIUM UPGRADE – Competitive Sealed Bids – PIN# SCA08-11367D-1 – DUE 06-03-08 AT 2:00 P.M. – PS 114 (Queens). Project Range: \$1,080,000.00 to \$1,135,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School

Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5849.

m14-20

NEW KITCHEN RENOVATION / REHABILITATION OF 1ST, 4TH, AND 5TH FLOORS – Competitive Sealed Bids – PIN# SCA08-11965D-1 – DUE 06-09-08 AT 11:00 A.M. – Young Women's Leadership Academy (Queens). Project Range: \$14,930,000.00 to \$15,720,000.00. Non-refundable bid document charge: \$250.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be Pre-Qualified by the SCA.

Pre-bid meeting date: May 28, 2008 at 11:00 A.M. at Young Women's Leadership Academy, 2315 Newtown Avenue, Astoria, NY 11102, meet at the Custodian Office.

Limited List: Bids will only be accepted from the following Construction Managers/Prime General Contractors (See Attached List):
Bri-Den Construction Co., Lo Sardo General Contractors, Whitestone Construction, EMB Contracting, B.G. National Plumbing and Heating, Kafka Construction, Inc., J. Petrocelli Contracting, Inc., Stonewall Contracting Corp., Komi Construction, Inc., Rockmore Contracting Corp., Stalco Construction, Inc., WDF, Inc., Micron General Contractors, Inc., AMCI Construction, Inc., Champion Construction Corp., Orba Construction Corp., P&K Contracting, TNS Management Services, Inc.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5843.

m20-27

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA08-004375-1 – DUE 06-04-08 AT 10:00 A.M. – 2 Various Schools - P.S. 150/P.S. 284 (Brooklyn). Project Range: \$1,390,000.00 to \$1,465,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5868.

m15-21

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA08-004381-1 – DUE 06-04-08 AT 2:00 P.M. – PS 73 and PS 178 (Brooklyn). Project Range: \$1,250,000.00 to \$1,320,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5852.

m16-22

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA08-004382D-1 – DUE 06-04-08 AT 10:30 A.M. – (3) Various Schools in Brooklyn. Project Range: \$1,680,000.00 to \$1,770,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5842.

m16-22

ELEVATOR UPGRADE – Competitive Sealed Bids – PIN# SCA08-11855D-1 – DUE 06-06-08 AT 11:30 A.M. – Three (3) Various Schools (Brooklyn). Project Range: \$2,430,000.00 to \$2,560,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5843.

m20-27

LOW VOLTAGE ELECTRICAL SYSTEMS – Competitive Sealed Bids – PIN# SCA08-11398D-1 – DUE 06-02-08 AT 1:30 P.M. – PS 620 Thomas Edison HS (Queens). Project Range: \$1,290,000.00 to \$1,365,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 752-5843.

m14-20

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

■ INTENT TO AWARD

Services (Other Than Human Services)

BEVERAGE AND SNACK VENDING MACHINES – Competitive Sealed Bids – PIN# 84108MBAD331 – DUE 06-17-08 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 Transportation, 40 Worth Street, Room 940, New York, NY 10013 or <http://www.nyc.gov/dot>.
Simone Avery (646) 248-0384, savery@dot.nyc.gov
DOT, Chief Contracting Officer, Contracts Unit,
40 Worth Street, Room 824A, New York, NY 10013.

m12-23

TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

■ SOLICITATIONS

Goods

UPHOLSTERED TOLLBOOTH STOOLS – Competitive Sealed Bids – PIN# WH135900000 – DUE 06-04-08 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.

Triborough Bridge and Tunnel Authority, 2 Broadway, Bid Suite, New York, NY 10004, Bid Administration, (646) 252-7094, vprocure@mtabt.org
All bids must be delivered to the 2 Broadway, Bid Suite, located at the 3 Stone Street entrance. Please allow extra time for delivery.

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Services

REPAIR AND REFURBISH USED PORTABLE METAL DEPOSITORY CABINETS – Competitive Sealed Bids – PIN# 08FIN2820000 – DUE 06-12-08 AT 3:00 P.M. – A pre-bid conference is scheduled for 05/28/08 at 10:30 A.M. Reservations must be made with Robin Golubow, Contract Manager at (646) 252-7340 no later than noon the preceding work day.

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.

Triborough Bridge and Tunnel Authority, 2 Broadway, Bid Suite, New York, NY 10004, Bid Reception Desk, (646) 252-6101, vprocure@mtabt.org. Call for fee.
All bids must be delivered to the 2 Broadway, Bid Suite, located at the 3 Stone Street entrance. Please allow extra time for delivery.

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AGENCY RULES

ENVIRONMENTAL PROTECTION

■ NOTICE

NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT PROPOSED AMENDMENTS TO CHAPTER 16 OF TITLE 15 OF THE RULES OF THE CITY OF NEW YORK:

RULES FOR THE RECREATIONAL USE OF WATER SUPPLY LANDS AND WATERS

IN COMPLIANCE WITH SECTION 1043(b) OF THE NEW YORK CITY CHARTER NOTICE IS HEREBY GIVEN OF THE intention of the Department of Environmental Protection to amend the provisions of Chapter 16 of 15 RCNY, the NYCDEP Rules for the Recreational Use of Water Supply Lands and Waters. The proposed rules provide greater accessibility to and expand recreational opportunities on certain City-owned lands and waters in a manner more consistent with accessibility to, and recreational opportunities on, New York State-owned lands. The language to be deleted is bracketed and the new parts to be added are underlined.

The proposed rules would be promulgated pursuant to the authority of the Department of Environmental Protection as set forth in Section 1043(a) of the New York Charter and Sections 24-315, 24-326, 24-327 and 24-359 of the New York City Administrative Code.

Further notice is hereby given that the Department of Environmental Protection will hold hearings on the proposed rules on the following dates:

Location	Date	Time
Putnam County Training and Operations Building 112 Old Route 6, Carmel, New York	June 23, 2008 (Monday)	7:00 p.m. – 9:00 p.m.
NYCDEP 59-17 Junction Blvd. 6th Floor Lecture Room	June 24, 2008 (Tuesday)	10:00 a.m.-12:00 p.m.

Flushing, New York

Belleayre Ski Mountain
(Garden Room)
181 Galli Curci Road
Highmount, NY

June 25, 2008
(Wednesday)

7:00 p.m. – 9:00 p.m.

Persons interested in pre-registering to speak should give written notice to Melissa Siegel, Department of Environmental Protection (DEP), Bureau of Legal Affairs, 19th Floor, 59-17 Junction Boulevard, Flushing, New York, 11373. Please include a telephone number where you can be reached during normal working hours. Speakers will be limited to ten minutes. Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided are asked to notify Melissa Siegel in writing at the foregoing address at least 10 days prior to the hearing date.

Persons who wish to comment on the proposal in writing must submit written comments to Melissa Siegel at the above address on or before July 7, 2008.

Registration to testify at the hearings at the DEP Offices in Flushing, New York, will be accepted at the door until 11:30 a.m. Registration to testify at the remaining hearings will be accepted until 8:30 p.m., however, preference in order of testimony will be given to those who pre-register.

A copy of the proposed rules may be obtained from the offices of the Department of Environmental Protection, Bureau of Legal Affairs, 19th Floor, 59-17 Junction Boulevard, Flushing, New York, 11373 and at www.nyc.gov/dep.

Written comments and a transcript of the public hearing will be available for public inspection within a reasonable time after receipt of a request, between the hours of 9:00 a.m. and 5:00 p.m. at the offices of the Department of Environmental Protection, Bureau of Legal Affairs, 19th Floor, 59-17 Junction Boulevard, Flushing, New York, 11373.

NYCDEP Rules for the Recreational Use of Water Supply Lands and Waters

Section 1. Chapter 16 of Title 15 of the Rules of the City of New York is amended to read as follows:

§16-01 *Scope and Purpose.*

The following rules shall apply to all recreational use of the New York City lands, lakes and reservoirs owned for Water Supply purposes in the counties of Delaware, Dutchess, Greene, Orange, Putnam, Schoharie, Sullivan, Ulster, and Westchester. These rules are in furtherance of the City's goal of safeguarding an adequate supply of high quality drinking water while allowing compatible recreational use and enjoyment. Additional information about recreational use opportunities is available from NYCDEP offices and on the NYCDEP [Internet] website at www.nyc.gov/watershedrecreation www.nyc.gov/dep.

§16-02 *Definitions.*

All terms shall have the same meaning as in the New York State Environmental Conservation Law ("ECL") unless defined differently as follows:

(a) *Access Permit.* "Access Permit" means an instrument of registration and permission to access certain City Property for recreational use as further described in §16-03 herein.

(b) *Boat Storage Area.* "Boat Storage Area" means a location on land designated by NYCDEP for boats to be stored when not on the water.

(c) *Boat Tag.* "Boat Tag" means an instrument of permission [granted] issued for the purpose of allowing Access Permit holders to store a boat for use when Fishing on City Property [while accessing the area for recreational use], as further described in §16-05 herein.

(d) *City.* "City" means the City of New York.

(e) *City Property.* "City Property" means all real property owned by the City and within the jurisdiction of NYCDEP in the counties of Delaware, Dutchess, Greene, Orange, Putnam, Schoharie, Sullivan, Ulster, and Westchester.

(f) *Designated Use Area.* "Designated Use Area" means a location designated by NYCDEP as available for designated recreational uses, in accordance with these Rules, but not requiring NYCDEP Access Permits or Vehicle Tags.

[(f)](g) *Fishing.* "Fishing" means taking fish by angling as defined in New York State Environmental Conservation Law §11-0103 and shall also include the use of tip-ups for ice fishing and the taking of carp by bow and arrow.

[(g)](h) *Fishing Area.* "Fishing Area" means a location designated by NYCDEP as available for Fishing to holders of valid Access Permits.

[(h)](i) *Group Access Permit.* "Group Access Permit" means an instrument of registration and permission for groups to temporarily access certain City Property for recreational use without each member having to obtain an individual Access Permit, as further described in §16-12 herein.

[(i)](j) *Group.* "Group" means any congregation of individuals in excess of twelve people and shall not consist of more than thirty individuals.

[(j)](k) *Group Leader.* "Group Leader" means the person who applies for the Group Access Permit and who agrees to accept responsibility for the conduct, activities, and safety of all Group Members.

[(k)](l) *Group Member.* "Group Member" means an individual listed on the Group Access Permit application for

whom completed liability waivers have been received and accepted by NYCDEP, and who will accompany the Group Leader on the permitted Group activity.

[(l)](m) *Guest.* "Guest" means a person accompanying a valid Access Permit holder aged 18 or older onto City Property.

[(m)](n) *Guest Pass.* "Guest Pass" means an instrument of registration and permission for Guests of valid Access Permit holders to temporarily access certain City Property for recreational use as further described in §16-10 herein.

[(n)](o) *Hiking.* "Hiking" means foot travel including hiking, walking, running, cross-country skiing, snowshoeing, bird watching, nature observation and photography.

[(o)](p) *Hiking Area.* "Hiking Area" means a location designated by NYCDEP as available for Hiking to holders of valid Access Permits.

[(p) *Hunting.* "Hunting" means pursuing, shooting, killing or capturing (other than by trapping) game species specified herein or on a participant's Hunt Tag.]

(q) *Hunting Area.* "Hunting Area" means a location designated by NYCDEP as available for [Hunting] hunting to holders of valid Access Permits and Hunt Tags.

(r) *Hunt Tag.* "Hunt Tag" means an instrument of permission [granted] issued for the purpose of allowing Access Permit holders to [Hunt] hunt at Hunting Areas, as further described in §16-07 herein.

(s) *NYCDEP.* "NYCDEP" means the New York City Department of Environmental Protection, an executive agency of the City.

(t) *NYSDEC.* "NYSDEC" means the New York State Department of Environmental Conservation, an executive agency of the State of New York.

(u) [Public Area. "Public Area" means a location designated by NYCDEP as available for certain recreational uses but not requiring Access Permits.]

Public Access Area. "Public Access Area" means a location designated by NYCDEP as available for recreational uses as allowed by New York State law and these Rules, and on which NYCDEP Access Permits, Hunt Tags and Vehicle Tags are not required.

(v) *Public Map.* "Public Map" means a map produced by NYCDEP to convey information to Access Permit holders and the public.

(w) *Vehicle Tag.* "Vehicle Tag" means an instrument of permission [granted] issued in support of an Access Permit for the purpose of allowing visitors to park a vehicle on City Property while accessing City Property for recreational use, as further described in §16-11 herein.

(x) *Water Supply.* "Water Supply" means the New York City public water supply system, and includes all watercourses, wetlands, reservoirs, reservoir stems and controlled lakes tributary thereto.

(y) *Watercourse.* "Watercourse" means a visible path through which surface water travels on a regular basis, including an intermittent stream, which is tributary to the Water Supply.

(z) *Watershed.* "Watershed" or "New York City Watershed" means the land area contributing surface water to the New York City water supply.

(aa) *Watershed Rules.* "Watershed Rules" means the Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources, [18] 15 Rules of the City of New York [§18-11, et seq.] Chapter 18; 10 NYCRR Part 128.

§16-03 *Access Permit.*

All persons 16 years of age and older must complete an application for and receive, maintain and carry a valid Access Permit in order to access Hiking Areas, Fishing Areas and Hunting Areas for recreational purposes as defined in these [regulations] rules. Entry onto City Property, other than [Public Areas] Public Access Areas and Designated Use Areas, without a valid Access Permit, Guest Pass, or without appropriate accompaniment as described herein, is prohibited and shall be considered a trespass.

(a) *Application.* The Access Permit application shall be available for download or completion on the NYCDEP [Internet] website [at www.nyc.gov/watershedrecreation] and for pick-up at NYCDEP facilities in New York City and at NYCDEP [Land Management] offices throughout the Watershed and at such other locations as indicated on the NYCDEP website. No application fee is required.

(b) *Required Information.* An Access Permit application shall [request] require the following [required] information:

- (1) Applicant name, mailing address, phone number, electronic mail address if submitted via the NYCDEP website, and date of birth;
- (2) Applicant gender, height, eye color and hair color;
- (3) Applicant driver's license number and state of issuance, or non-driver's identification number and state of issuance;
- (4) Acknowledgement of risks and waiver of liability;

- (5) Applicant signature and date of signature;
- (6) Parent or legal guardian signature and date of signature if applicant is under 18.

Information provided shall be maintained by NYCDEP for agency purposes only.

(c) *Eligibility.* Individuals aged [14] 12 years or older who do not have an outstanding Access Permit suspension, revocation, or a restriction on their ability to apply for public access privileges from NYCDEP; do not have a valid current Access Permit; and are not otherwise restricted for security or public safety reasons from applying by NYCDEP are eligible to receive an Access Permit. Individuals under the age of 18 must have the written consent of their parent or legal guardian indicated on their Access Permit application.

(d) *Minors.* Persons between the ages of [14] 12 and 18 are eligible to receive Access Permits with parental or legal guardian consent and may participate in recreational opportunities unaccompanied in accordance with these rules. Persons under 16 years of age may access City Property for recreational purposes without an Access Permit, but must be accompanied by a valid Access Permit holder aged 18 or older. A valid Access Permit holder aged 18 or older may accompany up to five (5) persons under the age of 16 who do not have Access Permits, but he or she is responsible for their conduct and safety and shall be liable for any of their violations of these rules.

(e) *Mail Submission.* Completed Access Permit applications may be submitted by regular mail to the address on the form.

(f) *Internet Submission.* The NYCDEP Access Permit application may be completed and submitted, and Access Permits issued through the NYCDEP [Internet] website.

(f) *Internet Processing.* For applications submitted through the interactive NYCDEP website:

- (1) An Access Permit issuance letter, Access Permit and corresponding Vehicle Tag may be printed directly from the NYCDEP website.
- (2) Processing time will generally be immediate. NYCDEP is not responsible for limitations of equipment and services not maintained by NYCDEP or its representatives that may cause delays or prevent printing.

(g) [Refusal. Rejected applications shall be returned to the applicant, accompanied by a letter identifying the reason(s) for refusal, generally within two weeks of application receipt or by electronic means through the Internet. Within ten days of receipt of the communication, the applicant may provide NYCDEP with an appeal of NYCDEP's refusal to issue an Access Permit that shall include any relevant information pertaining to the basis for the refusal. Upon examination of the circumstances and generally within two weeks of receipt, NYCDEP will either uphold the refusal or revise its prior decision and issue an Access Permit upon such terms and conditions as may be appropriate. The applicant will be notified of NYCDEP's determination in writing. Grounds for refusal of an Access Permit include the following:

- (1) Incomplete or illegible application;
- (2) Failure to meet application eligibility requirements;
- (3) Submission of false information;
- (4) Current, valid Access Permit status.]

Mail Submission. Completed Access Permit applications may be submitted by regular mail to the address on the form.

(h) *Mail Processing.* Accepted applications submitted by regular mail shall include the following steps:

- (1) An Access Permit issuance letter and Access Permit shall be generated and mailed with the corresponding Vehicle Tag directly to the address on file for the permittee.
- (2) Processing time shall generally be within two weeks of application receipt, except in unusual circumstances.
- (3) Mailings may be accompanied by other official NYCDEP communications, e.g. the Watershed Recreation newsletter, notices, and other recreational use materials.

(i) *Internet Processing.* For applications submitted through the interactive NYCDEP website:

- (1) An Access Permit issuance letter, Access Permit and corresponding Vehicle Tag may be printed directly from the NYCDEP website.
- (2) Processing time will generally be immediate. NYCDEP is not responsible for limitations of equipment and services not maintained by NYCDEP or its representatives that may cause delays or prevent printing.

(j) *Returned Mailings.* Mailings returned to NYCDEP as undeliverable by the United States Postal Service (USPS) shall be handled as follows:

If a forwarding address is provided by USPS, the contact information shall be updated accordingly in NYCDEP files and the returned mailing re-mailed to the new address on file;

If no forwarding address is provided, the address will be checked for accuracy and corrected and re-mailed if necessary; updated via telephone or electronic-mail, and re-mailed if necessary; and/or status marked "invalid" in NYCDEP files and excluded from all further access permit mailings, the returned mail filed, and contact attempts documented.

(j) Refusal. Rejected applications shall be returned to the applicant, accompanied by a letter identifying the reason(s) for refusal, generally within two weeks of application receipt or by electronic means through the Internet. Within ten days of receipt of the communication, the applicant may provide NYCDEP with an appeal of NYCDEP's refusal to issue an Access Permit that shall include any relevant information pertaining to the basis for the refusal. Upon examination of the circumstances and generally within two weeks of receipt, NYCDEP will either uphold the refusal or revise its prior decision and issue an Access Permit upon such terms and conditions as may be appropriate. The applicant will be notified of NYCDEP's determination in writing. Grounds for refusal of an Access Permit include the following:

- (1) Incomplete or illegible application;
- (2) Failure to meet application eligibility requirements;
- (3) Submission of false information;
- (4) Current, valid Access Permit status.

(k) *Term.* An Access Permit is valid for the period of five (5) years, or the period indicated thereon, expiring on the permit holder's day and month of birth, unless revoked, suspended or altered by NYCDEP.

(l) *Renewal.* An Access Permit renewal application shall be sent via electronic or regular mail to the address on file for each valid Access Permit holder generally two months prior to the Access Permit expiration date. Content of an Access Permit renewal application shall include confirmation of the permit holder's information on file, as well as user survey questions, if any. Access Permit renewal processing shall be as provided for initial application, except that Vehicle Tags do not expire, and therefore will not be renewed.

(m) *Replacement.* Lost or destroyed Access Permits may be replaced upon the permit holder's written request to NYCDEP by U.S. or electronic mail. Electronically requested replacements may be printed immediately. Replacements requested by U.S. mail will generally be issued within two weeks.

(n) *Notifications.* Notices to Access Permit holders shall be sent to the address on record with NYCDEP. It is the Access Permit holder's responsibility to inform NYCDEP of any changes to the address and information submitted on a permit application or renewal form.

(o) *Updating Registration Information.* Access Permit holders shall notify NYCDEP in writing, via electronic-mail or regular mail, of any changes to their contact information on file with NYCDEP. Failure to do so may result in the Access Permit holder not receiving important communications, such as boat removal or area closure notices. Access Permit holders may use the Access [Permits update form] Permit Update Form to submit such changes. This form shall be available for download or completion on the NYCDEP [Internet] website [at www.nyc.gov/watershedrecreation] and for pick-up at NYCDEP facilities in New York City and at NYCDEP [Land Management] offices throughout the Watershed and at such other locations as indicated on the NYCDEP [Internet] website.

(p) *Transferability.* An Access Permit is not transferable and may be used only by the person to whom it has been issued.

§16-04 **Fishing and Fishing Areas.**

(a) *Access.* Access to Fishing Areas on City Property for purposes of Fishing shall be by Access Permit. No additional NYCDEP permits or tags are required. Individuals engaged in Fishing shall also possess a valid New York State fishing license, when required by State law.

(b) *Designation.* Fishing Areas shall be designated by NYCDEP in publications and notices, on the NYCDEP [Internet] website, on Public Maps available to Access Permit holders, and by sign postings.

(c) *Shoreline Fishing.* Shoreline Fishing is allowed at Fishing Areas, [and] Hiking Areas, Public Access Areas, and certain Designated Use Areas as indicated by NYCDEP on sign postings and, when applicable, on the NYCDEP website, on Public Maps, and/or in other publications and notices.

(d) *Ice Fishing.* Ice Fishing is allowed only on the Amawalk, Bog Brook, Boyds Corner, Cross River, Diverting, East Branch, Muscot, Titicus, West Branch, Croton Falls and Middle Branch Reservoirs, on Lake Gilead and Lake Gleneida and on ponds located in Hiking Areas, Public Access Areas, and certain Designated Use Areas as indicated by NYCDEP on sign postings, and, when applicable, on the NYCDEP website, on Public Maps, and/or in other publications and notices. All other reservoirs are off-limits to ice fishing due to safety considerations.

(e) *Season.* Access to Fishing Areas is year-round during New York State fishing seasons, except as otherwise restricted by these [regulations] rules or by NYCDEP

postings or notices.

(f) *Means.* Angling is the only permissible means of Fishing on City Property. Tip-ups may be used for ice fishing, and bow and arrow may be used for carp fishing. Anglers shall be in immediate attendance of their lines.

(g) *Bait and Bait Disposal.* The use of terrestrial bait such as worms and crickets is allowed. Live aquatic bait, which may include, but is not limited to, alewives, shiners, leeches, and crawfish, may be used for Fishing unless it has been taken from waters infested with zebra mussels, including, but not limited to: Lake Champlain, Lake Erie, Lake Ontario, the Finger Lakes, [Greenwood Lake,] the Erie Canal, the Niagara River, the Mohawk River, the St. Lawrence River, the Susquehanna River and the Hudson River. Neither [aquatic] bait nor the water from aquatic bait containers shall be disposed of on City Property. NYCDEP, at its sole discretion, may prohibit the use of specified bait. Any such prohibitions shall be indicated by NYCDEP on sign postings and, when applicable, on the NYCDEP website, on Public Maps, and/or in other publications and notices.

(h) *Fishing Equipment.* The following equipment rules apply to Fishing:

- (1) Waterproof waders shall be used when entering water for purposes of Fishing.
- (2) Temporary, portable, fabric fishing shelters and windbreaks may be used for ice fishing on City property. Wood or metal shelters are not permitted.
- (3) Ice fishing equipment, including shelters and windbreaks, shall remain within view of the occupant and shall be removed from City property by the occupant when not in use or at the end of each day, whichever is sooner.
- (4) Use of float tubes or inflatable waders is prohibited.
- (5) Motorized fishing equipment is prohibited on City property, including but not limited to power ice augers and trolling motors.
- (6) [Abandoned or prohibited equipment found on City lands shall be confiscated by NYCDEP.
- (7)] Anglers may carry pocket or hunting knives for purposes of Fishing.

(i) *Fishing Litter.* Upon leaving City Property, anglers shall remove any and all equipment, supplies, or other items brought onto the City Property for use while Fishing. These include but are not limited to: equipment packaging, fishing line, monofilament, bait, bait containers, lures, hooks, sinkers, bobbers, food and drink containers, bags, chairs, cigarette remains, and clothing. Anglers are encouraged to carry trash bags with them and remove trash and litter left by others to help protect the Water Supply, wildlife and the scenic appearance of Fishing Areas.

(j) *Fish Entrails.* Fish entrails shall not be deposited in or within 100 feet of a reservoir, lake, pond, Watercourse, public access point, public road, or private property.

(k) *Fishing from Bridges.* Fishing from vehicular bridges located on City Property is not permitted except where designated by [DEP] NYCDEP.

§16-05 **Boat Tag.**

Due to the threat of Water Supply contamination by organisms such as zebra mussel larvae that may be introduced to City waters by boats previously used in contaminated waters, all boats used on City Property shall be registered and cleaned by NYCDEP or its designees, and permanently stored on-site in Boat Storage Areas designated by NYCDEP. All boats on City Property must have a valid Boat Tag affixed thereto.

(a) *Application.* Boat Tag applications shall be available at the same locations as Access Permit applications as indicated in §16-03(b)(a) above. No application fee is required.

(b) *Required Information.* A Boat Tag application shall [request] require the following [required] information:

- (1) Applicant's valid Access Permit number;
- (2) Applicant's name, mailing address, phone number, electronic mail address, if available, and date of birth;
- (3) Boat make, model, serial number, color, width, length, material, and hull shape;
- (4) Designated fishing area and Boat Storage Area requested;
- (5) Acknowledgement of risk and waiver of liability; [and]
- (6) Applicant signature and date of signature[.]; and
- (7) Parent or legal guardian signature and date of signature if applicant is under 18.

(c) *Eligibility.* Valid Access Permit holders aged 16 years or older who do not have an outstanding Access Permit suspension, revocation, or a restriction on their ability to

apply for public access privileges from NYCDEP; are not otherwise restricted for security or public safety reasons from applying by NYCDEP; and who own the rowboat that they are registering are eligible to receive a Boat Tag for the boat documented on the application. Applicants under 18 need parental or legal guardian consent. Each Boat Tag will be issued to one boat owner only. Access Permit holders may apply for Boat Tags for more than one boat.

(d) *Application Submission and Appointment.* Boat Tag applications shall be submitted to NYCDEP at the boat registration appointment on the day the boat is to be placed on a reservoir or lake. The appointment must be made in advance by contacting the NYCDEP [Land Management] office nearest the reservoir where the boat will be located as listed on the NYCDEP [Internet] website [at www.nyc.gov/watershedrecreation]. Boat owners shall speak directly with a NYCDEP representative and provide their name, telephone number, valid Access Permit number, and desired boat storage location in order to make a processing appointment. Completed applications shall be submitted in person at the processing appointment. Boat Tag applications may be completed in advance of the appointment. A boat owner who is unable to attend his or her appointment shall notify NYCDEP in advance. Appointments may be rescheduled to a later available date.

(e) *Internet Submission and Appointment.* Processing appointments may be made and the Boat Tag application may be completed and submitted in advance of the appointment through the NYCDEP Internet website.

(f) *Boat Processing and Tag Issuance.* A boat owner shall attend the processing appointment for his or her boat in person and shall bring his or her boat, valid Access Permit, and government-issued photo identification [to the processing appointment]. A boat processing appointment shall consist of the following steps:

- (1) The boat owner shall submit the completed Boat Tag application.
- (2) Access Permit data on file shall be confirmed with the applicant. This information shall include contact information and Access Permit status.
- (3) Boat type, shape, size, color, make, model, serial number, absence of possible contaminants, and apparent seaworthiness shall be confirmed and entered into the file.
- (4) Boats shall be steam cleaned by NYCDEP on all surfaces to remove any possible Water Supply contaminants such as zebra mussel larvae.
- (5) A unique number shall be assigned to the boat.
- (6) The boat number shall be painted by NYCDEP on both sides of the bow hull above the anticipated immersion line using permanent white or black paint, whichever color is most visible given the color of the boat.
- (7) An appropriately-dated Boat Tag shall be completed in permanent ink and affixed to the exterior port-side bow. Boat Tag completion shall include: writing the boat owner's Access Permit number in the appropriate field; writing the reservoir prefix, if any, and boat number in the appropriate field; and punching out the appropriate water supply location abbreviation.
- (8) The boat owner shall receive from NYCDEP at the processing appointment information including: a copy of the current rules, if the boat owner does not already have one; a current *Watershed Recreation* newsletter, if desired; a map and/or directions to the designated storage location for their boat; a verbal summary of important rules and conditions, including the Boat Tag expiration and renewal process, boat storage requirements, and the procedures for boat removal and disposal.
- (9) Upon completion of the boat cleaning and processing appointment, the boat owner shall immediately place the registered boat at the assigned Boat Storage Area without storing or placing the boat in any other location or water body.

[(g)](f) *Eligible Boats.* Boats eligible for Boat Tags shall be aluminum or metal-alloy row boats, except boats on record as having had valid Boat Tags that were issued initially prior to March 31, 2006 may be wooden or fiberglass row boats. Only rowboats that are a minimum of 11'6" in length and 42" in width and are a maximum of 16' in length are permitted on City Property. Other vessels, including but not limited to sailboats, motorized boats, canoes, kayaks, sculls, inflatable boats and collapsible boats are prohibited.

[(h)](g) *Rejection.* Grounds for rejection of a Boat Tag application include the following:

- (1) Incomplete application;
- (2) Failure to meet application eligibility requirements;

- (3) Submission of false information;
- (4) Illegible application;
- (5) Failure of boat to meet inspection and cleaning standards.

Rejected applications shall be returned immediately to the applicant, accompanied by an explanation of the reason(s) for rejection, and an opportunity provided for the immediate resubmission of the corrected application, if applicable.

[(i)](h) *Term.* Boat Tags shall be valid for two (2) years or until the expiration date indicated thereon, unless revoked, suspended, or altered by NYCDEP. Boat Tags shall only remain valid so long as the boat owner remains a valid Access Permit holder. If an Access Permit holder's Access Permit is suspended or revoked, they may remove their boat if accompanied by a NYCDEP representative.

[(j)](i) *Display.* Boat Tags shall be affixed to the upper port-side exterior bow (top left outside front) of the corresponding registered boat. It shall be the Boat Tag holder's responsibility to keep a Boat Tag affixed and clearly legible at all times.

[(k)](j) *Replacement.* Lost or destroyed Boat Tags may be replaced upon the boat owner's written request to NYCDEP by U.S. or electronic mail. [Electronically requested replacements may be printed immediately.] Replacements [requested by U.S. mail] will generally be issued within two weeks.

[(l)](k) *Renewal.* A renewal Boat Tag application shall be sent via electronic or regular mail to the address on file for each valid boat owner generally in the spring of the Boat Tag expiration year. Content of the renewal Boat Tag application shall include confirmation of boat owner and boat information on file, as well as any angler survey questions. [Boat owners may generate, complete, and submit renewal Boat Tag applications on the NYCDEP Internet website.] Renewed Boat Tags shall be mailed to the address on file for the boat owner generally within two weeks of application receipt.

[(m)](l) *Transferability.* Boat Tags are not transferable to either another person or another boat.

[(n)](m) *Transfer of Boat Ownership.* Owners of boats with valid Boat Tags who would like to transfer ownership of their boat to another valid Access Permit holder may do so according to the following process:

- (1) The current boat owner shall put the following information in writing to NYCDEP: the current boat owner's Access Permit number and name; the reservoir or lake and specific storage area where the boat is currently stored; the boat number issued by NYCDEP; the name of the person to whom ownership is being transferred; the valid Access Permit number of the person to whom ownership is being transferred; and the signature of the current boat owner; the date of signature.
- (2) The new owner shall complete a Boat Tag application for the boat, in accordance with §16-05.
- (3) The current owner shall mail the transfer information together with the Boat Tag application completed by the new owner to NYCDEP at the address indicated on the application.
- (4) [The] NYCDEP [Land Management Office] shall issue and mail a new Boat Tag and other materials to the accepted new boat owner at the address on file generally within two weeks of transfer of ownership request receipt.
- (5) The new boat owner shall remove the old invalid Boat Tag from the boat and replace it with the new valid Boat Tag.

New boat owners who would like to change the Boat Storage Area for the boat shall comply with the rules for a change of Boat Storage Area location.

[(o)](n) *Boat Storage Area.* Each registered boat shall be assigned to a Boat Storage Area. The boat must be stored in the assigned Boat Storage Area when not in use on the water, except that during the months from April through September the boat may be temporarily stored at any other Boat Storage Area on the same reservoir or lake for convenience of fishing, provided there is storage space available as determined by NYCDEP. NYCDEP may limit the number and location of boats assigned to any particular Boat Storage Area. Information about Boat Storage Areas closed to additional boats shall be available [at the local] from NYCDEP [Land Management Office] and, when applicable, on the NYCDEP [Internet] website. Requests to place a boat at high-demand Boat Storage Areas shall be handled in the order they are received. Boat Tags on boats not stored within their assigned Boat Storage Areas during the months from October through March, or on boats stored in Boat Storage Areas that have been closed by NYCDEP and/or to which they were not assigned, shall be invalid. Boat owners may request a change of assigned Boat Storage Area for their boat on the same water body once per calendar year by contacting [the local] NYCDEP [Land Management Office]. NYCDEP shall grant a change of assigned Boat Storage Area provided that the requested area is open to additional boats.

[(p)](o) *Boat Storage.* When not in use on the water for Fishing, boats shall be stored in assigned Boat Storage Areas at all times. Boats shall be stored above the high water mark within their assigned Boat Storage Areas from December 1 to April 1. Boat owners are encouraged to store their boats back from the shoreline so as not to obstruct other anglers' access to the water. Boats shall not be stored in [designated] shoreline buffer zones, [where indicated] which are generally within ten (10) feet of the shoreline, but may be otherwise as designated. Boats shall not be stored on or against other stored boats as this may make some boats inaccessible to their owners. Boats shall not be secured to dead trees or those identified by blue paint as subject to NYCDEP removal.

[(q)](p) *Boat Placement and Securing.* To prevent the creation of insect breeding grounds in water-filled boats, boats shall be stored hull-up (upside down) at all times. Boat owners may store on site such fishing equipment as may be secured under their overturned, stored boat. Equipment or items left on City Property and not secured under boats shall be subject to confiscation and disposal. Boat owners are encouraged to secure their stored boats to reduce the possibility of theft and scattering. Boats shall be secured to manufactured hitches provided by NYCDEP where these are available. Where NYCDEP has provided such securing resources, boats shall not be secured to trees. Where no securing resources are provided by NYCDEP, boats may be secured to trees. Boats secured to trees shall not be tightly bound to trees, but shall be loosely secured so as not to damage the trees.

[(r)](q) *Owner Removal of a Boat.* Boat owners may remove their boats from City Property at any time. Boat owners shall notify the local NYCDEP [Land Management] Office prior to removing their boat from City Property. [The] NYCDEP [Land Management Office] shall document the owner removal activity. Upon removal of a boat from City Property, its Boat Tag shall be immediately rendered invalid. Boat owners wishing to return a once-registered, removed boat to a City reservoir or lake shall make a registration and processing appointment with the local NYCDEP [Land Management] Office.

[(s)](r) *Change of Boat Storage Area Location.* Boat owners may change the location of their boat from one reservoir or lake in the Water Supply system to another, but such change shall be treated the way a new boat would be treated. This shall require an application, boat processing appointment, and a new Boat Tag. It is prohibited for a boat owner to move their boat away from the assigned reservoir or lake without first notifying NYCDEP. It is prohibited for a boat owner to place any boat on a reservoir or lake without a valid Boat Tag for that location.

[(t)](s) *NYCDEP Removal of Boats.* Any boat left in the water unattended[,]; found on land outside of the boat's assigned Boat Storage Area; found in a closed Boat Storage Area to which it was not assigned; [from October through March]; found without a valid Boat Tag or found on City Property after expiration, suspension or revocation of the owner's Boat Tag or Access Permit; or found in a restricted area is subject to removal and storage by NYCDEP at the owner's expense of \$120.00 for removal and \$1.00 per day for storage. While boats without valid Boat Tags may be removed from City Property, confiscated, and stored by NYCDEP at any time, such boat removal shall generally commence on October 1 of each year and be completed before March 15 of the following year. NYCDEP shall attempt to contact the owner of an invalid or removed boat at least once during the removal process or the three-month storage period in order to notify them of their boat's status. This contact may be by regular mail, telephone, or electronic-mail for the contact information on file for the boat, and the attempt as well as its outcome shall be documented.

[(u)](t) *Storage of NYCDEP-Removed Boats.* NYCDEP shall store removed boats in designated storage yards on NYCDEP properties until the removed boats are claimed by their owners or until three months have passed since NYCDEP's initial attempt to contact the owner. If a boat remains unclaimed three months from the date of NYCDEP's initial attempt to locate the owner, it will be deemed the property of NYCDEP and will be disposed of at NYCDEP's discretion. By accepting a NYCDEP Boat Tag, the owner of the subject boat acknowledges and accepts NYCDEP's right to remove, store and/or dispose of the boat in accordance with this § in lieu of any other procedure for the storage and disposition of abandoned property required or permitted by law, and waives any right to assert a claim against NYCDEP pursuant to the provisions of the New York State Personal Property Law, Abandoned Property Law or by any such other procedure. NYCDEP is not liable to the owner under any circumstances for damage to or loss of a boat during its removal, storage or disposition.

[(v)](u) *Owner Claim of Stored Boats.* Boats removed and stored by NYCDEP shall be available for claim and pick up by the boat owner of record by appointment with [the] NYCDEP [Land Management Office] which has stored the boat. NYCDEP [Land Management] staff shall confirm that the person claiming the boat is the boat owner of record. Any accumulated removal and storage fees shall be paid to [the] NYCDEP [Land Management Office] by certified check, bank check, or money order made out to "NYCDEP" in order for the boat to be released. Owners shall pay any accumulated fees and remove their claimed boat at the same appointment. NYCDEP shall not hold claimed boats nor allow deferred payment.

[(w)](v) *Disposal of NYCDEP-owned Boats.* When necessary, NYCDEP shall dispose of boats owned by the City through the following means:

- (1) Disposal or sale of unseaworthy boats as refuse or scrap metal;
- (2) Donation of seaworthy boats to public or

community non-profit organizations through a City-approved donation process;

- (3) Sale of boats in as-is condition at public, sealed bid auction [generally in the month of June].

[(x)](w) *Boat Relinquishment.* Boat owners or their representatives may relinquish ownership of their boat stored on City Property to NYCDEP according to the following process:

- (1) The boat owner or his or her representative shall write a letter stating that [they relinquish] he or she relinquishes ownership of [their] his or her boat to NYCDEP. The letter shall contain the following information: boat owner name, address, telephone number, and Access Permit number; boat number and Boat Storage Area; and, if written by the boat owner, the signature of the boat owner; and date of signature. If the letter is written by the representative of a boat owner, the representative shall affirm in writing his or her ability to act on behalf of the boat owner.
- (2) The relinquishment letter shall be mailed to NYCDEP.

[(y)](x) *Lost and Stolen Boats.* Boat owners shall report boats believed to be lost or stolen to [the local] NYCDEP [Land Management Office] immediately upon discovery. [The] NYCDEP [Land Management] staff shall document the report, attempt to locate the boat, and, if unsuccessful, submit the report to the NYCDEP Police for further investigation.

§16-06 *Fishing by Boat.*

People with valid Access Permits and valid New York State fishing licenses, where applicable, may Fish on City Property from boats with valid Boat Tags in accordance with the following rules.

(a) *Relationship to Fishing Rules.* All Fishing rules shall also apply to all Fishing by boat.

(b) *Use.* Boats with valid Boat Tags shall be used at Fishing Areas only for the purposes of Fishing. All boat occupants shall be in possession of valid New York State fishing licenses when required by State law; at least minimum Fishing equipment including a pole, line, and a hook and bait or a lure; and shall be plausibly engaged in the activity of Fishing while using a boat on Fishing Areas.

(c) *Mooring.* Mooring of boats, including to buoys, is prohibited.

(d) *Season.* On the Amawalk, Bog Brook, Boyds Corner, Cross River, Croton Falls, Diverting, East Branch, Middle Branch, Muscote, Titicus, and West Branch Reservoirs, and on Lake Gilead and Lake Gleneida, boats with valid Boat Tags may be placed on the water during any ice free period. [Boats] On all other New York City Reservoirs, boats with valid Boat Tags may be placed on the water [on] between April 1st and November 30th of each year [or when ice leaves the lakes, ponds or and reservoirs, whichever is later] during any ice free period. [No boats may be placed on the water after December 1st of each year.]

(e) *Condition and Maintenance.* Boat owners are responsible for the sanitary condition and seaworthiness of their vessels and for all activities that occur thereon. Any supplies used for boat maintenance may not enter a water body and must be removed from City Property immediately following maintenance activities.

(f) *Safety.* Every boat used on City Property shall have at least one U.S. Coast Guard approved wearable personal flotation device in good condition for each person on board. Each person on board who is under the age of 12 must wear a securely fastened U.S. Coast Guard approved wearable flotation device of an appropriate size.

(g) *Capacity.* Each boat may carry no more than three occupants, unless the boat has a U.S. Coast Guard approved "Maximum Capacities" plate or label affixed by the manufacturer that identifies a greater occupancy capacity.

(h) *Winter Storage.* Boats must be [brought to] stored at a point above the high water mark within the assigned Boat Storage Area [no later than] between December 1st [of each year where they must remain until the following April 1st or until the ice melts, whichever is later] and March 31.

§16-07 *Hunt Tag.*

All persons [Hunting] hunting on Hunting Areas must have a valid Hunt Tag.

(a) *Application.* The Hunt Tag application shall be available at the same locations as the Access Permit application as indicated in §16-03[(b)](a) herein and in publications such as the *Watershed Recreation* newsletter. No application fee is required.

(b) *Required Information.* A Hunt Tag application shall [request] require the following [required] information:

- (1) Game species and season for which a Hunt Tag is being requested, if applicable;
- (2) Hunting Area for which a Hunt Tag is being requested, if applicable;

- (3) Applicant Access Permit number;
- (4) Applicant name;
- (5) Completed survey questions, if applicable.

(c) *Eligibility.* Any person [14] 12 years of age or older with a valid Access Permit may apply for a Hunt Tag. Individuals under the age of 18 must have the written consent of their parent or legal guardian indicated on their Hunt Tag application.

(d) *Submission.* Completed Hunt Tag applications [may] shall be submitted to NYCDEP [by regular mail or by electronic mail to the address on the application] by U.S. mail, electronic mail, or other means identified by NYCDEP in order to be processed. [Applications may be submitted over the NYCDEP Internet website.]

(e) *Processing.* Accepted applications shall be fulfilled by regular mail in the order in which they were received, generally within two weeks of receipt. Applications submitted at the [Internet] NYCDEP website shall be processed over the NYCDEP [Internet] website. Applications shall be accepted or rejected based on the following considerations:

- (1) Application for the current season is fully completed, or automatic issuance eligibility exists due to proper submission of the previous year's hunt survey;
- (2) Applicant has a valid Access Permit and meets eligibility requirements.

(f) *Term.* Hunt Tags are valid for one hunting season or until the expiration date indicated thereon, unless revoked, suspended, or altered by NYCDEP. Hunt Tags shall only remain valid so long as the holder remains a valid Access Permit holder.

(g) *Content.* A valid Hunt Tag [contains] shall contain the following information:

- (1) A unique number of the holder as issued by NYCDEP;
- (2) Signed acknowledgement and waiver of liability of holder or of parent or legal guardian if holder is under 18;
- (3) Emergency medical information;
- (4) Term for which the Hunt Tag is valid;
- (5) Hunting Area(s) for which use is valid, if applicable; and
- (6) Species for which use is valid, if applicable.

(h) *Transferability.* A Hunt Tag is non-transferable and may be used only by the person to whom it was issued.

(i) *Replacement.* Lost or destroyed Hunt Tags will be replaced upon tag holder's [written] request to NYCDEP [by U.S. or electronic mail]. [Electronically requested replacements may be printed immediately.] Replacements [issued by U.S. mail] will generally be issued within two weeks.

(j) *Tag Display.* Display of the Hunt Tag shall be on the back of the holder's outermost upper body garment so that all face content is clearly legible. The Hunt Tag shall be displayed at all times while [Hunting] hunting on Hunting Areas and while scouting on Hunting Areas not also designated as Hiking Areas.

(k) *Renewal.* Hunt Tags are not renewable and a new tag must be applied for [annually] upon expiration except in the case of automatic issuance eligibility due to proper submission of [the previous year's] a NYCDEP hunt survey or other such mechanism.

§16-08 *Hunting and Hunting Areas.*

(a) *Designation.* Hunting Areas shall be designated by NYCDEP [in publications and notices] on sign postings and, when applicable, on the NYCDEP [Internet] website, on Public Maps [available to Access Permit holders], and/or [by sign postings] in other publications and notices. Hunting Areas may be further designated [by implement and type of hunting] as follows:

- (1) [Big Game] Bow Hunting Area – [big game] hunting by bow only;
- (2) [Big Game] General Hunting Area – [big game] hunting by bow and gun[.];
- [(3)] Multi-Game Bow Hunting Area – big game, small game, and turkey hunting by bow.
- (4) Multi-Game General Hunting Area – big game, small game, and turkey hunting by bow and gun[.]

(b) *Access.* Access to Hunting Areas on City Property for purposes of [Hunting] hunting shall be by Access Permit and Hunt Tag [for the particular types of hunting designated herein]. Hunters must have a valid Hunt Tag in order to [Hunt] hunt on Hunting Areas. Hunting is not allowed on any other City Property except on Public Access Areas. Hunters [shall] must also be properly licensed by the State of New York.

(c) *[Big Game Deer Hunting] Allowable Species.* Hunters with valid Hunt Tags may hunt on Hunting Areas for [white-

tailed deer] any species allowed under New York State law, during and in accordance with all available NYSDEC hunting seasons and NYCDEP property designations.

[(d)] *Big Game Bear Hunting.* During the 2006-2007 hunting season, hunters with valid Hunt Tags may hunt for bear at the twenty-one (21) areas designated for small game hunting during and in accordance with all available NYSDEC hunting seasons and NYCDEP property designations. Effective September, 2007, bear hunting will be permitted at NYCDEP Hunting Areas which can be found on the NYCDEP Internet website at www.nyc.gov/watershedrecreation, unless the host town requests that an area be excluded.]

[(e)] *Scouting for Big Game.* Hunters with valid Hunt Tags in their possession may access Big Game Hunting Areas for pre-season scouting starting fourteen (14) days prior to the opening day of the earliest NYSDEC big game hunting season. They may also access Big Game Hunting Areas for post-season scouting for up to fourteen (14) days following the last day of the final NYSDEC big game hunting season. Weapons are prohibited during big game scouting except at Multi-Game Hunting Areas.]

[(f)] *Small Game Hunting.* During the 2006-2007 hunting season twenty-one (21) areas will be designated for small game hunting. The following small game species may be hunted at the designated Small Game Hunting Areas: varying hare, squirrel, rabbit, ruffed grouse, pheasant, frog, unprotected wildlife species, red fox, gray fox, coyote, bobcat, raccoon, skunk, mink, weasel, and opossum. Turkey may also be hunted during the 2006-2007 hunting season at these areas. Effective September, 2007, small game and turkey hunting will be permitted at NYCDEP Hunting Areas which can be found on the NYCDEP Internet website at www.nyc.gov/watershedrecreation, unless the host town requests that an area be excluded.]

[(g)](d) *Entry.* Access to Hunting Areas may be regulated at entry points or locations as indicated by NYCDEP on a site-specific basis. Closed access points shall be indicated by NYCDEP on the NYCDEP website or by signs, postings, and notices or on Public Maps. Motor vehicle access into Hunting Areas is prohibited unless otherwise posted or indicated by NYCDEP on the NYCDEP website or by signs, postings, and notices or on Public Maps.

[(h)](e) *Game Pursuit.* Hunters shall respect the rights of owners of neighboring properties and shall not trespass on private lands. If an animal wounded by a hunter travels onto neighboring property, the Hunt Tag holder shall obtain the property owner's permission to enter the property for retrieval. If an animal wounded by a hunter travels onto City Property that is not a Hunting Area, the hunter shall obtain permission to enter the area from NYCDEP Police before entering by calling (888) 426-7433.

[(i)](f) *Hunter Behavior.* Hunt Tag holders shall abide by the principles of the NYSDEC hunter education training program and conduct themselves in a safe and courteous manner [vis-à-vis] in relation to other hunters and recreational users, NYCDEP employees and representatives, neighboring land owners and community members. Failure to do so may advance a detrimental image of [Hunting] hunting and hunters, and result in the loss of individual [Hunting] hunting opportunities, Hunting Area closures, and individual permissions.

[(j)](g) *Game Cleaning Practices.* Hunters are encouraged to remove all game entrails from City Property and to use gloves while cleaning harvested game in order to hinder the spread of disease and possible water contamination. Entrails shall not be deposited in or within one hundred (100) feet of a reservoir, lake, pond, Watercourse, public access point, public road, or private property.

[(k)](h) *Tree Stands and Hunting Blinds.* Temporary tree stands and hunting blinds may be used on Hunting Areas during big game hunting seasons provided that they do not cause damage to trees. The following apply:

- (1) The use of screws, nails or foot pegs in trees on City Property is prohibited.
- (2) Tree stands and hunting blinds may be placed at Hunting Areas [beginning on the first day of pre-season scouting] as of two weeks prior to the opening of the archery deer hunting season.
- (3) Hunters may leave temporary tree stands or temporary hunting blinds at Hunting Areas at their own risk on a first-come, first-served basis during big game hunting seasons.
- (4) Any tree stand or hunting blind at Hunting Areas shall be clearly and legibly labeled with the user's name, Access Permit number and telephone number.
- (5) Tree stands and hunting blinds unlabeled or left at the Hunting Area after big game hunting season are subject to removal and disposal by NYCDEP.

[(l)](i) *Shooting Lanes.* Hunters may cut limbs not greater than two inches in diameter and not further than twenty-five yards from a tree stand with a hand tool for purposes of clearing shooting lanes. The use of chainsaws is prohibited. Any vegetation removed for shooting lanes shall be cut flush with the vegetation's main stem. All vegetation cut shall be scattered and not stacked to a height greater than two (2) feet off of the ground.

[(m)](j) *Use of Dogs.* Dogs shall not be used for tracking injured deer[,], without express permission from NYCDEP

Police. Any tracking of injured deer permitted by NYCDEP shall comply with NYSDEC conditions for tracking injured deer with dogs. Dogs may be used for hunting small game species in compliance with NYSDEC conditions. Such dogs shall be under the control of their handler at all times.

[(n)(k)] *Blaze Orange.* All persons at Hunting Areas during big game gun hunting seasons shall wear blaze or safety orange as an outermost layer in the form of an entire vest, an entire jacket, or an entire hat.

[(o)(l)] *Hunt Tag Automatic Issuance.* Valid Hunt Tag holders who submit completed [annual] hunt surveys postmarked by the due date will automatically receive their next season's Hunt Tags in the weeks prior to the pre-season scouting period provided their Access Permits remain valid. These automatic recipients will be listed on the NYCDEP [Internet] website by Access Permit number as early in the year as possible.

[(p)(m)] *Hunting Area Closures.* NYCDEP may close Hunting Areas or parts thereof to public access, to hunting, or to certain hunting activities, and may limit the number of hunters permitted on a Hunting Area as it deems necessary. Possible considerations for Hunting Area closure include but are not limited to Water Supply protection, management and security concerns. Closures will be indicated on the NYCDEP website.

[(n)] *Firearms.* Firearms may not be discharged on lands within five hundred (500) feet of a reservoir or controlled lake.

§16-09 *Hiking and Hiking Areas.*

(a) *Access.* Access to Hiking Areas on City Property for purposes of Hiking shall be by Access Permit. No additional NYCDEP permits or tags are required.

(b) *Designation.* Hiking Areas shall be designated by NYCDEP [in publications and notices] on sign postings and, when applicable, on the NYCDEP [Internet] website, on Public Maps [available to Access Permit holders], and/or [by sign postings] in other publications and notices.

(c) *Hiking Activities.* Activities permitted in Hiking Areas are foot travel including hiking, walking, running, cross-country skiing, snowshoeing, bird watching, nature observation and photography. These activities may be further restricted at certain locations in accordance with NYCDEP sign postings or notices. Additional activities may be allowed at certain locations in accordance with NYCDEP sign postings or notices.

(d) *Season.* Access to Hiking Areas is year-round, except as otherwise restricted by NYCDEP sign postings or notices.

[(e)] *Hours.* The hours that Hiking Areas shall be open to holders of valid Access Permits are day round except as otherwise indicated by NYCDEP sign postings or notices.]

§16-10 *Guest Pass.*

Guest Passes are for temporary access for the recreational use of certain City Property. A valid Access Permit holder aged 18 or older may host up to two (2) Guests on City Property who would otherwise require a valid Access Permit, provided that the Guests are each in possession of a valid Guest Pass. Guests may participate in Watershed recreational opportunities, other than [Hunting] hunting, while accompanied by a person who has a valid Access Permit. Sponsoring Access Permit holders are responsible for the conduct and safety of their Guests and are liable for any violations of these rules by a Guest.

(a) *Application.* The Guest Pass is a fully completed Access Permit application signed by the Guest, or signed by the Guest's parent or legal guardian if the Guest is under 18, and carried by the Guest, which shall be available as indicated in §16-03[(b)(a)] above. No application fee is required.

(b) *Required Information.* A valid Guest Pass shall consist of an Access Permit application completed and signed by the Guest in permanent ink and containing the following required information:

- (1) Guest name, mailing address, phone number, and date of birth;
- (2) Guest gender, height, eye color and hair color;
- (3) Guest's driver's license number and state of issuance, or non-driver's identification number and state of issuance;
- (4) Acknowledgement of risks and waiver of liability;
- (5) Guest signature and date of signature or parent or legal guardian signature and date of signature if Guest is under 18[.];

(c) *Eligibility.* An individual aged 16 years or older who does not have a current valid Access Permit, does not have an outstanding Access Permit suspension or revocation, and is not otherwise restricted is eligible to use a Guest Pass. The sponsoring Access Permit holder must be aged 18 years or older.

(d) *Term.* A Guest Pass shall be valid for seven (7) consecutive days starting on and including the signature date thereon. A Guest Pass without a signature date is invalid.

(e) *Using a Guest Pass.* The following is required for proper use of a Guest Pass:

- (1) Guests must fully complete the Guest Pass and carry it with them at all times while on City Property.
- (2) Guests must carry their government-issued photo identification while on City Property.
- (3) Guests must produce their Guest Pass and identification upon request of any law enforcement officer or NYCDEP representative.
- (4) All Guests shall be accompanied by the valid Access Permit holder sponsoring the Guest at all times while on City Property. Access to City property by a Guest unaccompanied by the sponsor Access Permit holder constitutes a trespass. The accompanying, sponsor Access Permit holder shall be responsible for the conduct and safety of their Guests, and is liable for any violations committed by their Guest. A valid Access Permit holder may sponsor and accompany up to two (2) Guests at any one time on City Property.
- (5) Guests shall comply with the Rules for the Recreational Use of New York City Water Supply Lands and Waters. Guest Pass holders may not hunt on City Property.

(f) *Transferability.* A Guest Pass is non-transferable and may only be used by the person identified therein.

(g) *Renewal.* A Guest Pass is not renewable but may be submitted in application for an Access Permit. Guest Pass holders may submit their completed and signed Guest Pass in application for a permanent Access Permit by mailing them to NYCDEP at the address indicated on the application. An Access Permit will be mailed directly to each accepted applicant.

§16-11 *Vehicle Tag.*

All vehicles used for access to or parked on City Property for recreational uses other than at [Public] Designated Use Areas and Public Access Areas must have the driver's valid Vehicle Tag prominently displayed so that it is visible from the front of the vehicle.

(a) *Issuance.* Any person over the age of 16 who has been issued an Access Permit and who has a valid driver's license issued by any state as indicated on his or her Access Permit application shall be issued a Vehicle Tag. An Access Permit holder who subsequently obtains a driver's license may request and receive a Vehicle Tag at no cost.

(b) *Term.* A Vehicle Tag is valid only if and for so long as the person's Access Permit is valid.

(c) *Use of a Vehicle Tag.* The driver's Vehicle Tag shall be prominently displayed so that it is visible from the front of the vehicle, typically hanging from the rear view mirror whenever a person is accessing City Property for recreational use, except in [Public] Designated Use Areas and Public Access Areas. Only one Vehicle Tag is required to be displayed if multiple Access Permit holders are visiting City Property in the same vehicle, but for emergency reasons, it is recommended that all Vehicle Tags be displayed on the dashboard. Motorcycle drivers may display a photocopy of their Vehicle Tag on the motorcycle.

(d) *Transferability.* Vehicle Tags are not transferable to another person but may be used by that person on any vehicle.

(e) *Replacement.* Lost or destroyed Vehicle Tags will be replaced upon the holder's written request to NYCDEP by U.S. or electronic mail. Electronically requested replacements may be printed immediately. Replacements requested by U.S. mail will generally be issued within two weeks.

§16-12 *Group Access Permit.*

Group Access Permits of limited duration are available for Groups of between twelve and thirty individuals to conduct such activities as would normally be available to individual Access Permit holders and shall be issued in accordance with NYCDEP policies and procedures.

(a) *Term.* Group Access Permits may be issued for a term of one day to three consecutive months.

(b) *Application.* Applicants for a Group Access Permit must fully complete a Group Access Permit application and submit it to the address on the application or through the NYCDEP [Internet] website. Group Access Permit applications and waivers shall be available at the same locations as indicated in §16-03(a). No application fee is required.

(c) *Required Information.* The following information shall be required on or with the Group Access Permit application:

- (1) Application date;
- (2) Group name and address;
- (3) Group Leader name, date of birth, address, primary telephone, electronic mail address, driver's license or non-driver's identification number and state of issuance;
- (4) Signed and dated responsibility statement of Group Leader accepting all

responsibility for Group and Group Member activity and safety while on City Property and indemnifying the City of New York;

- (5) Description of the purpose for which the Group is applying for access;
- (6) Date(s) and duration(s) for which the Group is seeking access;
- (7) Location of City Property for which Group access is being requested, including township, adjacent roadways, and description of intended entrance and exit points;
- (8) Names, ages, addresses and telephone numbers of up to twenty-nine Group Members;
- (9) Waiver of liability and acknowledgement of risk for Group Leader and Group Members, with parent or guardian signature for those under 18 years of age.

(d) *Issuance Criteria.* NYCDEP shall deny Group Access Permit applications that fail to meet the issuance criteria. Although NYCDEP shall strive to accommodate Group Access Permit requests whenever possible, the use of Water Supply lands for non-Water Supply purposes is subordinate to the primary interests of the Water Supply. Group Leaders must be aged 18 years or older. The City shall consider the following criteria when evaluating a Group Access Permit application:

- (1) Completeness of the application;
- (2) Consistency of proposed use with allowable activities;
- (3) Eligibility of Group or Group Leader to receive an Access Permit;
- (4) Availability and public access status of City Property proposed for use;
- (5) Consistency with water quality protection, Water Supply security, good neighborhood relations, and available City resources;
- (6) Compatibility with the City's land management goals;
- (7) Compatibility with existing uses, rights, easements, or facilities requirements on those Water Supply lands where Group access is requested.

(e) *General Conditions.* Group Access Permit holders and Group Members shall comply with the Rules for the Recreational Use of New York City Water Supply Lands and Waters. Group Access Permit holders and Group Members shall also comply with the following conditions:

- (1) Access to City property by the Group is only allowed for the dates, locations and Group Members stated on the approved Group Access Permit;
- (2) Use of City property by the Group is only permitted for those uses stated on the approved Group Access Permit;
- (3) The Group Leader shall carry the approved Group Access Permit or legible photocopy thereof at all times while on City Property;
- (4) Group Members must be accompanied by a Group Leader at all times while on water supply lands[.];
- (5) The Group Leader and all Group Members age 14 years or older shall carry a government-issued photo identification while on City Property;
- (6) All vehicles used by the Group to access City property shall be identified by a photocopy of the approved Group Access Permit in or on the vehicle such that it is clearly visible from the exterior front of the vehicle.

(f) *Responsibility.* Use of and activities on Water Supply lands under the Group Access Permit by Group Members is the sole responsibility of the Group Leader who shall accept responsibility for the conduct, activities, and safety of all Group Members. The Group Leader must accompany the Group at all times while on water supply lands. The Group Leader is the permit holder.

§16-13 *Public Access Areas.*

NYCDEP may, in its discretion, designate portions of City Property as Public Access Areas that may be entered and used by the public for recreational uses as allowed by New York State law without the requirement of having a valid NYCDEP Access Permit, Hunt Tag or Vehicle Tag. Public Access Areas are not subject to these rules except for those set forth in this section and in sections 16-01 (Scope and Purpose), 16-02 (Definitions), 16-15 (Restricted Areas), 16-16 (General Rules), 16-17 (Prohibitions), 16-18 (Regulated Activities), 16-19 (Permit Suspension and Revocation), 16-20 (Conformance with State and Local Laws), and 16-21

(Unenforceability). Public Access Areas shall be designated by NYCDEP on sign postings and, when applicable, on the NYCDEP website, on Public Maps, and/or in other publications and notices.

(a) Fishing. Fishing is allowed in Public Access Areas, subject to the following:

- (1) Fishing by boat is prohibited, unless specifically permitted by NYCDEP on sign postings and, when applicable, on the NYCDEP website, on Public Maps, and/or in other publications and notices;
- (2) Motorized fishing equipment is prohibited on City property, including but not limited to power ice augers and trolling motors.

(b) Hunting. Hunting is allowed on Public Access Areas, subject to the following:

- (1) Hunters shall respect the rights of owners of neighboring properties and shall not trespass on private lands. If an animal wounded by a hunter travels onto neighboring property, the hunter shall obtain the property owner's permission to enter the property for retrieval. If an animal wounded by a hunter travels onto City Property that is not a Public Access Area, the hunter shall obtain permission to enter the area from NYCDEP Police before entering by calling (888) 426-7433;
- (2) Firearms may not be discharged on lands within five hundred (500) feet of a reservoir or controlled lake.

(c) Trapping. Trapping is allowed in Public Access Areas.

(d) Hiking. Hiking is allowed in Public Access Areas.

(e) Season. Access to Public Access Areas is year-round except as otherwise restricted on NYCDEP sign postings and, when applicable, on the NYCDEP website, on Public Maps, and/or in other publications or notices.

§16-[13]14 [Public] Designated Use Areas.

NYCDEP may, in its discretion, designate portions of City Property as [Public] Designated Use Areas that may be entered and used by the public for [certain,] specified recreational uses without the requirement of having a valid NYCDEP Access Permit or Vehicle Tag. Where Fishing is allowed in Designated Use Areas, it is subject to the rules for Fishing specified above in §16-04, except for the requirement for an Access Permit set forth in §16-04(a). Where Hiking is allowed in Designated Use Areas, it is subject to the rules for Hiking specified above in §16-09, except for the requirement for an Access Permit set forth in §16-09(a). Designated Use Areas are not otherwise subject to these rules except for those set forth in this section and in sections 16-01 (Scope and Purpose), 16-02 (Definitions), 16-15 (Restricted Areas), 16-16 (General Rules), 16-17 (Prohibitions), 16-18 (Regulated Activities), 16-19 (Permit Suspension and Revocation), 16-20 (Conformance with State and Local Laws), and 16-21 (Unenforceability).

(a) Locations. [Public] Designated Use Areas are posted with signs [or] and, when applicable, otherwise designated as such by NYCDEP on Public Maps, the NYCDEP [Internet] website, and/or in other NYCDEP publications.

(b) Use. Recreational uses in Designated Use Areas will be allowed [in Public Areas include Hiking, bicycle riding, and roller-blading. These uses may be] or restricted [and certain additional uses may be allowed] in some or all such areas by NYCDEP sign postings [and/or] and, when applicable, on the NYCDEP website, on Public Maps, and/or in other publications and notices.

(c) Season. Access to [Public] Designated Use Areas is year-round except as otherwise restricted by [these regulations or by] NYCDEP sign postings and, when applicable, on the NYCDEP website, on Public Maps, and/or in other publications or notices.

[(d) Hours. The hours that Public Areas shall be open to the public are day round except as otherwise indicated by NYCDEP sign postings and/or notices.]

§16-[14]15 Restricted Areas.

(a) General. NYCDEP may, in its discretion, temporarily limit or forbid access to any or all City Properties at any time and from time to time as may be necessary for Water Supply security, for public safety or resource protection by posting signs [or] and, when applicable, on the NYCDEP website and/or by publishing announcements.

(b) Location. Unless otherwise posted [or designated as a Public Area], all persons other than NYCDEP employees and contractors on City business, on-duty law enforcement personnel and others with express written permission from NYCDEP are prohibited from entering City Property that is:

- (1) on or within five hundred (500) feet of any dikes, dams, tunnel outlets, spillways, buildings and other significant Water Supply structures;
- (2) any area not officially designated as a Hiking, Fishing, Hunting [or], Public Access, or Designated Use Area; and
- (3) any other area posted with signs or otherwise designated as a restricted area.

§16-[15]16 General Rules.

The following general requirements apply to all recreational use on City Property.

(a) Personal Identification. All Access Permit holders, their guests, and visitors to [Public] Designated Use Areas, except for minors under the age of [14] 12, shall carry government-issued, photo identification while on City Property and must produce such identification upon request of any law enforcement officer or NYCDEP representative.

(b) Signs and Instruction. All persons on City Property shall observe all instructions and warnings on posted signs and notices and from NYCDEP representatives.

(c) Blaze Orange. All persons at Hunting Areas during big game gun hunting seasons shall wear blaze or safety orange as an outermost layer in the form of an entire vest, an entire jacket, or an entire hat.

(d) Trespass. All persons entering on City Property shall respect the rights of owners of adjacent property and shall not trespass onto private lands.

[(e)](d) Property Use and Designation. NYCDEP shall designate and list areas for recreational use by posting signs[, by publishing announcements in newsletters and/or direct mailings, in press releases, on Public Maps, and/or on the NYCDEP Internet website] and, when applicable, by publishing announcements on the NYCDEP website, on Public Maps, and/or in other publications and notices.

(e) Abandoned Property. Abandoned or prohibited equipment found on City lands shall be confiscated by NYCDEP.

§16-[16]17 Prohibitions.

The activities and uses enumerated in this section shall be prohibited on all City Property.

(a) Littering, Polluting, Dumping. No person shall in any manner cause any rubbish, garbage, trash, refuse, organic or inorganic waste, cremated remains, diseased or dead animal or other offensive matter or any abandoned property or material to be placed or left on City Property.

(b) Bathing, Swimming, Washing of Objects. No bathing, swimming or washing of any objects is permitted on City Property.

(c) Unauthorized Presence on City Property. No person shall enter upon and remain on City Property without participating in a recreational use activity allowed by these rules.

(d) Camping. Camping is not permitted on City Property.

(e) Fires. The causing, building or maintaining of fires on City Property is prohibited.

(f) Smoking. Smoking is prohibited on City Property during fire danger prediction periods classified as "very high" or "extreme" by New York State. Smoking is also prohibited during any period in which New York State or a local municipality has suspended the issuance of burning permits due to drought or high fire danger or by the direction or order of NYCDEP.

(g) Motorized Equipment. The use or possession of motorized equipment on City Property is prohibited unless designated by NYCDEP on sign postings, Public Maps, [and] or on notices, or [granted by] unless NYCDEP grants express written permission for such use or possession.

(h) Commercial Activities. The use of City Property for any commercial activity or as part of any commercial enterprise is prohibited unless NYCDEP grants express written permission for a specified commercial activity.

(i) Other Activities. Any recreational or other activity not expressly allowed by these rules, including but not limited to bicycle riding, horseback riding, ice-skating, recreational boating, sleigh riding, and downhill skiing, is prohibited on City Property unless [designated] specified by NYCDEP on sign postings and, where applicable, on other notices, or [granted by] unless NYCDEP [by] grants express written permission for such activity.

§16-[17]18 Regulated Activities.

The activities and uses enumerated in this section shall be regulated on all City Property.

(a) Injury, Destruction or Abuse of Natural Resources or Property. No person shall disturb, deface, remove or injure any vegetation, trees, wildlife, soil, stone or other cultural or natural resources located on City Property, including, but not limited to equipment, sampling stations, fences, gates, stone walls, boundary markers, monuments, blaze marks, NYCDEP signs, roads, trails or other improvements, without prior written permission from NYCDEP, with the following exceptions:

- (1) The cutting of vegetation for tree stands and shooting lanes is prohibited except that limbs not greater than two inches in diameter and not further than twenty-five yards from a tree stand may be cut with a hand tool. The use of power cutting equipment such as chainsaws is prohibited.
- (2) The hunting of game species is allowed in accordance with these rules.

(b) Firearms, Weapons, Explosives. Rifles, shotguns, handguns, bows and arrows, muzzleloaders and pocket or hunting knives may only be carried and used as permitted in Hunting Areas [during designated hunting seasons] by persons with valid Hunt Tags, or in Public Access Areas, in accordance with NYSDEC regulations (i.e., rifles may be prohibited by the State in certain locations). Bows and arrows may be used when Fishing for carp. The use or carrying of handguns is prohibited on all City Property except for purposes of [Hunting] hunting, either at Hunting Areas by persons with valid Hunt Tags or in Public Access Areas. Access Permit holders engaged in Hiking, Fishing, or [Hunting] hunting may carry pocket or hunting knives for purposes of Hiking, Fishing, or [Hunting] hunting. All other weapons, fireworks and explosives are prohibited.

(c) Animals. Securely leashed dogs and [small game] hunting dogs are allowed on City Property, unless otherwise posted [or designated] by NYCDEP. Pet owners or handlers shall keep their dog(s) under personal control at all times and shall remove their animal's feces from City Property. Dogs are not permitted to enter any water body except in Public Access Areas. No other animals shall be brought onto City Property.

(d) Posting of Notices, Signs and Marking of Trails. The posting of signs, notices or the marking of trails without express written permission from NYCDEP is prohibited. Temporary markings for purposes of tracking game may be used, but must be removed within forty-eight (48) hours of placement.

(e) Tents and Other Structures. Tents and other temporary or permanent structures, except for temporary tree stands, temporary hunting blinds, and temporary ice fishing windbreaks, are not allowed on City Property and are subject to removal at the owner's expense and risk. Temporary tree stands may be used [for] on Hunting Areas in accordance with §16-08(h) and in Public Access Areas.

(f) Motor Vehicle Access. Trucks, automobiles, all-terrain vehicles, motorcycles, snowmobiles and all other motorized vehicles, including aircraft, are prohibited on all City Property unless [designated] allowed by NYCDEP on postings, Public Maps and/or notices or [granted] by express written permission. Vehicles that are: (1) blocking gates or entryways, (2) found in areas posted with "No Parking" signs, (3) found in any unauthorized area on City Property, or (4) found without a valid NYCDEP Vehicle Tag on any City Property other than a Public Access Area or a Designated Use Area, are subject to removal and storage at the owner's expense and risk.

(g) Trapping. Trapping is [not] only permitted on City Property [without express written permission] in certain Hunting Areas specifically designated for trapping by NYCDEP and in Public Access Areas. Trapping is not permitted elsewhere.

§16-[18]19 Permit Suspension and Revocation.

Any violation of these rules by an Access Permit holder or by any person accompanying an Access Permit holder is cause for suspension or revocation of such Access Permit and any related Tags. Such violation may also affect issuance of future Access Permits and/or Tags as determined by NYCDEP and may also subject the violator to prosecution to the fullest extent of the law. Any violation of these rules by a person without an Access Permit and/or Tag may affect future eligibility for an Access Permit and/or Tag and may also subject the violator to prosecution to the fullest extent of law.

(a) Confiscation. Upon request of a NYCDEP representative or law enforcement officer, an Access Permit holder or Guest Pass holder shall surrender his or her Access Permit and/or Guest Pass and/or any related Tag to the requestor and must immediately leave the City Property. Such NYCDEP representative or law enforcement officer shall submit the confiscated items within ten (10) days to the NYCDEP [Land Management] office in Kingston along with the following information:

- (1) Date and location of alleged violation;
- (2) Confiscating personnel name, title and contact information;
- (3) Name, Access Permit number, address, telephone number, and driver's license or non-driver's identification number and state of alleged violator, as applicable;
- (4) Nature and description of the alleged violation;
- (5) Nature and description of any NYCDEP enforcement action taken, including identification number(s) and description(s) of any tickets issued or arrests made.

(b) Initial Appeal. The Access Permit holder may provide the NYCDEP [Land Management] office in Kingston with a written explanation of the alleged violation within fifteen (15) days of the confiscation. NYCDEP will consider the written explanation before notifying the Access Permit holder of a decision.

(c) Notification Procedure. Upon examination of the circumstances, NYCDEP will suspend, revoke or return the Access Permit, Guest Pass, and/or Tag, and will notify the person in writing of its determination generally within forty-five (45) days of the alleged violation or receipt of the written explanation, whichever is later. NYCDEP shall send a letter of suspension, revocation, or reinstatement via regular mail to the individual's address on file. This letter shall specify the following:

- (1) Date, location, and nature of the infraction;
- (2) The violator's name, address, and Access Permit or Tag number(s), as applicable;
- (3) Citation of the violation as per these rules;
- (4) Notification of any penalty imposed and Access Permit or Tag status;
- (5) Notification of the opportunity and timeline for appeal.

(d) *Suspension.* If NYCDEP determines that the Access Permit and/or Tag should be suspended, a letter including the basis for the suspension, the period of suspension and the expiration date of the suspension period shall be sent to the Access Permit holder at the address on file. The person may not enter upon City Property until the period of suspension has ended and NYCDEP returns the Access Permit and related Tags, as applicable. Depending on the severity of the violation and record of previous violations, Access Permit/Tag suspension may be from three months to five years from the date of the violation.

(e) *Revocation.* If NYCDEP determines that the Access Permit and/or Tag should be revoked due to significant, repeated, or egregious violations, a letter including the basis for revocation shall be sent to the former Access Permit holder. Revocation is effective immediately upon issuance of such letter. The former Access Permit holder may not apply for a new Access Permit and/or Tag until the date specified in the letter, if any.

(f) *Appeals.* Individuals may appeal the suspension or revocation of their public access privileges and/or ability to apply for public access privileges by submitting a request in writing explaining why the penalty should be changed to NYCDEP within thirty (30) days of the date of the letter of suspension or revocation. NYCDEP shall respond to all appeal requests in writing within thirty (30) days of receipt. In response to a written appeal, [the] NYCDEP [Director of the Division of Watershed Lands and Community Planning] may reduce the duration of suspension or revocation period. Individuals dissatisfied with the first appeal response may elect to submit a final written appeal to the NYCDEP Deputy Commissioner of the Bureau of Water Supply, for a final determination.

(g) *Reinstatement.* Upon conclusion of the suspension period, NYCDEP shall send notification of reinstatement via regular mail or electronic mail to the individual at the address on file. This notification shall include the return of any confiscated Access Permit or Tag that is still valid or an application for a replacement.

(h) *Group Infractions.* Any violation of these rules and/or the Group Access Permit conditions by a Group Member may result in:

- (1) Removal of the Group and/or Group Members from the property;
- (2) Revocation of the Group Access Permit;
- (3) Loss of general privileges to access Water Supply lands including loss of eligibility to apply for an Access Permit, suspension or revocation of Access Permits; and
- (4) Arrest and prosecution to the full extent of the law of the Group Members, Group Leader, and/or organization sponsoring the Group and/or which the Group represents.

(i) *Public Access Area and Designated Use Area Infractions.* Failure to comply with these rules, postings or notices in a Public [Area] Access Area or a Designated Use Area may result in, but [is not] will not be limited to, one or more of the following measures:

- (1) Removal from the property;
- (2) Suspension or revocation of Access Permit privileges, if violator is an Access Permit holder.
- (3) Suspension from applying for an Access Permit.
- (4) Suspension from access to some, any or all City Property.
- (5) Arrest and prosecution to the full extent of the law.

§16-[19]20 *Conformance with State and Local Laws.*

All persons using City Property for recreational purposes are subject to the Environmental Conservation Law of the State of New York and all other statutes, ordinances, rules applicable, including (without limitation) the Watershed Rules and the rules set forth herein. The Access Permit and Hunt Tag are not substitutes for any NYSDEC Fishing or Hunting Licenses required by law.

§16-[20]21 *Unenforceability.*

If any clause, sentence, paragraph, subdivision, section, rule or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

STATEMENT OF BASIS AND PURPOSE

The purpose of the proposed rule is to amend 15 RCNY Chapter 16 to provide greater accessibility and convenience to the public concerning permissible recreational uses of New York City water supply lands and waters. The proposed rule allows access to certain lands and waters, to be called Public Access Areas, without the need to apply for and carry New York City Department of Environmental Protection Access Permits. The rule also expands hunting opportunities so that on City-owned lands where hunting is permitted, the restrictions are more consistent with hunting as permitted under New York State Law. Another purpose of the rule is to expand opportunities for both ice fishing and regular fishing on certain specified reservoirs. Additionally, the rule clarifies Access Permit application and other existing procedures.

The proposed rules are derived from historical recreational uses of the land that are recognized in the New York City

Watershed Memorandum of Agreement (MOA), dated January 21, 1997, and are not intended to establish supervised recreational activities on these lands. The City does not assume any liability for the recreational use by the public of its lands and waters beyond that provided in General Obligation Law § 9-103.

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HEALTH AND MENTAL HYGIENE

COMMISSION OF HEALTH AND MENTAL HYGIENE

■ NOTICE

NOTICE OF EXTENSION OF TIME FOR PUBLIC COMMENT ON PROPOSALS:

ADOPTION OF NEW CHAPTER 26 OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF SEPARATE BOROUGH SPECIFIC WAITING LISTS FOR THOSE SEEKING FRESH FRUITS AND VEGETABLES PERMITS AUTHORIZED TO BE ISSUED BY LOCAL LAW NO. 9 OF 2008.

AMENDMENT TO CHAPTER 6 (FOOD UNITS) OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK.

NOTICE IS HEREBY GIVEN THAT THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE IS EXTENDING THE PUBLIC COMMENT PERIOD FOR THE ABOVE PROPOSALS, ORIGINALLY PUBLISHED IN THE CITY RECORD ON APRIL 10, 2008 AND NOW ALSO APPEARING ALONGSIDE THIS NOTICE, UNTIL 5:00 P.M. ON THURSDAY, MAY 29, 2008.

PERSONS INTERESTED IN GIVING TESTIMONY REGARDING THESE PROPOSALS MAY DO SO AT A PUBLIC HEARING TO BE HELD ON A RELATED PROPOSAL FROM 9:30 A.M.- 11:30 A.M. ON MAY 29, 2008 IN THE THIRD FLOOR BOARDROOM AT 125 WORTH STREET, NEW YORK, NEW YORK.

WRITTEN COMMENTS REGARDING THE PROPOSALS MUST BE SUBMITTED ON OR BEFORE 5:00 P.M. ON THURSDAY, MAY 29, 2008 TO RENA BRYANT, SECRETARY TO THE DEPARTMENT, BY MAIL TO 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, OR BY FAX TO (212) 788-4315 OR ONLINE (WITHOUT ATTACHMENTS) AT <http://www.nyc.gov/html/doh/html/notice/notice.shtml> OR E-MAIL TO RESOLUTIONCOMMENTS@HEALTH.NYC.GOV.

NOTICE OF INTENTION TO AMEND TITLE 24 OF THE RULES OF THE CITY OF NEW YORK TO ADOPT A NEW CHAPTER 26 PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF SEPARATE BOROUGH SPECIFIC WAITING LISTS FOR THOSE SEEKING FRESH FRUITS AND VEGETABLES PERMITS AUTHORIZED TO BE ISSUED BY LOCAL LAW NO. 9 OF 2008

IN COMPLIANCE WITH SECTIONS 1043(a) and 389(b) OF THE NEW YORK CITY CHARTER (THE "CHARTER") AND PURSUANT TO TITLE 17, CHAPTER 3, SUBCHAPTER 2, SECTION 17-307(4)(b) AND SECTION 17-324 OF THE NEW YORK CITY ADMINISTRATIVE CODE, NOTICE IS HEREBY GIVEN OF THE INTENTION TO AMEND TITLE 24 OF THE RULES OF THE CITY OF NEW YORK TO ADOPT A NEW CHAPTER 26 PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF SEPARATE BOROUGH SPECIFIC WAITING LISTS FOR THOSE ELIGIBLE PERSONS SEEKING TO OBTAIN FRESH FRUITS AND VEGETABLE PERMITS AUTHORIZED TO BE ISSUED BY LOCAL LAW NO. 9 OF 2008.

NOTICE IS HEREBY GIVEN THAT THE DEPARTMENT WILL HOLD A PUBLIC HEARING ON THE PROPOSAL FROM 2:00 P.M.- 4:00 P.M. ON TUESDAY, MAY 13, 2008 IN THE THIRD FLOOR BOARDROOM AT 125 WORTH STREET, NEW YORK, NEW YORK.

PERSONS INTERESTED IN PRE-REGISTERING TO SPEAK AT THE HEARING SHOULD NOTIFY RENA BRYANT, SECRETARY, IN WRITING, BY MAIL TO 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, OR BY FAX TO (212) 788-4315 BY 5:00 P.M., MONDAY, MAY 12, 2008. PLEASE INCLUDE A TELEPHONE NUMBER WHERE, IF NECESSARY, YOU MAY BE REACHED DURING NORMAL WORKING HOURS. SPEAKERS WILL BE LIMITED TO FIVE (5) MINUTES.

REGISTRATION OF PERSONS WHO WISH TO SPEAK AT THE HEARING WILL BE ACCEPTED AT THE DOOR ON THE DATE OF HEARING. HOWEVER, PREFERENCE WILL BE GIVEN TO THOSE WHO REGISTER BEFORE THE HEARING DATE.

PERSONS WHO REQUEST THAT A SIGN LANGUAGE INTERPRETER OR OTHER FORM OF REASONABLE ACCOMMODATION FOR A DISABILITY BE PROVIDED AT THE HEARING ARE ASKED TO NOTIFY RENA BRYANT, SECRETARY, 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, (212) 788-5010, BY TUESDAY, APRIL 29, 2008.

WRITTEN COMMENTS REGARDING THE PROPOSAL MUST BE SUBMITTED ON OR BEFORE 5:00 P.M. ON TUESDAY, MAY 13, 2008 TO RENA BRYANT, SECRETARY, BY MAIL TO 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, OR FAX TO (212) 788-4315

OR ONLINE (WITHOUT ATTACHMENTS) AT <http://www.nyc.gov/html/doh/html/notice/notice.shtml> OR E-MAIL TO RESOLUTIONCOMMENTS@HEALTH.NYC.GOV

WRITTEN COMMENTS RECEIVED BY THE SECRETARY AND A TRANSCRIPT OF THE PUBLIC HEARING WILL BE AVAILABLE FOR PUBLIC INSPECTION WITHIN A REASONABLE TIME AFTER RECEIPT BETWEEN THE HOURS OF 9:00 A.M. AND 5:00 P.M. AT THE OFFICE OF THE SECRETARY. THE DEPARTMENT'S GENERAL POLICY IS TO MAKE WRITTEN COMMENTS AVAILABLE FOR PUBLIC VIEWING ON THE INTERNET. ALL COMMENTS RECEIVED, INCLUDING ANY PERSONAL INFORMATION PROVIDED, WILL BE POSTED WITHOUT CHANGE TO <http://www.nyc.gov/html/doh/html/comment/comment.shtml>.

Statutory Authority

This proposed rule is promulgated pursuant to §§389(b) and 1043(a) of the New York City Charter (the "Charter"). Charter §389(b) provides that "heads of mayoral agencies shall have the power to adopt rules to carry out the powers and duties delegated to the agency head or the agency by or pursuant to federal, state or local law." Charter §1043(a) similarly provides that each "agency is empowered to adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law." §17-324 of the Administrative Code of the City of New York (the "Administrative Code") authorizes the Commissioner of Health to make "make such rules as deemed necessary for the proper implementation and enforcement of this subchapter." §17-307(b)(4)(d) of the Administrative Code more specifically provides in connection with the issuance of fresh fruits and vegetables permits that "the commissioner shall establish a separate waiting list for each borough to be administered in accordance with procedures to be established by rules of the commissioner". The provision also authorizes the Commissioner to by "rule limit the number of places on each such waiting list."

Statement of Basis and Purpose

Local Law No. 9 of 2008 amends Subchapter 2 of Chapter 3 of Title 17 of the Administrative Code of the City of New York by authorizing the Commissioner of Health and Mental Hygiene to issue up to one thousand (1000) newly created "fresh fruits and vegetables permits", as defined in Section 17-306(r) of the Administrative Code. Unlike other full term permits issued pursuant to Subchapter 2, these permits authorize the holders thereof to vend only "fresh fruits and vegetables". "Fresh fruits and vegetables" is defined, in part, in Section 17-306 (q) as the "unprocessed unfrozen raw fruits and vegetables that have not been combined with other ingredients."

Local Law 9 also establishes a new type of pushcart called a "green cart", which must comply with standards established by the Commissioner, and which is to be used exclusively by those issued fresh fruits and vegetables permits. No food vendor issued a fresh fruits and vegetables permit shall be authorized to vend from other than a "green cart" or vehicle or to vend any food other than fresh fruits and vegetables from the vehicle or green cart for which the fresh fruits and vegetables permit was issued. The initial issuance of these 1000 fresh fruits and vegetables permits shall be phased in over a two year period. No more than five hundred (500) permits shall be issued during the first year of permit availability, with no more than one-half designated for use in each borough to be issued during the first year. During the second year of permit availability, the Commissioner may issue the remaining 500 permits along with any permits not issued during the first year of permit availability. Each of the 1000 fresh fruits and vegetables permits issued pursuant to Local Law 9 shall be designated for use exclusively in the designated areas of boroughs in the numbers authorized by that law. Local Law 9 further requires that preferences shall be given in the issuance of fresh fruits and vegetables permits and in the placement on any borough specific waiting lists for such permits to persons on any existing mobile food unit permit waiting list on the effective date of this local law, with additional preference given to those on these lists who are also disabled veterans, disabled persons and veterans, in that order of priority. Disabled veterans, disabled persons and veterans who are not on any existing mobile food unit permit waiting lists shall also be given preferences, as specified in §17-307(b)(4)(e).

It is the Department's experience that the demand for mobile food unit permits generally exceeds their availability as fixed by statutory maximums. Accordingly, it is anticipated that the demand for fresh fruits and vegetables permits will also exceed their limited availability. Accordingly, a fair, orderly and efficient procedure is needed for persons to communicate to the Department their interest in applying for fresh fruits and vegetables permits and for the Department to issue these permits. A new Chapter 26 is proposed. §26-02 of the proposed rule directs the Department to establish five separate waiting lists, one for each borough of the City. Proposed §26-03 establishes preferences to be given on these borough specific waiting lists to certain categories of persons, specifically to those persons on any existing mobile food unit waiting list on the effective date of Local Law No. 9 of 2008, with additional preference to be given to those on existing waiting lists who are also disabled veterans, disabled persons and veterans, in that order of priority or preference. §26-03 further provides that preferences on these borough specific fresh fruits and vegetables permit waiting lists shall also be given, as specified in §17-307(b)(4)(e), to those not on any existing mobile food unit permit waiting lists on the effective date of Local Law 9 of 2008 but who are disabled veterans, disabled persons and veterans, in that same order of priority. §26-04 provides that only those persons holding valid mobile

food vendor licenses at least ten (10) days prior to the Department's establishment of the borough specific waiting lists for fresh fruits and vegetables shall be eligible for placement on any of the lists established pursuant to this Chapter. §26-05 describes the notice to be provided to prospective applicants for newly issued fresh fruits and vegetables permits and for those seeking position(s) on any of the waiting lists. §26-06 describes the procedures to be followed for requesting position(s) on these lists. The remaining provisions of new Chapter 26 specify how the waiting lists are to be established and administered for those seeking fresh fruits and vegetables permits.

Statement Pursuant to Charter Section 1042 - Regulatory Agenda

This proposed rule was not included in the Department's Regulatory Agenda because the law which necessitated this rule was enacted after the Regulatory Agenda was prepared and published.

THE PROPOSED RULE IS AS FOLLOWS

Note- Matter underlined is new

CHAPTER 26

ESTABLISHMENT AND MAINTENANCE OF SEPARATE BOROUGH SPECIFIC WAITING LISTS FOR THOSE SEEKING FRESH FRUITS AND VEGETABLES PERMITS

§26-01 Definitions.

(a) Words and terms used in this Chapter shall have the meanings specified in §17-306 of the Administrative Code.

(b) "Establishment", "establish", "establishing" or "established" shall refer to the initial creation of the five separate borough specific waiting lists for fresh fruits and vegetables mobile food unit permits as well as all subsequent supplementations and re-establishments of any of these lists as necessary for filling both permit vacancies and waiting list positions for these permits.

§26-02 Direction to Establish Waiting Lists

The Department shall establish five separate waiting lists for fresh fruits and vegetables permits that are designated for use exclusively in the boroughs of Brooklyn, Bronx, Queens, Manhattan and Staten Island. The waiting lists shall take into account the four preference categories listed in §17-307(b)(4)(e) of the Administrative Code, including the additional preferences described in §17-307(b)(4)(e)(i) of such Code.

§26-03 Preferences on Waiting Lists

Establishment of the five borough specific waiting lists in accordance with this Chapter shall be in accordance with the preference categories and any additional preferences within a preference category as listed in §17-307(b)(4)(e) of the Administrative Code. No person shall be placed on a borough specific fruits and vegetables waiting list pursuant to this Chapter in a higher position than any person who is given a greater preference pursuant to §17-307(b)(4)(e). Persons with a higher preference shall be given a higher weighted value in the selection process used to establish the borough specific fruits and vegetables waiting lists created pursuant to this Chapter. Persons who appear on any existing mobile food unit permit waiting list on the effective date of Local Law No. 9 of 2008 and who also classify themselves as disabled veterans shall receive a weighted value of 8. Persons who appear on any existing mobile food unit permit waiting list on the effective date of Local Law No. 9 of 2008 and who also classify themselves as disabled persons shall receive a weighted value of 7. Persons who appear on any existing mobile food unit permit waiting list on the effective date of Local Law No. 9 of 2008 and who also classify themselves as non-disabled veterans shall receive a weighted value of 6. Any other persons who appear on any existing mobile food unit permit waiting lists on the effective date of Local Law No. 9 of 2008 shall receive a weighted value of 5. Persons not appearing on any existing mobile food unit permit waiting lists on the effective date of Local Law No. 9 of 2008 but who classify themselves as disabled veterans shall receive a weighted value of 4. Persons not appearing on any existing mobile food unit permit waiting lists on the effective date of Local Law No. 9 of 2008 but who classify themselves as disabled persons shall receive a weighted value of 3. Persons not appearing on any existing mobile food unit permit waiting list on the effective date of Local Law No. 9 of 2008 but who classify themselves as non-disabled veterans shall receive a weighted value 2. All other persons shall receive a weighted value of 1. Persons of the same weighted value shall be placed on borough specific fruits and vegetables waiting lists in order pursuant to random selection.

§26-04 Eligibility for Placement on Borough Specific Waiting Lists for Fresh Fruits and Vegetables Permits

To be eligible for inclusion on any of the waiting lists established pursuant to this Chapter, applicants shall be natural persons holding a valid mobile food vendor license at least ten (10) days prior to the Department's establishment of the borough specific fresh fruits and vegetables permit waiting lists created pursuant to this Chapter.

§26-05 Notice of the Establishment of Borough Specific Waiting Lists for Fresh Fruits and Vegetables Permits

Notice of the Department's intention to establish fresh fruits and vegetables borough specific waiting lists shall be made by publication in the City Record at least fourteen days prior

to the establishment of such lists.

§26-06 Procedure for Requesting a Place on Waiting Lists.

(a) The Division of Permits shall use a mail-in procedure for establishing all waiting lists. Such procedure shall allow persons requesting placement on one or more of the five waiting lists established pursuant to this Chapter to submit a Department-issued waiting list application form, which shall contain their license number, their preference category, if applicable, and their choice(s) of borough specific fresh fruits and vegetables permit(s) they seek, by mail postmarked during a period of time to be determined by the Department, as specified in the Notice published pursuant to §26-05 of this Chapter.

(b) The Notice shall advise those persons requesting placement on one or more of these five borough specific waiting list(s) to rank the waiting list(s) they select by order of borough choice. Applicants shall be directed to apply only for waiting list(s) for boroughs in which they would be willing to vend should they obtain such borough specific permit.

(c) Persons in the first preference category, as provided in §17-307(b)(4)(e), shall not lose their position on any pre-existing waiting list as a result of their submission of an application for a fresh fruits and vegetables permit waiting list position or any resulting placement on any such list. A person on any existing waiting list who is issued a fresh fruits and vegetables permit also need not relinquish his or her place on any previously existing waiting list. Pursuant to §17-307(b)(4)(b), however, a person shall be issued no more than one permit, whether full-term citywide, borough-specific full-term, temporary citywide or exclusively fresh fruits and vegetables.

§26-07 Procedure for Establishment of Borough Specific Fresh Fruits and Vegetables Waiting Lists

Not less than fourteen days after the Notice required by §26-05 is published in the City Record, the Department shall create five separate borough specific full-term fresh fruits and vegetables waiting lists. Applicants holding valid mobile food vendor licenses at least ten (10) days prior to the Department's establishment of the fresh fruits and vegetables borough specific waiting lists created pursuant to this Chapter shall be included in the selection process, subject to the preferences and weighted values described in §26-03 of this Chapter. Each applicant eligible for a position on any of these borough specific fresh fruits and vegetables waiting lists shall be able to obtain only one waiting list position per list. An applicant's position on a fresh fruits and vegetables borough specific waiting list shall be determined by his or her preference category, including the additional preferences within the category specified in §17-307(b)(4)(e)(i) of the Administrative Code, and the order in which the applicant's name is randomly selected within each group of applicants with the same weighted values as described in §26-03. The Department shall notify persons assigned a position on any of these waiting lists by mailing a notice to the address provided by the applicant on the applicant's waiting list application form.

§26-08 Number of Positions on the Waiting Lists

The Department shall not impose a pre-set limit or maximum on the number of waiting list positions on each of the five borough specific fresh fruits and vegetables waiting lists. Those applicants eligible for a waiting list position on any of the five borough specific waiting lists during the permit waiting list application period set by the Department shall be included on the waiting lists for which they applied. When it deems it necessary, the Department in its discretion may seek to supplement any specific borough waiting list or all waiting lists with additional names, pursuant to the procedure specified in §§26-03 through 26-07 of this Chapter, except that §26-06(b) shall not apply.

§26-09 Responsibility of Those on Waiting Lists to Notify the Department of Change of Address

(a) The names of persons selected for a waiting list created pursuant to this rule shall be entered on each list for which they apply with their address of record as known to the Department through mobile food vendor license records, or with any updated address provided to the Department on the waiting list application form. Thereafter, it shall be the responsibility of each person placed on a waiting list to provide written notification to the Department of any change of address. The Department shall provide written confirmation of its receipt of such address change notification. The Department's written confirmation of its receipt of a change of address notification shall constitute proof that such notification was provided to the Department.

(b) Failure to provide change of address information or, when requested, proof of the Department's confirmation of receipt of such written notification, may result in the loss of a person's waiting list position(s) and such person's eligibility to apply for a fresh fruits and vegetables permit pursuant to §17-307(b)(4) of the Administrative Code. Such person shall be deemed to have abandoned his or her place(s) on any of these borough specific fresh fruits and vegetables waiting list(s) and shall not be eligible for a fresh fruits and vegetables permit unless such person participates in the process of list establishment pursuant to §§26-03 through 26-07 of this Chapter, except that §26-06(b) shall not apply.

§26-10 Multiple Requests for Waiting List Position on any One Borough Specific Fruits and Vegetables Waiting List Prohibited

An applicant may apply for and obtain no more than one waiting list position on each of the borough specific waiting lists established pursuant to this Chapter and shall be eligible to obtain and possess only one permit. Before the creation of the borough specific fresh fruits and vegetables waiting lists, the Department shall attempt to ascertain that a mobile food vendor licensee is represented only once in the pool of licensees from which the selection is to be made in producing each of the five borough specific fresh fruits and vegetables lists pursuant to §26-07. Should the Department receive more than one request for a waiting list position on any one borough list from any person, requests subsequent to the first shall be deemed invalid. A person who submits more than one request for a position on any one borough specific fresh fruits and vegetables waiting list created pursuant to these rules may be disqualified and denied a position on that borough specific fresh fruits and vegetables waiting list if such multiple requests are deemed, in the sole discretion of the Department, to adversely affect the fairness or orderly establishment of that specific borough list.

§26-11 Selection of Applicants From a Waiting List

When the number of fresh fruits and vegetables permits outstanding for a particular borough falls below the statutory maximum for that borough and at such time as the Department in its discretion may determine based upon a consideration of the number of permit vacancies, a number of persons on such waiting list sufficient to fill the number of permit vacancies shall be notified by the Department, by waiting list order, of their eligibility to apply for a fresh fruits and vegetables permit to be used exclusively in a specific borough and shall form a pool of prospective applicants. Only one permit shall be issued for each eligible waiting list position or applicant.

§26-12 Eligibility to Apply for a Fresh Fruits and Vegetables Permit

Only those persons who have been notified that their waiting list number has been reached shall be eligible to submit an application for a fresh fruits and vegetables borough specific permit. A person whose waiting list number is reached and who holds another mobile food unit permit issued by the Department to vend on public space, shall not be eligible for a fresh fruits and vegetables permit pursuant to this rule unless such previously held permit is surrendered or expires before a permit with respect to such fresh fruits and vegetables waiting list is issued. Positions on a waiting list shall not be transferable.

§26-13 Notification of Eligibility to Apply For Permit

Within thirty (30) days of mailing notification of eligibility to apply for a fresh fruits and vegetables permit issued pursuant to §17-307(b)(4) of the Administrative Code, a person desiring to obtain such permit shall submit an application, completed in accordance with Section 5.05 of the New York City Health Code, together with the requisite fees and requested supporting documentation therefore. The permit application shall be submitted on or before the thirtieth day.

§26-14 Failure to Make Application for Permit or Complete Inspection Process, Declination of Permit

(a) A person on a borough specific fresh fruits and vegetables waiting list who is notified of his or her eligibility to apply for a permit and who fails to submit a completed permit application to the Department within thirty (30) days of being notified by the Department, or who otherwise communicates to the Department his or her lack of interest in the permit offered, shall result in the forfeiture of such person's waiting list position and the permit shall be offered to the next person on that borough specific fresh fruits and vegetables waiting list.

(b) A person notified of his or her eligibility to apply for a fresh fruits and vegetables permit to vend in a borough not his or her first choice, as that choice was specified on that person's waiting list application, applies for a permit for such borough and who presents documentation supporting his or her claim of eligibility in one of the preference categories listed in §17-307(b)(4)(e) of the Administrative Code, if applicable, and whose mobile food unit passes the Department's required inspection pursuant to §17-307(b)(2)(d) of the Administrative Code, shall not lose his or her waiting list position(s) on any other borough specific fresh fruits and vegetables waiting lists of higher choice, as stated on the same waiting list application form. Such fresh fruits and vegetables permittee, however, shall forfeit his or her position(s) on existing borough specific fresh fruits and vegetables waiting lists of lesser choice as stated on his or her waiting list application form.

(c) Any person notified that their waiting list number on a selected borough specific fresh fruits and vegetables waiting list has been reached and who is eligible to apply for this permit but who declines such borough specific permit offer shall be required to forfeit all waiting list positions on any other existing fresh fruits and vegetables waiting lists.

(d) Any person who fails to submit documentation satisfactory to the Department demonstrating that such person belongs to a preference category listed in §17-307(b)(4)(e) or whose mobile food unit does not pass the Department's required inspection, in accordance with §17-307(b)(2)(d) of the Administrative Code, shall be required to forfeit all such person's waiting list positions on all existing borough specific fresh fruits and vegetables waiting lists.

(e) The failure of any person to timely apply for a permit offered as specified in this section, complete the Department's inspection process or a person's declination of a specific borough permit offered pursuant to this Chapter, shall not affect that person's standing on any non-fresh fruits and vegetables mobile food unit permit waiting list.

§26-15 Abandonment of Waiting List Position

(a) A person who does not respond within thirty (30) days to a Departmental inquiry concerning a waiting list position held by such person, mailed by ordinary mail to the address provided by such person, shall be deemed to have abandoned such waiting list position. That person shall also be deemed to have abandoned or forfeited his or her standing on any other existing fresh fruits and vegetables waiting list on which he or she may appear.

(b) A person who holds a waiting list position may withdraw his or her name at any time by providing written notice to the Department with verifying documentation satisfactory to the Department.

NOTICE OF INTENTION TO AMEND CHAPTER 6 (FOOD UNITS) OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK

IN COMPLIANCE WITH SECTIONS 1043(a) and 389(b) OF THE NEW YORK CITY CHARTER (THE "CHARTER") AND PURSUANT TO TITLE 17, CHAPTER 3, SUBCHAPTER 2, SECTIONS 17-306(s), AND SECTION 17-324 OF THE NEW YORK CITY ADMINISTRATIVE CODE, NOTICE IS HEREBY GIVEN OF THE PROPOSED AMENDMENT OF CHAPTER 6 (FOOD UNITS) OF TITLE 24 OF THE RULES OF THE CITY OF NEW YORK.

NOTICE IS HEREBY GIVEN THAT THE DEPARTMENT WILL HOLD A PUBLIC HEARING ON THE PROPOSAL FROM 2:00 P.M. - 4:00 P.M. ON TUESDAY MAY 13, 2008 IN THE THIRD FLOOR BOARDROOM AT 125 WORTH STREET, NEW YORK, NEW YORK.

PERSONS INTERESTED IN PRE-REGISTERING TO SPEAK AT THE HEARING SHOULD NOTIFY RENA BRYANT, SECRETARY, IN WRITING, BY MAIL TO 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, OR BY FAX TO (212) 788-4315 BY 5:00 P.M., MONDAY, MAY 13, 2008. PLEASE INCLUDE A TELEPHONE NUMBER WHERE, IF NECESSARY, YOU MAY BE REACHED DURING NORMAL WORKING HOURS. SPEAKERS WILL BE LIMITED TO FIVE (5) MINUTES.

REGISTRATION OF PERSONS WHO WISH TO SPEAK AT THE HEARING WILL BE ACCEPTED AT THE DOOR ON THE DATE OF HEARING. HOWEVER, PREFERENCE WILL BE GIVEN TO THOSE WHO REGISTER BEFORE THE HEARING DATE.

PERSONS WHO REQUEST THAT A SIGN LANGUAGE INTERPRETER OR OTHER FORM OF REASONABLE ACCOMMODATION FOR A DISABILITY BE PROVIDED AT THE HEARING ARE ASKED TO NOTIFY RENA BRYANT, SECRETARY, 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, (212) 788-5010, BY TUESDAY, APRIL 29, 2008.

WRITTEN COMMENTS REGARDING THE PROPOSAL MUST BE SUBMITTED ON OR BEFORE 5:00 P.M. ON MONDAY, MAY 13, 2008 TO RENA BRYANT, SECRETARY, BY MAIL TO 125 WORTH STREET, CN-31, NEW YORK, NEW YORK 10013, OR FAX TO (212) 788-4315 OR ONLINE (WITHOUT ATTACHMENTS) AT <http://www.nyc.gov/html/doh/html/notice/notice.shtml> OR E-MAIL TO RESOLUTIONCOMMENTS@HEALTH.NYC.GOV

WRITTEN COMMENTS RECEIVED BY THE SECRETARY AND A TRANSCRIPT OF THE PUBLIC HEARING WILL BE AVAILABLE FOR PUBLIC INSPECTION WITHIN A REASONABLE TIME AFTER RECEIPT BETWEEN THE HOURS OF 9:00 A.M. AND 5:00 P.M. AT THE OFFICE OF THE SECRETARY. THE DEPARTMENT'S GENERAL POLICY IS TO MAKE WRITTEN COMMENTS AVAILABLE FOR PUBLIC VIEWING ON THE INTERNET. ALL COMMENTS RECEIVED, INCLUDING ANY PERSONAL INFORMATION PROVIDED, WILL BE POSTED WITHOUT CHANGE TO <http://www.nyc.gov/html/doh/html/comment/comment.shtml>.

Statutory Authority

This proposed amendment is authorized by §§389(b) and 1043(a) of the New York City Charter (the "Charter"). Charter §389(b) provides that "heads of mayoral agencies shall have the power to adopt rules to carry out the powers and duties delegated to the agency head or the agency by or pursuant to federal, state or local law." Charter §1043(a) authorizes each agency to "adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law." These rules are further authorized pursuant to §§ 17-306 and 17-324 of the Administrative Code of the City of New York (the "Administrative Code"). 17-324 provides that "the commissioner ... shall make such rules as deemed necessary for the proper implementation and enforcement of this subchapter." More specifically, § 17-306(s) of the Administrative Code defines a "green cart", in part, as a "pushcart used exclusively by those issued fresh fruits and vegetables full-term permits" having a "distinctive and easily recognizable appearance in accordance with rules to be established by the commissioner."

Statement of Basis and Purpose

Local Law No. 9 of 2008 amended Subchapter 2 of Chapter 3

of Title 17 of the Administrative Code authorizing the Commissioner of Health and Mental Hygiene to issue up to one thousand (1000) newly created "fresh fruits and vegetables permits", as defined in §17-306(r) of the Administrative Code, which unlike other full-term permits issued pursuant to Subchapter 2, solely authorizes the holder thereof to exclusively vend "fresh fruits and vegetables". Local Law No. 9 of 2008 also established a new type of pushcart called a "green cart," which is defined in §17-306(s) of the Administrative Code as a "pushcart used exclusively by those issued fresh fruits and vegetables full-term permits" and which "must also have a distinctive and easily recognizable appearance in accordance with rules to be established by the commissioner". Proposed §6-01(m)(1) of Title 24 of the Rules of the City of New York provides that all green carts shall have permanently affixed on two sides of each cart either identical permit plates or identical permit decals that are easily identifiable and distinguishable from all other pushcart decals. Proposed §6-01(m)(2) provides that all green carts must use the distinctive and readily identifiable green cart umbrella to be provided by the Department. During the initial two-year phase in period that fresh fruits and vegetables permits are to be offered such umbrellas shall be provided, on a one time basis, free of charge to cart owners. Thereafter, for all replacement umbrellas and umbrellas provided by the Department after the initial two-year phase in period, green cart owners will be required to pay a fee to the Department reimbursing it for the cost it incurred in purchasing each such umbrella. Proposed §6-01(m)(2) would further require that green cart umbrellas be safely secured and maintained in good condition and repair at all times and that they be used whenever the green carts are being used to vend.

Statement Pursuant to Charter Section 1042 - Regulatory Agenda

This proposed rule was not included in the Department's Regulatory Agenda because the law which necessitated this amendment to Chapter 6 of Title 24 of the Rules of the City of New York was enacted after the Regulatory Agenda was prepared.

THE PROPOSAL IS AS FOLLOWS:

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

Section 1. Subdivision (m) of Section 6-01 (Mobile Food Units) of Chapter 6 (Food Units) of Title 24 of the Rules of the City of New York is relettered subdivision (n), and a new subdivision (m) is added, to read as follows:

(m) Green Carts. (1) The Department shall permanently affix on two sides of each green cart, as that term is defined in §17-306(s) of the Administrative Code, either identical permit plates or identical permit decals that are easily identifiable and distinguishable from other all other pushcart plates or decals. Such plates or decals shall contain the fresh fruits and vegetables permit number issued to the owner of each such green cart and the borough and police precincts in which the green cart is authorized to operate. Permit decals shall not be removed or transferred to any other pushcart.

(2) The Department shall also provide to each green cart owner issued a fresh fruits and vegetables permit a distinctive and readily recognizable "green cart" umbrella. The umbrella shall be safely secured to the green cart and maintained in good condition and repair at all times by the permit holder and shall be displayed in an open position above the green cart whenever the green cart is being used to vend. During the initial two-year phase in period in which these permits are to be offered, an umbrella will be provided by the Department at no cost to the green cart owner at the time that he or she is initially issued a permit. For any replacement umbrella and any umbrella issued after the two-year phase in period in which these permits are to be offered, the green cart owner shall be required to pay a fee of fifty dollars (\$50.00) reimbursing the Department for the cost of the umbrella. In addition to the above requirements specific to green carts, green carts must comply with all other applicable legal requirements pertaining to mobile food non-processing units.

§2. This rule shall take effect June 11, 2008.

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HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

Notice of Adoption of Rules Governing Tax Exemption under §421-a of the Real Property Tax Law

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of Housing Preservation and Development by §1802 (6) (c) and in accordance with the requirements of §1043 of the New York City Charter that the Department of Housing Preservation and Development is adopting rules governing tax exemption under §421-a of the Real Property Tax Law of the State of New York. Additions to the rules are underlined and proposed deletions are [bracketed].

A public hearing was held on March 31, 2008, at 100 Gold Street, 9th floor, Room 9V6, New York, New York.

Section one. The definition of "substantial governmental assistance" in subdivision (c) of section 6-01 of Chapter 6 of Title 28 of the Rules of the City of New York is amended to read as follows:

Substantial governmental assistance. "Substantial governmental assistance" shall mean grants, loans or subsidies [from] provided to any building or buildings on the same zoning lot or, if only a portion of such zoning lot is being granted benefits pursuant to the Act, to any building or buildings on such portion of such zoning lot, by any federal, state or local agency or instrumentality pursuant to a program for the development of affordable housing [, but shall not include taxable bonds issued by any federal, state, or local agency or instrumentality; purchase money mortgages from any federal, state or local agency or instrumentality entered into after the date of promulgation of these rules; mortgage insurance provided through any federal, state or local agency or instrumentality; or permanent financing provided through the State of New York Mortgage Agency] , provided that (1) as determined by the commissioner, each of the buildings on such zoning lot or portion thereof is part of the same project, (2) each of the buildings on such zoning lot or portion thereof is part of the same application for benefits pursuant to the Act, (3) the periods of construction and final real property tax exemption benefits granted pursuant to the Act for all of the buildings on such zoning lot or portion thereof being granted benefits pursuant to the Act shall commence simultaneously, and (4) no final real property tax exemption benefits shall be granted pursuant to the Act for any buildings on such zoning lot or any portion thereof being granted benefits pursuant to the Act until receipt of a certificate of occupancy or a temporary certificate of occupancy for the residential portions of the building or buildings on such zoning lot containing the units affordable to and occupied by or affordable to and available for occupancy by individuals or families whose incomes do not exceed a specified amount. Such subsidies may include allocations of low income housing tax credits and, in the discretion of the Department, below market sales or sales subject to evaporating purchase money mortgages by a federal, state or local agency or instrumentality, but shall not include permanent financing provided through the State of New York Mortgage Agency, purchase money mortgages, or mortgage insurance.

§ 2. Subdivision (c) of section 6-01 of Chapter 6 of Title 28 of the Rules of the City of New York is amended by adding two new definitions, a definition of "program for the development of affordable housing" and a definition of "zoning lot", to read as follows:

Program for the development of affordable housing. "Program for the development of affordable housing" shall mean housing which complies with the requirements of a grant, loan or subsidy from any federal, state or local agency or instrumentality to provide no less than twenty percent of its units as units affordable to and occupied by or affordable to and available for occupancy by individuals or families whose incomes do not exceed a specified limit and which has been approved by the commissioner pursuant to this chapter.

Zoning lot. "Zoning lot" shall mean a "zoning lot" as defined in Section 12-10 of the Zoning Resolution.

§ 3. Paragraph (3) of subdivision (b) of section 6-02 of chapter 6 of Title 28 of the Rules of the City of New York is amended to read as follows:

(3) new multiple dwellings located in the geographic exclusion area if the commencement of construction occurred after November 29, 1985 and before December 31, 2007 28, 2010, only if construction is carried out with substantial governmental assistance or if affordable units are created in accordance with the requirements of § 6-08 of this chapter.

§ 4. Paragraph (10) of subdivision (c) of Section 6-02 of Title 28 of the Rules of the City of New York is amended to read as follows:

(10) Except for multiple dwellings qualifying for the benefits of the Act pursuant to §6-08 of this chapter[.];

(i) any project commenced, as that term is defined herein, after November 29, 1985 and before March 7, 2006 within the geographic exclusion area, bounded and described as follows: Beginning at the intersection of the bulkhead line in the Hudson River and 96th Street extended; thence easterly to 96th Street and continuing along 96th Street to its easterly terminus; thence easterly to the intersection of 96th Street extended and the bulkhead line in the East River; thence southerly along said bulkhead line to the intersection of said bulkhead line and 14th Street extended; thence westerly to 14th Street and continuing along 14th Street to Broadway; thence southerly along Broadway to Houston Street; thence westerly along Houston Street to Thompson Street; thence southerly along Thompson Street to Spring Street[.]; thence westerly along Spring Street to Avenue of the Americas; thence northerly along Avenue of the Americas to Vandam Street; thence westerly along Vandam Street to Varick Street; thence northerly along Varick Street to Houston Street; thence westerly along Houston Street and continuing to its westerly terminus; thence westerly to the intersection of Houston Street extended and the bulkhead line in the Hudson River; thence northerly along said bulkhead line to the intersection of said bulkhead line and 11th Avenue extended; thence northerly to 11th Avenue and continuing along 11th Avenue to 14th Street; thence easterly along 14th Street to 10th Avenue; thence northerly along 10th Avenue to 28th Street; thence easterly along 28th Street to 9th Avenue; thence northerly along 9th Avenue to 33rd Street; thence easterly along 33rd Street to 8th Avenue; thence northerly along 8th Avenue to 34th Street; thence easterly along 34th Street to 7th Avenue; thence northerly along 7th Avenue to 41st Street; thence westerly along 41st Street and continuing to its westerly terminus; thence westerly to the intersection of 41st Street extended and the bulkhead line in the Hudson River; thence northerly along said bulkhead line to the place of beginning;

(ii) any project commenced, as that term is defined herein, on or after March 7, 2006 and before May 11, 2007 within the geographic exclusion area, bounded and described as follows: Beginning at the intersection of the bulkhead line in the Hudson River and 96th Street extended; thence easterly to 96th Street and continuing along 96th Street to its easterly terminus; thence easterly to the intersection of 96th Street extended and the bulkhead line in the East River; thence southerly along said bulkhead line to the intersection of said

bulkhead line and 14th Street extended; thence westerly to 14th Street and continuing along 14th Street to Broadway; thence southerly along Broadway to Houston Street; thence westerly along Houston Street to Thompson Street; thence southerly along Thompson Street to Spring Street; thence westerly along Spring Street to Avenue of the Americas; thence northerly along Avenue of the Americas to Vandam Street; thence westerly along Vandam Street to Varick Street; thence northerly along Varick Street to Houston Street; thence westerly along Houston Street and continuing to its westerly terminus; thence westerly to the intersection of Houston Street extended and the bulkhead line in the Hudson River; thence northerly along said bulkhead line to the intersection of said bulkhead line and 11th Avenue extended; thence northerly to 11th Avenue and continuing along 11th Avenue to 14th Street; thence easterly along 14th Street to 10th Avenue; thence northerly along 10th Avenue to 30th Street; thence westerly along 30th Street to 11th Avenue; thence northerly along 11th Avenue to 41st Street; thence westerly along 41st Street and continuing to its westerly terminus; thence westerly to the intersection of 41st Street extended and the bulkhead line in the Hudson River; thence northerly along said bulkhead line to the place of beginning; or

(iii) any project commenced, as that term is defined herein, on or after May 11, 2007 and before July 1, 2008 within the geographic exclusion area, bounded and described as follows: Beginning at the intersection of the bulkhead line in the Hudson River and 96th Street extended; thence easterly to 96th Street and continuing along 96th Street to its easterly terminus; thence easterly to the intersection of 96th Street extended and the bulkhead line in the East River; thence southerly along said bulkhead line to the intersection of said bulkhead line and 14th Street extended; thence westerly to 14th Street and continuing along 14th Street to Broadway; thence southerly along Broadway to Houston Street; thence westerly along Houston Street to Thompson Street; thence southerly along Thompson Street to Spring Street; thence westerly along Spring Street to Avenue of the Americas; thence northerly along Avenue of the Americas to Vandam Street; thence westerly along Vandam Street to Varick Street; thence northerly along Varick Street to Houston Street; thence westerly along Houston Street and continuing to its westerly terminus; thence westerly to the intersection of Houston Street extended and the bulkhead line in the Hudson River; thence northerly along said bulkhead line to the intersection of said bulkhead line and 30th Street extended; thence easterly along 30th Street to 11th Avenue; thence northerly along 11th Avenue to 41st Street; thence westerly along 41st Street and continuing to its westerly terminus; thence westerly to the intersection of 41st Street extended and the bulkhead line in the Hudson River; thence northerly along said bulkhead line to the place of beginning; or

(iv) any project commenced on or after July 1, 2008 within the geographic exclusion area as defined pursuant to section 6-09 of this chapter except as otherwise provided in such section 6-09.

§ 5. Paragraph (4) of subdivision (d) of section 6-02 of chapter 6 of Title 28 of the Rules of the City of New York is amended to read as follows:

(4) The twenty year exemption is available in the borough of Manhattan for buildings on tax lots now existing or hereafter created south of or adjacent to either side of one hundred tenth street which commenced construction after July 1, 1992 and before December [31, 2007;] 28, 2010, only if:

§ 6. Paragraph (1) of subdivision (d) of section 6-05 of title 28 of the Rules of the City of New York is amended by adding a new subparagraph (ix) to read as follows:

(ix) For applications received for any projects that commence construction on or after December 28, 2007, an affidavit from the owner certifying that either (A) all building service employees employed or to be employed at the building shall receive the applicable prevailing wage for the duration of such building's tax exemption pursuant to the Act, or (B) such project contains less than fifty dwelling units, or (C) at initial occupancy, at least fifty percent (50%) of the dwelling units in the multiple dwelling will be affordable to individuals or families with a gross household income at or below one hundred twenty-five percent (125%) of the area median income and that any such rental units will remain affordable for the entire period during which they receive benefits pursuant to this Act.

§ 7. Paragraph (1) of subdivision (b) of section 6-08 of chapter 6 of Title 28 of the Rules of the City of New York is amended to read as follows:

(1) Obtaining the [C]certification of the Department that twenty percent (20%) of the units contained in the multiple dwelling applying for benefits pursuant to the Act shall be rented to persons of low and moderate income as defined by this chapter at rents to be determined by the Department pursuant to this section. [Such affordable units must be located in the same building and must contain the same average square footage and bedroom mix of all residential units contained in such multiple dwelling.]

§ 8. Subparagraph (ii) of paragraph (1) of subdivision (g) of section 6-08 of chapter 6 of Title 28 of the Rules of the City of New York is amended to read as follows:

(ii) If the affordable units are created in accordance with § 6-08(b)(1) and unless preempted by federal requirements, (A) all affordable units must [contain the same average square footage and same bedroom mix as the average square footage and bedroom mix of the residential units contained in the multiple dwelling located in the geographic exclusion area seeking benefits pursuant to this Act] have a comparable number of bedrooms and a unit mix proportional to the market rate units contained in such multiple dwelling, or (B) at least fifty percent (50%) of the affordable units must have two or more bedrooms and not more than fifty percent (50%) of the remaining affordable units can be smaller than one bedroom, or (C) the floor area of the affordable units must be no less than twenty percent of the total floor area of all dwelling units in such multiple dwelling.

§ 9. Chapter 6 of Title 28 of the Rules of the City of New York

is amended by adding a new section 6-09 to read as follows:

Section 6-09. Eligibility Requirements On or After July 1, 2008.

(a) Definitions. For purposes of this section 6-09, the following terms shall have the following meanings:

Affordability requirement. "Affordability requirement" shall mean that not less than twenty percent of the onsite units in such multiple dwelling are GEA 60% AMI units or GEA SGA units.

Applicable deadline. "Applicable deadline" shall mean, unless otherwise exempted pursuant to the Act, (a) with respect to a multiple dwelling within the geographic exclusion area, June 30, 2008, and (b) with respect to the limitations on benefits imposed pursuant to paragraph five of subdivision b of this section, December 27, 2007.

Commence. "Commence" shall mean:

(a)(1) the later to occur of (i) the date upon which a new metal or concrete structure to be incorporated into the multiple dwelling that shall perform a load bearing function for such multiple dwelling is installed; or (ii) the date upon which a building or alteration permit for the multiple dwelling (based upon architectural, plumbing and structural plans approved by the Department of Buildings) was issued by such department ; or

(2) if a project includes new residential construction and the concurrent conversion, alteration or improvement of a pre-existing building or structure, the later to occur of (i) the date upon which the actual construction of the conversion, alteration or improvement of the pre-existing building or structure begins; or (ii) the date upon which an alteration permit for the multiple dwelling (based upon architectural, plumbing and structural plans approved by the Department of Buildings) on which the actual construction of the conversion, alteration or improvement takes place, was issued by such department;

(b) provided, however, that (1) with respect to subparagraph (1) of paragraph (a), if piles or caissons are required, "commence" shall mean the later to occur of (i) the date upon which at least one fully driven pile or caisson is installed; or (ii) the date upon which a building or alteration permit for the multiple dwelling (based upon architectural, plumbing and structural plans approved by the Department of Buildings) was issued by such department; and

(2) with respect to both subparagraphs (1) and (2) of paragraph (a):

(i) such installation of a new metal or concrete structure or such beginning of the actual construction of the conversion, alteration or improvement of the pre-existing building or structure, respectively, and such issuance of a building or alteration permit, must both have occurred in order for the multiple dwelling to meet this definition of "commence"; and

(ii) for multibuilding projects, each multiple dwelling in such multibuilding project shall be deemed to "commence" (A) with respect to subparagraph (1) of paragraph (a), on the later to occur of (1) the date upon which a new metal or concrete structure to be incorporated into the first multiple dwelling in such multibuilding project that shall perform a load bearing function for such multiple dwelling is installed; or (2) the date upon which a building or alteration permit for the first multiple dwelling in such multibuilding project (based upon architectural, plumbing and structural plans approved by the Department of Buildings) was issued by such department, provided that all of the multiple dwellings in such multibuilding project have been issued by the Department of Buildings a building or alteration permit (based upon architectural, plumbing and structural plans approved by such department) on or before the applicable deadline, and the periods of construction and final real property tax exemption benefits granted pursuant to the Act shall commence simultaneously for all of the multiple dwellings in such multibuilding project; and (B) with respect to subparagraph (2) of paragraph (a), on the later to occur of (1) the date upon which the actual construction of the conversion, alteration or improvement of the first pre-existing building or structure in such multibuilding project begins; or (2) the date upon which an alteration permit for the first multiple dwelling in such multibuilding project (based upon architectural, plumbing and structural plans approved by the Department of Buildings) on which the actual construction of the conversion, alteration or improvement takes place, was issued by such department, provided that all of the multiple dwellings in such multibuilding project have been issued by the Department of Buildings a building or alteration permit (based upon architectural, plumbing and structural plans approved by such department) on or before the applicable deadline, and the periods of construction and final real property tax exemption benefits granted pursuant to the Act shall commence simultaneously for all of the multiple dwellings in such multibuilding project; and

(iii) if the architectural, plumbing and structural plans approved by the Department of Buildings in conjunction with the issuance of the first such building or alteration permit are thereafter amended to provide for more than a thirty-five percent (35%) increase (the "35% standard") in the floor area of such multiple dwelling as defined pursuant to the Act, the construction of such multiple dwelling shall be deemed to have commenced on the date upon which such amended plans are filed with such department, provided, however, that, in the case of a multibuilding project that meets the requirements of clause (ii) of this paragraph (2), any such increase in the floor area may be distributed amongst the multiple dwellings in such multibuilding project in any manner permitted under the Zoning Resolution and the 35% standard may be applied to such multibuilding project on an aggregate rather than a single building basis; and

(iv) the construction of any such multiple dwelling also must be completed without undue delay. For purposes of this definition of "commence", (A) if a project consists of one multiple dwelling and such multiple dwelling is completed within thirty-six (36) months from the later to occur of (1) the date of the installation of a new metal or concrete

structure or of the beginning of the actual construction of the conversion, alteration or improvement of the pre-existing building or structure, respectively, (2) the date upon which a building or alteration permit for the multiple dwelling (based upon architectural, plumbing and structural plans approved by the Department of Buildings) was issued by such department, or (3) December 28, 2007, such multiple dwelling shall be deemed to have been completed without undue delay, and (B) if a project meets the requirements of clause (ii) of this paragraph (2), if all of the multiple dwellings in such multibuilding project are completed within thirty-six (36) months from the later to occur of (1) the date of the installation of a new metal or concrete structure for the first multiple dwelling in such multibuilding project or of the beginning of the actual construction of the conversion, alteration or improvement of the first pre-existing building or structure in such multibuilding project, respectively, (2) the date upon which a building or alteration permit for the first multiple dwelling (based upon architectural, plumbing and structural plans approved by the Department of Buildings) was issued by such department, or (3) December 28, 2007, all of the multiple dwellings in such multibuilding project shall be deemed to have been completed without undue delay. Where construction is not completed within such thirty-six (36) month period and an architect or professional engineer has certified that such construction was completed without undue delay, the Department will not merely rely on such certification. In order to determine whether such construction was, in fact, completed without undue delay, the Department will consider the following factors: (i) the extraordinary size and/or complexity of the construction project; (ii) strikes or other unavoidable labor stoppages of substantial duration and severity; (iii) industry-wide shortages of construction materials of substantial duration and severity; and (iv) substantial damage to completed construction work caused by fire or other casualty. In each case, the Department will consider such factors and determine whether construction could reasonably have been completed in a materially shorter period of time.

Common charges or carrying charges. "Common charges or carrying charges" shall mean the estimated amounts contained in the offering plan accepted by the office of the Attorney General of the State of New York for filing.

Geographic exclusion area or GEA. "Geographic exclusion area" or "GEA" shall mean the boundaries for any geographic exclusion areas set forth in section 421-a of the Real Property Tax Law and section 11-245 of the Administrative Code that are effective on or after July 1, 2008.

GEA 60% limit. "GEA 60% limit" shall mean (A) for a multiple dwelling owned and operated as a rental, (1) incomes at the time of initial occupancy that do not exceed sixty percent of the area median incomes adjusted for family size, and (2) rents at the time of initial occupancy that do not exceed thirty percent of sixty percent of the area median incomes adjusted for family size, minus the amount of any applicable utility allowance, and (B) for a multiple dwelling owned and operated as a condominium or cooperative development by individual condominium unit owners or shareholders, (1) incomes at the time of initial occupancy that do not exceed sixty percent of the area median incomes adjusted for family size, and (2) sales prices at the time of initial sales that result in mortgage payments, including both principal and interest calculated at the prevailing rate and assuming that the mortgage constitutes 90% of the purchase price, and common charges or carrying charges, respectively, that collectively do not exceed thirty percent of sixty percent of the area median incomes adjusted for family size.

GEA SGA limit. "GEA SGA limit" shall mean (A) for a multiple dwelling owned and operated as a rental, (1) incomes at the time of initial occupancy that do not exceed one hundred twenty percent of the area median incomes adjusted for family size and, where such a multiple dwelling contains more than twenty-five units, incomes at the time of initial occupancy that do not exceed an average of ninety percent of the area median incomes adjusted for family size, and (2) rents at the time of initial occupancy that do not exceed thirty percent of one hundred twenty percent of the area median incomes adjusted for family size, minus the amount of any applicable utility allowance, and (B) for a multiple dwelling owned and operated as a condominium or cooperative development by individual condominium unit owners or shareholders, (1) incomes at the time of initial occupancy that do not exceed one hundred twenty-five percent of the area median incomes adjusted for family size, and (2) sales prices at the time of initial sales that result in mortgage payments, including both principal and interest calculated at the prevailing rate and assuming that the mortgage constitutes 90% of the purchase price, and common charges or carrying charges, respectively, that collectively do not exceed thirty percent of one hundred twenty-five percent of the area median incomes adjusted for family size.

GEA 60% AMI unit. "GEA 60% AMI unit" shall mean (A) if a multiple dwelling is owned and operated as a rental, a unit that, upon its initial rental and upon all subsequent rentals of the unit after a vacancy, complies with the GEA 60% limit, or (B) if a multiple dwelling is owned and operated as a condominium or cooperative development by individual condominium unit owners or shareholders, a unit that, upon the initial sale of such unit, complies with the GEA 60% limit.

GEA SGA unit. "GEA SGA unit" shall mean (A) if a multiple dwelling is owned and operated as a rental, a unit that, upon its initial rental and upon all subsequent rentals of the unit after a vacancy, complies with the GEA SGA limit, or (B) if a multiple dwelling is owned and operated as a condominium or cooperative development by individual condominium unit owners or shareholders, a unit that, upon the initial sale of such unit, complies with the GEA SGA limit.

Multibuilding project. "Multibuilding project" shall mean a project that consists of more than one multiple dwelling where the multiple dwellings are contiguous and are under common ownership. For purposes of this definition of "multibuilding project", multiple dwellings shall be deemed to be (a) "contiguous" if such multiple dwellings are on tax lots that (1) are adjacent for at least ten linear feet, or, (2) but for the intervention of streets or street intersections, would be adjacent for at least ten linear feet and front the same street or intersection, and (b) "under common ownership" if at the date of commencement of construction, each of the multiple dwellings in such multibuilding project is owned and/or controlled directly or indirectly by the same individual or entity.

Onsite. "Onsite" shall mean situated within a building or buildings on the same zoning lot, or, if only a portion of such zoning lot is being granted benefits pursuant to the Act, situated within a building or buildings on such portion of such zoning lot; provided, however, that (1) each of the buildings on such zoning lot or portion thereof is part of the same application for benefits pursuant to the Act, (2) the periods of construction and final real property tax exemption benefits granted pursuant to the Act for all of the buildings on such zoning lot or portion thereof being granted benefits pursuant to the Act shall commence simultaneously, and (3) no final real property tax exemption benefits shall be granted pursuant to the Act for any of the buildings on such zoning lot or any portion thereof being granted benefits pursuant to the Act until receipt of a certificate of occupancy or a temporary certificate of occupancy for the residential portions of the building or buildings on such zoning lot containing the GEA 60% AMI units and/or the GEA SGA units.

Party in interest. "Party in interest" shall mean any person or entity holding an ownership, ground lease, mortgage, or other security interest, or holding any other interest which may be converted to such interest, in the real property containing the multiple dwelling receiving the benefits pursuant to the Act.

Prevailing rate. "Prevailing rate" shall mean the single family mortgage rate for a thirty-year fixed rate loan established by the Federal Home Loan Mortgage Association and the Federal National Mortgage Association that is either (1) for purposes of the application for a Preliminary Certificate of Eligibility, quoted for the month in which the construction of such multiple dwelling commences, or (2) for purposes of the application for a Final Certificate of Eligibility, quoted for the month in which the first certificate of occupancy or temporary certificate of occupancy for the first unit in such multiple dwelling that is owned and operated as a condominium or cooperative development by individual condominium unit owners or shareholders, is issued.

Utility allowance. "Utility allowance" shall mean an allowance set forth by the Department for the payment of utilities where the tenant of a GEA 60% AMI unit or a GEA SGA unit is required to pay all or a portion of the utility costs with respect to such unit in addition to any payments of rent.

(b) Multiple Dwellings Affected.

(1) Unless otherwise exempted pursuant to the Act, a multiple dwelling within the geographic exclusion area that commences construction on or after July 1, 2008 and which would otherwise be eligible for the benefits of the Act, is only eligible if:

(i) not less than twenty percent of the onsite units in such multiple dwelling are GEA 60% AMI units; or

(ii) the construction of such multiple dwelling is carried out with substantial governmental assistance provided pursuant to a program for the development of affordable housing and not less than twenty percent of the onsite units in such multiple dwelling are GEA SGA units; or

(iii) such multiple dwelling has purchased negotiable certificates in order to entitle it to the benefits of the Act for a specified number of units in the geographic exclusion area; provided, however, that such negotiable certificates were generated by a Written Agreement with the Department entered into prior to December 28, 2007 pursuant to Section 6-08(b) (4) of this chapter.

(2) For thirty-five years from the completion of construction, all GEA 60% AMI units and GEA SGA units in multiple dwellings must (i) if they are owned and operated as rentals, remain rent stabilized and allow tenants holding a lease and in occupancy at the expiration of such thirty-five year period to remain as rent stabilized tenants for the duration of their occupancy, (ii) comply with the affordability requirement, and (iii) upon the renewal of leases or at any time during the term of the lease, be rented to existing tenants for the lesser of (A) the rents permitted under the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974 and all regulations promulgated in connection thereto (collectively, "Rent Stabilization Laws"), or (B) 30% of the applicable income limit for such GEA 60% AMI unit or GEA SGA unit, respectively, minus the amount of any applicable utility allowance, provided, however, that no increase authorized pursuant to 28 RCNY § 6-04(b) of this chapter and no exemption or exclusion from any requirement of the Rent Stabilization Laws, including, but not limited to, any exemption or exclusion from the rent limits, renewal lease requirements, registration requirements, or other provisions of the Rent Stabilization Laws due to (a) the vacancy of a unit where the rent exceeds a prescribed maximum amount, (b) the fact that tenant income and/or unit rent exceed prescribed maximum amounts, (c) the nature of the tenant, or (d) any other factor, may be applied to any such GEA 60% AMI unit or GEA SGA unit during such thirty-five year period. Furthermore, the lease for each such unit owned and operated as a rental and for the renewal thereof must contain a notice in at least twelve (12) point type stating the approximate date on which such thirty-five year period is expected to expire and informing such tenant that after such thirty-five year period, (i) the unit will no longer have to comply with the affordability requirement and (ii) if the

tenant is holding a lease and in occupancy at the expiration of such thirty-five year period, such tenant shall have the right to remain as a rent stabilized tenant for the duration of such tenant's occupancy. The rent stabilization and lease rider requirements contained in section 6-02(g) of this chapter shall continue to apply to the multiple dwellings owned and operated as a rental containing such GEA 60% AMI units or GEA SGA units to the extent that they do not conflict with this paragraph.

(3) Unless otherwise exempted pursuant to the Act, the owner of a multiple dwelling that is located within the geographic exclusion area and that commences construction on or after July 1, 2008:

(i) when filing an application for a Preliminary Certificate of Eligibility pursuant to § 6-05(b) of this chapter, must submit (A) written certification that it meets the affordability requirement, or (B) if such multiple dwelling is qualifying for benefits pursuant to subparagraph (iii) of paragraph (2) of this subdivision, and subject to the provisions contained in § 6-08(m)(1) of this chapter, submit either (a) a copy of a Written Agreement with the Department for the construction or substantial rehabilitation of housing units affordable to persons of low and moderate income on another site that meet the requirements of § 6-08 of this chapter, or (b) the negotiable certificates issued pursuant to § 6-08 of this chapter, evidencing the bearer's entitlement to the benefits of the Act for the units for which the owner is seeking tax benefits.

(ii) when filing an application for a Final Certificate of Eligibility pursuant to § 6-05(d) of this chapter for a multiple dwelling that contains GEA 60% AMI units or GEA SGA units, submit evidence satisfactory to the Office that a restrictive declaration in a form satisfactory to the Office (A) has been executed by all parties in interest, (B) has been recorded against the real property containing the multiple dwelling receiving benefits pursuant to the Act, and (C) provides that the GEA 60% AMI units or the GEA SGA units in such building must for thirty-five years from the completion of construction (1) comply with the affordability requirement, and (2) if such multiple dwelling is owned and operated as a rental, remain rent stabilized and allow tenants holding a lease and in occupancy at the expiration of such thirty-five year period to remain as rent stabilized tenants for the duration of their occupancy.

(iii) when filing an application for a Final Certificate of Eligibility pursuant to § 6-05(d) of this chapter for a multiple dwelling that contains GEA 60% AMI units or GEA SGA units and unless the dwelling units in such multiple dwelling are marketed under the Department's monitoring, submit an affidavit from the owner containing such information as the Department may require to certify that such units will be marketed pursuant to a fair and open process in accordance with the Department's marketing guidelines, and that either (A) residents of the community board where the multiple dwelling for which benefits are being granted pursuant to the Act is located shall, upon initial occupancy, have priority for the purchase or rental of 50% of the GEA 60% AMI units or 50% of the GEA SGA units, respectively, or (B) such multiple dwelling does not have to comply with such community priority requirement because the community priority requirement is preempted by federal requirements that such owner has specified in such affidavit.

(iv) in addition to the record keeping requirements contained in section 6-07 of this chapter, must retain all books, records and documents relating to the GEA 60% AMI units or GEA SGA units, including an annual schedule of rents for each such rental unit for thirty-five years from the completion of construction of such multiple dwelling, and a schedule of the initial sales prices for each such home ownership unit for six years from the completion of construction of such multiple dwelling, and make them available for inspection by the Department.

(4) In addition to the grounds for revocation provided pursuant to section 6-07 of this chapter, the Commissioner of the Department of Finance or the Commissioner of the Department of Housing Preservation and Development may withdraw tax exemption granted to a building pursuant to the Act, retroactively or prospectively, upon its failure to comply with any of the provisions of this section 6-09.

(5) Unless otherwise exempted pursuant to the Act, any multiple dwelling that commences construction on or after December 28, 2007 and which would otherwise be eligible for the benefits of the Act, is only eligible if:

(i) such multiple dwelling contains at least four dwelling units as set forth in the certificate of occupancy, unless the construction of such multiple dwelling is carried out with substantial governmental assistance provided pursuant to a program for the development of affordable housing; and

(ii) if such new multiple dwelling is situated in (a) a Neighborhood Preservation Program Area as determined by the Department as of June 1, 1985, or (b) a Neighborhood Preservation Area as determined by the New York City Planning Commission as of June 1, 1985, or (c) an area that was eligible for mortgage insurance provided by the Rehabilitation Mortgage Insurance Corporation (REMIC) as of May 1, 1992, or (d) an area receiving funding for a neighborhood preservation project pursuant to the Neighborhood Reinvestment Corporation Act (42 U.S.C. Sections 8101 et seq.) as of June 1, 1985, such new multiple dwelling shall no longer be eligible for the benefits available pursuant to section 421-a(2)(a)(iii) of the Act unless either (a) the construction is carried out with substantial governmental assistance provided pursuant to a program for the development of affordable housing, or (b) the Department has imposed a requirement or has certified that at least twenty percent of the onsite units in such multiple dwelling are affordable to and occupied by or affordable to and available for occupancy by individuals or families whose incomes at the time of initial occupancy do not exceed eighty percent of the area median incomes adjusted for family size, provided, however, that of such units, no more than a number equal to five percent of the number of units which

commenced construction in buildings receiving tax benefits pursuant to the Act in the previous calendar year shall be affordable to and occupied by or affordable to and available for occupancy by individuals or families whose incomes at the time of initial occupancy are between sixty percent and eighty percent of the area median incomes adjusted for family size.

(6) Unless otherwise exempted pursuant to the Act, any multiple dwelling that commences construction on or after July 1, 2008 and which would otherwise be eligible for benefits pursuant to the Act, shall be subject to the provisions of subdivision 9 of the Act imposing an exemption cap on such multiple dwelling.

(7) Eligible multiple dwellings that meet the requirements of paragraphs (1) or (5) (ii) of this subdivision (b) may receive a ten, fifteen, twenty or twenty-five year tax exemption, as described herein. In order to qualify for such benefits, the multiple dwelling must meet the eligibility requirements described below for each level of exemption.

(i) Only the ten year exemption is available to multiple dwellings located in Manhattan on tax lots now existing or hereafter created south of or adjacent to either side of 110th Street if such multiple dwelling meets the requirements of subparagraph (iii) of paragraph (1) of this subdivision (b).

(ii) Only the fifteen year exemption is available to multiple dwellings located in the boroughs of the Bronx, Brooklyn, Queens, Staten Island and in Manhattan north of 110th Street if such multiple dwelling meets the requirements of subparagraph (iii) of paragraph (1) of this subdivision (b).

(iii) The twenty year exemption is available in the borough of Manhattan for buildings on tax lots now existing or hereafter created south of or adjacent to either side of one hundred tenth street only if such multiple dwelling meets the requirements of subparagraph (i) or (ii) of paragraph (1) of this subdivision (b) or the requirements of subparagraph (ii) of paragraph (5) of this subdivision (b).

(iv) The twenty-five year exemption is available to multiple dwellings located in the boroughs of the Bronx, Brooklyn, Queens, Staten Island or Manhattan north of 110th Street only if such multiple dwelling meets the requirements of subparagraph (i) or (ii) of paragraph (1) of this subdivision (b) or the requirements of subparagraph (ii) of paragraph (5) of this subdivision (b).

Statement of Basis and Purpose. These rule amendments provide regulatory guidance for the new affordability requirements for the expanded Geographic Exclusion Area and some of the new limitations on eligibility for benefits pursuant to Real Property Tax Law Section 421-a throughout the City of New York as enacted by Local Law 58 of 2006, Chapters 618, 619 and 620 of the Laws of 2007, and Chapter 15 of the Laws of 2008 (hereinafter "State Amendments").

Local Law 58 of 2006 eliminates as-of-right 25 year 421-a benefits for projects located in NPP/REMIC areas and now provides that projects located in these areas will only get 25 years of benefits if they meet on-site affordability requirements or receive substantial governmental assistance pursuant to an affordable housing program. It also eliminates 421-a benefits for three-unit buildings unless they are constructed with substantial governmental assistance pursuant to an affordable housing program. Finally, Local Law 58 expands the boundaries of the Geographic Exclusion Area and eliminates the negotiable certificate program. Now, affordable units must be provided onsite in order for projects in the Geographic Exclusion Area to be eligible to receive 421-a real property tax exemption benefits. In order to ascertain which projects are subject to the new requirements, Local Law 58 refines the definition of "commencement of construction" and now requires not only an architect or professional engineer's certification that excavation and construction of initial footings and foundations has commenced in good faith after the issuance of a building or alteration permit based upon architectural, plumbing and structural plans, but also an architect or professional engineer's certification that such construction has been completed without undue delay.

The State Amendments, among other things, further expand the boundaries of the Geographic Exclusion Area. They also mandate specified income limits for buildings to qualify for benefits within the expanded Geographic Exclusion Area. If no substantial governmental assistance is utilized, at least 20% of the units must at initial rental or sale and at all subsequent rentals upon vacancy be affordable to individuals or families whose incomes are at or below 60% of area median income. If construction is carried out with substantial governmental assistance provided pursuant to a program for the development of affordable housing, at least 20% of the units must meet one of the following requirements: (a) initial and subsequent rentals in buildings with 25 units or less must be affordable to individuals or families whose incomes are at or below 120% of area median income, (b) initial and subsequent rentals in buildings with more than 25 units must be affordable to individuals or families whose incomes are at or below 120% of area median income and cannot exceed an average of 90% of area median income, or (c) homeownership units at initial sale must be affordable to individuals or families whose incomes are at or below 125% of area median income.

The State Amendments impose a requirement that residents of the community board in which the building receiving 421-a benefits is located be given priority for the purchase or rental of 50% of the affordable units. They also require the affordable units in the Geographic Exclusion Area to meet one of the following requirements unless they are otherwise preempted by federal requirements: (a) have a comparable number of bedrooms as market rate units and a unit mix proportional to market rate units, (b) at least 50% of the affordable units must have two or more bedrooms and no more than 50% of the remaining units can be smaller than

one bedroom, or (c) the floor area of affordable units must be no less than 20% of the total floor area of all dwelling units. Furthermore, affordable rental units in the Geographic Exclusion Area must now be kept affordable and rent stabilized for 35 years, and after such 35 year period, tenants with leases may remain as rent stabilized tenants for the duration of their occupancy.

The State Amendments require buildings receiving 421-a benefits to pay their building service employees prevailing wages unless they contain less than 50 dwelling units or at least 50% of their units are affordable to persons at or below 125% of area median income and, where rental units, will remain affordable throughout the 421-a benefit period. They also impose an exemption cap on 421-a benefits for those buildings not entitled to extended 421-a benefits or that are not otherwise exempt.

The rule amendments address these aspects of Local Law 58 and the State Amendments in a new section 6-09 and leave intact those provisions that remain applicable Citywide and in the preexisting Geographic Exclusion Area. In order to ensure that the mandated affordability requirements are met, they additionally stipulate the authorized rents to be charged at initial and subsequent occupancy of rental units and the initial sales prices of homeownership units. They also impose a Citywide requirement that substantial governmental assistance be pursuant to a program for the development of affordable housing and provide further definition of what constitutes an affordable housing program. Finally, they articulate which boundaries of the Geographic Exclusion Area are applicable at designated time periods prior to July 1, 2008, after which the boundaries will be statutorily defined, and conform the unit and bedroom mix requirements in the existing Geographic Exclusion Area to those that will apply elsewhere in the expanded Geographic Exclusion Area pursuant to the State Amendments.

Commissioner Shaun Donovan
May 20, 2008

m20



CITY PLANNING COMMISSION

NOTICE

POSITIVE DECLARATION

Project Identification	Lead Agency
CEQR No. 08DCP071X	City Planning Commission
ULURP Nos. Pending	22 Reade Street
SEQRA Classification: Type I	New York, NY 10007
	Contact: Robert Dobruskin (212) 720-3423

Name, Description and Location of Proposal:
Lower Concourse Rezoning and Related Actions
The New York City Department of City Planning (DCP) proposes zoning text and map amendments that would affect 30 blocks located in the Mott Haven neighborhood of Bronx Community District 1. The area proposed to be rezoned is generally bounded by East 149th Street and East 144th Street to the north, the Major Deegan Expressway and Park Avenue to the south, Morris Avenue to the east, and the Harlem River to the west.

The proposal includes the following public land-use actions:

Zoning Map Amendments

- Change from M1-2 to C6-2A all or portions of four blocks generally located along the Grand Concourse south of East 144th Street and north of East 138th Street between Walton Avenue and the Metro North rail right-of-way.
- Change from M2-1 to R7-2/ C2-4 and C4-4 all or portions of two blocks along the Harlem River Waterfront south of East 149th Street and north of the Metro North rail bridge.
- Change from M1-2 and C4-4 to MX (M1-4/ R8A) all or portions of six blocks generally located south of East 149th Street and north of East 140th Street, between Exterior Street and Walton Avenue.
- Change from M1-2 to MX (M1-4/ R6A) all or portions of six blocks in two areas generally located south of East 144th Street, north of East 138th Street between Gerard and Walton Avenues in one area, and located south of East 146th Street and north of East 139th Street, between Canal Place and Rider Avenue.
- Change from M1-2 and M2-1 to MX (M1-4/ R7X) all or portions of seven blocks generally located along East 138th Street between Park and Third Avenues.
- Change from M1-2 to MX (M1-4/ R7A) all or portions of ten blocks generally located along Third, Morris, and Lincoln Avenues between East 144th Street and the Major Deegan Expressway.
- Change from M1-2 and M2-1 to M1-4 portions of five blocks generally located south East 138th Street and north of the Major Deegan Expressway, between Park and Third Avenues.
- Change from M1-2 to C4-4 one block located south East 149th Street and north of East 144th Street, between Morris Avenue and the Metro North rail right-of-way.

Zoning Text Amendments

- Establish a Special Mixed Use District (MX) on all or portions of 25 blocks between Exterior St. and Walton Ave., south of East 149th St. and north of

East 138th St., and between Park and Morris Avenues, south of East 146th St. and north of the Major Deegan Expressway.

- Create the Lower Concourse Waterfront Access Plan (WAP) affecting two Harlem River waterfront blocks located between the Harlem River and Exterior Street, south of East 149th Street and north of the Metro North Railroad Bridge over the Harlem River. This area is proposed to be rezoned to R7-2/C2-4 and C4-4 from M2-1, with the exception of the proposed park, which would remain zoned M2-1. The proposed WAP would specify the location of public access areas and visual corridors and apply special bulk regulations to waterfront lots.
- Create the Special Lower Concourse Waterfront District on two Harlem River waterfront blocks extending between the Harlem River and Exterior Street, south of East 149th Street and north of the Metro North Railroad Bridge over the Harlem River. This area is proposed to be rezoned to R7-2/C2-4 and C4-4 from M2-1, with the exception of the proposed park, which would remain zoned M2-1. The special district regulations would modify the restrictions on base and tower heights, maximum tower footprints, and the location of towers. An authorization would be available to allow narrow or shallow lots to waive out of proposed height, bulk, and waterfront open space requirements. The level of the shore public walkway would be required to be raised at least to the height of the Oak Point Rail line for all waterfront properties. Screening requirements would mandate usable floor area facing all waterfront public access areas. Usable floor area would be required for the ground floor facing streets. Restrictions in C2-4 commercial overlays on the location of commercial space in mixed-use buildings would be modified to allow flexibility in locating commercial areas.
- Modify food store regulations. The proposed zoning text amendment would permit food stores of any size as-of-right within the proposed rezoning area. Currently, food stores over 10,000 square feet are only allowed within M1 districts by special permit of the City Planning Commission. Food stores of any size would be allowed as-of-right within M1-4 zoning districts in Bronx Community District 1.
- Establish inclusionary zoning in the rezoning area. The proposed zoning text amendment would apply the Inclusionary Housing program within the rezoning area in the Bronx, Community District 1. New base and bonus FARs would apply to new residential development. Base FARs would apply to developments that do not use the Inclusionary Zoning bonus. The full bonus FAR would apply to buildings that provide 20% of the total new housing floor area as affordable residential floor area in accordance with the Inclusionary Housing program.

City Map Change

- DCP, in conjunction with the Department of Parks and Recreation, is proposing changes to the City Map for the mapping of a new two-acre park located along the Harlem River Waterfront within the rezoning area. The park would be located between the Harlem River and Exterior Street; generally south of the prolongation of East 146th Street and north of the prolongation of East 144th Street. Although the site is located within the boundaries of the proposed Special Lower Concourse Waterfront District, the special district regulations would not apply. Under the proposed actions, the site would remain zoned M2-1.

The proposed action is intended to provide opportunities for new residential and commercial development, and the enhancement and upgrading of waterfront areas in the South Bronx. The proposed action would create opportunities for new housing development on underutilized and vacant land in this highly transit-accessible location. In addition, the proposed mixed-use districts would permit the continuation of light industrial uses as well as the development of new light industrial uses. Lifting restrictions on the size of food stores within the rezoning area would provide additional opportunities for new grocery stores in the South Bronx, which is currently underserved by such stores. Finally, the action would encourage the development of the under-utilized Harlem River waterfront, extending waterfront access from the Gateway Center area south to the Port Morris community.

The proposed actions are projected to result in development on the 31 projected development sites including an increase of 3,414 dwelling units (591 of which would be affordable pursuant to the city's Inclusionary Housing program), a total of 735,477 square feet of commercial space (571,162 square feet of retail space, 164,275 square feet of hotel space), 63,700 square feet of community facility space, a net reduction of 308,872 square feet of industrial space, and a net reduction of 598,351 of office space. In the future without the proposed action, given the current zoning and commercial and residential housing trends in the area, it is anticipated that the proposed project area would experience nominal growth in commercial and light manufacturing uses. Most of the projected growth is expected to include further development of self-storage facilities, drive-through restaurants, gasoline station and convenient stores, office uses, and warehouses.

The analysis year for the proposed action is 2018.

Statement of Significant Effect:

On behalf of the City Planning Commission, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The actions, as proposed, may result in significant adverse impacts related to land use, zoning, and public policy in the vicinity of the affected area.
2. The actions, as proposed, may result in significant adverse impacts on socioeconomic conditions in the vicinity of the affected area.
3. The actions, as proposed, may result in significant adverse impacts on community facilities and services in the vicinity of the affected area.

4. The actions, as proposed, may result in significant adverse impacts on publicly accessible open space in the vicinity of the affected area.
5. The actions, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.
6. The actions, as proposed, may result in significant adverse impacts on historic resources in the vicinity of the affected area.
7. The actions, as proposed, may result in significant adverse impacts on urban design and visual resources in the vicinity of the affected area.
8. The actions, as proposed, may result in significant adverse impacts on neighborhood character in the vicinity of the affected area.
9. The actions, as proposed, may result in significant adverse impacts to natural resources in the affected area.
10. The actions, as proposed, may result in significant adverse hazardous materials impacts in the affected area.
11. The actions, as proposed, are located within the designated coastal zone and may result in significant adverse impacts related to the Local Waterfront Revitalization Program (LWRP) within the affected area.
12. The actions, as proposed, may result in significant adverse impacts on infrastructure in the vicinity of the affected area.
13. The actions, as proposed, may result in significant adverse impacts on solid waste and sanitation services in the vicinity of the proposed action.
14. The actions, as proposed, may result in significant adverse impacts on energy consumption in the affected area.
15. The actions, as proposed, may result in significant adverse impacts to traffic, parking, transit, and pedestrian conditions in the vicinity of the affected area.
16. The actions, as proposed, may result in significant adverse impacts to air quality in the vicinity of the affected area.
17. The actions, as proposed, may result in significant adverse noise impacts in the vicinity of the affected area.
18. The actions, as proposed, may result significant adverse construction-related impacts.
19. The actions, as proposed, may result in significant adverse public health-related impacts.
20. The actions, as proposed, may result in significant adverse impacts related to other aspects of the environment.

Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. The proposed actions would alter existing land use and zoning patterns by rezoning the directly-affected area to permit the development of new residential, commercial and community facility uses.
2. The proposed actions would result in approximately 3,376,718 gross square feet of new development on the projected development sites, including new residential, commercial and community facility uses. This has the potential to alter socioeconomic conditions in the area.
3. The proposed actions would introduce a new residential population, which could potentially increase demand on community facilities.
4. The proposed actions would bring new residents and workers to the area, potentially placing additional demands on available open space resources.
5. The proposed actions would result in the construction of new buildings which could cast shadows on sunlight sensitive resources.
6. Development resulting from the proposed actions could disturb archaeological resources should they exist on the development sites. In addition, the proposed actions could result in the redevelopment or affect the context of existing historic structures in the area.
7. The proposed actions would result in new types of building use and form which could differ from existing urban design elements in the affected area, and may alter the urban design character and visual resources of the surrounding area.
8. The proposed actions would result in new development which could alter existing neighborhood character by affecting land use, socioeconomic conditions, historic resources, urban design, traffic, and noise.
9. The proposed action would result in new development in the rezoning area which could affect natural resources.
10. The proposed actions would result in demolition and construction in the rezoning area which could potentially expose construction workers and the public to hazardous materials.
11. The proposed actions would result in new development in the designated coastal zone which could potentially be inconsistent with the policies of the LWRP.
12. The proposed action would result in approximately 3,376,718 gross square feet of new development in the rezoning area which could place additional demands on infrastructure.

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Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Title: OFFICE OF PROBATION FOR PERIOD ENDING 05/02/08.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Title: DEPARTMENT OF BUSINESS SERV. FOR PERIOD ENDING 05/02/08.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Title: HOUSING PRESERVATION & DVLPMNT FOR PERIOD ENDING 05/02/08.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Title: HOUSING PRESERVATION & DVLPMNT FOR PERIOD ENDING 05/02/08.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Title: DEPARTMENT OF BUILDINGS FOR PERIOD ENDING 05/02/08.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes entries for GERACI, MICHAEL, GRAHAM, DESMOND, etc.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Title: DEPT OF HEALTH/MENTAL HYGIENE FOR PERIOD ENDING 05/02/08.

LATE NOTICE

PARKS AND RECREATION

CAPITAL PROJECTS DIVISION

INTENT TO AWARD

Construction Related Services

SALE OF FOOD FROM PUSHCARTS - Competitive

Sealed Bids - PIN# CWB2008B - DUE 06-06-08 AT 11:00 A.M. - At the MET Museum, Central Park, Manhattan

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

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

Parks and Recreation, The Arsenal- Central Park, 830 Fifth Avenue, Room 407, New York, NY 10065 Glenn Kaalund (212) 360-1397 glenn.kaalund@parks.nyc.gov

READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

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

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

VENDOR ENROLLMENT APPLICATION

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

- Online at NYC.gov/selltonyc
- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

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

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

SELLING TO GOVERNMENT TRAINING WORKSHOP

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

PRE-QUALIFIED LIST

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

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

NON-MAYORAL ENTITIES

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

PUBLIC ACCESS CENTER

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

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

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

PROMPT PAYMENT

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

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://NYC.GOV.Selltonyc>

COMMON ABBREVIATIONS USED IN THE CR

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

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

KEY TO METHODS OF SOURCE SELECTION

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

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

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

HOW TO READ CR PROCUREMENT NOTICES

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

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

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

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

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

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

NUMBERED NOTES

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