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TABLE OF CONTENTS

PUBLIC HEARINGS AND MEETINGS

Borough President - Bronx	3029
City Council	3030
City Planning Commission	3031
Community Boards	3032
Comptroller	3032
Consumer Affairs	3032
Design and Construction	3032
Board of Education Retirement System	3033
Housing Authority	3033
Landmarks Preservation Commission	3033
Mayor's Office of Environmental Coordination	3034
Rent Guidelines Board	3034
Teachers' Retirement System	3034
Transportation	3035

COURT NOTICES

Supreme Court	3036
Queens County	3036

PROPERTY DISPOSITION

Citywide Administrative Services	3037
Office of Citywide Procurement	3037
Housing Preservation and Development	3037
Police	3037

PROCUREMENT

Administration for Children's Services	3038
Aging	3038
Contract Procurement and Support Services	3038
Citywide Administrative Services	3038

Office of Citywide Procurement	3039
Design and Construction	3039
Agency Chief Contracting Officer	3039
Contracts	3039
Education	3039
Contracts and Purchasing	3039
Emergency Management	3039
Environmental Protection	3040
Agency Chief Contracting Office	3040
Purchasing Management	3040
Health and Mental Hygiene	3040
Housing Authority	3040
Procurement	3040
Risk Management	3041
Human Resources Administration	3041
Parks and Recreation	3041
Sanitation	3042
Agency Chief Contracting Office	3042

CONTRACT AWARD HEARINGS

District Attorney - Queens County	3042
Environmental Protection	3042

AGENCY RULES

Administrative Trials and Hearings	3043
Environmental Protection	3044
Health and Mental Hygiene	3049

SPECIAL MATERIALS

Housing Preservation and Development	3057
Office of the Mayor	3059
Public Administrator - Richmond County	3060
Changes in Personnel	3060

LATE NOTICE

Information Technology and Telecommunications	3060
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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - BRONX

■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED BY the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. The hearing will take place on Tuesday, June 25, 2019, in the offices of the Borough President, 851 Grand Concourse, Room 711, The Bronx, NY. The hearing will commence at 6:30 P.M. The following matters will be heard:

CD#1-ULURP APPLICATION NO: C 190333 PSY-BOROUGH BASED JAIL SITE SELECTION:

IN THE MATTER OF an application submitted by the Department of Correction, the Mayor's Office of Criminal Justice, and the Department of Citywide Administrative Services, pursuant to Sections 197-c of the New York City Charter, for the site selection of property, located at:

1. 745 East 141st Street (Block 2574, p/o Lot 1), Bronx Community District 1;
2. 275 Atlantic Avenue (Block 175, Lot 1), Brooklyn Community District 2;
3. 124 White Street (Block 198, Lot 1) and 125 White Street (Block 167, Lot 1), Manhattan Community District 1; and
4. 126-02 82nd Avenue (Block 9653, Lot 1), 80-25 126th Street (Block 9657, Lot 1), and the bed of 82nd Avenue between 126th and 132nd Streets, Queens Community District 9;

For borough-based jail facilities.

CD#1-ULURP APPLICATION NO: C 190335 ZSX-BOROUGH BASED JAIL SITE SELECTION:

IN THE MATTER OF an application submitted by NYC Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the new York City Charter, for the grant of special permit Section 74-832* of the Zoning Resolution to modify:

- a. The use regulations of Section 42-10 (USES PERMITTED AS-OF-RIGHT);
- b. The floor area ratio requirements of Section 43-10 (FLOOR AREA REGULATIONS);
- c. The height and setback requirements of Section 43-40 (HEIGHT AND SETBACK REGULATIONS);
- d. The permitted parking requirements of Section 44-10 (PERMITTED ACCESSORY OFF STREET PARKING SPACES); and
- e. The loading berth requirement of Section 44-50 (GENERAL PURPOSES);

To facilitate the construction of a borough-based jail facility, on property, located at 320 Concord Avenue (Block 2574, p/o Lot 1), in an M1-3 District, Borough of The Bronx, Community District #1.

*Note: an application for a zoning text amendment is proposed to create a new Section 74-832 (Borough-based jail system) under a concurrent related application N 190334 ZRY.

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

CD#1-ULURP APPLICATION NO: C 190336 ZMX-BOROUGH BASED JAIL SITE SELECTION:

IN THE MATTER OF an application submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Section 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 6c:

1. Changing from an M1-3 District to an M1-4/R7X District, property bounded by East 142nd Street, a line 100 feet southeasterly of Concord Avenue, East 141st Street, and Concord Avenue; and
2. Establishing a Special Mixed Use District (MX-18), bounded by East 142nd Street, a line 100 feet southeasterly of Concord Avenue, East 141st Street, and Concord Avenue;

Borough of The Bronx, Community District #1, as shown on a diagram (for illustrative purposes only), dated March 25, 2019.

CD#1-ULURP APPLICATION NO: C 190338 HAX-BOROUGH BASED JAIL SITE SELECTION:

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 320 Concord Avenue and 745 East 141st Street (Block 2574, p/o Lot 1) as an Urban Development Action Area; and
 - b) Urban Development Action Area Project for such area; and
- 2) Pursuant to Section 197-c of the New York City Charter, for the disposition of such property to a developer to be selected by HPD;

To facilitate construction of a development containing approximately 235 affordable housing units, community facility and/or retail space, Borough of The Bronx Community District #1.

ANYONE WISHING TO SPEAK, MAY REGISTER AT THE HEARING. MEMBERS OF THE PUBLIC WILL BE GIVEN A MAXIMUM OF TWO MINUTES TO OFFER COMMENT. WRITTEN TESTIMONY IS ALSO WELCOME AND CAN BE SUBMITTED AT THE TIME OF THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS HEARING TO THE OFFICE OF THE BOROUGH PRESIDENT (718) 590-6124.

Accessibility questions: Sam Goodman, by: Monday, June 24, 2019, 5:00 P.M.



j18-24

CITY COUNCIL

■ PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises, will hold a public hearing in the Council Committee Room, City Hall, New York, NY 10007, commencing at 9:30 A.M., on June 20, 2019:

CENTER BLVD RESTAURANT LLC/AMERICAN BRASS QUEENS CB - 2 20195511 TCQ

Application, pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of Center Blvd Restaurant LLC d/b/a American Brass, for a new revocable consent to maintain and operate an unenclosed sidewalk café, located at 201 50th Avenue.

515 WEST 18TH STREET GARAGE MANHATTAN CB - 4 C 190213 ZSM

Application submitted by 18th Highline Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of special permits, pursuant to Section 13-45 (Special Permits for additional parking spaces), and Section 13-451 (Additional parking spaces for residential growth), of the Zoning Resolution, to allow an

attended accessory parking garage, with a maximum capacity of 180 spaces on portions of the ground floor and cellar of a proposed mixed-use building on property, located at 515 West 18th Street (Block 690, Lots 12, 20, 29, 40, 54 and 1001-1026), in C6-2 and C6-3 Districts, within the Special West Chelsea District.

76TH DRIVE AND AUSTIN STREET REZONING QUEENS CB - 6 C 180399 ZMQ

Application submitted by Able Orthopedic & Sports Medicine, PC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 14b, changing from an R2 District to an R3-2 District, property bounded by 76th Drive, a line perpendicular to the southeasterly street line of 76th Drive distant 55 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 76th Drive and northeasterly street line of Austin Street, 77th Avenue, and Austin Street, as shown on a diagram (for illustrative purposes only), dated February 11, 2019, and subject to the conditions of CEQR Declaration E-522.

KISSENA CENTER REZONING QUEENS CB - 7 C 190202 ZMQ

Application submitted by Kimco Kissena Center LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 10d:

1. eliminating from within an existing R3-2 District a C2-2 District, bounded by Holly Avenue, line 100 feet northeasterly of Kissena Boulevard, Laburnum Avenue, and Kissena Boulevard;
2. changing from an R3-2 District to an R7A District, property bounded by the northeasterly centerline prolongation of Geranium Avenue, a line 100 feet southwesterly of Union Street, Holly Avenue, a line 100 feet northeasterly of Kissena Boulevard, a line 100 feet southeasterly of Holly Avenue, a line 100 feet southwesterly of Union Street, Laburnum Avenue, and Kissena Boulevard; and
3. establishing within the proposed R7A District, a C2-3 District, bounded by Holly Avenue, a line 100 feet northeasterly of Kissena Boulevard, a line 100 feet southeasterly of Holly Avenue, a line 100 feet southwesterly of Union Street, Laburnum Avenue, and Kissena Boulevard;

as shown on a diagram (for illustrative purposes only), dated January 7, 2019, and subject to the conditions of CEQR Declaration E-514.

KISSENA CENTER REZONING QUEENS CB - 7 N 190203 ZRQ

Application submitted by Kimco Kissena Center LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

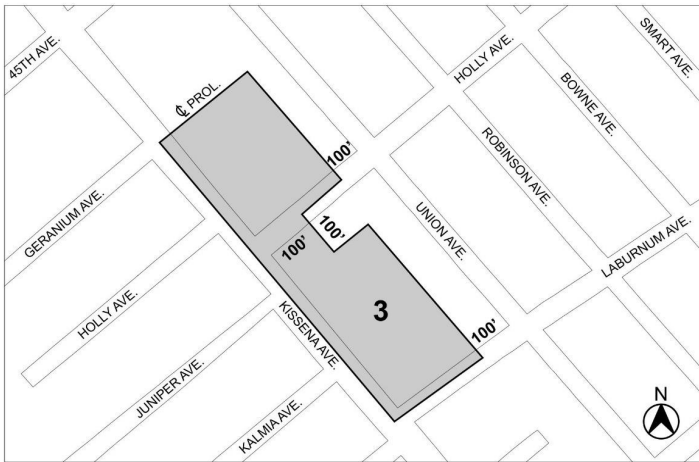
* * *

QUEENS Queens Community District 7

* * *

Map 3 - [date of adoption]

[PROPOSED MAP]



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

Area 3 - [date of adoption] MIH Program Option 2

Portion of Community District 7, Queens

* * *

38-01 23rd AVENUE REZONING

QUEENS CB - 1 C 180315 ZMQ

Application submitted by 23rd Avenue Realty, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section 9.c:

1. establishing within the existing R5B District a C2-3 District bounded by 38th Street, a line 150 feet northeasterly of 23rd Avenue, a line midway between 38th Street and Steinway Street, and a line 100 feet northeasterly of 23rd Avenue; and
2. establishing within the existing R5D District a C2-3 District bounded by 38th Street, a line 100 feet northeasterly of 23rd Avenue, a line midway between 38th Street and Steinway Street, a line 150 feet northeasterly of 23rd Avenue, Steinway Street, and 23rd Avenue;

as shown on a diagram (for illustrative purposes only) dated February 11, 2019, and subject to the conditions of CEQR Declaration E-524.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, 16th Floor, 250 Broadway, New York, NY 10007, commencing at 1:00 P.M. on June 20, 2019:

784 COURTLANDT AVENUE

BRONX CB - 1 C 190292 HUX

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

784 COURTLANDT AVENUE

BRONX CB - 1 C 190293 HAX

Application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and the approval of an Urban Development Action area project, and, pursuant to Section 197-c of the New York City Charter for the disposition of property, located at 359 East 157th Street and 784 Courtlandt Avenue (Block 2404, Lots 1 and 2).

Accessibility questions: Land Use Division (212) 482-5154, by: Tuesday, June 18, 2019, 3:00 P.M.



j14-20

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling a public hearing on the

following matters to be held at NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York NY, on Wednesday, June 19, 2019 at 10:00 A.M.

**BOROUGH OF BROOKLYN
Nos. 1 & 2
ENY NORTH CLUSTER
No. 1**

CD 5 C 190286 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 223-227 Vermont Street (Block 3706, Lots 12, 13 and 14), 190 Essex Street (Block 3956, Lot 59), and 581-583 Belmont Avenue (Block 4012, Lots 32 and 34) 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 property located at 223-227 Vermont Street (Block 3706, Lots 12, 13 and 14), 190 Essex Street (Block 3956, Lot 59), and 581-583 Belmont Avenue (Block 4012, Lot 34) to a developer to be selected by HPD; to facilitate a development containing approximately 45 affordable housing units, community and open space.

No. 2

CD 5 C 190286(A) 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 223-227 Vermont Street (Block 3706 Lots 12, 13 and 14), 190 Essex Street (Block 3956, Lot 59), 581-583 Belmont Avenue (Block 4012, Lots 32 and 34) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD; to facilitate a development containing approximately 45 affordable housing units, community and open space.

No. 3

SPRING CREEK PARK ADDITION

CD 5 C 190291 PCK
IN THE MATTER OF an application submitted by the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located in Spring Creek Park (Block 4585, Lots 165, 167, 205, and 225; and a mapped and unbuilt portion of Drew Street located between Lots 165, 167, and 225, from the Borough boundary, along the unbuilt extension of 157th Avenue to the centerline of Spring Creek) for the expansion of an existing park.

BOROUGH OF QUEENS

Nos. 4 & 5

KEW GARDENS HILLS REZONING

No. 4

CD 8 C 190299 ZMQ
IN THE MATTER OF an application submitted by Queens Community Board 8, pursuant to Sections 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map, Section Nos. 14a and 14c, changing from an R2 District to a R2X District property bounded by:

1. a line 100 feet southeasterly of 72nd Avenue, 141st Street, a line midway between 72nd Drive and 73rd Avenue, a line 100 feet southwesterly of Main Street, 73rd Avenue, Main Street, 73rd Terrace, a line passing through two points: one on the northerly street line of 75th Road distant 375 feet westerly (as measured along the northerly street line) from the northwesterly intersection of 75th Road and 141st Place, and the other on the southerly street line of 73rd Terrace distant 300 feet westerly (as measured along the southerly street line) from the southwesterly intersection of 73rd Terrace and 141st Place, 75th Road, a line passing through two points: one on the northerly street line of 76th Avenue distant 475 feet easterly (as measured along the northerly street line) from the northeasterly intersection of 76th Avenue and 137th Street, and the other on the southerly street line of 75th Road distant 310 feet westerly (as measured along the southerly street line) from the southwesterly intersection of 75th Road and 141st Place, 76th Avenue, 137th Street, 77th Avenue and Park Drive East; and
2. a line 100 feet northerly of 78th Road, Vleigh Place, Union Turnpike and Park Drive East;

as shown on a diagram (for illustrative purposes only) dated April 22, 2019.

No. 5

N 190301 ZRQ

CD 8
IN THE MATTER OF an application submitted by Queens Community Board 8, pursuant to Section 201 of the New York City Charter, for an amendment of Article II, Chapter 1 (Statement of Legislative Intent) of the Zoning Resolution of the City of New York, permitting the R2X Residence District to be mapped.

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

* * *

ARTICLE II
RESIDENCE DISTRICT REGULATIONS
Chapter 1
Statement of Legislative Intent

* * *

21-10
PURPOSES OF SPECIFIC RESIDENCE DISTRICTS

* * *

21-12
R2X — Single-Family Detached Residence District

This district is designed to provide for large single-family detached dwellings on narrow zoning lots. This district also includes community facilities and open uses that serve the residents of the district or benefit from a residential environment.

This district may be mapped only within the Special Ocean Parkway District and as well as Community Districts 8 and 14 in the Borough of Queens.

* * *

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



j5-19

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 10 - Thursday, June 20, 2019, at 7:00 P.M. Fort Schuyler House, 3077 Cross Bronx Expressway, Bronx, NY 10465.

BSA Cal. No. 90-91BZ, 630-636 City Island Avenue, Bronx, New York 10464, Block 5636, Lot 19, filed, pursuant to Sections 72-01 and 72-22 of the Zoning Resolution of the City of New York, as amended to request an amendment of the variance previously granted under BSA Calendar No. 90-91-BZ, to permit changes to the previously-approved plans regarding the existing two-story mixed-use commercial and residential building, located at the Premises, an extension of the term of the previously granted variance, for an additional 20 years, and a waiver of the Board's Rules of Practice and Procedure, to allow the filing of the extension of term application after the permitted filing period.



j14-20

COMPTROLLER

MEETING

The City of New York Audit Committee Meeting, is scheduled for Wednesday, June 26, 2019, from 9:30 A.M. to NOON, at 1 Centre Street, Room 1005 North. Meeting is open to the general public.

j19-26

CONSUMER AFFAIRS

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, PURSUANT TO LAW, that the New York City Department of Consumer Affairs, will hold a Public Hearing, on Wednesday, June 26, 2019, at 2:00 P.M., at 42 Broadway, 5th Floor, in the Borough of Manhattan, on the following petitions for sidewalk café revocable consent:

- 1) Bocaditos Bistro & Espresso Bar LLC
4863 Broadway in the Borough of Manhattan
2) C & S Gourmet Meals & Deli, Inc.
3612 Ditmars Boulevard in the Borough of Queens
3) D&D Cafe LLC
128 Meserole Street in the Borough of Brooklyn
4) Harlem Sam, Inc.
1590 1st Avenue in the Borough of Manhattan
5) Itmpmp, Inc
3603 Ditmars Boulevard in the Borough of Queens
6) Plant Shed Prince, Inc.
1 Prince Street in the Borough of Manhattan
7) Serafina Tribeca Restaurant LLC
95 West Broadway in the Borough of Manhattan

Accessibility questions: Kevin Thorat (212) 436-0315, kthoral@dca.nyc.gov, by: Wednesday, June 26, 2019, 12:00 P.M.



j19

DESIGN AND CONSTRUCTION

NOTICE

PLEASE TAKE NOTICE, that in accordance with Section 201-204 (inclusive) of the New York State Eminent Domain Procedure Law ("EDPL"), a public hearing will be held by the New York City Department of Design and Construction, on behalf of the City of New York in connection with the acquisition of certain portions of properties along Nugent Avenue and Chicago Avenue for water main, storm and sanitary sewer improvements (Capital Project MIBBNC003) in the Borough of Staten Island.

The time and place of the hearing are as follows:

DATE: July 2, 2019
TIME: 11:00 A.M.
LOCATION: Staten Island Community Board 2
Lou Caravone Community Service Building
460 Brielle Avenue, Staten Island, NY 10314

The purpose of this hearing is to inform the public of the proposed roadway acquisition and its impact on adjacent properties, the environment, and residents, and to review the public use to be served by the project. The scope of this Capital Project, within the acquisition area, will include the installation of water main, storm sewer, sanitary sewer and appurtenances.

The properties proposed to be acquired are within the acquisition limits shown on Damage and Acquisition Map No. 4255, dated 4/13/2018 and Map No. 4257, dated 4/26/2019, as follows:

- The bed of Nugent Avenue from Jefferson Avenue to Graham Boulevard
The bed of Chicago Avenue from Columbia Avenue to Cleveland Place

The adjacent Blocks and Lots affected include the following locations, as shown on the Tax Map of the City of New York for the Borough of Staten Island:

ADJACENT BLOCK NO.	ADJACENT LOT NO.
3089	1, 77, 91
3092	9
3095	21 (aka 21R)
3087	1 (aka 1R)
3717	33, 35, 40, 41, 43, 44
3716	14, 40
3758	1
3764	8, 12, 14, 16, 18, 21

There are no proposed alternate locations.

Any person in attendance, at this meeting shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed acquisition. Each speaker shall be allotted a maximum of five (5) minutes. In addition, written statements may be submitted to the General Counsel, at the address stated below, provided the comments are received by 5:00 P.M. on July 7, 2019 (five (5) working days from public hearing date).

NYC Department of Design and Construction
Office of General Counsel, 4th Floor
30 – 30 Thomson Avenue
Long Island City, NY 11101

Please note: Those property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised, at the public hearing.

j17-21

BOARD OF EDUCATION RETIREMENT SYSTEM

MEETING

The Executive Committee of the Board of Trustees of the New York City Board of Education Retirement System will participate in a Common Investment Meeting of the New York City Pension Systems. The meeting will be held at 9:00 A.M. on Wednesday, June 19, 2019 at 1 Centre Street, 10th Floor (North Side), New York, NY 10007.

j5-19

The Board of Trustees of the Board of Education Retirement System will be meeting at 5:00 P.M. on Wednesday, June 19, 2019 at The High School of Fashion Industries at 225 West 24th Street, New York, NY 10011, Room 821.

j5-19

HOUSING AUTHORITY

MEETING

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, June 26, 2019 at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, NY (unless otherwise noted). Copies of the Calendar will be available on NYCHA's Website or may be picked up at the Office of the Corporate Secretary at 250 Broadway, 12th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's Website or may be picked up at the Office of the Corporate Secretary no earlier than 3:00 P.M. on the Thursday following the Board Meeting.

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

The meeting is open to the public. Pre-registration, at least 45 minutes before the scheduled Board Meeting, is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first.

The meeting will be streamed live on NYCHA's website at nyc.gov/nycha and on on.nyc.gov/boardmeetings

For additional information, please visit NYCHA's website or contact (212) 306-6088.

Accessibility questions: Office of the Corporate Secretary by phone at (212) 306-6088 or by email at corporate.secretary@nycha.nyc.gov, by: Wednesday, June 12, 2019 5:00 P.M.



j5-26

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, June 25, 2019, a public hearing will be held, at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting, should contact the Landmarks Commission, no later than five (5) business days before the hearing or meeting.

1 Hanson Place - Brooklyn Academy of Music Historic District
LPC-19-39504 - Block 2111 - Lot 7501 - **Zoning:** C6-1
CERTIFICATE OF APPROPRIATENESS

A Neo-Romanesque style commercial skyscraper, with designated interior basement and ground-floor banking floors, designed by Halsey, McCormack & Helmer and built in 1927-1929. Application is to alter built-in features within the designated interior spaces.

160 Willoughby Avenue - Clinton Hill Historic District

LPC-19-38135 - Block 1918 - Lot 39 - **Zoning:** R6B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, likely designed by Amzi Hill and built c.1880. Application is to create and combine masonry openings, excavate at the side yard, and install a fence, walkway, skylights, and HVAC units.

418 8th Street - Park Slope Historic District Extension

LPC-19-26462 - Block 1090 - Lot 4 - **Zoning:** R6A

CERTIFICATE OF APPROPRIATENESS

A Queen Anne-style store and flats building, designed by Van Tuyl & Lincoln and built in 1888. Application is to legalize replacement of the storefront without Landmarks Preservation Commission permit(s).

501 Hudson Street, aka 131 Christopher Street - Greenwich Village Historic District

LPC-19-23902 - Block 630 - Lot 48 - **Zoning:** C1-6

CERTIFICATE OF APPROPRIATENESS

A building altered c. 1953. Application is to modify storefronts installed without Landmarks Preservation Commission permits and install signage.

190 Bowery - Individual Landmark

LPC-19-39820 - Block 492 - Lot 38 - **Zoning:** C6-1

CERTIFICATE OF APPROPRIATENESS

A Beaux-Arts style bank building, designed by Robert Maynicke and built in 1898-99. Application is to establish a Master Plan governing the installation of murals at the rooftop water tank.

155 Wooster Street - SoHo-Cast Iron Historic District

LPC-19-39080 - Block 515 - Lot 25 - **Zoning:** M1-5A

CERTIFICATE OF APPROPRIATENESS

A Classical Revival style store and loft building, designed by George F. Pelham and built in 1897-1898. Application is to renew and modify a Master Plan governing the installation of painted wall signs.

166 Crosby Street, aka 632-634 Broadway - NoHo Historic District

LPC-19-39354 - Block 522 - Lot 10 - **Zoning:** M1-5B

CERTIFICATE OF APPROPRIATENESS

A Classic Revival style store and lofts building, designed by Robert Maynicke and built in 1899-1900. Application is to install a new storefront and awning.

142 Grand Street - SoHo-Cast Iron Historic District Extension

LPC-19-38015 - Block 473 - Lot 47 - **Zoning:**

BINDING REPORT

A parking lot. Application is to replace a fence and paving, and install site furnishings.

83 Wooster Street - SoHo-Cast Iron Historic District

LPC-19-40211 - Block 487 - Lot 30 - **Zoning:** M1-5A

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style store and loft building, designed by J.B. Snook and built in 1876. Application is to establish a Master Plan governing the installation of painted wall signs.

17 East 9th Street - Greenwich Village Historic District

LPC-19-31428 - Block 567 - Lot 26 - **Zoning:** R7-2

CERTIFICATE OF APPROPRIATENESS

A rowhouse, built in 1844. Application is to construct rooftop and rear yard additions and perform excavation work.

**1 West 29th Street - Individual Landmark
LPC-19-39791 - Block 831 - Lot 33 - Zoning: C5-2 M1-6
CERTIFICATE OF APPROPRIATENESS**

A Romanesque Revival style church, with Gothic Revival style details, designed by Samuel A. Warner and built in 1854, with a two-story addition, built in 1919, and a portico built in 1959. Application is to install signage.

**334 West 84th Street - Riverside - West End Historic District
Extension I
LPC-19-35740 - Block 1245 - Lot 93 - Zoning: R8B
CERTIFICATE OF APPROPRIATENESS**

A Romanesque Revival style rowhouse, designed by Joseph H. Taft and built in 1888-89. Application is to construct a bulkhead and pergola, extend a chimney flue, and install an HVAC unit.

**West 79th Street Rotunda Complex and Bridge - Riverside
Drive and Riverside Drive - Scenic Landmark
LPC-19-40368 - Block 1187 - Lot 3 - Zoning: PARK
BINDING REPORT**

An English Romantic style park and parkway, designed by Frederick Law Olmsted and built in 1873-1902, with significant alterations and enlargements in 1937 by Gilmore Clarke and Clifton Lloyd. Application is to alter the landscape and paving for barrier-free access, and install infill, railings, ventilation shafts and light fixtures.

**8 East 93rd Street - Carnegie Hill Historic District
LPC-19-38165 - Block 1504 - Lot 164 - Zoning: R8B
CERTIFICATE OF APPROPRIATENESS**

A Romanesque Revival style house, designed by A. B. Ogden & Son and built in 1888-89. Application is to modify masonry openings and the areaway.

**20 East 74th Street - Upper East Side Historic District
LPC-19-39429 - Block 1388 - Lot 56 - Zoning: C5-1 R8B
CERTIFICATE OF APPROPRIATENESS**

A Modern style apartment building, designed by Sylvan Bien and built 1945-1947. Application is to remove a window.

**207 St Paul's Avenue - St. Paul's Avenue-Stapleton Heights
Historic District
LPC-19-37449 - Block 516 - Lot 32 - Zoning: R3X
CERTIFICATE OF APPROPRIATENESS**

A Neo-Colonial style home, designed by Otto P. Loeffler and built in 1898. Application is to legalize the construction of a porch at the rear façade, without Landmarks Preservation Commission permit(s).

j12-25

**MAYOR'S OFFICE OF ENVIRONMENTAL
COORDINATION**

■ PUBLIC HEARINGS

**NOTICE OF PUBLIC HEARING ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
for the
BOROUGH BASED JAIL SYSTEM**

Project Identification

CEQR No. 18DOC001Y
ULURP Nos. 190333PSY, N190334ZRY
190335ZSX, 190336ZMX, N190337ZRX
190338HAX, 190339ZSK, 190340ZSM,
190341PQM, 190342ZSQ, 190116MMK,
190252MMM, and 190117MMM

Lead Agency

New York City Department
of Correction
75-20 Astoria Boulevard,
Suite 160
East Elmhurst, NY 11370

SEQRA Classification: Type I

NOTICE IS HEREBY GIVEN that a public hearing will be held for the Borough Based Jail System (the "proposed project"). The purpose of the hearing is to receive comments related to the Draft Environmental Impact Statement (DEIS) which received a Notice of Completion on March 22, 2019. The public hearing has been scheduled for the following date/time/location:

July 10, 2019 at 10:00 A.M.
**John Jay College of Criminal Justice Theater, 524 West 59th
Street, New York, NY 10019**

Interpretation services will be provided upon request at the hearing. Comments on the DEIS will be accepted through Monday, July 22, 2019 and may be submitted at the hearing, or to the contacts below.

The proposed project would establish four new detention facilities located in the Bronx (745 East 141st Street), Brooklyn (275 Atlantic Avenue), Manhattan (124-125 White Street), and Queens (126-02 82nd Avenue). Each of the proposed facilities would provide approximately

1,437 beds to house people in detention. In total, the proposed project would provide approximately 5,748 beds, to accommodate an average daily population of 5,000 people in a system of four borough-based jails. The proposed project would ensure that each borough facility has ample support space for quality educational programming, recreation, therapeutic services, publicly accessible community space, and staff parking.

Copies of the Notice of Completion, the DEIS, and Final Scope of Work are available for review from the contact listed below and on the following website: <https://rikers.cityofnewyork.us/nyc-borough-based-jails/>.

Contact: New York City Department of Correction
Attn: Howard Fiedler
75-20 Astoria Boulevard, Suite 160
East Elmhurst, NY 11370
Email: boroughplan@doc.nyc.gov

This Notice of Public Meeting has been prepared, pursuant to Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act (SEQRA)), its implementing regulations, found at 6 NYCRR Part 617, and the Rules of Procedure for City Environmental Quality Review found, at 62 RCNY Chapter 5, and Mayoral Executive Order 91 of 1977, as amended (CEQR).

Accessibility questions: Howard Fiedler, boroughplan@doc.nyc.gov, by: Monday, July 1, 2019, 6:00 P.M.



• j19-21

RENT GUIDELINES BOARD

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the New York City Rent Guidelines Board, will hold a public hearing, on **June 20, 2019**, at the Oberia D. Dempsey Multi Service Center, Auditorium, 127 West 127th Street, New York, NY, from 5:00 P.M. to 8:00 P.M., to consider public comments concerning proposed rent adjustments, for renewal leases for apartments, lofts, hotels (including class A and class B hotels, SROs, rooming houses and lodging houses), and other housing units subject to the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974. These adjustments will affect renewal leases commencing between October 1, 2019 through September 30, 2020.

Registration of speakers is required and pre-registration is now being accepted and is advised. Pre-Registration requests for the hearing must be received before 12:00 P.M., one business day **prior** to the public hearing date. Speakers may also register to speak in person, at the hearing, until 8:00 P.M. For further information and to pre-register for the public hearing, call the Board, at (212) 669-7480, or write to the NYC Rent Guidelines Board, 1 Centre Street, Suite 2210, New York, NY 10007. A Spanish interpreter will be provided. Persons who request that a sign language interpreter, language interpreter other than Spanish, or other form of reasonable accommodation for a disability be provided at the hearing, are requested to notify the RGB by June 13, 2019, at 4:30 P.M. This hearing venue is wheelchair accessible.

Proposed rent guidelines for all of the above classes of stabilized housing units were adopted on **May 7, 2019**, and published in the City Record on **May 13, 2019**. Copies of the proposed guidelines are available from the NYC Rent Guidelines Board office, at the above listed address, at the Board's website, nyc.gov/rgb, or at rules.cityofnewyork.us.

j10-19

TEACHERS' RETIREMENT SYSTEM

■ MEETING

Please be advised that the next Board Meeting of the Teachers' Retirement System of the City of New York (TRS), has been scheduled for Thursday, June 20, 2019, at 3:30 P.M.

The meeting will be held, at the Teachers' Retirement System, 55 Water Street, 16th Floor, Boardroom, New York, NY 10041.

The meeting will be streamed live at:
<https://www.trsnyc.org/memberportal/About-Us/RetirementBWebCasts>.

The meeting is open to the public. However, portions of the meeting, where permitted by law, may be held in executive session.

j13-20

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing, by the New York City Department of Transportation. The hearing will be held, at 55 Water Street, 9th Floor, Room 945 commencing, at 2:00 P.M. on Wednesday, June 19, 2019. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice), at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 IN THE MATTER OF a proposed revocable consent authorizing 4TS II LLC to construct, maintain and use security bollards along the south sidewalk of West 43rd Street and along the north sidewalk of West 42nd Street, between Broadway and 6th Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions, for compensation payable to the City according to the following schedule: **R.P. #2462**

From the Approval Date to June 30, 2029 - \$0/per annum

the maintenance of a security deposit in the sum of \$109,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#2 IN THE MATTER OF a proposed revocable consent authorizing Arthur Spears, to continue to maintain and use a stoop and a fenced-in area on the east sidewalk of St. Nicholas Avenue, north of 145th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1692**

For the period July 1, 2019 to June 30, 2029 - \$25/per annum

the maintenance of a security deposit in the sum of \$1,000 the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#3 IN THE MATTER OF a proposed revocable consent authorizing Big Six Towers, Inc., to continue to maintain and use conduits under and across 47th Avenue, at two locations: west of 61st Street and east of 59th Street, in the Borough of Queens. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2027 and provides among other terms and schedule: **R.P. # 872**

- For the period July 1, 2017 to June 30, 2018 - \$7,396
- For the period July 1, 2018 to June 30, 2019 - \$7,526
- For the period July 1, 2019 to June 30, 2020 - \$7,656
- For the period July 1, 2020 to June 30, 2021 - \$7,786
- For the period July 1, 2021 to June 30, 2022 - \$7,916
- For the period July 1, 2022 to June 30, 2023 - \$8,046
- For the period July 1, 2023 to June 30, 2024 - \$8,176
- For the period July 1, 2024 to June 30, 2025 - \$8,306
- For the period July 1, 2025 to June 30, 2026 - \$8,436
- For the period July 1, 2026 to June 30, 2027 - \$8,566

the maintenance of a security deposit in the sum of \$8,600 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#4 IN THE MATTER OF a proposed revocable consent authorizing BOP NE LLC to Install, maintain and use five (5) benches along the west sidewalk of Ninth Avenue, between West 33rd Street and West 31st Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2471**

From the Date Approval by the Mayor to June 30, 2029 - \$750/per annum

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#5 IN THE MATTER OF a proposed revocable consent authorizing Edmund L. Resor, to continue to maintain and use a stoop, steps and planted areas on the south sidewalk of West 90th Street, west of Central Park West, in the Borough of Manhattan. The proposed revocable

consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1697**

For the period July 1, 2019 to June 30, 2029 - \$25/per annum

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#6 IN THE MATTER OF a proposed revocable consent authorizing Jeremy Lechtzin and Amy B. Klein, to continue to maintain and use a stoop and a fenced-in area on the north sidewalk of Hicks Street, east of Cranberry Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2083**

From the period from July 1, 2019 to June 30, 2029 - \$25/per annum

the maintenance of a security deposit in the sum of \$8,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#7 IN THE MATTER OF a proposed revocable consent authorizing Joseph Jaffoni and Gerri Ann Stern Jaffoni, to continue to maintain and use a stoop and fenced-in area on the north sidewalk of West 12th Street, between Greenwich Street and Hudson Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1723**

For the period from July 1, 2019 to June 30, 2029 - \$25/per annum

the maintenance of a security deposit in the sum of \$2,009 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#8 IN THE MATTER OF a proposed revocable consent authorizing Luke S. Gunnell and Terri L. Gunnell, to continue to maintain and use a stoop, stairs and planted area on the north sidewalk of State Street, east of Smith Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1940**

- For the period July 1, 2015 to June 30, 2016 - \$1,154
- For the period July 1, 2016 to June 30, 2017 - \$1,184
- For the period July 1, 2017 to June 30, 2018 - \$1,214
- For the period July 1, 2018 to June 30, 2019 - \$1,244
- For the period July 1, 2019 to June 30, 2020 - \$1,274
- For the period July 1, 2020 to June 30, 2021 - \$1,304
- For the period July 1, 2021 to June 30, 2022 - \$1,334
- For the period July 1, 2022 to June 30, 2023 - \$1,364
- For the period July 1, 2023 to June 30, 2024 - \$1,394
- For the period July 1, 2024 to June 30, 2025 - \$1,424

the maintenance of a security deposit in the sum of \$3,700 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#9 IN THE MATTER OF a proposed revocable consent authorizing Olivier Lemaigre and Jennifer Lemaigre, to continue to maintain and use stairs and planted areas on the north sidewalk of State Street, east of Smith Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1934**

- For the period July 1, 2015 to June 30, 2016 - \$575
- For the period July 1, 2016 to June 30, 2017 - \$590
- For the period July 1, 2017 to June 30, 2018 - \$605
- For the period July 1, 2018 to June 30, 2019 - \$620
- For the period July 1, 2019 to June 30, 2020 - \$635
- For the period July 1, 2020 to June 30, 2021 - \$650
- For the period July 1, 2021 to June 30, 2022 - \$665
- For the period July 1, 2022 to June 30, 2023 - \$680
- For the period July 1, 2023 to June 30, 2024 - \$695
- For the period July 1, 2024 to June 30, 2025 - \$710

the maintenance of a security deposit in the sum of \$3,700 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million

Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#10 IN THE MATTER OF a proposed revocable consent authorizing Patrick Nichols and Amanda Nicholas, to continue to maintain and use a stoop, a fenced-area and an overhead cornice on and above the east sidewalk of Henry Street, between Congress Street and Amity Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: R.P. #2092

For the period July 1, 2019 to June 30, 2029 - \$25/per annum the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#11 IN THE MATTER OF a proposed revocable consent authorizing Robert Perl and Judy Perl, to continue to maintain and use a stoop and a fenced-in area on the south sidewalk of Leroy Street, between Bleecker and Bedford Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable to the City according to the following schedule: R.P. #1653

For the period July 1, 2018 to June 30, 2028 - \$25/per annum the maintenance of a security deposit in the sum of \$2,800 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#12 IN THE MATTER OF a proposed revocable consent authorizing Rodney M. Miller, to continue to maintain and use steps and planted area on the north sidewalk of East 92nd Street, west of Lexington Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: R.P. #2096

For the period from July 1, 2019 to June 30, 2029 - \$25/per annum the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#13 IN THE MATTER OF a proposed revocable consent authorizing the Teachers College, to continue to maintain and use a fenced-in planted area on the south sidewalk of West 122nd Street, between Broadway and Amsterdam Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025 and provides among other terms and conditions for compensation payable to the City according to the following schedule: R.P. #1949

- For the period July 1, 2015 to June 30, 2016 - \$1,880
For the period July 1, 2016 to June 30, 2017 - \$1,928
For the period July 1, 2017 to June 30, 2018 - \$1,976
For the period July 1, 2018 to June 30, 2019 - \$2,024
For the period July 1, 2019 to June 30, 2020 - \$2,072
For the period July 1, 2020 to June 30, 2021 - \$2,120
For the period July 1, 2021 to June 30, 2022 - \$2,168
For the period July 1, 2022 to June 30, 2023 - \$2,216
For the period July 1, 2023 to June 30, 2024 - \$2,264
For the period July 1, 2024 to June 30, 2025 - \$2,312

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#14 IN THE MATTER OF a proposed revocable consent authorizing the Hudson Street Owners Corp., to construct, maintain and use an ADA compliant ramp, platform and steps on the east sidewalk of Hudson Street, between Leonard Street and Worth Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: R.P. #2455

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, 2019:

- \$3,025/per annum
For the period July 1, 2019 to June 30, 2020 - \$3,073
For the period July 1, 2020 to June 30, 2021 - \$3,121
For the period July 1, 2021 to June 30, 2022 - \$3,169
For the period July 1, 2022 to June 30, 2023 - \$3,217
For the period July 1, 2023 to June 30, 2024 - \$3,265
For the period July 1, 2024 to June 30, 2025 - \$3,313
For the period July 1, 2025 to June 30, 2026 - \$3,361
For the period July 1, 2026 to June 30, 2027 - \$3,409
For the period July 1, 2027 to June 30, 2028 - \$3,457
For the period July 1, 2028 to June 30, 2029 - \$3,505

the maintenance of a security deposit in the sum of \$20,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

m30-j19

COURT NOTICES

SUPREME COURT

QUEENS COUNTY

NOTICE

QUEENS COUNTY
I.A.S. PART 38
NOTICE OF ACQUISITION
INDEX NUMBER 705567/2019
CONDEMNATION PROCEEDING

IN THE MATTER OF the Application of the CITY OF NEW YORK Relative to Acquiring Title in Fee Simple to Property, located in Staten Island, including All or Parts of

142ND STREET AT ITS INTERSECTION WITH THE SOUTHWEST CORNER OF 135TH AVENUE in the Borough of Queens, City and State of New York.

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Queens, IAS Part 38 (Hon. Carmen R. Velasquez, J.S.C.), duly entered in the office of the Clerk of the County of Queens on June 5, 2019 ("Order"), the application of the City of New York ("City") to acquire certain real property, for roadway improvements, widening, and related work in the Borough of Queens, City and State of New York was granted, and the City was thereby authorized to file an acquisition map with the Office of the City Register. Said map, showing the property acquired by the City, was filed with the Office of the City Register. Title to the real property vested in the City of New York on June 10, 2019.

PLEASE TAKE FURTHER NOTICE, that the City has acquired the following parcels of real property:

Table with 3 columns: Damage Parcel, Block, Lot. Row 1: 1, 12095, Part of Lot 6

PLEASE TAKE FURTHER NOTICE, that, pursuant to said Order and to §§ 503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof shall have a period of one calendar year from the Vesting Date for this proceeding in which to file a written claim with the Clerk of the Court of Queens County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007. Pursuant to EDPL § 504, the claim shall include:

- a. the name and post office address of the condemnee;
b. reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
c. a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,

d. if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

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

PLEASE TAKE FURTHER NOTICE, that, pursuant to § 5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007.

Dated: New York, NY
June 11, 2019
ZACHARY W. CARTER
Corporation Counsel of the
City of New York
Attorney for the Condemnor,
100 Church Street
New York, NY 10007
(212) 356-4064

☛ j19-jy2

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

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

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

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

m30-s11

OFFICE OF CITYWIDE PROCUREMENT

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the Internet. Visit <http://www.publicsurplus.com/sms/nydcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

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

j2-d31

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

j9-30

POLICE

■ NOTICE

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

The following list of properties is in the custody of the Property Clerk Division without claimants:

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.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

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):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- 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

j2-d31

PROCUREMENT

“Compete To Win” More Contracts!

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

- Win More Contracts at nyc.gov/competetowin

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

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy

by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

- Administration for Children's Services (ACS)
- Department for the Aging (DFTA)
- Department of Consumer Affairs (DCA)
- Department of Corrections (DOC)
- Department of Health and Mental Hygiene (DOHMH)
- Department of Homeless Services (DHS)
- Department of Probation (DOP)
- Department of Small Business Services (SBS)
- Department of Youth and Community Development (DYCD)
- Housing and Preservation Department (HPD)
- Human Resources Administration (HRA)
- Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator

ADMINISTRATION FOR CHILDREN'S SERVICES

■ AWARD

Human Services/Client Services

SPECIALIZED TEEN PREVENTIVE - Renewal - PIN# 06814P0016001R002 - AMT: \$3,312,697.53 - TO: Jewish Board of Family and Children's Services, 135 West 50th Street, New York, NY 10020.

● **SPECIALIZED TEEN PREVENTIVE** - Renewal - PIN# 06814P0016006R002 - AMT: \$3,634,590.60 - TO: Jewish Board of Family and Children's Services, 135 West 50th Street, New York, NY 10020.

● **SPECIALIZED TEEN PREVENTIVE** - Renewal - PIN# 06814P0016012R002 - AMT: \$1,855,829.80 - TO: Jewish Board of Family and Children's Services, 135 West 50th Street, New York, NY 10020.

◀ j19

■ INTENT TO AWARD

Services (other than human services)

DSA EVENT CATERING - Sole Source - Available only from a single source - PIN# 06819S0004 - Due 6-24-19 at 9:00 A.M.

ACS, intends to enter into a Sole Source contract, pursuant to Section 3-05 of the NYC Procurement Policy Board Rules, with Madison and Park Hospitality Group LLC, for catering services in an amount estimated to be \$41,310. The vendor is the exclusive caterer for the Museum of Jewish Heritage, where the event will take place. The use of the event location was donated.

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

Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Michael Walker (212) 341-3617; Fax: (917) 551-7329; michael.walker2@acs.nyc.gov

j14-20

AGING

CONTRACT PROCUREMENT AND SUPPORT SERVICES

■ AWARD

Human Services/Client Services

CLIENT TRACKING SOFTWARE - SENIOR SERVICES - Renewal - PIN# 12511N0002001R002 - AMT: \$2,725,000.00 - TO: PeerPlace Networks LLC, 350 Linden Oaks, Suite 215, Rochester, NY 14625.

The Department for the Aging will exercise its three year renewal option, beginning July 1, 2019, with this vendor, to provide client tracking software and additional support.

● **HOME DELIVERED MEALS** - Negotiated Acquisition - Available only from a single source - PIN# 12515X0001CNVN004 - AMT: \$1,411,850.00 - TO: Bay Ridge Center, Inc., d/b/a Bay Ridge Center, 411 Ovington Avenue, Brooklyn, NY 11209.

The Department for the Aging has negotiated a 12 month extension, from 7/1/19 to 6/30/20, with Bay Ridge Center, Inc d/b/a Bay Ridge Center Inc., to continue providing Home Delivered Meals to the elderly in New York City.

● **HOME DELIVERED MEALS** - Negotiated Acquisition - Available only from a single source - PIN# 12508P0047CNVN005 - AMT: \$2,024,166.00 - TO: Jewish Association for Services for the Aged, 247 West 37th Street, 9th Floor, New York, NY 10018.

The Department for the Aging has negotiated a 12 month extension, from 7/1/19 to 6/30/20, with Jewish Association for Services for the Aged, to continue providing Home Delivered Meals to the elderly in New York City.

● **HOME DELIVERED MEALS** - Negotiated Acquisition - Available only from a single source - PIN# 12508P0051CNVN005 - AMT: \$2,241,349.00 - TO: Stanley M. Isaacs Neighborhood Center, Inc., 415 East 93rd Street, New York, NY 10128.

The Department for the Aging has negotiated a 12 month extension, from 7/1/19 to 6/30/20, with Stanley M. Isaacs Neighborhood Center, Inc., to continue providing Home Delivered Meals to the elderly in New York City.

◀ j19

CASE MANAGEMENT - Renewal - PIN# 12516I0001009R001 - AMT: \$3,529,272.00 - TO: Jewish Association for Services for the Aged, 247 West 37th Street, 9th Floor, New York, NY 10018.

The Department for the Aging has executed a 3 year renewal from 7/1/19 to 6/30/22, with Jewish Association for Services for the Aged, to continue providing services for the elderly in New York City.

● **CASE MANAGEMENT** - Renewal - PIN# 12516I0001008R001 - AMT: \$5,268,816.00 - TO: Jewish Association for Services for the Aged, 247 West 37th Street, 9th Floor, New York, NY 10018.

The Department for the Aging has executed a 3 year renewal from 7/1/19 to 6/30/22, with Jewish Association for Services for the Aged, to continue providing Case Management services for the elderly in New York City.

● **CASE MANAGEMENT** - Negotiated Acquisition - Available only from a single source - PIN# 12516I0001014R001 - AMT: \$4,453,392.00 - TO: Isabella Geriatric Center Inc., 515 Audubon Avenue, New York, NY 10040.

The Department for the Aging has executed a 3 year renewal from 7/1/19 to 6/30/22, with Isabella Geriatric Center Inc., to continue providing Case Management services for the elderly in New York City.

● **CASE MANAGEMENT** - Renewal - PIN# 12516I0001021R001 - AMT: \$8,195,256.00 - TO: Community Agency for Senior Citizens Inc., 56 Bay Street, Staten Island, NY 10301.

The Department for the Aging has executed a 3 year renewal from 7/1/19 to 6/30/22, with Community Agency for Senior Citizens Inc., to continue providing Case Management services for the elderly in New York City.

◀ j19

CITYWIDE ADMINISTRATIVE SERVICES

■ SOLICITATION

Goods

BIOTEK INSTRUMENTS SYSTEMS - Competitive Sealed Bids - PIN# 8571900275 - Due 7-15-19 at 10:30 A.M.

A copy of the bid can be downloaded from the City Record Online site, at www.nyc.gov/cityrecord. Enrollment is free. Vendor may also request the bid by contacting Vendor Relations via email, at dcasdmssbids@dcas.nyc.gov, by telephone (212) 386-0044 or by fax, at (212) 669-7585.

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

Citywide Administrative Services, 1 Centre Street, New York, NY 10007.
Michelle McCoy (212) 386-0469; Fax: (212) 313-3177; mmccoy@dcaas.nyc.gov

• j19

OFFICE OF CITYWIDE PROCUREMENT

■ AWARD

Goods

VIROSEQ TESTING PLATFORM WITH REAGENTS - Sole Source - Other - PIN#8571700364 - AMT: \$2,973,435.30 - TO: Abbott Laboratories Inc., 1300 East Touhy Avenue, DesPlaines, IL 60018.

Sole Source Procurement, in Accordance with Section 3-05 of the Procurement Policy Board Rules. The Using Agency has determined that the vendor is the sole supplier of the required goods.

• j19

TRUCK, CLASS 7, UTILITY W/VARIOUS BODY TYPE

Competitive Sealed Bids - PIN#8571900071 - AMT: \$2,782,776.00 - TO: Diehl and Sons Inc., dba, New York Freightliner, 129-01 Atlantic Avenue, Richmond Hill, NY 11418.

• j19

DOC - SHELF-STABLE FOOD PRODUCTS - Competitive Sealed Bids - PIN#8571900211 - AMT: \$27,816.00 - TO: Jamac Frozen Food Corporation, 570 Grand Street, Jersey City, NJ 07302.

• j19

DOC - SHELF-STABLE FOOD PRODUCTS - Competitive Sealed Bids - PIN#8571900211 - AMT: \$11,700.00 - TO: Finesse Creations Inc., 3004 Avenue J, Brooklyn, NY 11210.

• j19

DESIGN AND CONSTRUCTION

AGENCY CHIEF CONTRACTING OFFICER

■ AWARD

Construction / Construction Services

EASTCHESTER LIBRARY HVAC REPLACEMENT -BOROUGH OF THE BRONX - Competitive Sealed Bids - PIN#85018B0104 - AMT: \$1,132,266.00 - TO: CDE Air Conditioning Co., 321 39th Street, Brooklyn, NY 11232.

● **MOTT HAVEN LIBRARY - HVAC REPLACEMENT -BOROUGH OF THE BRONX** - Competitive Sealed Bids - PIN#85019B0014 - AMT: \$1,877,474.00 - TO: CDE Air Conditioning Co., 321 39th Street, Brooklyn, NY 11232.

• j19

CONTRACTS

■ INTENT TO AWARD

Construction Related Services

DESIGN SERVICES AT MIDWOOD LIBRARY - Negotiated Acquisition - Available only from a single source - PIN#8502019LB0002P - Due 7-8-19 at 4:00 P.M.

LBC16MD2F, In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board rules, DDC, intends to use the Negotiated Acquisition process, to ensure continuity of Design Services, at Midwood Library. The term of the contract will be 1,277 consecutive calendar days from the date of registration. It is the intention of the agency to enter into negotiations with the firm, Spacesmith LLP.

Firms may express interest in future procurements, by contacting Anna Zardiashvili and Hemwattie Roopnarine, at 30-30 Thomson Avenue, Long Island City, NY 11101, or by calling (718) 391-1297/ (718) 391-1375 between the hours of 8:00 A.M. and 4:00 P.M., on business days. The firms are advised to register with the New York City Payee Information Portal (www.nyc.gov/pip), to be placed on the citywide bidders list, for future contracting opportunities.

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.

Design and Construction, 30-30 Thomson Avenue, Long Island City, NY 11101. A. Zardiashvili / H. Roopnarine (718) 391-1297; zardiasan@ddc.nyc.gov; ramnarah@ddc.nyc.gov

j17-21

EDUCATION

CONTRACTS AND PURCHASING

■ SOLICITATION

Goods and Services

REQUIREMENTS CONTRACT FOR SMALLWARE PRODUCTS - Competitive Sealed Bids - PIN#B3383040 - Due 8-20-19 at 4:00 P.M.

- Bid Opening Date and Time: August 21, 2019, 11:00 A.M.
- Pre-Bid Conference: July 17, 2019, at 12:00 P.M., at 65 Court Street, Conference Room 1201, Brooklyn, NY 11201

Description: This RFB will consist of one Aggregate Class for delivery to a single DOE warehouse. Items include, cooking utensils, pans, pots, bowls, thermometers and other small miscellaneous tools. The bid will consist of one manufacturer's catalog line, Vollrath, plus individual items. Vendors are permitted to bid an alternate manufacturer's catalog, provided that the alternate catalog offer a similar breadth of products as those included in the bid blank and, at a minimum all items in the market basket or acceptable equivalent.

Bidders will be required to quote a percentage discount off the manufacturer's published public catalog price list, for every item in the catalogue. This pricing includes materials, transportation, insurance, overhead and profit. The percentage discount will be applied to the respective public prices to evaluate catalog pricing in a market basket. The market basket contains items from the catalog referenced above that OFNS, intends to purchase.

Bidders will be required to quote a price for individual high usage items. Product prices shall be the manufacturer's net cost to the vendor's warehouse. Bidders will also be required to quote a separate delivery mark-up price on individual items for warehouse delivery.

Catalog items' pricing will be adjusted annually based on the manufacturer's latest published public retail price list. For individual items, the appropriate Producer Price Index ("PPI") will be used. The delivery mark-up items will also be adjusted based on an appropriate PPI.

Products will be delivered to the OFNS warehouse, currently located in Long Island City. Aggregate Class total to evaluate bids will be based on tallying the total annual spend of all products, delivery mark-up and market basket items. Two percent of the annual estimated spend will be from the manufacturers catalog, six percent for delivery mark-up and 92 percent for individual items.

Log in to the Vendor Portal to download BID B3383.

If you cannot download this RFB, please send an email to vendorhotline@schools.nyc.gov, with the RFB's number and title in the subject line of your email.

For all questions related to this RFB, please send an email to RGreen@schools.nyc.gov, with the RFB's number and title in the subject line of your email.

The New York City Department of Education (DOE), strives to give all businesses, including Minority and Women-Owned Business Enterprises (MWBEs), an equal opportunity to compete for DOE procurements. The DOE's mission is to provide equal access to procurement opportunities for all qualified vendors, including MWBEs, from all segments of the community. The DOE works to enhance the ability of MWBEs to compete for contracts. DOE is committed to ensuring that MWBEs fully participate in the procurement process.

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.

Education, 65 Court Street, Room 1201, Brooklyn, NY 11201. Vendor Hotline (718) 935-2300; vendorhotline@schools.nyc.gov



• j19

EMERGENCY MANAGEMENT

■ SOLICITATION

Goods and Services

FOR-HIRE VEHICLE PLATFORM AND DISPATCH - Small Purchase - PIN#01720TRAN0001 - Due 7-19-19 at 5:00 P.M.

New York City Emergency Management Department (NYCEM), is seeking to contract with a ride-hailing service with a substantial operational footprint in New York City, to assist with evacuating residents during emergency situations. NYCEM would like to work

with a vendor to procure a dispatch platform which will enable the Agency to book for-hire vehicle trips on behalf of individuals needing transportation in an emergency. The ride service would be used to support evacuation of residents who are Disabled or have Access or Functional needs (DAFN) to a City Evacuation Center when those evacuation needs cannot be met by other City or State resources. This service may also be used to provide transport to City Service Centers following localized situations in which transportation limitations are interfering with DAFN individuals' ability to receive City services after a disaster. This point-to-point transportation service would be provided solely, at the City's discretion and would be conducted in a pre- or post-incident environment under safe travel conditions.

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.
 Emergency Management, 165 Cadman Plaza East, Brooklyn, NY 11201.
 Oliver Yorke Jr (718) 422-4697; procurement@oem.nyc.gov

• j19

ENVIRONMENTAL PROTECTION

AGENCY CHIEF CONTRACTING OFFICE

■ SOLICITATION

Services (other than human services)

CRO-597: FAD - EAST OF HUDSON COMMUNITY WASTEWATER GRANT PROGRAM - Government to Government - PIN#82619WS00027 - Due 7-8-19 at 4:00 P.M.

DEP, intends to enter into a Government to Government agreement, with New England Interstate Water Pollution Control Commission, for CRO-597: the Development and Administration of a grant Program, for Community Wastewater Planning Assistance, in the East of Hudson Watershed. The program, is to provide grant funding to those participating Eligible Municipalities, to pay for an engineering study and related reports, that evaluates the viable wastewater solutions, in their respective eligible study area. Any firm, which believes it can also provide the required service, IN THE FUTURE, is invited to so, indicated by letter, which must be received, no later than July 8, 2019, 4:00 P.M., at: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373, Attn: Ms. Debra Butlien, DButlien@dep.nyc.gov.

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



j18-24

PURCHASING MANAGEMENT

■ AWARD

Services (other than human services)

BEACH SURVEY, FLOATABLE MONITORING - Innovative Procurement - Other - PIN# 2X030009A - AMT: \$99,975.00 - TO: Ozone Layer LLC, 200 East 33rd Street, Suite 28J, New York, NY 10016. MWBE Innovative Procurement.

• j19

HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

INFANT MORTALITY REDUCTION INITIATIVE. - BP/City Council Discretionary - PIN# 19CG037801R0X00 - AMT: \$184,175.00 - TO: Brooklyn Perinatal Network Inc., 259 Bristol Street, Brooklyn, NY 11212.

● **MENTAL HEALTH SERVICES FOR ADULTS.** - Required/Authorized Source - Other - PIN# 18AZ057201R0X00 - AMT: \$3,305,811.00 - TO: Richmond Medical Center, 355 Bard Avenue, Staten Island, NY 10310.

● **MENTAL HEALTH SERVICES FOR CHILDREN AND ADOLESCENTS.** - Demonstration Project - Other - PIN# 19A0047401R0X00 - AMT: \$760,680.00 - TO: Sco Family of Services, 1 Alexander Place, Glen Cove, NY 11542.

• j19

RECREATIONAL AND SOCIALIZATION SERVICES - Renewal - PIN# 18MR008609R1X00 - AMT: \$238,791.00 - TO: Mosholu Montefiore Community Center Inc., 3450 Dekalb Avenue, Bronx, NY 10467-2302.

● **MENTAL HEALTH SERVICES - SUPPORTIVE HOUSING** - Renewal - PIN# 17AZ004801R1X00 - AMT: \$2,356,707.00 - TO: Camba Inc., 1720 Church Avenue, Brooklyn, NY 11226.

● **MENTAL HEALTH - ADMINISTRATIVE SERVICES** - Renewal - PIN# 18AS001401R1X00 - AMT: \$5,192,847.00 - TO: Welfare Research, Inc., 14 Columbia Circle, Suite 104, Albany, NY 12203.

● **HOPWA PERMANENT SUPPORTIVE HOUSING POPULATION C #3S** - Renewal - PIN# 13AE000327R2X00 - AMT: \$1,418,238.00 - TO: Camba Inc., 1958 Fulton Street, Brooklyn, NY 11233.

● **HOPWA PERMANENT SUPPORTIVE HOUSING POPULATION C #3S** - Renewal - PIN# 13AE000317R2X00 - AMT: \$1,415,368.00 - TO: Camba Inc., 1958 Fulton Street, Brooklyn, NY 11233.

● **MENTAL HEALTH TREATMENT AND CONSULTATION SERVICES TO CHILDREN** - Renewal - PIN# 18A0008801R1X00 - AMT: \$2,040,168.00 - TO: Association to Benefit Children, 419 East 86th Street, New York, NY 10028-6402.

● **HOUSING AND SERVICES FOR 40 HOMELESS CLIENTS.** - Renewal - PIN# 17AZ004001R1X00 - AMT: \$3,712,275.00 - TO: Project Renewal Inc., 200 Varick Street, New York, NY, 10014.

● **ASSIST YOUTH W/ SERIOUS EMOTIONAL DISTURBANCES TO ADULTHOOD** - Renewal - PIN# 14A0006201R2X00 - AMT: \$3,639,573.00 - TO: The Mental Health Association of New York City Inc., 50 Broadway, 19th Floor, New York, NY 10004.

● **RECREATIONAL SERVICES FOR INDIVIDUAL WITH AUTISM SPECTRUM** - Renewal - PIN# 18MR008619R1X00 - AMT: \$201,600.00 - TO: United Cerebral Palsy of New York City Inc., 121 Lawrence Avenue, Brooklyn, NY 11230.

● **SUPPORTED HOUSING** - Renewal - PIN# 17AZ004101R1X00 - AMT: \$1,052,328.00 - TO: Good Shepherd Services, 305 Seventh Avenue, 9th Floor, New York, NY 10001-6008.

● **CONGREGATE SUPPORTED HOUSING** - Renewal - PIN# 14AS066701R2X00 - AMT: \$721,869.00 - TO: Phipps Neighborhoods Inc., 902 Broadway, 13th Floor, New York, NY 10010-6033.

● **CLINIC SERVICES/AUTISM SPECTRUM DISORDERS** - Renewal - PIN# 18MR008703R1X00 - AMT: \$673,719.00 - TO: Shield of David Inc., 144-61 Roosevelt Avenue, Flushing, NY 11354.

● **PERMANENT, AFFORDABLE COMMUNITY-BASED** - Renewal - PIN# 13AE000309R2X00 - AMT: \$1,096,487.00 - TO: Catholic Charities Neighborhood Services Inc., 191 Joralemon Street, 14th Floor, Brooklyn, NY 11201.

• j19

HOUSING AUTHORITY

PROCUREMENT

■ SOLICITATION

Goods

MACHINERY PARTS (TRUCKS AND PUMPS) - Competitive Sealed Bids - PIN#68534 - Due 7-11-19 at 12:00 P.M.

This is a RFQ for 3 years blanket order agreement. The awarded bidder/vendor agrees to have MACHINERY PARTS (Truck, Pumps), readily available for delivery within 15 days after receipt of order on an "as needed basis", during the duration of the contract period. The quantities provided are estimates based on current usage and the New York City Housing Authority may order less or more depending on our needs. All price adjustable RFQ'S are fixed for one year after award date. One price adjustment per year will be allowed with mfg. supporting documentation only. Please note: Samples may be required to be provided within 10 days of request. Failure to do so will result in bid being considered non-responsive.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: <http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page>. Once on that page, make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated, at the time of request.

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

Housing Authority, 90 Church Street, North 6th Floor, Cubicle 6-754, New York, NY 10007. Ornette Proctor (212) 306-4529; Fax: (212) 306-5108; ornette.proctor@nycha.nyc.gov



◀ j19

Construction Related Services

SMD JOB ORDER CONTRACT FOR MECHANICAL CONSTRUCTION PROJECTS AND TRADE RENOVATION WORK - VARIOUS DEVELOPMENTS, LOCATED IN THE BOROUGH MANHATTAN - Competitive Sealed Bids - PIN# 68513 - Due 7-11-19 at 10:00 A.M.

Please Note: This Contract shall be subject to the New York City Housing Authority's Project Labor Agreement (PLA). The Bidder's failure to submit Letters of Assent signed by the Bidder, and each proposed Subcontractor who is required to be identified on the Sealed Subcontractor List, along with the Bidder's Bid and prior to the Bid opening, shall result in the Bidder being declared NON-RESPONSIVE and ineligible for the award of the Contract.

Each Job Order Contract is an indefinite quantity contract, pursuant to which the Contractor may perform a series of individual projects for the Authority at different locations. Each Job Order issued by the Authority will reference the Detailed Scope of Work and set forth the Job Order Completion Time and the Job Order Price. The Contractor shall complete each Detailed Scope of Work for the Job Order Price within the Job Order Completion Time. The Contractor shall perform all tasks, work and projects and develop all Job Orders requested by the Authority. The Contractor has no right to refuse to perform tasks, work or projects.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: <http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page>. Once on that page, please make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing" followed by "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at time of request.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Miriam Rodgers (212) 306-3469; Fax: (212) 306-5109; miriam.rogers@nycha.nyc.gov

◀ j19

RISK MANAGEMENT

■ SOLICITATION

Services (other than human services)

PROPERTY AND TERRORISM INSURANCE - Negotiated Acquisition - Specifications cannot be made sufficiently definite - PIN# PROP/TERR 19-20 - Due 7-18-19 at 3:00 P.M.

Renewal Requested, effective October 30, 2019.

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, Edgewood Partners Insurance Center (EPIC), 3 Landmark Square, 4th Floor, Stamford, CT 06901-2515. Brendan Osean (203) 658-0520; Fax: (203) 306-0864; brendan.osean@epicbrokers.com; shaun.conrad@epicbrokers.com; maria.riccardelli@epicbrokers.com

◀ j19

HUMAN RESOURCES ADMINISTRATION

■ AWARD

Human Services/Client Services

FINANCIAL ADVOCACY SERVICES - Renewal - PIN# 09615IO005001R001 - AMT: \$1,263,825.00 - TO: Gay Men's Health Crisis, Inc., 446 West 33rd Street, New York, NY 10001. Contract Term: 7/1/2019 - 6/30/2022.

◀ j19

Services (other than human services)

STAFF AUGMENTATION PMO - Other - PIN# 19OPEMI33701 - AMT: \$171,720.00 - TO: Experis IT Services US LLC, 2050 East ASU Circle, Suite 920, 9th Floor, Tempe, AZ 85284. TO#0000-4-069-4340A. Contract Term: 4/1/2019 - 11/15/2019.

◀ j19

■ INTENT TO AWARD

Services (other than human services)

US POSTAL SERVICE APPROVED BARCODE TAGGING SYSTEM AND SUPPORT SERVICES - Sole Source - Available only from a single source - PIN#19USEMI22601 - Due 6-24-19 at 2:00 P.M.

HRA/MIS, intends to enter into sole source contract with Window Book, Inc.

E-PIN#:09619S0004

Amount: \$86,663.00

Term: 7/1/2019 - 6/30/2022 with option to renewal for one (1) three (3) year term.

The Window Book DAT-MAIL is a complete mailing data management software package that allows MIS to edit mailing documentation, maintain postal discounts, generate postal statements and can qualify for postal incentive programs that can further reduce postal costs. This is a proprietary software and can be maintained by Window Book Inc. only.

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.

Human Resources Administration, 150 Greenwich Street, New York, NY 10007. Adrienne Williams (929) 221-6346; williamsadri@dss.nyc.gov

j17-21

PARKS AND RECREATION

■ VENDOR LIST

Construction Related Services

PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION, NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR" AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS.

NYC DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of NYC DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, NYC DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construct its parks, playgrounds, beaches, gardens and green-streets. NYC DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL, will be invited to participate in the NYC Construction Mentorship.

NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

NYC DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with, at least one of the entities in the joint venture being a certified M/WBE*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

* Firms that are in the process of becoming a New York City-Certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained online at: <http://a856-internet.nyc.gov/nycvendonline/home.asap>; or <http://www.nycgovparks.org/opportunities/business>.

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 Annex, Flushing Meadows – Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

j2-d31

SANITATION

AGENCY CHIEF CONTRACTING OFFICE

■ SOLICITATION

Services (other than human services)

SUPPORT OF THE IMPLEMENTATION AND DEVELOPMENT FOR SOLID WASTE MANAGEMENT PLAN - Negotiated Acquisition - Other - PIN# 82709N0001CNVN002 - Due 6-28-19 at 11:00 A.M.

The Department of Sanitation, intends to enter into negotiations with Henningson Durham and Richardson PC for the Support of the Implementation and Development for Solid Waste Management Plan, from 7/1/18 - 6/30/20.

Vendors interested in responding to this or other future solicitations for these types of services, should contact the Department of Sanitation. Contact Information below.

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.

Sanitation, 44 Beaver Street, 12th Floor, New York, NY 10004. Sarah Dolinar (212) 437-4508; Fax: (212) 514-6808; sdolinar@dny.nyc.gov

• j19-25

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



DISTRICT ATTORNEY - QUEENS COUNTY

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing, will be held on June 25, 2019, at 120-55 Queens Boulevard, Kew Gardens, NY 11415, 3rd Floor, Room 303, commencing at 12:00 P.M. on the following:

IN THE MATTER OF a propose Purchase Order/Contract between the Queens County District Attorney's Office and Compulink Technologies, located at 260 West 39th Street, New York, NY 10018, for HPE # PAR Equipment & Support. The amount of this Purchase Order/Contract will be \$134,934.96. The term will be one time purchase.

The Vendor has been selected, pursuant to Section 3-12 of the Procurement Policy Board Rules.

A draft copy of the Purchase Order/Contract will be available for public inspection, at the Office of the Queens County District Attorney's Office, 120-55 Queens Boulevard, 3rd Floor, Room 303, Kew Gardens, NY 11415, from June 14, 2019 - June 24, 2019, excluding weekends and holidays, from 10:00 A.M. - 4:00 P.M. (EST).



j14-24

ENVIRONMENTAL PROTECTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held, at the Department of Environmental Protection Offices, at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, NY, on July 2, 2019 commencing, at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Ulster County of Public Works, 244 Fair Street, PO Box 1800, Kingston, NY 12402, for CAT-490: Ulster County Delegation Agreement. The Contract term shall be 5 years with an option to renew for 5 years from the date of the written notice to proceed. The Contract amount shall be \$150,000.00 — Location: Ulster County: Pin 82619T0017

Contract was selected by Government to Government Purchase, pursuant to Section 3-13 of the PPB Rules.

A copy of the Contract may be inspected, at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, NY 11373, on the 17th Floor Bid Room, on business days from June 19, 2019 to July 2, 2019, between the hours of 9:30 A.M. – 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by June 21, 2019, from any individual a written request to speak, at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Debra Butlien, NYCDEP, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373 or via email to dbutlien@dep.nyc.gov.

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

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Hazen and Sawyer, DPC, 498 Seventh Avenue, 11th Floor, New York, NY 10018 for GI-ONSITE CM-1: Task Order Contract for the Construction Management Services for Green Infrastructure. The Contract term shall be 1,825 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$6,250,000.00 — Location: Various Counties: EPIN: 82618P0025001.

This contract was selected by Competitive Sealed Proposal, pursuant to Section 3-03 of the PPB Rules.

A copy of the Contract may be inspected, at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, NY 11373, on the 17th Floor Bid Room, on business days from June 19, 2019 to July 2, 2019 between the hours of 9:30 A.M. – 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

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

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and NV5 New York Engineers, Architects, Landscape Architects and Surveyors, 32 Old Slip, Suite 400, New York, NY 10005, for GI-ONSITE CM-2: Task Order Contract for Construction Management Services for Green Infrastructure. The Contract term shall be 1,825 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$6,250,000.00 — Location: Various Counties: EPIN: 82618P0025002.

This contract was selected by Competitive Sealed Proposal, pursuant to Section 3-03 of the PPB Rules.

A copy of the Contract may be inspected, at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, NY, 11373, on the 17th Floor Bid Room, on business days from June 19, 2019 to July 2, 2019 between the hours of 9:30 A.M. – 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

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

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and CH2M Hill, New York, Inc., 500 7th Avenue, 17th Floor, New York, NY 10018 for GI-ONSITE CM-3: Task Order Contract for Construction Management Services for Green Infrastructure. The Contract term shall be 1,825 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$6,250,000.00 — Location: Various Counties: EPIN: 82618P0025003.

This contract was selected by Competitive Sealed Proposal, pursuant to Section 3-03 of the PPB Rules.

A copy of the Contract may be inspected, at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, NY 11373, on the 17th Floor Bid Room, on business days from June 19, 2019 to July 2, 2019 between the hours of 9:30 A.M. – 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

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

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Arcadis of New York, Inc., 44 South Broadway, 9th Floor, White Plains, NY 10601, for GI-ONSITE CM-4: Task Order Contract for Construction Management Services for Green Infrastructure. The Contract term shall be 1,825 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$6,250,000.00 — Location: Various Counties: EPIN: 82618P0025004.

This contract was selected by Competitive Sealed Proposal, pursuant to Section 3-03 of the PPB Rules.

A copy of the Contract may be inspected, at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, NY 11373, on the 17th Floor Bid Room, on business days from June 19, 2019 to July 2, 2019 between the hours of 9:30 A.M. – 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

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



AGENCY RULES

ADMINISTRATIVE TRIALS AND HEARINGS

■ NOTICE

Notice of Promulgation of Rule

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Office of Administrative Trials and Hearings (OATH) in accordance with Sections 1049 and 1043 of the New York City Charter that OATH amends Chapter 5 of Title 48 of the Rules of the City of New York to incorporate the requirements set forth in the recently added Chapter 10 of Title 19 of the Administrative Code of the City of New York, regarding certain procedures to be followed at the OATH Hearings Division in adjudicating summonses issued by the Taxi and Limousine Commission (TLC). The proposed rule was published in *The City Record* on May 6, 2019, and a public hearing was held on June 5, 2019.

Mr. Peter M. Mazer, Esq., General Counsel of the Metropolitan Taxicab Board of Trade, provided testimony at the public hearing concerning the use of videoconferencing for hearings on summonses issued by the TLC, the TLC Chairperson's review of mitigated penalties, and the timeliness requirements of respondent appearances. As a result of his testimony, OATH amended Sections 5-01a(c) and 5-06(c)(3) to reflect the requirements in Administrative Code Sections 19-1003(c) and 19-1005.

Statement of Basis and Purpose of Final Rule

The City of New York recently enacted Local Law 19 of 2019, creating special procedures for the Office of Administrative Trials and Hearings (OATH) in adjudicating summonses issued by the Taxi and Limousine Commission (TLC). This rule incorporates these new procedures into Chapter 5 of Title 48 of the Rules of the City of New York, the chapter of OATH's Hearings Division rules solely applicable to TLC-related hearings. OATH makes the following changes to Chapter 5 of Title 48: new Section 5-01a; new Subdivision (a) of Section 5-04; an amendment to the title of Subdivision (a) of Section 5-05; and new Subdivision (c) of Section 5-06.

New Section 5-01a specifies the times by which a Respondent and a Petitioner must appear at a scheduled OATH hearing in order to constitute an appearance and the consequences for failing to appear in a timely manner.

New Subdivision (a) of Section 5-04 sets a fifty (50) day time limit to appeal a Hearing Officer's underlying decision in cases in which the Hearing Officer has reduced the TLC penalty in order to allow such appellants sufficient time to file an appeal with OATH after the TLC Chairperson issues a determination on the Hearing Officer's penalty reduction.

The amended title of Subdivision (a) of Section 5-05, "Scope of Review of Appeals Unit Decisions," clarifies that this subdivision, which relates to the review authority of the TLC Chairperson, only applies to decisions of the Appeals Unit.

New Subdivision (c) of Section 5-06 grants Hearing Officers the discretion to decrease the penalties imposed for TLC violations if, upon consulting a list of factors, the Hearing Officer determines that a reduction of the penalty would be in the interest of justice. The same subdivision also makes clear that the Chairperson of the TLC may reinstate the full penalty or increase the penalty that the Hearing Officer had reduced.

This rule was not included in OATH's regulatory agenda for this Fiscal Year as the underlying legislation was not anticipated by OATH.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Chapter 5 of Title 48 of the Rules of the City of New York is amended by adding a new Section 5-01a, to read as follows:

§ 5-01a Appearances

(a) Appearances by Respondent. A Respondent's appearance at a hearing is timely if the Respondent appears and is ready to proceed no

more than ninety (90) minutes after the scheduled hearing time.

(b) Appearances by Petitioner. If the Petitioner fails to appear within thirty (30) minutes of the timely appearance of the Respondent and does not make a timely request to reschedule the hearing pursuant to § 6-05 of this title, the Tribunal will dismiss the summons.

(c) If the hearing does not begin within three (3) hours of the timely appearance of both the Respondent and the Petitioner, the Tribunal will dismiss the summons without prejudice.

§ 2. Subdivisions (a) through (e) of Section 5-04 of Chapter 5 of Title 48 of the Rules of the City of New York are re-lettered as Subdivisions (b) though (f), a new Subdivision (a) is added, and Subdivisions (b), (c) and (f), as re-lettered, are amended, to read as follows:

(a) If a Hearing Officer issues a decision imposing a reduced penalty pursuant to § 5-06(c) of this chapter, the party seeking to appeal the Hearing Officer's underlying decision must file an appeal with the Tribunal within fifty (50) days of the date of the decision.

(a) b Pursuant to Administrative Code § 19-506.1(c), a Respondent will not be required to pay the fines, penalties, or restitution imposed in the decision in order to file [an] a timely appeal.

(b) c Expedited appeals. Either party may appeal a decision pursuant to Section 6-19. Where the appeal involves the suspension or revocation of a TLC-issued license, the Appeals Unit will issue an expedited [appeal] decision.

(c) d A party responding to a request for appeal where the appeal involves the suspension or revocation of a TLC-issued license must file the response with the Tribunal within seven (7) days after being served with the appeal. The responding party must also serve a copy of the response on the appealing party, and file proof of such service with the Tribunal.

(d) e Requests for hearing recording. Pursuant to Administrative Code § 19-506.1(d), if a Respondent appealing a decision requests in writing a copy of the hearing recording, the recording will be produced to the Respondent within thirty (30) days after receipt of the request. If the recording cannot be produced within the thirty (30) day period, the determination being appealed will be dismissed without prejudice.

(e) f Finality. A decision of the Appeals Unit becomes the final determination [of the Tribunal] in the case, unless either party petitions the TLC Chairperson in accordance with § 68-12(c) of Chapter 68 of Title 35 of the Rules of the City of New York (RCNY).

§ 3. Subdivision (a) of Section 5-05 of Chapter 5 of Title 48 of the Rules of the City of New York is amended to read as follows:

(a) Scope of Review of Appeals Unit Decisions. The TLC Chairperson or, if designated by the TLC Chairperson, the General Counsel for the TLC, may review any determination of the Appeals Unit that interprets any of the following:

- (1) A rule in Title 35 of the RCNY;
- (2) A provision of law in Chapter 5 of Title 19 of the Administrative Code;
- (3) A provision of law in Chapter 65 of the Charter.

§ 4. Section 5-06 of Chapter 5 of Title 48 of the Rules of the City of New York is amended by adding a new Subdivision (c), to read as follows:

(c) Discretion of Hearing Officers to Reduce Penalties.

- (1) A Hearing Officer may, in the interest of justice, impose a reduced penalty for a violation, except for a violation of § 19-507 of the Administrative Code, after determining that such reduction in penalty is appropriate on the ground that one or more compelling considerations or circumstances clearly demonstrates that imposing such penalty would constitute or result in injustice. In determining whether such compelling consideration or circumstance exists, the Hearing Officer must, to the extent applicable, consider, individually and collectively, the following factors:
 - (i) The seriousness and circumstances of the violation;
 - (ii) The extent of harm caused by the violation;
 - (iii) The evidence supporting or refuting the violation charged, whether admissible or inadmissible at a hearing;
 - (iv) The history, character, and condition of the Respondent;
 - (v) The effect of imposing upon the Respondent the penalty set by the TLC;
 - (vi) The impact of a penalty reduction on the safety or welfare of the community;
 - (vii) The impact of a penalty reduction on public confidence in the TLC, the Tribunal, and the

implementation of laws by the City;

(viii) The position of the Petitioner regarding the proposed fine reduction with reference to the specific circumstances of the Respondent and the violation charged; and

(ix) Any other relevant fact indicating whether a decision to impose the penalty set by the TLC on the Respondent would serve a useful purpose.

- (2) Upon determining that a penalty should be reduced, the Hearing Officer will set forth in the decision the monetary penalty, if any, to be imposed on the Respondent, the amount of the reduction, and the reasons for such reduction.
- (3) Within twenty (20) business days of receipt of the Hearing Officer's decision, the TLC Chairperson or the Chairperson's designee may, upon determining that such decision is not in the interest of justice, pursuant to the factors set forth in Paragraph (1) of this subdivision, re-impose the full penalty demanded by the TLC or increase the penalty imposed by the Hearing Officer.

• j19

ENVIRONMENTAL PROTECTION

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Environmental Protection (DEP) is proposing to make minor revisions and corrections to the Asbestos Control Program rules and Air Asbestos Penalty Schedule.

When and where is the hearing? DEP will hold a public hearing on the proposed rule. The public hearing will take place at 10:30 A.M. on July 22, 2019. The hearing will be held in DEP's 8th Floor Conference Room, at 59-17 Junction Boulevard, Flushing, NY 11373.

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

- **Website.** You can submit comments to the DEP through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to nycrules@dep.nyc.gov.
- **Mail.** You can mail written comments to the DEP Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.
- **Fax.** You can fax written comments to the DEP Bureau of Legal Affairs, at (718) 595-6543.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling (718) 595-6531. You can also sign up in the hearing room before the hearing begins on July 22nd, 2019. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by July 22, 2019.

What if I need assistance to participate in the hearing?

You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (718) 595-6531. Advance notice is required to allow sufficient time to arrange the accommodation. Please tell us by July 15th, 2019.

This location has the following accessibility option(s) available: Wheelchair accessibility.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rule by going to the website at <http://rules.cityofnewyork.us/>. Copies of the written comments will be available to the public at the Bureau of Legal Affairs.

What authorizes the DEP to make this rule? Section 1043 of the City Charter and Sections 24-105 and 24-136 of the Administrative Code authorize DEP to make this proposed rule. This proposed rule was not included in DEP's regulatory agenda for this fiscal year.

Where can I find DEP's rules? DEP's rules are in Title 15 of the Rules of the City of New York.

What rules govern the rulemaking process? DEP must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter and Sections 24-136 and 24-105 of the Administrative Code.

Statement of Basis and Purpose of Proposed Rule

On January 6, 2019, DEP amended its asbestos rules, which are found at Title 15, Chapter 1 of the Rules of the City of New York (RCNY). After DEP promulgated these rules, companies engaged in asbestos abatement requested several minor clarifications. In response, DEP is proposing to revise the rules as follows:

- Clarify Section 1-29 by specifying that only air monitoring technicians need to have their license at the work place, not all individuals;
- Clarify the requirements of Section 1-36(b) as to how many air sampling technicians need to be present during sampling;
- Clarify that the requirements of Section 1-42(a) regarding the placement of air samples apply to all asbestos projects, not only those that are conducted indoors;
- Change the requirements for lettering on notices to be posted under Sections 1-81(a) and 1-125(a), as contractors advised that the required font sizes were impractical.

In addition, it was noted that the new Air Asbestos Penalty Schedule, found at Title 53 of Chapter 1 of the RCNY, which also became effective on January 6, 2019, had failed to carry over certain sections from the penalty schedule which had previously been located in the rules of the Office of Administrative Trials and Hearings. Accordingly, DEP proposes to amend the penalty schedule to correct those omissions.

Finally, the proposed rule divides the penalty schedule into three subdivisions (specifically, the RCNY, the New York State Industrial Code, and the New York City Administrative Code). No substantive change is intended with respect to the amendments made by sections six and nine of the proposal other than the addition of a penalty for a violation of Administrative Code § 24-1002.

Consistent with the above, DEP proposes to promulgate the following amendments, to be found at 15 RCNY Chapter 1 and 53.

The rule is authorized by Section 1043 of the Charter and Sections 24-105 and 24-136 of the Administrative Code.

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

“Shall” and “must” denote mandatory obligations and are used interchangeably in the rules as amended.

The text of the rule follows.

Section 1. Paragraph 1 of Subdivision (d) of Section 1-29 of Subchapter C of Chapter 1 of Title 15 of the Rules of the City of New York is amended to read as follows:

(1) The DEP certificate number of all [individuals] air monitoring technicians who worked on the project;

§ 2. Subdivision (b) of Section 1-36 of part 1 of Subchapter D of Chapter 1 of Title 15 of the Rules of the City of New York is amended to read as follows:

(b) One air sampling technician must be present per three work areas in one work site to observe and maintain air sampling equipment for the duration of the air sample collection, except that if there are multiple work areas on the same floor, only one air sampling technician is required for that floor.

§ 3. Subdivision (a) of Section 1-42 of part 3 of Subchapter D of Chapter 1 of Title 15 of the Rules of the City of New York is amended to read as follows:

(a) The sampling zone for [indoor] air samples shall be representative of the building occupants’ breathing zone. However, at no time shall the sampling cassette be placed less than 4 feet from the ground. Air samplers shall be placed so that they are not influenced by unusual air circulation patterns or by the configuration of the space or by each other. Air sampling cassettes shall be mounted upon commercially-available aluminum tripods and shall not be placed within two feet of walls or obstructions such as the corners of rooms or furniture.

§ 4. Subdivision (a) of part 2 of Subchapter F of Chapter 1 of Section 1-81 of Title 15 of the Rules of the City of New York is amended to read as follows:

(a) The building owner or designated representative must provide notification to all occupants of the work place and immediate adjacent areas of the asbestos project. Information provided in the notification must include contractor, project location and size, amount and type of ACM, abatement procedure, dates of expected occurrence and the Call Center “311” for government information and services. Postings of this notification must be in English and Spanish, at eye level, in a conspicuous, well-lit place, at the entrances to the work place and immediate adjacent areas. The notice must have the following heading: **NOTICE OF ASBESTOS ABATEMENT**, in a minimum of [two] one inch sans serif, gothic or block style lettering, with the balance of the lettering of the notice to be of the same type lettering in a minimum of one quarter inch size. The notices must be posted 7 calendar days prior to the start of the project and must remain posted until clearance air

monitoring is satisfactorily concluded. A lessee initiating an asbestos project must give 10 calendar days notice to the owner of the subject building.

§ 5. Subdivision (a) of Section 1-125 of part 2 of Subchapter G of Chapter 1 of Title 15 of the Rules of the City of New York is amended to read as follows:

(a) Prior to the start of abatement activities on asbestos projects the building owner or designated representative must post a general notification at all main entrances to the structure. Postings of this notification must be in English and Spanish, at eye level in a conspicuous well-lit place that can be viewed by the public without obstruction. Information provided in the notification must include contractor, project location, that the project is regulated by NYC DEP, and the Call Center “311” for government information and services. The notice must have the following heading: **NOTICE OF ASBESTOS ABATEMENT**, in a minimum of [2 inches] one inch sans serif, gothic or block style lettering, with the balance of the lettering of the notice to be of the same type lettering in a minimum of [1] one quarter inch size. The notification must be posted throughout all abatement activities.

§ 6. The opening paragraph of Subdivision (a) of Section 53-02 of Chapter 53 of Title 15 of the Rules of the City of New York is amended to read as follows:

Penalty Table for Violations of Title 15 of the Rules of the City of New York.

§ 7. The penalty for a violation of 15 RCNY § 1-91(n) in Subdivision (a) of Section 53-02 of Chapter 53 of Title 15 of the Rules of the City of New York is amended to read as follows:

15 RCNY § [1-91(n)] <u>1-91(o)</u>	Failed to smoke test/inspect/monitor ducts to ensure no fiber release	\$1,200	\$1,000	\$2,400	\$1,500
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§ 8. Subdivision (a) of Section 53-02 of Chapter 53 of Title 15 of the Rules of the City of New York is amended by adding new penalties for violations of 15 RCNY § 1-91(n), 15 RCNY § 1-94(f), 15 RCNY § 1-94(g) and Admin. § 24-146.1(h) in alphanumeric order to read as follows:

15 RCNY § 1-91(n)	Failed to install ducting to prevent fiber release	\$1,200	\$1,000	\$2,400	\$1,500
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15 RCNY § 1-94(f)	Failed to document daily inspection to ensure exits have been checked against blockage	\$2,400	\$1,500	\$4,800	\$3,000
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15 RCNY § 1-94(g)	Failed to stop abatement activities if exits are found blocked	\$4,800	\$3,000	\$9,600	\$6,000
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§ 9. The penalties for a Violation of New York State Industrial Code Rule 56 – level 1, a Violation of New York State Industrial Code Rule 56 – level 2, a Violation of New York State Industrial Code Rule 56 – level 3, and Admin. § 24-146.1(h) in Subdivision (a) of Section 53-02 of Chapter 53 of Title 15 of the Rules of the City of New York are REPEALED, and two new Subdivisions (b) and (c) are added to read as follows:

(b) Penalty Table for Violations of New York State Industrial Code.

Section	Violation Description	1st Offense Penalty	1st Offense Stipulation	2nd Offense Penalty	2nd Offense Stipulation
12 NYCRR Part 56	Violation of New York State Industrial Code Rule 56 - level 1	\$4,800	\$3,000	\$9,600	\$6,000
12 NYCRR Part 56	Violation of New York State Industrial Code Rule 56 - level 2	\$2,400	\$1,500	\$4,800	\$3,000
12 NYCRR Part 56	Violation of New York State Industrial Code Rule 56 - level 3	\$1,200	\$1,000	\$2,400	\$1,500

(c) Penalty Table for Violations of New York City Administrative Code.

Section	Violation Description	1st Offense Penalty	1st Offense Stipulation	2nd Offense Penalty	2nd Offense Stipulation
Admin. § 24-146.1(h)	Resumed work in violation of stop-work order	\$4,400	\$2,750	\$8,800	\$5,500
Admin. § 24-1002	Violated Master Environmental Remediation Technician Law	\$1,000	\$1,000	\$1,000	\$1,000

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

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

RULE TITLE: Amendment of Asbestos Rules and Air Asbestos Penalty Schedule.

REFERENCE NUMBER: 2019 RG 016

RULEMAKING AGENCY: Department of Environmental Protection

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: 6/6/2019

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

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

RULE TITLE: Amendment of Asbestos Rules and Air Asbestos Penalty Schedule

REFERENCE NUMBER: DEP-63

RULEMAKING AGENCY: Department of Environmental Protection

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

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

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

June 7, 2019
Date



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**New York City Department of Environmental Protection
FY20 Regulatory Agenda**

In compliance with Section 1042 of the New York City Charter, the following is the regulatory agenda for rules that the New York City Department of Environment of Protection (DEP) anticipates it may promulgate during the fiscal year beginning July 1, 2019 and ending June 30, 2020. Listed below each Section are an approximate schedule for adopting the proposed rules and the name and telephone number of a DEP official knowledgeable about each subject area involved.

1. Construction Noise Mitigation Rules

A. Description

Rules regarding noise mitigation practices including requirements for street plates, jackhammers, and noise barriers.

B. Reasons

Update 2005 rules that set forth specific requirements for "construction noise mitigation plans" contractors must complete prior to starting work.

C. Anticipated contents

The rule will establish additional requirements for the use of insulation between street plates and the ground, additional noise barriers for structures over 20 feet, and additional technologies for mitigation of jackhammer noise during nighttime construction activities.

D. Objectives

To reduce further the noise created during construction activities.

E. Legal basis:

NYC Charter Section 1403

F. Relevant local laws and rules:

NYC Administrative Code §24-219, 15 RCNY §28-100 et seq., 34 RCNY §2-11

G. Individuals and entities affected:

Builders and Contractors

H. Approximate Schedule:

4Q FY 2020

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

2. Work Permit Exceptions

A. Description

Rule will define certain equipment that the department may exempt from requirements for a work permit under the Air Pollution Control Code.

B. Reasons

Certain equipment, which is not explicitly exempted from the work permit requirement in Section 24-121 of the Air Code, does not need a work permit for various reasons including how DEC classifies certain sources. DEP seeks to clarify and expand the existing list of sources for which a registration or exemption from filing is acceptable instead of a work permit.

C. Anticipated contents

The rule will set forth the equipment or apparatus that the department may exempt from requirements for a work permit.

D. Objectives

Simplify compliance requirements and streamline permitting.

E. Legal basis:

NYC Charter Section 1403

F. Relevant local laws and rules:

NYC Administrative Code Section 24-121(a)(21)

G. Individuals and entities affected:

Engineers, architects, and those who file in the regulated community.

H. Approximate Schedule:

2Q FY 2020

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

3. Fee Rule Amendment

A. Description

Rule will establish a fee for variances from the Air Pollution Control Code.

B. Reasons

The department receives requests for variances from the Air Code, which require a review by engineers and other staff. The department needs a fee to cover its costs for reviewing these applications.

C. Anticipated contents

The rule will establish a fee for review of applications for a variance from the Air Code.

D. Objectives

Ensure sufficient receipt of revenue to review and evaluate variances.

E. Legal basis:

NYC Charter Section 1403

F. Relevant local laws and rules:

NYC Administrative Code Section 24-105 (c)

G. Individuals and entities affected:

Those who seek a variance from the Air Code.

H. Approximate Schedule:

3Q FY 2020

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

4. Penalty Schedule Amendments

A. Description

Rules that will amend the penalty schedule for the Air Code, Noise Code, Asbestos Rules, and Water Code.

B. Reasons

Recent or pending changes will require the amendment of penalty schedules related to summonses issued by DEP.

C. Anticipated contents

Addition and deletion of affected provisions from current penalty schedules.

D. Objectives

Update penalty schedules to be consistent with current laws and rules.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403

F. Relevant local laws and rules:

NYC Administrative Code § 24-223, 24-223.1(d), 24-154, 24-178, 24-105, 24-204, 24-257, 24-346 and 15 RCNY Chapter 1.

G. Individual and entities affected:

Entities and individuals who receive summonses issued by DEP.

H. Approximate Schedule:

1Q FY 2020

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

5. Drilling and Excavation

A. Description

Uniform standards for the application for and permitting of all drilling and/or excavation in close proximity to critical infrastructure.

B. Reason

Existing provisions of the Administrative Code mandate in general terms that the DEP Commissioner protect New York City's water supply; this rule would provide explicit protections.

C. Anticipated contents

The rule will set forth specific standards for the application for and permitting of drilling and/or excavation in close proximity to critical infrastructure.

D. Objectives

To guarantee and protect the integrity of New York City's water supply and facilities.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403

F. Relevant local laws and rules:

NYC Administrative Code §24-302; 15 RCNY Chapter 34.

G. Individuals and entities affected:

Engineers and contractors whose projects include drilling and/or excavation within the five boroughs of NYC.

H. Approximate Schedule:

1Q FY 2020

I. Agency Contact:

Melinda Sherer, DEP Legal Affairs, (718) 595-6613

6. Water Shortage Rules

A. Description

Amendment of existing rules to apply in all situations of water shortage (including drought situations) and to update the existing prohibitions.

B. Reasons

Update the existing prohibitions to reflect current conservation studies and understanding of water use by consumers.

C. Anticipated contents

The rule will set forth prohibitions and restrictions on water usage during periods of water shortage.

D. Objectives

Ensure an adequate water supply during periods of weather-related drought and/or large conveyance infrastructure repair and/or failure.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403

F. Relevant local laws and rules:

15 RCNY Chapter 21

G. Individuals and entities affected:

All consumers of New York City water

H. Approximate Schedule:

4Q FY 2020

I. Agency Contact:

Casey McCormack, DEP Legal Affairs, (718) 595-6503

7. Design and Construction of Private Water Mains

A. Description

Rules for design and construction of private water mains.

B. Reasons

Establish rules for private water mains that are consistent with rules for private sewers.

C. Anticipated contents

The rules will establish requirements for those who construct private water mains in mapped streets at their own expense (and connect such water mains to City water mains or other private water mains) to transfer ownership of such mains to the City within a prescribed period of time.

D. Objectives

To ensure that private water mains are constructed to DEP standards and specifications.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403

F. Relevant local laws and rules:

15 RCNY Chapter 23

G. Individuals and entities affected:

Builders and developers

H. Approximate Schedule:

4Q FY 2020

I. Agency Contact:

Susan Gordon, DEP Legal Affairs, (718) 595-4260

8. Watershed - Revocable Land Use Permits

A. Description

Rules for issuance of revocable land use permits for NYC-owned land in nine upstate counties.

B. Reasons

Give DEP greater discretion to allow acceptable activities on City-owned land without imposition of unduly burdensome insurance requirements.

C. Anticipated contents

The rule will remove the requirement for a bond for pump stations and add a new fee category for "lawn mowing or other small-scale uses incidental to residential dwellings."

D. Objectives

Permit public use of land in the NYC watershed in upstate counties.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403

F. Relevant local laws and rules:

15 RCNY Chapter 17

G. Individuals and entities affected:

Applicants for revocable land use permits for NYC-owned land in nine upstate counties

H. Approximate Schedule:

4Q FY 2020

I. Agency Contact:

May Chin, DEP Legal Affairs, (845) 340-7204

9. Sewer Use Rules

A. Description

Revisions to "Use of the Public Sewers" rules, incorporating federal pretreatment standards and requirements, establishing sewer use limits and implementing the federal pretreatment program.

B. Reasons

Provide more clarity and specificity to the regulations in order to avoid confusion, promote higher rates of compliance, and facilitate DEP inspectors' performance of comprehensive inspections.

C. Anticipated contents

Modifications to the definition section, the Best Management Practices for Non-Residential Direct and Indirect Dischargers of Grease to the Public Sewer System, and the rules regarding groundwater discharge permits.

D. Objectives

Reduce pollutants in stormwater runoff that discharge to the local waterbodies.

E. Provide a summary of the legal basis for the proposed rule.

Section 1403 of NYC Charter and Section 24-523(e) of the NYC Administrative Code

F. Relevant local laws and rules:

15 RCNY Chapter 19

G. Individuals and entities affected:

Dischargers to the public sewer system.

H. Approximate Schedule:

4Q FY 2020

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

10. Update to Perchloroethylene Dry Cleaning Facilities

A. Description

Rules applicable to all dry cleaning facilities in the state that use perchloroethylene (perc) will be amended to reflect changes by the DEC to 6 NYCRR Parts 200 and 232.

B. Reasons

DEC has adopted changes to the regulations that affect the dry cleaning community. Major changes to the dry cleaning industry have taken place since DEC's dry cleaning regulations went into effect in 1997. As a result, many of the requirements in Part 232 have become outdated and in need of revision.

C. Anticipated Contents

Revise the existing regulation and add several new components to improve compliance and program delivery; reduce perc and alternative solvent emissions to the environment; address advancements in technology and changes in the industry regarding the use of alternative dry cleaning solvents; and bring New York's regulation up to date with current federal requirements. This proposal applies to any entity that operates, or proposes to operate, approved alternate solvent or perc dry cleaning machines.

D. Objectives

Reduce exposure to perc from dry cleaning operations and improve air quality.

E. Legal Basis

NYC Charter Section 1403

F. NYC Administrative Code Section 24-105, 15 RCNY 12-01 et seq.

G. Individuals and Entities affected:

Dry Cleaning Facilities

H. Approximate Schedule:

2Q FY 2020

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

11. Char broiler and Cook Stove Rules

A. Description

Rule that will establish requirements for restaurants in operation before May 6, 2016 to install emission controls.

B. Reasons

The Air Code requires that DEP promulgate a rule to prescribe emission control technologies required on cook stoves and char broilers installed before May 6, 2016.

C. Anticipated contents

The rule will require similar control technologies as those currently installed on cook stoves and char broilers that came into operation on or after May 6, 2016.

D. Objectives

The installation of emission controls on cook stoves and char broilers will result in a reduction in emissions and odors.

E. Provide a summary of the legal basis for the proposed rule.

NYC Charter Section 1403 and Title 24, Chapter 1 of the Administrative Code.

F. Relevant local laws and rules:

NYC Administrative Code § 24-149.4 and 24-149.5, 24-105

G. Individuals and entities affected:

Restaurants with char broilers or cook stoves installed prior to May 6, 2016.

H. Approximate Schedule:

2Q FY 2020

I. Agency Contact:

Russ Pecunies, DEP Legal Affairs, (718) 595-6531

12. Basement Apartment Rules

A. Description

Rules governing vapor intrusion barrier system installations, indoor air and soil vapor sampling, environmental site assessments, and soil testing in connection with a demonstration program in East New York.

B. Reasons

Local Law No. 2019/049 requires DEP to promulgate rules for basement or cellar apartments enrolled in the demonstration program to comply with certain requirements before they may obtain a certificate of occupancy or temporary certificate of occupancy.

C. Anticipated Contents

The rule will establish requirements, and where applicable, exemptions, for the installation of vapor intrusion barrier systems, indoor air and soil vapor sampling, environmental site assessments, and soil testing in basement apartments in the East New York demonstration program.

D. Objectives

To facilitate the creation and alteration of habitable apartments in basements and cellars of certain one- and two-family dwellings in the East New York demonstration program.

E. Legal Basis

§§15(e) and 1043 of the Charter of the City of New York

F. Relevant Local Laws & Rules

Local Law No. 2019/049.

G. Individuals and entities affected

Owners of certain one- and two-family dwelling in East New York seeking to enroll in the City's demonstration program. Builders/contractors/Qualified Environmental Professionals working on such Owners' properties.

H. Approximate Schedule

1Q FY2020

I. Agency Contact

Casey McCormack, DEP Legal Affairs, (718) 595-6503

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HEALTH AND MENTAL HYGIENE

■ NOTICE

Notice of Adoption of Amendments to Articles 11, 71, and 173 of the New York City Health Code

In compliance with Section 1043(b) of the New York City Charter ("the Charter") and pursuant to the authority granted to the Board of Health by Section 558 of said Charter, a notice of intention ("NOI") to amend Article 207 of the New York City Health Code ("the Health Code") was published in the New York City Record on April 23, 2019, and a public hearing was held on May 23, 2019. At the hearing, two people testified, both of whom also submitted written comments. In all, four written comments were received. After consideration of the comments received, one technical change was made to correct a legal citation in the proposed amendments as well as other minor changes to improve clarity. At its meeting on June 11, 2019, the Board of Health adopted the following resolutions.

Statement of Basis and Purpose

I. The Dangers of Lead Exposure

Children exposed to any level of lead may face serious, irreversible harm that has consequences throughout their lifetimes. Children under the age of six are at greatest risk for exposure because they explore the world through hand-to-mouth activity and because their bodies are rapidly growing and can more readily absorb lead. Elevated blood lead levels in children can result in behavioral changes, reduced educational attainment and hearing and speech delays. In 2012, the Centers for Disease Control and Prevention (CDC) explained that there is no safe blood lead level (BLL) for children, announced that 98.5% of children nationally had a BLL below 5 micrograms per deciliter (mcg/dL), and recommended public health action at this defined "reference level." In adults, lead exposure can increase risk of hypertension, peripheral neuropathy, renal dysfunction, and adverse reproductive outcomes. Pregnant women present a unique concern because lead exposure can affect the health of both the woman and the fetus. Since symptoms of elevated BLLs are often not immediately observable and many adverse health effects are irreversible, preventing exposure before it occurs and reducing future exposures are the only effective ways to protect children and adults from lead's deleterious effects.

II. Lead in Paint

Lead in paint remains the most common source of lead exposure for New York City children. As the older layers of lead-based paint from previous decades remain on interior surfaces, such layers peel, crack, chip, or flake. Very young children – especially those under the age of three – are most at risk as this peeling or chipped lead-based paint and dust easily end up on a crawling baby or toddler's hands and toys and then into their digestive systems due to developmentally appropriate hand-to-mouth activity. At critical stages of physical development, these very young children absorb lead at higher rates than older children and adults, putting them at the greatest risk of all when exposed to lead.

New York City has long been at the vanguard of efforts nationally to reduce BLLs in children, beginning in 1960 when the Board of Health made New York City one of the first jurisdictions in the country to prohibit the use of lead paint in residential settings, 18 years before it was banned by the federal government. Because of strong laws, regulations, policies and procedures—including the requirements of the Health Code—New York City has seen close to a 90 percent decline since 2005 in the number of children under age six with a BLL at or above 5 mcg/dL.

The New York City Childhood Lead Poisoning Prevention Act ("Local Law 1"), enacted in 2004, required the Department to investigate the potential sources of lead in the home and elsewhere when it receives a report of children under 18 years old with a BLL level at or above 15 mcg/dL.¹ Complementing Local Law 1, the Health

Code was amended to define "lead-based paint" as paint with a lead content of 1.0 milligrams per centimeter squared (mg/cm²). It also has required that:

- Health care providers and clinical laboratories notify the Department of BLL test results of 10 mcg/dL or greater within 24 hours (Health Code Section 11.03) and all BLL test results within five business days (Health Code Section 11.09);
- DOHMH conduct investigations of children under 18 years old with BLLs at or above 15 mcg/dL to identify sources of lead and order abatement as needed (Health Code Section 173.13(d)(2));
- If lead-based paint hazards are identified based on a report of a child with a BLL of 15 mcg/dL, a Commissioner's Order to correct the hazard be issued, requiring the owner to correct the violation within five days (Health Code Section 173.13(d)(2)); and
- The maximum content of lead dust permitted for re-occupancy of a unit is 40 mcg/ft² for floors, 250 mcg/ft² for window sills, and 400 mcg/ft² for window wells (Health Code Section 173.14(e)(1)(I)(iv)).

Based on changes in federal guidelines and evolving scientific evidence, the Department has been conducting investigations for children at BLLs lower than Health Code mandates, including at 8 mcg/dL and above for children under 16 months old, and 10 mcg/dL and above for children under six years old. These environmental investigations include a comprehensive risk assessment and environmental sampling of the child's residence and any supplemental addresses. The environmental sampling includes testing peeling paint and dust for lead content. The Department has been taking public health action for children with a BLL of 5 mcg/dL and above since 2009, by notifying parents and health care providers about the blood lead test results and providing recommendations for follow-up testing and interventions. Beginning in 2018, the Department began conducting environmental investigations for all children under 18 years old with a BLL of 5 mcg/dL or greater.

In light of such changes in guidelines and scientific evidence, and to align with recent amendments to local law, the Board has adopted updates to relevant Health Code provisions related to childhood lead paint exposure interventions as described below. Among the updates is redefining "lead-based paint" from a lead concentration threshold of 1.0 mg/cm² to 0.5 mg/cm² and from paint with a metallic lead content of 0.5% or greater to 0.25% or greater once the New York City Department of Housing Preservation and Development (HPD) confirms via rulemaking that there is at least one Performance Characteristic Sheet (PCS) published by the United States Department of Housing and Urban Development or other sufficient written technical guidance approving a commercially available x-ray fluorescence (XRF) analyzer tested at the level of 0.5 mg/cm². In addition, since the Department's review of XRF readings taken from residences of children with BLLs of 8 mcg/dL and above show that paint with lead content below current Health Code levels presents a risk to children, the Board is adopting this more protective standard to order abatement of non-intact paint where an XRF reading is 0.5 mg/cm² and there is a child with under 18 years old with a BLL of 5 mcg/dL or greater. In this manner, property owners are on clear notice that the Department will take enforcement action when needed if these lower lead levels in non-intact paint are present in the home of a child with a BLL of 5 mcg/dL or higher.

III. Consumer Products as a Source of Lead Exposures

While lead-based paint remains the primary source of lead exposure for New York City children, consumer products—such as certain supplements or remedies, cosmetics, religious powders, jewelry, and spices—are also often identified as potential lead sources associated with elevated BLLs. This poses a special challenge in New York City, where many residents come from a broad spectrum of ethnic, cultural, and religious backgrounds and use imported goods that may contain lead or other heavy metals at unsafe levels not permitted in goods produced in the United States.

To address this challenge, the Department has a comprehensive approach to identifying and reducing exposure to lead in consumer products that includes surveying stores to find potentially hazardous products, conducting enforcement actions to remove the products from sale and use, and providing risk communication and public education to prevent future use of the products. The Department has tested thousands of consumer products for lead and other heavy metals since 2011, of which hundreds of product samples have been found to contain elevated lead or other heavy metals. From September 2014 through 2018, the Department surveyed more than 700 New York City stores to determine the availability of hazardous consumer products and embargoed more than 19,000 hazardous consumer products.

Multiple federal laws regulate non-paint sources of lead, including the Consumer Product Safety Act, the Federal Hazardous Substances Act, the Food, Drug and Cosmetic Act, and their attendant regulations, guidelines, and other publications. These federal laws, regulations and guidelines provide baselines for permissible levels of lead in consumer

1 NYC Administrative Code § 27-2056.14.

products and other substances nationwide. Combined, these laws and regulations provide a continuously evolving set of complex standards by which products and substances are regulated to protect the public health. Some states and localities have taken steps to augment the federal standards. In New York State, Education Law § 6818 bans the sale of cosmetics containing poisonous or deleterious substances. In New York City, Administrative Code § 17-189 prohibits the sale of lead-containing candy and litargirio. California and Minnesota have made lead levels for adult jewelry closer to that required federally for children's jewelry.^{2 3} Many states have also adopted the federal standards for lead content in children's toys.

While the Health Code previously incorporated federal standards for lead content in consumer products, food, drugs, and cosmetics, these provisions were not specific about items with dangerous levels of lead. The Board has therefore adopted amendments to clarify criteria for specific products that are banned for sale, use, and transfer in the City due to their lead content. The Board has also adopted specific Health Code provision to authorize the Department to seize, embargo, or condemn products and substances with dangerous levels of lead. And finally, the Board has adopted a provision for a safe products awareness training program as a requirement for individuals and entities who offer for sale or otherwise distribute hazardous lead-containing products or materials. Such a program will assist small businesses and others in identifying products they are not supposed to sell in the future and thereby expand the positive impact of Department enforcement action.

IV. Summary of Proposed Health Code Amendments

The following is a summary of the adopted amendments to the Health Code:

1. All BLL test results of 5 mcg/dL or greater must be reported to the Department within 24 hours and removing "lead poisoning" from the reportable condition of "poisoning by drugs or other toxic agents" (Section 11.03(a));
2. BLL test results below 5 mcg/dL must also be reported to the Department (Section 11.09(a));
3. The BLLs of children under 18 years of age has been lowered from 15 mcg/dL to 5 mcg/dL when the Department is required to issue abatement orders if a lead-based paint hazard is identified in a dwelling where children reside (Section 173.13(d)(2));
4. A trigger to redefine "lead-based paint" from a lead concentration threshold of 1.0 mg/cm² to 0.5 mg/cm² and from paint with a metallic lead content of 0.5% or greater to 0.25% or greater under the conditions of NYC Administrative Code Section 27-2056.2(7)(b) have been met to redefine the term citywide (Section 173.14(b));
5. Definition of "unsafe lead paint condition" to mean non-intact paint with a concentration of lead equal to or greater than 0.5 but not greater than 0.9 milligrams per square centimeter or with a metallic lead content of 0.25% or greater regardless of whether a PCS has been issued for an XRF at these levels (Section 173.14(b));
6. The clearance level for dust wipes for floors and window wells and sills has been lowered (Section 173.14(e)(1)(I)(iv));
7. Clarification that cosmetics containing lead that could cause harm to users is not permitted, and specifying that kohl, kajal, al-Kahal, surma, tiro, tozali, kwalli, and litargirio, among other substances, are banned from sale (Section 71.05(g)(1));
8. Addition of a new paragraph to the definition of *per se* hazardous substances to specify the danger of lead exposure, and banning the sale of certain ceramic ware not suitable for use with foods and any jewelry that does not meet the federal standards for children's jewelry (Section 173.01(i)(5));
9. Conspicuous warnings are required on ceramic ware not suitable for use with food (Section 173.05(e)); and
10. The sale, use, and transfer of hazardous or toxic substances or products is not permitted, and the Department has the authority to seize, embargo, or condemn any such items, and that violators may be required to take a safe products awareness training program (Section 173.21).

Statutory Authority

These amendments to the Health Code are promulgated pursuant to Sections 558 and 1043 of the New York City Charter. Section 558 empowers the Board to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 1043 grants the Department rulemaking authority.

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

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

2 California Health and Safety Code Article 10.1.1.
3 2018 Minnesota Statutes § 325E.389.

RESOLVED, that the list of diseases and conditions in Subdivision a of Section 11.03 of Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to add a new disease and condition in alphabetical order for "blood lead level" and to amend "poisoning by drugs or other toxic agents," to read as follows:

§ 11.03 Diseases and conditions of public health interest that are reportable.

(a) Cases and carriers affected with any of the following diseases and conditions of public health interest, and persons who at the time of their death were apparently so affected, shall be reported to the Department as specified in this article:

* * *
Blood lead level of five micrograms per deciliter or higher (see also Section 11.09(a) of this Code)
* * *

Poisoning by drugs or other toxic agents, including but not limited to [lead poisoning consisting of a blood lead level of 10 micrograms per deciliter or higher (see also § 11.09(a) of this Code);] carbon monoxide poisoning and/or a carboxyhemoglobin level above 10%; and including confirmed or suspected pesticide poisoning as demonstrated by:

- (1) Clinical symptoms and signs consistent with a diagnosis of pesticide poisoning;
- or
- (2) Clinical laboratory findings of blood cholinesterase levels below the normal range;
- or
- (3) Clinical laboratory findings or pesticide levels in human tissue above the normal range.

RESOLVED, that Subdivision a of Section 11.09 of Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York be amended to read as follows:

(a) In addition to the reports of blood lead [poisoning] levels made pursuant to § 11.03 of this Code, results of blood lead analyses [which] that are less than [10] five micrograms per deciliter for any resident of the City of New York shall be reported as follows:

- (1) Except as provided in Paragraph (2), clinical laboratories shall report blood lead test results [which] that are less than [10] five micrograms per deciliter to the Department.
- (2) A clinical laboratory [which] that reports blood lead test results less than [10] five micrograms per deciliter electronically to the New York State Department of Health shall not be required to make any additional report to the Department of such test results.
- (3) A person or entity who orders or performs blood lead tests but does not submit the specimen to a clinical laboratory for analysis shall report results of less than [10] five micrograms per deciliter to the Department.

(4) Results required to be reported pursuant to this Section shall be submitted to the Department in an electronic transmission format acceptable to the Department or in writing via facsimile or by mail, within five (5) business days after such results are known by such person or entity. Reports required pursuant to this section shall contain all the information required by the Department for the protection of public health, and shall be made on forms furnished by the Department or shall contain all the information required by such forms.

RESOLVED, that Paragraph (1) of Subdivision (g) Section 71.05(g)(1) of Article 71 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

- (1) If it bears or contains any poisonous or deleterious substance [which], including lead, that may render it injurious to users under the conditions of use prescribed in the labeling thereof, or under such conditions of use as are customary or usual[, except that this provision shall not apply to any].
 - (A) Kohl, kajal, al-Kahal, surma, tiro, tozali, and kwalli, and other cosmetic color additives (as defined in the Federal Food, Drug and Cosmetic Act, 21 U.S.C.A. § 201(t)) containing lead that have not been approved by the U.S. Food and Drug Administration for sale in the United States are per se adulterated substances.
 - (B) Litargirio, as defined in Paragraph 2 of Subdivision a of Section 17-189 of the Administrative Code, and any powder containing lead intended for sale for personal use, including, but not limited to, use as an antiperspirant, deodorant, foot fungicide or as a treatment for burns and wounds, are per se adulterated substances.
 - (C) Any cosmetic product[, whose label bears a statement] that, pursuant to 21 U.S.C. §740.1, has been authorized

by the U.S. Food and Drug Administration to bear a label warning of the hazards associated with use of the product is not considered adulterated for purposes of this Article.

RESOLVED, that Subdivision (i) of Section 173.01 of Article 173 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(i) **Hazardous substance** means:

- (1) Any substance or mixture of substances [which] that is combustible, corrosive, extremely flammable, flammable, highly toxic, an irritant, a strong sensitizer, toxic, or generates pressure through decomposition, heat, or other means, if such substance or mixture of substances may cause or has caused substantial personal injury, including developmental delay or cognitive impairment, or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children;
- (2) Any substance [which] that the Federal Consumer Product Safety Commission determines [meets the requirements of Section 2(f)(1)(A) of the Federal Hazardous Substances Act] is hazardous;
- (3) Any radioactive substance if, with respect to such substance as used in a particular class of article or as packaged the Federal Consumer Product Safety Commission determines by regulation that the substance is sufficiently hazardous to require labeling to protect the public health; [and]
- (4) Any toy or other article which the Federal Consumer Product Safety Commission or the Commissioner determines presents an electrical hazard, mechanical hazard, or thermal hazard[.]; and
- (5) Any substance or product that contains a concentration or amount of lead that may cause or has caused substantial personal injury, including developmental delay or cognitive impairment, or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children. Such products include, but are not limited to:
 - (A) Jewelry that is found to contain more than 100 parts per million of total lead content in accessible parts or a concentration of lead greater than 0.009 percent (90 parts per million) in paint or any similar surface coatings; and
 - (B) Ceramic ware that is not suitable for use with foods because it leaches significant quantities of lead from potential food contact surfaces, as described by U.S. Food and Drug Administration Compliance Policy Guide Sections 545.450 and 545.500. The lead leaching limits for acceptable ceramic ware for use with foods is:

Product	Micrograms per milliliter limit
Ceramic ware:	
Flatware (average of 6 units)	3.0
Small hollowware other than cups and mugs (any 1 of 6 units)	2.0
Large hollowware other than pitchers (any 1 of 6 units)	1.0
Cups and mugs (any 1 of 6 units)	0.5
Pitchers (any 1 of 6 units)	0.5
Silver-plated hollow ware:	
Product intended for use by adults (average of 6 units)	7
Product intended for use by infants and children (any 1 of 6 units)	0.5

- (6) Hazardous substance shall not mean pesticides subject to the Federal Insecticide, Fungicide, and Rodenticide Act or State Environmental Conservation Law; substances intended for use as fuels when stored in containers and used in the heating, cooking, or refrigeration system of a house; and source material, special nuclear material, or byproduct materials defined and regulated in applicable federal, state and local law.

RESOLVED, that Section 173.05 of Article 173 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to add a new Subdivision (e-1) to read as follows:

(e-1) Ceramic ware not suitable for use with food. All ceramic ware not suitable for use with foods must either:

- (1) Bear two types of conspicuous warnings:
 - (A) A stick-on label on a surface clearly visible to consumers that states in legible font at least 3.2 mm (0.125 inches) in height one of the following messages:
 - (i) “Not for Food Use. May Poison Food.”
 - (ii) “Not for Food-Use. Glaze contains lead. Food Use May Result in Lead Poisoning.” or
 - (iii) “Not for Food Use -Food Consumed from this Vessel [Plate] May be Harmful”;
 - (B) A legible permanent statement of a message selected from the above paragraph molded or fired onto the exterior surface of the base or, when the ceramic ware is not fired after decoration, permanently painted legible font at least 3.2 mm (0.125 inches) in height onto the exterior surface of the base;
- or
- (2) Bear the label described above in Subparagraph (A) of Paragraph (1) of this subdivision and have a hole bored through any potential food-contact surface.

RESOLVED, that Paragraphs (2) and (3) of Subdivision (d) of Section 173.13 of Article 173 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(2) In a dwelling where a child with [an elevated] a blood lead level of five (5) micrograms per deciliter or greater resides. When the Department finds that there is a child under 18 years of age with a blood lead level of [fifteen (15)] five (5) micrograms per deciliter or higher residing in any dwelling and further finds that the interior of such dwelling has [lead-based paint that is (a) peeling, (b) on a friction, impact or chewable surface or (c) on any surface of the dwelling that, in the Department’s determination, is] a lead-based paint hazard because of its condition, location or accessibility to children, the Department shall order the abatement of any such condition in a manner and under such safety conditions as it may specify; in addition, until HPD adopts regulations described by Paragraph (b) of Subdivision (7) of Section 27-2056.2 of the Administrative Code, the Department is authorized to order abatement when an unsafe lead paint hazard is present in such dwelling.

(3) Objections to Department orders. An owner or other person to whom an order issued pursuant to this subdivision is directed shall notify the Department that he or she objects to such order no later than three (3) days after service of the order. In deciding whether objections to an order issued pursuant to § 173.13(d)(2) have merit, the Department may rely on the results of its lead-based paint or unsafe lead paint sampling, provided such results are obtained in accordance with the methodology identified within the [definition of “lead-based paint” in § 173.14(b)] definitions of this Code and the Department has a reasonable belief that such reliance will be more protective of the health of a child with an elevated blood lead level.

RESOLVED, that Section 173.14 of Article 173 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

§ 173.14 Safety standards for lead-based and unsafe lead paint abatement and remediation, and work that disturbs lead-based or unsafe lead paint.

Table of Contents for §173.14

* * *

(a) Purpose, scope and applicability. This section establishes work practices and safety standards for (1) abatement and other reduction of lead-based and unsafe lead paint hazards[, and]; (2) other work that disturbs surfaces covered with lead-based paint, or paint of unknown lead content[,]; and (3) the minimum qualifications of persons who conduct such activities, in premises where children younger than six years of age reside, receive child care services, or attend pre-kindergarten or kindergarten classes[, and]. This section is intended to reduce the exposure of such children to the lead-based and unsafe lead paint hazards associated with such work.

(b) Definitions. When used in this Article, or in § 43.23 or § 47.63 of this Code, the following terms shall have the following meanings:

Abatement. “Abatement” shall mean any set of measures designed to permanently eliminate lead-based paint [or], unsafe lead paint, lead-based paint hazards, or unsafe lead paint hazards. Abatement includes: (i) the removal of [lead-based paint] such hazards, the permanent enclosure of encapsulation of [lead-based] such paint,

and the replacement of components or fixtures painted with [lead-based] such paint; and (ii) all preparation, cleanup, disposal and post-abatement clearance testing associated with such measures. Abatement shall not include renovation, remodeling, landscaping or other activities, when such activities are not designed to permanently eliminate lead-based or unsafe lead paint hazards, but, instead, are designed to repair, restore, or remodel a given structure or dwelling, even though these activities may incidentally result in a reduction or elimination of lead-based paint or unsafe lead paint hazards. Furthermore, abatement shall not include interim controls, operations and maintenance activities, or other measures and activities designed to temporarily, but not permanently, reduce lead-based or unsafe lead paint hazards.

* * *

Encapsulation. "Encapsulation" shall mean the application of a covering or coating that acts as a barrier between the lead-based or unsafe lead paint and the environment and that relies for its durability on adhesion between the encapsulant and the painted surface, and on the integrity of the existing bonds between paint layers and between the paint and the substrate. Encapsulation may be used as a method of abatement if it is designed and performed so as to be permanent. Only encapsulants approved by the New York State Department of Health, or by another federal or state agency or jurisdiction which the Department or HPD has designated as acceptable may be used for performing encapsulation.

Enclosure. "Enclosure" shall mean the use of rigid, durable construction materials that are mechanically fastened to the substrate in order to act as a barrier between lead-based or unsafe lead paint and the environment.

* * *

Lead-based paint. "Lead-based paint" for the purpose of this Code, shall mean paint or other similar surface coating material containing lead in a concentration of 1.0 milligram [of lead] per square centimeter (mg/cm²) or greater as determined by laboratory analysis, or by an x-ray fluorescence (XRF) analyzer, except that, upon promulgation by HPD of the rule described by Paragraph (b) of Subdivision (7) of Section 27-2056.2 of Administrative Code, "lead-based paint" shall mean paint or other similar surface coating material containing 0.5 mg/cm² or greater as determined by laboratory analysis, or by XRF analyzer. If an XRF analyzer is used, readings shall be corrected for substrate bias when necessary as specified by the Performance Characteristic Sheets (PCS) published by the United States Environmental Protection Agency (EPA) for the specific XRF instrument used. XRF readings shall be classified as positive, negative or inconclusive in accordance with the United States Department of Housing and Urban Development (HUD) "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing" (June 1995, revised 1997 July 2012) or any successor guidelines issued by HUD, and the PCS published by the EPA and HUD for the specific XRF instrument used. XRF results which fall within the inconclusive zone, as determined by the PCS shall be confirmed by laboratory analysis of paint chips, results shall be reported in mg/cm² and the measure of such laboratory analysis shall be definitive. If laboratory analysis is used to determine lead content, results shall be reported in mg/cm². Where the surface area of a paint chip sample cannot be accurately measured or if an accurately measured paint chip sample cannot be removed, laboratory analysis may be reported in percent by weight. In such case, lead-based paint shall mean any paint or other similar surface coating material containing more than 0.5% of metallic lead, based on the non-volatile content of the paint or other similar surface coating material, except that, upon promulgation by HPD of the rule described by Paragraph (b) of Subdivision (7) of Section 27-2056.2 of the Administrative Code, lead-based paint shall mean paint or other similar surface-coating material containing more than 0.25% of metallic lead, based on the non-volatile content of the paint or other similar surface-coating material. In the absence of a PCS for a specific XRF instrument or a particular function of such instrument, substrate correction, classification of XRF readings, and determinations of inconclusive readings shall be performed in accordance with the manufacturer's instructions for the specific XRF instrument used.

* * *

Remediation. "Remediation" shall mean the reduction or elimination of a lead-based or unsafe lead paint hazard through the wet scraping and repainting, removal, encapsulation, enclosure, or replacement of lead-based paint, or other method approved by the Department.

Removal. "Removal" shall mean a method of abatement that completely eliminates lead-based or unsafe lead paint from surfaces.

Replacement. "Replacement" shall mean a strategy or method of abatement that entails the removal of building components that have surfaces coated with lead-based or unsafe lead paint and the installation of new components free of lead-based and unsafe lead paint.

* * *

Unsafe lead paint. "Unsafe lead paint" for the purposes of this Code shall mean paint with a concentration of lead content equal to or greater than 0.5 mg/cm² and less than or equal to 0.9 mg/cm² or a metallic lead content of 0.25% or greater, as determined by laboratory analysis or by an XRF analyzer. XRF readings shall be classified as positive or negative in accordance with the manufacturer's instructions and, in the absence of a PCS for a specific XRF instrument or a particular function of such instrument, substrate correction, classification of XRF readings, and determinations of inconclusive readings shall be performed in accordance with the manufacturer's instructions for the specific XRF instrument used. If laboratory analysis is used to determine lead content, results shall be reported in milligrams of lead per square centimeter. Where the surface area of a paint chip sample cannot be accurately measured or if an accurately measured paint chip sample cannot be removed, a laboratory analysis may be reported in percent by weight. In such cases, lead-based paint shall mean any paint or other similar surface-coating material containing more than 0.25% of metallic lead, based on the non-volatile content of the paint or other similar surface-coating material.

Unsafe lead paint hazard. "Unsafe lead paint hazard" shall mean any condition in a dwelling or dwelling unit that causes exposure to lead from unsafe lead paint that is peeling or present on chewable surfaces, deteriorated subsurfaces, friction surfaces, or impact surfaces that could result in adverse human health effects.

* * *

Work. "Work" shall mean any activity that disturbs paint in accordance with Article 14 of subchapter 2 of Title 27 of the Administrative Code or as otherwise ordered by the Department to remediate lead-based or unsafe lead paint hazards.

Work area. "Work area" shall mean that part of a building where lead-based paint, unsafe lead paint, or paint of unknown lead content is being disturbed.

(c) *Administrative requirements.* All administrative requirements of this subdivision that apply to lead-based paint or lead-based paint hazards shall also apply to unsafe lead paint and unsafe lead paint hazards, respectively.

* * *

(d) *Work methods and occupant relocation.* All administrative requirements of this subdivision that apply to lead-based paint or lead-based paint hazards shall also apply to unsafe lead paint and unsafe lead paint hazards, respectively.

* * *

(e) *Occupant protection.* All requirements of this subdivision that apply to lead-based paint or lead-based paint hazards shall also apply to unsafe lead paint and unsafe lead paint hazards, respectively.

(1) *Work ordered by the Department, or work that disturbs over 100 square feet of lead-based paint per room, regardless of whether such work is ordered by the Department, which is conducted in a child care service or kindergarten pursuant to § 47.63 or § 43.23 of this Code or § 17-911 of the Administrative Code, or work ordered by HPD in accordance with §27-2056.11(a)(1) of the Administrative Code, or work performed pursuant to §27-2056.11 (a)(2)(ii) of the Administrative Code:*

* * *

(I) *Clean-up and lead-contaminated dust clearance testing procedures.*

* * *

(iv) *Clearance for permanent re-occupancy after completion of work.* Dust lead levels in excess of the following constitute contamination and require repetition of the clean-up and testing process in all areas where such levels are found. [Areas] Until May 31, 2021, areas where every sample result if below the following dust lead levels may be cleared for permanent re-occupancy:

Floors: [40] 10 micrograms of lead per square foot.

Window Sills: [250] 50 micrograms of lead per square foot.

Window Wells: [400] 100 micrograms of lead per square foot.

On and after June 1, 2021, areas where

every sample result if below the following dust lead levels may be cleared for permanent re-occupancy:

Floors: 5 micrograms of lead per square foot.

Window Sills: 40 micrograms of lead per square foot.

Window Wells: 100 micrograms of lead per square foot.

Provided that, if EPA or HUD adopts lower definitions of lead-contaminated dust, those definitions shall apply for purposes of this subdivision. Only upon receipt of laboratory test results showing that the above dust lead levels are not exceeded in the dwelling may the work area be cleared for permanent re-occupancy. However, temporary access to work areas may be allowed, provided that clean-up is completed, and dust test samples have been collected, in compliance with §§ 173.14(e)(1)(I) (i),(ii) and (iii). The owner shall provide a copy of all lead-contaminated dust clearance test results to the occupants of the dwelling or dwelling unit. Copies of lead-contaminated dust wipe clearance test results shall be submitted to the Department whenever abatement or remediation of lead-based paint hazards has been ordered by the Department or Commissioner.

* * *

(f) *Investigation of unsafe lead work practices by the Department.*

* * *

(2) *Scope of authority.* Such inspection may include but not be limited to premises where abatement or remediation of lead-based paint or unsafe lead hazards is being conducted, where any work which may disturb lead-based paint, unsafe lead paint, or paint of unknown lead content is being conducted, or which is the subject of a complaint to the Department pursuant to § 17-185 of the Administrative Code, and any areas affected by the emission or release of leaded dust or debris.

* * *

(g) *Declaration pursuant to Administrative Code § 17-145.* The existence of a lead-based paint condition [or], unsafe lead paint condition, lead-based paint hazard, or unsafe lead paint hazard pursuant to § 173.13 of this Code, or a failure to comply with this section is hereby declared to constitute a public nuisance and a condition dangerous to life and health, pursuant to § 17-145 of the Administrative Code. Every person obligated to comply with the provisions of this section or § 173.13 of this Code is hereby ordered to abate or remediate such nuisance by complying with any order or direction issued by the Department.

* * *

RESOLVED, that Article 173 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to add a new Section 173.21 to read as follows:

§ 173.21 Sale of toxic and hazardous substances prohibited; embargo or seizure authorized.

- (a) No person may sell, hold for sale, transport, or give away hazardous or toxic substances or products unless such items are capable of being labeled pursuant to this Article to prevent misuse or harm.
- (b) When in the opinion of the Department a substance or product is hazardous or toxic within the meaning of this Article, the Department may seize, embargo, or condemn such material pursuant to § 3.03 of this Code.
- (c) In addition to other penalties imposed for violations of this Article, the Department may require persons to take an online safe products awareness training program developed by the Department.

◀ j19

Notice of Adoption of Amendments to Article 207 of the New York City Health Code

In compliance with Section 1043(b) of the New York City Charter (“the Charter”) and pursuant to the authority granted to the Board of Health by Section 558 of said Charter, a notice of intention (“NOI”) to amend Article 207 of the New York City Health Code (“the Health Code”) was published in the New York City Record on April 23, 2019, and a public hearing was held on May 28, 2019. No one testified, at the hearing. One written comment was received in support of the proposed amendments. No changes are therefore being made to the amendment as proposed. At its meeting on June 11, 2019, the Board of Health adopted the following resolutions.

Statement of Basis and Purpose of Rule

On average, the Correction and Amendments unit within Vital Records receives 50,000 requests annually for changes to birth certificates. Each request requires a corrections application delineating the specific changes requested. Section 207.05 of the Health Code currently allows the Department to seal a birth certificate and file a new one with corrected information only in certain instances. Court orders are required for some parentage amendments and other amendments not specifically delineated in the health code and require extensive analysis of fact pattern. Approximately 12,000 of these amendments must be done through court order each year.

Recent city council legislation resulted in a local law, pursuant to Intro 1308, that amends the administrative code of the City of New York to require redaction from birth certificates, upon request, of the names of physicians whose licenses have been surrendered or revoked. In order to implement this law, the Department of Health and Mental Hygiene proposed an amendment to Article 207 of the Health Code to allow a mechanism for this type of redaction that does not require a court order. This amendment requires the filing of a new certificate without the name of the attending physician and the sealing of the original certificate. The new certificate will not contain an attendant field and will not indicate correction history.

Statutory Authority

These amendments to the Health Code are promulgated pursuant to Sections 558 and 1043 of the New York City Charter. Section 558 empowers the Board to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 1043 grants the Department rulemaking authority.

New material is underlined.

[Deleted material is in brackets.]

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

RESOLVED, that a Paragraph (6) of Subdivision (a) of Section 207.05 of Article 207 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be added to read as follows:

(6) A request is made by either (i) a person who is at least 18 years old and named as the registrant on a birth certificate, or that person’s legal representative or (ii) the parent or legal representative of a person under the age of eighteen and named as the registrant on a birth certificate to remove the name of the attending physician listed from the certificate, and the requester submits proof that that physician’s license to practice medicine in the State of New York has been surrendered or revoked by the New York State Office of Professional Medical Conduct. Any issuance of this certificate subsequent to such request and submission shall not contain the identity of the attending physician.

▶ j19

Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Articles 11 and 13 of the New York City Health Code

What are we proposing? The Department of Health and Mental Hygiene (the Department) is proposing that the Board of Health (the Board) amend Articles 11 (Reportable Diseases and Conditions) and 13 (Laboratories) of the New York City Health Code (Health Code) to enhance certain reporting and disease control requirements.

When and where is the hearing? The Department will hold a public hearing on the proposed Health Code amendments, on July 22, 2019, from 10:00 A.M. 12:00 A.M. The hearing will be held at:

New York City Department of Health and Mental Hygiene
Gotham Center
42-09 28th Street, 14th Floor, Room 14-44
Long Island City, NY 11101-4132

How do I comment on the proposed amendments to the Health Code? Anyone can comment on the proposed amendments by:

- **Website.** You can submit comments to the Department through the NYC Rules website, at <http://rules.cityofnewyork.us>

- **Email.** You can email written comments to resolutioncomments@health.nyc.gov
- **Mail.** You can mail written comments to: New York City Department of Health and Mental Hygiene Gotham Center, 42-09 28th Street, CN 31 Long Island City, NY 11101-4132
- **Fax.** You can fax written comments to the New York City Department of Health and Mental Hygiene at (347) 396-6087.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078. You can also sign up in the hearing room before or during the hearing on July 22, 2019. You can speak for up to three minutes.

Is there a deadline to submit written comments? Written comments must be received by July 22, 2019, at 5:00 P.M.

What if I need assistance to participate in the hearing?

You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by July 8, 2019.

This location is wheelchair-accessible.

Can I review the comments made on the proposed amendments? You may review the comments made online on the proposed amendments by going to the website, at <http://rules.cityofnewyork.us/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time after the hearing by the Department's Office of the General Counsel.

What authorizes the Board to make these amendments?

Sections 556, 558, and 1043 of the New York City Charter (the Charter) authorize the Board to make the proposed amendments. The provisions of the proposed rule were not included in the Department's regulatory agenda because they were not contemplated when the Department published the agenda.

Where can I find the Health Code and the Department's rules? The Health Code and the rules of the Department of Health and Mental Hygiene are in Title 24 of the Rules of the City of New York.

What laws govern the rulemaking process? The Board must meet the requirements of Section 1043 of the Charter when creating or changing the Health Code. This notice is made according to the requirements of such section.

Statement of Basis and Purpose

The Department's Division of Disease Control conducts disease surveillance and control activities for most of the diseases listed in Article 11 (Reportable Diseases and Conditions) of the Health Code. The Division of Disease Control also enforces Article 13 (Clinical Laboratories) of the Health Code, which regulates the performance of laboratory tests and the reporting of test results. In addition, the Department must comply with various provisions of Part 2 of the New York State Sanitary Code, found in Title 10 of the New York Codes, Rules and Regulations (NYCRR), with respect to the control of communicable diseases.

To conduct more effective, timely, and complete disease surveillance and control, the Department is proposing that the Board amend Health Code Articles 11 and 13 as follows:

Tuberculosis Infection Reporting

The Department is requesting that the Board amend Health Code Sections 11.03(a) and 13.03(b)(1) to require laboratories to report all test results for tuberculosis (TB) infection, including negative results. Currently the Health Code requires reporting only of test results and other information attendant to active TB disease, and tests positive for TB infection and related information for children under five years old.

TB is a disease caused by the bacterium *Mycobacterium tuberculosis*, which is spread person-to-person through the air. Most commonly, TB disease affects the lungs, but it can also affect other parts of the body. Individuals who have a positive test for TB infection but do not have symptoms or other test results consistent with active TB disease are diagnosed with latent TB infection (LTBI). Persons with LTBI are asymptomatic and cannot transmit the infection to others. It is estimated that approximately 10 percent of individuals with LTBI will develop active TB disease at some point in their life. Treating LTBI is the only way to significantly reduce the risk of developing active disease and thus is a vital component of TB prevention efforts.

There is no reliable data on the prevalence of LTBI in the United States or New York City. National estimates from the National Health and Nutrition Examination Survey study, when combined with New York City population data, result in an estimate of approximately 700,000 people with LTBI in the City. However, data from the

Department's TB clinics suggests there could be as many as 1.8 million people in New York City with LTBI. Based on these estimates, there is a large reservoir of TB infection in New York City, some of which will result in future cases of active TB disease.

While the Department has made major strides in reducing the number of active TB cases in New York City – from 3,755 at the height of the TB epidemic in 1992 to 559 in 2018 – the number of TB cases has largely plateaued in the last 10 years. The Department is working to expand its efforts to identify and treat people with LTBI to further reduce the burden of TB in New York City, and reporting of test results for TB infection would help focus that effort.

Reporting of tests for TB infection would give the Department a better understanding of the prevalence of TB infection so as to better direct public health resources. Also, the data collected would provide information about testing practices, which would help inform provider outreach. Reports of laboratory tests negative for TB infection would provide the Department with a more complete picture of testing practices and allow for better estimates of testing prevalence to inform the Department's programming.

In addition, the Department proposes minor related language changes to Health Code § 11.21(a) for consistency.

Syphilis Amendment Proposal

The Department is requesting that the Board add a new Section 11.33 to the Health Code to require healthcare providers to test pregnant persons for syphilis at 28 weeks of pregnancy, or as soon thereafter as reasonably possible no later than at 32 weeks of pregnancy, and that test results and a treatment plan be documented.

Syphilis is a sexually transmitted infection caused by the bacterium *Treponema pallidum*. Untreated syphilis during pregnancy can result in devastating health outcomes, including stillbirth. Infants with congenital syphilis may manifest abnormalities of the central nervous system, bones and joints, teeth, eyes, and skin. In New York City, the number of congenital syphilis cases increased 186% between 2017 (7 cases) and 2018 (20 cases) (preliminary data). Twenty is the largest number of congenital syphilis cases reported in the City in over ten years and included one syphilitic stillbirth at 31 weeks. In general, New York City has much higher rates of primary, secondary, and early latent syphilis as compared to the U.S. population. In 2017, the rate of syphilis at all stages was 95.33 per 100,000 in NYC vs. 31.4 cases per 100,000 nationally. Syphilis is increasing among New York City women; from 2017 to 2018 (preliminary data), the number of primary, secondary, and early latent syphilis cases among NYC women increased 44%, from 219 to 315 cases.

Congenital syphilis can be prevented by timely treatment of maternal syphilis. However, symptoms of maternal syphilis during pregnancy may not be apparent, so serologic screening during pregnancy is critical. New York State mandates syphilis screening at the first prenatal care examination (NYS Public Health Law § 2308) and at delivery (10 NYCRR § 69-2.2). Increasingly, the Department has documented congenital cases resulting from maternal syphilis infections acquired subsequent to screening negative earlier during pregnancy; this accounted for 11 cases (55%) of congenital syphilis cases in 2018. As many as half of these cases may have been averted by screening women at 28 weeks of pregnancy.

The Department proposes requiring an additional syphilis test at 28 to 32 weeks of pregnancy to identify pregnant people who become infected subsequent to initial mandatory screening, which will enable treatment, improve the health of the pregnant person, and prevent potentially grave health outcomes attendant to vertical transmission. Requiring documentation of test results and a treatment plan will help ensure appropriate follow-up care. Twenty-eight weeks is the most appropriate time for third trimester re-screening because other screening tests are routinely performed at 28 weeks, and because screening at this time would allow sufficient time to treat pregnant people who have syphilis prior to delivery. This proposal is aligned with laws in several other states that require third trimester syphilis testing of all pregnant persons.

Exclusion of Cases and Carriers of Enteric Pathogens

The Department is requesting that the Board amend Health Code § 11.15(a) to provide the Department with the discretion to end "exclusion" of people infected with enteric pathogens when doing so is appropriate under the circumstances.

Under the Health Code, individuals infected with or carrying certain enteric pathogens must be excluded from certain settings where there is an elevated risk of disease transmission. Thus, cases and carriers who are food handlers or health care workers must be excluded from their place of work, and staff and attendees of schools, child care programs, camps, and other facilities attended by children under five years of age must be excluded from those facilities. The Health Code further provides that exclusion can end only when the excluded person no longer has symptoms and the Department has received two or three (depending on the pathogen) successive negative stool specimens demonstrating that transmission is no longer likely

and that the excluded person's illness is no longer a public health concern.

The enteric diseases addressed in Health Code § 11.15 – Campylobacteriosis, Cholera, *Escherichia (E.) coli* 0157:H7 and other Shiga toxin-producing *E. coli* (STEC) infections, Salmonellosis (other than typhoid), Shigellosis, Yersiniosis, Amebiasis, Cryptosporidiosis, and Giardiasis – are transmitted via the fecal-oral route. People infected with or carrying enteric pathogens who are food handlers, health care workers providing oral care or feeding, child care workers, or child care attendees can shed the organism in their stool and transmit the infection to others if they have poor hand hygiene practices. Under current requirements, exclusion can last from days to months.

The number of people identified requiring exclusion has increased significantly in recent years. In 2018, there were 187 exclusions ranging in duration from 1 to 135 days, with a mean length of 22 days, as compared to 69 exclusions in 2015. The increase in exclusions is due to improved surveillance practices and increased use of culture-independent diagnostic tests (CIDT), a testing method that is more sensitive than other types of traditional tests, leading to more positive test results. Stool samples can be positive by a CIDT but negative by traditional tests, such as bacterial culture, indicating that although the organism's DNA is detectable, it may not be alive and capable of being transmitted. However, under the current Health Code provision, individuals must be excluded based on the positive CIDT result while awaiting follow-up culture results. Also, some individuals shed the organism in the stool for many weeks or months even after symptoms have ended, and experience suggests that the risk of transmission in that circumstance is low. As there are no clear national guidelines on exclusion, jurisdictions' exclusion requirements vary. Many jurisdictions, including New York State, are less strict than New York City without any measured increase in disease transmission.

For these reasons the Department proposes a more flexible approach that takes into consideration the circumstances of a particular case, including the type of infection, the type of test used to detect the pathogen, the presence or absence of symptoms, the individual's treatment with antimicrobial drugs, the individual's job responsibilities, and the likelihood of infectiousness based on the length of time since symptom onset. The Department would still be able to exclude people with enteric pathogens until consecutive negative test results are received if, in the view of Department experts, there remains a public health threat. However, the Department would have the discretion to allow people to return to work or school sooner if their illness no longer poses a risk to others.

In addition, the Department proposes minor language changes for consistency and clarity, and to correct typographical errors.

Campylobacter Testing and Reporting

The Department is requesting that the Board amend Health Code § 13.03(b) to no longer require laboratories to perform culture testing on all specimens found to be positive for *Campylobacter* by CIDT. Culture testing involves a laboratory using a specimen to grow the pathogen; a sample of the pathogen grown by culture is termed an "isolate".

In January 2017, the Health Code was amended to require follow-up culture tests on six enteric pathogens: *Campylobacter*, *Listeria monocytogenes*, *Salmonella*, *Shigella*, *Vibrio*, and *Yersinia*. The laboratory must report the results of the culture and submit any resulting isolates to the Department. The Department proposed the amendment to enable it to obtain information about the pathogens not available from CIDT and used to assist in outbreak detection and response.

Campylobacter bacteria can be transmitted to people through contaminated food and liquid or contact with certain animal feces. It causes diarrhea, fever, and abdominal cramps and, in rare cases, more serious illness. Compared to other enteric pathogens, *Campylobacter* is difficult to isolate and found relatively frequently, particularly given an increase in positive test results stemming from more expansive use of CIDT. Further, other enteric pathogens that are required to be cultured per the Health Code, including *Salmonella* and Shiga toxin-producing *Escherichia coli*, have more significant public health consequences than *Campylobacter*, including that they are more likely to be part of local and multi-state disease outbreaks.

The Department has determined that appropriate monitoring of *Campylobacter* can occur without routine culture testing and isolate submission. Given the high number of *Campylobacter* reports (approximately 2500 cases in New York City in 2018), the Department generally has been able to investigate only clusters, as opposed to isolated cases. Accordingly, the Department does not make use of most of the isolates received from laboratories. The Department can request additional testing and isolates from laboratories in the event of a suspected cluster or outbreak, rather than requiring laboratories to perform the additional testing as a matter of course. The Department believes this approach would better balance laboratory burden and public health needs.

In addition, in order to address questions raised by reporting laboratories, the Department proposes minor language changes to clarify that reports must be sent to the Department.

Statutory Authority

The Department's authority to promulgate these proposed amendments is found in Sections 556, 558, and 1043 of the Charter. Sections 558(b) and (c) of the Charter empower the Board to amend and add to the Health Code, including with respect to all matters to which the Department's authority extends. Section 556 of the Charter provides the Department with jurisdiction to protect and promote the health of all persons in the City of New York. Section 1043 grants the Department rule-making authority.

The proposal is as follows:

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

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

RESOLVED, that Subdivision (a) of Section 11.03 of Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(a) Cases and carriers affected with any of the following diseases and conditions of public health interest, and persons who at the time of their death were apparently so affected, shall be reported to the Department as specified in this article:

* * * * *

Tuberculosis, as demonstrated by:

- (1) Positive culture for *Mycobacterium tuberculosis* complex; or
- (2) Positive DNA probe, polymerase chain reaction (PCR), or other technique for identifying *Mycobacterium tuberculosis* from a clinical or pathology specimen; or
- (3) Positive smear for acid-fast bacillus, with final culture results pending or not available, on either a microbiology or a pathology specimen; or
- (4) Clinically suspected pulmonary or extrapulmonary (meningeal, bone, kidney, etc.) tuberculosis, such that the physician or other health care professional attending the patient has initiated or intends to isolate the patient or initiate treatment for tuberculosis, or to continue or resume treatment for previously incompletely treated disease, or, if the patient is not available, that the physician or other health care professional would initiate isolation or treatment if the patient were available; or
- (5) Biopsy, pathology, or autopsy findings in lung, lymph nodes or other tissue specimens, consistent with active tuberculosis disease including, but not limited to presence of acid-fast bacilli, caseating and non-caseating granulomas, caseous matter, tubercles and fibro-caseous lesions; or
- (6) Positive reaction to the [purified protein derivative (PPD) Mantoux test] tuberculin skin test administered using the Mantoux method, blood-based tests positive for tuberculosis infection, or other recognized diagnostic test positive for tuberculosis infection in a child less than five years of age, regardless of whether such child has had a BCG vaccination. This reporting requirement is applicable to healthcare providers only. The related reporting requirement for laboratories is set forth in Paragraph (7) below.
- (7) Blood-based test for tuberculosis infection, or other recognized diagnostic test for tuberculosis infection, for all persons regardless of age. This reporting requirement is applicable to laboratories only. The related reporting requirement for healthcare providers is set forth in Paragraph (6) above.

* * * * *

RESOLVED, that Subdivision (a) of Section 11.15 of Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(a) Any individual required to be isolated pursuant to provisions of this Article, and certain [cases, suspect cases, contacts and carriers] individuals infected with or carrying, suspected to be infected with or carrying, or having contact with people infected with or carrying certain organisms that cause disease, as indicated in this subdivision, shall be excluded by the operator, employer or person in charge of the applicable institution, facility or place as set forth in this subdivision.

- (1) [A case or carrier] An individual infected with or carrying an organism that causes any of the following diseases who is a food handler shall be excluded until the individual no longer has symptoms and, as determined by the Department, no longer has an illness that is a risk to others. For the exclusion to be terminated, the excluded individual must provide the Department with clinical evidence of the absence of disease, which, as determined by the Department, may include two negative stool samples, taken not less than 24 hours apart and no less than 48 hours after resolution of symptoms, [are submitted

to the Department and until determined by the Department to no longer be a risk to others;] provided that, if the individual has received antimicrobial therapy, the first stool sample shall be taken no less than 48 hours after the last dose:

Campylobacteriosis

Cholera

[E. coli O15:H7] *E. coli* O15:H7 and other Shiga [toxin producing *Escherichia coli*] toxin-producing *Escherichia coli* (STEC) infections

Salmonellosis (other than typhoid)

Shigellosis

Yersiniosis

(2) [A case or carrier] An individual infected with or carrying an organism that causes any of the following diseases who is an enrollee or attendee under the age of five or staff member who has contact with children under the age of five in a school, day care facility, camp or other congregate care setting with children under the age of five; or a health care practitioner in a hospital or medical facility who provides oral care shall be excluded until the individual no longer has symptoms and, as determined by the Department, no longer has an illness that is a risk to others. For the exclusion to be terminated, the excluded individual must provide the Department with clinical evidence of the absence of disease, which, as determined by the Department, may include two negative stool samples, taken not less than 24 hours apart and no less than 48 hours after resolution of symptoms, [are submitted to the Department and until determined by the Department to no longer be a risk to others;] provided that, if the individual has received antimicrobial therapy, the first stool sample shall be taken no less than 48 hours after the last dose;]:

Cholera

[E. coli O15:H7] *E. coli* O15:H7 and other Shiga [toxin producing *Escherichia coli*] toxin-producing *Escherichia coli* (STEC) infections

Shigellosis

(3) [A case or carrier] An individual infected with or carrying an organism that causes any of the following diseases who is an enrollee or attendee under the age of five or staff member who has contact with children under the age of five in a school, day care facility, camp or other congregate care setting with children under the age of five; or a health care practitioner who provides oral care, shall be excluded until the individual no longer has symptoms, unless the Department determines that there is a continuing risk to others:

Campylobacteriosis

Salmonellosis (other than typhoid)

Yersiniosis

(4) [A case or carrier] An individual infected with or carrying an organism that causes any of the diseases listed in this paragraph who is a food handler; an enrollee or attendee under the age of five or staff member who has contact with children under the age of five in a school, day care facility, camp or other congregate care setting with children under the age of five; or a health care practitioner in a hospital or medical facility who provides oral care, shall be excluded until the individual no longer has symptoms and, as determined by the Department, no longer has an illness that is a risk to others. For the exclusion to be terminated, the excluded individual must provide the Department with clinical evidence of the absence of disease, which, as determined by the Department, may include three negative stool samples, taken not less than 24 hours apart and no less than 48 hours after resolution of symptoms, [are submitted to the Department and until determined by the Department to no longer be a risk to others;] provided[, however,] that, if the individual has received antimicrobial therapy, the first stool sample shall be taken no less than 48 hours after the last dose:

Amebiasis

Cryptosporidiosis

Giardiasis

(5) [A case] An individual, or a household contact of an individual, with Hepatitis A who is a food handler; an enrollee or attendee under the age of five or staff member who has contact with children under the age of five in a school, day care facility, camp or other congregate care setting with children under the age of five; or a health care practitioner in a hospital or medical facility who provides oral care, shall be excluded until determined by the Department to no longer [be] have an illness that is a risk to others.

RESOLVED, that Paragraph (5) of Subdivision (a) of Section 11.21 of Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(5) *Reports for children less than five years of age.* When a child less than five years of age has a positive test for tuberculosis infection, the physician who attends the child, or the person in charge of a hospital,

dispensary or clinic giving treatment to the child, must submit to the Department reports of all qualitative and quantitative diagnostic tests for tuberculosis infection for such child, including reports of all [bloodbased] blood-based tests and [purified protein derivative (PPD) Mantoux tests] tuberculin skin tests (TST) administered using the Mantoux method (including induration where a [PPD] TST is performed); all radiological examinations (including chest x-rays, computerized tomography scans, and magnetic resonance imaging scans); and initiation of treatment for latent tuberculosis infection, in a manner prescribed by the Department.

RESOLVED, that Paragraph (1) of Subdivision (b) of Section 13.03 of Article 13 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(1) With regard to tuberculosis, reports shall also include all laboratory findings which indicate presumptive or confirmed presence of tuberculosis, the results of smears found positive for acid fast bacilli (AFB), all results including negatives and species identification on samples which had positive smears, all results including negative and indeterminate results of blood-based or other laboratory [test results positive] tests for tuberculosis infection [for children less than five years of age], all drug susceptibility testing results and all subsequent test results on samples collected within one year from any patient who had a previous positive AFB smear or a positive *Mycobacterium tuberculosis* complex test result (e.g., culture or NAA). Reports shall specify the laboratory methodology used and shall state if applicable whether the specimen was susceptible or resistant to each anti-tuberculosis drug at each concentration tested.

RESOLVED, that Paragraph (4) of Subdivision (b) of Section 13.03 of Article 13 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to read as follows:

(4) If a culture-independent diagnostic test or other laboratory test demonstrates the possible presence of [*Campylobacter*,] *Listeria monocytogenes*, *Salmonella*, *Shigella*, *Vibrio*, or *Yersinia* in a patient specimen, the laboratory must perform, or refer the specimen to another laboratory for performance of, culture on the original specimen to isolate the organism. The culture must be initiated, or the specimen forwarded to another laboratory, within 72 hours of obtaining the positive culture-independent diagnostic test or other laboratory test result. The laboratory that performed the culture-independent diagnostic test or other positive test for one of the listed enteric pathogens must report the results of the subsequent culture test, whether positive or negative and whether performed by it or another laboratory, to the Department within 24 hours of obtaining the result. The laboratory that performed the culture must submit the resulting isolates, if any, to the Department in a manner and form prescribed by the Department. In the case of Shiga toxin-producing *Escherichia coli*, the laboratory must submit (i) an isolate or (ii) a Shiga toxin-positive broth (if available) and stool to the Department in a manner and form prescribed by the Department.

RESOLVED, that Article 11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to include a new Section 11.33 to read as follows:

§11.33 Congenital Syphilis

(a) Every physician attending pregnant persons in the City of New York shall in the case of every person so attended take or cause to be taken a sample of blood of such person at 28 weeks of pregnancy, or as soon thereafter as reasonably possible, and in no event later than at 32 weeks of pregnancy, and submit such sample to a laboratory for standard serological testing for syphilis.

(b) Every other person permitted by law to attend pregnant persons in the state, but not permitted by law to take blood tests, shall cause a sample of the blood of any pregnant person under his or her care to be taken by a duly licensed physician at 28 weeks of pregnancy, or as soon thereafter as reasonably possible, and in no event later than at 32 weeks of pregnancy. Such sample shall be submitted to a laboratory for standard serological testing for syphilis.

(c) All syphilis test results, and a treatment plan for persons testing positive, must be prominently recorded in each pregnant person's medical record within one week of receipt of the test results. All test results must be reported to the Department in accordance with the Health Code.

(d) Nothing in this section shall be construed to supplant or otherwise interfere with applicable requirements to perform syphilis testing during pregnancy and at birth pursuant to the New York State Public Health Law and Title 10 of the New York Codes, Rules and Regulations (New York State Sanitary Code), or any successor laws, rules, or regulations.

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
(212) 788-1400
CERTIFICATION/ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Health Code Provisions Relating to Disease Control and Reporting

REFERENCE NUMBER: DOHMH-103

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ Francisco X. Navarro June 7, 2019
Mayor's Office of Operations Date

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

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

RULE TITLE: Amendment of Health Code Provisions Relating to Disease Control and Reporting

REFERENCE NUMBER: 2019 RG 041

RULEMAKING AGENCY: New York City Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN Date: June 7, 2019
Acting Corporation Counsel

Accessibility questions: Svetlana Burdeynik (347) 396-6078, resolutioncomments@health.nyc.gov, by: Monday, July 8, 2019, 5:00 P.M.



• j19

SPECIAL MATERIALS

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

**REQUEST FOR COMMENT
REGARDING AN APPLICATION FOR A
CERTIFICATION OF NO HARASSMENT**

Notice Date: June 14, 2019

To: Occupants, Former Occupants, and Other Interested Parties

Property: Address	Application #	Inquiry Period
356 West 48 th Street, Manhattan	47/19	May 8, 2004 to Present

458 West 49th Street, Manhattan

65/19

May 15, 2004 to Present

Authority: Special Clinton District, Zoning Resolution §96-110

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD"), stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD, at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038**, by letter postmarked not later than 30 days from the date of this notice, or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-8211.

For the decision on the Certification of No Harassment Final Determination, please visit our website, at www.hpd.nyc.gov or call (212) 863-8266.

**PETICIÓN DE COMENTARIO
SOBRE UNA SOLICITUD PARA UN
CERTIFICACIÓN DE NO ACOSO**

Fecha de notificación: June 14, 2019

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
356 West 48 th Street, Manhattan		47/19	May 8, 2004 to Present
458 West 49 th Street, iManhattan		65/19	May 15, 2004 to Present

Autoridad: Special Clinton District District, Zoning Resolution Código Administrativo §96-110

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período. Para hacer una cita para una declaración en persona, llame al (212) 863-5277 o (212) 863-8211.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

j14-24

**REQUEST FOR COMMENT
REGARDING AN APPLICATION FOR A
CERTIFICATION OF NO HARASSMENT**

Notice Date: May 10, 2019

To: Occupants, Former Occupants, and Other Interested Parties

Property: Address	Application #	Inquiry Period
34 West 119 th Street, Manhattan	45/19	April 25, 2016 to Present

Authority: SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD"), stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD, at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038**, by letter postmarked not later than 30 days from the date of this notice, or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

For the decision on the Certification of No Harassment Final Determination, please visit our website, at www.hpd.nyc.gov or call (212) 863-8266.

**PETICIÓN DE COMENTARIO
SOBRE UNA SOLICITUD PARA UN
CERTIFICACIÓN DE NO ACOSO**

Fecha de notificación: May 10, 2019

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

<u>Propiedad:</u>	<u>Dirección:</u>	<u>Solicitud #:</u>	<u>Período de consulta:</u>
34 West 119 th Street, Manhattan		45/19	April 25, 2016 to Present

Autoridad: SRO, Código Administrativo §27-2093

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al **(212) 863-8266**.

j14-24

**REQUEST FOR COMMENT
REGARDING AN APPLICATION FOR A
CERTIFICATION OF NO HARASSMENT
PILOT PROGRAM**

Notice Date: June 14, 2019

To: Occupants, Former Occupants, and Other Interested Parties

<u>Property:</u>	<u>Address</u>	<u>Application #</u>	<u>Inquiry Period</u>
	1830 2 nd Avenue, Manhattan	52/19	May 14, 2014 to Present
	1594 2 nd Avenue, Manhattan	53/19	May 23, 2014 to Present
	14 East 125 th Street, Manhattan	54/19	May 24, 2014 to Present

221 Thomas Boyland Street, 48/19 May 8, 2014 to Present
Brooklyn
a/k/a 221 Hopkinson Avenue

Authority: Pilot Program Administrative Code §27-2093.1, §28-505.3

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD"), stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD, at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038**, by letter postmarked not later than 30 days from the date of this notice, or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

For the decision on the Certification of No Harassment Final Determination, please visit our website, at www.hpd.nyc.gov or call (212) 863-8266.

**PETICIÓN DE COMENTARIO
SOBRE UNA SOLICITUD PARA UN
CERTIFICACIÓN DE NO ACOSO
PROGRAMA PILOTO**

Fecha de notificación: June 14, 2019

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

<u>Propiedad:</u>	<u>Dirección:</u>	<u>Solicitud #:</u>	<u>Período de consulta:</u>
	1830 2 nd Avenue, Manhattan	52/19	May 14, 2014 to Present
	1594 2 nd Avenue, Manhattan	53/19	May 23, 2014 to Present
	14 East 125 th Street, Manhattan	54/19	May 24, 2014 to Present
	221 Tomas Boyland Street, Brooklyn a/k/a 221 Hopkinson Avenue	48/19	May 8, 2014 to Present

Autoridad: PILOT, Código Administrativo §27-2093.1, §28-505.3

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **45 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277 o (212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al **(212) 863-8266**.

j14-24

**REQUEST FOR COMMENT
REGARDING AN APPLICATION FOR A
CERTIFICATION OF NO HARASSMENT**

Notice Date: June 14, 2019

To: Occupants, Former Occupants, and Other Interested Parties

Property: Address	Application #	Inquiry Period
413-423 West 34 th Street, Manhattan a/k/a 419 West 34 th Street	49/19	June 21, 2004 to Present
442 10 th Avenue, Manhattan	50/19	June 21, 2004 to Present
440 10 th Avenue, Manhattan	51/19	June 21, 2004 to Present

Authority: Special Hudson Yards District, Zoning Resolution §93-90

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD"), stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD, at CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice, or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-8211.

For the decision on the Certification of No Harassment Final Determination, please visit our website, at www.hpd.nyc.gov or call (212) 863-8266.

**PETICIÓN DE COMENTARIO
SOBRE UNA SOLICITUD PARA UN
CERTIFICACIÓN DE NO ACOSO**

Fecha de notificación: June 14, 2019

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad: Dirección:	Solicitud #:	Periodo de consulta:
413 West 34 th Street, Manhattan a/k/a 419 West 34 th Street	49/19	June 21, 2004 to Present
442 10 th Avenue, Manhattan	50/19	June 21, 2004 to Present
440 10 th Avenue, Manhattan	51/19	June 21, 2004 to Present

Autoridad: Special Hudson Yards District, Zoning Resolution Código Administrativo §93-90

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038 por carta con matasellos no mas tarde que 30 días después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al (212) 863-5277 o (212) 863-8211.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266

OFFICE OF THE MAYOR

■ NOTICE

EXECUTIVE ORDER NO. 48
JUNE 13, 2019

TRANSFER OF CERTAIN FUNCTIONS AND EMPLOYEES FROM THE Administration for Children's Services TO THE Department of Education

WHEREAS, the City of New York Administration for Children's Services ("ACS") provides early care and education services to children and families within New York City through its EarlyLearn NYC program, a subsidized system of care for children and families that combines Head Start, Child Care and Universal Pre-K services to create high quality early care and education programs for eligible infants, toddlers and preschoolers in New York City, through contracts with community-based providers for the provision of such services ("Contracted Services");

WHEREAS, on April 24, 2017, the launch of the 3K for All initiative was announced and, as part of this initiative, responsibility for the administration of the Contracted Services was to be transferred from ACS to the New York City Department of Education ("DOE") to create a more unified system of services for children from birth to age five (the "EarlyLearn Transfer");

WHEREAS, to facilitate the EarlyLearn Transfer, ACS and DOE entered into a contract, dated May 1, 2019, through which ACS will purchase such child services and related functions from DOE and assign to DOE its currently contracted child care and related agreements;

WHEREAS, the transfer of the responsibility of operating the EarlyLearn Contracted Services and all related responsibilities from ACS to DOE will require a functional transfer of certain ACS employees pursuant to Civil Service Law §70(2); and

WHEREAS, the City of New York, ACS and DOE have entered into a Memorandum of Understanding ("MOU"), dated June 11, 2019, containing the terms and conditions of a transfer from ACS to DOE of certain functions associated with monitoring, coordinating, and providing support to the EarlyLearn Contracted Services, to take effect on July 7, 2019 or as soon as practicable thereafter;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Transfer and Assumption of Functions. Upon the transfer of certain functions pursuant to the terms and conditions of the MOU dated June 11, 2019 specifying such functions, the DOE shall assume the performance of such functions, consistent with such terms and conditions.

§ 2. Disposition of Contracts and Agreements. To the extent practicable, prior to the date of the transfer of functions, ACS and DOE may make arrangements, with the purpose of ensuring continuity in monitoring, coordinating, and providing support to the EarlyLearn Contracted Services, with respect to appropriate disposition of contracts and agreements entered into by ACS for the benefit of the system.

§ 3. Transfer of Employees. (a) All steps necessary, consistent with applicable law, to implement this Order, including ensuring the transfer, pursuant to section 70(2) of the Civil Service Law, of necessary employees substantially engaged in the performance of the functions to be assumed pursuant to this Order.

(b) Employees who are subject to pending disciplinary charges on the date of the functional transfer, or against whom a disciplinary penalty has been assessed but not yet served or paid on or prior to such date, shall be retained in the employment of ACS until the resolution of the adjudicative or administrative proceedings and until any outstanding disciplinary penalty has been served or paid.

(c) In accordance with applicable law, employees of ACS, upon becoming employees of DOE, may elect to transfer their pension service credit from New York City Employees' Retirement System ("NYCERS") to the Board of Education Retirement System ("BERS") or may elect to remain in NYCERS as transferred contributors.

§ 4. Additional Transfers. The transfer from ACS to DOE of additional functions associated with monitoring, coordinating, and providing support to the EarlyLearn Contracted Services is hereby authorized, subject to the execution of one or more additional memoranda of understanding between ACS and DOE specifying such additional functions, in accordance with law, including applicable provisions of the Civil Service Law.

§ 5. Effective Date. This Order shall take effect immediately.

_____/s/_____
Bill de Blasio
Mayor.

PUBLIC ADMINISTRATOR - RICHMOND COUNTY

■ NOTICE

PUBLIC ADMINISTRATOR RICHMOND COUNTY PUBLIC NOTICE

In accordance with State Law, the Richmond County Public Administrator is soliciting outside vendors to apply to provide services on behalf of estates under the Public Administrator's jurisdiction. The following services are sought to provide the work described. To be included on the Public Administrator's list of approved vendors, outside vendor's must hold all necessary licenses for their field, have a good reputation in their community, and perform services competently and/or provide goods of serviceable quality, at a competitive price. For consideration as an outside vendor please submit in writing, proof of required licenses, letters of recommendation, and a fee schedule, to the below address. Note that responding to this solicitation to apply does NOT guarantee future work.

LIST OF SERVICES REQUIRED

- Abstract Companies
- Accountants
- Appraisers (e.g., real estate, antiques, rare books, coin/stamp, fine art, furniture, jewelry, memorabilia/collectibles, motor vehicles/watercraft, etc.)
- Attorneys
- Auctioneers/Estate Salespersons (e.g., antiques, rare books, coin/stamp, fine art, furniture, jewelry, memorabilia/collectibles, motor vehicles/watercraft, etc.)
- Funeral Directors
- Genealogists/Kinship Investigators
- General Contractors (including carpenters, cleaners/rubbish removal, mold remediation, electricians, landscapers/snow removal, locksmiths, movers/storage facilities, painters/plasterers, pest control, plumbers, roofers, etc.)
- Insurance Brokers
- Printing Services
- Process Servers
- Real Estate Brokers

For information write to: **EDWINA FRANCES MARTIN, ESQ.**
RICHMOND COUNTY PUBLIC ADMINISTRATOR
130 Stuyvesant Place, Suite 402
Staten Island, NY 10301
Email: info@richmondpa.nyc.gov
Fax: (718) 876-7228

The Richmond County Public Administrator also invites all parties (individuals and/or companies) interested in being notified of estate properties for sale to express their interest by sending a written request to the above address.

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CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 05/17/19							
TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
HENRIQUEZ	CESAR E	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HERNANDEZ	NATALIE A	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HERRERA	VICTORIA	9POLL	\$1.0000	APPOINTED	YES	01/01/18	300
HERRERA JR	CARLOS M	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HESTER BEY	KENNETH	9POLL	\$1.0000	APPOINTED	YES	01/01/18	300
HICKS	TIEA L	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HILTON	JONATHAN I	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HIRSCHHORN	ASHLEY	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HO	CHRISTOP S	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HOLGATE	CHARMAIN J	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HOLLINS LOVMOR	CHARISE	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HOLLOWAY	CYNTHIA D	9POLL	\$1.0000	APPOINTED	YES	01/01/18	300
HOLMES	JENNIFER	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300

HOQUE	SHIKANDA M	9POLL	\$1.0000	APPOINTED	YES	01/01/18	300
HORARIO	MERCEDES B	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HOSSAIN	MD T	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HOUSER	MEHELLE L	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HOWARD	ALLENA J	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HOWELL	JACOQUA	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300

BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 05/17/19

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
HUQ	MD RABIU	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
HUTTON	ASHANA S	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
IDRIS	KOMAL	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
IRIZARRY	IVETTE	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
ISLAM	MOHAMMED W	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
JACOB	CHRISTEE	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
JALIL	ADBUL	9POLL	\$1.0000	APPOINTED	YES	01/01/18	300
JAMES	SHADAE J	9POLL	\$1.0000	APPOINTED	YES	01/01/18	300
JAMES	SHIVON V	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
JARRETT	KATRICIA	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
JAUDON	JENNIFER J	9POLL	\$1.0000	APPOINTED	YES	01/01/18	300
JAVED	FARAH	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300
JEBA	MALITHA R	9POLL	\$1.0000	APPOINTED	YES	01/01/19	300



CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, June 27, 2019, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed Purchase Order/Contract between the New York City Department of Information Technology, and Telecommunications and Coranet Corp., located at 17 Battery Place, Suite 709, NY 10004, for RACK FACILITIES WORK FOR 40G NJDR. The amount of this Purchase Order/Contract will be \$130,389.31. The term will be for one year from the date of registration. PIN #: 20190060566.

The Vendor has been selected pursuant to Section 3-12 (e) of the Procurement Policy Board Rules.

A draft copy of the Purchase Order/Contract will be available for public inspection at the Office of New York City Department of Information Technology and Telecommunications, 15 MetroTech Center, 18th Floor, Brooklyn, NY 11201, from June 19, 2019 to June 27, 2019, excluding weekends and holidays, from 9:00 A.M. to 4:00 P.M.



◀ j19