



# THE CITY RECORD

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## THE CITY RECORD

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

## BOARD MEETINGS

### MEETING

#### City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, NY 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.



### City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, NY 10007, at 1:30 P.M.

#### Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

#### Civilian Complaint Review Board

Generally meets at 10:00 A.M. on the second Wednesday of each month at 40 Rector Street, 2nd Floor, New York, NY 10006. Visit <http://www.nyc.gov/html/ccrb/html/meeting.html> for additional information and scheduling changes.

#### Design Commission

Meets at City Hall, Third Floor, New York, NY 10007. For meeting schedule, please visit [nyc.gov/designcommission](http://nyc.gov/designcommission) or call (212) 788-3071.

#### Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

#### Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

#### Environmental Control Board

Meets at 100 Church Street, 12th Floor, Training Room #143, New York, NY 10007 at 9:15 A.M. once a month at the call of the Chairman.

#### Board of Health

Meets at Gotham Center, 42-09 28th Street, Long Island City, NY 11101, at 10:00 A.M., quarterly or at the call of the Chairman.

#### Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

#### Board of Higher Education

Meets at 535 East 80th Street, Manhattan, NY 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

#### Citywide Administrative Services

Division of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, NY 10004.

**Commission on Human Rights**

Meets on 10th Floor in the Commission's Central Office, 40 Rector Street, New York, NY 10006, on the fourth Wednesday of each month, at 8:00 A.M.

**In Rem Foreclosure Release Board**

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

**Franchise and Concession Review Committee**

Meets in Spector Hall, 22 Reade Street, Main Floor, and other days, times and location as warranted.

**Real Property Acquisition and Disposition**

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

**Landmarks Preservation Commission**

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at [www.nyc.gov/landmarks](http://www.nyc.gov/landmarks).

**Employees' Retirement System**

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, NY 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

**Housing Authority**

Board Meetings of the New York City Housing Authority are scheduled for the last Wednesday of each month (except August) at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, NY 10007 (unless otherwise noted). Any changes to the schedule will be posted here and on NYCHA's website at [http://www.nyc.gov/html/nycha/html/about/boardmeeting\\_schedule.shtml](http://www.nyc.gov/html/nycha/html/about/boardmeeting_schedule.shtml) to the extent practicable at a reasonable time before the meeting. For additional information, please visit NYCHA's website or contact (212) 306-6088.

**Parole Commission**

Meets at its office, 100 Centre Street, Manhattan, NY 10013, on Thursday, at 10:30 A.M.

**Board of Revision of Awards**

Meets in Room 603, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

**Board of Standards and Appeals**

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

**Tax Commission**

Meets in Room 936, Municipal Building, Manhattan, NY 10007, each month at the call of the President. Manhattan, monthly on Wednesdays, commencing 2:30 P.M.

**CHARTER REVISION COMMISSION****MEETING**

The New York City Charter Revision Commission 2019, will hold a public meeting, on Wednesday, July 24, 2019, at 6:00 P.M. The meeting will be held, at City Hall, in the Council Chambers, New York, NY 10007. The Commission, will consider proposals, for revisions, to the New York City Charter, for presentation, to the voters of the November 5, 2019 general election, and such other matters, as may be necessary.

**This meeting is open to the public.** Because this is a public meeting and not a public hearing, the public will have the opportunity to observe the Commission's discussions, but not testify before it.

If you are not able to attend, but wish to watch the meeting, all public hearings and meetings, will be livestreamed, at the Commission's website, found here: [www.charter2019.nyc](http://www.charter2019.nyc).

**What if I need assistance to observe the meeting?**

This location is accessible to individuals using wheelchairs or other mobility devices. With advance notice, American Sign Language interpreters will be available, and members of the public may request induction loop devices and language translation services. Please make induction loop, language translation or additional accessibility requests, by 5:00 P.M., Friday, July 19, 2019, by emailing the Commission, at [info@charter2019.nyc](mailto:info@charter2019.nyc), or calling (212) 482-5155. All requests will be accommodated to the extent possible.

**Find out more** about the NYC Charter Revision Commission 2019, by visiting us at our website: [www.charter2019.nyc](http://www.charter2019.nyc).

**Follow us** on Twitter @charter2019nyc, Instagram @charter2019nyc and Facebook, at [facebook.com/Charter2019/](https://www.facebook.com/Charter2019/).

Accessibility questions: [info@charter2019.nyc](mailto:info@charter2019.nyc), or calling (212) 482-5155, by: Friday, July 19, 2019, 5:00 P.M.



jy18-24

**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, July 31, 2019, at 10:00 A.M.

**BOROUGH OF BROOKLYN****No. 1****SUNSET PARK SOUTH HISTORIC DISTRICT****CD 7****N 190539 HKK**

**IN THE MATTER OF** a communication, dated June 27, 2019, from the Executive Director of the Landmarks Preservation Commission, regarding the Sunset Park South Historic District designation, designated by the Landmarks Preservation Commission, on June 18, 2019 (Designation List No. 513). The Sunset Park South Historic District consists of the properties bounded by a line beginning on the southern curblineline of 54th Street at a point on a line extending southerly from the western property line of 417 54th Street, and extending northerly along said line and along the western property line of 417 54th Street, easterly along the northern property lines of 417 to 469 54th Street, southerly along the eastern property line of 469 54th Street and across 54th Street to its southern curblineline, easterly along said curblineline to a point on a line extending northerly from the eastern property line of 472 54th Street, southerly along said line and along the eastern property line of 472 54th Street, easterly along the northern property line and southerly along the eastern property line of 471 55th Street to the northern curblineline of 55th Street, westerly along said curblineline to a point on a line extending northerly from the eastern property line of 470 55th Street, southerly along said line and along the eastern property lines of 470 55th Street and 471 56th Street, across 56th Street and along the eastern property lines of 468 56th Street and 471 57th Street, across 57th Street and along the eastern property lines of 472 57th Street and 471 58th Street to the northern curblineline of 58th Street, westerly along said curblineline to a point on a line extending northerly from the eastern property line of 470 58th Street, southerly along said line and along the eastern property line of 470 58th Street, easterly along the northern property line and southerly along the eastern property line of 471 59th Street, southerly across 59th Street and along the eastern property line of 468 59th Street, westerly along the southern property lines of 468 to 414 59th Street, northerly along the western property line of 414 59th Street and across 59th Street to the northern curblineline of said street, westerly along the northern curblineline of 59th Street to a point on a line extending southerly from the western property line of 411 59th Street, northerly along said line and along the western property lines of 411 59th Street and 412 58th Street to the southern curblineline of 58th Street, easterly along said curblineline to a point on a line extending southerly from the western property line of 413 58th Street, northerly along said line and along the western property line of 413 58th Street, westerly along the southern property line and northerly along the western property line of 412 57th Street to the southern curblineline of 57th Street, easterly along the southern curblineline of 57th Street to a point on a line extending southerly from the western property line of 453 57th Street, northerly along said line and along the western property line of 453 57th Street, westerly along the southern property lines of 454 to 422 56th Street, northerly along the western property line of 422 56th Street and across 56th Street to its northern curblineline, westerly along the northern curblineline of 56th Street to a point on a line extending southerly from the western property line of 413 56th Street, northerly along said line and along the western property line of 413 56th Street, easterly along the northern property line of 413 56th Street, northerly along the western property line of 414 55th Street and across 55th Street to its northern curblineline, westerly along said curblineline to a point on a line extending southerly from the western property line of 413 55th Street, northerly along said line and along the western property lines of 413 55th Street and 412 54th Street to the southern curblineline of 54th Street, and easterly along said curblineline to the place of beginning.

**No. 2****SUNSET PARK 50<sup>TH</sup> STREET HISTORIC DISTRICT****CD 7****N 190540 HKK**

**IN THE MATTER OF** a communication, dated June 27, 2019, from the Executive Director of the Landmarks Preservation Commission, regarding the Sunset Park South Historic District designation, designated by the Landmarks Preservation Commission on June 18, 2019 (Designation List No. 513). The Sunset Park 50th Street Historic District consists of the properties bounded by a line beginning on the northern curblineline of 50th Street at a point on a line extending

southerly from the western property line of 413 50th Street, and extending northerly along said line and along the western property line of 413 50th Street, easterly along the northern property lines of 413 to 471 50th Street, southerly along the eastern property line of 471 50th Street, across 50th Street, and along the eastern property line of 472 50th Street, westerly along the southern property lines of 472 to 414 50th Street, and northerly along the western property line of 414 50th Street and across 50th Street to the place of beginning.

**No. 3**

**CENTRAL SUNSET PARK HISTORIC DISTRICT**

**CD 7 N 190541 HKK**

**IN THE MATTER OF** a communication, dated June 27, 2019, from the Executive Director of the Landmarks Preservation Commission, regarding the Sunset Park South Historic District designation, designated by the Landmarks Preservation Commission on June 18, 2019 (Designation List No. 513). The Central Sunset Park Historic District consists of the properties bounded by a line beginning at the southwest corner of Sixth Avenue and 47th Street and extending easterly across Sixth Avenue and along the southern curblines of 47th Street to a line extending northerly from the eastern property line of 4701 Sixth Avenue (aka 602 47th Street), southerly along said line and the eastern property lines of 4701 Sixth Avenue (aka 602 47th Street) to 4721 Sixth Avenue (aka 601 48th Street) to the northern curblines of 48th Street, westerly along the northern curblines of 48th Street to a line extending northerly from the eastern property line of 4801 Sixth Avenue (aka 602 48th Street), southerly along said line and the eastern property lines of 4801 Sixth Avenue (aka 602 48th Street) to 4807 Sixth Avenue, easterly along part of the northern property line of 4809 Sixth Avenue, southerly along the eastern property lines of 4809 to 4817 Sixth Avenue; westerly along the southern property line of 4817 Sixth Avenue to the eastern curblines of Sixth Avenue; northerly along the eastern curblines of Sixth Avenue to a point on a line extending easterly from the southern property line of 4818 Sixth Avenue, westerly across Sixth Avenue along said line and the southern property line of 4818 Sixth Avenue, northerly along the western property lines of 4818 to 4814 Sixth Avenue, westerly along part of the southern property line of 4812 Sixth Avenue and the southern property lines of 572 to 512 48th Street, northerly along the western property line of 512 48th Street continuing across 48th Street and along the western property line of 511 48th Street, easterly along the northern property line of 511 48th Street, northerly along part of the western property line of 513 48th Street and the western property line of 514 47th Street continuing across 47th Street and along the western property line of 515 47th Street, easterly along the northern property lines of 515 to 551 47th Street, southerly along part of the eastern property line of 551 47th Street, easterly along the northern property lines of 553 to 571 47th Street and 4614 Sixth Avenue to the western curblines of Sixth Avenue, and southerly along the western curblines of Sixth Avenue and across 47th Street to the place of beginning.

**No. 4**

**SUNSET PARK NORTH HISTORIC DISTRICT**

**CD 7 N 190542 HKK**

**IN THE MATTER OF** a communication, dated June 27, 2019, from the Executive Director of the Landmarks Preservation Commission, regarding the Sunset Park North Historic District designation, designated by the Landmarks Preservation Commission on June 18, 2019 (Designation List No. 513). The Sunset Park North Historic District consists of the properties bounded by a line beginning on the southern curblines of 44th Street at a point on a line extending northerly from the western property line of 514 44th Street, extending easterly along the southern curblines of 44th Street across Sixth Avenue and continuing along the southern curblines of 44th Street to a point on a line extending northerly from the eastern property line of 682 44th Street, southerly along said line and the eastern property line of 682 44th Street, westerly along the southern property lines of 682 through 602 44th Street and a line extending westerly across Sixth Avenue to the southern property line of 4404 Sixth Avenue (aka 4402-4412 Sixth Avenue, 580 44th Street), westerly along the southern property lines of 4404 Sixth Avenue (aka 4402-4412 Sixth Avenue, 580 44th Street) and 574 through 514 44th Street, and northerly along the western property line of 514 44th Street to the place of beginning.

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



jl18-31

**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, July 31, 2019, at 10:00 A.M.

**BOROUGH OF BROOKLYN**

**No. 1**

**3513 ATLANTIC AVENUE REZONING**

**CD 5 C 190222 ZMK**

**IN THE MATTER OF** an application, submitted by Leemil's Petroleum, Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 17c and 18a, by establishing within an existing R5 District, a C2-4 District, bounded by a line perpendicular to the easterly street line of Nichols Avenue distant 55 feet northerly (as measured along the street line), from the point of intersection of the easterly street line of Nichols Avenue and the northwesterly street line of Atlantic Avenue, a line 100 feet easterly of Nichols Avenue, a line perpendicular to the westerly street line of Grant Avenue distant 115 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Grant Avenue and the northwesterly street line of Atlantic Avenue, Grant Avenue, Atlantic Avenue and Nichols Avenue, as shown on a diagram (for illustrative purposes only), dated March 11, 2019, and subject to the conditions of CEQR Declaration E-529.

**No. 2**

**776-780 MYRTLE AVENUE**

**CD 3 C 190353 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 776-780 Myrtle (Block 1754, Lots 19, 20 and 22), 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 properties, located at 778-780 Myrtle Avenue (Block 1754, Lots 20 and 22), to a developer to be selected by HPD;

to facilitate a mixed-use development, containing approximately 59 affordable housing units, commercial and community facility space.

**BOROUGH OF MANHATTAN**

**No. 3**

**121 CHAMBERS STREET**

**CD 1 C 190277 ZSM**

**IN THE MATTER OF** an application, submitted by 121 Chambers St LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit, pursuant to Section 74-711 of the Zoning Resolution, to modify the height regulations of Section 111-20(c)(2) (Special regulations for narrow buildings), in connection with the construction of a 2-story enlargement of an existing 5-story mixed-use building, on property, located at 121 Chambers Street (Block 145, Lot 10), in a C6-3A District, within the Tribeca Mixed Use District and the Tribeca South Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271.

**Nos. 4 & 5**

**EAST SIDE COASTAL RESILENCY**

**No. 4**

**CD 3 & 6 C 190357 PQM**

**IN THE MATTER OF** an application, submitted by the Department of Transportation, the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at:

1. The northeast corner of Montgomery Street and the FDR Drive, on the block bounded by Water Street, Gouverneur Slip, the FDR Drive, and Montgomery Street (Block 244, p/o Lot 19), Manhattan Community District 3;
2. Approximately the center of the block bounded by Delancey Street, the FDR Drive, Grand Street, and Lewis Street (Block 321, p/o Lot 1), Manhattan Community District 3;
3. The southeast corner of Columbia and East Houston Streets, on the block bounded by East Houston Street, the FDR Drive, Delancey Street, and Columbia Street (Block 323, p/o Lot 1), Manhattan Community District 3; and
4. The west side of the FDR Drive between East 14<sup>th</sup> and East 10<sup>th</sup> Streets (Block 367, p/o Lot 1), Manhattan Community District 3;
5. The west side of the FDR Drive between East 15<sup>th</sup> and East 14<sup>th</sup> Streets (Block 988, p/o Lot 1), Manhattan Community District 6;
6. The west side of the FDR Drive between Avenue C and the FDR Drive (Block 990, p/o Lot 1), Manhattan Community District 6;
7. The southwest corner East 25<sup>th</sup> Street and Asser Levy Place, on the block bounded by East 25<sup>th</sup> Street, Asser Levy Place, East 23<sup>rd</sup> Street, and First Avenue (Block 995, p/o Lot 5), Manhattan Community District 6; and

8. Part of the east side of the FDR Drive Right of Way between Avenue C and East 15<sup>th</sup> Street, Manhattan Community District 6;

for a flood protection system.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271.

**CD 6** **No. 5** **N 190356 ZRM**  
**IN THE MATTER OF** an application, submitted by the New York City Department of Small Business Services, pursuant to Section 201 of the New York City Charter, for an amendment of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), of the Zoning Resolution of the City of New York, modifying special regulations for zoning lots that include parks, located in a marginal street, wharf or place in an M1-1 District.

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

**ARTICLE VI - SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS**

**Chapter 2 - Special Regulations Applying in the Waterfront Area**

\* \* \*

**62-59**

**Special Regulations for Zoning Lots That Include Parks**

\* \* \*

(c) In order to implement a portion of the East Side Coastal Resiliency Project described in the Final Environmental Impact Statement (FEIS) dated [date of final FEIS], located in a marginal street, wharf or place used as a park, in an M1-1 District, located in Manhattan Community District 6, for #zoning lots predominantly developed# as a park, the requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), inclusive, and Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, shall be deemed satisfied, and the certification, pursuant to Section 62-811 (Waterfront public access and visual corridors) shall not be required, provided that:

(1) the park will be open and accessible to the public at a minimum from dawn to dusk, except when hazardous conditions are present that would affect public safety; and

(2) a maintenance and operation agreement providing for the maintenance and operation of the park in good condition is entered into with the City of New York, except that no such maintenance and operation agreement shall be required for a park developed and maintained by the State or the City of New York, any subdivision or agency of the State or the City, or any public authority or other entity created, pursuant to State or local statute for the purpose of operating such a park.

No excavation or building permit shall be issued within such #zoning lot predominantly developed# as a park, for the portion of the Coastal Resiliency P roject implemented, pursuant to this paragraph (c), until all applicable Federal, State and local permits and approvals have been received, including, without limitation, permits and approvals of the New York State Department of Environmental Conservation.

\* \* \*

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271.

**NOTICE**

**On Wednesday, July 31, 2019, at 10:00 A.M., in the Concourse Level, at 120 Broadway, a public hearing is being held by the City Planning Commission, to receive comments related to a Draft Environmental Impact Statement (DEIS), concerning an application by New York City Department of Parks and Recreation (NYC Parks), as Lead Agency under SEQRA/CEQR, together with New York City Office of Management and Budget (OMB), as Lead Agency under the National Environmental Policy Act (NEPA), for approval of discretionary actions including a zoning text amendment and acquisition of property, to implement a reliable coastal flood protection system and to improve open spaces and enhance access to the waterfront in Manhattan Community Districts 3 and 6.**

**The proposed project area begins at Montgomery Street to the south and extends north to East 25th Street and is composed of two sub-areas: Project Area One and Project Area Two. Project Area One extends from Montgomery Street to the north end of John V. Lindsay East River Park (East River Park) at about East 13th Street. Project Area One is approximately 61 acres and consists primarily of East River Park, the Franklin Delano Roosevelt East River Drive (the FDR Drive) right-of-way, a portion of Pier 42, Corlears Hook Park. Project Area Two is**

**approximately 21 acres and extends north and east from Project Area One, from East 13th Street to East 25th Street. In addition to the FDR Drive right-of-way, Project Area Two includes the Consolidated Edison Company of New York (Con Edison) East 13th Street Substation and the East River Generating Station, Murphy Brothers Playground, Stuyvesant Cove Park, Asser Levy Recreational Center and Playground, and several in-street segments. The DEIS analyzes several project alternatives. Alternative 4, the Flood Protection System with a Raised East River Park Alternative (Preferred Alternative) best meets the principal objectives for the project and therefore was selected as the Preferred Alternative. The Preferred Alternative would raise the majority of East River Park and would limit the length of exposed wall between the community and the waterfront in Project Area One to provide for enhanced neighborhood connectivity. In addition, three pedestrian bridges would be reconstructed and two embayments would be relocated to improve access and enhance the park user experience. Furthermore, Stuyvesant Cove Park, Murphy Brothers Playground, and Asser Levy Playground would be reconstructed and improved. The Preferred Alternative includes the construction of a shared-use flyover bridge linking East River Park and Captain Patrick J. Brown Walk. This bridge will address a long-standing circulation deficiency along the East River Greenway and would substantially improve the City's greenway network. The selection of this alternative allows for the shortest construction duration and park closure, earlier deployment of the flood protection system (expected to be completed mid-2023), and reduced construction disruption along the FDR Drive. The proposed project triggers three land use actions, subject to the City's Uniform Land Use Review Procedure (ULURP), for the acquisition of real property by the City in the form of easements, a zoning text amendment to exempt a segment of the proposed project from the requirements of the City's waterfront zoning regulations, and a future City Map change. The City Map change action would be needed for the reconstruction of the pedestrian bridges and would be carried through at a later date once final design and implementation are completed to record grade and treatment line adjustments, if needed.**

**Written comments on the DEIS are requested and will be received and considered by NYC Parks and OMB, the Lead Agencies, until Thursday, August 15, 2019, at 5:00 P.M.**

**This hearing is being held, pursuant to the National Environmental Policy Act (NEPA), State Environmental Quality Review Act (SEQRA), and City Environmental Quality Review (CEQR), CEQR No. 15DPR013M.**

**BOROUGH OF QUEENS**

**No. 6**

**AMENDED DISTRICT PLAN FOR THE DOWNTOWN FLUSHING BUSINESS IMPROVEMENT DISTRICT**

**CD 7** **N 190496 BDQ**  
**IN THE MATTER OF** an application, submitted by the Department of Small Business Services on behalf of the Downtown Flushing Business Improvement District, pursuant to Section 25-405(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York, as amended, concerning amending of the Downtown Flushing Business Improvement District.

**BOROUGH OF THE BRONX**

**No. 7**

**BRONX POINT**

**CD 4** **N 190501 HAX**  
**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 65 East 149<sup>th</sup> Street (Block 2356, Lot 2), Harlem River, south of former East 150<sup>th</sup> Street (Block 2356, Lot 72), demapped portion of East 150<sup>th</sup> Street (Block and Lot TBD), Land under water/Harlem River, north of former East 150<sup>th</sup> Street, Area west of Exterior Street/ north of former East 150<sup>th</sup> Street and p/o of Mill Pond Park and Land under water/ Harlem River, north of former East 150<sup>th</sup> Street (Block 2356, Lot 1, p/o Lot 2 and p/o Lot 3) as an Urban Development Action Area; and
  - b. Urban Development Action Area Project for such area to facilitate the development of a publicly accessible open space.

**BOROUGH OF BROOKLYN**

**No. 8**

**BROWNSVILLE SOUTH NCP CLUSTER**

**CD 16** **C 190373 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 47 New Lots Avenue (Block 3855, Lot 40), 609-615 Osborn Street (Block 3628, Lot 9), 120-122 Liberty Avenue (Block 3693, Lots 22 and 23) 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 properties to a developer, to be selected by HPD;

to facilitate the construction of three residential developments containing an approximate total of 41 affordable dwelling units and commercial space.

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



jy17-31

## BOARD OF EDUCATION RETIREMENT SYSTEM

### MEETING

The Board of Trustees of the Board of Education Retirement System, will be meeting, at 5:00 P.M., on Wednesday, July 31, 2019, at MS 131 Dr. Sun Yat Sen Middle High School, at 100 Hester Street, Room 131, New York, NY 10002.

jy17-31

## HOUSING AUTHORITY

### MEETING

The next Board Meeting of the New York City Housing Authority, is scheduled for Wednesday, July 31, 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 <http://nyc.gov/nycha> and <http://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@nychanyc.gov](mailto:corporate.secretary@nychanyc.gov), by: Wednesday, July 17, 2019, 5:00 P.M.



jy10-31

## LANDMARKS PRESERVATION COMMISSION

### NOTICE

**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, July 23, 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.

### 173 Bergen Street - Boerum Hill Historic District

**LPC-19-38950** - Block 195 - Lot 48 - **Zoning:**

#### CERTIFICATE OF APPROPRIATENESS

A rowhouse built between 1869-1871. Application is to construct a rear yard addition.

### 204 6th Avenue - Park Slope Historic District Extension II

**LPC-19-39659** - Block 953 - Lot 51 - **Zoning:** R6A

#### CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style store and apartment house built in 1879. Application is to legalize the installation of HVAC equipment, without Landmarks Preservation Commission permit(s).

### 418 8th Street - Park Slope Historic District Extension

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

#### CERTIFICATE OF APPROPRIATENESS

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

### 421 West 13th Street - Gansevoort Market Historic District

**LPC-19-36280** - Block 646 - Lot 57 - **Zoning:** M1-5

#### CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style warehouse building, designed by Hans E. Meyen and built in 1901-02. Application is to legalize the installation of an illuminated sign, without Landmarks Preservation Commission permit(s).

### 157 East 72nd Street - Upper East Side Historic District Extension

**LPC-19-34429** - Block 1407 - Lot 7501 - **Zoning:** R10A

#### CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style apartment building, designed by Rouse & Goldstone and built in 1924. Application is to establish a Master Plan governing the future replacement of windows.

jy10-23

## SCHOOL CONSTRUCTION AUTHORITY

### PUBLIC HEARINGS

#### PUBLIC NOTICE

#### NOTICE OF PUBLIC HEARING, PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW

Pursuant to Article 2 of the New York State Eminent Domain Procedure Law, the New York City School Construction Authority ("SCA"), will hold a public hearing, on Wednesday, August 14, 2019, at 12:00 P.M. NOON, with respect to the SCA's proposed acquisition, by condemnation, of Tax Block 523, Lots 1 and 13R, located in the borough of Brooklyn, City and State of New York, for the purpose of constructing an approximately 650-seat intermediate school facility, at the site, to accommodate students in sixth grade through eighth grade, pursuant to the New York City Department of Education's Five Year Capital Facilities Plan. **The public hearing will be held, at Public School 15, located at 71 Sullivan Street, Brooklyn, NY 11231, on August 14, 2019, at 12:00 P.M. NOON.**

The subject property (vacant, two story industrial building and an unimproved lot), is located, at 21-31 and 35 Delavan Street, Brooklyn, NY 11231.

The purpose of the hearing is to inform the public of the proposed project; review the public use to be served by the proposed project; and to give all interested persons an opportunity to be heard concerning the proposed project. Property owners, who may subsequently wish to challenge condemnation of their property, via judicial review, may do so only on the basis of the issues, facts and objections raised at this hearing. All persons are invited to attend the hearing and to present oral and/or written statements concerning the proposed acquisition. The SCA will accept written comments on the proposed project, at the address listed below, until Monday, August 26, 2019. Documents related to the project are available for examination during normal business hours, at the Legal Department of the SCA, at 30-30 Thomson Avenue, Long Island City, NY 11101. For further information, contact Gayle Mandaro, Senior Director and Attorney, Real Estate Strategy for the SCA, at (718) 472-8308.

jy22-26

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, July 24, 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 40 East End Avenue Associates LLC to construct, maintain and use planted areas including sidewalk lights together with conduits on and under north sidewalk of East 81st Street, west of East End Avenue, and on and under west sidewalk of East End Avenue, north of East 81st 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. #2475

From the Approval Date to June 30, 2020 - \$3,020/per annum

the maintenance of a security deposit in the sum of \$3,500 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 225 WEA Realty LLC to construct, maintain and use a fenced-in area, together with an areaway, and two (2) entrances details on and under the north sidewalk of West 70th Street between West End Avenue and Riverside Boulevard, and a fenced-in area, together with an areaway, on and under the west sidewalk of West End Avenue between West 70th Street and West 71st 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. #2474

From the Approval Date to June 30, 2020 - \$9,554/per annum

the maintenance of a security deposit in the sum of \$17,200 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 Memorial Hospital for Cancer and Allied Diseases to continue to maintain and use a tunnel under and across East 67th Street, 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 schedule: R.P. # 1316

- For the period July 1, 2018 to June 30, 2019 - \$40,441
For the period July 1, 2019 to June 30, 2020 - \$41,088
For the period July 1, 2020 to June 30, 2021 - \$41,735
For the period July 1, 2021 to June 30, 2022 - \$42,382
For the period July 1, 2022 to June 30, 2023 - \$43,029
For the period July 1, 2023 to June 30, 2024 - \$43,676
For the period July 1, 2024 to June 30, 2025 - \$44,323
For the period July 1, 2025 to June 30, 2026 - \$44,970
For the period July 1, 2026 to June 30, 2027 - \$45,617
For the period July 1, 2027 to June 30, 2028 - \$46,264

the maintenance of a security deposit in the sum of \$46,300 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) 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 Montefiore Medical Center to continue to maintain and use twenty four (24) light poles, together with electrical conduits on the easterly and westerly sidewalks of Bainbridge Avenue, between East Gun Hill Road and East 210th Street, and on the sidewalks of east 210th Street, west of Bainbridge Avenue, in the Borough of the Bronx. 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. #1641

For the period July 1, 2018 to June 30, 2028 - \$3,600/per annum

the maintenance of a security deposit in the sum of \$25,000 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 Mount Sinai Medical Center to continue to maintain and use two (2) tunnels under and across East 101st Street, east of Fifth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: R.P. #1252

- For the period July 1, 2016 to June 30, 2017 - \$36,901
For the period July 1, 2017 to June 30, 2018 - \$37,728
For the period July 1, 2018 to June 30, 2019 - \$38,555
For the period July 1, 2019 to June 30, 2020 - \$39,382
For the period July 1, 2020 to June 30, 2021 - \$40,209
For the period July 1, 2021 to June 30, 2022 - \$41,036
For the period July 1, 2022 to June 30, 2023 - \$41,863
For the period July 1, 2023 to June 30, 2024 - \$42,690
For the period July 1, 2024 to June 30, 2025 - \$43,517
For the period July 1, 2025 to June 30, 2026 - \$44,344

the maintenance of a security deposit in the sum of \$44,400 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#6 IN THE MATTER OF a proposed revocable consent authorizing Mount Sinai Medical Center to continue to maintain and use a conduit under and across East 102nd Street, west of Madison Avenue, in the Borough of Manhattan. 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 conditions for compensation payable to the City according to the following schedule: R.P. #1261

- For the period July 1, 2017 to June 30, 2018 - \$2,834
For the period July 1, 2018 to June 30, 2019 - \$2,884
For the period July 1, 2019 to June 30, 2020 - \$2,934
For the period July 1, 2020 to June 30, 2021 - \$2,984
For the period July 1, 2021 to June 30, 2022 - \$3,034
For the period July 1, 2022 to June 30, 2023 - \$3,084
For the period July 1, 2023 to June 30, 2024 - \$3,134
For the period July 1, 2024 to June 30, 2025 - \$3,184
For the period July 1, 2025 to June 30, 2026 - \$3,234
For the period July 1, 2026 to June 30, 2027 - \$3,284

the maintenance of a security deposit in the sum of \$3,300 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 Mount Sinai Medical Center to continue to maintain and use a tunnel under and diagonally across East 99th Street, east of Fifth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule: R.P. #1539

- For the period July 1, 2016 to June 30, 2017 - \$26,931
For the period July 1, 2017 to June 30, 2018 - \$27,534
For the period July 1, 2018 to June 30, 2019 - \$28,137
For the period July 1, 2019 to June 30, 2020 - \$28,740
For the period July 1, 2020 to June 30, 2021 - \$29,343
For the period July 1, 2021 to June 30, 2022 - \$29,946
For the period July 1, 2022 to June 30, 2023 - \$30,549
For the period July 1, 2023 to June 30, 2024 - \$31,152
For the period July 1, 2024 to June 30, 2025 - \$31,755
For the period July 1, 2025 to June 30, 2026 - \$32,358

the maintenance of a security deposit in the sum of \$79,200 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#8 IN THE MATTER OF a proposed revocable consent authorizing Mount Sinai Medical Center to continue to maintain and use a ramp and steps on the north sidewalk of East 98th Street, East of Fifth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: R.P. #1570

For the period July 1, 2016 to June 30, 2017 - \$2,734

For the period July 1, 2017 to June 30, 2018 - \$2,795  
 For the period July 1, 2018 to June 30, 2019 - \$2,856  
 For the period July 1, 2019 to June 30, 2020 - \$2,917  
 For the period July 1, 2020 to June 30, 2021 - \$2,978  
 For the period July 1, 2021 to June 30, 2022 - \$3,039  
 For the period July 1, 2022 to June 30, 2023 - \$3,100  
 For the period July 1, 2023 to June 30, 2024 - \$3,161  
 For the period July 1, 2024 to June 30, 2025 - \$3,222  
 For the period July 1, 2025 to June 30, 2026 - \$3,283

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.

**#9 IN THE MATTER OF** a proposed revocable consent authorizing Mount Sinai Medical Center to continue to maintain and use a conduit under and across East 98<sup>th</sup> Street, between Park and Madison Avenues, in the Borough of Manhattan. 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 conditions for compensation payable to the City according to the following schedule: **R.P. #1666**

For the period July 1, 2017 to June 30, 2018 - \$3,413  
 For the period July 1, 2018 to June 30, 2019 - \$3,473  
 For the period July 1, 2019 to June 30, 2020 - \$3,533  
 For the period July 1, 2020 to June 30, 2021 - \$3,593  
 For the period July 1, 2021 to June 30, 2022 - \$3,653  
 For the period July 1, 2022 to June 30, 2023 - \$3,713  
 For the period July 1, 2023 to June 30, 2024 - \$3,773  
 For the period July 1, 2024 to June 30, 2025 - \$3,833  
 For the period July 1, 2025 to June 30, 2026 - \$3,893  
 For the period July 1, 2026 to June 30, 2027 - \$3,953

the maintenance of a security deposit in the sum of \$4,000 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

**#10 IN THE MATTER OF** a proposed revocable consent authorizing New York University to continue to maintain and use conduits under and along Jay and Bridge Streets, between Tech Place and Myrtle Avenue, 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. #1305**

For the period July 1, 2018 to June 30, 2019 - \$18,457  
 For the period July 1, 2019 to June 30, 2020 - \$18,752  
 For the period July 1, 2020 to June 30, 2021 - \$19,047  
 For the period July 1, 2021 to June 30, 2022 - \$19,342  
 For the period July 1, 2022 to June 30, 2023 - \$19,637  
 For the period July 1, 2023 to June 30, 2024 - \$19,932  
 For the period July 1, 2024 to June 30, 2025 - \$20,227  
 For the period July 1, 2025 to June 30, 2026 - \$20,522  
 For the period July 1, 2026 to June 30, 2027 - \$20,817  
 For the period July 1, 2027 to June 30, 2028 - \$21,112

the maintenance of a security deposit in the sum of \$21,200 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 Red Apple Surf Realty III LLC to construct, maintain and use planted areas on the south sidewalk of Surf Avenue, between West 35<sup>th</sup> and West 36<sup>th</sup> Streets, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from 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. #2477**

From the Approval Date to June 30, 2030 - \$211/per annum

the maintenance of a security deposit in the sum of \$10,000 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.

**#12 IN THE MATTER OF** a proposed revocable consent authorizing 20 TSQ Ground Co LLC to construct, maintain and use an electrical conduit with sidewalk lights on the south sidewalk of West 47<sup>th</sup> Street, between 6<sup>th</sup> and 7<sup>th</sup> Avenues, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from 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. #2442**

From the Approval Date to June 30, 2020 - \$950/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.

jy3-24

## 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/nycdcas.ny/browse/home>

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

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

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

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide 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



***“Compete To Win” More Contracts!***

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

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

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

**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](http://www.nyc.gov/hhsaccelerator).

**ADMINISTRATION FOR CHILDREN’S SERVICES**

**OFFICE OF PROCUREMENT**

■ INTENT TO AWARD

*Services (other than human services)*

**INFORMATION TECHNOLOGY ENHANCEMENTS TO ACS’ JUVENILE JUSTICE INFORMATION SYSTEM (JJIS) AND JUVENILE DETENTION AUTOMATION SYSTEM (JDAS)**  
- Government to Government - PIN#06819T0002 - Due 7-24-19 at 10:00 A.M.

In accordance with Section 3-13(d)(1) of the Procurement Policy Board Rules, ACS, intends to use a Government to Government contract, to complete the final two phases of the Juvenile Access Support System (JASS) project, between ACS’ Division of Youth and Family Justice and the NYS Office of Information Technology Services (ITS). The purpose of the project, is to provide critical information technology enhancements to ACS’ Juvenile Justice Information Systems (JJIS), and Juvenile Detention Automation System (JDAS), to support business and oversight needs, and also, to meet implementation requirements of the NYS Raise the Age law. The term of this contract is July 1, 2018 through June 30, 2023.

Suppliers may express interest in future procurements, by contacting Doron Pinchas, at the ACS Administrative Contracts Unit, 150 William Street, 9th Floor, New York, NY 10038; [doron.pinchas@acs.nyc.gov](mailto:doron.pinchas@acs.nyc.gov); or, by calling (212) 341-3488, between the hours of 10:00 A.M. and 4:00 P.M.

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

*Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10038. Doron Pinchas (212) 341-3488; Fax: (212) 341-9830; [doron.pinchas@acs.nyc.gov](mailto:doron.pinchas@acs.nyc.gov)*

jy17-23

**BROOKLYN NAVY YARD DEVELOPMENT CORP.**

**DEVELOPMENT**

■ SOLICITATION

*Services (other than human services)*

**FOOD MANUFACTURING AT BUILDING #50 AT THE BROOKLYN NAVY YARD** - Request for Information - PIN# 000178 - Due 10-1-19 at 11:00 A.M.

BNYDC, seeks an operator, tenant, and/or developer, to activate the Brooklyn Navy Yard’s Building 50, with a food manufacturing use, including, but not limited to, an incubator, co-packer, or shared kitchen.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other*



information; and for opening and reading of bids at date and time specified above.

Brooklyn Navy Yard Development Corporation, 141 Flushing Avenue, Building #77, Suite 801, Brooklyn, NY 11205. Emma Manson (718) 907-5957; emanson@bnycdc.org

jy16-22

**CITYWIDE ADMINISTRATIVE SERVICES**

■ AWARD

*Goods*

**SOFTWARE LICENSES- HRA** - Intergovernmental Purchase - Other - PIN#8571900310 - AMT: \$258,851.43 - TO: EC America, Inc., 8444 Westpark Drive, Suite #200, McLean, VA 22102.

GSA: Contr: GS-35F-0511T

Suppliers wishing to be considered, for a contract, with the General Services Administration of the Federal Government, are advised to contact the Small Business Utilization Center, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 18-130, New York, NY 10278, or, by phone (212) 264-1234.

☛ jy22

**TRUCK, 3000 GALLON GASOLINE FUEL TANK - DSNY**

- Competitive Sealed Bids - PIN#8571900035 - AMT: \$817,239.72 - TO: Gabrielli Truck Sales, Ltd., 153-20 South Conduit Avenue, Jamaica, NY 11434.

☛ jy22

■ INTENT TO AWARD

*Services (other than human services)*

**ELEVATOR DOOR LOCK CODE MODIFICATION** - Sole Source - Available only from a single source - PIN#85620S0001 - Due 7-23-19 at 10:00 A.M.

Provide labor and materials necessary, to complete elevator door modification of all our OTIS elevators, at 330 Jay Street, Brooklyn, NY, in order to ensure compliance, with the new ASME K3 Door Lock Monitoring Code.

DCAS, intends to enter into a Sole Source negotiation, with OTIS Elevator Company, regarding the above stated services.

Any firm which believes that it can also provide the service, and is an authorized technician, to provide such service to OTIS elevators, is invited to express an interest, by letter, which must be received no later than 10:00 A.M., on Tuesday, July 23, 2019, to the attention of Victor Emenanjour, Administrative Procurement Analyst, Office of Citywide Procurement.

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 Center Street, 18th Floor, North, New York, NY 10007. Victor Emenanjour (212) 386-0402; Fax: (646) 500-7094; vemenanjour@dcas.nyc.gov

jy16-22

**OFFICE OF CITYWIDE PROCUREMENT**

■ AWARD

*Goods*

**ATLANTIC SIGNAL COMTAC V PATRIOT HEADSET** - Competitive Sealed Bids - PIN#8571900255 - AMT: \$524,810.00 - TO: Rescue Operations International Group LLC, 911 SW 21st Street, Boca Raton, FL 33486.

☛ jy22

**TRUCK, 4400 GALLON DIESEL FUEL TANK - DSNY**

- Competitive Sealed Bids - PIN#8571900036 - AMT: \$880,708.72 - TO: Gabrielli Truck Sales Ltd., 153-20 South Conduit Avenue, Jamaica, NY 11434.

☛ jy22

■ SOLICITATION

*Goods*

**TRUCK, 100' REAR MOUNT AERIAL LADDER - FDNY** - Competitive Sealed Bids - PIN#857PS2000008 - Due 8-27-19 at 9:30 A.M.

A Pre-Solicitation Conference, for the above mentioned commodity, is scheduled, for August 27, 2019, at 9:30 A.M., at 1 Centre Street, 18th Floor, New York, NY 10007.

The purpose of this conference is to review proposed specifications, for the commodity listed above, to ensure a good product and maximum competition. Please make every effort to attend this conference, your participation will assist us in revising the attached specifications, so they can be issued, as a part of final bid package.

A copy of the pre-solicitation package can be downloaded, from the City Record Online site, at www.nyc.gov/cityrecord. Enrollment is free. Please review the documents before you attend the conference.

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, 18th Floor, New York, NY 10007. Joseph Vacirca (212) 386-6330; Fax: (212) 313-3295; jvacirca@dcas.nyc.gov

Accessibility questions: DCAS Diversity and EEO Office (212) 386-0297, by: Wednesday, August 21, 2019, 5:30 P.M.



☛ jy22

**DESIGN AND CONSTRUCTION**

**AGENCY CHIEF CONTRACTING OFFICE**

■ AWARD

*Construction Related Services*

**CM/DESIGN BUILD FOR REPLACEMENT AND UPGRADING OF PETROLEUM STORAGE TANK SUMPS, BOROUGH OF BROOKLYN** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#8502018VP0044P - AMT: \$25,000,000.00 - TO: Liro Engineers, Inc., 3 Aerial Way, Syosset, NY 11791. PW348-82.

☛ jy22

**CM/DESIGN BUILD FOR REPLACEMENT AND UPGRADING OF PETROLEUM STORAGE TANK SUMPS, BOROUGH OF THE BRONX** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#8502018VP0046P - AMT: \$25,000,000.00 - TO: TDX Construction Corporation, 330 7th Avenue, Fifth Floor, New York, NY 10001. PW348-84.

☛ jy22

**EDUCATION**

**CONTRACTS AND PURCHASING**

■ INTENT TO AWARD

*Goods and Services*

**NEGOTIATED SERVICE: GOOD SHEPHERD SERVICES** - Other - PIN#E1893040 - Due 7-31-19 at 4:00 P.M.

The Department of Education's (DOE), Division of Contracts and Purchasing, has been asked for approval, to enter into contract, with the following organization, for the services described below. Other organizations interested in providing these services to the DOE in the future, are invited to indicate their ability to do so, in writing, to Bryan Hester, at 65 Court Street, Room 1201, Brooklyn, NY 11201. Responses should be received, no later than 4:00 P.M. EST, on July 31, 2019.

19K615 The Transit Tech Career and Technical Education High School, is asking for approval, to enter into a contract, with Good Shepherd Services, for a term of 9/1/2018 through 6/30/2019, for leadership and college/career planning services, to students, in the amount of \$90,000.

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

☛ jy22

**ENVIRONMENTAL PROTECTION**

**WASTEWATER TREATMENT**

■ SOLICITATION

*Construction Related Services*

**ELECTRICAL JOB ORDER CONTRACT FOR NORTH, MANHATTAN, BRONX, QUEENS** - Competitive Sealed Bids - PIN#82619B0069 - Due 8-20-19 at 11:30 A.M.

Project Number: JOC-19-NE, Document Fee: \$100.00, Project Manager: Albert Gordon, Engineers Estimate: \$12,750,000.00 - \$17,250,000.00.

There will be a Pre-Bid on 7/30/19, at 10:00 A.M., located at 96-05 Horace Harding Expressway, 2nd Floor, Think Tank Conference Room #4, Flushing, NY 11373. Last day for questions 8/6/19.

Please email Agency contact, Fheras@dep.nyc.gov, all questions.

The procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 1.

Bidders are hereby advised that this contract is subject to the Project Labor Agreement ("PLA") entered into between the City and the Building and Construction Trades Council of Greater New York ("BCTG") affiliated local unions. Please refer to the bid documents for further information.

20 percent M/WBE Subcontracting goals.

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, Bid Room, Flushing, NY 11373. Fabian Heras (718) 595-3265; fheras@dep.nyc.gov*



◀ jy22

**WATER SUPPLY QUALITY**

■ SOLICITATION

*Construction / Construction Services*

**JOB ORDER CONTRACTING ELECTRICAL WORK, BRONX, N.Y.** - Competitive Sealed Bids - PIN#82619B0018 - Due 8-22-19

Project Number: BWS-IC-JOC18-E, Document Fee: \$80, Engineer's Estimate: \$850,000 - \$1,150,000.00.

There will be a Pre-Bid Meeting, to be held, on 8/1/19, located at NYC DEP Croton Water Filtration Plant, OL Conference Room, 3701 Jerome Avenue, Bronx, NY 10467, 10:00 A.M. Security Access Form Required.

Note: All vendors wishing to attend the Pre-Bid Meeting, must complete the attached day access form, and email it to the Agency contact, Fheras@dep.nyc.gov, no later than 7 days prior to the Pre-Bid Meeting. Due to limited parking at the facility, vendors should park on the street and enter the facility via the main gate entrance.

The procurement is subject to participation goals for MBEs and/or WBEs, as required by Local Law 1.

30 percent M/WBE Subcontracting goal.

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, Bid Room, Flushing, NY 11373. Fabian Heras (718) 595-3265; fheras@dep.nyc.gov*



◀ jy22

**JOB ORDER CONTRACTING, GENERAL CONSTRUCTION, BRONX, N.Y.** - Competitive Sealed Bids - PIN#82619B0012 - Due 8-22-19 at 11:30 A.M.

Project Number: BWS-IC-JOC18-G, Document Fee: \$80, Engineer's Estimate: \$2,550,000 - \$3,450,000.

There will be a Pre-Bid Meeting, to be held, on 8/1/19, located at NYC DEP Croton Water Filtration Plant, OL Conference Room, 3701 Jerome Avenue, Bronx, NY 10467, 10:00 A.M. Security Access Form Required.

Note: All vendors wishing to attend the Pre-Bid Meeting, must complete the attached day access form, and email it to the Agency

contact, Fheras@dep.nyc.gov, no later than 7 days prior to the Pre-Bid Meeting. Due to limited parking at the facility, vendors should park on the street and enter the facility via the main gate entrance.

The procurement is subject to participation goals for MBEs and/or WBEs, as required by Local Law 1.

30 percent M/WBE Subcontracting goal.

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, Bid Room, Flushing, NY 11373. Fabian Heras (718) 595-3265; fheras@dep.nyc.gov*



◀ jy22

**HOMELESS SERVICES**

■ AWARD

*Human Services/Client Services*

**STAND ALONE TRANSITIONAL RESIDENCE SHELTER SERVICES FOR HOMELESS FAMILIES AT CROTONA LOCATED 785 CROTONA PARK NORTH, BRONX, NY 10460.**

- Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#07110P0002263 - AMT: \$14,531,575.00 - TO: HELP Bronx, 115 East 13th Street, New York, NY 10460.

Contract Term from 7/1/2019 to 6/30/2024.

● **NEGOTIATED ACQUISITION EXTENSION TO PROVIDE TIER II SHELTER SERVICES FOR HOMELESS FAMILIES AT SOJOURNER TRUTH, 2136 CROTONA PARKWAY, BRONX, NY 10460** - Negotiated Acquisition - Judgment required in evaluating proposals - PIN#07107R0005CNVN004 - AMT: \$2,174,302.00 - TO: 2136 Crotona Parkway HDFC, 902 Broadway, 13th Floor, New York, NY 10010. Contract Term from 7/1/2019 to 6/30/2020.

● **SHELTER SERVICES FOR HOMELESS ADULT FAMILIES AT CLAY FAMILY RESIDENCE, 66 CLAY STREET, BROOKLYN, NY 11222** - Renewal - PIN#07110P0002082R001 - AMT: \$27,530,687.00 - TO: Home/Life Services, Inc., 1222 Avenue M, Brooklyn, NY 11230-5204. Contract Term from 7/1/2019 to 6/30/2023.

● **SAFE HAVEN SHELTER SERVICES FOR HOMELESS ADULTS AT 800 BARRETTO STREET (ALSO KNOWN AS 1241 LAFAYETTE AVENUE), BRONX, NY 10474** - Competitive Sealed Proposals/Pre-Qualified List - Judgment required in evaluating proposals - PIN#07116I0014015 - AMT: \$14,744,090.00 - TO: Bronxworks Inc, 60 East Tremont Avenue, Bronx, NY 10453.

Contract Term from 7/1/2019 to 6/30/2024.

Contract Term from 7/1/2019 to 6/30/2024.

◀ jy22

**CARMEN FAMILY'S RESIDENCE-TIER II SHELTER FOR FAMILIES WITH CHILDREN** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#07110P0002077R001 - AMT: \$14,421,144.00 - TO: Acacia Network Housing Inc, 300 East 175th Street, Bronx, NY 10457.

Contract Term: 7/1/19 to 6/30/23.

◀ jy22

**DEV. AND OPERATE A STAND ALONE TRANSIT. RES. FOR HOMELESS SINGLE ADULTS AT OPPORTUNITY HOUSE 59-65 PRINCE ST. BK** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#07110P0002275 - AMT: \$16,002,840.00 - TO: Camba, Inc, 1720 Church Avenue, Brooklyn, NY 11226.

Contract Term: 7/1/19 to 6/30/24.

◀ jy22

**HOUSING PRESERVATION AND DEVELOPMENT**

**GENERAL SERVICES**

■ SOLICITATION

*Services (other than human services)*

**FOOD BAR CONCESSION SERVICES** - Competitive Sealed Bids - PIN#80620200012289 - Due 8-26-19 at 9:00 A.M.

To download the RFB, visit [www.nyc.gov/cityrecord](http://www.nyc.gov/cityrecord).

There will be an on-site Pre-Bid Conference and Site Tour on Monday, July 29, 2019, at 9:00 A.M. The Conference and Tour will be meeting at the proposed concession site, which is located in the lobby of 100 Gold Street, New York, NY. The Pre-Bid Conference, will follow the site tour in Room 1-R. If you are considering responding to this RFB, please

make every effort to attend this strongly recommended meeting and site tour.

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 Preservation and Development, 100 Gold Street, Room 1A, New York, NY 10038. Hector Padilla (212) 863-5783; padillah@hpd.nyc.gov

Accessibility questions: Contact Details are found in RFB, by: Monday, July 29, 2019, 9:00 A.M.



jy15-26

**TECHNOLOGY AND STRATEGIC DEVELOPMENT**

**AWARD**

*Human Services/Client Services*

**ESRI 3-year MAINTENANCE CONTRACT** - Intergovernmental Purchase - Specifications cannot be made sufficiently definite - PIN# 80619O0002001 - AMT: \$133,500.00 - TO: Environmental Systems Research Institute Inc, 380 New York Street, Redlands, CA 92373-8100. Software maintenance and support.

jy22

**3 YR MAINTENANCE FOR AWARDS ELECTRONIC HEALTH RECORD SYS.** - Sole Source - Specifications cannot be made sufficiently definite - PIN# 80618S0001001 - AMT: \$104,400.00 - TO: Foothold Technology Inc, 36 East 12th Street, 5th Floor, New York, NY 10003. Provide technical support and software license upgrades.

jy22

**HUMAN RESOURCES ADMINISTRATION**

**HOMELESSNESS PREVENTION ADMINISTRATION**

**INTENT TO AWARD**

*Services (other than human services)*

**CORRECTION: NEW YORK STATE UNIFIED COURT SYSTEM HOTLINE** - Government to Government - PIN# 09619T0002001 - Due 7-23-19 at 3:00 P.M.

**CORRECTION:** The Human Resources Administration (HRA), Office of Civil Justice (OCJ), intends to enter into an Intergovernmental Agreement, with the New York State United Court System (UCS), in an amount of \$200,000.00, for a period of 12 months, to assist with the expansion of NYC Housing Court helpline telephone hotline services for tenants facing eviction proceedings, all of whom are eligible for legal services, under the Universal Law through program administered by OCJ. HRA does not have the infrastructure or the capacity, to provide this service directly. HRA wish to partner UCS through an Intergovernmental Agreement, to support expansion of Housing Court Answers current hotline operation, to provide detailed information about access to Universal Access Legal Services administered by OCJ.

The total contract amount: \$200,000.00. Contract Term: 7/1/2019 - 6/30/2020, with one renewal option, for 9 months.

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, 31st Floor, New York, NY 10007. Adrienne Williams (929) 221-6346; Fax: (929) 221-0758; williamsadri@dss.nyc.gov

jy22

**CONTRACTS**

**INTENT TO AWARD**

*Human Services/Client Services*

**PROVISION OF HOME CARE SERVICES FOR HCPS CLIENTS** - Renewal - Due 7-23-19 at 5:00 P.M.

PIN# 09613P0002027R001 - Home Care Services for Independent Living, Inc.

PIN# 09613P0002003R001 - Selfhelp Community Services, Inc.  
PIN# 09613P0002042R001 - Summit Home Health Care, Inc.

HRA, through its Home Care Services Program, intends to renew, three (3) contracts, with the contractors listed above, for the provision of Home Care Services for HCPS clients. Anyone having comments on the

performance of the contractors or the proposed renewal of the contracts, may contact Charmaine Phillip, at (929) 221-2453. This Notice is for informational purposes 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, 785 Atlantic Avenue, 7th Floor, Brooklyn, NY 11238. Charmaine Phillip (929) 221-2453; Fax: (929) 221-2453; phillipc@hra.nyc.gov

jy22

**MAXIMIZING ACCESS TO FEDERAL DISABILITY BENEFITS IN REGION 1 - Renewal - Due 7-23-19 at 5:00 P.M.**

PIN# 09615I0007002R001 - Legal Services NYC  
PIN# 09615I0007001R001 - The Legal Aid Society

HRA, through its Customized Assistance Services Program, intends to renew, two (2) contracts, with the contractors listed above, for the provision of Maximizing Access to Federal Disability Benefits in Region 1 - Bronx, Manhattan and Staten Island. Anyone having comments on the performance of the contractors, or the proposed renewal of the contracts, may contact Charlotte Smith, at (929) 221-4533. This Notice is for informational purposes 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, 30th Floor, New York, NY 10007. Charlotte Smith (929) 221-4533; Fax: (212) 437-3017; smithsharlo@dss.nyc.gov

jy22

**LAW DEPARTMENT**

**INTENT TO AWARD**

*Services (other than human services)*

**MEDICAL MALPRACTICE LITIGATION AND RELATED SERVICES** - Negotiated Acquisition - Judgment required in evaluating proposals - PIN# 02519X005135 - Due 8-7-19 at 5:00 P.M.

IT IS THE INTENT of the New York City Law Department ("Department"), to enter into a one-year extension contract, with the firm Heidell, Pittoni, Murphy and Bach LLP ("Heidell Pittoni"), pursuant to PPB Rules Section 3-04(b)(2)(iii). Under the current contract, Heidell Pittoni provides medical malpractice litigation and related services. The purpose of this extension contract, is to maintain continuity of services, while the Department completes the procurement of a new medical malpractice litigation and related services contract. The contract term of the extension contract will commence as of March 1, 2019, and continue through February 28, 2020, at which time, the newly procured contract for these services, will commence. The cost of the contract is in an amount not-to-exceed \$1,000,000.

The Department's Agency Chief Contracting Officer ("ACCO"), has determined (1) that there is a compelling need to extend the contract beyond the permissible cumulative twelve-month limit; (2) that the proposed term of the extension, is the minimum necessary to meet the need; and (3) that award of the contract is in the best interest of the City of New York. The ACCO certifies, further, that Heidell Pittoni's performance, has been satisfactory or better throughout the term of the current contract.

Medical Malpractice litigation firms that believe they are qualified to provide these services and wish to be considered for future procurements, for the same or similar services, should send an expression of interest, to the Department, at the following address: Esther S. Tak, Senior Counsel, New York City Law Department, 100 Church Street, Room 5-208, New York, NY 10007; Phone (212) 356-1122; Fax (212) 356-1148; Email etak@law.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.

Law Department, 100 Church Street, Room 5-208, New York, NY 10007. Esther Tak (212) 356-1122; etak@law.nyc.gov

jy18-24

**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**

**REVENUE**

■ **SOLICITATION**

*Services (other than human services)*

**OPERATION OF A SPECIALTY FOOD MARKET AT RED HOOK PARK, BROOKLYN** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#B126-O-2019 - Due 8-30-19 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks"), is issuing, as of the date of this notice, a non-significant Request for Proposals ("RFP"), for the operation of a Specialty Food Market, at Red Hook Park, Brooklyn.

There will be a recommended On-Site Proposer Meeting and site tour, on Friday, August 2, 2019, at 11:00 A.M. We will be meeting, at the proposed concession site (Block #619 and Lot #1), which is, located at Red Hook Park, at Bay, Clinton, Court and Halleck Streets, adjacent to the soccer field. If you are considering responding to this RFP, please make every effort, to attend this recommended meeting and site tour. All proposals submitted in response to this RFP must be submitted no later than Friday, August 30, 2019, at 3:00 P.M.

Hard copies of the RFP can be obtained, at no cost, commencing on Wednesday, July 17, 2019 through Friday, August 30, 2019, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the Revenue Division of the New York City Department of Parks and Recreation, which is, located at 830 Fifth Avenue, Room 407, New York, NY 10065.

The RFP, is also available for download, on Wednesday, July 17, 2019, through Friday, August 30, 2019, on Parks' website. To download the RFP, visit <http://www.nyc.gov/parks/businessopportunities>, and click on the "Concessions Opportunities at Parks" link. Once you have logged in, click on the "download" link that appears adjacent to the RFP's description.

For more information or to request to receive a copy of the RFP by mail, prospective proposers may contact Andrew Coppola, Project Manager, at (212) 360-3454 or at [Andrew.Coppola@parks.nyc.gov](mailto:Andrew.Coppola@parks.nyc.gov).

Telecommunication device for the deaf (TDD) (212) 504-4115.

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

*Parks and Recreation, The Arsenal, 830 Fifth Avenue, New York, NY 10065. Andrew Coppola (212) 360-3454; Fax: (212) 360-3434; [andrew.coppola@parks.nyc.gov](mailto:andrew.coppola@parks.nyc.gov)*

**jy17-30**

**TRANSPORTATION**

**BRIDGES**

■ **SOLICITATION**

*Construction Related Services*

**INDEPENDENT INSPECTION AND MONITORING OF PAINT REMOVAL AND APPLICATION OPERATIONS AT VARIOUS BRIDGE LOCATIONS, CITYWIDE** - Request for Proposals - PIN#84119MBBR350 - Due 8-19-19 at 2:00 P.M.

This Procurement is subject to participation goals for Minority-Owned Business Enterprises (MBEs), as required by Section 6-129 of the New York Administrative Code. The M/WBE goal, for this project, is 30 percent. A printed copy of the proposal can also be purchased. A deposit of \$50.00 is required, for the proposal documents, in the form of a Certified Check or Money Order payable to: New York City Department of Transportation. NO CASH ACCEPTED. Company address, telephone and fax numbers are required when picking up contract documents (entrance is located on the south side of the building facing the Vietnam Veterans Memorial). Proper government issued identification is required for entry to the building (driver's license, passport, etc.). A Pre-Proposal Conference (optional), will be held on July 29, 2019, at 10:00 A.M., at 55 Water Street, Ground Floor, Conference Room, New York, NY 10041. For additional information, please contact Gail Hatchett, at (212) 839-9308.

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.

*Transportation, Contract Management Unit, 55 Water Street, Ground Floor, New York, NY 10041. Bid Window (212) 839-9435.*

**jy22**

**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](mailto: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.**



**TRANSPORTATION**

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that a Special Contract Public Hearing, will be held, on Tuesday, July 30, 2019, at 1 Centre Street, 20th Floor, Conference Room B, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER OF** a proposed Purchase Order/Contract between the Department of Transportation of the City of New York and CTK Trucking & Logistics, Inc., located at 1867 Amsterdam Avenue, New York, NY 10031, to procure Moving Services, for the Streetlight Warehouse. The amount of this Purchase Order/Contract will be \$150,000.00. The term will be one year from the date of registration. PIN #: 841201942319WM.

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 Department of Transportation, Office of the Agency Chief Contracting Officer, 55 Water Street, 8th Floor, New York, NY 10041, from July 22, 2019 to July 30, 2019, excluding Saturdays, Sundays and legal holidays, from 9:00 A.M. to 5:00 P.M.

**IN THE MATTER OF** a proposed Purchase Order/Contract between the Department of Transportation of the City of New York and Executive Essentials LLC, located at 75 Duffield Drive, South Orange, NJ 07079, to procure Professional Development Training for Future Leaders. The amount of this Purchase Order/Contract, will be \$150,000.00. The term, will be one year from the date of registration. PIN #: 841201922719HR.

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 Department of Transportation, Office of the Agency Chief Contracting Officer, 55 Water Street, 8th Floor, New York, NY 10041, from July 22, 2019 to July 30, 2019, excluding Saturdays, Sundays and legal holidays, from 9:00 A.M. to 5:00 P.M.



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**AGENCY RULES**

**CITY CLERK**

■ NOTICE

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2019**

**No. 35**

Introduced by Council Member Dromm (by request of the Mayor).

**A LOCAL LAW**

**To amend the administrative code of the City of New York, in relation to the establishment of the Throggs Neck business improvement district**

*Be it enacted by the Council as follows:*

Section 1. Chapter 5 of Title 25 of the administrative code of the City of New York is amended by adding a new Section 25-492 to read as follows:

§ 25-492 Throggs Neck business improvement district. a. The city council having determined, pursuant to Section 25-407 of Chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in Section 25-403 of Chapter four of this title, all the real property within the boundaries of the district will benefit from the establishment of the district; that all

the real property benefited is included within the limits of the district; and that the establishment of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in Section 25-406 of Chapter four of this title, there is hereby established in the borough of the Bronx, the Throggs Neck business improvement district. Such district is established in accordance with the district plan required to be filed with the city clerk, pursuant to Subdivision b of this section.

b. Immediately upon adoption of this local law by the council, the council shall file with the City clerk the district plan upon which the Throggs Neck business improvement district is based.

c. The district plan shall not be amended except in accordance with Chapter four of this title.

§ 2. This local law shall take effect upon compliance with Section 25-408 of Chapter 4 of Title 25 of the administrative code of the City of New York.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on January 9, 2019, and returned unsigned by the Mayor on February 12, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

**CERTIFICATION OF CORPORATION COUNSEL**

I hereby certify that the form of the enclosed local law (Local Law No. 35 of 2019, Council Int. No. 1226 of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.

☛ jy22

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2019**

**No. 36**

Introduced by Council Member Dromm (by request of the Mayor).

**A LOCAL LAW**

**To amend the administrative code of the City of New York, in relation to authorizing an increase in the amount to be expended annually in the Hudson Square business improvement district and an extension of the Hudson Square business improvement district boundaries**

*Be it enacted by the Council as follows:*

Section 1. The administrative code of the City of New York is amended by adding a new Section 25-479.2 to read as follows:

§ 25-479.2 Hudson Square business improvement district; increase in amount to be expended annually. a. The city council having determined, pursuant to Subdivision b of Section 25-410 of Chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Hudson Square business improvement district beginning on July 1, 2019, and the council having determined further that the tax and debt limits prescribed in Section 25-412 of Chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of three million nine hundred thousand dollars (\$3,900,000).

b. The amount of such expenditure to be levied upon each property in the district shall be determined in accordance with the method of assessment set forth in the Hudson Square business improvement district plan.

§ 2. The administrative code of the City of New York is amended by adding a new Section 25-479.3 to read as follows:

§ 25-479.3 Hudson Square business improvement district; extension of district. a. The city council having determined, pursuant to Section 25-407 of Chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in Section 25-403 of Chapter four of this title, all the real property within the boundaries of the district will benefit from the extension of the district; that all the real property benefited is included within the limits of the district; and that the extension of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in Section 25-406 of Chapter four of this title, the Hudson Square business improvement district in the borough of Manhattan is hereby extended. Such district is extended in accordance with the amended district plan of 2018 required to be filed with the city clerk, pursuant to Subdivision b of this section.

b. Immediately upon adoption of this local law by the council, the council shall file with the city clerk the amended district plan of 2018

upon which the Hudson Square business improvement district, and the extension thereof, is based.

c. The amended district plan of 2018 shall not be further amended except in accordance with Chapter four of this title.

§ 3. Section 1 of this local law takes effect July 1, 2019, and Section 2 of this local law takes effect upon compliance with Section 25-408 of Chapter 4 of Title 25 of the administrative code of the City of New York.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on January 9, 2019 and returned unsigned by the Mayor on February 12, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 36 of 2019, Council Int. No. 1227 of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.

✶ jy22

**ENVIRONMENTAL PROTECTION**

■ NOTICE

**NOTICE OF ADOPTION OF FINAL RULES**

**NOTICE IS HEREBY GIVEN, PURSUANT TO THE AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION** by Section 1043(b)(1) of the New York City Charter and Section 367 of Title 24 of the New York City Administrative Code, that the Department of Environmental Protection adopts the following rules governing drilling and excavation operations. The Department published a Notice of Opportunity to Comment on the proposed rules in the *City Record* on April 1, 2019 and received written comments. On May 1, 2019, the Department held a public hearing on the proposed rule.

**Statement of Basis and Purpose**

Section 1403(a) of the Charter of the City of New York provides that the Commissioner of Environmental Protection (“Commissioner”) has “charge and control of: [a]ll structures and property connected with the supply and distribution of water for public use not owned by private corporations,” and authorizes the Commissioner to make and enforce rules and regulations “governing and restricting the use and supply of water.” Section 24-302 of the Administrative Code of the City of New York directs the Commissioner to “maintain, preserve and repair all structures and all other property connected with the water supply.” Section 3304.3.3 of the New York City building code requires notification to the New York City Department of Environmental Protection prior to commencement of any proposed soil or foundation work, for any purpose, to a depth greater than 50 feet (15 240 mm) in the borough of the Bronx or on or north of 135th Street in the borough of Manhattan, or greater than 100 feet (30 480mm) in the borough of Brooklyn, Queens, or Staten Island or south of 135th Street in the borough of Manhattan. Section 24-367 of the Administrative Code requires approval by and a permit from the New York City Department of Environmental Protection for any such work that the Department determines is in close proximity to its critical infrastructure.

These rules accomplish these purposes and enable the Commissioner to protect New York City’s water supply infrastructure by adding a new Chapter 57 to Title 15 of the Rules of the City of New York. Chapter 57 sets forth uniform standards to govern the permitting of drilling and excavation operations in close proximity to the Department’s and Water Board’s water tunnels and shafts in the five boroughs of New York City. The rules protect the tunnels and shafts from potential damage due to drilling and excavation by putting in place a formal process through which the Commissioner reviews all proposed drilling and excavation work and ensures that there is no such work done in close proximity to critical infrastructure. The rules establish a permitting process for drilling and excavation, standards for such operations, insurance requirements, conditions under which the Commissioner may approve a variance, and penalties for non-compliance with the rules and permit conditions. The rules do not apply outside the five boroughs of New York City.

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

\* \* \*

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

Title 15 of the Rules of the City of New York is amended by addition of a new Chapter 57, to read as follows:

**Chapter 57**

**Rules Concerning Drilling and Excavation**

**§ 57-01 Purpose and Applicability**

**§ 57-02 Definitions**

**§ 57-03 Standards for Drilling and Excavation**

**§ 57-04 Application for Drilling and Excavation Permit**

**§ 57-05 Issuance of Drilling and Excavation Permit**

**§ 57-06 Assumption of Risk, Indemnification and Insurance**

**§ 57-07 Variance Requests**

**§ 57-08 Penalties and Sanctions**

**§ 57-01 PURPOSE AND APPLICABILITY**

(a) **Purpose.** The purpose of these rules is to protect Department and Water Board water tunnels and shafts in the five boroughs of New York City from potential damage due to drilling or excavation.

(b) **Applicability.**

(1) These rules apply to any proposed drilling or excavation, for any purpose, to a depth greater than fifty (50) feet below ground surface in the borough of the Bronx or on or north of 135th Street in the borough of Manhattan, or greater than 100 feet in the borough of Brooklyn, Queens or Staten Island or south of 135th Street in the borough of Manhattan, in a corridor within the City of New York or to any depth within 200 feet horizontal distance of a water tunnel shaft.

(2) These rules do not apply to any drilling or excavation conducted by, or on behalf of, the Department for water supply or wastewater projects.

(3) These rules do not apply to drilling and excavation projects permitted by the New York City Department of Buildings prior to the effective date of these rules.

**§ 57-02 DEFINITIONS.**

For the purposes of these rules, the following definitions apply:

**Application.** “Application” means the Department Drilling and Excavation Permit Application, including all information and documentation required by the Commissioner and these rules.

**Azimuth.** “Azimuth” means an angle used to define the apparent position of an object, relative to a specific observation point.

**Blowout preventer.** “Blowout preventer” means a safety device used to prevent the uncontrolled flow of liquids and gases during well drilling operations.

**Borehole.** “Borehole” means a narrow shaft bored in the ground as part of a geotechnical investigation.

**Commissioner.** “Commissioner” means the Commissioner of Environmental Protection or his or her designee.

**Corridor.** “Corridor” means a block that has any part of its boundary falling within five hundred (500) feet horizontal distance from the centerline of any water tunnel or shaft as measured at or near the surface.

**Crown.** “Crown” means the topmost point of a water tunnel.

**Datum Plane.** “Datum Plane” means the horizontal plane from which heights and depths are calculated.

**Department.** “Department” means the New York City Department of Environmental Protection and its authorized agents.

**Deviation.** “Deviation” means a borehole’s departure from a true vertical line, measured in degrees.

**Deviation survey.** “Deviation survey” means an investigative procedure conducted using generally accepted engineering principles and practices to establish the position of a tip of a borehole or well, with respect to a true vertical line, and the orientation of such tip with respect to north direction.

**Directional drilling.** “Directional drilling” means a method used to control the location and the direction of the drill bit.

**Drill or Drilling.** “Drill” or “Drilling” means using shaft-like equipment with a drill bit to bore a hole to below ground surface.

**Elevation.** “Elevation” means the height above or below a specific datum plane.

**Excavate or Excavation.** “Excavate” or “Excavation” means any man-made cut, cavity, trench, or depression in an earth surface formed by earth removal.

**Geothermal well.** “Geothermal well” means a well which taps into the natural geothermal energy found beneath the Earth’s crust in order to harness the heat energy produced by the earth underground.

Gyroscopic probe. "Gyroscopic probe" means a device used for measuring or maintaining position or orientation.

Invert. "Invert" means the lowest inside surface or floor of a water tunnel.

No Drilling/Excavation Zone. "No Drilling/Excavation Zone" means a boundary area defined as two hundred feet (200') on either side of the centerline of the water tunnel and vertical distances of one hundred fifty feet (150') above the crown of the water tunnel and one hundred fifty feet (150') below the invert of the water tunnel; or, except as otherwise indicated, two hundred feet (200') feet on either side of the centerline of the water tunnel shaft.

Owner. "Owner" means any person who holds legal title to a property or any person who holds a leasehold of at least twenty (20) years over a property, where the property is a proposed drilling or excavation site.

Permit. "Permit" means a written document issued by the Department granting an owner approval, if owner meets required conditions, to drill and/or excavate on a property in close proximity to a water tunnel or shaft.

Permittee. "Permittee" means an owner to whom the Department has issued a permit.

Person. "Person" means an individual, firm, partnership, company, corporation, association, society, institution, organization, governmental agency, administration, department, or other group of individuals or legal entity, or an officer or employee thereof.

Stratigraphic well. "Stratigraphic well" means a well drilled for stratigraphic information, i.e., information about rock strata, especially the distribution, deposition, and age of sedimentary rocks.

Verticality probe. "Verticality probe" means a device used to measure inclination and to provide accurate information on the precise location of underground features intersected by a borehole.

Water tunnel shaft or shaft. "Water tunnel shaft or shaft" means a shaft of a water tunnel consisting of a vertical pathway that conveys water from an underground tunnel to a chamber at the surface. A shaft is constructed with pipes connected to a concrete lined circular opening in bedrock.

Water tunnel shaft structure or shaft structure. "Water tunnel shaft structure or shaft structure" means the shaft superstructure and substructure including any building, building foundation, or below grade chamber associated with a shaft facility.

Site plan. "Site plan" means a plan of the area of a proposed drilling or excavation operation.

Water Board. "Water Board" means the New York City Water Board.

Water Tunnel. "Water Tunnel" means any tunnel or covered aqueduct, including a water tunnel shaft, used to convey the supply of drinking water, that is owned, leased or operated by the City of New York, the Water Board, or the Department and located in the five boroughs of New York City.

#### **§ 57-03 STANDARDS FOR DRILLING AND EXCAVATION**

No person may drill or excavate in a corridor within the City of New York, to a depth greater than fifty (50) feet below ground surface in the borough of the Bronx or on or north of 135th Street in the borough of Manhattan; or greater than 100 feet in the borough of Brooklyn, Queens or Staten Island or south of 135th Street in the borough of Manhattan or to any depth within 200 feet horizontal distance of a water tunnel shaft, without obtaining a permit from the Department.

A person with a permit may drill or excavate in a corridor within the City of New York only to the extent allowed under the permit. Any other drilling or excavation will be a violation of these rules.

#### **§ 57-04 APPLICATION FOR DRILLING AND EXCAVATION PERMIT**

(a) **Pre-Application Assessment Submittal.** Every person drilling to a depth greater than 50 feet (15 240 mm) in the borough of the Bronx or on or north of 135th Street in the borough of Manhattan, or greater than 100 feet (30 480mm) in the borough of Brooklyn, Queens, or Staten Island or south of 135th Street in the borough of Manhattan, must submit to the Department a pre-application for proposed drilling and/or excavation. A Pre-Application Assessment Form is available on the Department's website at [www.nyc.gov/DEP](http://www.nyc.gov/DEP), or by request in person or by mail, from the DEP Bureau of Water and Sewer Operations Permitting Office at the address on the Department's website.

(1) **Pre-Application Requirements.** The pre-application assessment submission must include the following information:

- i. the name, address, and telephone number of the owner and project engineer, architect or contractor;

- ii. the proposed location and depth of the drilling and/or excavation, as applicable, by way of address, block and lot, and a survey of the proposed location in reference to the applicable block and lot.

(2) Within ten (10) business days from receipt of a pre-application assessment submission, the Department will notify the applicant that:

- i. proposed drilling and/or excavation is located in a corridor and within a No Drilling/Excavation Zone, and that no drilling or excavation is permitted; or
- ii. a permit is not required to drill and/or excavate because the proposed drilling and/or excavation is not located in a corridor; or
- iii. a permit is not required to drill and/or excavate because the drilling or excavation is more than fifteen feet (15') from the outer wall of a shaft structure and less than fifteen feet (15') below ground surface; or
- iv. proposed drilling and/or excavation is located in a corridor, and a permit application must be submitted to the Department with the required documentation in accordance with §57-04(b) et seq.

**(b) Permit Application Form and Fee.** To obtain a permit, an owner must file an application with the Department. An application form is available on the Department's website at [www.nyc.gov/DEP](http://www.nyc.gov/DEP), or by request, in person or by mail, from the DEP Bureau of Water and Sewer Operations Permitting Office at the address on the Department's website. The application must be accompanied by a filing fee, as established by the latest New York City Water Board Water and Sewer Rate schedule, in the form of a bank check, certified check, or money order made payable to the New York City Water Board.

(1) **Application Requirements.** The application must include the following information:

- i. the name, address, and telephone number of the owner;
- ii. the name, address, and telephone number of the company performing the drilling or excavation, and the name of a contact person;
- iii. the name, address, telephone number, and email address of the project engineer; and
- iv. the proposed location of the drilling and/or excavation, as applicable, by way of address, block and lot, and a survey of the proposed location in reference to the applicable block and lot, prepared and sealed by a land surveyor licensed to practice in the State of New York.

(2) **Additional Information.** The Department may at its discretion require an owner to submit additional information to complete the application, including but not limited to:

- i. the site plan of the borehole or well location, prepared and sealed by a professional engineer licensed to practice in the State of New York. The site plan must indicate the ground surface elevation of the borehole or well, the proposed depth and elevation of the bottom of the borehole or well, and the diameter of the borehole or well;
- ii. the purpose of the drilling and/or excavation, as applicable, which may include but is not limited to drilling a geothermal well or stratigraphic well or excavating as part of an environmental investigation;
- iii. the proposed methods to measure deviation from the vertical and azimuth of the borehole or well;
- iv. the anticipated start and end dates of drilling and/or excavation, as applicable;
- v. the site plan of the drilling and/or excavation, as applicable. The site plan must indicate the ground surface elevation of the drilling and/or excavation, the proposed depth and elevation of the bottom of the drilling and/or excavation, and the length and width of the excavation or diameter of the drilling;
- vi. the proposed method of excavation and drilling stamped and signed by a professional engineer; and
- vii. upon preliminary notification from the Department that drilling and/or excavation at a proposed location requires insurance, proof of insurance as further delineated in §57-06 of these rules.

#### **§ 57-05 ISSUANCE OF DRILLING AND EXCAVATION PERMIT**

(a) **Standards for Issuance.**

Within thirty (30) days from receipt of an application and processing fee:

- (1) If the proposed drilling and/or excavation is located in a corridor and inside the No Drilling and/or Excavation zone, the Department will deny a permit.
- (2) If the proposed drilling and/or excavation is located in a corridor but outside of the No Drilling and/or Excavation zone and the Department believes that the drilling and/or excavation will not impair the stability of a water tunnel or shaft, the Department will issue a permit upon its further determination that the drilling and/or excavation complies with all standards and requirements of these rules, including but not limited to, engineering, legal, and insurance standards and requirements. The Department will not issue a permit unless proof of insurance required by the Department under these rules has been submitted to and accepted by the Department in accordance with the requirements of Section 57-06(b) of these rules.
- (b) **General Permit Conditions.**
- (1) The permittee or the contractor must notify the Department 30 days prior to commencing any drilling or excavation activity.
- (2) Permittee is authorized to drill and/or excavate only to the depth specified by the permit as shown on approved plan.
- (3) The permittee must abandon any borehole or well within two hundred feet (200') horizontal distance from the center line of a water tunnel, where the tip of the borehole or well comes within one hundred fifty feet (150') above the crown of a water tunnel or within one hundred fifty (150') below the invert of a water tunnel.
- (i) The permittee must seal any abandoned borehole or well through the full drilling depth with Department-approved material, and
- (ii) The permittee must bear all costs and expenses associated with the sealing of such borehole or well.
- (4) The permittee must abandon any excavation within two hundred feet (200') horizontal distance from the centerline of a water tunnel, where the elevation of the bottom of the excavation comes within one hundred fifty feet (150') above the crown of a water tunnel.
- (i) The permittee must fill any abandoned excavation throughout its full depth with Department-approved material, and
- (ii) The permittee must bear all costs and expenses associated with the filling of such excavation.
- (5) The permittee must abandon any borehole or well within two hundred feet (200') horizontal distance from a shaft.
- (i) The permittee must seal any abandoned borehole or well through the full drilling depth with cement grout or other suitable material and
- (ii) The permittee shall bear all costs and expenses associated with the plugging of such borehole or well.
- (6) The permittee must abandon any excavation within two hundred feet (200') horizontal distance from a shaft.
- (i) The permittee must fill any abandoned excavation throughout its full depth with Department-approved material, and
- (ii) The permittee must bear all costs and expenses associated with the filling of such excavation.
- (7) The permittee may be required to utilize a blowout preventer, when the Department, determines that its use is necessary to prevent damage to the water tunnel or shaft.
- (8) The permittee must comply with all applicable laws and regulations.
- (9) The permittee must not perform work in such a way that damages any water tunnel or shaft.
- (10) Within thirty (30) days after completing drilling and/or excavation, the permittee must provide documentation to the Department indicating the depth and azimuth of the finished borehole or well and/or the depth of the excavation, as applicable. A professional engineer or licensed land surveyor must stamp such certification.
- (11) The permittee must conduct, at a frequency specified by the Department, all deviation surveys deemed necessary by the Commissioner. The frequency will vary depending on the type of drilling equipment utilized and the location of the borehole or well. If the Department requires the applicant to perform a deviation survey:
- (i) The permittee must engage an experienced specialty surveyor licensed as a land surveyor in the State of New York, who has experience conducting deviation surveys;
- (ii) The permittee must conduct a deviation survey that measures borehole or well inclination and azimuth;
- (iii) The permittee must conduct the deviation survey utilizing a gyroscopic probe or another suitable verticality probe;
- (iv) The drilling company or engineering firm must process the deviation survey output to produce a log containing tabular and graphical representations of the borehole or well inclination, azimuth, and depth; must maintain the log on site; must update the log at least once per shift or every 8 hours, whichever is sooner; and must make the log readily available for a Department inspector to review;
- (v) If the Department determines that the deviation survey is inadequate or the drilling is not proceeding as approved, the Department may require the permittee to retain an independent deviation surveyor and bear all costs and expenses associated with that surveyor; permittee must submit the credentials of the independent surveyor to DEP for review and approval
- (12) The permit shall be valid for a period not to exceed three (3) years from the date of issuance.
- (c) **Stop Work Order or Independent Inspector.**
- Whenever the department finds that drilling and/or excavation is in violation of this section or creates a danger to water tunnel or shaft the department may:
- (1) Issue a stop work order, or
- (2) Require the permittee to retain an inspector independent of the contractor at the drilling and/or excavation site in order to observe the drilling and/or excavation activities, verify the drilling results, or for any other purpose the Commissioner deems necessary. Such inspector must be an architect or professional engineer licensed in New York State with a minimum of five (5) years of drilling/excavation experience; the permittee must submit the inspector's credentials to DEP for review and approval. The permittee must bear all costs and expenses associated with the inspection personnel.
- (d) **Revocation of permit.**
- (1) The Department may revoke a permit on written notice to the permittee, when the Department finds that permittee failed to comply with any of the requirements of subdivision (b). Such notice shall inform the permittee of the reasons for the proposed revocation and that the applicant has the right to present to the commissioner or his or her representative, within 10 business days of delivery of the notice by hand or 15 calendar days of mailing of the notice, information as to why the Department should not revoke the permit. When a permit is revoked, all activity at the drilling and/or excavation site shall cease and not resume until the permittee corrects the non-compliance and reapplies for the permit and the Department issues a new permit.
- (2) Non-compliance that creates an immediate danger will result in the automatic revocation of a permit. A permittee may correct the non-compliance and reapply for the permit. Alternatively, a permittee may appeal the revocation in writing to the Department's Commissioner. Within 30 days of receiving such appeal, the Department must issue a written determination upholding or reversing the revocation.
- § 57-06 ASSUMPTION OF RISK, INDEMNIFICATION, AND INSURANCE**
- (a) **Assumption of Risk.** The permittee and contractor assume the risk of, and shall be responsible for any loss or damage to property of the City of New York or the Water Board, arising out of or in any way related to operations for which the Department has issued a permit.
- (b) **Indemnification.** The permittee and the contractor shall defend, indemnify, and hold harmless the City of New York and the Water Board, including their respective officials and employees, against any and all claims, liens, demands, judgments, penalties, fines, liabilities, settlements, damages, costs and expenses of whatever kind or nature (including, without limitation, attorneys' fees and disbursements), known or unknown, contingent or otherwise, allegedly arising out of or in any way related to operations for which the Department has issued a permit and/or the permittee's and/or contractor's failure to comply with any of the requirements set forth herein or law. Insofar as the facts and law would preclude the City of New York, Water Board, or their respective officials and employees from being completely indemnified by the permittee



and contractor, the City of New York and the Water Board, including their respective officials and employees, shall be partially indemnified by the permittee and contractor to the fullest extent permitted by law.

(c) **Insurance.**

(1) Workers' Compensation, Employers' Liability, Disability Benefits, and Paid Family Leave Benefits Insurance.

- (i) The permittee must maintain workers' compensation insurance, employers' liability insurance, disability benefits insurance, and paid family leave benefits insurance in accordance with the laws of the State of New York on behalf of, or in regard to, all employees engaged in operations under the permit.
- (ii) The permittee shall submit proof of its workers' compensation insurance, disability benefits insurance, and paid family leave benefits insurance or a Certificate of Attestation of Exemption to the Department in a form approved by the New York State Workers' Compensation Board. ACORD forms are not acceptable proof of such insurance. The following forms are acceptable:

- Form C-105.2, Certificate of Workers' Compensation Insurance;
- Form U-26.3, State Insurance Fund Certificate of Workers' Compensation Insurance;
- Form SI-12, Certificate of Workers' Compensation Self-Insurance;
- Form GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance;
- Form DB-120.1, Certificate of Disability and Paid Family Leave Benefits Insurance;
- Form DB-120.2, Certificate of Participation in Disability or Disability and Paid Family Leave Benefits Group Self-Insurance;
- Form DB-155, Certificate of Disability and Paid Family Leave Benefits Self-Insurance;
- Form CE-200, Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability and Paid Family Leave Benefits Insurance Coverage;
- Other forms approved by the New York State Workers' Compensation Board; or
- Other proof of insurance in a form acceptable to the Department.

(2) Commercial General Liability Insurance.

- (i) The permittee must maintain commercial general liability insurance ("CGL") for the operations under this permit. Such insurance must meet the following requirements:

- a. Unless otherwise approved by the Department, the CGL limits must be at least twenty million dollars (\$20,000,000) per occurrence, one million dollars (\$1,000,000) for personal and advertising injury, twenty million dollars (\$20,000,000) products/completed operations coverage, and twenty million dollars (\$20,000,000) aggregate on a "per project basis."
- i. Such limits may be satisfied by a primary policy or a combination of a primary policy, an umbrella policy, and/or an excess policy, so long as all policies provide the scope of coverage required herein.
- ii. The products/completed operations coverage must be maintained for at least three years after the completion of operations under this permit.
- b. The CGL policy must be at least as broad as that provided by the most recently issued Insurance Services Office ("ISO") Form CG 00 01 and it must not include any exclusions or limitations other than those incorporated in the standard form. By way of example and not limitation, no CGL and excess/umbrella policy maintained hereunder shall include the following exclusions:
- i. XCU exclusion for property damage from explosion, collapse or underground hazard, or construction defects;
- ii. "Labor Law" or other gravity-related injuries exclusions;
- iii. independent contractors exclusion;

iv. an insured contract exclusion broader than any contained in the most recent edition of ISO Form CG 00 01;

v. exclusion for work performed in New York City;

vi. exclusion for any of the operations allowed under the permit;

vii. exclusions with respect to the Additional Insureds for claims arising from the permittee's employees or the permittee's contractor's employees.

c. The CGL policy shall be "occurrence" based, not "claims-made."

d. The CGL policy must list the City of New York and the Water Board, including their respective officials and employees ("the Additional Insureds"), with coverage at least as broad as that provided by the most recently issued ISO Form CG 20 26 and CG 20 37.

i. The coverage for the Additional Insureds under ISO Form CG 20 37 must be maintained for at least three years after the completion of operations under this permit.

ii. The Additional Insureds' limits of CGL shall be the greater of (i) the minimum limits set forth in these rules or (ii) the limits provided to the permittee under all primary, excess, and umbrella policies covering operations under a permit.

e. The CGL policy must be "occurrence" based (not "claims-made") and primary and non-contributing to any insurance or self-insurance maintained by the Additional Insureds.

f. The CGL coverage must be provided by a company or companies that may lawfully issue such policy and have an A.M. Best rating of at least A-/"VII," a Standard & Poor's rating of at least A, a Moody's Investors Service rating of at least A3, a Fitch Ratings rating of at least A- or a similar rating by any other nationally recognized statistical rating organization acceptable to the Department unless prior written approval is obtained from the Department.

(ii) If the permittee enters into a contract for any of the work done under the permit, the permittee shall cause its contractor to maintain CGL insurance compliant with this Section 57-06(c), including the requirement that such CGL insurance cover the Additional Insureds.

(iii) Proof of Insurance.

a. The permittee must submit the following proof of its and its contractors' (if any) CGL insurance to the Department: (1) a certificate of liability insurance; (2) a Certification of Insurance Broker or Agency; and (3) the required additional insured endorsement(s) covering ongoing and products/completed operations.

b. Prior to the expiration of the CGL insurance policy for which proof has been provided, proof of a new or renewal CGL insurance policy in the form required in (c)(2)(ii)(a), above, must be provided.

c. Acceptance or approval by the Department of proof of insurance or any other insurance-related document does not waive the permittee's obligation to ensure that insurance fully consistent with the requirements of these rules is maintained, nor does it relieve the permittee from liability for its failure to do so.

d. Upon request of the Department, Water Board or the New York City Law Department, the permittee must provide or shall cause its contractor to provide to the City and the Water Board the CGL insurance policy required by this rule.

e. If the permittee or its contractor receives notice, from an insurance company or other person that the CGL policy will expire or be cancelled or terminated (or has expired or has been cancelled or terminated) for any reason, the permittee shall or shall cause its contractor to immediately forward a copy of such notice to the Department. Notwithstanding the abovementioned, the

permittee must ensure that there is no interruption in any of the insurance coverage required under these rules.

(iv) Miscellaneous.

- a. The Additional Insureds shall not be responsible for the payment of any premiums, deductibles, self-insured retentions, or other costs relating to the insurance required by this section.
- b. There must be no self-insurance program.
- c. Where a CGL policy, maintained in accordance with these rules, requires a notice of a claim or of an occurrence or an offense that may result in a claim, the permittee must provide and cause its contractors (if any) to provide a written notice to the CGL insurance carriers within the time required by the policy that expressly states that, "this notice is being given on behalf of the City of New York and the New York City Water Board, including their respective officials and employees as Additional Insureds as well as the Named Insureds." Such notice must also contain the following information to the extent known: the number of the insurance policy, the name of the named insured, the date and location of the damage, occurrence, or accident, and the identity of the persons or things injured, damaged, or lost. Simultaneously, a copy of such notice must be sent to the City of New York c/o Insurance Claims Specialist, Affirmative Litigation Division, New York City Law Department, 100 Church Street, New York, NY 10007.
- d. The failure to secure and maintain insurance in complete conformity with these rules, or to give the insurance carrier timely notice on behalf of the Additional Insureds, or to do anything else required by these rules will constitute violation of these rules. Such breach is not waived or otherwise excused by any action or inaction by an Additional Insured at any time.
- e. Insurance coverage in the minimum amounts provided for in these rules shall not relieve the permittee or contractors of any liability under a permit, nor must it preclude the Additional Insureds from exercising any rights or taking such other actions as are available to it under these rules or the law.
- f. In the event of any occurrence or offense that does or can give rise to a claim under the CGL insurance policy required under these rules, the permittee must at all times fully cooperate and must cause its contractors to fully cooperate with the City and the Water Board with regard to such potential or actual claim.
- g. Where notice to the Department is required under this Section 57-06, such notice must be in writing and must be sent by certified mail, return receipt requested or by nationally recognized overnight mail courier to the New York City Department of Environmental Protection, Attention: Commissioner, 59-17 Junction Boulevard, Flushing, NY 11373.

**§ 57-07 VARIANCE REQUESTS**

- (a) Unless otherwise prohibited by Federal, State, or Local law or regulation, the Department may, upon written request from any owner who is subject to these rules, grant a variance from §57-05(a)(1) of these rules. A Variance Request Form is available on the Department's website at [www.nyc.gov/DEP](http://www.nyc.gov/DEP), and in person or by mail from the DEP Bureau of Water and Sewer Operations Permitting Office at the address on the Department's website.
- (b) An owner wishing to request a variance must submit the completed form to the New York City Department of Environmental Protection, Bureau of Water and Sewer Operations, Permitting Section, at the address on the Department's website. The Variance Request Form must be accompanied by a filing fee in accordance with §57-04(b) of this rule, in the form of a bank check, certified check, or money order made payable to the New York City Water Board.
- (c) Every variance request must demonstrate that the proposed means and methods of the drilling and/or excavation will not have any adverse impact on a water tunnel or shaft and will be performed consistently with all of the conditions set forth in these rules. The said demonstration must be signed and stamped by a NYS professional

engineer and accompanied by Proof of Insurance in compliance with the conditions outlined in §57-06(b) of these rules.

(d) The Department will issue or deny a variance within sixty (60) days from receipt of a completed request, including receipt of any requested additional information. In granting a variance under this subchapter, the Department may impose additional conditions to ensure that the drilling and/or excavation does not cause any significant adverse impact on the public health, safety, or welfare, on the environment, or on natural resources.

**§ 57-08 PENALTIES AND SANCTIONS**

- (a) Any person who fails to comply with any section of these rules or any condition of a permit issued under these rules will be subject to issuance of a Notice of Violation returnable to the Environmental Control Board, as provided in § 24-346 of the Administrative Code of the City of New York.
- (b) A person must bear all costs and expenses associated with any and all damage resulting from unpermitted or non-compliant drilling and/or excavation.

◀ jy22



**ADMINISTRATION FOR CHILDREN'S SERVICES**

■ NOTICE

Notice of a Concept Paper

ACS is releasing this Homemaker Concept Paper, to inform New York City service providers, community-based organizations and the general public, about an RFP that ACS expects to release in the Fall of 2019. Readers have the opportunity to assess and comment on the requirements listed in this Concept Paper. Through the RFP, ACS is seeking appropriately qualified vendors, to provide Homemaker services, to assist families in times of crisis, by training adult household members in skills necessary to manage their childcare and household responsibilities and ensure that, whenever possible, children remain in their communities and their homes.

All comments should be sent to [Homemaker-CP@acs.nyc.gov](mailto:Homemaker-CP@acs.nyc.gov), by 5:00 P.M., on September 7, 2019.

jy18-24

**HOUSING PRESERVATION AND DEVELOPMENT**

■ NOTICE

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

Notice Date: July 12, 2019

To: **Occupants, Former Occupants, and Other Interested Parties**

Property:	Address	Application #	Inquiry Period
	57 West 76th Street, Manhattan	56/19	June 7, 2016 to Present
	137 West 136th Street, Manhattan	69/19	June 17, 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 single room occupancy multiple dwelling, 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](http://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: July 12, 2018**

**Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas**

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
	57 West 76th Street, Manhattan	56/19	June 7, 2016 to Present
	137 West 136th Street, Manhattan	69/19	June 17, 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 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](http://www.hpd.nyc.gov) o llame al (212) 863-8266.**

jy12-22

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

**Notice Date: July 12, 2019**

**To: Occupants, Former Occupants, and Other Interested Parties**

Property:	Address	Application #	Inquiry Period
	322 East 93rd Street, Manhattan	57/19	June 17, 2014 to Present
	1596 2nd Avenue, Manhattan	66/19	June 7, 2014 to Present
	322 East 93rd Street, Manhattan	57/19	June 17, 2014 to Present
	2471 Grand Avenue, Bronx a/k/a 2469-2473 Grand Avenue	67/19	June 7, 2014 to Present

205 Commonwealth Avenue, Bronx	68/19	June 7, 2014 to Present
293 Adelphi Street, Brooklyn	59/19	June 24, 2014 to Present

**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 on the Certification of No Harassment Pilot Program building list, 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 45 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](http://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: July 12, 2019**

**Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas**

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
	322 East 93rd Street, Manhattan	57/19	June 17, 2014 to Present
	1596 2nd Avenue, Manhattan	66/19	June 7, 2014 to Present
	322 East 93rd Street, Manhattan	57/19	June 17, 2014 to Present
	2471 Grand Avenue, Bronx a/k/a 2469-2473 Grand Avenue	67/19	June 7, 2014 to Present
	205 Commonwealth Avenue, Bronx	68/19	June 7, 2014 to Present
	293 Adelphi Street, Brooklyn	59/19	June 24, 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 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 **45 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](http://www.hpd.nyc.gov) o llame al (212) 863-8266.

jy12-22

**OFFICE OF THE MAYOR**

■ NOTICE

EMERGENCY EXECUTIVE ORDER NO. 97  
DECLARATION OF LOCAL STATE OF EMERGENCY  
JULY 18, 2019

EXTREME HEAT EMERGENCY DECLARATION

WHEREAS, extreme temperatures and humidity are being experienced in New York City which can contribute to heat exhaustion, heat stroke, or other health risks to residents;

WHEREAS, the City has opened cooling centers in senior centers, community centers, public libraries, and other public facilities;

WHEREAS, the Mayor has directed City agencies to set municipal building thermostats to 78 degrees or higher;

WHEREAS, increased demand for electricity by residents and businesses to run air conditioners and other cooling devices can contribute to power disruptions, which can imperil public safety and health;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York pursuant to law, including Executive Law § 24, I hereby proclaim a state of local emergency in the City of New York and order:

Section 1. I hereby direct all City agencies over which I exercise executive authority, including but not limited to the Department of Emergency Management, Police Department, Community Affairs Unit, Fire Department, Department of Health and Mental Hygiene, Human Resources Administration, Department for the Aging, Department of Environmental Protection, Department of Information Technology and Telecommunications, Department of Sanitation, Department of Transportation, Taxi and Limousine Commission, Department of Citywide Administrative Services, Department of Consumer Affairs and the Department of Small Business Services to take all appropriate and necessary steps to preserve public safety and to render all required and available assistance to protect the security, well-being and health of the residents of the City.

Section 2. I hereby direct all owners of office buildings 100 feet or taller in the City of New York to set building thermostats to 78 degrees or higher, subject to Section 3.

Section 3.

a. Owners of office buildings 100 feet or taller may set thermostats to any temperature if necessary:

- 1. to comply with statutory or regulatory requirements;
- 2. to conduct operations in a safe manner;
- 3. to provide an accommodation for individuals with disabilities or health conditions that are exacerbated by high temperatures;
- 4. to protect equipment.

b. To the extent that an office building 100 feet or taller does not meet any of the exemptions set forth in subsection (a), the owner or occupant of such building may reach out to the Department of Mental Health and Hygiene at [heatexemption@health.nyc.gov](mailto:heatexemption@health.nyc.gov), or the Office of Emergency Management at [heatexemption@oem.nyc.gov](mailto:heatexemption@oem.nyc.gov) to request an exemption. The owner or occupant may set the thermostat to any temperature until the Department of Mental Health and Hygiene or the Office of Emergency Management responds to the occupant's request for an exemption.

Section 4. For purposes of this order, "office building" means a building in which the main use or dominant occupancy is offices. This order shall only apply to portions of such buildings classified as offices, and spaces that are accessory to offices including but not limited to cafeterias, bathrooms and hallways.

Section 5. In accordance with Executive Law § 24, any person who knowingly violates the provisions of this order shall be guilty of a class B misdemeanor.

Section 6. This order shall take effect at 9:00 am on July 19, 2019 and shall remain in effect until 11:59 pm on July 21, 2019 unless extended or sooner revoked.

s/s  
 Bill de Blasio,  
 MAYOR

jy22

**TRANSPORTATION**

■ NOTICE

COMMUTER VAN SERVICE AUTHORITY APPLICATION

NOTICE IS HEREBY GIVEN that the Department of Transportation has received an application, for a new commuter van service authority, for territory and vans in the Borough of Queens. The van company requesting this authority is AJAP Trailways LLC. The address is 522 Albermarle Road, Cedarhurst, NY 11516. The applicant is requesting to provide service 24 hours a day/7 days a week.

The area requested is:

Proposed territory will begin at corner of Beach 108th Street (Rockaway Park) and continue straight onto Shore Front Parkway, continue onto Beach Front Road, down to Beach 67th Street. Take a slight left onto Beach 67th Street and a right turn onto Rockaway Freeway. Continue straight on Rockaway Freeway, merging slightly on Beach Channel Drive and Mott Avenue. Right turn to Far Rockaway.

Within 30 days of date posted to City Record, comments in support or in opposition to this application, may be emailed, to [commutervans@dot.nyc.gov](mailto:commutervans@dot.nyc.gov), or mailed to:

New York City Department of Transportation  
Division of Transportation Planning and Management  
55 Water Street, 6<sup>th</sup> Floor  
New York, NY 10041

Those opposing the application must clearly specify why the proposed service will not meet present and/or future public convenience and necessity.

jy19-a1

**CHANGES IN PERSONNEL**

COMMUNITY COLLEGE (LAGUARDIA)  
FOR PERIOD ENDING 06/14/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include QUESADA, SACKS, SANCHEZ, SARMAH, SISTO, STOJKAJ, TANKSLEY, TORRES.

HUNTER COLLEGE HIGH SCHOOL  
FOR PERIOD ENDING 06/14/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Row includes SARFATI.

BROOKLYN COMMUNITY BOARD #10  
FOR PERIOD ENDING 06/14/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Row includes PAZARECKI.

DEPARTMENT OF EDUCATION ADMIN  
FOR PERIOD ENDING 06/14/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include ACKERMAN, ALERT, AMIN, ARIAS, ATKINSON, AZMI, BAUMANN, BAUTISTA, BENITEZ, BERTOLINI, BOCHNER.

DEPARTMENT OF EDUCATION ADMIN  
FOR PERIOD ENDING 06/14/19

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BONGIORNO	JOSEPH	54513	\$40952.0000	INCREASE	YES	02/24/19	740
BRINEGAR	JOHN	A 56057	\$53712.0000	RESIGNED	YES	05/31/19	740
BUDIER	MARIA	1263A	\$71074.0000	APPOINTED	YES	05/28/19	740
BUENO	LUISA	T 54503	\$29539.0000	APPOINTED	YES	04/28/19	740
BURDIER	NELLISSA	56057	\$37121.0000	RESIGNED	YES	05/28/19	740
CARRERAS	NORA	I 56058	\$60248.0000	INCREASE	YES	04/21/19	740
CARTER	KEBRINA	10031	\$158905.0000	INCREASE	NO	03/03/19	740
CASHIN	TRACY	L 10026	\$151953.0000	INCREASE	NO	02/01/19	740
CASTELLAR	CARLOS	A 10031	\$101602.0000	PROMOTED	NO	01/29/19	740
CASTRO ROMERO	TANIA	56058	\$52389.0000	APPOINTED	YES	05/28/19	740
CHAN	SIU MEI	51221	\$75166.0000	APPOINTED	YES	05/28/19	740
CHECO	AGAPITA	R 54504	\$36349.0000	INCREASE	YES	04/28/19	740
CLARKE	ODETTE	B 10031	\$95060.0000	INCREASE	YES	04/14/19	740
CLARKE	RASHIDA	A 56057	\$37121.0000	APPOINTED	YES	06/02/19	740
CLARKE-MUNOZ	KRISTINE	D 50910	\$71923.0000	RESIGNED	YES	05/31/19	740
CLEMENTE	RONALD	C 56058	\$67826.0000	DISMISSED	YES	04/30/19	740
CRIGHT	ZANDRA	13621	\$63337.0000	PROMOTED	NO	03/18/19	740
CROCE	NANCY	10080	\$100000.0000	PROMOTED	NO	05/28/19	740
DESOUZA	LALITA	1263A	\$78995.0000	APPOINTED	YES	05/19/19	740
DIAZ	JEANETTE	10124	\$62834.0000	INCREASE	NO	04/07/19	740
DINAPOLI	MICHAEL	A 13304	\$81360.0000	RESIGNED	YES	06/02/19	740
DOHERTY	ERICA	T 1006B	\$114869.0000	INCREASE	YES	01/17/19	740
DOYLE	SEAN	J 56057	\$46956.0000	APPOINTED	YES	05/22/19	740
DUBE	ERIC	J 56058	\$70000.0000	APPOINTED	YES	05/28/19	740
DUNCAN	YVONNE	C 56058	\$57767.0000	INCREASE	YES	07/01/18	740
DUNHAM	MONIQUE	1003B	\$84188.0000	INCREASE	YES	01/10/19	740
ENGLER	CHRISTIN	56056	\$31495.0000	APPOINTED	YES	04/28/19	740
ESPINOSA	BENJAMIN	A 1006B	\$85872.0000	RESIGNED	NO	06/02/19	740
ETIENNE	ASHLEY	C 1263A	\$70370.0000	APPOINTED	YES	05/19/19	740
EUSEBE	IVAN	91717	\$409.7800	RETIRED	NO	05/26/19	740
FALLON	VALERIE	M 13632	\$111287.0000	INCREASE	NO	03/01/19	740
FERNANDEZ	MERRY AN H	51222	\$76031.0000	RESIGNED	NO	05/30/19	740
FERRER-SCHWARTZ	DIANA	10062	\$131856.0000	INCREASE	NO	05/28/19	740
FRAENKEL	URI	10080	\$115148.0000	INCREASE	YES	04/02/19	740
GERARD	RALPH	D 3114A	\$68000.0000	INCREASE	YES	12/16/18	740
GERMAN	STANLEY	R 54503	\$29539.0000	RESIGNED	YES	05/19/19	740
GRZELEWSKI	RICHARD	10026	\$113766.0000	DECEASED	NO	04/19/19	740
HALL	SABRINA	R 56057	\$37121.0000	APPOINTED	YES	05/22/19	740
HARDY	TAREL	R 82976	\$66579.0000	PROMOTED	NO	12/19/18	740
HINKSON-NURSE	MARK	A 13613	\$39799.0000	APPOINTED	NO	05/28/19	740
JACOBS	JONATHAN A	B0087	\$120000.0000	APPOINTED	YES	05/19/19	740
JAMISON	SYLVIA	M 10026	\$136328.0000	INCREASE	NO	05/01/19	740
JOHNSON	ONIMEL	60888	\$70590.0000	INCREASE	NO	04/21/19	740
JOHNSON	REBECCA	A 54503	\$29539.0000	APPOINTED	YES	04/28/19	740
JONES	ALHINWUN	51221	\$69518.0000	APPOINTED	YES	05/19/19	740
JONES	CLEVELAN	56058	\$52389.0000	APPOINTED	YES	04/25/19	740
JONES	DANN	56058	\$52389.0000	APPOINTED	YES	05/28/19	740
KELLEHER	ANN	M 1262D	\$96053.0000	RETIRED	NO	06/01/19	740
KEYES	PATRICK	L 56058	\$60248.0000	APPOINTED	YES	05/28/19	740
KISTE	BYRON	L 10080	\$115148.0000	INCREASE	YES	02/21/19	740
KNOWLIN	SHAKEARA	M 56057	\$60000.0000	APPOINTED	YES	05/29/19	740

DEPARTMENT OF EDUCATION ADMIN  
FOR PERIOD ENDING 06/14/19

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
KYDD	NICHOLAS	G 60888	\$36323.0000	RESIGNED	YES	05/29/19	740
LEWIS-WILLIAMS	DAVINA	56058	\$52389.0000	RESIGNED	YES	05/30/19	740
LIRIANO	DIANE	1006B	\$96157.0000	INCREASE	YES	01/27/19	740
LOPEZ	SANDRA	E 56057	\$48102.0000	RESIGNED	YES	01/03/19	740
LUIS	KATHERIN	56057	\$37121.0000	APPOINTED	YES	05/28/19	740
MAHMOOD	SOBIA	B0087	\$87469.0000	INCREASE	YES	05/28/19	740
MASLINSKI	DAMIAN	M 10050	\$140000.0000	APPOINTED	YES	05/05/19	740
MCLAN	AUDLEY	C 92610	\$287.1200	INCREASE	NO	03/10/19	740
MERKUSHEN	EUGENE	95622	\$100000.0000	APPOINTED	YES	05/28/19	740
MORALES	SARAMIT	56057	\$42687.0000	RESIGNED	YES	05/21/19	740
MUNNERLYN	LARRY	10251	\$50878.0000	RETIRED	NO	05/29/19	740
MURPHY	ADELINA	56057	\$54222.0000	RESIGNED	YES	09/27/18	740
NAPOLITANO	PHILIP	91697	\$157000.0000	INCREASE	NO	02/26/19	740
NASR	MOHAMMED	M 1003B	\$91657.0000	PROMOTED	NO	01/29/19	740
NG	RAYMOND	10026	\$97884.0000	INCREASE	NO	03/01/19	740
OOI	ELLEN	H 10031	\$103869.0000	INCREASE	YES	03/29/19	740
OSHEA	STEPHEN	T 91697	\$136164.0000	RETIRED	YES	05/30/19	740
OTERO	EVELIS	3114A	\$77297.0000	INCREASE	YES	05/19/19	740
PENA-GILLIARD	NICOLE	V 54483	\$40690.0000	APPOINTED	YES	05/19/19	740
PROVIDENCE	AZEKIWE	56058	\$52389.0000	APPOINTED	YES	04/14/19	740
REYNA	JUAN	J 56057	\$37121.0000	APPOINTED	YES	05/14/19	740
RIDLEY	SHAMIKO	J 56056	\$31495.0000	APPOINTED	YES	05/28/19	740
RILEY	WILLIAM	1263A	\$83993.0000	INCREASE	YES	05/19/19	740
RINALDI	NICOLE	R 06219	\$64040.0000	RESIGNED	YES	05/24/19	740
RIVERA-BERGER	BARBARA	L 56073	\$60090.0000	APPOINTED	YES	06/02/19	740
ROBBINS	KAY	82976	\$66579.0000	PROMOTED	NO	12/19/18	740
ROGERS	KEVER	D 54503	\$34460.0000	APPOINTED	YES	04/07/19	740
ROMAN	YANICK	1263A	\$92359.0000	INCREASE	YES	04/17/19	740
ROSA	ROSELYN	30080	\$53894.0000	TERMINATED	NO	05/19/19	740
ROSCOE	MATTHEW	T 54483	\$46793.0000	RESIGNED	NO	05/24/19	740
SANTIAGO	ALEXIS	10124	\$75000.0000	INCREASE	NO	10/04/18	740
SHAW	SONIA	J 51221	\$71546.0000	INCREASE	NO	06/14/18	740
SLATTERY	ANNE	54503	\$28323.0000	RETIRED	YES	05/14/19	740
SMITH	SUSAN	10124	\$81757.0000	RETIRED	NO	06/07/19	740
SOTO	MARIA	56057	\$43887.0000	DECEASED	YES	03/19/19	740
STEPHEN	GISELLE	R 5450E	\$41501.0000	APPOINTED	YES	05/15/19	740
TACKETT	MARIE MI	60888	\$53751.0000	RESIGNED	YES	05/19/19	740
TAPIA	ZIBELIA	M 56058	\$52389.0000	APPOINTED	YES	05/19/19	740
THOMAS	DENISE	P 56057	\$37121.0000	APPOINTED	YES	06/02/19	740
THOMAS	MYRA	E 56058	\$60248.0000	APPOINTED	YES	05/21/19	740
TODD	ANNASTAI	J 10245	\$122423.0000	INCREASE	YES	03/01/19	740
TOURE	SOUKAINA	56057	\$37121.0000	APPOINTED	YES	04/12/19	740

TREANOR	MARY	A 50910	\$71923.0000	RETIRED	YES	04/17/19	740
VERGARA	PATRICK	R 54503	\$29539.0000	APPOINTED	YES	04/07/19	740
WILLIAMS	MARLON	54503	\$34460.0000	APPOINTED	YES	03/24/19	740
WONG	ALEJANDR	95622	\$84479.0000	INCREASE	YES	12/16/18	740
WU	ANDREW	1003B	\$96859.0000	PROMOTED	NO	01/29/19	740
YOUNGHESE	JOSEPH	34221	\$80000.0000	APPOINTED	YES	05/23/19	740

DEPARTMENT OF PROBATION  
FOR PERIOD ENDING 06/14/19

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BONURA	BARBARA	E 10029	\$98472.0000	RETIRED	NO	09/02/18	781
BRANDON	NATHANIE	G 51860	\$65598.0000	RETIRED	YES	06/01/19	781
BRANDON	NATHANIE	G 51810	\$54438.0000	RETIRED	NO	06/01/19	781
BROWN	L. REGIN	1002C	\$76199.0000	PROMOTED	NO	05/26/19	781
COACHMAN	WILLIAM	J 51810	\$63688.0000	RETIRED	NO	06/08/19	781
DERRICK	ANNEMARI	A 51810	\$49173.0000	RESIGNED	NO	05/16/19	781
ESPINAL	STOBHAN	P 51810	\$42759.0000	TERMINATED	NO	05/28/19	781
JACKSON	DOMINQU	D 51810	\$49173.0000	RESIGNED	NO	05/15/19	781
MCLAULIN	PATRICK	A 90702	\$276.0000	RESIGNED	YES	04/28/19	781
MEIZLISH	ALLIE	R 95005	\$117332.0000	RESIGNED	YES	05/28/19	781
SMALLS	SHANTIGU	A 52406	\$32781.0000	INCREASE	YES	05/26/19	781
WILSON	ROSA	L 10251	\$48384.0000	RETIRED	NO	05/31/19	781
WORTHWORTH	RENTINA	P 51810	\$42759.0000	RESIGNED	NO	06/07/19	781
WOLF	SHIRI	B 30087	\$85000.0000	APPOINTED	YES	05/28/19	781

DEPARTMENT OF BUSINESS SERV.  
FOR PERIOD ENDING 06/14/19

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
AMEKALAN II	ANTHONY	O 60860	\$75000.0000	INCREASE	NO	07/01/18	801
BERNSTEIN	JAMES	J 10209	\$15.7500	APPOINTED	YES	06/02/19	801
BONNER	TANYA	M 56057	\$22.6700	APPOINTED	YES	06/02/19	801
DAGROSA	ANNA	B 60860	\$55285.0000	RESIGNED	YES	05/30/19	801
HOFFMAN	SAVANNAH	H 56057	\$22.6700	APPOINTED	YES	06/02/19	801
HSU	SOPHIA	60860	\$67076.0000	RESIGNED	YES	06/05/19	801
MARTINEZ	PAOLA	M 56058	\$62575.0000	RESIGNED	YES	06/06/19	801
MEJIA-PEGUERO	JANET	A 60860	\$80000.0000	INCREASE	NO	04/21/19	801
ROBERSON-CHARLE	PRESTON	O 56057	\$22.6700	APPOINTED	YES	06/02/19	801
SANICHAIR	DEVINA	A 56057	\$22.6700	APPOINTED	YES	06/02/19	801
SHAH	DHARA	D 56057	\$22.6700	APPOINTED	YES	06/02/19	801
THOMAS	ALYSSA	L 10009	\$98000.0000	APPOINTED	YES	06/04/19	801
WEITZ	BENJAMIN	A 56057	\$22.6700	APPOINTED	YES	06/02/19	801
WIEDEMANN	VINCENT	P 56057	\$22.6700	APPOINTED	YES	06/02/19	801
WONG YOU	STEPHANI	56057	\$22.6700	APPOINTED	YES	06/02/19	801

HOUSING PRESERVATION & DVLPMNT  
FOR PERIOD ENDING 06/14/19

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BARUA	SAUMEN	13632	\$91499.0000	APPOINTED	NO	05/07/19	806
BERNABEL	ANA	B 56057	\$42799.0000	RESIGNED	YES	06/05/19	806
BLOODWORTH	JOSHUA	D 95005	\$123600.0000	APPOINTED	YES	05/26/19	806
BYNUM	SETH	L 56058	\$67690.0000	RESIGNED	YES	05/24/19	806
CONTRERAS	STEPHANI	N 56058	\$67000.0000	APPOINTED	YES	05/29/19	806
GOLDBERG	ARIELLE	C 8300A	\$105000.0000	INCREASE	NO	05/05/19	806
HAYES	CARLA	10124	\$50763.0000	RETIRED	NO	06/03/19	806
HUANG	QI HONG	10074	\$100000.0000	INCREASE	YES	03/03/19	806
KAUR	PARMJREET	13632	\$91499.0000	APPOINTED	NO	05/07/19	806
KOWLESSAR	DENNIS	A 34202	\$75651.0000	INCREASE	YES	10/14/18	806
LODUCA	JOSEPH	10074	\$135000.0000	INCREASE	YES	04/21/19	806
LOPEZ	ERIAM	T 10252	\$41647.0000	APPOINTED	YES	02/24/19	806
MALLIA	PETER	D 56058	\$60000.0000	RESIGNED			

DEPARTMENT OF BUILDINGS  
FOR PERIOD ENDING 06/14/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like RAMBARAN, RANSOM, ROMERO, SCHIELE, TEROLLI, WANG.

DEPT OF HEALTH/MENTAL HYGIENE  
FOR PERIOD ENDING 06/14/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like ADAMS, AFRIFAH, ALI, ALUKO, ANDRIEVSKAYA, ANGELL, ASKEW, BACULIMA, BAPTISTE, BARNES JR, BERMAN, BISHT, BOYD-FLUDD, BROWN, BROWN, BRYANT SR, CARDIELLO, CATON, CHAU, CHAUDHURY, CHUNG, CLARK, CLARKE, CORREA, CUBELA, DAVIS, DE JESUS, DEOLALL, DICKSON, DOMENECH, DOMINIANNI, EBANKS-HINDS, FALLON, FLURISCA, GALLAGHER.

DEPT OF HEALTH/MENTAL HYGIENE  
FOR PERIOD ENDING 06/14/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like GARBER, GARCIA, GARCIA GUZMAN, GIBBS II, GILBERT, GONZALEZ, GRAHAM II, GRAVES, GU, GUO, GUTTEEA, HANSMAN, HAYES, HUANG, JACOB, JAFAR, JOYCE, KEEFER IV, KHAN, KHAN, KHIMANI, LAFORTUNE, LATORTUE, LAURENT, LE, LONG, LOPEZ, LOPEZ, MACFARLANE, MACIEJEWSKI, MANGROO, MANN, MARTINEZ, MASLOW, MEGADINE, MELO, MOLINA, MUDALIAR, NARINE, NASHED, NOONING, OLIVER, ONYBJUKWA, OUTLAW, PAYNE, RAHAT-GOBERDHAN, RAPHAEL, RAVILUS.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like RAZA, REYES, RIZZUTO, ROSS.

DEPT OF HEALTH/MENTAL HYGIENE  
FOR PERIOD ENDING 06/14/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees like ROTHSCCHILD, RUSSELL, SALLIBA, SAMUELS, SANTANGELO, SCHWARTZ, SEEMANGAL, SHIN, SIMONS, SMITH, SOSA, STEPHEN, STRIPLING, SURUJLALL, TAYLOR, THOMPSON, TONGO, TOWNLEY, UMEZINWA, VASAN, VASHIST, VELEZ PEREZ.



**BOARD OF CORRECTION**  
■ NOTICE

Notice of Adoption of Rules

NOTICE IS HEREBY GIVEN in accordance with Section 1043(f) of the New York City Charter, that the Board of Correction is adopting rules relating to patient confidentiality and injury tracking and injury reporting in jails and other facilities operated by the Department of Correction.

These rules are promulgated, pursuant to Sections 1043 and 626 of the New York City Charter.

On June 20, 2019, the Board of Correction held a public hearing on these rules at 22 Reade Street, New York, NY. On July 9, 2019, the Board of Correction approved these rules at a public meeting held, at 125 Worth Street, New York, NY.

Statement of Basis and Purpose of Rules

The rule revisions amend the Health Care Minimum Standards adopted by the Board of Correction ("Board" or "BOC"), set forth in Chapter 3 of Title 40 of the Rules of the City of New York. Specifically, the revisions:

- Amend various provisions of Section 3-08 (Privacy and Confidentiality) of the Health Care Minimum Standards; and
- Add a new Section 3-16 (Inmate Injury Response) to the Health Care Minimum Standards.

The New York City Charter mandates that there shall be a Board of Correction, § 626(a), responsible for inspecting and visiting all institutions and facilities under the jurisdiction of DOC. § 626(c)(1). The Board has the "powers and duty" to conduct "evaluation of departmental performance." § 626(c)(4). Under § 626(e) of the Charter, the Board is authorized to establish minimum standards "for the care, custody, correction, treatment, supervision, and discipline of all persons held or confined under the jurisdiction of" DOC.

The Board promulgated Health Care Minimum Standards in 1991. These Standards seek to ensure patient care in the jails is consistent with legal requirements, accepted professional and community standards, and sound professional judgment and practice. This includes requiring the protection of confidential private health information of people in DOC's custody. To that end, these Standards promote the health and safety of people incarcerated in the City's jails and to further the Board's mandate under the City Charter.

In January 2019, the Board published a report titled “Serious Injury Reports in NYC Jails” (“Serious Injury Report”), which reviewed aggregate data on serious injuries to people in custody over time and summarized BOC staff’s in-depth audit of three months of injury reports and investigations.<sup>1</sup> The Injury-to-Inmate form (“Injury Form”) is the primary tool for documenting and investigating both serious and non-serious injuries in the jails. The Injury Form includes a section requiring NYC Health + Hospital’s Correctional Health Services staff (“CHS”) to enter the nature of the injury after CHS has conducted a medical evaluation of the injured person; once CHS enters this information, the Injury Form is transmitted back to DOC to investigate the circumstances of the injury and report its findings on the Form.

As noted in the Board’s Report, when serious injuries occur in the jails, their consequences are severe and wide-ranging.<sup>2</sup> Serious injuries affect the short and long-term physical and mental health of individuals while incarcerated and can have a compounding negative impact on individuals’ employment, education, housing, and general reintegration into the community.<sup>3</sup> The Report further states:

The City must understand the rates, types, and circumstances related to serious injuries occurring in NYC jails in order to prevent them. Additionally, accurate reporting is necessary to maintain public accountability and trust in and engagement with government. When implemented, this report’s recommendations will increase prevention of serious injuries to incarcerated people and promote problem-solving and transparency.<sup>4</sup>

The Serious Injury Report details significant inconsistencies and deficiencies in the reporting and investigation of serious injuries by DOC and CHS. The rules seek to:

- (1) expressly allow CHS to share with DOC specific diagnoses related to injuries sustained by people while in DOC custody; and
- (2) address the deficiencies identified in the Serious Injury Report by requiring DOC and CHS to comply with mutual data collection and reporting requirements concerning injuries to people while incarcerated in the City’s jails.

Following is a descriptive summary of the rules.

### **Major Amendments**

#### **Section 1-01**

Because individuals in DOC custody are people first and the circumstance of their incarceration is not their defining feature, the Board has made a commitment to employ person-first language in its Standards and general communications going forward. To this end, the Board is deleting all references to “Inmates” (with the exception of references to Injury-to-Inmate forms, which are identified by their title) in favor of person-first terms such as “people in custody.”

### **Amendments to Rule § 3-08 (Privacy and Confidentiality)**

#### **Section 3-08(b)(2)**

To avoid “dual loyalty” issues,<sup>5</sup> § 3-08(b)(2) prohibits health care personnel from conducting body cavity searches or strip searches of people in custody. A proposed amendment to subdivision (b) (2) sought to extend this prohibition to “forensic evaluations for criminal prosecution or investigatory purposes,” with the exception of the Forensic Psychiatric Evaluation Clinics.<sup>6</sup> Because the Health Authority’s dual loyalty concerns are broader than the proposed language and can only be fully addressed through further rulemaking, including amendments to other chapters of the Minimum Standards, § 3-08(b)(2) will remain in its current form and no additional language will be added at this time.

#### **Section 3-08(c)(3)**

1 Serious Injury Report (p. 3); available at: <https://www1.nyc.gov/assets/boc/downloads/pdf/Reports/BOC-Reports/2019.01.07%20-%20BOC%20Serious%20Injury%20Report%20-%20Final.pdf>.

2 Serious Injury Report (p. 3) (Ludwig, Ariel, et al., Injury Surveillance in New York City Jails, 102 Am J Public Health, 1108 (2012), available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3483942/>.)

3 *Id.*

4 *Id.*

5 “Dual loyalty is an ethical dilemma commonly encountered by health care professionals caring for persons in custody. Dual loyalty may be defined as clinical role conflict between professional duties to a patient and obligations, express or implied, to the interests of a third party such as an employer, an insurer, or the state.” Pont, Jörg et al., *Dual Loyalty in Prison Health Care*, 102 Am J Public Health, 475 (2012).

6 In 2018, Health + Hospitals consolidated the management of its four forensic psychiatric evaluation clinics under CHS in an effort to streamline the forensic psychiatric evaluation process and reduce the amount of time persons spend in jail custody awaiting a mental fitness evaluation.

The existing § 3-08(c)(3) enumerates the circumstances under which health care personnel may report a person in custody’s health information to DOC without the person’s written consent. However, the existing § 3-08(c)(3) states that “such information shall not include the specific diagnosis or the entire health record” of the person in custody.

In November 2013, the City’s Department of Health and Mental Hygiene (DOHMH) (then the City’s correctional Health Authority) first sought—and the Board approved—a variance from § 3-08(c)(3)’s prohibition on sharing specific diagnoses with DOC. Specifically, the variance permitted CHS to provide DOC with specific diagnoses related only to injuries sustained by persons in correctional custody. The reporting of diagnoses unrelated to an injury remained prohibited, as stated in the variance. The variance was renewed, primarily at six-month intervals, until February 12, 2019.

Under the new rule, CHS may explicitly share with DOC “specific diagnoses of injuries sustained by people while in custody ... for the limited purpose of investigating injuries” (§ 3-08(c)(3)(ii)(A)), mooted the need for a variance to that effect.

#### **Section 3-08(c)(4)**

The existing §s 3-08(c)(4) of the current rules prohibits CHS from sharing individual’s disease-specific information with DOC in cases where an individual has a communicable disease, mandating instead that CHS instruct DOC staff generally on proper precautions. Under the new rules, CHS may disclose certain individual communicable disease diagnoses when an exposure has occurred at the facility and it is absolutely necessary for CHS to engage in contact tracing to protect the health and safety of exposed individuals; when such disclosures are made, CHS will be required to inform the Board within 24 hours so that the Board can monitor how often and under what circumstances CHS is disclosing patient-identifying information in this context.

#### **Section 3-08(c)(7)(i)**

Existing § 3-08(c)(7)(i) states that when a person in custody is transferred from one correctional facility to another within DOC’s custody, the person’s “complete health record shall be transferred simultaneously.” The amendment revises this requirement to state that the person’s “complete health record shall be maintained and available in each location.” This change is intended to bring the Standards in line with current Electronic Medical Record practices.

### **Proposed Rule § 3-16 (Injury Response)**

Injury surveillance and data collection are important tools for identifying and protecting vulnerable patients and promoting public health in the jails.<sup>7</sup> Proposed Minimum Standard § 3-16 aims to address the inconsistencies and deficiencies identified in BOC’s Serious Injury Report by requiring, among other things, that:

- (1) DOC and CHS establish policies and procedures to address and prevent injuries to people in custody;
- (2) DOC’s injury investigations, including all supporting documentation such as Injury Forms, be completed in a prompt, thorough, accurate, and objective manner;
- (3) DOC and CHS meet on a regular basis to review data on injuries;
- (4) within one year of the effective date of the rule, DOC and CHS maintain a coordinated electronic tracking system for serious injuries, and within two years of the effective date of the rule, they maintain a coordinated electronic system for serious and non-serious injuries;
- (5) commencing September 2019 and rolling out in three phases through late 2021, DOC and CHS release a joint, monthly public report of specified data on serious and non-serious injuries to people in custody;
- (6) on at least an annual basis, DOC review all joint, public, monthly reports for the last year and provide the Board with a written public report of its findings and any corrective actions;
- (7) commencing September 2019, CHS provide the Board with a monthly public report of specified data on self-harm.

For purposes of public reporting, the Board expects the joint, monthly public report on serious and non-serious injuries to employ the following or a similar format:

\*\*All data tables will be reported overall and separately for each DOC Facility/Command.\*\*

7 Ross MacDonald, et al., *Operationalizing a Human Rights Agenda in Correctional Health*, 38 SGIM Forum 1, 12 (2015).

**DOC & CHS Joint Report on Injuries Occurring in Custody**  
**Reporting Period [MONTH], [YEAR]**  
**[Date of Report]**

Table 1

<b>Total Number of Injury Reports Made</b>	
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Table 2

<b>Number of Confirmed Injuries</b>	<b>Number</b>	<b>Percent</b>	<b>Rate</b>
Serious Injuries			
Non-Serious Injuries			
<b>Total</b>		<b>100%</b>	

Table 3

<b>Confirmed Injuries Requiring Urgent Care</b>	<b>Serious</b>		<b>Non-Serious</b>		<b>All Injuries</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>

Table 4

<b>Confirmed Injuries Requiring Emergency Hospital Care</b>	<b>Serious</b>		<b>Non-Serious</b>		<b>All Injuries</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>

Table 5

<b>Age of Patients with Confirmed Injuries</b>	<b>Serious</b>			<b>Non-Serious</b>			<b>All Injuries</b>		
	<b>16-17</b>	<b>18-21</b>	<b>22+</b>	<b>16-17</b>	<b>18-21</b>	<b>22+</b>	<b>16-17</b>	<b>18-21</b>	<b>22+</b>

Table 6

<b>Number of Injured Patients Who Received or Refused Care</b>	<b>Serious</b>		<b>Non-Serious</b>		<b>All Injuries</b>	
	<b>Received</b>	<b>Refused</b>	<b>Received</b>	<b>Refused</b>	<b>Received</b>	<b>Refused</b>

Table 7

<b>Time From DOC Supervisor Notification of Serious Injury to Initial Medical Evaluation</b>	<b>Number</b>
Mean	
Media	
Min	
Max	

Table 8

<b>Type of Serious Injury</b>	<b>Number</b>	<b>Percent</b>
Laceration requiring sutures or staples		
Fracture		
Clinical nasal fracture		
Initial dislocation reduced in clinic or hospital		
Tendon Tear		
Amputation		
Structural Injury to Organ		
Post- Concussive syndrome or Head Injury requiring Imaging		
Blistering burn involving face of >9% of total body surface		
<b>Total</b>		<b>100%</b>

Table 9

<b>Type of Non-Serious Injuries</b>	<b>Number</b>	<b>Percent</b>
Head injury		
Laceration not requiring sutures or staples		
Other		
<b>Total</b>		<b>100%</b>



Table 10

Bodily Location Where Injuries Occurred	Serious		Non-Serious	
	Number	Percent	Number	Percent
Head/Face				
Arms/Hands				
Legs/Feet				
Torso				
<b>Total</b>		<b>100%</b>		<b>100%</b>

Table 11

DOC Location Where Injuries Occurred	Serious		Non-Serious	
	Number	Percent	Number	Percent
<b>Total</b>		<b>100%</b>		<b>100%</b>

Table 12

Specific DOC Location within Housing Areas Where Injuries Occurred	Serious		Non-Serious	
	Number	Percent	Number	Percent
<b>Total</b>		<b>100%</b>		<b>100%</b>

Table 13

Cause of Injury as Reported by Patient to CHS	Serious		Non-Serious		All Injuries	
	Number	Percent	Number	Percent	Number	Percent
Attack by unknown assailant						
DOC UOF						
Door/gate closure						
inmate on inmate fight						
recreational						
self-injury						
use of restraints						
Other						
<b>Total</b>		<b>100%</b>		<b>100%</b>		<b>100%</b>

Table 14

Cause of Injury Determined by DOC Investigation	Serious		Non-Serious		All Injuries	
	Number	Percent	Number	Percent	Number	Percent
<b>Total</b>		<b>100%</b>		<b>100%</b>		<b>100%</b>

Table 15

Status of Injury Investigations for Injuries Reported in the Reporting Period (Pending vs. Completed)	Serious		Non-Serious		All Injuries	
	Number	Percent	Number	Percent	Number	Percent
Pending						
Completed						
<b>Total</b>		<b>100%</b>		<b>100%</b>		<b>100%</b>

Table 16

Time Between DOC Supervisor Staff Notification of Injury & Close of Investigation	Serious (n=)	Non-Serious (n=)	All Injuries (N=)
Mean			
Media			
Min			
Max			

Table 17

Whether Injuries Were Witnessed by Staff	Serious		Non-Serious		All Injuries	
	Number	Percent	Number	Percent	Number	Percent
At least one staff witness						
No staff witness						
<b>Total</b>		<b>100%</b>		<b>100%</b>		<b>100%</b>

The Board expects CHS's monthly public report on self-harm to employ the following or a similar format:

**CHS Monthly Report on Self-Harm**

Table 1

Number of Injuries Reflecting Self-Harm (as Determined by CHS Staff)	Number	Percent
Serious		
Non-Serious		
<b>Total</b>		<b>100%</b>

Table 2

Self-Harm by Patient Age	Serious		Non-Serious		All Injuries	
	Number	Percent	Number	Percent	Number	Percent
16-17						
18-21						
22+						
<b>Total</b>		<b>100%</b>		<b>100%</b>		<b>100%</b>

Table 3

Self-Harm by Housing Area Type	Serious		Non-Serious		All Injuries	
	Number	Percent	Number	Percent	Number	Percent
<b>Totals</b>		<b>100%</b>		<b>100%</b>		<b>100%</b>

The purpose of these new requirements is to improve DOC's and CHS's ability to address and prevent injuries to people in custody and strengthen the Board's oversight of the agencies' progress toward achieving these goals.

### Authority

The Board's authority for these rules is found in section 1043 and 626 of the New York City Charter.

### Rules

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

New material is underlined.

Deleted material is [bracketed.]

Section 1. Subdivision (a) of Section 1-01 of Title 40 of the Rules of the City of New York is amended to read as follows:

a) Policy. [Prisoners] People in custody shall not be subject to discriminatory treatment based upon race, religion, nationality, sex, sexual orientation, gender, disability, age or political belief. The term ["prisoner"] "person in custody" means any person in the custody of the New York City Department of Correction ("the Department"). "Inmate" and "prisoner" both mean "person in custody" throughout this Title, and the Board will modernize to person-forward language in promulgating rules, so as to phase out the use of "inmate" and "prisoner". "Detainee" means any [prisoner] person in custody awaiting disposition of a criminal charge. "Sentenced prisoner" means any [prisoner] person in custody serving a sentence of up to one year in Department custody.

§ 2. Section 3-08 of Title 40 of the Rules of the City of New York is amended to read as follows:

### § 3-08 Privacy and Confidentiality.

(a) Policy. The Health Authority shall establish and implement written policies and procedures which recognize the rights of [inmates] people in custody to private and confidential treatment and consultations consistent with legal requirements, professional standards, and sound professional judgment and practice.

(b) Privacy.

(1) All consultations and evaluations between [inmates] people in custody and health care personnel will be confidential and private.

(i) C[orrectional] personnel may be present during the delivery of health services when health care and correctional personnel determine that such action is necessary for the safety and/or security of any person.

(ii) C[orrectional] personnel shall remain sufficiently distant from the place of health care encounters so that quiet conversations between [inmates] people in custody and health care personnel cannot be overheard. Every effort shall be made to maintain aural and, where possible, visual privacy during encounters between health care personnel and [inmates] people in custody.

(2) The Health Authority shall not conduct body cavity searches or strip searches.

(c) Confidentiality.

(1) Information obtained by health care personnel from [inmates] people in custody in the course of treatment or consultations shall be confidential except as provided in 40 RCNY § 3-03(b)(3)(iv) and 40 RCNY § 3-08(c)(3).

(i) A[ll] professional standards and legal requirements pertaining to the physician-patient privilege apply.

(2) Active health records shall be maintained by health care personnel separately from the confinement record and shall be kept in a secure location.

(i) A[ccess] to health records shall be controlled by the Health Authority.

(ii) H[ealth] records shall not be released, communicated or otherwise made available to any person, except treatment personnel or as pursuant to a lawful court order, without the written authorization of the [inmates] person in custody, except in emergency situations described in 40 RCNY § 3-03(b)(3)(iv).

(3) Subject to applicable State and Federal law, health care personnel may report a[n] [inmate's] person in custody's health information to [the chief correctional officer] correctional authorities without the written consent of the [inmates] person in custody only when such information is necessary[,] to provide appropriate health services [for] to the [inmate] person or to protect the health and safety of the [inmate] person or others. Disclosures made under this section shall not include:

(i) The entire health record;

(ii) Specific diagnoses, with the following exceptions:

(A) specific diagnoses of injuries sustained by people while in custody may be shared with appropriate correctional personnel for the limited purposes of investigating and identifying trends related to injuries;

(B) When an exposure to a specific communicable disease other than a common sexually transmitted infection has occurred in a facility, the Health Authority

may disclose an individual's communicable disease diagnosis to appropriate correctional personnel for the limited purpose of contact tracing, and only when disclosing the identity of the individual is absolutely necessary to protect the health and safety of potentially exposed persons. In all other cases involving persons in custody with communicable diseases, the correctional personnel shall be instructed by health care personnel on proper precautions needed to protect correctional personnel and others without being told disease-specific diagnoses for individuals. Disclosures of individuals' communicable disease diagnoses made pursuant to this provision shall be reported to the Board in writing within 24 hours.

[Such information shall not include the specific diagnosis or the entire health record, but where necessary may include the following:

(i) the inmate's dietary restrictions and modifications, if any;

(ii) known allergies and/or communicable diseases of the inmate, if any; and

(iii) health information concerning an inmate's ability to work, placement in punitive segregation isolation, or hospitalization needs.]

[4] If an inmate has a communicable disease, the correctional authorities shall be instructed by health care personnel on proper precautions needed to protect correctional personnel and other inmates without being told disease-specific diagnoses for individual inmates.]

(5)4) Correctional personnel shall keep confidential any [inmate] health-related information or records of a person in custody that the officer receives from [forwarded to him by] health care personnel. Information received by correctional personnel pursuant to 40 RCNY § 3-08(c)(3)(ii) shall not be re-disclosed to anyone, including other correctional personnel.

(6)5) When a[n inmate] person in custody communicates health-related information to correctional personnel [in order] to obtain access to health services or treatment of a health condition, [then] correctional personnel shall keep such information [shall be kept] confidential [by correctional personnel]. [An inmate] People in custody need not disclose [his] their specific medical complaints to correction personnel [in order] to obtain medical assistance.

(7)6) [In order] To assure continuity of care and [to] avoid unnecessary duplication of tests and examinations, a[n inmate's] person in custody's health information shall be made available to health care personnel when that [inmate] person is transferred to another correctional or health care facility.

(i) When a[n inmate] person in custody is transferred from one correctional facility to another within the New York City Department of Correction, the [inmate's] person's complete health record shall be [transferred simultaneously] maintained and available in each location.

(ii) When a[n inmate] person in custody is transferred to or from a municipal hospital ward, a pertinent summary of the [inmate's] person's health record shall accompany the transfer.

(iii) When a[n inmate] person in custody is transferred to another correctional system, a record summary defined by the receiving and sending systems shall accompany the [inmate] person.

(iv) Complete health record information shall be transferred to specific and designated physicians outside the jurisdiction of the Department of Correction upon the request and written authorization of the [inmate] person in custody for the release of such information. The release form must specify the information to be transferred.

(d) Experimentation.

(1) Biomedical, behavioral, pharmaceutical, and cosmetic research involving the use of any [inmate] person in [the] custody [of the New York City Department of Correction] shall be prohibited except where:

(i) the [inmate] person in custody has voluntarily given his/her informed consent pursuant to 40 RCNY § 3-06(j); and

(ii) all ethical, medical and legal requirements regarding human research are satisfied; and

(iii) the research satisfies all standards of design, control and safety; and

(iv) the Health Authority has approved the proposed research, in writing, [has been approved in writing from the Health Authority.]

(2) The use of a new medical protocol for individual treatment of a[n inmate] person in custody by [his/her] the person's physician will not be prohibited, provided that such treatment is conducted subsequent to a full explanation to the person [inmate] of the positive and negative features of the treatment, [and] all requirements of §3-06(j) regarding informed consent [are] have been satisfied, and [that] the protocol/treatment has been reviewed by the appropriate local and institutional review boards as required by [all] applicable Federal, State and local laws. As an example, the protocol must be reviewed by an established human research review committee with representation [of inmate] by advocates for people in custody.

§ 3. Chapter 3 of Title 40 of the Rules of the City of New York is amended by adding new Section 3-16, to read as follows:

### § 3-16 Injury Response.

(a) Policy. The Department of Correction and the Health Authority ("Agencies") shall establish policies and procedures to address and prevent injuries to people in custody.

(b) Investigations. Investigations of injuries of people in custody, including all supporting documentation such as Injury-to-Inmate forms, shall be completed in a prompt, accurate, and objective manner. For the purposes of this section, investigations shall mean investigations conducted in the manner required by the Department of Correction ("Department") including, but not limited to, investigations conducted by the facility or investigations contained in Injury-to-Inmate forms.

(c) Coordination.

(1) Quarterly Meetings. The Agencies shall engage in regular communication and quarterly meetings, to review data on injuries, identify trends, and perform quality assurance on injury report documentation. These communications and quarterly meetings shall include data-informed development of corrective action plans.

(2) Injury Tracking System. Within one year of the effective date of this rule, the Agencies shall maintain a coordinated electronic injury tracking system for serious injuries, which for purposes of 40 RCNY § 3-16 are defined as injuries designated as serious by the Health Authority for the sole purpose of tracking injuries. Within two years of the effective date of this rule, the Agencies shall maintain a coordinated electronic injury tracking system for all injuries, both serious and non-serious.

(d) Reporting and Review.

(1) By the fourth Friday of September 2019 and on the fourth Friday of every month thereafter, the Department shall provide the Board with all Injury-to-Inmate forms (or any other injury reporting mechanism that may replace the Injury-to-Inmate form) created in the previous month and any forms updated in the previous month.

(2) The Agencies shall provide the Board with a joint, monthly, public report of data on injuries and serious injuries to people in custody ("Joint Monthly Injury Report"), as follows:

(i) Phase 1. Starting on the fourth Friday of September 2019 and on the fourth Friday of every month thereafter, the Joint Monthly Injury Report shall include the following information in a machine-readable format using both numerical values and percentages, for the previous month and for the year-to-date:

(A) The Health Authority's definition of serious injuries for that reporting period;

(B) A list of the Health Authority's injury reporting codes used during that reporting period;

(C) Total number of injury reports made, overall and disaggregated by treating facility;

(D) Total number of injuries presented to and confirmed by health care personnel, overall and disaggregated by treating facility, and then further disaggregated by serious and non-serious injuries;

(E) Total number of injuries confirmed by health personnel that required urgent care, overall and disaggregated by treating facility, and then further disaggregated by serious and non-serious injuries;

(F) Total number of injuries confirmed by health personnel that required hospital emergency care, overall and disaggregated by treating facility, and then further disaggregated by serious and non-serious injuries;

(G) Age of persons with injuries confirmed by health personnel, overall and disaggregated by treating facility, disaggregated by serious and non-serious injuries, and then re-aggregated by age group (i.e. adolescents ages 16 and 17, young adults ages 18 to 21, and adults ages 22 and over);

(H) Whether persons with injuries presented to health personnel received or refused treatment, grouped and totaled by "received treatment" or "refused treatment," and then further disaggregated by serious and non-serious injuries;

(I) Mean, median, minimum, and maximum time between the time of Department Supervisor notification and the time of initial medical evaluation for serious injuries, overall and disaggregated by treating facility;

(J) Types of serious injuries as defined by the Health Authority, grouped and totaled by serious injury type, overall and disaggregated by treating facility;

(K) Types of non-serious injuries, including head injuries, lacerations, and other, grouped and totaled by injury type, overall and disaggregated by specific command;

(L) Bodily location of injuries, grouped and totaled by bodily location, overall and disaggregated by specific command, and then further disaggregated by serious and non-serious injuries;

(M) Cause of injuries as reported by the injured person to Health Authority, including self-injury, grouped and totaled by reported cause of injury, overall and disaggregated by treating facility, and then further disaggregated by serious and non-serious injuries;

(N) Any other information deemed notable by the Agencies.

(ii) Phase 2. Starting one year after the effective date of this rule, and continuing on the fourth Friday of every month

thereafter for a period of one year, the Joint Monthly Injury Report shall also include the following information in a machine-readable format using both numerical values and percentages, for the previous month and for the year-to-date:

(A) Locations within the commands where the serious injuries occurred, grouped and totaled by location, overall and disaggregated by specific command (i.e. facility, transportation, court);

(B) For serious injuries occurring in housing areas, the specific locations within the housing area where the injuries occurred, overall and disaggregated by specific command;

(C) Total number of pending facility investigations for serious injuries reported in the previous month, overall and disaggregated by specific command;

(D) Total number of completed investigations for serious injuries reported in the previous month, overall and disaggregated by specific command;

(E) Cause of serious injuries, including self-injury, as recorded in the facility investigation, grouped and totaled by cause of injury, overall and disaggregated by specific command;

(F) Mean, median, minimum, and maximum time between time of Department Supervisor notification and completion of facility investigation for all serious injuries reported in the previous month, overall and disaggregated by specific command; and

(G) Whether incidents resulting in serious injuries were witnessed by the staff persons who completed the Injury to Inmate reports, grouped and totaled by "witnessed" or "not witnessed," overall and disaggregated by specific command.

(iii) Phase 3. Starting two years after the effective date of this rule, and continuing on the fourth Friday of every month thereafter, the Joint Monthly Injury Report shall also include all information required pursuant to 40 RCNY §§ 3-16(d)(2)(ii)(A) - (B), (D) - (G) for serious and non-serious injuries, in a machine-readable format using both numerical values and percentages, for the previous month and the year-to-date.

(3) Starting on the fourth Friday of September 2019, the Agencies shall provide the Board with a monthly data file with injury-level information corresponding to the data enumerated in the Joint Monthly Injury Report. This file shall also include all relevant identifying injury-level information (e.g., injury report number, Central Operations Desk/Use of Force report number, injury date, date of injury report, specific unit and housing area, housing area type, date investigation was closed, incarcerated person-identifiers, and witnessing-staff identifiers) for each injury reported. Each file shall be shared in an electronic, machine-readable format and shall be updated cumulatively from each prior data reporting period. The file shall be maintained as confidential by the Board.

(4) On at least an annual basis, beginning on the first day of the sixth month after the effective date of this Rule, the Department shall review all Joint Monthly Injury Reports submitted in the previous year pursuant to subdivision 40 RCNY § 3-16(d)(2). Within 60 days of each such annual review, the Department shall provide the Board with a written public report detailing:

(i) Steps taken in its review;

(ii) Findings, and any plans for corrective action; and

(iii) Status of corrective actions described in prior reports submitted over the past five years.

(5) Starting on the fourth Friday of September 2019 and on the fourth Friday of every month thereafter, the Health Authority shall provide the Board with a monthly public report on self-harm, including the following information in a machine-readable format using both numerical values and percentages, for the previous month and for the year-to-date:

(A) Total number of injuries reflecting self-harm, as determined by health care personnel, overall and disaggregated by serious and non-serious injuries;

(B) Injuries reflecting self-harm, disaggregated by age (adolescents ages 16 and 17, young adults ages 18 to 21, and adults ages 22 and older), and further disaggregated serious and non-serious injuries; and

(C) Injuries reflecting self-harm, disaggregated by housing type, and further disaggregated serious and non-serious injuries.