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THE CITY RECORD

Official Journal of The City of New York

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THE CITY RECORD

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Citywide Administrative Services

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

The City Planning Commission will hold a public hearing accessible both in-person and remotely via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, August 7, 2024, regarding the calendar items listed below. The public hearing will be

held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Anyone attending the meeting in-person is encouraged to wear a mask.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate, as well as materials relating to the meeting: <https://www.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/461620/1>.

Members of the public attending remotely should observe the meeting through DCP's website. Testimony can be provided verbally by joining the meeting using either Zoom or by calling the following number and entering the information listed below:

877 853 5247 US Toll-free

888 788 0099 US Toll-free

253 215 8782 US Toll Number

213 338 8477 US Toll Number

Meeting ID: **618 237 7396**

[Press # to skip the Participation ID]

Password: 1

To provide verbal testimony via Zoom please follow the instructions available through the above webpage (link above).

Written comments will also be accepted until 11:59 P.M., one week before the date of the vote. Please use the CPC Comments form that is accessible through the above webpage.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. The submission of testimony, verbal or written, in a language other than English, will be accepted, and real time interpretation services will be provided based on available resources. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to [AccessibilityInfo@planning.nyc.gov] or made by calling (212) 720-3508. Requests must be submitted at least five business days before the meeting.

BOROUGH OF THE BRONX
No. 1

1680 SOUTHERN BOULEVARD (CASA BORICUA)

CD 3 **C 240319 PCX**
IN THE MATTER OF an application submitted by the Department for the Aging and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 1680 Southern Boulevard (Block 2983, Lot 7) for use as a senior center, Borough of the Bronx, Community District 3.

BOROUGH OF BROOKLYN
Nos. 2 & 3
2390 MCDONALD AVENUE
No. 2

CD 15 **C 210340 ZMK**
IN THE MATTER OF an application submitted by MTL Realty, LLC pursuant to Sections 197- c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c, by changing from a C8-1 District to a C4-4L District property bounded a line 120 feet northerly of Village Road South, McDonald Avenue, Village Road South, and an easterly boundary line of Old Gravesend Cemetery, as shown on a diagram (for illustrative purposes only) dated May 13, 2024, and subject to the conditions of CEQR Declaration E-747.

No. 3 **N 210341 ZRK**

CD 15
IN THE MATTER OF an application submitted by MTM Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

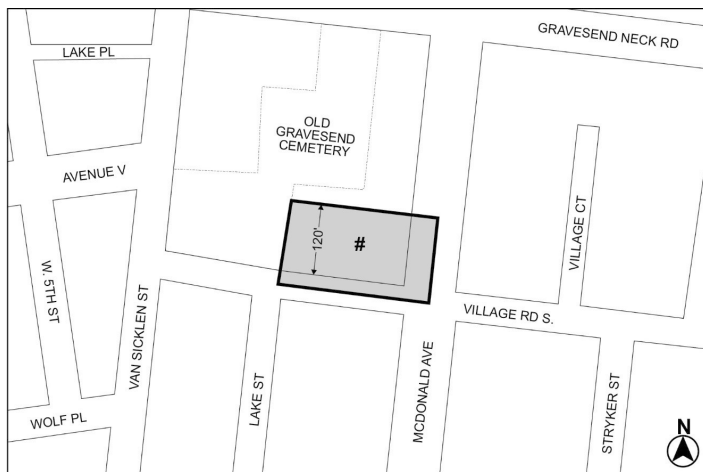
* * *


Brooklyn Community District 15

* * *

Map 7 – [date of adoption]

[PROPOSED MAP]



 Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area # — [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 15, Brooklyn

* * *

Nos. 4 – 7
962 – 972 FRANKLIN AVENUE REZONING
No. 4

CD 9 **C 230356 ZMK**
IN THE MATTER OF an application submitted by Franklin Ave Acquisition LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d:

- changing from an R6A District to an R8A District property bounded by a line 285 feet southerly of Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, and a line 100 feet easterly of Washington Avenue; and
- establishing within the proposed R8A District a C2-4 District bounded by a line 285 feet southerly of Montgomery Street, Franklin Avenue, a line 575 feet southerly of Montgomery Street, and a line 100 feet westerly of Franklin Avenue;

as shown on a diagram (for illustrative purposes only) dated May 13, 2024, and subject to the conditions of CEQR Declaration E-728.

No. 5

CD 9 **N 230357 ZRK**
IN THE MATTER OF an application submitted by Franklin Ave Acquisition LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 9

* * *

Map 1 – [date of adoption]

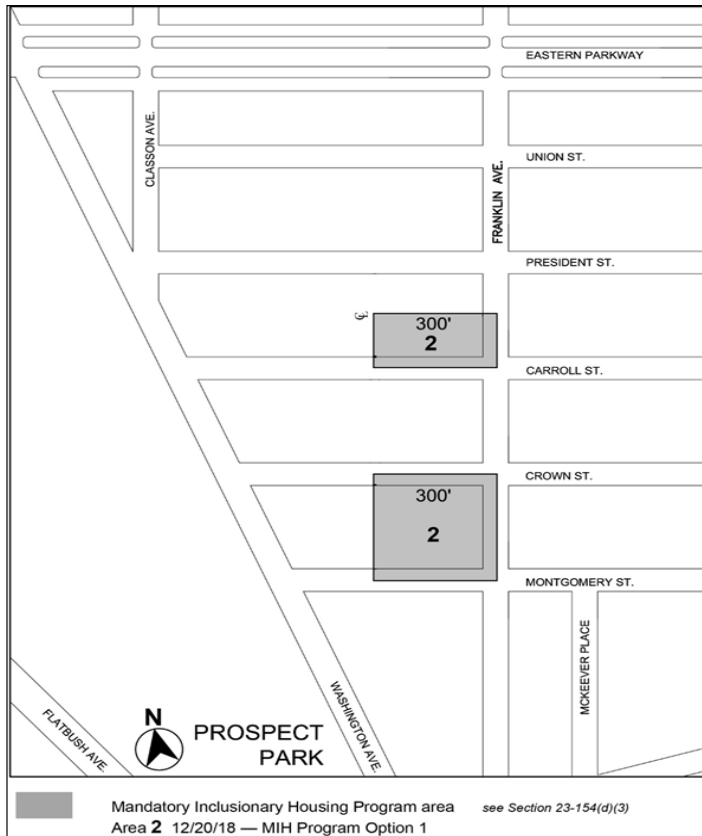
[EXISTING MAP]



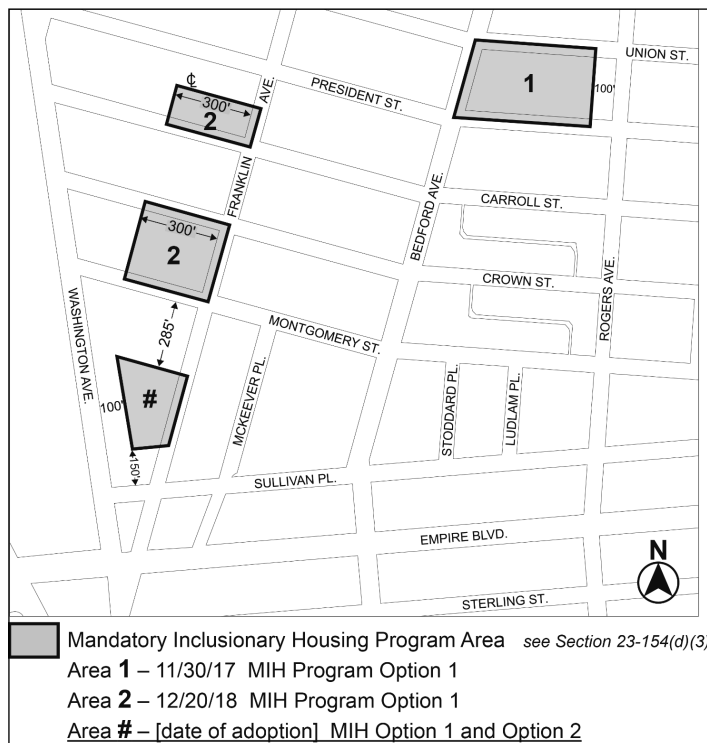
 Mandatory Inclusionary Housing Program Area see Section 23-154 (d)(3)
Area 1 – 11/30/17 MIH Program Option 1

Map 2 – (12/20/18)

[EXISTING MAP]



[PROPOSED MAP]



Portion of Community District 9, Brooklyn

* * *

No. 6

CD 9

N 230357(A) ZRK

IN THE MATTER OF an application submitted by Franklin Ave Acquisition LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying bulk regulations in ARTICLE II, Chapter 3 (Residential Bulk Regulations in Residence Districts) and Chapter 4 (Bulk Regulations for Community Facilities in Residence Districts), as well as APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

ARTICLE II RESIDENCE DISTRICT REGULATIONS

Chapter 3 Residential Bulk Regulations in Residence Districts

* * *

23-443 [COY HO Section Numbers]

Special provisions for certain community districts

* * *

(b) Borough of Brooklyn

For the purposes of applying the #street wall# location as well as the height and setback provisions of Sections 23-431 and 23-432, respectively, where the Administrative Code establishes restrictions on the location of #buildings# on lots fronting upon and within 30 feet of Eastern Parkway in Community Districts 8 and 9 in the Borough of Brooklyn, lines drawn 30 feet north of and 30 feet south of, and parallel to, Eastern Parkway shall be considered the northern and southern #street lines# of Eastern Parkway.

(1) Community District 8

For the purposes of applying the #street wall# location as well as the height and setback provisions of Sections 23-431 and 23-432, respectively, where the Administrative Code establishes restrictions on the location of #buildings# on lots fronting upon and within 30 feet of Eastern Parkway lines drawn 30 feet north of and 30 feet south of, and parallel to, Eastern Parkway shall be considered the northern and southern #street lines# of Eastern Parkway.

(2) Community District 9

(i) For the purposes of applying the #street wall# location as well as the height and setback provisions of Sections 23-431 and 23-432, respectively, where the Administrative Code establishes restrictions on the location of #buildings# on lots fronting upon and within 30 feet of Eastern Parkway lines drawn 30 feet north of and 30 feet south of, and parallel to, Eastern Parkway shall be considered the northern and southern #street lines# of Eastern Parkway.

(ii) Notwithstanding any other provisions of this Resolution, except as provided in this section, in #Mandatory Inclusionary Housing areas# within the portion of Community District 9 in the Borough of Brooklyn, on the #block# bounded by Montgomery Street, Washington Avenue, Sullivan Place, and Franklin Avenue, the highest projection of any #building or other structure# hereafter constructed or of any existing #building or other structure# hereafter relocated, #enlarged# or reconstructed shall not penetrate the imaginary inclined plane, rectangular in shape, with dimensions as follows:

(a) Along a line at an elevation of 85 feet above the level of the #base plane#, beginning at the point along the center line of Sullivan Place, distant 120 feet, 4 inches east of the center line of Washington Avenue and parallel to Sullivan Street, and extending to Montgomery Street at an angle of 83°17'38", then rising eastward perpendicularly to such line at a slope of 26°48'21" (5.06 to 10, expressed as a ratio of vertical distance to horizontal distance in feet).

(iii) Parapets, rails, or safety guards may penetrate such inclined plane only to the extent that would otherwise be permitted obstructions pursuant to Section 23-411 and provided that such parapets, rails, or safety guards are at least 50 percent open or 90 percent transparent for the portion above the inclined plane.

* * *

Chapter 4 Bulk Regulations for Community Facilities in Residence Districts

* * *

24-56 [COY HO Section Numbers] Special Height and Setback Provisions for Certain Areas

...

(e) Notwithstanding any other provisions of this Resolution, in #Mandatory Inclusionary Housing areas# within the portion of Community District 9 in the Borough of Brooklyn, on the #block# bounded by Montgomery Street, Washington Avenue, Sullivan Place, and Franklin Avenue, any #building or other structure# hereafter constructed or any existing #building or other structure# hereafter relocated, #enlarged# or reconstructed shall comply with the provisions of Section 23-443(b)(2)(ii), inclusive.

* * *

APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *


Brooklyn Community District 9

* * *

Map 1 – [date of adoption]

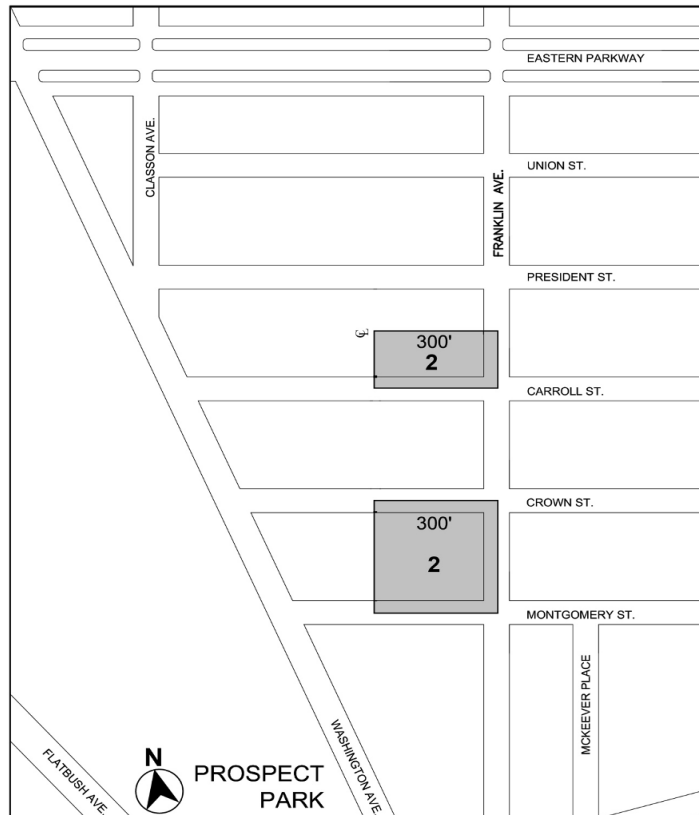
[EXISTING MAP]




 Mandatory Inclusionary Housing Program Area see Section 23-154 (d)(3)
Area 1 – 11/30/17 MIH Program Option 1

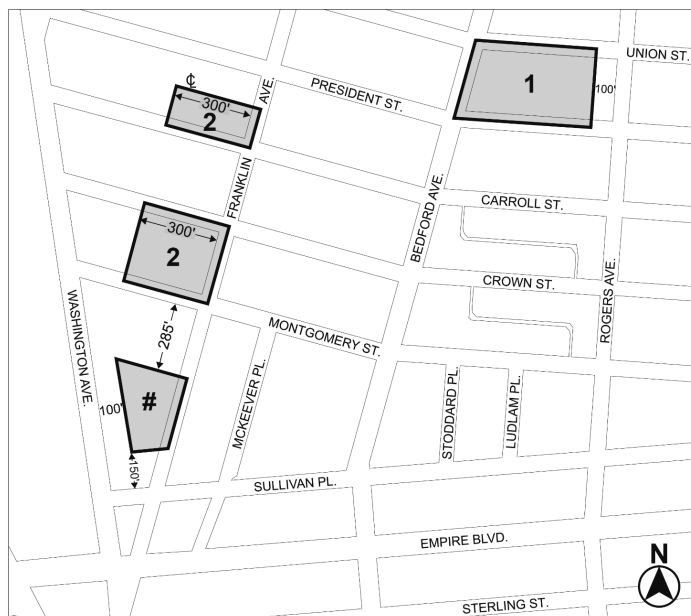
Map 2 – (12/20/18)


[EXISTING MAP]



 Mandatory Inclusionary Housing Program area see Section 23-154(d)(3)
Area 2 12/20/18 — MIH Program Option 1

[PROPOSED MAP]



 Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area 1 – 11/30/17 MIH Program Option 1
Area 2 – 12/20/18 MIH Program Option 1
Area # – [date of adoption] MIH Option 1 and Option 2

Portion of Community District 9, Brooklyn

* * *

No. 7

CD 9

C 230358 ZSK

IN THE MATTER OF an application submitted by Franklin Ave Acquisition LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the number of required accessory off-street parking spaces for dwelling units in a development within the Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 962-972 Franklin Avenue (Block 1192, Lots 63 and 66), in R8A* and R8A/C2-4* Districts.

*Note: This site is proposed to be rezoned by changing an existing R6A District to R8A and R8A/C2-4 Districts under a concurrent related application (C 230356 ZMK).

Plans for this proposal are on file with the City Planning Commission and may be seen on the Zoning Application Portal at <https://zap.planning.nyc.gov/projects/2022K0423>, or the Department of City Planning, 120 Broadway, 31st Floor, New York, NY 10271-0001.

NOTICE

On Wednesday, August 7, 2024, a public hearing is being held by the City Planning Commission (CPC), accessible in-person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by Franklin Ave. Acquisition, LLC. The Proposed Actions include a zoning map amendment from an R6A district to R8A and R8A/C2-4 districts; a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to map the Project Area as a Mandatory Inclusionary Housing (MIH) area; and a special permit pursuant to ZR section 74-533 to partially waive the parking requirements per ZR section 25-23 to facilitate the development of a 14-story (145-foot-tall excluding mechanical equipment), 471,495 gross square foot (gsf) mixed-used residential and commercial building at 970 Franklin Avenue (Block 1192, Lots 63 and 66) (the Proposed Development Site). The Proposed Project would include 475 dwelling units (DUs) (419,346 gsf), 119 of which would be permanently affordable pursuant to MIH, 8,128 gsf of local retail space, 27,349 gsf of parking area, 2,752 gsf of loading area, and approximately 13,920 gsf of mechanical/storage space. The Proposed Development Site is located on the block bound by Montgomery Street, Franklin Avenue, Sullivan Place, and Washington Avenue, on the eastern side of the Franklin Avenue subway shuttle right-of-way, in the Crown Heights neighborhood of Brooklyn Community District 9. The anticipated Build Year is 2027.

The public hearing will also consider a modification to the zoning text amendment (ULURP No. N 230357 (A) ZRK).

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through 5:00 P.M. on Monday, August 19, 2024.

For instructions on how to submit comments and participate, both in-person and remotely, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 23DCP165K.

BOROUGH OF MANHATTAN

No. 8

60 EAST 93RD STREET

CD 8

C 240212 ZSM

IN THE MATTER OF an application submitted by Tabouleh 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 maximum permitted lot coverage requirements of Section 23-153 (For Quality Housing Buildings), the rear yard requirements of Section 23-47 (Minimum Required Rear Yards), the inner court requirements of Section 23-87 (Permitted Obstructions in Courts), and minimum required distance between legally required windows and lot lines requirements of Section 23-861 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines), in connection with the proposed alteration, enlargement and conversion of an existing 4-story building to residential use, on property located at 60 East 93rd Street (Block 1504, Lot 45), in an R8B District.

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

BOROUGH OF QUEENS

Nos. 9 – 11

SOUTH JAMAICA GATEWAY REZONING

No. 9

CD 12

C 240330 HAQ

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 106-01 Guy R. Brewer Boulevard (Block 10161, Lots 1, 3 and 9) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of property located at 106-01 Guy R. Brewer Boulevard (Block 10161, Lots 3 and 9) to a developer to be selected by HPD;

to facilitate the development of a nine-story mixed use building containing approximately 78 Affordable Independent. Residence for Seniors (AIRS) units and community facility space, Borough of Queens, Community District 12.

No. 10

CD 12

C 240328 ZMQ

IN THE MATTER OF an application submitted by Fulcrum Properties LLC, The Briarwood Organization LLC. and the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14d:

1. changing from an R4 District to an R7A District property bounded by a line 100 feet southeasterly of Tuskegee Airmen Way, a line midway between Guy R. Brewer Boulevard and Union Hall Street, a line 125 feet southeasterly of Tuskegee Airmen Way, and Union Hall Street;
2. changing from an R5B District to an R7A District property bounded by the southwesterly centerline prolongation of 104th Road, a line 105 feet northeasterly of Guy R. Brewer Boulevard, a line perpendicular to the northeasterly street line of Guy R. Brewer Boulevard distant 100 feet south easterly (as measured along the street line) from the point of intersection of the northeasterly street line of Guy R. Brewer Boulevard and the southeasterly street line of Tuskegee Airmen Way, and a line midway between 164th Street and Guy R. Brewer Boulevard;
3. changing from an R5D District to an R7A District property bounded by Tuskegee Airmen Way, a line 105 feet northeasterly of Guy R. Brewer Boulevard, the southwesterly centerline prolongation of 104th Road, a line midway between 164th Street and Guy R. Brewer Boulevard, a line perpendicular to the northeasterly street line of Guy R. Brewer Boulevard distant 100 feet south easterly (as measured along the street line) from the point of intersection of the northeasterly street line of Guy R. Brewer Boulevard and the southeasterly street line of Tuskegee Airmen Way, Guy R. Brewer Boulevard, a line 100 feet southeasterly of Tuskegee Airmen Way, and Union Hall Street; and
4. establishing within the proposed R7A District a C1-4 District bounded by:
 - a. a line 100 feet southeasterly of Tuskegee Airmen Way, a line midway between Guy R. Brewer Boulevard and Union Hall Street, a line 125 feet southeasterly of Tuskegee Airmen Way, and Union Hall Street; and
 - b. Tuskegee Airmen Way, a line 105 feet northeasterly of Guy R. Brewer Boulevard, a line perpendicular to the northeasterly street line of Guy R. Brewer Boulevard distant 100 feet south easterly (as measured along the street line) from the point of intersection of the northeasterly street line of Guy R. Brewer Boulevard and the southeasterly street line of Tuskegee Airmen Way, and a line midway between 164th Street and Guy R. Brewer Boulevard;

as shown on a diagram (for illustrative purposes only) dated May 28, 2024, and subject to the conditions of CEQR Declaration E-768.

No. 11

CD 12

N 240329 ZRQ

IN THE MATTER OF an application submitted by Fulcrum Properties LLC, The Briarwood Organization LLC and the NYC Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

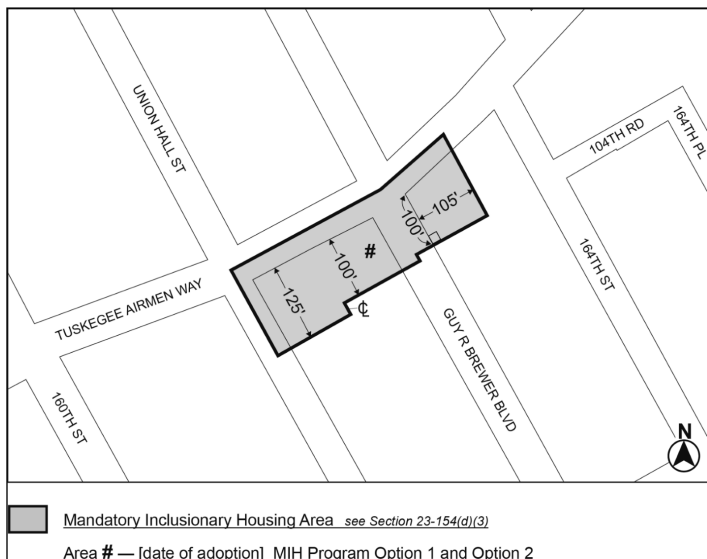
QUEENS

* * *

Queens Community District 12

* * *

Map 3 – [date of adoption]



Portion of Community District 12, Queens

* * *

BOROUGH OF BROOKLYN No. 12

WILLOUGHBY HART HISTORIC DISTRICT

CD 3

N 250006 HKK

IN THE MATTER OF a communication dated July 3, 2024, from the Executive Director of the Landmarks Preservation Commission regarding the Willoughby Hart Historic District designation, designated by the Landmarks Preservation Commission on June 25, 2024 (Designation List No. 542/LP-2683). The Willoughby Hart Historic District consists of the properties bounded by a line beginning at the northwest corner of the property line of 445 Willoughby Avenue, and extending easterly along the northern property lines of 445 through 507 Willoughby Avenue, southerly along the eastern property line of 507 Willoughby Avenue, across Willoughby Avenue and along the eastern property lines of 510 Willoughby Avenue and 75 Hart Street to the northern curb line of Hart Street, westerly along said curb line to a point on a line extending northerly from the eastern property line of 72 Hart Street, southerly along said line and the eastern property line of 72 Hart Street, westerly along the southern property lines of 72 through 12 Hart Street, northerly along a portion of the western property line of 12 Hart Street, westerly along the southern property lines of 10 through 2 Hart Street, to the eastern curb line of Nostrand Avenue, northerly along said curb line, across Hart Street and along the eastern curb line of Nostrand Avenue to a point on a line extending westerly from the northern property line of 1 Hart Street, easterly along said line and the northern property lines of 1 through 9 Hart Street, northerly along the western property lines of 11 Hart Street and 446 Willoughby Avenue, across Willoughby Avenue and along the western property line of 445 Willoughby Avenue to the point of beginning, Borough of Brooklyn, Community District 3.

Sara Avila, Calendar Officer
 City Planning Commission
 120 Broadway, 31st Floor, New York, NY 10271
 Telephone (212) 720-3366

Accessibility questions: (212) 720-3508, AccessibilityInfo@planning.nyc.gov, by: Wednesday, July 31, 2024, 5:00 P.M.



jy24-a7

CITYWIDE ADMINISTRATIVE SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY ACQUISITIONS AND DISPOSITIONS PUBLIC HEARING, in accordance with Section 824 of the New York City Charter, will be held on August 14, 2024 at 10:00 A.M. via Conference Call No. 1-646-992-2010, Access Code 717 876 299.

IN THE MATTER OF a lease for the City of New York, as tenant, on the 3rd floor of the building located at 900 South Avenue (Block 1725 & Lot 85) in the Borough of Staten Island for the Staten Island Community Board #2 to use as an office, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed use was approved by the City Planning Commission pursuant to NYC Charter Section 195 on March 6, 2024 (CPC Appl. No. N 240045 PXR, Public Hearing Cal. No. 22).

The proposed lease shall be for a period of twenty (20) years from Lease Execution, at an annual rent of \$40,000.00 for the first five (5) years, \$44,000.00 for the following five (5) years, \$48,400.00 for the following five (5) years, and \$ 53,240.00 for the last five (5) years, payable in equal monthly installments at the end of each month. Rent for the first three (3) months is abated.

The lease may be terminated by the Tenant at the end of seven (7) years, or at any time thereafter, provided the Tenant gives the Landlord one hundred-eighty (180) days prior written notice. In the event that the lease is terminated by the Tenant, the Tenant shall pay to the Landlord the unamortized portion of the Tenant Representative Broker's commission and the rent abatement.

The Tenant shall have the two rights to renew the lease for periods of five (5) years each at 90% of Fair Market Value upon 180 days prior written notice.

Further information, including public inspection of the proposed lease, may be obtained, at One Centre Street, Room 2000 North, New York, NY 10007. To schedule an inspection, please email RESPublicHearingInquiries@dcas.nyc.gov

If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via email at DisabilityAffairs@mocs.nyc.gov or via phone at 212-298-0734.

✶ jy30

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY ACQUISITIONS AND DISPOSITIONS PUBLIC HEARING, in accordance with Section 824 of the New York City Charter, will be held on August 14, 2024 at 10:00 A.M. via Conference Call No. 1-646-992-2010, Access Code 717 876 299.

IN THE MATTER OF an amendment of the lease for the City of New York, as tenant, on the 7th & 8th floors of the building located at 250 Broadway (Block 124 & Lot 24) in the Borough of Manhattan for the New York City Council to use as executive, general and administrative office use and public hearing rooms for New York City Council, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed use was approved by the City Planning Commission pursuant to NYC Charter Section 195 on November 25, 1998 (CPC Appl. No. N990154PXM, Public Hearing Cal. No.21).

The proposed amendment of the lease shall commence upon Substantial Completion of alterations and improvements at an annual rent of \$1,856,404.00 for the first five (5) years, \$ 2,042,044.40 for the following five(5) years, \$2,246,248.84 for the following five (5) years, and \$2,470,704.96 until February 29, 2040, payable in equal monthly installments at the end of each month. Rent for the first seven (7) months from Substantial Completion is abated.

The amendment of the lease may be terminated by the Tenant effective December 31, 2026, provided the Tenant gives the Landlord 450 days prior written notice. In the event that the lease is terminated by the Tenant, the Tenant shall pay to the Landlord the unamortized portion of Landlord's Contribution towards the Tenant Work costs and rent abatement.

The Tenant shall have the right to renew the lease for a period of ten (10) years at an annual rent equal to the then Fair Market Value.

The Landlord shall prepare final architectural plans and engineering plans and make alterations and improvements in accordance with preliminary architectural plans and specifications which are attached to the lease. The alterations and improvements consist of Base Building Work and Tenant Work, which the landlord shall provide at its sole cost and expense.

Further information, including public inspection of the proposed lease, may be obtained, at One Centre Street, Room 2000 North, New York, NY 10007. To schedule an inspection, please email RESPublicHearingInquiries@dcas.nyc.gov

If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via email at DisabilityAffairs@mocs.nyc.gov or via phone at 212-298-0734.

☛ jy30

HUMAN CAPITAL LINE OF SERVICE PROPOSED AMENDMENT TO CLASSIFICATION

PUBLIC NOTICE IS HEREBY GIVEN of a virtual public hearing to amend the Classification of the Classified Service of the City of New York.

A virtual public hearing will be held by the Commissioner of Citywide Administrative Services in accordance with Rule 2.6 of the Personnel Rules and Regulations of the City of New York via Microsoft Teams on August 7, 2024, at 10:00 A.M.

Topic: Public Hearing – Civilian Complaint Review Board [054] – NYS Civil Service Commission Proposal

Meeting link: <https://www.microsoft.com/microsoft-teams/join-a-meeting>

Meeting ID: 282 488 822 67

Passcode: nnnBAY

Phone Number: 1 646-893-7101

Phone Conference ID: 278 856 178#

For more information go to the DCAS website at <https://www1.nyc.gov/site/dcas/about/public-hearings.page>

RESOLVED, that the classification of the Classified Service of the City of New York is hereby amended under the heading of **CIVILIAN COMPLAINT REVIEW BOARD [054]** as follows:

- I. To classify the following non-managerial title in the Non-Competitive Class, subject to Rule XI, Part II:

| Annual Salary Range Effective 5/24/2023 | | | | | |
|--|----------------------|-----------------------|----------------------|-----------|--------------------------------------|
| Title Code Number | Class of Positions | New Hire Minimum + | Incumbent Minimum | Maximum | Number of Positions Authorized |
| XXXXX | Data Analyst (CCRB) | | | | 10 |
| | Assignment Level I | \$62,688 | \$67,603 | \$80,034 | |
| | Assignment Level II | \$72,794 | \$78,501 | \$87,426 | |
| | Assignment Level III | \$82,281 | \$88,732 | \$114,887 | |

Part II positions are covered by Section 75 of the Civil Service Law Disciplinary procedures after 5 years of service.

+ Employees hired into city service should be paid no less than the "New Hire Minimum" for the applicable title/level. Upon completion of two years of qualified active or inactive service, such employees shall be paid no less than the indicated minimum for the employee's title/level that is in effect for incumbents on the second anniversary of their original appointment to city service.

Accessibility questions: DCAS Accessibility at (212) 386-0256 or Accessibility@dcas.nyc.gov, by: Tuesday, August 6, 2024, 10:00 A.M.



jy29-31

HOUSING AUTHORITY

■ NOTICE

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, July 31, 2024 at 10:00 A.M. in the Ceremonial Room on the 5th Floor of 90 Church Street, 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 90 Church Street, 5th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Draft 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.

Accessibility questions: (212) 306-3429, by: Wednesday, July 17, 2024, 5:00 P.M.



jy11-31

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, August 13, 2024, a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by video conference may be available as well. Please check the hearing page on LPC's website (<https://www.nyc.gov/site/lpc/hearings/hearings.page>) for updated hearing information.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at gcala@lpc.nyc.gov or 212-602-7254 no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at www.youtube.com/nycipc and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing.

20 Cambridge Place - Clinton Hill Historic District

LPC-25-00525 - Block 1964 - Lot 45 - **Zoning:** R6B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built c. 1867. Application is to construct a rear yard addition.

129 Vanderbilt Avenue - Wallabout Historic District

LPC-24-05296 - Block 1887 - Lot 11 - **Zoning:** R5B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built in 1854-55. Application is to enlarge a rear yard addition.

125 Chambers Street, aka 95 West Broadway -

Tribeca South Historic District

LPC-25-00396 - Block 145 - Lot 12 - **Zoning:** C6-3A

CERTIFICATE OF APPROPRIATENESS

A Gothic Revival/Italianate style hotel building built in 1844-1845, with additions built in 1852-53, 1867-1868 and 1869 and altered in 1987-1989. Application is to install signage and light fixtures.

51 Barrow Street - Greenwich Village Historic District

LPC-24-09981 - Block 587 - Lot 49 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A late Federal style rowhouse built in 1826. Application is to construct rooftop and rear yard additions and alter the rear façade.

130 West 57th Street - Individual Landmark

LPC-24-11718 - Block 1009 - Lot 46 - **Zoning:** C5-3

CERTIFICATE OF APPROPRIATENESS

A studio building designed by Pollard & Steinam and built in 1907-8. Application is to alter a storefront entrance vestibule and install cladding and signage.

785 Fifth Avenue - Upper East Side Historic District
LPC-24-12001 - Block 1374 - Lot 69 - **Zoning:** RH-10

CERTIFICATE OF APPROPRIATENESS

An apartment building designed by Emery Roth & Sons and built in 1962-63. Application is to lower parapet walls and install railings at a terrace.

857 Fifth Avenue - Upper East Side Historic District
LPC-24-03833 - Block 1382 - Lot 1 - **Zoning:** R10

CERTIFICATE OF APPROPRIATENESS

An apartment building designed by Robert L. Bien and built in 1961-1963. Application is to reclad the base of the building.

☛ **July 30 - a12**

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, August 6, 2024, a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by video conference may be available as well. Please check the hearing page on LPC's website (<https://www.nyc.gov/site/lpc/hearings/hearings.page>) for updated hearing information.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at gcala@lpc.nyc.gov or (212) 602-7254 no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at www.youtube.com/nycipc and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing.

211 DeKalb Avenue - Fort Greene Historic District
LPC-24-08648 - Block 2091 - Lot 75 - **Zoning:** R6B, C2-4

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built c. 1870-1880. Application is to install awnings and legalize light fixtures installed without Landmarks Preservation Commission permit(s).

21-33 45th Avenue - Hunters Point Historic District
LPC-24-08320 - Block 78 - Lot 16 - **Zoning:** R6B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse designed by Root & Rust and built in the early 1870s. Application is to construct a rear yard addition.

64 and 66 Horatio Street - Greenwich Village Historic District
LPC-24-02924 - Block 626 - Lot 6, 7 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

Two Greek Revival style rowhouses designed by Abraham Demarest and built in 1845-46, with major alterations to 66 Horatio in the 20th century. Application is to combine the buildings and alter floor levels and the party wall, excavate, replace doors and windows, install ironwork, alter facades, demolish a portion of the rear extension, and install rooftop mechanical equipment.

153-159 Sullivan Street - Sullivan-Thompson Historic District
LPC-24-08053 - Block 517 - Lot 11 - **Zoning:** R7-2

CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style church building designed by Arthur Crooks and built in 1886-1888. Application is to install HVAC equipment and planters, relocate and replace statuary, and install signage.

167 West 72nd Street - Upper West Side/Central Park West Historic District
LPC-24-08751 - Block 1144 - Lot 105 - **Zoning:** C4-6A

CERTIFICATE OF APPROPRIATENESS

A mixed-use building, originally built as a rowhouse in 1883-84 and modified in 1909 by E. Wilbur to a store and apartment building. Application is to modify windows installed without Landmarks Preservation Commission permit(s).

23-25 East 64th Street - Upper East Side Historic District
LPC-23-05803 - Block 1379 - Lot 17 - **Zoning:** C5-1

CERTIFICATE OF APPROPRIATENESS

23 East 64th Street is a Neo-Grec style rowhouse designed by John G. Prague and built in 1879-80 and altered at the upper two floors in the Neo-Federal style by Pickering and Walker in 1907-08, and again in 1926 by J.R. Bonner and A. Weiser; and 25 East 64th Street is an

Italianate style rowhouse designed by John G. Prague and built in 1879-80 and altered in 1919 and 1926. Application is to modify and legalize work completed in non-compliance with Certificate of Appropriateness 16-4650, and to legalize the installation of a flue without Landmarks Preservation Commission permit(s).

July 24 - a6

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 remotely commencing on Wednesday August 7, 2024, at 11 AM, via the WebEx platform and in person, on the following petitions for revocable consent.

WebEx: Meeting Number (access code): 2809 583 9917

Meeting Password: CiAaMctr554

The hearing will be held in person at 55 Water St, BID ROOM, in the Borough of Manhattan. Masks are required to be worn to enter the building and during the hearing.

#1 IN THE MATTER OF a proposed revocable consent authorizing 26 Bruckner LLC to continue to maintain and use two bollards, on the west sidewalk of Alexander Avenue, between Bruckner Boulevard and East 132nd Street, and two bollards and two benches, on the south sidewalk of Bruckner Boulevard, between Alexander Avenue and Lincoln Avenue, in the Borough of the Bronx. The revocable consent is for ten years from July 1, 2024 to June 30, 2034 and provides among other terms and conditions for -compensation payable to the City according to the following schedule: **R.P. # 1892**

For the period from July 1, 2024 to June 30, 2034 - \$800/per annum

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

#2 IN THE MATTER OF a proposed revocable consent authorizing 39 West 87th Street Housing Corporation to continue to maintain and use a front stoop and areaway stairs on the north sidewalk of West 87th Street, between Central Park West and Columbus Avenue, in the Borough of Manhattan. The revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1708**

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

with the maintenance of a security deposit in the sum of \$5,500 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 40 West 69th Owner LLC to continue to maintain and use a walled-in area, together with stoop and steps on the south sidewalk of West 69th Street, east of Columbus Avenue, in the Borough of Manhattan. The revocable consent is for a term of ten years from July 1, 2024 to June 30, 2034 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1919**

For the period from July 1, 2024 to June 30, 2034 - \$25/per annum;

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

#4 IN THE MATTER OF a proposed revocable consent authorizing 48-18 Van Dam Property Holdings LLC to construct, maintain and use an accessible ramp with platform and stairs along with planters on the west sidewalk of Van Dam Street, between Hunters Point Avenue and 48th Avenue, in the Borough of Queens. 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. # 2659**

From the approval Date to June 30th, 2034 - \$25/ per annum.

with 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 48-75 Owners Corp. to continue to maintain and use a stoop on the south sidewalk of West 75th Street, east of Columbus Avenue, 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. # 2203**

For the period from July 1, 2023 to June 30, 2033 - \$25/per annum

with the maintenance of a security deposit in the sum of \$1,000 and the insurance shall be in the amount of Two Million Dollars (\$2000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#6 IN THE MATTER OF a proposed revocable consent authorizing 280 Henry LLC to continue to maintain and use a stoop, walled-in area and a sidewalk electrical snowmelt system on the west sidewalk of Henry Street, north of State Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2024 to June 30, 2034 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2236**

For the period from July 1, 2024 to June 30, 2034 - \$25/per annum;

with the maintenance of a security deposit in the sum of \$6,500 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.

#7 IN THE MATTER OF a proposed revocable consent authorizing 282 West 4th Street LLC to continue to maintain and use a stoop on the east sidewalk of Hicks Street, south of Joralemon Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2023 to June 30, 2033 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1453**

For the period from July 1, 2023 to June 30, 2033 - \$25/per annum

with 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.

#8 IN THE MATTER OF a proposed revocable consent authorizing 1775 Grand Concourse LLC to continue to maintain and use two (2) ramps, together with steps on the west sidewalk of Grand Concourse Boulevard, south of East 175th Street, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2024 to June 30, 20334 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2273**

For the period from July 1, 2024 to June 30, 2034 - \$50/per annum

with 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.

#9 IN THE MATTER OF a proposed revocable consent authorizing Blue Door 23 LLC to continue to maintain and use a fenced-in area on the south sidewalk of West 23rd Street, between Eighth and Ninth Avenues, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2024 to June 30, 2034 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2242**

For the period July 1, 2024 to June 30, 2034 - \$384/per annum

with 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.

#10 IN THE MATTER OF a proposed revocable consent authorizing Christine Paterakis and John E. Duff to continue to maintain and use stairs on the south sidewalk of Congress Street, east of Hicks Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2024 to June 30, 2034 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2252**

For the period from July 1, 2024 to June 30, 2034 - \$25/per annum

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

#11 IN THE MATTER OF a proposed revocable consent authorizing Church of the Incarnation to construct, maintain and use an accessible ramp with steps on the south sidewalk of West 175th Street, between St. Nicholas and Audubon Avenues, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years 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. # 2660**

From the approval Date to June 30th, 2034 - \$25/ per annum.

with the maintenance of a security deposit in the sum of \$7,000 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 DOLP 1155 Properties II LLC to continue to maintain and use twelve (12) planters on the south sidewalk of West 45th Street, west of Avenue of the Americas and on the west sidewalk of Avenue of the Americas, between West 44th and West 45th Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2024 to June 30, 2034 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1854**

For the period July 1, 2024 to June 30, 2034 - \$300/per annum;

with the maintenance of a security deposit in the sum of \$1,200 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.

#13 IN THE MATTER OF a proposed revocable consent authorizing Enwell Café Corp. to continue to maintain and use a bench on the west sidewalk of Irving Place, between East 18th Street and East 19th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2024 to June 30, 2034 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1883**

For the period from July 1, 2024 to June 30, 2034 - \$150/annum

with the maintenance of a security deposit in the sum of \$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.

#14 IN THE MATTER OF a proposed revocable consent authorizing Esther Altmann to continue to maintain and use a stoop on the south sidewalk of West 87th Street, west of West End Avenue, 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. # 2199**

For the period from July 1, 2023 to June 30, 2033 - \$25/per annum.

with the maintenance of a security deposit in the sum of \$2,000 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.

#15 IN THE MATTER OF a proposed revocable consent authorizing Francesco Scattone and Judith Gibbons to continue to maintain and

use a stoop and fenced-in area on the south sidewalk of East 93rd Street, west of Madison Avenue, 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. # 2192**

For the period from July 1, 2023 to June 30, 2033 - \$25/per annum.

with 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.

#16 IN THE MATTER OF a proposed revocable consent authorizing Kamal Choudhury to continue to maintain and use a fenced-in area at the northwest corner of 215th Street and 93rd Avenue, in the Borough of Queens. The proposed revocable consent is for a term of ten years from July 1, 2024 to June 30, 2034 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1357**

For the period from July 1, 2024 to June 30, 2034 - \$128/per annum

with the maintenance of a security deposit in the sum of \$1,000 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.

#17 IN THE MATTER OF a proposed revocable consent authorizing Ogden Codman LLC to construct, maintain and use a walled-in area, including planters on the east sidewalk of 5th Avenue, between East 89th and East 90th Streets, 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. # 2661**

From the approval Date to June 30th, 2034 - \$25/ per annum.

with the maintenance of a security deposit in the sum of \$16,200 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.

#18 IN THE MATTER OF a proposed revocable consent authorizing WWP Office LLC to continue to maintain and use planters on the west sidewalk of Eighth Avenue, north of West 49th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2024 to June 30, 2034 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1441**

For the period from July 1, 2024 to June 30, 2034 - \$236/per annum

with the maintenance of a security deposit in the sum of \$1,000 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.

#19 IN THE MATTER OF a proposed revocable consent authorizing Broadway Square NYC LLC to continue to maintain and use an accessibility ramp on the south sidewalk of Boerum Street, east of Broadway, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2019 to June 30, 2029 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1328**

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

with the maintenance of a security deposit in the sum of \$1,500 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.

Interested parties can obtain copies of proposed agreement or request sign-language interpreters (with at least seven days prior notice) by writing revocableconsents@dot.nyc.gov or by calling (212) 839-6550.

jl18-a7

PROPERTY DISPOSITION

The City of New York in partnership with PublicSurplus.com posts online auctions. All auctions are open to the public.

Registration is free and new auctions are added daily. To review auctions or register visit <https://publicsurplus.com>

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with IAAI.com posts vehicle and heavy machinery auctions online every week at: <https://iaai.com/search?keyword=dcas+public>.

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

Vehicles can be viewed in person at:
Insurance Auto Auctions, Green Yard
137 Peconic Ave., Medford, NY 11763
Phone: (631) 207-3477

No previous arrangements or phone calls are needed to preview.
Hours are Monday from 10:00 A.M. - 2:00 P.M.

ja19-jy3

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

ja16-d31

PROCUREMENT

“Compete To Win” More Contracts!

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

● Win More Contracts, at nyc.gov/competetowin

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

HHS ACCELERATOR PREQUALIFICATION

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 HHS Accelerator Prequalification Application using the City's PASSPort system. The PASSPort system is a web-based system maintained by the City of New York for use by its Mayoral Agencies to manage procurement. Important business information collected in the Prequalification Application is 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 and organizational capacity. Approved organizations will be eligible to compete and would submit electronic proposals through the PASSPort system. The PASSPort Public Portal, which lists all RFPs, including HHS RFPs that require HHS Accelerator Prequalification, may be viewed, at https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public

All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding. For additional information about HHS Accelerator Prequalification and PASSPort, including background materials, user guides and video tutorials, please visit <https://www.nyc.gov/site/mocs/hhsa/hhs-accelerator-guides.page>

ADMINISTRATION FOR CHILDREN'S SERVICES

OFFICE OF INFORMATION TECHNOLOGY

■ AWARD

Services (other than human services)

OPENTEXT LIQUID OFFICE SUPPORT - Intergovernmental Purchase - PIN# 06824O0013001 - AMT: \$30,822.69 - TO: Stellar Services, Inc., 70 West 36th Street, Suite 702, New York, NY 10018.

OpenText Liquid Office provides needed goods and services, such as furniture, clothing, heavy duty cleaning and extermination services, to the Client ACS serves. Without this Liquid Office software, the DOAS system will not work.

☛ jy30

PREVENTION SERVICES

■ AWARD

Services (other than human services)

MODEL DEVELOPER FOR SCHOOL-BASED EARLY SUPPORT - Sole Source - Other - PIN# 06824S0001001 - AMT: \$165,337.50 - TO: Families and Schools Together Inc, 340 7th Street, Mineral Point, WI 53565.

☛ jy30

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICE

■ AWARD

Goods

NYSID CATALOG AND STOREHOUSE ITEMS - Renewal - PIN# 85720R8004KXLR001 - AMT: \$17,533,000.00 - TO: New York State Industries for the Disabled Inc, 11 Columbia Circle Drive, Albany, NY 12203-5156.

Supply the City of New York with products from New York State Industries for The Disabled, Inc (NYSID).

☛ jy30

OFFICE OF CITYWIDE PROCUREMENT

■ AWARD

Goods

SUV, ELECTRIC, ALL WHEEL DRIVE - NYPD - Competitive Sealed Bids - PIN# 85724B0071001 - AMT: \$6,509,248.50 - TO: Major Chevrolet Inc., 43-40 Northern Boulevard, Long Island City, NY 11101.

☛ jy30

CORRECTION

FINANCIAL FACILITY AND FLEET ADMINISTRATION

■ AWARD

Services (other than human services)

MAINTENANCE OF ELEVATORS THROUGHOUT DOC - Renewal - PIN# 07221B8004KXLR001 - AMT: \$1,414,875.00 - TO: Slade Industries, Inc, 200 Sheffield Street, Suite 305, Mountainside, NJ 07092.

☛ jy30

DESIGN AND CONSTRUCTION

■ AWARD

Construction / Construction Services

BUSHWICK FAMILY RESIDENCE BOILER - Competitive Sealed Bids - PIN# 85023B0094001 - AMT: \$2,842,550.00 - TO: CDE Air Conditioning Co Inc, 321 39th Street, Brooklyn, NY 11232-2903.

Special Case Determination not applicable - As per PPB Rule 3-01 (b) using Preferred Method - Competitive Sealed Bidding awarded to lowest bid.

☛ jy30

NON-STANDARD PEDESTRIAN RAMP UPGRADES

Competitive Sealed Bids - PIN# 85024B0037001 - AMT: \$14,464,912.77 - TO: Difazio Ind LLC, 38 Kinsey Place, Suite #1, Staten Island, NY 10303.

HWPR20MCL. Landmark Borough of Manhattan Including curbs and sidewalk reconstruction, pavement markings, street lighting, and traffic signal work together with all work incidental thereto Borough of Manhattan City of New York CBs: 2, 4, 5, 7 and 8 CCDs - 730.

Special Case Determination not applicable - As per PPB Rule 3-01 (b) using Preferred Method - Competitive Sealed Bidding awarded to lowest bid.

☛ jy30

ENVIRONMENTAL PROTECTION

WASTEWATER TREATMENT

■ AWARD

Goods

BWT DYNABLEND POLYMER BLENDING UNITS - 4XC00319 /5XC00313 - M/WBE Noncompetitive Small Purchase - PIN# 82624W0067001 - AMT: \$150,800.00 - TO: Pina M Inc, 200 Village Center Drive 7323, Freehold, NJ 07728.

☛ jy30

FIRE DEPARTMENT

BUREAU OF HEALTH SERVICES

■ SOLICITATION

Services (other than human services)

RADIOLOGICAL FACILITIES MANAGEMENT, INTERPRETATION AND QUALITY ASSURANCE SERVICES - Competitive Sealed Proposals - Other - PIN# 05724P0013 - Due 9-5-24 at 2:00 P.M.

The Fire Department's goals and objectives for this solicitation are to obtain proposals from qualified Contractors with experience providing services of a Radiology Services Manager for the purpose of providing uniform Radiology Facilities Management, Interpretation and Quality Assurance Services for FDNY personnel and candidates for employment who are eligible for Xray examinations as part of their annual physical examination or candidate physical examination, and/or have chronic World Trade Center Health Program (WTC HP) related medical conditions and/or line of duty injury ("LODI") related medical conditions. This competitive sealed bid ("RFx") is being released through PASSPort, New York City's online procurement portal.

Responses to this RFx should be submitted via PASSPort. To access the solicitation and all related information/document, please navigate to the PASSPort Public Portal at <https://www.nyc.gov/site/mocs/passport/about-passport.page> Click on the "Procurement Navigator" button. To locate the RFx on the Public Portal, insert 05724P0013 into the Keywords search field. If you need assistance submitting a response, please use the Inquiry Submission Form <https://mocssupport.atlassian.net/servicedesk/customer/portal/8>

Pre bid conference location -Microsoft Teams Meeting ID: 241 224 992
439 Passcode: MjEMZh Mandatory: no Date/Time - 2024-08-15 10:00:00.

✶ jy30

HEALTH AND MENTAL HYGIENE

FAMILY AND CHILD HEALTH

■ INTENT TO AWARD

Human Services/Client Services

MOBILE VISION VAN DEMO PROJECT - Demonstration Project - Other - PIN#81624D0001 - Due 8-5-24 at 6:00 P.M.

NYC Department of Health and Mental Hygiene intends to pursue a demonstration project with Community Healthcare Network Inc. (CHN) to test and evaluate the feasibility of an innovative approach for mobile van eye care screening services to low-income, adult New Yorkers in underserved communities. This demonstration project aims to evaluate the effectiveness of a mobile Van for Vision Care services, which will include eye exams, immediate care for acute needs, diagnosis, and treatment of common eye problems; and provide referrals to care for advance/longer term issues, as well as insurance screenings.

DOHMH determined that this Demonstration Project will be in the city's best interest, as this is the first time that the city has launched a mobile van eye care services that provides immediate eye care, treatment, and referrals services to adult New Yorkers, specifically in underserved communities. This will align with the Department of Health's mission to protect and promote the health of all New Yorkers. CHN is uniquely positioned to expand access to eye care in low income and underserved communities through their Eyecare Mobile Van. The Term of the contract will be for (3) three years, with no option to renew. The PIN is 25PH007001R0X00.

DOHMH determined that this Demonstration Project will be initiated without soliciting proposals. After research was performed, it was determined that it is not advantageous to the city to procure these services competitively, and it is in the city's best interest to begin preliminary discussion directly with Community Healthcare Network. CHN is uniquely positioned to expand access to eye care in low income and underserved communities through their Eyecare Mobile Van. At the conclusion of the contract term, based upon the documented results of this project, DOHMH will determine whether to competitively acquire or to discontinue the use of these services.

jy26-a1

HOMELESS SERVICES

■ AWARD

Human Services/Client Services

GIRL SCOUT MEMBERSHIP AND RELATED COSTS FOR FAMILIES WITH CHILDREN - Negotiated Acquisition - Other - PIN# 07124N0018001 - AMT: \$466,849.00 - TO: Girl Scout Council of Greater New York Inc, 40 Wall Street, Suite 708, New York, NY 10005-1395.

At Troop 6000, located at the following address: 40 Wall Street, Suite 708, New York, NY 10005. The contract term is 5/1/2024 – 6/30/2025. The total contract value is \$466,849.00.

This is a NAE with incumbent provider to maintain continuity of Human/Client Services for Families with Children for the minimum amount of time until a new RFP is processed, according to PPB Rule 3-01 (d)(2)(vii). The one year NAE is needed to continue services while a new RFP is planned.

✶ jy30

SHELTER SERVICES FOR SINGLE ADULTS AT PROSPECT PLACE SHELTER + ALLOWANCE - Negotiated Acquisition - Other - PIN# 07124N0019001 - AMT: \$5,730,454.00 - TO: Center for Urban Community Services Inc, 198 East 121st Street, 6th Floor, New York, NY 10035.

Located at 174 Prospect Place, Brooklyn, NY 11238. The one-year NAE is necessary to continue services as a proposal response has been received for the open-ended RFP and it is anticipated that the contract award will be for FY26 under the open-ended RFP. The contract term is 7/1/2024 – 6/30/2025. The total contract value is \$5,730,454.00, including 25% allowance \$1,146,091.00.

This procurement is part of the FY'25 timeliness initiative.

This is a negotiated acquisition extension with the incumbent provider to maintain continuity of shelter services for homeless adults for the minimum amount of time until a new RFP is processed, according to PPB Rule 3-01 (d)(2)(vii).

✶ jy30

SHELTER FACILITIES FOR HOMELESS SINGLE ADULTS AT 2402 ATLANTIC AVE, BK - Competitive Sealed Proposals/Pre-Qualified List - PIN# 07122P0012016 - AMT: \$70,106,928.00 - TO: Camba Inc, 1720 Church Avenue, 2nd Floor, Brooklyn, NY 11226.

Round 15.

This is an open-ended RFP for shelter facilities for homeless single adults; judgement is necessary in evaluating proposals to ensure the appropriateness of the facility and provision of client services.

✶ jy30

RENEWAL + ALLOWANCE - HAMILTON - Renewal - PIN# 07119P8265KXLR001 - AMT: \$49,935,330.00 - TO: Help Social Service Corporation, 115 East 13th Street, New York, NY 10003.

Renewal + Allowance - Stand Alone Transitional Residence for Homeless Families with Children at Hamilton located at 30 Hamilton Place, NY 10031

✶ jy30

HUMAN RESOURCES ADMINISTRATION

■ AWARD

Human Services/Client Services

SINGLE ROOM OCCUPANCY SUPPORTIVE HOUSING FOR SINGLE ADULTS AT JERICHO HOUSE - 247 UNITS - Required/Authorized Source - PIN# 06924R0003012 - AMT: \$5,186,934.60 - TO: The Jericho Project, 245 West 29th Street, Suite 902, New York, NY 10001.

Located at 2013 Adam Clayton Powell Jr. Boulevard, New York, NY 10027; 1846 Anthony Avenue, Bronx, NY 10457; 1840 Anthony Avenue, Bronx, NY 10457; 1928 Loring Place, South Bronx, NY 10453; 89-101 West Tremont Avenue, Bronx, NY 10453.

✶ jy30

YOUTH PATHWAYS NAE - SERVICE AREA II, BROOKLYN

- Negotiated Acquisition - Other - PIN# 06924N0032001 - AMT: \$1,928,754.26 - TO: Goodwill Industries of Greater NY & Northern New J, 25 Elm Place, 3rd Floor, Brooklyn, NY 11201.

The Department of Social Services (DSS) Career Services is requesting a Negotiated Acquisition Extension (NAE) to extend the contract with Goodwill Industries of Greater NY & Northern New Jersey Inc. for 15 months to provide more time to release a new RFP. This additional time is vital to ensure continuity of services of assisting New York clients ages 18 to 24 in Brooklyn to obtain and maintain employment. The Career Services' Career Pathways/Youth Pathways approach connects progressive levels of education, training, support services, and credentials, working with employers to grow a pipeline of skilled workers for in-demand occupations. The program provides care, education, and training services and helps find programs, including internships and community service, tailored to the needs of a younger population. Contract Term: 4/1/24 - 6/30/25. Contract Amount: \$1,928,754.26.

This NAE with incumbent provider is necessary to provide more time to release a new RFP and ensure the continuity of career services of assisting DSS clients to obtain and maintain employment until a new RFP is in place. This procurement is in accordance with PPB Rules Section 3-01(d)(2)(vii).

✶ jy30

SINGLE ROOM OCCUPANCY FOR SINGLE ADULTS AT COMMONWEALTH VETERANS RES - 149 UNITS - Required/Authorized Source - PIN# 06924R0003020 - AMT: \$3,164,134.58 - TO: Volunteers of America Greater New York Inc., 135 West 50 Street, 9th Floor, New York, NY 10020.

Located at 1150 Commonwealth Avenue, Bronx, NY 10472.

✶ jy30

SINGLE ROOM OCCUPANCY FOR SINGLE ADULTS AT HENRY STREET SETTLEMENT - 52 UNITS - Required/Authorized Source - PIN# 06924R0003017 - AMT: \$1,111,032.00 - TO: The Second Henry Street HDFC, 265 Henry Street, New York, NY 10002.

Located at 290 East 3rd Street, New York, NY 10009.

☛ jy30

■ INTENT TO AWARD

Services (other than human services)

NEW YORK COUNTY HEALTH SERVICES REVIEW ORGANIZATIONS INC. - Negotiated Acquisition - Other - PIN# 06924N0066 - Due 7-31-24 at 7:00 P.M.

The Human Resources Administration (HRA) – Home Care Services (HCSP) is requesting a Negotiated Acquisition Extension (NAE) for New York County Health Services Review Organization (NYCHSRO) for the period of 5-1-2024 to 4-30-2025 for \$746,477.00. This will ensure the continuity of services as HRA/HCSP awaits New York State Department of Health (NYSDOH) restructuring. NYCHSRO provides three fulltime equivalent physicians to assist HCSP with developing and reviewing client home care plans citywide, for Medicaid-eligible individuals who are medically and/or physically disabled, frail or elderly in need of home care. The funding source is 50% Federal, 50% State. NYCHSRO was effective in assisting HRA/HCSP with its Home Care Service Plans during the current contract period from May 2023 to April 2024. NYCHSRO submitted all Contract Agency Monthly Financial Reports (CAMFRs) in a timely manner; thus, HRA/HCSP deems the vendor responsible to receive an extension.

Procurement and award are in accordance with PPB Rule Section 3-04(b)(2)(iii) for the reasons set forth herein.

jy24-30

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ INTENT TO AWARD

Services (other than human services)

POLL SITE LANGUAGE ASSISTANCE PROGRAM - Negotiated Acquisition - Other- PIN# 85824N0004 - Due 8-13-24 at 2:00 P.M.

The City of New York (City), acting by and through the Office of Technology and Innovation (OTI) or the Department of Information Technology and Telecommunications (DoITT), is seeking a vendor to secure interpreters to staff voter interpretation services under the NYC Charter-mandated Poll Site Language Assistance Program.

The contract will replace existing contract with TheBigWord Inc which is due to expire on September 14, 2024. The term of the new contract will be of 3 years. The estimated contract amount is \$3,000,000. Pursuant to PPB Rules section 3-04(b)(2)(i) ("time-sensitive situation"), I have determined that the use of the Negotiated Acquisition Method is justified because it is neither practicable nor advantageous to award the contract by competitive sealed bidding or competitive sealed proposals, due to the fact that there is significant time constraint in order to avoid a gap in services for the Program.

There are a limited number of vendors available and able to provide these specialty language and interpreting services.

jy25-a1

PARKS AND RECREATION

CAPITAL PROGRAM MANAGEMENT

■ SOLICITATION

Construction / Construction Services

M028-123M: FT. WASHINGTON PK. LILY BROWN PLYGRND RECON. - Competitive Sealed Bids - PIN# 84624B0147 - Due 8-22-24 at 10:30 A.M.

This procurement is subject to: Participation goals for MBEs and/or WBEs as required by Local Law 1 of 2013, Apprenticeship Requirements. Bid Submissions must be submitted in PASSPort. Bid Opening will be held on August 22, 2024 at 11:30 A.M. via Zoom Link: <https://us02web.zoom.us/j/2290435542?pwd=VFovbDl6UTVFNXl3ZGxPYUVsQU5kZz09>. Meeting ID: 229 043 5542 Passcode: 763351 One Tap Mobile: +19292056099,,2290435542#,,, *763351# US (New York) +13017158592,,2290435542#,,, *763351# US (Washington DC).

The Cost Estimate Range is between \$3,000,000.00 - \$5,000,000.00. Bid documents are available online for free through NYC PASSPortSystem <http://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page>. To download the bid solicitation documents (including drawings if any) you must have a NYC ID Account and Login.

☛ jy30

■ AWARD

Construction / Construction Services

QG-1523M: QUEENS TREE-DAMAGED SIDEWALK RECONSTRUCTION - Competitive Sealed Bids - PIN# 84624B0022001 - AMT: \$5,684,923.00 - TO: D&G Elite Construction, 627 Broadway, Suite 217, Massapequa, NY 11758.

☛ jy30

POLICE DEPARTMENT

MANAGEMENT AND BUDGET

■ AWARD

Goods

EQUIPMENT REQUIRED FOR TRAINING PURPOSES FOR NYPD EMERGENCY - M/WBE Noncompetitive Small Purchase - PIN# 05624W0031001 - AMT: \$235,156.00 - TO: All South Shore Medical Supply Inc., 586 Merrick Road, Baldwin, NY 11510.

NYPD Emergency Services Unit purchase of various Trauma Simulator Manikins and equipment for training.

☛ jy30

SANITATION

SUPPORT SERVICES

■ AWARD

Goods

ELECTRICAL EQUIPMENT & SUPPLIES - M/WBE Noncompetitive Small Purchase - PIN# 82725W0002001 - AMT: \$98,000.00 - TO: Wingglee LLC, 1043 40th Street, Unit 3, Brooklyn, NY 11219.

☛ jy30

SMALL BUSINESS SERVICES

PROCUREMENT

■ INTENT TO AWARD

Human Services / Client Services

BRONX-CONSTRUCTION SITE SAFETY TRAINING-NEGOTIATED ACQUISITION EXTENSION - Negotiated Acquisition - Other - PIN# 80124N0018 - Due 8-6-24 at 5:00 P.M.

The NYC Department of Small Business Services is entering into a Negotiated Acquisition Extension Contract with Catholic Charities Community Services Archdiocese of NY, to provide site safety training in the borough of the Bronx. Local Law 196 (2017) establishes Site Safety Training requirements for workers at most construction sites in the City of New York. Local Law 196 also requires that an agency designated by the Mayor will develop a program to provide equal access to the training required by Section 3321 of the New York City Building Code. The New York City Department of Small Business Services (SBS) has been designated to provide such a training program and to ensure that these essential safety standards are in place to protect the lives of construction workers and the public consistent with the requirements outlined in the local law. The contract term will be from 7/1/2024 to 6/30/2025, in the amount of \$339,805.00.

The Services required under this contract are required to maintain the level of services required to be provided to construction site safety day laborer individuals until a new solicitation can be released and a new contract awarded.

☛ jy30-a5

BROOKLYN-CONSTRUCTION SITE SAFETY TRAINING-NEGOTIATED ACQUISITION EXTENSION - Negotiated Acquisition - Other - PIN# 80124N0019 - Due 8-6-24 at 4:00 P.M.

The NYC Department of Small Business Services is entering into a Negotiated Acquisition Extension Contract with Third Sector New England Inc, to provide site safety training in the borough of Brooklyn. Local Law 196 (2017) establishes Site Safety Training requirements for workers at most construction sites in the City of New York. Local Law 196 also requires that an agency designated by the Mayor will develop a program to provide equal access to the training required by Section 3321 of the New York City Building Code. The New York City Department of Small Business Services (SBS) has been designated to provide such a training program and to ensure that these essential safety standards are in place to protect the lives of construction workers and the public consistent with the requirements outlined in the local law. The contract term will be from 7/1/2024 to 6/30/2025, in the amount of \$331,057.00.

The Services required under this contract are required to maintain the level of services required to be provided to construction site safety day laborer individuals until a new solicitation can be released and a new contract awarded.

☛ jy30-a5

MANHATTAN-CONSTRUCTION SITE SAFETY TRAINING-NEGOTIATED ACQUISITION EXTENSION CONTRACT

- Negotiated Acquisition - Other - PIN# 80124N0020 - Due 8-6-24 at 4:00 P.M.

The NYC Department of Small Business Services is entering into a Negotiated Acquisition Extension Contract with New York Committee for Occupational Safety and Health Inc to provide site safety training in the borough of Manhattan. Local Law 196 (2017) establishes Site Safety Training requirements for workers at most construction sites in the City of New York. Local Law 196 also requires that an agency designated by the Mayor will develop a program to provide equal access to the training required by Section 3321 of the New York City Building Code. The New York City Department of Small Business Services (SBS) has been designated to provide such a training program and to ensure that these essential safety standards are in place to protect the lives of construction workers and the public consistent with the requirements outlined in the local law. The contract term will be from 7/1/2024 to 6/30/2025, in the amount of \$332,669.00.

The Services required under this contract are required to maintain the level of services required to be provided to construction site safety day laborer individuals until a new solicitation can be released and a new contract awarded.

☛ jy30-a5

STATEN ISLAND-CONSTRUCTION SITE SAFETY TRAINING-NEGOTIATED ACQUISITION EXTENSION

- Negotiated Acquisition - Other - PIN# 80124N0017 - Due 8-6-24 at 4:00 P.M.

The NYC Department of Small Business Services is entering into a Negotiated Acquisition Extension Contract with Staten Island Community Job Center Inc to provide site safety training in the borough of Staten Island. Local Law 196 (2017) establishes Site Safety Training requirements for workers at most construction sites in the City of New York. Local Law 196 also requires that an agency designated by the Mayor will develop a program to provide equal access to the training required by Section 3321 of the New York City Building Code. The New York City Department of Small Business Services (SBS) has been designated to provide such a training program and to ensure that these essential safety standards are in place to protect the lives of construction workers and the public consistent with the requirements outlined in the local law. The contract term will be from 7/1/2024 to 6/30/2025, in the amount of \$310,644.00.

The Services required under this contract are required to maintain the level of services required to be provided to construction site safety day laborer individuals until a new solicitation can be released and a new contract awarded.

☛ jy30-a5

QUEENS CONSTRUCTION SITE SAFETY TRAINING-NEGOTIATED ACQUISITION EXTENSION CONTRACT

- Negotiated Acquisition - Other - PIN# 80124N0021 - Due 8-5-24 at 4:00 P.M.

The NYC Department of Small Business Services is entering into a Negotiated Acquisition Extension Contract with New Immigrant Community Empowerment Inc to provide site safety training in the borough of Queens. Local Law 196 (2017) establishes Site Safety Training requirements for workers at most construction sites in the City of New York. Local Law 196 also requires that an agency designated by the Mayor will develop a program to provide equal access to the training required by Section 3321 of the New York City Building Code. The New York City Department of Small Business Services (SBS) has been designated to provide such a training program and to ensure that these essential safety standards are in place to

protect the lives of construction workers and the public consistent with the requirements outlined in the local law. The contract term will be from 7/1/2024 to 6/30/2025, in the amount of \$326,092.00.

The Services required under this contract are required to maintain the level of services required to be provided to construction site safety day laborer individuals until a new solicitation can be released and a new contract awarded.

jy29-a2

YOUTH AND COMMUNITY DEVELOPMENT

■ AWARD

Human Services/Client Services

CMS COMMUNITY HEALING SERVICES; CMS CURE

VIOLENCE - Negotiated Acquisition - Other - PIN# 26024N0499011 - AMT: \$250,000.00 - TO: Friends of the Children New York, 1325 Fifth Avenue, New York, NY 10026.

Crisis Management Systems.

☛ jy30

COMMUNITY DEVELOPMENT

■ AWARD

Human Services/Client Services

SAFETY AWARENESS & CRIME PREVENTION 2ND REISSUE

- Competitive Sealed Proposals/Pre-Qualified List - PIN# 26023P0009001 - AMT: \$229,643.00 - TO: Wheelchairs Against Guns Inc., 320 Sterling Street, Apt 5CE, 320 Sterling Street, Apt 5CE, Brooklyn, NY 11225.

NDA RFP Reissue 1/1/24 - 6/30/25

Special Case Determination is not applicable as per PPB Rule 3-10(a) - procurement is being issued through PASSPort, successor to the HHS Accelerator system.

☛ jy30

CMS VIOLENCE PREVENTION MENTORING PROGRAM

- Renewal - PIN# 26024N8459KXLR001 - AMT: \$1,350,013.00 - TO: King of Kings Foundation Inc, 137-11 161st Street, Suite #1, Jamaica, NY 11413.

Office of Neighborhood Safety.

☛ jy30

YOUTH SERVICES

■ AWARD

Human Services/Client Services

CORNERSTONE PROGRAM - Negotiated Acquisition - Other -

PIN# 26024N0510031 - AMT: \$3,078,106.00 - TO: St Vincent's Services Inc, 66 Boerum Place, Brooklyn, NY 11201.

2-year extension.

☛ jy30

CORNERSTONE PROGRAM - Negotiated Acquisition - Other -

PIN# 26024N0510020 - AMT: \$1,990,080.00 - TO: Graham-Windham, 1 Pierrepont Plaza, Floor 9, Brooklyn, NY 11201-2776.

2-year extension.

☛ jy30

SATURDAY NIGHT LIGHTS - Renewal - PIN# 26024N8501KXLR001

- AMT: \$57,535.00 - TO: Riverside Hawks Hope Health & Hoops, 490 Riverside Drive, New York, NY 10027.

1 year renewal for Saturday recreational services

☛ jy30

BEACON PROGRAM - Negotiated Acquisition - Other -

PIN# 26024N0507012 - AMT: \$3,406,848.00 - TO: Graham-Windham, 1 Pierrepont Plaza, Floor 9, Brooklyn, NY 11201-2776.

2-year extension.

☛ jy30

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 298-0734. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Monday, August 12, 2024, at 10:00 A.M. The Public Hearing will be held via Conference Call. Call-in #: 1-917-410-4077, ACCESS CODE: 612 539 567.

IN THE MATTER OF a proposed Purchase Order/Contract between the New York City Department of Information Technology and Telecommunications and Battery Buyers Inc, located at 95 Union Street Brooklyn, NY 11231, for UPS/ATS Coverage Battery Replacement Multi Site. The amount of this Purchase Order/Contract will be \$613,689.00.

The term will be from 8/1/2024 - 7/31/2026. CB 2, Brooklyn. E-PIN #: 85825W0010001.

The Vendor has been selected by M/WBE Noncompetitive Small Purchase Method, pursuant to Section 3-08 (c)(1)(iv) of the Procurement Policy Board Rules. In order to access the Public Hearing and testify, please call 1-917-410-4077, ACCESS CODE: 612 539 567 no later than 9:55 A.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DoITT does not receive, by August 05, 2024, from any individual a written request to speak at this hearing, then DoITT need not conduct this hearing. Written notice should be sent to Danielle DiMaggio, NYC DoITT, via email to ddimaggio@oti.nyc.gov.

✶ jy30

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Wednesday, August 21, 2024 at 10:00 A.M. The Public Hearing will be held via Conference Call. Call-in #: 1-917-410-407, ACCESS CODE: 845 272 729#.

IN THE MATTER OF a proposed Purchase Order/Contract between the New York City Office of Technology and Innovation and, UNIQUE COMP INC Located at 27-08 42ND ROAD, Long Island City N.Y. 11101 for the MWBE- 7-858-0410A - NG911 GIS ANALYST- AN1. The maximum amount of this Purchase Order/Contract will be \$113,185.80. The term will be for one year from 3/4/2024- 3/2/2025. PIN #: 20240121102, E-PIN #: 85824W0130001.

The Vendor has been selected by M/WBE Noncompetitive Small Purchase Method, pursuant to Section 3-08 (c)(1)(iv) of the Procurement Policy Board Rules. Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if OTI does not receive, by August 06, 2024, from any individual a written request to speak at this hearing, then OTI need not conduct this hearing. Written notice should be sent to Awilda Feliciano, via email to afeliciano@OTI.nyc.gov

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AGENCY RULES

COMMISSION ON HUMAN RIGHTS

■ PUBLIC HEARINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing? The New York City Commission on Human Rights (the "Commission") is proposing to amend its rules governing employment discrimination based on criminal history.

When and where is the hearing? The Commission will hold a virtual public hearing on the proposed rule. The public hearing will take place at 11:00am on Thursday, September 5, 2024, and will be accessible by phone and videoconference.

To participate in the public hearing via phone, please dial +1 646-893-7101.

- Phone conference ID: 297 976 496#

To participate in the public hearing via videoconference, please register at the online link:

- <https://events.gcc.teams.microsoft.com/event/ede84e09-a790-4ebb-85d5-1ad4a492786b@32f56fc7-5f81-4e22-a95b-15da66513bef>

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

- **Website.** You can submit comments to the Commission through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to policy@cchr.nyc.gov. Please include a reference in the subject line to "Proposed Rules on Employment Discrimination Based on Criminal History."
- **Mail.** You can mail comments to Office of the Chair, New York City Commission on Human Rights, 22 Reade Street, New York, New York 10007.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing at 11:00am on Thursday, September 5, 2024, by emailing policy@cchr.nyc.gov. While there will be an opportunity during the hearing to indicate that you would like to comment, it is recommended that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a "Question and Answer" format.

Is there a deadline to submit comments? You must submit written comments by Wednesday, September 4, 2024, by 11:59pm EST.

What if I need assistance to participate in the hearing? You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us in advance if you need a sign language interpreter. You can email us at policy@cchr.nyc.gov. You may also tell us by telephone at (212) 416-0218. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by Thursday, August 29, 2024.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all submitted comments and a transcript of the hearing will be available to the public at the Commission's website.

What authorizes the Commission to make this rule? Sections 905 and 1043 of the New York City Charter authorize the Commission to make this proposed rule.

Where can I find the Commission's rules? The Commission's rules are in title 47 of the Rules of the City of New York.

What laws govern the rulemaking process? The Commission must meet the requirements of section 1043 of the City Charter when

creating or changing rules. This notice is made according to the requirements of section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

The New York City Commission on Human Rights (“the Commission”) is proposing to amend its rules concerning prohibitions on employment discrimination based on criminal history to account for amendments to the Human Rights Law pursuant to Local Law 4 of 2021, in addition to other clarifying changes.

The proposed rules amend portions of Chapter 1 of Title 47 of the Rules of the City of New York to (i) clarify when party signatures are required and (ii) streamline the complaint filing process and clarify when service may be made by email.

The proposed rules also amend portions of Chapter 2 of Title 47 of the Rules of the City of New York. The proposed rules will amend section 2-01 to update some existing definitions and to add several others. In addition, the proposed rules amend section 2-03 to reflect more fully the process under the NYC Human Rights Law for places of public accommodation that request exemptions from the prohibition against gender-based discrimination.

The rules also amend section 2-04 to address key changes to the Human Rights Law, including but not limited to:

- (i) extending from 3 to 5 business days the time that employers, employment agencies, and their agents must allow job applicants to respond to a Fair Chance Employment Analysis of their criminal history;
- (ii) adding new protections for people with certain types of cases, including pending criminal cases, unsealed violations, unsealed non-criminal offenses, and adjournments in contemplation of dismissal;
- (iii) adding new Fair Chance Employment protections for current employees; and
- (iv) removing the early resolution process for Commission-initiated Fair Chance Employment complaints to make the enforcement of Fair Chance Employment protections consistent with that of other protections under the Human Rights Law and reflect that the Law has been in effect for a significant amount of time.

New material is underlined.

[Deleted material is in brackets.]

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

Section 1. Subdivisions (d) and (f) of section 1-04 of Title 47 of the Rules of the City of New York are amended to read as follows:

§ 1-04 Service of Papers.

(d) *Methods of service.*

(1) *Papers other than subpoenas.* A paper other than a subpoena is served under this rule by:

- (i) handing it to the person;
- (ii) mailing it to the person’s last known address, unless the serving party has reason to know that the person to be served no longer resides there. Service by mail is effective:
 - i. five days from the date of mailing, if sent by first class mail.
 - ii. one day from the date of mailing, if sent by overnight delivery.
 - iii. for purposes of calculating deadlines for filing in state court, on the date of mailing. For example, the deadline for filing an appeal in state court should be calculated from the date of mailing of the decision that is the subject of the appeal.
- (iii) leaving it:
 - i. at the person’s office with a clerk or other person in charge or, if no one is in charge, in a conspicuous place in the office; or
 - ii. if the person has no office or the office is closed, at the person’s dwelling or usual place of abode with someone of suitable age and discretion who resides there;

(iv) sending it by email or facsimile, provided that either the person is represented by counsel and the papers are served on the attorney, the person provided their complaint to the Commission via email or facsimile, or the person has provided written consent to such service pursuant to 47 RCNY § 1-04(f). Service by email or facsimile is complete at the time of transmission, but is not effective if the serving party learns that it did not reach the person to be served;

(v) for service on corporations or other business entities, mailing it to the person registered with the New York State Department of State to receive service on behalf of the corporation or business entity or by serving the New York Department of State in accordance with applicable law; or

(vi) if no other method of service is effective, as specified in an order by the Chair.

(2) *Subpoenas.* A subpoena must be served in the manner provided for in the New York Civil Practice Law and Rules (“CPLR”).

(f) *Consent to email or facsimile service.* An unrepresented party who consents to service by email or facsimile must provide written notice to all other parties, including the case name, case number, and the email address or facsimile number through which the party consents to accept service. Written consent to service by email or facsimile will remain in effect unless the consenting party provides unambiguous notice that consent is being withdrawn. Counsel appearing on behalf of a party are presumed to have consented to service by email, absent an express statement to the contrary. The requirements of this paragraph are waived for persons who consent to email service or facsimile service by filing a complaint via email or facsimile.

§ 2. Subdivisions (c) and (d) of section 1-11 of Title 47 of the Rules of the City of New York are amended to read as follows:

§ 1-11 Complaints Generally.

(c) *Contents of complaint.* A complaint must contain the following:

- (1) the full name and address of the person or persons making the complaint or such other designation as appropriate. Each such person is denominated a complainant. If a complaint is prepared by a complainant’s attorney, the attorney’s name, address, telephone number, email address, and facsimile number, if any, should also appear on the complaint;
- (2) the full name and address, where known, of the person or persons alleged to have committed an unlawful discriminatory practice, act of discriminatory harassment or violence, or act of bias-based profiling. Each such person is denominated a respondent;
- (3) a plain and concise statement of the specific facts constituting the alleged violation of the Code, set forth in consecutively numbered paragraphs. The statement of facts must contain, to the extent known to the complainant, the exact or approximate date or dates of the alleged discriminatory practices and, if the alleged violation of the Code is of a continuing nature, the dates between which that violation is alleged to have occurred; and the addresses or approximate locations of any places where the acts complained of are alleged to have occurred; [and]
- (4) whether complainant has previously filed any other civil or administrative action alleging an unlawful discriminatory practice, act of discriminatory harassment or violence, or act of bias-based profiling with respect to the allegations that are the subject of the complaint. In the event of a prior filing, a statement of the title, docket number, or similar identifying number, and forum before which such other claim was filed, and a statement of the status or disposition of such other action or proceeding should be included[.]; and

(5) the signatures of the complainant(s).

(d) *What constitutes filing of a complaint or answer.* A signed, verified complaint or answer is filed when it is mailed to or personally served on the Law Enforcement Bureau, or emailed to an email address that is made publicly available for this purpose by the Commission. A verified complaint or answer is a complaint or answer that is notarized or that includes a signed affirmation that states: “I affirm this _____ day of _____, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in a legal action or proceeding.”

(e) *Procedure following receipt of complaint.* Consistent with 47 RCNY § 1-11(a)(1), when a complaint is filed, the Law Enforcement Bureau must record the date of filing and assign a complaint number to the complaint. The Law Enforcement Bureau must thereafter serve a copy of the filed complaint to each respondent and necessary party and must advise the respondents of their procedural rights and obligations.

§ 3. Subdivision (a) of section 1-23 of Title 47 of the Rules of the City of New York is amended to read as follows:

(a) *Timing.* Within 30 days of service of the notice of dismissal, a notice of appeal must be mailed or hand delivered to the Office of the Chair, or emailed to an email address made publicly available for this purpose by the Commission, and must be served on all other parties. A request for extension of the time to file a notice of appeal must be submitted in writing to the Office of the Chair, with copies to all other parties, and will only be granted for good cause. Untimely appeals will be dismissed, unless good cause for delay is shown.

Section 4. Section 2-01 of Title 47 of the Rules of the City of New York is amended to read as follows:

§ 2-01 Definitions.

For purposes of this chapter,

Adverse employment action. “Adverse employment action” refers to any action that negatively affects the terms and conditions of employment, except as provided in 47 RCNY § 2-04(e)(1)(vii).

Applicant. “Applicant” refers to [persons] a person seeking initial employment[,and] or a current [employees] employee who [are] is seeking or being considered for [promotions] promotion or [transfers] transfer.

[Article 23-A analysis. “Article 23-A analysis” refers to the process required under subdivisions 9, 10, 11, and 11-a of Section 8-107 of the Administrative Code to comply with Article 23-A of the New York Correction Law.]

Article 23-A factors. “Article 23-A factors” refers to the following factors that employers, employment agencies, or their agents must consider concerning applicants’ and employees’ pre-employment conviction histories under [Section] § 753 of Article 23-A of the New York [correction law] Correction Law:

1. that New York public policy encourages the licensure and employment of people with criminal records;
2. the specific duties and responsibilities necessarily related to the prospective job;
3. the bearing, if any, of the conviction history on the applicant’s or employee’s fitness or ability to perform one or more of the job’s duties or responsibilities;
4. the time that has elapsed since the occurrence of the criminal offense that led to the applicant’s or employee’s criminal conviction, not the time since arrest or conviction;
5. the age of the applicant or employee when the criminal offense that led to their conviction occurred;
6. the seriousness of the applicant’s or employee’s conviction;
7. any information produced by the applicant or employee, or produced on the applicant’s or employee’s behalf, regarding their rehabilitation and good conduct;
8. the legitimate interest of the employer in protecting property, and the safety and welfare of specific individuals or the general public.

Business day. “Business day” means any day except for Saturdays, Sundays, and all legal holidays of the City of New York.

Childbirth. “Childbirth” refers to labor or childbirth, whether or not it results in a live birth.

Cisgender. “Cisgender” is a term used to describe a person whose gender identity conforms with their sex assigned at birth.

Commission. “Commission” means the New York City Commission on Human Rights.

Conditional offer of employment. “Conditional offer of employment,” [as used in § 8-107(11-a) of the Administrative Code and 47 RCNY § 2-04 for purposes of establishing when an applicant’s criminal history can be considered by an employer, refers to] means an offer of employment, promotion or transfer [A conditional offer of employment can] that may only be revoked based on one of the following:

1. The results of a criminal background check[, and [only after]in compliance with the “Fair Chance Employment Process[,,” [as defined in this section, has been followed].
2. The results of a medical exam as permitted by the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §[§12101]12112 [et seq].
3. Other information the employer, employment agency, or their agent could not have reasonably known before making the Conditional offer of employment if [, based on the information,] the employer, employment agency, or their agent can show as an affirmative defense that, based on the information, it would not have made the offer [and the employer can show the information is material] regardless of the results of the criminal background check.

For temporary help firms, a Conditional offer of employment is the offer to place an applicant in the firm’s labor pool, which is the group of individuals from which the firm selects candidates to send for job opportunities.

Consumer credit history. “Consumer credit history” is an individual’s credit worthiness, credit standing, credit capacity, or payment history, as indicated by (i) a consumer credit report, which shall include any written or other communication of any information by a consumer

reporting agency that bears on a consumer’s creditworthiness, credit standing, credit capacity or credit history; (ii) a consumer’s credit score; or (iii) information an employer obtains directly from the individual regarding (a) details about credit accounts, including the individual’s number of credit accounts, late or missed payments, charged-off debts, debt collection lawsuits, nonpayment lawsuits, items in collections, credit limit, prior credit report inquiries, or (b) bankruptcies, judgments, or liens.

Consumer reporting agency. “Consumer reporting agency” is a person or entity that provides reports containing information about an individual’s credit worthiness, credit standing, credit capacity, or payment history. A consumer reporting agency includes any person or entity that, for monetary fees, dues, or on a cooperative nonprofit basis, engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information about consumers for the purpose of furnishing consumer reports or investigative consumer reports to third parties. A person or entity need not regularly engage in assembling and evaluating consumer credit history to be considered a consumer reporting agency.

Conviction history. “Conviction history” refers to records of an individual’s conviction of a felony[, or misdemeanor], or unsealed violation] as defined by New York law, [or] federal law[, or] the law of the state in which the individual was convicted.

Cooperative dialogue. “Cooperative dialogue” refers to the process by which a covered entity and a person entitled to an accommodation, or who may be entitled to an accommodation under the law, engage in good faith in a written or oral dialogue concerning the person’s accommodation needs; potential accommodations that may address the person’s accommodation needs, including alternatives to a requested accommodation; and the difficulties that such potential accommodations may pose for the covered entity.

Criminal background check. “Criminal background check” refers to when [an employer, employment agency or agent thereof orally or in writing] a covered entity:

1. Asks [a] an [person]individual, orally or in writing, [whether or not]if they have a criminal record; or
2. Searches [for] publicly available records, including through a third party, such as a consumer reporting agency, [the Internet, or] private database[s], or website, for [a person’s]information about an individual’s criminal history; or
3. Otherwise gathers records or information relating to an individual’s criminal history.

Criminal history. “Criminal history” [refers to records of an individual’s convictions, unsealed violations, non-convictions, and/or currently pending criminal case(s)] includes a person’s conviction history, non-convictions, and pending cases.

Domestic partners. “Domestic partners” means persons who have a registered domestic partnership, which shall include any partnership registered pursuant to chapter 2 of Title 3 of the [Administrative] Code, any partnership registered in accordance with executive order number 123, dated August 7, 1989, and any partnership registered in accordance with executive order number 48, dated January 7, 1993, and persons who are members of a marriage that is not recognized by the state of New York, a domestic partnership, or a civil union, lawfully entered into in another jurisdiction.

Employer. “Employer” refers to an employer as defined by [section 8-102(5)] § 8-102 of the [Administrative] Code.

Fair Chance Employment Analysis. “Fair Chance Employment Analysis” refers to the steps for evaluating:

1. An applicant’s or employee’s convictions that occurred prior to the start of their employment using the Article 23-A factors; or
2. An applicant’s pending cases that occurred prior to their application for employment or an employee’s pending cases or convictions that occur during employment using the New York City Fair Chance Employment Factors.

Fair Chance Employment Process. “Fair Chance Employment Process” refers to the [postconditional offer] process mandated by [§ 8-107(11-a)]§ 8-107(11-a)(b) of the [Administrative] Code when [employers] an employer, employment agency, or agent thereof [elect]is considering whether to withdraw a conditional offer of employment or deny a promotion or transfer based on an applicant’s arrest or conviction[history] record or the process mandated by § 8-107(11-a)(c) of the code when an employer, employment agency, or agent thereof is considering taking any adverse employment action against a current employee based on an employee’s criminal conviction or pending cases.

Gender. “Gender” includes actual or perceived sex, gender identity, and gender expression including a person’s actual or perceived gender-related self-image, appearance, behavior, expression, or other gender-

related characteristic, regardless of the sex assigned to that person at birth.

Gender expression. “Gender expression” is the representation of gender as expressed through one’s name, pronouns, clothing, hairstyle, behavior, voice, or similar characteristics. Gender expression may or may not conform to gender stereotypes, norms, and expectations in a given culture or historical period. Terms associated with gender expression include, but are not limited to, androgynous, butch, female/woman/feminine, femme, gender non-conforming, male/man/masculine, or non-binary.

Gender identity. “Gender identity” is the internal deeply-held sense of one’s gender which may be the same as or different from one’s sex assigned at birth. A person’s gender identity may be male, female, neither or both, i.e., non-binary. Terms associated with gender identity include, but are not limited to, agender, bigender, female/woman/womxn/feminine, female to male (FTM), gender diverse, gender fluid, gender queer, male/man/masculine, male to female (MTF), man of trans experience, pangender, or woman of trans experience.

Gender non-conforming. “Gender non-conforming” is a term used to describe a person whose gender expression differs from gender stereotypes, norms, and expectations in a given culture and historical period. Terms associated with gender non-conforming include, but are not limited to, androgynous, gender expansive, gender variant, or gender diverse.

High degree of public trust. “High degree of public trust” as used in 47 RCNY § 2-05 refers only to the following City agency positions: (i) agency heads and directors; (ii) Commissioner titles, including Assistant, Associate, and Deputy Commissioners; (iii) Counsel titles, including General Counsel, Special Counsel, Deputy General Counsel, and Assistant General Counsel, that involve high-level decision-making authority; (iv) Chief Information Officer and Chief Technology Officer titles; and (v) any position reporting directly to the head of an agency.

Human Rights Law. “Human Rights Law” refers to Title 8 of the [Administrative] Code.

Intelligence information. “Intelligence information” means records and data compiled for the purpose of criminal investigation or counterterrorism, including records and data relating to the order or security of a correctional facility, reports of informants, investigators or other persons, or from any type of surveillance associated with an identifiable individual, or investigation or analysis of potential terrorist threats.

Inquiry. “Inquiry,” when used in [connection with criminal history] 47 RCNY § 2-04, refers to any oral or written question asked for the purpose of obtaining a person’s criminal history, including without limitation, questions in a job interview about an applicant’s criminal history[,] and any search for a person’s criminal history, including through the services of a third party, such as a consumer reporting agency.

Intersex. “Intersex” is a term used to refer to a person whose sex characteristics (chromosomes, hormones, gonads, genitalia, etc.) do not conform with a binary construction of sex as either male or female.

Lactation room. “Lactation room” refers to a sanitary place, other than a restroom, that can be used to express breast milk shielded from view and free from intrusion and that includes at minimum an electrical outlet, a chair, a surface on which to place a breast pump and other personal items, and nearby access to running water.

Licensing agency. “Licensing agency” refers to any agency or employee thereof that is authorized to issue any certificate, license, registration, permit or grant of permission required by the law of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business or profession.

Members. “Members” means individuals belonging to any class of membership offered by the institution, club, or place of accommodation including, but not limited to, full membership, resident membership, nonresident membership, temporary membership, family membership, honorary membership, associate membership, membership limited to use of dining or athletic facilities, and membership of members’ minor children or spouses or domestic partners.

National security information. “National security information” means any knowledge relating to the national defense or foreign relations of the United States, regardless of its physical form or characteristics, that is owned by, produced by or for, or is under the control of the United States government and is defined as such by the United States government and its agencies and departments.

New York City Fair Chance Employment Factors. “New York City Fair Chance Employment Factors” refers to the factors that employers, employment agencies, or their agents must consider before making an

employment decision, in regard to applicants, based on pending cases at the time of their application for employment and, in regard to employees, based on pending cases during employment or convictions that occur during employment. These factors are:

1. the policy of the city to overcome stigma toward and unnecessary exclusion of persons with criminal justice involvement in the areas of licensure and employment;
2. the specific duties and responsibilities necessarily related to the employment held by the person;
3. the bearing, if any, of the criminal offense or offenses for which the applicant was convicted, or that are alleged in the case of pending arrests or criminal accusations, on the applicant’s fitness or ability to perform one or more such duties or responsibilities;
4. whether the person was 25 years of age or younger at the time of occurrence of the criminal offense or offenses for which the person was convicted, or that are alleged in the case of pending arrests or criminal accusations;
5. the seriousness of such offense or offenses;
6. the legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public; and
7. any additional information produced by the applicant, or produced on their behalf, in regards to their rehabilitation or good conduct, including history of positive performance and conduct on the job or in the community, or any other evidence of good conduct.

Non-binary. “Non-binary” is a term used to describe a person whose gender identity is not exclusively male or female. For example, some people have a gender identity that blends elements of being a man or a woman or a gender identity that is neither male nor female.

Non-conviction. “Non-conviction” means: [any arrest or criminal accusation, not currently pending,]

1. a criminal action that has been adjourned in contemplation of dismissal pursuant to § 170.55, § 170.56, § 210.46, § 210.47, or § 215.10 of the New York Criminal Procedure Law, provided that if the order to adjourn in contemplation of dismissal is revoked and the case is restored to the calendar for further prosecution, the criminal action is treated as a “pending case” and is no longer a “non-conviction”; or

2. a criminal action that is not currently pending and that was concluded in one of the following ways:

- [1.] a. Termination in favor of the individual, as defined by [New York Criminal Procedure Law (“CPL”) Section] Criminal Procedure Law § 160.50, even if not sealed;
- [2.] b. Adjudication as a youthful offender, as defined by [CPL Section] Criminal Procedure Law § 720.35(1), even if not sealed, or marked confidential;
- [3.] c. Conviction of a [non-criminal offense that has been sealed under CPL Section 160.55] violation, as defined in Penal Law § 10.00, even if not sealed; or
- [4.] d. [Convictions] Conviction that [have] has been sealed under [CPL Section] Criminal Procedure Law § 160.58 or § 160.59.

3. “Non-conviction” includes a disposition of a criminal matter under federal law or the law of another state that results in a status comparable to a “non-conviction” under New York law as defined in this section.

Payment directly from a nonmember. “Payment directly from a nonmember” means payment made to an institution, club or place of accommodation by a nonmember for expenses incurred by a member or nonmember for dues, fees, use of space, facilities, services, meals or beverages.

Payment for the furtherance of trade or business. “Payment for the furtherance of trade or business” means payment made by or on behalf of a trade or business organization, payment made by an individual from an account which the individual uses primarily for trade or business purposes, payment made by an individual who is reimbursed for the payment by the individual’s employer or by a trade or business organization, or other payment made in connection with an individual’s trade or business, including entertaining clients or business associates, holding meetings or other business-related events.

Payment indirectly from a nonmember. “Payment indirectly from a nonmember” means payment made to a member or nonmember by another nonmember as reimbursement for payment made to an institution, club or place of accommodation for expenses incurred for dues, fees, use of space, facilities, meals or beverages.

Payment on behalf of a nonmember. “Payment on behalf of a nonmember” means payment by a member or nonmember for expenses

incurred for dues, fees, use of space, facilities, services, meals or beverages by or for a nonmember.

Pending case. A criminal accusation or an arrest based on a criminal accusation that has not yet been adjudicated to a verdict or dismissed at the time of the Fair Chance Employment Analysis conducted by an employer, employment agency, or their agent. An action that has been adjourned in contemplation of dismissal shall not be considered a pending case unless, prior to the time the Fair Chance Employment Analysis is conducted by an employer, employment agency, or their agent, the order to adjourn in contemplation of dismissal is revoked and the case is restored to the calendar for further prosecution.

Per se violation. “Per se violation” refers to an action or inaction that, standing alone, without reference to additional facts, constitutes a violation of Title 8 of the [Administrative] Code, regardless of whether any adverse employment action was taken or any actual injury [was incurred] occurred.

Pregnancy. “Pregnancy” refers to being pregnant, and symptoms of pregnancy, including, without limitation, nausea, morning sickness, dehydration, increased appetite, swelling of extremities, and increased body temperature.

Public agency. “Public agency” refers to the state or any local subdivision thereof, or any state or local department, agency, board, or commission.

Regular meal service. “Regular meal service” means the provision, either directly or under a contract with another person, of breakfast, lunch, or dinner on three or more days per week during two or more weeks per month during six or more months per year.

Regularly receives payment. An institution, club or place of accommodation “regularly receives payment for dues, fees, use of space, facilities, services, meals or beverages directly or indirectly from or on behalf of nonmembers for the furtherance of trade or business” if it receives as many such payments during the course of a year as the number of weeks any part of which the institution, club or place of accommodation is available for use by members or [non members] nonmembers per year.

Related medical condition. “Related medical condition” refers to any medical condition that is related to or caused by pregnancy or childbirth or the state of seeking to become pregnant, including, without limitation, infertility, gestational diabetes, pregnancy-induced hypertension, hyperemesis, preeclampsia, depression, miscarriage, lactation, and recovery from childbirth, miscarriage, and termination of pregnancy.

Sex. “Sex” is a combination of several characteristics, including but not limited to, chromosomes, hormones, internal and external reproductive organs, facial hair, vocal pitch, development of breasts, and gender identity.

Sexual or reproductive health decisions. “Sexual or reproductive health decisions” refers to any decision by an individual to receive or not to receive services, which are arranged for or offered or provided to individuals relating to sexual or reproductive health, including the reproductive system and its functions. Such services include, but are not limited to, fertility-related medical procedures, sexually transmitted disease prevention, testing, and treatment, and family planning services and counseling, such as birth control drugs and supplies, emergency contraception, sterilization procedures, pregnancy testing, and abortion.

Statement. “Statement,” when used in [connection with criminal history] 47 RCNY § 2-04, refers to any communications made, orally or in writing, to a person for the purpose of obtaining criminal history, including, without limitation, stating that a background check is required for a position.

Stop Credit Discrimination in Employment Act. “Stop Credit Discrimination in Employment Act” refers to Local Law No. 37 of 2015, codified in [Sections] §§ 8-102(29) and 8-107(9)(d), (24) of the [Administrative] Code of the City of New York.

Temporary help firms. “Temporary help firms” are businesses that recruit, hire, and assign their own employees to perform work or services for other organizations, to support or supplement the other organization’s workforce, or to provide assistance in special work situations such as, without limitation, employee absences, skill shortages, seasonal workloads, or special assignments or projects.

Terms and conditions. “Terms and conditions” means conditions of employment, including but not limited to hiring, termination, transfers, promotions, privileges, compensation, benefits, professional development and training opportunities, and job duties.

Trade secret. “Trade secret” means information that: (i) derives significant independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its

disclosure or use; (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy, both within the workplace and in the public; and (iii) can reasonably be said to be the end product of significant innovation. The term “trade secret” does not include general proprietary company information such as the information contained in handbooks and policies. The term “regular access to trade secrets” does not include access to or the use of client, customer, or mailing lists or other information regularly collected in the course of business. In considering whether information constitutes a trade secret for the purposes of an exemption under § 8-107(24)(b)(2)(E) of the [administrative code] Code, the Commission will consider various factors, including: (1) efforts made by the employer to protect and develop such information for the purpose of increasing competitive advantage; (2) whether the information was regularly shared with entry level and non-salaried employees and supervisors or managers of such employees; (3) what efforts would be required to replicate such information by someone knowledgeable within the field; (4) the value of the information to competitors; and (5) the amount of money and effort expended by the employer to develop the information.

Transgender. “Transgender”—sometimes shortened to “trans”—is a term used to describe a person whose gender identity does not conform with the sex assigned at birth.

Section 5. Section 2-03 of Title 47 of the Rules of the City of New York is amended to read as follows:

§ 2-03 Exemption of Certain Places of Public Accommodations in Relation to Sex Discrimination.

(a) Dressing rooms, toilets and shower rooms containing multiple facilities, and appurtenant rooms and facilities, and [turkish] Turkish baths and saunas, shall be exempt from the provisions of [§ 8-107, Paragraph 2*] § 8-107(4)(a) of the [Administrative] Code insofar as the use of such accommodations is restricted to one sex. This exemption shall not apply to swimming pools and other facilities for swimming.

(b) Rooming houses or residence hotels in which rental is restricted to one sex shall be exempt from the provisions of [§ 8-107, Paragraph 2*] § 8-107(4)(a) of the [Administrative] Code if such accommodation is regularly occupied on a permanent, as opposed to transient, basis by the majority of its guests.

(c) Lodging facilities in which the sleeping rooms and/or bathrooms are used in common, such as missions or dormitories designed for occupancy by members of the same sex, shall be exempt from the provisions of [§ 8-107, Paragraph 2*] § 8-107(4)(a) of the [Administrative] Code insofar as members of one sex are excluded from such accommodations.

(d) The owner, lessee, proprietor, manager, superintendent or agent of a place or provider of public accommodation may make an application pursuant to § 8-107(4)(b) of the Code for an exemption for a gender-based restriction on access to or services provided by such public accommodation. Such application must be made in writing to the office of the chairperson of the New York City Commission on Human Rights. The application must set forth the specific basis for the exemption sought together with any supporting evidence. The chairperson may grant such exemption if, for example, they determine that the exemption promotes the health, safety or well-being of members of the public, or prevents undue disruption of the quiet enjoyment of a place of public accommodation and is not inconsistent with the goals and policies of the City Human Rights Law. The decision of the Chairperson shall be final.

Section 6. Section 2-04 of Title 47 of the Rules of the City of New York is amended to read as follows:

§ 2-04 Prohibitions on Discrimination Based on Criminal History

47 RCNY §§ 2-04(a) through 2-04(g) relate to prohibitions on discrimination in employment only. 47 RCNY § 2-04(h) relates to prohibitions on discrimination in licensing only. 47 RCNY § 2-04(i) relates to enforcement of violations of the Human Rights Law under this section in employment and licensing.

a) *Per Se Violations.* The Commission has determined that the following are per se violations of §§ 8-107(10), (11) or (11-a) of the [Human Rights Law] Code (regardless of whether any adverse employment action is taken against an individual applicant or employee), unless an exemption listed under subdivision (g) of this section applies:

(1) [Declaring, printing, or circulating, or causing the declaration, printing, or circulation of, any solicitation, advertisement, policy or publication that expresses, directly or indirectly, orally or in writing,] Prior to a conditional offer, expressing any [limitation or specification in employment] limitations or specifications regarding criminal history, including asserting that individuals with a criminal history, or individuals with certain convictions, will not be hired or considered. This includes [, but is not limited

to, advertisements and employment applications containing phrases such as: "no felonies," "background check required," and "must have clean record." Unsolicited statements about criminal background checks. Solicitations, advertisements, and publications may include affirmative encouragement for individuals with criminal records to apply.

(2) [Using applications for employment that require applicants to either grant employers permission to run a background check or provide information regarding criminal history prior to a conditional offer] Prior to a conditional offer, asking questions or seeking information about an applicant's criminal history or pending cases prior to requesting authorization to perform a background check or criminal history check whether on an application or otherwise.

(3) [Making any] Prior to a conditional offer, [statement]. statements or [inquiry] inquiries or actions seeking to discover information relating to [the] an applicant's [pending arrest or] criminal history [conviction] whether oral or in writing [before a conditional offer of employment is extended]. This includes conducting any investigation into an applicant's criminal history, including but not limited to the use of publicly available records or the Internet for the purpose of learning about an applicant's criminal history, whether such investigations are conducted by an employer, employment agency, or their agent or for an employer, employment agency, or their agent by a third party. This also includes searching for terms such as "arrest," "mugshot," "warrant," "criminal," "conviction," "jail," or "prison" in connection with an applicant, or searching websites that purport to provide information regarding arrests, warrants, convictions or incarceration information for the purpose of obtaining criminal history information about an applicant.

(4) Using [within the City a standard form, such as a boilerplate job application, intended to be used across multiple jurisdictions, that requests or refers to criminal history. Disclaimers or other language indicating that applicants should not answer specific questions if applying for a position that is subject to the Human Rights Law do not shield an employer from liability] forms or applications that contain a disclaimer, note exceptions, or note that applicants can skip certain questions related to criminal history are prohibited unless the specific language is required by any other federal, state or local law.

(5) Failing to [comply with requirements of § 8-107(11-a) of the Human Rights Law,] undertake any of the following obligations when they are applicable:

(i) the requirement to request from the employee or applicant information relating to the relevant Fair Chance Employment Factors;

(1) ii) the requirement to provide the applicant or employee a written copy of any inquiry an employer, employment agency, or their agent conducted into the applicant's criminal history;

(2) iii) the requirement to share with the applicant or employee a written copy of the employer's, employment agency's, or their agent's [Article 23-A analysis] Fair Chance Employment Analysis;

[or] ([3] iv.) the requirement to hold the prospective position open for at least [three] five business days from the date of an applicant's receipt of both the inquiry and analysis; or

(v) the requirement to allow the employee a reasonable time to respond, which shall be at least five business days from the date of the employee's receipt of both the inquiry and analysis, before taking an adverse action based on the employee's criminal history.

(6) Requiring applicants to disclose an arrest that, at the time disclosure is required, is the subject of a non-conviction as defined in 47 RCNY § 2-01.

(7) Disqualifying an applicant for refusing to respond to any prohibited inquiry or statement about criminal history.

(8) Failing to comply with the requirements of § 8-107(10)(g) of the Code by taking adverse action against an applicant or employee based on an intentional misrepresentation about their conviction history or pending case without first providing the applicant a copy of the information that the employer, employment agency, or their agent is relying on as evidence of the intentional misrepresentation and reasonable time to respond.

(b) *Criminal Background Check Process.* An employer, employment agency, or agent thereof may not inquire about an applicant's criminal history or request permission to run a criminal background check until after the employer, employment agency, or agent thereof makes the

applicant a conditional offer. At no point may an employer, employment agency, or agent thereof seek or consider information pertaining to [a] an applicant's non-conviction unless specifically required by any other federal, state or local law, or unless otherwise exempt pursuant to § 2-04(g) of this chapter.

[(1) Employers, employment agencies, or agents thereof may not engage in any of the following actions prior to making a conditional offer to an applicant, unless otherwise exempt pursuant to § 2-04(f) of this chapter:

(i) Seeking to discover, obtain, or consider the criminal history of an applicant before a conditional offer of employment is made.

(ii) Expressing any limitation or specifications based on criminal history in job advertisements. This includes, but is not limited to, any language that states or implies "no felonies," "background check required," or "clean records only." Solicitations, advertisements, and publications encompass a broad variety of items, including, but not limited to, employment applications, fliers, hand-outs, online job postings, and materials distributed at employment fairs and by temporary help firms and job readiness programs.

(iii) Using an application that contains a question about an applicant's criminal history or pending criminal case or requests authorization to perform a background check.

(iv) Making any inquiry or statement related to an applicant's criminal history, whether written or oral, during a job interview.

(v) Asserting, whether orally or in writing, that individuals with a criminal history, or individuals with certain convictions, will not be hired or considered.

(vi) Conducting investigations into an applicant's criminal history, including but not limited to the use of publicly available records or the Internet for the purpose of learning about the applicant's criminal history, whether such investigations are conducted by an employer or for an employer by a third party.

(vii) Disqualifying an applicant for refusing to respond to any prohibited inquiry or statement about criminal history.

(viii) In connection with an applicant, searching for terms such as, "arrest," "mugshot," "warrant," "criminal," "conviction," "jail," or "prison" or searching websites that purport to provide information regarding arrests, warrants, convictions or incarceration information for the purpose of obtaining criminal history.]

(c) *Inadvertent Discovery or Unsolicited Disclosure of Criminal History Prior to Conditional Offer of Employment.* Inadvertent discovery by an employer, employment agency, or agent thereof or unsolicited disclosure by an applicant of criminal history prior to a conditional offer [of employment] does not automatically create employer liability. Liability is created when an employer, employment agency, or agent thereof uses the discovery or disclosure to further explore an applicant's criminal history before having made a conditional offer or uses the information in determining whether to make a conditional offer.

(d) *Information Regarding Conviction History and Pending Cases Obtained After a Conditional Offer of Employment.* After an employer, employment agency, or agent thereof extends a conditional offer to an applicant, an employer, employment agency, or agent thereof may make inquiries into or statements about the applicant's conviction history and pending case(s). An employer, employment agency, or agent thereof may (1) ask, either orally or in writing, whether an applicant has a criminal conviction history or pending case(s); (2) run a background check or, after receiving the applicant's permission and providing notice, use a consumer reporting agency to do so; and (3) once an employer, employment agency, or agent thereof knows about an applicant's conviction history or pending case(s), ask them about the circumstances that led to the conviction or pending case and gather information relevant to the [Article 23-A factors] Fair Chance Employment Analysis. Upon receipt of the results of an applicant's [conviction history] criminal background check, an employer, employment agency, or agent thereof may [elect] proceed to hire the individual. If the employer, employment agency, or agent thereof does not wish to withdraw the conditional offer, the employer, employment agency, or agent thereof does not need to engage in the [Article 23-A analysis] Fair Chance Employment Analysis.

(e) *Withdrawing a Conditional Offer of Employment or Taking an Adverse Employment Action.* Should an employer, employment agency, or agent thereof wish to withdraw its conditional offer of employment or take an adverse employment action based on an applicant's [or employee's] conviction history or pending case(s), the employer, employment agency, or agent thereof must (1) engage in [an Article 23-A analysis] the Fair Chance Employment Analysis[,] and (2) follow the Fair Chance Employment Process. Employers, employment agencies, or agents thereof must affirmatively request information relating to the Fair Chance Employment Analysis before engaging in

the [Article 23-A analysis] Fair Chance Employment Analysis.

(1) [Article 23-A analysis] Fair Chance Employment Analysis.

(i) An employer, employment agency, or agent thereof must consider the [following factors] Article 23-A Factors in evaluating the pre-employment conviction history of an applicant or employee [under the Article 23-A analysis]:

- (A) That New York public policy encourages the licensure and employment of people with criminal records;
- (B) The specific duties and responsibilities necessarily related to the prospective job;
- (C) The bearing, if any, of the conviction history on the applicant's or employee's fitness or ability to perform one or more of the job's duties or responsibilities;
- (D) The time that has elapsed since the occurrence of the criminal offense that led to the applicant's or employee's criminal conviction, not the time since arrest or conviction;
- (E) The age of the applicant or employee when the criminal offense that led to their conviction occurred;
- (F) The seriousness of the applicant's or employee's conviction;
- (G) Any information produced by the applicant or employee, or produced on the applicant's or employee's behalf, regarding their rehabilitation and good conduct;
- (H) The legitimate interest of the employer in protecting property, and the safety and welfare of specific individuals or the general public.

(ii) An employer, employment agency, or agent thereof must consider the New York City Fair Chance Employment Factors in evaluating the pending cases of an applicant and the pending case or conviction of an employee that occurs during employment, unless an exemption pursuant to subdivision (g) of this section applies.

(iii) When [considering] performing the [factors outlined above] Fair Chance Employment Analysis, a presumption of rehabilitation exists when an applicant or employee produces a certificate of relief from disabilities or a certificate of good conduct.

[(iii)] (iv) An employer, employment agency, or agent thereof may not change the duties and responsibilities of a position because it learned of an applicant's or employee's conviction history, except as provided in subdivision (e)(2)(v) of this section.

[(iv)] (v) After evaluating the factors in subdivision [(e)(1)(i)] (e) (1) of this section, an employer, employment agency, or agent thereof must then determine whether (1) there is a "direct relationship" between the applicant's or employee's conviction history or pending case and the prospective or current job, or (2) employing or continuing to employ the [applicant] person would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

(A) To claim the ["direct relationship exception,"] "direct relationship" exception, an employer, employment agency, or agent thereof must first draw some connection between the nature of the conduct that led to the [conviction(s)] conviction or pending case and the position. If a direct relationship exists, the employer, employment agency, or agent thereof must evaluate the [Article 23-A factors]relevant New York City Fair Chance Employment Factors, as that term is defined in 47 RCNY § 2-01, to determine whether the concerns presented by the relationship have been mitigated.

(B) To claim the ["unreasonable risk exception,"] "unreasonable risk" exception, an employer, employment agency, or agent thereof must consider and apply the [Article 23-A factors] relevant New York City Fair Chance Employment Factors, as that term is defined in 47 RCNY § 2-01, to determine if an unreasonable risk exists.

[(v)] (vi) If an employer, employment agency, or agent thereof, after weighing the required factors, cannot properly determine that either the direct relationship exemption or the unreasonable risk exemption applies, then the employer, employment agency, or agent thereof may not revoke the conditional offer or take any adverse employment action.

(vii) While conducting the Fair Chance Employment Process for an employee's pending case or conviction that occurred during employment, the employer, employment agency, or agent thereof is permitted but not required to place the employee on paid or unpaid leave for a reasonable time. There is a rebuttable presumption that a reasonable time will not exceed five business days.

(2) The Fair Chance Employment Process: [If, after] When an employer, employment agency, or agent thereof determines that either the direct relationship or unreasonable risk exemption applies[, the employer, employment agency, or agent thereof] and it wishes to revoke the conditional offer or take an adverse employment action, [the employer, employment agency, or agent thereof] it must first (1) provide a written copy of any inquiry made to collect information about criminal history to the applicant or employee, (2) provide them a written copy of the [Article 23-A analysis] Fair Chance Employment Analysis [to the applicant], (3) inform [the applicant] them that they will be given a reasonable time of at least five business days to respond to the employer's concerns, and (4) consider any additional information [provided by the applicant] they provide during this period.

(i) Providing a written copy of the inquiry. The employer, employment agency, or agent thereof must provide a complete and accurate copy of each and every piece of information relied on to determine that the applicant or employee has a [conviction] criminal history. This includes, but is not limited to, copies of consumer reporting agency reports, print outs from the Internet, records available publicly, and written summaries of any oral conversations, specifying if the oral information relied upon came from the applicant.

(ii) Providing a written copy of the [Article 23-A analysis] Fair Chance Employment Analysis performed by the employer, employment agency, or agent thereof.

(A) Employers, employment agencies, or agents thereof who seek to revoke an applicant's conditional offer or take an adverse employment action on the basis of an applicant's or employee's criminal history must provide the [applicant] person with the Fair Chance Employment Notice [below], which is available on the Commission's website, or a comparable notice.

[image of notice repealed]

(B) So long as the material substance does not change, the notice may be adapted to a format preferred by the employer, employment agency, or agent thereof to account for the specific circumstances involving the applicant and the adverse employment action or denial of employment. A Fair Chance Employment Notice must (1) include specific facts [that were considered pursuant to the Article 23-A analysis] for each factor of the Fair Chance Employment Analysis and the outcome, (2) articulate the [employer's, employment agency's, or agent's concerns and] basis for determining that there is a direct relationship or an unreasonable risk, and (3) inform the applicant or employee of their rights upon receipt of the notice, including how they can respond to the notice and the time frame within which they must respond.

(iii) The employer, employment agency, or agent thereof must allow the applicant or employee a reasonable time to respond to the concerns of the employer, employment agency or agent thereof.

(A) An employer, employment agency, or agent thereof must consider the following information when determining how much time is reasonable: (1) what additional information the applicant or employee is purporting to gather and whether that additional information would change the outcome of the [Article 23-A analysis] Fair Chance Employment Analysis; (2) why the applicant or employee needs more time to gather the information; (3) how quickly the employer, employment agency, or agent thereof needs to fill the position; and (4) any other relevant information. A reasonable time shall be no less than [3] five business days.

(B) During this time, an employer, employment agency, or agent thereof may not permanently place another person in the [applicant's] person's prospective or current position. (C) The applicant or employee may provide oral or written evidence of rehabilitation, which, if provided, the employer, employment agency, or agent thereof must consider in [applying the Article 23-A factors] its new Fair Chance Employment Analysis.

(D) The time period begins when the applicant or employee receives both the Fair Chance Employment Notice and a written copy of the inquiry.

(iv) Response of employer, employment agency, or agent thereof to additional information.

(A) If, within the reasonable time allowed by the employer, employment agency, or agent thereof as required by this subdivision, the applicant or employee provides additional information related to the concerns identified by the employer, the employer, employment agency, or agent thereof must consider whether the additional information

changes [the Article 23-A analysis] its Fair Chance Employment Analysis.

(B) If the employer, employment agency, or agent thereof reviews the additional information and makes a determination not to hire the [applicant] person or take an adverse employment action, the employer, employment agency, or agent thereof must relay that decision to the [applicant] person in writing.

(v) If an employer, employment agency, or agent thereof determines after conclusion of the Fair Chance Employment Process to revoke the conditional offer of employment or to take adverse action, the employer, employment agency, or agent thereof may consider whether any alternate positions are vacant and available to the [applicant] person that would alleviate the concerns identified by the [Article 23-A analysis] Fair Chance Employment Analysis, provided that failure to consider or provide an offer to fill an alternative position shall not be considered a violation of this section.

(3) *Errors, Discrepancies, and Misrepresentations.*

(i) If an applicant or employee realizes that there is an error on a criminal background check, they [must] should inform the employer, employment agency, or agent thereof of the error and request the necessary time to provide supporting documentation.

(A) If the applicant or employee demonstrates within the reasonable time allowed by the employer pursuant to this subdivision that the information is incorrect and the applicant or employee has no conviction history or pending case, the employer, employment agency, or agent thereof may not withdraw the conditional offer or take any adverse employment action on the basis of the applicant's or employee's perceived criminal history.

(B) If the applicant or employee demonstrates that the criminal history resulted in a non-conviction, the employer, employment agency, or agent thereof may not withdraw the conditional offer or take any adverse employment action on the basis of the applicant's or employee's criminal history.

(C) If the applicant or employee demonstrates that the conviction history or pending case is different than what is reflected in the background check, the employer, employment agency, or agent thereof must conduct the [Article 23-A analysis] Fair Chance Employment Analysis based on the person's correct and current [conviction] criminal history and must follow the Fair Chance Employment Process.

(ii) If a background check reveals that an applicant or employee has intentionally failed to answer a legitimate question about or has otherwise intentionally misrepresented their conviction history or pending case, the employer, employment agency, or agent thereof may revoke the conditional offer or take an adverse employment action, provided that the employer, employment agency, or agent thereof first provides the person with the information that led it to the determination that an intentional misrepresentation was made and gives the person a reasonable period of at least five business days to respond. However, an employer, employment agency, or agent thereof may not take adverse action based on the person's failure to divulge information that the employer, employment agency, or agent thereof is prohibited from inquiring about or taking adverse action on pursuant to § 8-107(11) of the Code.

(f) *Temporary Help Firms.*

(1) A temporary help firm is bound by the same pre-conditional offer requirements as other employers and must follow the Fair Chance Employment Process if it wishes to withdraw a conditional offer based on the conviction history or pending case of an applicant. A "conditional offer" from a temporary help firm is an offer to place an applicant in the firm's labor pool, from which the applicant may be sent on job assignments to the firm's clients.

(2) In order to evaluate job duties relevant to the conviction history under the [Article 23-A analysis] Fair Chance Employment Analysis, a temporary help firm may only consider the minimum skill requirements and basic qualifications necessary for placement in its applicant pool.

(3) Any employer, employment agency, or agent thereof who utilizes a temporary help firm to find applicants for employment must [follow the Fair Chance Process and may] not make any statements or inquiries about an applicant's criminal history until after the applicant has been assigned to the employer by the temporary help firm. After the applicant has been assigned to the employer, the employer may inquire into the applicant's criminal history and, if it discovers criminal history upon which it wishes

to base an adverse employment action, must go through the Fair Chance Employment Process before doing so.

(4) A temporary help firm may not aid or abet an employer's discriminatory hiring practices. A temporary help firm may not determine which candidates to refer to an employer based on an employer's preference not to employ persons with a specific type of conviction or criminal history generally. A temporary help firm may not provide the applicant's criminal history to prospective employers until after the employer has made a conditional offer to the applicant.

(g) *Exemptions.*

[(1) The Fair Chance Process mandated by § 8-107(11-a) of the Human Rights Law shall not apply to any actions taken by an employer or agent thereof with regard to an applicant for employment:

(i) In a position where federal, state, or local law requires criminal background checks.

(A) This exemption does not apply to an employer authorized, but not required, to check for criminal backgrounds.

(B) This exemption does not exempt an employer from the requirements of § 8-107(10) of the Human Rights Law.

(ii) In a position where federal, state, or local law bars employment of individuals based on criminal history.

(A) This exemption applies to particular positions where the federal, state, or local law bars employment with respect to a particular type of conviction. In such cases, an employer or agent thereof may: (1) notify applicants, of the specific mandatory bar to employment prior to a conditional offer; (2) inquire at any time during the application process whether an applicant has been convicted of the specific crime that is subject to the mandatory bar to employment; and (3) disqualify any applicant or employee with such criminal history without following the Fair Chance Process.

(B) This exemption does not apply where the employer's decision about whether to hire or promote an applicant based on their criminal history is discretionary. The fact that a position requires licensure or approval by a government agency does not by itself exempt the employer, employment agency, or agent thereof from the Fair Chance Process. When hiring for such a position, if the exemption in subdivision (g)(1)(i) or (g)(1)(ii)(A) does not apply, before making a conditional offer the employer may only ask whether the applicant has the necessary license or approval or whether they can obtain it within a reasonable period of time.

(iii) In positions regulated by self-regulatory organizations as defined in § 3(a)(26) of the Securities Exchange Act of 1934, as amended, 15 U.S.C. § 78a, where the rules or regulations promulgated by such organizations require criminal background checks or bar employment based on criminal history. This exemption includes positions for which applicants are not required to be registered with a self-regulatory organization, when the applicant nevertheless either chooses to become registered while in the position or elects to maintain their prior registration.

(iv) In positions as police and peace officers, working for law enforcement agencies, and for other exempted city agencies, specifically:

(A) As a police officer or peace officer, as those terms are defined in;

(B) At a New York City law enforcement agency, including but not limited to the City Police Department, Fire Department, Department of Correction, Department of Investigation, Department of Probation, the Division of Youth and Family Services, the Business Integrity Commission, and the District Attorneys' offices in each borough; or

(C) In a position listed in the determinations of personnel published as a Commissioner's calendar item and listed on the website of the Department of Citywide Administrative Services as exempt because the Commissioner of Citywide Administrative Services has determined that the position involves law enforcement; is susceptible to bribery, or corruption; or entails the provision of services to or the safeguarding of people who, because of age, disability, infirmity or other condition, are vulnerable to abuse. Once the Department of Citywide Administrative Services exempts a position, an applicant may be asked about their conviction history at any time; however, applicants who are denied employment because of

their conviction history must receive a written copy of the Article 23-A analysis.

(2) Standard of Proof: It shall be an affirmative defense that any action taken by an employer or agent thereof is permissible pursuant to paragraph 1 of this subdivision.]

- (1) **Mandatory Forfeiture, Disability, or Bar to Employment Imposed by Law.** For applicants and employees where a mandatory forfeiture, disability or bar to employment is imposed by law and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct, employers, employment agencies, and their agents are not prohibited from:

- a. making inquiries or statements about an applicant's or employee's non-convictions, denying employment to an applicant, or taking adverse action against an employee based on the applicant's or employee's non-convictions as set forth in 47 RCNY §§2-04(a)(6) and (b); and
- b. denying employment to an applicant or taking adverse employment action against an employee based on the applicant's or employee's conviction history or pending cases without undertaking the Fair Chance Employment Process set forth in 47 RCNY §§ 2-04 (a)(5) and (e).

When an employer, employment agency or their agency relies on mandatory legal bar in error, the adverse action will be evaluated consistent with 47 RCNY § 2-04 (a).

- (2) **Police Officers and Peace Officers.** For police officer and peace officer positions, as those terms are defined in subdivisions 33 and 34 of section 1.20 of the criminal procedure law, employers, employment agencies, and their agents are not prohibited from:

- a. making inquiries or statements about an applicant's criminal history prior to making a conditional offer of employment, as set forth in 47 RCNY §§ 2-04(a)(2)-(4), (6), and (b)-(d);
- b. denying employment to an applicant based on the applicant's criminal history without undertaking the Fair Chance Employment Process, as set forth in 47 RCNY §2-04(e);
- c. making inquiries or statements about an employee's non-convictions, as set forth in 47 RCNY § 2-04(a) (6); and
- d. taking adverse employment action against an employee based on the employee's criminal history without undertaking the Fair Chance Employment Process, as set forth in 47 RCNY §§ 2-04(a)(5) and (e).

- (3) **Positions with Law Enforcement Agencies Other than Police Officers and Peace Officers.** For non-police officer and non-peace officer positions with law enforcement agencies, as the term "law enforcement" is used in article 23-a of the correction law, including but not limited to the police department, the fire department, the department of correction, the department of investigation, the department of probation, the division of child protection and the division of youth and family justice of the administration for children's services, the business integrity commission, and the district attorneys' offices, employers, employment agencies, and their agents are not prohibited from:

- a. making inquiries or statements about an applicant's convictions for a violation sealed pursuant to Criminal Procedure Law §160.55 and criminal actions that are not currently pending that were concluded in one of the following ways, as set forth in 47 RCNY §§ 2-04(b), (d), and (e):
 - i. an adjudication as a youthful offender, as defined by Criminal Procedure Law § 720.35(1), even if not sealed or marked confidential;
 - ii. a conviction of a violation, as defined in Criminal Procedure Law § 160.55, even if not sealed; or
 - iii. a conviction that has been sealed under Criminal Procedure Law § 160.58 or § 160.59;
- b. denying employment to an applicant based on the applicant's arrest or conviction record without undertaking the Fair Chance Employment Process

as set forth in 47 RCNY §§ 2-04(a)(5) and (e);

- c. making inquiries or statements about a current employee's convictions for a violation sealed pursuant to Criminal Procedure Law §160.55 and criminal actions that are not currently pending that were concluded in one of the following ways:
 - i. an adjudication as a youthful offender, as defined by Criminal Procedure Law § 720.35(1), even if not sealed or marked confidential;
 - ii. a conviction of a violation, as defined in Criminal Procedure Law § 160.55, even if not sealed; or
 - iii. a conviction that has been sealed under Criminal Procedure Law § 160.58 or § 160.59, except for those described in sections 1 and 2.a of the definition of "non-conviction"; and
- d. taking adverse employment action against an employee based on the employee's conviction history or pending cases without undertaking the Fair Chance Employment Process, as set forth in 47 RCNY §§ 2-04(a)(5) and (e).

- (4) **Public Agencies Other than Law Enforcement Agencies Taking Adverse Action Against an Employee.**

Where an employee of a public agency is entitled to a disciplinary process as set forth in section 75 of the civil service law, or where the public agency follows a disciplinary process set forth in agency rules or as required by law, the public agency is permitted to take adverse employment action against an employee based on criminal convictions that occur during employment or pending cases that preceded or arose during employment without undertaking the Fair Chance Employment Process.

- (5) **Specific Positions Listed by the New York City Department of Citywide Administrative Services.**

Certain positions are determined by the commissioner of citywide administrative services to involve law enforcement, be susceptible to bribery or other corruption, or entail the provision of services to or safeguarding of persons who, because of age, disability, infirmity or other condition, are vulnerable to abuse. With regard to such positions, which are listed in a calendar item on the department's website, employers, employment agencies, and their agents are not prohibited from:

- a. making inquiries or statements about an employee's or applicant's conviction history or pending cases as set forth in 47 RCNY §§ 2-04(a) (2)-(4), (6), and (b)-(d); and
- b. denying employment to an applicant based on the applicant's conviction history or pending cases or taking adverse employment action against an employee based on the employee's conviction history or pending cases without undertaking the Fair Chance Employment Process, as set forth in 47 RCNY §§ 2-04(a)(5) and (e).

Notwithstanding the exemption set forth in section 2-04(g) (5) of this chapter, for such positions, employers, employment agencies, or their agents must provide a written copy of the employer's Fair Chance Employment Analysis to applicants who are denied employment or employees subject to an adverse employment action because of the applicant's or employee's conviction history or pending cases.

- (6) **Certain Positions Regulated by Self-Regulatory Organizations as Defined in Section 3(a)(26) of the Securities Exchange Act of 1934, as Amended.**

Employers, employment agencies, and their agents in the financial services industry are exempt from the following prohibitions, to the extent that compliance with industry-specific rules and regulations promulgated by a self-regulatory organization require such actions:

- a. making inquiries or statements about an employee's or applicant's conviction history or pending cases as set forth in 47 RCNY §§ 2-04(a) (2)-(4), (6), and (b)-(d);
- b. denying employment to an applicant based on an applicant's conviction history or arrest record without undertaking the Fair Chance Employment

Process as set forth in 47 RCNY §§ 2-04(a)(5), and (e); and

- c. taking adverse employment action against an employee based on the employee's conviction history or pending cases without undertaking the Fair Chance Employment Process, as set forth in 47 RCNY §§ 2-04(a)(5) and (e).

Non-regulated positions in self-regulatory organizations are not exempt under 47 RCNY § 2-04(g)(6).

- (7) **Positions for Which a Criminal Background Check is Legally Required for Employment Purposes Pursuant to Federal, State, or Local Law.** Employers, employment agencies, and their agents required by law to perform a criminal background checks are exempt from the following prohibitions, to the extent that compliance with federal, state, or local law requires such actions:

- a. making inquiries or statements about an employee's or applicant's conviction history or pending cases as set forth in 47 RCNY §§ 2-04(a)(2)-(4), (6), and (b)-(d);
- b. making inquiries or statements related to an applicant's conviction history or pending cases until after extending a conditional offer of employment as set forth in 47 RCNY § 2-04(b); and
- c. denying employment to an applicant or taking adverse employment action against an employee based on an applicant's or employee's conviction history or pending cases without undertaking the Fair Chance Employment Process, as set forth in 47 RCNY §§ 2-04(a)(5), and (e).

Employers, employment agencies, and their agents subject to an exemption under 47 RCNY § 2-04(g)(7) of this chapter are required to undertake all other actions required by this chapter that are not in conflict with the requirements of the federal, state or local law that form the basis for the exemption. When an employer, employment agency or their agency relies on mandatory legal bar in error, the adverse action will be evaluated consistent with 47 RCNY § 2-04(a).

Unless the employer is explicitly required by another law to state in a job posting that a background check is required, the employer, employment agency, or their agent is prohibited by this chapter from doing so in a job advertisement. An employer, employment agency, or their agent that is legally required to undertake a criminal background check of an applicant may conduct the background check prior to a conditional offer, but, if they are not required to reject the candidate, they must still conduct a Fair Chance Employment Analysis of the applicant's criminal history and provide the applicant a copy of the inquiry and Fair Chance Employment Notice and a reasonable period of at least five days to respond.

- (8) **Legally Mandated Exclusions from Employment Based on Certain Criminal Histories.** Employers, employment agencies, and their agents required by law to exclude applicants with certain criminal histories from certain positions are exempt from the following prohibitions, to the extent that compliance with federal, state, or local law requires such action:

- a. making inquiries or statements about an employee's or applicant's conviction history or pending cases as set forth in 47 RCNY §§ 2-04(a)(2)-(4), (6), and (b)-(d); and
- b. denying employment to an applicant or taking adverse employment action against an employee based on an applicant's or employee's conviction history or pending cases without undertaking the Fair Chance Employment Process, as set forth in 47 RCNY §§ 2-04(a)(5) and (e).

Employers, employment agencies, and their agents subject to an exemption under 47 RCNY § 2-04(g)(8) of this chapter are required to undertake all other actions required by this chapter that are not in conflict with the requirements of the federal, state or local law that form the basis for the exemption. Unless the employer is explicitly required by another law to state in a job posting that a background check is required, the employer, employment agency, or their agent is prohibited by this chapter from doing so in a job advertisement. An employer that is legally required to exclude an applicant from employment based on a specific criminal history may conduct the background check prior to

a conditional offer. When an employer, employment agency or their agency relies on mandatory legal bar in error, the adverse action will be evaluated consistent with 47 RCNY § 2-04(a).

- (9) **Standard of Proof:** It shall be an affirmative defense that any action taken by an employer, employment agency, or agent thereof is permissible pursuant to paragraphs 1 through 8 of this subdivision.

(h) *Licenses, Registrations, and Permits.*

- (1) Licensing agencies may not deny any license, registration, or permit to any applicant, or act adversely upon any holder of a license, registration, or permit, based on criminal history in violation of Article 23-A of the [New York Corrections] Correction Law.
- (2) Prior to denying or taking any adverse action against an individual applying for a license, registration, or permit based on their conviction history, the licensing agency must evaluate the candidate using the [Article 23-A analysis] Fair Chance Employment Analysis.
- (3) A finding that an applicant lacks "good moral character" cannot be based on an individual's criminal history when such an action is in violation of Article 23-A of the [correction law] Correction Law.
- (4) [Under no circumstances] Except as provided in paragraph 5 of this subdivision, [may] an individual applying for a license, registration, or permit[,] may not be questioned about non-convictions, nor can any adverse actions or denials be made based on non-convictions.
- (5) *Exemption as to licenses, registrations, and permits:*

(i) Paragraphs (1) through (4) of this subdivision do not apply to licensing activities in relation to the regulation of explosives, pistols, handguns, rifles, shotguns, or other firearms and deadly weapons.

(ii) Any agency authorized to issue a license, registration, or permit may consider age, disability, or criminal history as a criterion for determining eligibility or continuing fitness for a license, registration, or permit[,] when specifically required to do so pursuant to federal, state, or local law.

(iii) Paragraph (4) of this subdivision does not apply to the issuance of a license, registration or permit by the Business Integrity Commission insofar as the non-conviction is a violation that has not been sealed, non-criminal offense under the law of another state that has not been sealed, or an arrest or criminal accusation followed by such an outcome.

(i) *Enforcement and Penalties*

- (1) [There is a rebuttable presumption that an employer, employment agency, or agent thereof was motivated by an applicant's criminal history if it revokes a conditional offer of employment without following the Fair Chance Employment Process. This presumption can be rebutted by demonstrating that the conditional offer was revoked based on: (1) the results of a medical exam in situations in which such exams are permitted by the American with Disabilities Act; (2) information the employer, employment agency, or agent thereof could not have reasonably known before the conditional offer if, based on the information, the employer, employment agency, or agent thereof would not have made the offer and the employer, employment agency, or agent thereof can show that the information is material; or (3) evidence that the employer, employment agency, or agent thereof did not have knowledge of the applicant's criminal history before revoking the conditional offer.

[(2) *Early Resolution for Commission-initiated complaints regarding certain per se violations.*

(i) Early Resolution is an expedited settlement option that is available to respondents in certain circumstances that allows them to immediately admit liability and comply with a penalty in lieu of litigating the matter.

(ii) Except as provided in subparagraph (iii) below, the Law Enforcement Bureau [will] may offer Early Resolution for Commission-initiated complaints of per se violations under the following circumstances: (1) the respondent has committed a per se violation as defined in 47 RCNY § 2-04(a); (2) there are no other pending or current allegations against the respondent concerning violations of the Human Rights Law; (3) the respondent has 50 or fewer employees at the time of the alleged violation; and (4) the respondent has had no more than one violation of the Human Rights Law in the past three years.

(iii) Notwithstanding any other provision of this section, the Commission retains discretion to proceed with a full investigation and a referral to the Office of Administrative

Trials and Hearings when the offer of Early Resolution will not serve the public interest. Factors that indicate that an Early Resolution is not in the public interest include, without limitation:

(1) the respondent has had prior contact with the Commission from which an inference of willfulness regarding the violation may be inferred; (2) the respondent works with vulnerable communities; or (3) the Commission has reason to believe discrimination is rampant in respondent's industry. For purposes of this section, a violation of any provision of the Human Rights Law that resulted in an admission pursuant to Early Resolution, conciliation or other settlement agreement, or a finding of liability issued after a hearing or trial pursuant to a complaint filed with or by the Commission shall be considered a past violation.

(iv) *Early Resolution: Notice, Penalties and Procedure.*

(A) A respondent shall be served with a copy of the Early Resolution Notice simultaneously with service of the complaint.

(B) The Notice shall state that the respondent has 90 days to answer a complaint in which the respondent has been offered the option of Early Resolution, and that there will be no extensions of time granted.

(C) The Notice shall inform the respondent of their right to either: (1) admit liability and agree to the affirmative relief and penalty, or (2) file an answer to the complaint in compliance with 47 RCNY § 1-14, except that the time to respond shall be 90 days instead of 30.

(D) An Early Resolution penalty shall include: (1) a mandatory and free training provided by the Commission; (2) a requirement that the respondent post a notice of rights under the Human Rights Law; and (3) a monetary fine as determined by the penalty schedule outlined in paragraph (E) of this subdivision. The Notice shall inform the respondent that a private individual aggrieved by the same violation may also file an independent complaint with the Commission or may bring a court action.

(E) Fines will be assessed according to the following penalty schedule:

| Employer Size (at the time of violation) | 1st Offense | 2nd Violation (within 3 years of the resolution date of the first violation) |
|--|-------------|--|
| 4-9 Employees | \$500.00 | \$1,000.00 |
| 10-20 Employees | \$1,000.00 | \$5,000.00 |
| 21-50 Employees | \$3,500.00 | \$10,000.00 |
| ** Distinct and contemporaneous violations will be counted separately for the purpose of calculating a monetary penalty. For example, an employer who has between four and nine employees and is using a discriminatory advertisement in violation of 47 RCNY § 2-04(a)(1) and an application that references criminal history in violation of 47 RCNY § 2-04(a)(2) will be charged with two separate violations of \$500.00 each. However, multiple violations of one section, for example, posting a discriminatory advertisement on three different websites, will be counted as one violation for the purpose of assessing a penalty under this section. | | |

(F) If the employer believes that the employer size used to assess the imposed penalty is incorrect, the employer may call the number listed on the Early Resolution Notice.

(v) *Admission of Liability.* An admission of liability must be returned to the Commission in the manner prescribed in the Early Resolution Notice. Once the admission is received, the Law Enforcement Bureau shall promptly forward such agreement to the Chair. The signature of the Chair with the notation "SO ORDERED" shall be construed to be a final order of the Commission. A copy of such order shall be served upon the respondent.

(vi) *Contesting Liability and Filing an Answer.*

(A) Notwithstanding any provision of sections 1-61 or 1-62 of this title, if a respondent elects to deny liability and contest the allegations in the complaint, the respondent shall file an answer upon receipt of the answer, the Law Enforcement Bureau shall refer the case to the Office of Administrative Trials and Hearings for a hearing pursuant to section 1-71 of this title.

(B) For purposes of a hearing, the case will proceed in accordance with subchapter C of Chapter 2 of Title 48 of the Rules of the City of New York.

(vii) *Failure to Respond.*

(A) If a respondent fails to respond within 90 days to a complaint accompanied by an Early Resolution Notice, all allegations in the complaint will be deemed admitted unless good cause to the contrary is shown pursuant to section § 8-111(c) of the Human Rights Law.

(B) Upon default, the Law Enforcement Bureau may refer the case to the Office of Administrative Trials and Hearings pursuant to 47 RCNY § 1-71 and, in a written motion pursuant to 48 RCNY Chapter 1, seek an expedited trial and issuance of a report and recommendation that finds respondent in default and recommend the affirmative relief and penalties requested by the Law Enforcement Bureau. The motion papers will include: all supporting evidence; a copy of the complaint and any additional documentation sent to the respondent; the Early Resolution Notice; and proof of service of the motion.

(viii) *Relief from Default in an Early Resolution Case.* At any time prior to the issuance of a decision and order, the respondent may move for relief from default.]

(j) *Criminal Record Discrimination in Obtaining Credit.* No person may ask about or take any adverse action based on the non-conviction history of an individual in connection with an application or evaluation for credit.

(k) *Employers Seeking the Work Opportunity Tax Credit ("WOTC").* Employers, employment agencies, or their agents who wish to claim the WOTC credit are not exempt from this chapter or [the Fair Chance Act] §§ 8-107(9), (10), (11), and (11-a) of the Code. Employers, employment agency, or their agents may, however, require an applicant to complete IRS form 8850 and U.S. Department of Labor Form 9061 before a conditional offer is made so long as the information gathered is used solely for the purpose of applying for the WOTC.

§ 7. Section 3-04 of Title 47 of the Rules of the City of New York is amended to read as follows:

§ 3-04 Applications for Exemption from § 8-107(4)(a) of the [Administrative] Code.

The owner, lessee, proprietor, manager, superintendent or agent of a place or provider of public accommodation may additionally make an application for exemption from the prohibition in § 8-107(4)(a) of the Code on making an age-based restriction on access to or services provided by such public accommodation[which would otherwise be prohibited pursuant to § 8-107(4)(a) of the Administrative Code of the City of New York § 3-03 of these rules]. Such application [shall] must be made in writing to the office of the chairperson of the New York City Commission on Human Rights. The application [shall] must set forth the specific basis for the exemption sought together with any supporting evidence. The chairperson may grant such exemption if, for example, [he or she determines] they determine that the exemption promotes the health, safety or well-being of members of the public, or prevents physical harm to the property or premises of a place of public accommodation, or undue disruption of the quiet enjoyment of a place of public accommodation and is not inconsistent with the goals and policies of the City Human Rights Law. The decision of the Chairperson shall be final.

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

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

RULE TITLE: Fair Chance

REFERENCE NUMBER: 2022 RG 044

RULEMAKING AGENCY: City Commission on Human Rights

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

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

/s/ STEVEN GOULDEN
Senior Counsel

Date: July 1, 2024

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

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

RULE TITLE: Fair Chance

REFERENCE NUMBER: CCHR-13

RULEMAKING AGENCY: City Commission on Human Rights

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because the rule's authorizing statute does not provide a cure period.

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

July 1, 2024
Date

Accessibility questions: Policy Team, 212-416-0218, policy@cchr.nyc.gov,
by: Wednesday, August 14, 2024, 5:00 P.M.

cc

• jy30

HEALTH AND MENTAL HYGIENE

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The New York City Department of Health and Mental Hygiene (the "Department") is proposing to amend Chapter 6 of the Title 24 of the Rules of the City of New York (the "RCNY") to align with Local Law 52 of 2024 (the "Local Law") which, *inter alia*, repealed the requirement that applicants to renew a mobile food vending permit or license must submit a tax clearance certificate with the renewal application.

When and where is the hearing? The Department will hold a public hearing on the proposed rule. The public hearing will take place from 11:00 a.m. until 1:00 p.m. on Wednesday, September 4, 2024. This hearing will also be on a separate proposed rule to amend Article 89 of the New York City Health Code that is also required as a result of the Local Law. The hearing will be conducted by video conference accessible via internet or telephone:

- **Internet.** To participate in the public hearing, enter to register at this Webex URL: <https://nycdohmh.webex.com/nycdohmh/j.php?MTID=mfcd17866ee2134973b00baba3b454050>. If prompted to provide an event number or password, please enter the following:
Event number: **2331 889 6406**, Password: **Health** (432584 from phones)
- **Phone:** For access, dial: (646) 992-2010 or (408) 418-9388; then please enter the following
Access Code: **233 188 96406**

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

- **Website.** You can submit comments online to the Department through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You may email comments to resolutioncomments@health.nyc.gov
- **Mail.** You can mail comments to:
New York City Department of Health and Mental Hygiene
Gotham Center, 42-09 28th Street, CN 31
Long Island City, NY 11101-4132
- **Fax.** You may fax comments to the Department at 347-396-6087.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078 or (347) 396-6116. You can also sign up in the hearing room before the hearing begins on Wednesday, September 4, 2024. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a "Question and Answer" format.

Is there a deadline to submit written comments? Written comments must be received by the date of the hearing at 5:00 pm (EST).

What if I need assistance to participate in the hearing? You must tell the Office of General Counsel if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 347-396-6078. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by two weeks before the hearing.

This location is wheelchair accessible.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, a transcript of the hearing and copies of the written comments will be available for review by the public at the Department's Office of the Secretary.

What authorizes the Department to make this amendment?

Section 389(b) of the New York City Charter provides that "heads of mayoral agencies shall have the power to adopt rules to carry out the powers and duties delegated to the agency head or the agency by or pursuant to federal, state or local law." Charter Section 1043(a) similarly provides that each "agency is empowered to adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law." This amendment is further authorized by the Local Law.

Where can I find the Department rules and the Health Code?

The Department's rules and the Health Code are located in Title 24 of the Rules of the City of New York.

What laws govern the rulemaking process? The Department must satisfy the requirements of Section 1043 of the Charter when adding or amending rules. This notice is made according to the requirements of Section 1043(b) of the Charter. These changes were not included in the Department's regulatory agenda because the Local Law was enacted after the agenda was published.

Statement of Basis and Purpose of Proposed Rule

On March 29, 2024, the Local Law was enacted to, *inter alia*, repeal section 17-310 of the NYC Administrative Code.¹ Before its repeal, section 17-310 required persons seeking to renew a mobile food vending permit or mobile food vendor license to obtain tax clearance certificates from the NYS Tax Commission and the NYC Department of Finance. These requirements are now removed.

¹ The Local Law also amended section 17-309 of the NYC Administrative Code to repeal the requirement that applicants for a license submit a certificate of sales authority and a tax clearance certificate. Applicants for a permit are also no longer required to submit a tax clearance certificate but remain required to submit a certificate of sales authority. The Department has proposed amendments to Article 89 of the New York City Health Code to align with these changes. The amendments to Chapter 6 made necessary by the Local Law relate only to renewals of permits in Rule 6-11 as proposed in this Notice of Intent.

The proposed amendments to subdivision (a) of section 6-11 of the RCNY, relating to permit renewal applications, are to align with the Local Law.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Subdivision a of section 6-11 of Title 24 of the Rules of the City of New York is amended to read as follows:

- (a) *Renewal applications to be submitted timely.* An application for renewal of any permit shall not be accepted unless the applicant submits a complete renewal application[, the tax clearance certificates required by §17-310 of the Administrative Code,] and proof of payment of all fines and penalties owing for notices of violation as required by § 17-317(b) of the Administrative Code and § 6-10 of this Chapter, no later than thirty (30) days before the date of expiration of the permit. The Department may accept a late renewal application only if the applicant submits proof that may be verified by the Department that the delay in submission of the completed application and [clearances] such proof of payment resulted because of delays in issuing [the clearances] such proof of payment. In such cases, the permittee must show that [applications for tax and penalty clearances were] payment of all fines and penalties owing for notices of violation as required by § 17-317(b) of the Administrative Code and § 6-10 of this Chapter was submitted at least sixty (60) days before the date of renewal of the permit.

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

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

RULE TITLE: Amendment of Commissioner Rules Relating to
Renewal Applications for Mobile Food Vending Permits
REFERENCE NUMBER: 2024 RG 064
RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN
Senior Counsel

Date: July 18, 2024

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

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

RULE TITLE: Amendment of Commissioner Rules Relating to
Renewal Applications for Mobile Food Vending
Permits
REFERENCE NUMBER: DOHMH-147
RULEMAKING AGENCY: Department of Health and Mental
Hygiene

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and

- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

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

July 19, 2024
Date

• jy30

BOARD OF HEALTH

**Notice of Public Hearing and Opportunity to Comment on
Proposed Amendments to Article 89 of the
New York City Health Code**

What are we proposing? The New York City Department of Health and Mental Hygiene (the "Department") is proposing to amend Article 89 of the New York City Health Code (the "Health Code") to align with subchapter 2 of Chapter 3 of Title 17 of the Administrative Code, as amended by Local Law 52 of 2024 (the "Local Law"). The Local Law, among other things, amended provisions in such subchapter 2 to eliminate the requirements that: (1) applicants for a mobile food vendor license submit a certificate of authority to collect sales tax and a tax clearance certificate from New York State; (2) applicants for a mobile food vending permit submit such a tax clearance certificate; and (3) applicants seeking to renew a license or permit submit such a tax clearance certificate.

When and where is the hearing? The Department will hold a public hearing on the proposed amendments. The public hearing will take place at 11:00 a.m. to 1:00 p.m. on Wednesday, September 4, 2024. The hearing will be conducted by video conference accessible via internet or telephone.

- **Internet.** To participate in the public hearing, enter to register at this Webex URL: <https://nycdohmh.webex.com/nycdohmh/j.php?MTID=mfcd17866ee2134973b00baba3b454050>

If prompted to provide an event number or password, please enter the following:

Event number: **2331 889 6406**, Password: **Health** (432584 from phones)

- **Phone:** For access, dial: (646) 992-2010 or (408) 418-9388; then please enter the following
Access Code: **233 188 96406**

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

- **Website:** You can submit comments to the Department through the NYC Rules website at <http://rules.cityofnewyork.us>.
- **Email:** You can email written comments to resolutioncomments@health.nyc.gov
- **Mail:** You can mail written comments to:
New York City Department of Health and Mental Hygiene
Gotham Center, 42-09 28th Street, 14th Floor, CN 30
Long Island City, NY 11101-4132
- **Fax.** You can fax written comments to the Department at (347) 396-6087.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078 or (347) 396-6116, or by emailing at resolutioncomments@health.nyc.gov before the hearing begins at 11AM on September 4, 2024. While you will be given the opportunity during the hearing to indicate that you would like to comment, we prefer that you sign-up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a "Question and Answer" format.

Is there a deadline to submit written comments? Written comments must be received on or before 5:00 p.m. on September 4, 2024.

What if I need assistance to participate in the hearing? You must tell the Department's Office of General Counsel if you need a reasonable accommodation of a disability at the hearing, including whether you need a sign language interpreter. You can tell us by e-mail or by mail at the addresses given above. You may also tell us by telephone at 347-396-6078. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by August 21, 2024.

Can I review the comments made regarding the proposed amendments? You may review the online comments made on the

proposed amendments at <https://rules.cityofnewyork.us/proposed-rules/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time after the hearing by the Department's Office of General Counsel.

What authorizes the Department to make this amendment?

Sections 556, 558 and 1043 of the City Charter and the Local Law authorize the Department to make this proposed amendment. This rule was not included in the Department's regulatory agenda because the Local Law was not enacted until after the agenda was published.

Where can I find the Department's rules and the Health Code?

The Department's New York City Health Code is located in Title 24 of the Rules of the City of New York.

What rules govern the rulemaking process? The Department must meet the requirements of Section 1043 of the City Charter when amending the New York City Health Code. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

On March 29, 2024, the Local Law was enacted to, among other things, amend paragraph 4 of subdivision b of section 17-309, and repeal section 17-310, of the New York City Administrative Code (the "Administrative Code").

Prior to enactment of the Local Law, section 17-309 of the Administrative Code required persons applying for a mobile food vending permit or license to submit with their application a certificate of authority to collect sales taxes and a tax clearance certificate from the NYS Tax Commission. As a result of the Local Law, applicants for a mobile food vendor license are no longer required to submit such certificates. Applicants for a mobile food vending permit are also no longer required to submit a tax clearance certificate, but continue to be required to submit a certificate of authority to collect sales tax.

Additionally, prior to enactment of the Local Law, section 17-310 of the Administrative Code required persons seeking renewal of a mobile food vending license or permit to submit tax clearance certificates from the NYS Tax Commission and the NYC Department of Finance. These requirements are removed as a result of the Local Law.

The purpose of the proposed amendments is to align section 89.11 of the Health Code with applicable provisions of the Administrative Code, as amended by the Local Law. When implemented, the proposed amendments will ease the documentation burden to apply for a mobile food vendor license or permit.

New material is underlined. [Material to be removed is bracketed.]

The proposal is as follows:

RESOLVED, that subdivisions b and c of section 89.11 of Article 89 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, are amended to read as follows:

(b) *Applications*. All applications shall be submitted in a form and contain all information and documentation required by the Department, and shall include, but not be limited to, the following information:

- (1) The name, home and business address of the applicant;
- (2) The name, home address and license number of every food vendor who will be authorized by the permittee to operate the mobile food vending unit;
- (3) A description of the food to be vended and a description of the type of mobile food vending unit to be operated pursuant to the permit;
- (4) At least one piece of current valid photo identification issued by a government agency of any jurisdiction;
- (5) [Proof] If the application is for a mobile food vending permit, proof that the applicant has obtained a certificate of authority to collect sales taxes pursuant to § 1134 of the Tax Law, and has a tax clearance certificate from the [State Tax Commission] New York State Department of Taxation and Finance;
- (6) If the applicant is a partnership, limited liability company or other business entity, the name, and address of each partner, member, officer or manager, as may be applicable, of such entity; if a corporation, the names and addresses of the corporation, the names, home and business addresses of the principal stockholders, officers, directors and shareholders;
- (7) Proof that the applicant has obtained clearance from the Environmental Control Board showing the payment of all penalties and fines pursuant to 24 RCNY Chapter 6; and
- (8) An application for a permit for a mobile food vending unit to operate in a private or restricted space shall include a copy of a written agreement with the owner of the private or restricted space indicating that the applicant has the right to operate in such space.

(c) *Renewals*. An application for renewal of a license or permit shall be received by the Department, with the fee required by 24 RCNY Health

Code Article 5 or the Administrative Code, at least thirty days prior to the expiration date of the existing license or permit. Such application shall be accompanied by [tax clearance certificates issued by the State Tax Commission and New York City Department of Finance, and] proof that all penalties and fines for sustained or defaulted notices of violation issued to the mobile food vendor licensee or permittee for violations of Title 17 of the Administrative Code, the Health Code, the Sanitary Code, and 24 RCNY Chapter 6 have been paid in full in accordance with such chapter.

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

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Amendment of Rules Relating to Applicants and Renewal Applications for Mobile Food Vending Licenses or Permits

REFERENCE NUMBER: 2024 RG 060

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: June 17, 2024

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

212-788-1400

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Rules Relating to Applicants and Renewal Applications for Mobile Food Vending Licenses or Permits

REFERENCE NUMBER: DOHMH-145

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

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

June 18, 2024
Date

• jy30

PARKS AND RECREATION

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Parks and Recreation ("the Department") is proposing to amend its rules governing permit applications for multi-day special events in Flushing Meadows Corona

Park ("Park") to remove the preference currently given to applications for events that were not held the previous year. Other than events that have a 10-year or longer history in the Park, all applications for multi-day events would be treated equally. In addition, the Department is proposing to amend its rules to allow two multi-day events for between 2,000 and 40,000 attendees, rather than allowing one multi-day event for between 2,000 and 20,000 attendees and one multi-day event for between 20,001 and 40,000 attendees. Moreover, the Department will clarify that there is no specific limitation on the number of multi-day special events for under 2,000 attendees.

When and where is the Hearing? The Department will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 A.M. on Thursday, August 29, 2024. The hearing will be held at the Al Oerter Recreation Center located at 131-40 Fowler Avenue, Flushing, NY 11355.

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

- **Website.** You can submit comments to the Department through the NYC rules Web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to nyc.rules@parks.nyc.gov.
- **Mail.** You can mail written comments to: Attn: Christine Cochetoux, The New York City Department of Parks & Recreation, The Arsenal, Central Park, 830 Fifth Avenue, New York, NY 10065.
- **Fax.** You can fax written comments to 212-360-1373.
- **Hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 212-360-1327. You can also sign up in the hearing room before the hearing begins on August 29, 2024. You may speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a "Question and Answer" format.

Is there a deadline to submit written comments? You must submit written comments by August 29, 2024.

Do you need assistance to participate in the Hearing? You must tell the Office of General Counsel if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail or email at the addresses given above. You may also tell us by telephone at 212-360-1327. You must tell us by August 19, 2024.

Can I review the comments made on the proposed rules? You can review the comments made online concerning the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online and copies of all written comments concerning the proposed rules will be available to members of the public, who may request them by mail or email at the addresses given above. You may also request the comments by telephone at 212-360-1327.

What authorizes the Department to make this rule? Sections 389, 533(a)(9) and 1043 of the City Charter authorize the Department to make this proposed rule.

Where can I find the Department's rules? The Department's rules are in Title 56 of the Rules of the City of New York.

What requirements govern the rulemaking process? The Department must meet the requirements of Section 1043 of the City Charter when creating or amending rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose

The Department proposes to revise § 2-08 of Chapter 2, Title 56 of the Rules of the City of New York. For large-size multi-day events at Flushing Meadows Corona Park ("FMCP"), the Department seeks to remove the preference currently given to permit applications for events that were not held in the prior calendar year.

Currently, for FMCP only, the rules give preference to multi-day events that did not take place in the prior year, except in the case of events that have a 10-year or longer history in FMCP, whereas in other venues the Department gives preference to events that occurred in the prior calendar year. The proposed rule amendment would eliminate this preference and give both new and reoccurring applicants an equal opportunity to hold a multi-day event. This proposed change will encourage operators to produce well-run events compliant with Department rules and regulations so that they have the potential to be approved again the following year, and will allow popular events to continue to benefit the community.

The proposed rule changes would also eliminate the categorization of these multi-day events by the number of attendees. A previous rule change addressed a concern that all large events are not equal in scope and scale, and the Department currently uses a tiered system for multi-day FMCP event permits. The rules allow for one multi-day FMCP event per year of 2,000 to 20,000 attendees, and one multi-day FMCP event per year of 20,001 to 40,000 attendees. The Department has determined that using this tiered system does not provide the public with as great a diversity of events as had been anticipated, but instead may deter event operators from applying for permits at FMCP. As such, the Department proposes to eliminate the tiered system, and allow two multi-day FMCP events each year for events ranging from 2,000 to 40,000 attendees. Moreover, the Department will clarify that there is no specific limitation on the number of multi-day special events for under 2,000 attendees.

The Department's authority for these rules is found in Sections 389, 533(a)(9), and 1043 of the New York City Charter.

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

New text is underlined and deleted text is in brackets:

§ 1. Paragraph (8) of subdivision (b) of section 2-08 of Title 56 of the Rules of the City of New York is amended to read as follows:

(8) Permit applications for any event at Flushing Meadows Corona Park ("FMCP") may be submitted no earlier than the Tuesday following Labor Day in September, and no later than October 1 in the calendar year immediately preceding the calendar year in which the multi-day event would occur. Permits for multi-day events at FMCP, defined as an event that is open to guests for more than one day but no longer than three consecutive days, will be awarded based on the criteria outlined in section 2-08(w)(4), provided that:

- (A) the applicant confirms event attendance will not exceed 40,000 attendees per day and the specifies the method that will be used to ensure attendance does not exceed 40,000;
- (B) [if two or more applicants apply before the October 1 deadline, and one of the applicants received a permit in the previous calendar year, preference will be given to the applicant, if any, who did not receive a permit in the previous calendar year;
- (C) events that have occurred in the FMCP for a minimum of ten consecutive years, excluding years where events were prohibited by State-imposed restrictions related to the Covid-19 pandemic, are not subject to Subparagraph 2-08(w)(4)(B).

§ 2. The introductory paragraph of paragraph 4 of subdivision (w) of Section 2-08 of Title 56 of the Rules of the City of New York is amended to read as follows:

4. Notwithstanding any other provision of this subdivision, the following additional conditions shall apply to any [event] Large FMCP Event that is open to guests for more than one day but no longer than three consecutive days within FMCP, even if each day is separately ticketed ("Multi-Day FMCP Event"):

§ 3. Subparagraph (B) of paragraph 4 of subdivision (w) of Section 2-08 of Title 56 of the Rules of the City of New York is amended to read as follows:

(B) In any calendar year, there will be a maximum of two permits granted for Multi-Day FMCP Events, not counting events that have occurred in FMCP for a minimum of ten consecutive years, excluding years where events were prohibited by State-imposed restrictions related to the Covid-19 pandemic. [Of the two permits granted for Multi-Day FMCP Events other than events that have occurred in FMCP for a minimum of ten consecutive years, the Department will grant a maximum of one permit for an event in each of the following categories: (a) events of 2,000 to 20,000 attendees and (b) events of 20,001 to 40,000 attendees. However, if there are (i) no applications for a permit in one category; or (ii) all applicants for a permit in one category withdraw their application; or (iii) the Department cannot issue a permit to any of the applicants in one category, the Department may, in its discretion, issue two permits for events in the other category.]

§ 4. Subparagraph (G) of paragraph 4 of subdivision (w) of Section 2-08 of Title 56 of the Rules of the City of New York is amended to read as follows:

(G) All Multi-Day FMCP Event permit applications will be considered following the close of the application period after the October 1 deadline. Applications will be considered in the order received[, and categorized as set forth in paragraph (B) above]. [Other than events that have occurred in FMCP for a minimum of ten consecutive years, excluding years where events were

| | | | | | | | | |
|---------------|----------|---|-------|---------------|-----------|-----|----------|-----|
| BANYAI | CHARLES | H | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| BARRY | PATRICK | T | 70360 | \$130260.0000 | RETIRED | NO | 08/02/23 | 057 |
| BENTREWICZ | NICHOLAS | R | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| BIELER | LEONARD | M | 70310 | \$101590.0000 | RETIRED | NO | 10/27/23 | 057 |
| BONSENOR | LILETH | S | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| BRADY | VANESSA | K | 53055 | \$86791.0000 | INCREASE | NO | 05/31/24 | 057 |
| BRISITA | ETHAN | D | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| BRZEZINSKI | PAUL | | 70360 | \$130260.0000 | RETIRED | NO | 09/18/23 | 057 |
| BULLOSS | GAVIN | W | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| BURKE | ALEXA | N | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| BURKE | CHRISTOP | A | 70310 | \$101590.0000 | RETIRED | NO | 10/10/23 | 057 |
| BURKE | MICHAEL | J | 70370 | \$194689.0000 | RETIRED | NO | 08/02/23 | 057 |
| CABRERA | FRANCISC | S | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CALLAHAN | HARRY | L | 70314 | \$105292.0000 | RETIRED | YES | 09/03/23 | 057 |
| CALLAN | PETER | R | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CANZONERI III | JOSEPH | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CASTANO | BRIAN | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CASTILLO | ANDREW | I | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CATALDI | ANTONETT | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CELESTINO | ANGEL | J | 70310 | \$54122.0000 | RESIGNED | NO | 06/06/24 | 057 |
| CERNIGLIA | ANGELICA | G | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CHAN | RAYMOND | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CHIDICHIMO | JOSEPH | M | 70393 | \$125555.0000 | PROMOTED | NO | 06/01/24 | 057 |
| CISSE | NANSSIRA | | 53053 | \$49047.0000 | RESIGNED | NO | 06/03/24 | 057 |
| COCO | WILLIAM | A | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| COENEN III | KEVIN | P | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| COLON | BRIAN | | 53052 | \$36330.0000 | APPOINTED | NO | 06/05/24 | 057 |
| CONDE | ANGEL | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CONNOR | TAHJENIQ | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CORBETT | CLINT | J | 70310 | \$101590.0000 | RETIRED | NO | 08/14/23 | 057 |
| CORCORAN IV | RICHARD | L | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CORONADO | SYLKIA | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CRAYTON | CANAAN | A | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| CRUZ | JEANETTE | | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| DAVIDSON | DEVAUNTA | M | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| DAVIDSON | MARCLISH | B | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| DELAROSA JR | IRAN | | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| DEMARSE | NATHAN | R | 70310 | \$101590.0000 | RETIRED | NO | 09/26/23 | 057 |
| DETORFINO | JOSEPH | S | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| DEVIN | NEIL | R | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| DICRESCENTO | FRED | J | 70310 | \$101590.0000 | RETIRED | NO | 09/27/23 | 057 |
| DIERCKSEN | RYAN | T | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| DINKEL IV | ANDREW | E | 70310 | \$101590.0000 | RETIRED | NO | 09/25/23 | 057 |
| DOBOSH | IVAN | I | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |

FIRE DEPARTMENT
FOR PERIOD ENDING 06/21/24

| NAME | TITLE | | ACTION | PROV | EFF DATE | AGENCY | |
|---------------|------------|--------|---------------|-----------|----------|----------|-----|
| | NUM | SALARY | | | | | |
| DUQUE | ADAM | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| DWAN | JOSEPH | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| ELLIS | EDILBERT A | 70310 | \$101590.0000 | RETIRED | NO | 10/29/23 | 057 |
| ENCKE | GEORGE M | 70360 | \$130260.0000 | RETIRED | NO | 08/18/23 | 057 |
| FABIEN | JAVON P | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| FARACI JR | RICHARD P | 70393 | \$142449.0000 | PROMOTED | NO | 06/01/24 | 057 |
| FERRIN | ERICK P | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| FLYNN | KEVIN M | 70360 | \$110787.0000 | RETIRED | NO | 09/27/23 | 057 |
| FORTE | KEVIN J | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| FRIEL | ANTHONY H | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| GALLANT | DERIK T | 70310 | \$101590.0000 | RETIRED | NO | 09/17/23 | 057 |
| GALO FLOREZ | OSCAR D | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| GARCIA | CATERIN A | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| GARCIA | EMILIA N | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| GIAMBRA | FRANK | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| GIULIANO | ALEXA M | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| GOMBS | XAVIER | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| GOMEZ | JORGE L | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| GOMEZ | RONALD J | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| GUNAWAN | ANDREA C | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| HALASY | JASON M | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| HERLIHY | ARTHUR J | 70360 | \$130260.0000 | RETIRED | NO | 09/15/23 | 057 |
| HONEYGHAN | CRAIG A | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| HOYTE | DWAYNE K | 31662 | \$66889.0000 | RESIGNED | NO | 04/17/24 | 057 |
| IRIZARRY | JAMES | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| JIMENEZ SANTA | MICHAEL D | 53052 | \$36330.0000 | RESIGNED | NO | 06/06/24 | 057 |
| JOHNSON | CHARLES C | 70360 | \$130260.0000 | RETIRED | NO | 09/14/23 | 057 |
| JONES | SHAMEAK J | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| JUSTINIANO | GEORGE A | 70310 | \$54122.0000 | RESIGNED | NO | 06/05/24 | 057 |
| KELLER | KEVIN M | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| KENNY | JESSICA H | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| KERRIGAN | DENNIS P | 70310 | \$101590.0000 | RETIRED | NO | 08/08/23 | 057 |
| KIME | TIMOTHY R | 53054 | \$59363.0000 | RESIGNED | NO | 06/13/24 | 057 |
| KIR | YUSUF F | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| LEE | MICHAEL | 70310 | \$101590.0000 | RETIRED | NO | 10/02/23 | 057 |
| LETANG | DOMINIQUE | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| LIRANZO NIVAL | MARGIE | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| LONG | MARK | 70360 | \$110787.0000 | RETIRED | NO | 09/07/23 | 057 |

| | | | | | | | | |
|------------------|----------|---|-------|---------------|-----------|----|----------|-----|
| LOPEZ JR. | LUIS | H | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| LUNNY | JAMES | T | 70310 | \$101590.0000 | RETIRED | NO | 10/15/23 | 057 |
| MAC-K-WASHINGTON | CHRISTIA | D | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| MARTINEZ-FLORES | MARCO | A | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| METVINER | MIKAYLA | E | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| MICHAELS | MATTHEW | L | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| MORALES BARAHON | PABLO | T | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| MORALES MAGRIZ | JAN MICH | M | 53053 | \$59534.0000 | RESIGNED | NO | 05/15/24 | 057 |
| MOREL | JOSEPH | | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| MORRISSEY | PETER | J | 70310 | \$101590.0000 | RETIRED | NO | 09/15/23 | 057 |
| MURPHY | LATONYA | A | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| NARVAEZ | BRYANT | D | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| NINO | GILBERT | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |

FIRE DEPARTMENT
FOR PERIOD ENDING 06/21/24

| | | TITLE | | | | | | |
|-----------------|-----------|-------|-------|---------------|-----------|------|----------|--------|
| NAME | | | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY |
| O'BOYLE | BRIAN | F | 70370 | \$188105.0000 | RETIRED | NO | 06/16/23 | 057 |
| O'BOYLE | LIAM | T | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| OCCONNOR | SEAN | M | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| PACHOT | DANIEL | A | 53053 | \$59534.0000 | RESIGNED | NO | 06/09/24 | 057 |
| PAPROCKI | RALPH | M | 70310 | \$101590.0000 | RETIRED | NO | 10/18/23 | 057 |
| PARK | MIN | J | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| PATTERSON | RASHAUN | T | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| PAYANO | JUANCARL | | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| PERALTA | ANGEL | D | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| PEREZ | NADIA | M | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| PLATEL | KRISTINA | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| POST-KELLY | NANCY | L | 50959 | \$101405.0000 | RETIRED | YES | 06/12/24 | 057 |
| RAMOS | JAYLEN | | 53053 | \$39386.0000 | RESIGNED | NO | 03/08/24 | 057 |
| RANDOLPH | ANIYAH | S | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| REID | HAYDEN | A | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| REYNOSO | BRYANT | V | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| ROACH | JASON | G | 70310 | \$101590.0000 | RETIRED | NO | 10/06/23 | 057 |
| RODRIGUEZ | ANTONIO | O | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| RODRIGUEZ ACOST | JESUS | A | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| RODRIGUEZ CAMAN | ALEXIS | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| ROEBUCK-CLARK | ISAIAH | W | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| ROJAS | SIMONE | A | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| ROONEY | JAMES | | 70310 | \$101590.0000 | RETIRED | NO | 09/19/23 | 057 |
| ROSCIANO | FRANCIS | A | 70370 | \$194689.0000 | RETIRED | NO | 10/13/23 | 057 |
| RUMLER | SEAN | W | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| SANTIAGO | BOBBY | | 53054 | \$76586.0000 | RETIRED | NO | 06/02/24 | 057 |
| SANTIAGO | JOCLEYN | M | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| SCAGLIONE | MICHAEL | A | 70365 | \$131491.0000 | PROMOTED | NO | 06/01/24 | 057 |
| SCHIB | AMBER | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| SCHWACK | MAX | T | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| SEALES | JACKELIN | M | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| SGRO | RICHARD | P | 70360 | \$130260.0000 | RETIRED | NO | 10/24/23 | 057 |
| SHEA | JOHN | L | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| SMITH | ASHLEY | T | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| SOKTOEV | ALEKSAND | | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| STUTZENSTEIN | RYAN | C | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| SULLIVAN JR | THOMAS | P | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| TEJADA | ERIKA | | 53055 | \$86791.0000 | INCREASE | NO | 05/31/24 | 057 |
| THOMPSON | KEITH | | 70310 | \$101590.0000 | RETIRED | NO | 09/17/23 | 057 |
| TURK | JOSHUA | A | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| VALENTIN | JARED | J | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| VARGAS | WILLFREDO | | 70360 | \$130260.0000 | RETIRED | NO | 08/02/23 | 057 |
| VELTEN | TODD | P | 70310 | \$101590.0000 | RETIRED | NO | 10/13/23 | 057 |
| VENEZIA | ANTHONY | J | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| VENTURE JR | CHRISTOP | M | 53052 | \$36330.0000 | APPOINTED | NO | 06/02/24 | 057 |
| WALL | MATTHEW | R | 70310 | \$101590.0000 | RETIRED | NO | 08/31/23 | 057 |
| WASHINGTON | DEXTER | | 31662 | \$83249.0000 | RETIRED | NO | 04/01/24 | 057 |
| WOFFORD III | CHARLES | P | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| WYNNE | BRIAN | P | 53053 | \$39386.0000 | APPOINTED | NO | 06/02/24 | 057 |
| XUEREB | JOHN | J | 70393 | \$142449.0000 | RETIRED | NO | 09/28/23 | 057 |
| YEARSLEY | JAMES | A | 70360 | \$130260.0000 | RETIRED | NO | 08/22/23 | 057 |

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|-----------------|------------|-------|---------------|-----------|-----|----------|-----|
| ALFONSO | MARCOS | 70810 | \$36955.0000 | APPOINTED | YES | 06/02/24 | 067 |
| ANGRISANI | ANIRA | 52366 | \$60236.0000 | RESIGNED | YES | 06/09/24 | 067 |
| ANTWI | CASSIDY | 10234 | \$17.5000 | APPOINTED | YES | 06/09/24 | 067 |
| APPEL | JOANNE E | 52366 | \$65921.0000 | RESIGNED | NO | 06/08/24 | 067 |
| BAKER | ELLIOT D | 10124 | \$73758.0000 | RESIGNED | NO | 04/30/24 | 067 |
| BARTEE | KEVIN | 52367 | \$94271.0000 | RETIRED | NO | 05/24/24 | 067 |
| BEGUM | MAHA | 52366 | \$55463.0000 | RESIGNED | YES | 05/21/24 | 067 |
| BENNETT | LANICE | 52287 | \$62224.0000 | RESIGNED | NO | 03/13/24 | 067 |
| BERTOLINI | ALISHA | 10234 | \$17.5000 | APPOINTED | YES | 06/04/24 | 067 |
| BHUIYAN | MAHIR | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| BILAK | DONNA | 1002C | \$83836.0000 | RETIRED | NO | 06/02/24 | 067 |
| BLUGH | KYRON T | 52287 | \$48545.0000 | RESIGNED | YES | 11/01/22 | 067 |
| BRASWELL | LAGANAIS | 10124 | \$73427.0000 | INCREASE | NO | 03/31/24 | 067 |
| BUTLER | JAHHNAY E | 10234 | \$17.5000 | APPOINTED | YES | 06/04/24 | 067 |
| CALDWELL | ARMANI | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| CAMPBELL | LAKESHA C | 95600 | \$102226.0000 | INCREASE | YES | 01/14/24 | 067 |
| CESAREO | ARIELLE A | 52366 | \$55463.0000 | RESIGNED | YES | 06/02/24 | 067 |
| CHARLES | RODLEY H | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| CHRISTIE | IYSSIS | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| CHRISTOPHER | NEVAEH L | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| CLARK-FEINSTEIN | JACQUELY G | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| COCKBURN | ASHER A | 52366 | \$65921.0000 | RESIGNED | NO | 06/09/24 | 067 |
| COLTER | SCHANDEL | 70810 | \$36955.0000 | APPOINTED | YES | 06/02/24 | 067 |
| COPELAND | NICOLE P | 70810 | \$36955.0000 | APPOINTED | YES | 06/02/24 | 067 |
| DIKE | VALENTIN C | 52367 | \$94469.0000 | RETIRED | NO | 05/24/24 | 067 |
| DIXON | ELEANOR L | 52366 | \$55463.0000 | RESIGNED | YES | 06/12/24 | 067 |
| DIXON | ROGER | 91644 | \$555.8400 | RESIGNED | NO | 06/02/24 | 067 |
| FALCONER | KYLA N | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| FERNANDEZ | JENNIFER M | 52366 | \$55463.0000 | RESIGNED | YES | 04/14/24 | 067 |
| FLETE | JORDAN A | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| FLETE | JULIA A | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| FOSTER | JOY C | 52287 | \$50001.0000 | RESIGNED | YES | 02/15/24 | 067 |
| GARCIA GARCIA | ADLENI D | 70810 | \$36955.0000 | APPOINTED | YES | 06/02/24 | 067 |

ADMIN FOR CHILDREN'S SVCS
FOR PERIOD ENDING 06/21/24

| NAME | TITLE | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY |
|----------------|------------|-------|---------------|-----------|------|----------|--------|
| GARLAND-RATTAN | DANAJA M | 52366 | \$55463.0000 | RESIGNED | YES | 06/05/24 | 067 |
| GEIS | MICHAEL A | 52368 | \$73003.0000 | RESIGNED | YES | 06/12/24 | 067 |
| GORDON | AMRIA | 52366 | \$60236.0000 | RESIGNED | NO | 05/13/24 | 067 |
| GUAN | JINJU | 12626 | \$79405.0000 | APPOINTED | YES | 06/02/24 | 067 |
| HAGINS | ANDRU D | 12200 | \$35491.0000 | RESIGNED | NO | 04/16/24 | 067 |
| HAZEL | TAYVIUS D | 70810 | \$36955.0000 | APPOINTED | YES | 06/02/24 | 067 |
| HENRY | ORINTHIA E | 52366 | \$55463.0000 | RESIGNED | YES | 06/13/24 | 067 |
| HOSKINS | IRENE | 52366 | \$55463.0000 | RESIGNED | YES | 06/03/24 | 067 |
| JACOB | DANIEL J | 52287 | \$50001.0000 | RESIGNED | YES | 01/23/24 | 067 |
| JACOBS | OMARION J | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| JEFFERY | MOET M | 52366 | \$55463.0000 | RESIGNED | YES | 04/18/24 | 067 |
| JENKINS | LAMAR T | 70810 | \$36955.0000 | APPOINTED | YES | 06/02/24 | 067 |
| JENKINS | TERESA A | 52287 | \$65559.0000 | RESIGNED | NO | 06/08/24 | 067 |
| JOHNSON | CAMERON R | 52287 | \$50001.0000 | RESIGNED | YES | 04/16/24 | 067 |
| KANTHETI | BHARGAV | 10232 | \$24.7300 | APPOINTED | YES | 06/02/24 | 067 |
| KATZ | GRACE D | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| KIRBY JR | MILTON A | 52366 | \$55463.0000 | INCREASE | YES | 02/25/24 | 067 |
| KISELYUK | SEMYON | 91830 | \$344.2600 | RETIRED | NO | 06/02/24 | 067 |
| LAND | JAHNYIA A | 52287 | \$50001.0000 | RESIGNED | YES | 04/12/24 | 067 |
| LAURENT | FABRICE | 91830 | \$344.2600 | RESIGNED | NO | 06/10/24 | 067 |
| LEWIS | JALEN J | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| LEWIS | SHAKIYA K | 10234 | \$17.5000 | APPOINTED | YES | 06/09/24 | 067 |
| LIU | ZI QING G | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| LIVINGSTON | JUWHANA J | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| MAI | KEVIN | 52366 | \$53848.0000 | RESIGNED | YES | 10/30/22 | 067 |
| MANGUAL-CRUZ | ANGELICA J | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| MAR | CHRISSE M | 10232 | \$24.7300 | APPOINTED | YES | 06/02/24 | 067 |
| MARCELINO | SANDRA | 95072 | \$105000.0000 | INCREASE | YES | 10/22/23 | 067 |
| MARTINEZ | HAILEY I | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| MARTINEZ | MICHAEL A | 52287 | \$50001.0000 | RESIGNED | YES | 04/14/24 | 067 |
| MAXWELL | JONATHAN H | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| MCCANTS | LAYLA | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| MCDUFFUS | RAMON A | 52287 | \$50001.0000 | RESIGNED | YES | 06/10/24 | 067 |
| MCGARRELL | SHANIEL A | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| MONTERO | JENNIFER | 52408 | \$91768.0000 | INCREASE | YES | 06/09/24 | 067 |
| NICHOLAS | SHALIECE R | 52287 | \$50001.0000 | RESIGNED | YES | 05/27/24 | 067 |
| OWENS | KETURAH | 52366 | \$55463.0000 | RESIGNED | YES | 06/09/24 | 067 |
| PANTOJA | SOFIA A | 10234 | \$17.5000 | APPOINTED | YES | 06/04/24 | 067 |
| PAYNE III | NEPHRA J B | 10234 | \$17.5000 | APPOINTED | YES | 06/09/24 | 067 |
| PAYTON | ANAYA | 10234 | \$17.5000 | APPOINTED | YES | 06/09/24 | 067 |
| PETTAWAY | SIMONE E | 52366 | \$62137.0000 | RESIGNED | NO | 05/19/24 | 067 |
| PIERRE | LUNIE | 52366 | \$65921.0000 | RESIGNED | NO | 06/04/24 | 067 |
| PROVIDENCE | SHOSHANA C | 10234 | \$17.5000 | APPOINTED | YES | 06/09/24 | 067 |
| PUNDIR | ISHITA | 10232 | \$24.7300 | APPOINTED | YES | 06/12/24 | 067 |
| RENE | LUDDIE S | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| RHODEN | NIRIQUE J | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| RICHARDSON | SHANNON U | 12627 | \$77158.0000 | APPOINTED | NO | 06/02/24 | 067 |
| RIVERA | JEFFREY | 52287 | \$61114.0000 | RESIGNED | YES | 06/02/24 | 067 |
| RODGERS | YVETTE | 1005C | \$111531.0000 | RETIRED | NO | 06/02/24 | 067 |

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|-------|------------|-------|---------------|----------|----|----------|-----|
| ROJAS | GUADALUP A | 52366 | \$65921.0000 | RESIGNED | NO | 06/09/24 | 067 |
| ROMAN | ROBERTO | 1005C | \$110092.0000 | DECEASED | NO | 06/05/24 | 067 |

ADMIN FOR CHILDREN'S SVCS
FOR PERIOD ENDING 06/21/24

| NAME | TITLE | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY |
|-----------------|------------|-------|--------------|-----------|------|----------|--------|
| ROSEBOROUGH II | SIHEEM A | 10234 | \$17.5000 | APPOINTED | YES | 06/09/24 | 067 |
| ROSS | JENNIFER F | 52366 | \$55463.0000 | RESIGNED | YES | 05/22/24 | 067 |
| SAMPLE | TANEIA E | 52367 | \$94079.0000 | RESIGNED | NO | 05/30/24 | 067 |
| SAMUELS | DELLA | 52366 | \$66022.0000 | RETIRED | NO | 06/02/24 | 067 |
| SANTOS | IVETTE L | 52366 | \$46479.0000 | RESIGNED | NO | 04/11/10 | 067 |
| SMITH | ARIAH E | 70810 | \$36955.0000 | APPOINTED | YES | 06/02/24 | 067 |
| SMITH | SHAKERA L | 52366 | \$65921.0000 | RESIGNED | NO | 05/19/24 | 067 |
| SMITH-MARTIN | KHAHEL C | 52366 | \$65921.0000 | RESIGNED | NO | 06/07/24 | 067 |
| SNIGDHA | SABRINA T | 52366 | \$55463.0000 | RESIGNED | YES | 06/09/24 | 067 |
| ST PREUX | KENNY | 52366 | \$60236.0000 | RESIGNED | YES | 06/02/24 | 067 |
| STAGGERS | CHANEL S | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| STANLEY | VASHAUN N | 52287 | \$50001.0000 | RESIGNED | YES | 06/11/24 | 067 |
| STUBBS | AMANDA D | 52366 | \$55463.0000 | RESIGNED | YES | 05/22/24 | 067 |
| SULLIVAN | AKIL A | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| SYLVESTRE PIERR | SASHA M | 5245A | \$46693.0000 | RESIGNED | YES | 06/09/24 | 067 |
| TAVERAS | AILIN D | 52366 | \$55463.0000 | RESIGNED | YES | 06/02/24 | 067 |
| TAYLOR | BRIANNA M | 10234 | \$17.5000 | APPOINTED | YES | 06/09/24 | 067 |
| THOMAS | MONET S | 10234 | \$17.5000 | APPOINTED | YES | 06/02/24 | 067 |
| TITUS | MICHAEL G | 52368 | \$73003.0000 | RESIGNED | YES | 06/02/24 | 067 |
| VARANASI | ANIRUDH | 10232 | \$24.7300 | APPOINTED | YES | 06/12/24 | 067 |
| VICENTE | JESSICA | 70810 | \$36955.0000 | APPOINTED | YES | 06/02/24 | 067 |
| WALFORD | OSHEA D | 70810 | \$36955.0000 | APPOINTED | YES | 06/02/24 | 067 |
| WHEELER | SHANINA L | 52366 | \$65921.0000 | RESIGNED | NO | 06/02/24 | 067 |
| ZHANG | RUIJIA | 10232 | \$24.7300 | APPOINTED | YES | 06/09/24 | 067 |

HRA/DEPT OF SOCIAL SERVICES
FOR PERIOD ENDING 06/21/24

| NAME | TITLE | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY |
|----------------|------------|-------|--------------|-----------|------|----------|--------|
| ADAM | CINDY | 56314 | \$53266.0000 | RESIGNED | YES | 06/09/24 | 069 |
| ALEXANDER | AMBER M | 10104 | \$41248.0000 | APPOINTED | YES | 06/02/24 | 069 |
| ALLEN TALMADGE | JUSTIN R | 52304 | \$45329.0000 | RESIGNED | YES | 05/17/24 | 069 |
| AVILA | MIRANDA I | 10251 | \$39763.0000 | APPOINTED | YES | 06/02/24 | 069 |
| BANKS | NAOJ ALA D | 52304 | \$45329.0000 | RESIGNED | YES | 06/02/24 | 069 |
| BERNARD | TYEISHA | 10104 | \$47712.0000 | RESIGNED | NO | 06/12/24 | 069 |
| BONAPARTE | GISELLE K | 10124 | \$59588.0000 | PROMOTED | NO | 03/24/24 | 069 |
| BONELLI | CHRISTOP D | 10104 | \$43777.0000 | APPOINTED | YES | 06/02/24 | 069 |
| BRISBON | MELANY E | 10104 | \$41248.0000 | APPOINTED | YES | 06/02/24 | 069 |
| BROWN | TENASIA R | 10104 | \$50343.0000 | RESIGNED | YES | 05/31/24 | 069 |
| CAMPBELL | MARLENE L | 10104 | \$41248.0000 | APPOINTED | NO | 05/28/24 | 069 |
| CHEN | XU FEN | 1000B | \$63301.0000 | TRANSFER | NO | 05/02/24 | 069 |
| CHOUDHURY | MALIHA Z | 10104 | \$41248.0000 | APPOINTED | YES | 06/02/24 | 069 |
| CLAY | ROSALIND J | 10104 | \$47435.0000 | RESIGNED | NO | 06/09/24 | 069 |
| CRAWFORD | DIANNE | 10248 | \$91770.0000 | INCREASE | YES | 05/05/24 | 069 |
| DAVIS | RAE F | 10124 | \$73989.0000 | RETIRED | NO | 06/01/24 | 069 |
| DELGADO | DEAN M | 92005 | \$398.8600 | RESIGNED | YES | 05/21/24 | 069 |

HRA/DEPT OF SOCIAL SERVICES
FOR PERIOD ENDING 06/21/24

| NAME | | TITLE | | NUM | SALARY | ACTION | PROV | EFF DATE | AGENCY |
|-----------------|----------|-------|-------|-----|---------------|-----------|------|----------|--------|
| DOBY | DENNIS | M | 70817 | | \$59255.0000 | RESIGNED | NO | 06/09/24 | 069 |
| DONEWITZ | IRA | | 13632 | | \$103446.0000 | RETIRED | NO | 06/01/24 | 069 |
| DOURANDI | ROBERT | | 10104 | | \$41248.0000 | APPOINTED | YES | 06/02/24 | 069 |
| DRUMMER | NADINE | T | 10124 | | \$66821.0000 | RETIRED | NO | 06/01/24 | 069 |
| EDWARDS-WILLIAM | KEISHA | | 56314 | | \$53266.0000 | RESIGNED | YES | 06/05/24 | 069 |
| GUERRANT | KHILEE | N | 56314 | | \$53266.0000 | RESIGNED | NO | 06/07/24 | 069 |
| HARGROVE | EBONY | J | 52304 | | \$45329.0000 | RESIGNED | YES | 06/07/24 | 069 |
| HAWKINS JR | GEORGE | F | 52304 | | \$45329.0000 | APPOINTED | YES | 06/02/24 | 069 |
| HILL | THERESA | D | 10251 | | \$45867.0000 | RETIRED | NO | 06/07/24 | 069 |
| HOLMES | LAKEISHA | E | 10104 | | \$41248.0000 | APPOINTED | YES | 06/02/24 | 069 |
| HOSSAIN | KHADIZA | | 10104 | | \$41248.0000 | RESIGNED | YES | 06/12/24 | 069 |
| KAMAL | ABDUL BA | M | 13632 | | \$115854.0000 | INCREASE | NO | 03/03/24 | 069 |
| KAMALU | MAGDALEN | | 52304 | | \$52366.0000 | RETIRED | NO | 06/11/24 | 069 |
| KELLY | JENNIFER | L | 10056 | | \$185724.0000 | RETIRED | NO | 12/31/22 | 069 |
| KRAMPNER | JOHN | F | 21744 | | \$119539.0000 | RETIRED | YES | 06/12/24 | 069 |
| KRAMPNER | JOHN | F | 1002A | | \$74597.0000 | RETIRED | NO | 06/12/24 | 069 |
| LAWRENCE | TERRY | M | 52304 | | \$45329.0000 | APPOINTED | YES | 05/28/24 | 069 |
| MAINOR | JACINDA | | 10104 | | \$41248.0000 | RESIGNED | YES | 05/26/24 | 069 |
| MAKOU | NYDIA | E | 1002C | | \$82911.0000 | PROMOTED | NO | 12/13/23 | 069 |
| MARCHENA | ALYSON | F | 52304 | | \$45329.0000 | RESIGNED | YES | 05/20/24 | 069 |
| MARSHALL | SANDRA | L | 12627 | | \$91709.0000 | RETIRED | NO | 06/01/24 | 069 |
| MARTINEZ | YUBERIA | A | 10104 | | \$41248.0000 | APPOINTED | YES | 06/02/24 | 069 |
| MASON | VENOL | A | 1005C | | \$80000.0000 | APPOINTED | NO | 06/02/24 | 069 |
| MEJIA | MARIBELL | | 10104 | | \$41248.0000 | RESIGNED | YES | 03/28/24 | 069 |
| MERCER | VENUS | E | 56316 | | \$65179.0000 | RESIGNED | NO | 06/14/24 | 069 |
| MYGATT | POLLY | F | 1005C | | \$63301.0000 | APPOINTED | NO | 06/02/24 | 069 |
| NOBLE | DASON | | 10124 | | \$66821.0000 | RESIGNED | NO | 06/02/24 | 069 |
| NOLASCO | HAILEY | | 95800 | | \$145000.0000 | RESIGNED | YES | 11/01/23 | 069 |
| OBADULLAH | ABU | | 31113 | | \$45329.0000 | APPOINTED | NO | 05/28/24 | 069 |