



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD
U.S.P.S. 0114-660

Printed on paper containing
40% post-consumer material

VOLUME CXXXVII NUMBER 230

THURSDAY, DECEMBER 2, 2010

PRICE \$4.00

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THE CITY RECORD

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Published Monday through Friday, except legal holidays by the Department of Citywide Administrative Services of the City of New York under Authority of Section 1066 of the New York City Charter.

Subscription-\$500 a year; daily, \$4.00 a copy (\$5.00 by mail) Periodicals Postage Paid at New York, N.Y.
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, Room 2208, New York, N.Y. 10007 - 1602

Editorial Office
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

Subscription Changes/Information
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BROOKLYN BOROUGH PRESIDENT

PUBLIC MEETING

Notice is hereby given that Brooklyn Borough President Marty Markowitz will hold a meeting of the Brooklyn Borough Board in the Court Room, Second Floor, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 6:00 P.M. on Tuesday, December 7, 2010.

● A public hearing and vote will be held on the Draft Zoning Resolution Amendment to the Definition of Key Terms as presented by the Department of City Planning

Note: To request a sign language interpreter, or to request TTD services, call Mr. Andrew Steininger at (718) 802-3877 at least 5 business days before the day of the hearing.

n30-d7

CITY COUNCIL

PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Monday, December 6, 2010.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Monday, December 6, 2010:

97 BOWERY BUILDING

MANHATTAN CB - 3 20115269 HKM (N 110092 HKM)
Designation (List No. 433/LP-2353) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the 97 Bowery Building, located at 97 Bowery (Block 304, Lot 2), as an historic landmark.

EVELENTH STREET METHODIST EPISCOPAL CHAPEL
MANHATTAN CB - 3 20115270 HKM (N 110094 HKM)
Designation (List No. 433/LP-2398) by the Landmarks

Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Eleventh Street Methodist Episcopal Chapel, located at 545-547 East 11th Street (Block 405, Lot 39), as an historic landmark.

LOEW'S CANAL STREET THEATRE BUILDING
MANHATTAN CB - 3 20115271 HKM (N 110093 HKM)
Designation (List No. 433/LP-2368) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Loew's Canal Street Theatre Building, located at 31 Canal Street (Block 297, part of Lot 1), as an historic landmark.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Monday, December 6, 2010:

PLAZA BORIQUEN

BRONX CB - 1 20115303 HAX
Application submitted by the New York City Department of Housing Preservation and Development pursuant to the Private Housing Finance Law for approval of a project summary, a real property tax exemption and approval of the Regulatory Agreement for property located at Block 2282/ Lots 45, 75; Block 2283/Lot 40 in Council District No. 8.

PRC SIMPSON STREET

BRONX CB - 2 20115304 HAX
Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for approval of a project summary, a conveyance, real property tax exemptions, consent to the voluntary dissolution of a redevelopment company, a conveyance, and approval of a Regulatory Agreement for property located at Block 2711/Lots 17 and 19; Block 2712/Lots 1, 9, 11, 23, 40; Block 2714/Lots 1, 61, 64; Block 2723/Lot 12 in Council District No. 17.

n30-d6

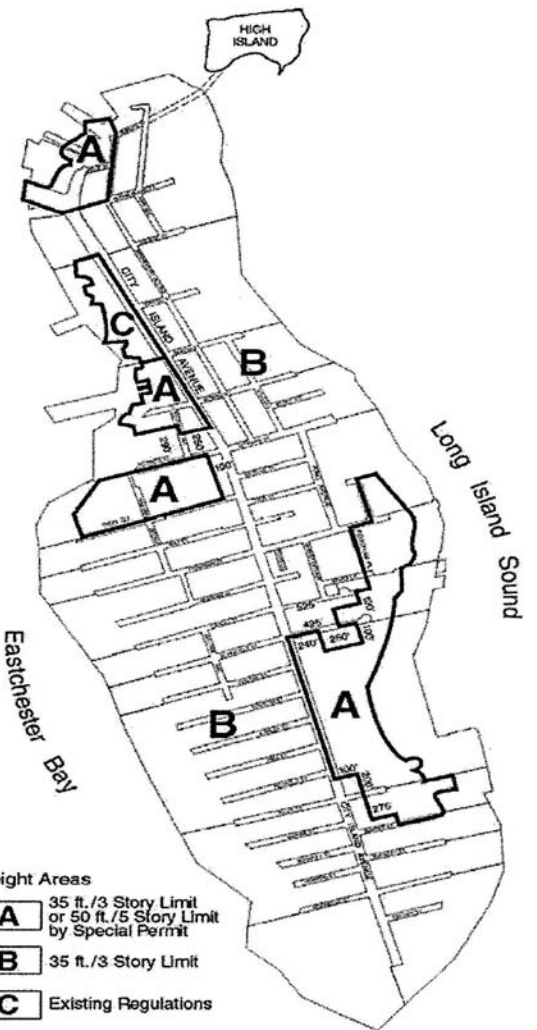
CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, December 15, 2010 at 10:00 A.M.

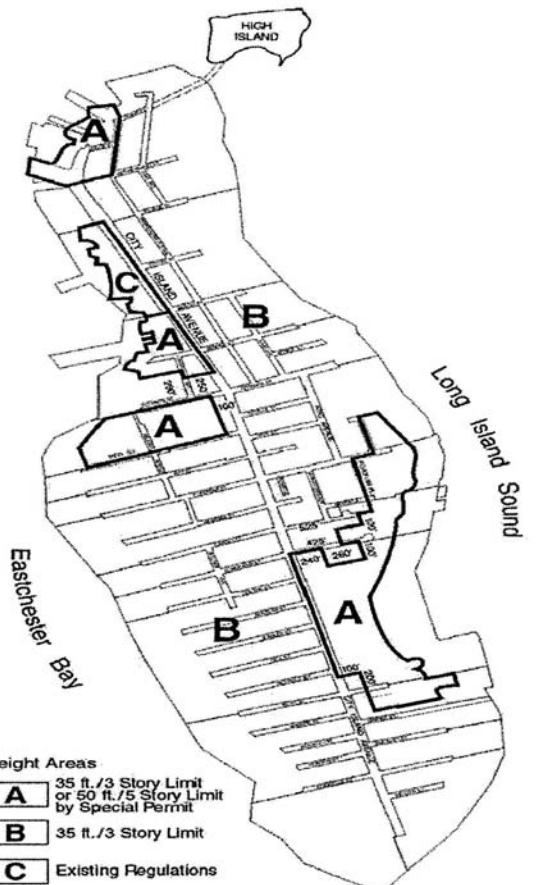
BOROUGH OF THE BRONX No. 1 SEA BREEZE ESTATES

CD 10 N 070384 ZRX
IN THE MATTER OF an application submitted by G.B.G. Inc pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 2 (Special City Island District), Appendix A (Special City Island District - Height Areas).



Height Areas
A 35 ft./3 Story Limit or 50 ft./5 Story Limit by Special Permit
B 35 ft./3 Story Limit
C Existing Regulations

To be deleted:



Height Areas
A 35 ft./3 Story Limit or 50 ft./5 Story Limit by Special Permit
B 35 ft./3 Story Limit
C Existing Regulations

To be added

BOROUGH OF MANHATTAN

No. 2

1182 BROADWAY

CD 5

C 080361 ZSM

IN THE MATTER an application submitted by Mocal Enterprises, Inc. 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 use regulations of Sections 15-021(c), 42-133(a) and 42-00 to allow residential use (Use Group 2) on the 6th - 16th floors and penthouse of an existing 16-story and penthouse building on property located at 1182 Broadway (Block 830, Lot 26), in an M1-6 District, within the Madison Square North Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

BOROUGH OF QUEENS

No. 3

36TH STREET

CD 1

C 100468 MMQ

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation and the Department of Citywide Administrative Services, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of 36th Street between 35th Avenue and 34th Avenue; and
- the delineation of a sewer corridor,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5012, dated September 17, 2010 and signed by the Borough President.

CITYWIDE

No. 4

KEY TERMS TEXT AMENDMENT**CITY WIDE**

N 110090 ZRY

IN THE MATTER OF an application by the Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, pertaining to the clarification of key terms including development” and “building” and the clarification of other regulations throughout the Zoning Resolution.

The proposed text amendment may be seen at the City Planning web site: (www.nyc.gov/planning).

YVETTE V. GRUEL, Calendar Officer**City Planning Commission**

22 Reade Street, Room 2E

New York, New York 10007

Telephone (212) 720-3370

d2-15

CIVILIAN COMPLAINT REVIEW BOARD**■ PUBLIC MEETING**

The Civilian Complaint Review Board's monthly public meeting has been scheduled for: **Wednesday, December 8, 2010 at 10:00 A.M.** at 40 Rector Street, 2nd Floor, New York, NY 10006. Photo ID required to enter the building.

d2-8

COMMUNITY BOARDS**■ PUBLIC HEARINGS**

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 11 - Monday, December 6, 2010 at 7:30 P.M., M.S. 158, 46-35 Oceania Street, Bayside, NY

BSA# 245-49-BZ

An application to the New York City Board of Standards and Appeals to reopen and amend a previously granted variance to legalize the existing accessory management office and cancel the term limit of the variance at 78-09 Springfield Boulevard, Queens.

BSA# 926-86-BZ

An application to the New York City Board of Standards and Appeals to extend the term of a previously granted variance to allow the continued use of the existing automotive dealership for the sale and service of automobiles at 217-07 Northern Boulevard, Queens.

n29-d6

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 04 - Tuesday, December 7, 2010 at 7:00 P.M., VFW Post #150, 51-11 108th Street, Corona, NY

NYC Department of Transportation will present Traffic Study Findings, Queens Center Mall area. The proposal consists converting the two-way operation of 57th Avenue from 92nd Street to 90th Street to a one-way west bound operation and related traffic improvements.

d1-7

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 06 - Wednesday, December 8, 2010 at 6:30 P.M., West Farms Branch Library, 2085 Honeywell Avenue, Bronx, NY

#C 110100ZSX

East Tremont Apartments

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 (a) (2) of the Zoning Resolution, for a proposed mixed-use development on property located at 1175 East Tremont Avenue a.k.a 1160 Lebanon Street.

#C 110101HAX

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter for the designation of properties; an Urban Development Action Area Project for such area, disposition of such property to facilitate development of (3) mixed-use buildings with approximately 141 dwelling units.

#C 110103ZSX

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 (a) (2) of the Zoning Resolution for a proposed mixed-use development on property located at 1157-1167 East 178th Street a.k.a. 1172 East Tremont Avenue.

d2-8

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 06 - Thursday, December 2, 2010 at 6:00 P.M., Long Island College Hospital, 339 Hicks Street, Brooklyn, NY

#C 110118ZMK

20-30 Carroll Street Rezoning

IN THE MATTER OF an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, changing from an M1-1 district to an R6B district property.

#C 090225ZMK

Carroll Street Rezoning

IN THE MATTER OF an application submitted by the Center for Negative Thinking LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, changing from an M1-1 district to an R6B district property.

n30-d2

EMPLOYEES' RETIREMENT SYSTEM**■ MEETING**

Please be advised that the next Regular Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Thursday, December 2, 2010 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

n24-d2

LANDMARKS PRESERVATION COMMISSION**■ PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **December 14, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 11-0403 - Block 1062, lot 8-29 8th Avenue - Park Slope Historic District
A Romanesque Revival style rowhouse designed by Charles Werner and built in 1888. Application is to legalize a roof deck constructed in non-compliance with Certificate of No Effect 10-1268. Community District 6.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-0461 - Block 188, lot 9-385 Greenwich Street, aka 71 North Moore Street - Tribeca West Historic District
A building originally built in 1805-08 and altered in 1874 by Peter L. P. Tostevin, and a converted dwelling built c. 1815 and altered in 1949 by John A. Knubel. Application is to construct a rooftop stair bulkhead. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-4203 - Block 1400, lot 14-195-207 Broadway, aka 2-18 Dey Street, 160-170 Fulton Street - American Telephone Company & Telegraph Building - Individual Landmark & Interior Landmark
A neo-Classical style office building designed by William Welles Bosworth and built in phases from 1912-1922. Application is to install lighting at the ceiling and to establish a master plan governing the future installation of stairs, signage, display, light fixtures, partitions, furniture, and power connections. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-4362 - Block 1400, lot 14-195-207 Broadway, aka 2-18 Dey Street, 160-170 Fulton Street - American Telephone Company & Telegraph Building - Individual Landmark & Interior Landmark
A neo-Classical style office building designed by William Welles Bosworth and built in phases from 1912-1922. Application is to create a new masonry opening, install a door, partitions, a fire stair enclosure. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-9622 - Block 210, lot 9-326 Canal Street - Tribecca East Historic District
An Italianate style store and loft building designed by John M. Hoffman and built in 1866-67, and altered by Samuel Edson Gage in 1920-21. Application is to install storefront infill. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-4143 - Block 510, lot 45-295 Lafayette Street - The Puck Building- Individual Landmark
A Romanesque Revival style building designed by Albert Wagner and built in 1885-86 with alterations in 1892-93 and 1897-99. Application is to remove a fence, install storefront infill and illuminated signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-3558 - Block 530, lot 31-53 Great Jones Street - NoHo Historic District
A storage building constructed circa 1882 and altered in 1928 by Harry Kirshbaum. Application is to alter the front parapet and install storefront infill, an awning and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-3630 - Block 614, lot 3-291 West 4th Street - Greenwich Village Historic District
A Federal style house built in 1827-28. Application is to construct a rear yard and rooftop additions, alter the rear facade and excavate the basement level. Zoned R6. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-3560 - Block 821, lot 32-11 West 19th Street - Ladies' Mile Historic District
A Beaux-Arts style store and loft building designed by Robert Maynicke and built in 1903-04. Application is to construct a rooftop addition and install rooftop mechanical equipment. Zoned C6-4A. Community District 5.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-3542 - Block 856, lot 7502-225 Fifth Avenue - Madison Square North Historic District
A Beaux-Arts style store building designed by Francis H. Kimball and Harry E. Donnell and built in 1906-07. Application is to modify storefront openings, install storefront infill, alter the canopy, and install signage. Community District 5.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-2253 - Block 1288, lot 33-360-376 Park Avenue, aka 75-83 East 52nd Street, 60-64 East 53rd Street - Racquet and Tennis Club Building- Individual Landmark
A neo-Italian Renaissance style club building, designed by McKim, Mead and White and built in 1916-1918. Application is to install storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-3656 - Block 1381, lot 59 20 East 67th Street - Upper East Side Historic District
A neo-Georgian style apartment building designed by Mott B. Schmidt and built in 1925. Application is to install a blade sign. Community District 8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-1182 - Block 1407, lot 56-1012 Lexington Avenue - Upper East Side Historic District Extension
A neo-Grec style rowhouse designed by Thom and Wilson and built in 1880-81. Application is to install storefront infill and signage. Community District 8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-4165 - Block 1121, lot 51-40 West 69th Street- Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1895-96. Application is to construct a stoop and a rear yard addition. Zoned R8B. Community District 7.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-3719 - Block 1127, lot 25-11 West 74th Street - Upper West Side/Central Park West Historic District
A Queen Anne style rowhouse with neo-Grec style elements designed by Daniel Burgess and built in 1889-90. Application is to modify a fence and install a barrier-free access lift. Community District 7.

d1-14

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **December 7,**

2010 at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 11-1992 - Block 132, lot 131 - 39-09 49th Street - Sunnyside Gardens Historic District
A Colonial Revival style brick rowhouse designed by Clarence Stein, Henry Wright, and Frederick Ackerman, and built in 1927. Application is to alter the enclosed rear porch.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF STATEN ISLAND 11-2994 - Block 2390, lot 194 - 435 Richmond Hill Road - Sylvanus Decker Farm-Individual Landmark
An early 19th Century style farmhouse built c. 1810, and altered c. 1840. Application is to construct a new building and a parking lot. Zoned R3X. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-1953 - Block 292, lot 33 - 158 Court Street - Cobble Hill Historic District
A Greek Revival style rowhouse built in 1848. Application is to install a barrier free access ramp. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-4104 - Block 310, lot 3 - 439-445 Hicks Street, aka 126-140 Baltic Street - Cobble Hill Historic District
Model tenement buildings designed by William Field & Son and built in 1876-77. Application is to establish a master plan governing the future installation of windows.
Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-0174 - Block 305, lot 1 - 417-435 Hicks Street, aka 132-142 Warren Street, 125-133 Baltic Street - Cobble Hill Historic District
Model tenement buildings designed by William Field & Son and built between 1878 and 1879. Application is to establish a master plan governing the future installation of windows.
Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-5591 - Block 274, lot 1001 - 300 Henry Street, aka 117-119 Atlantic Avenue - Brooklyn Heights Historic District
An altered Greek Revival style building, originally built in 1840-1849. Application is to install an areaway railing.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-3820 - Block 275, lot 28 - 303 Henry Street - Brooklyn Heights Historic District
A Greek Revival style rowhouse built in 1840-49. Application is to alter the areaway, install an areaway railing and rear yard fence, construct a carport, modify a rear yard extension and install lot line windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-3424 - Block 2089, lot 32 - 180 Washington Park - Fort Greene Historic District
A French Second Empire style rowhouse, designed by Joseph H. Townsend, and built c. 1866. Application is to alter the rear facade of a visible rear yard extension. Zoned R6.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-3350 - Block 1144, lot 41 - 622 Bergen Street - Prospect Heights Historic District
An Italianate style flats building designed by Christopher P. Skelton and built in 1889. Application is to construct a rooftop addition. Zoned R6B. Community District 8.

BINDING REPORT
BOROUGH OF MANHATTAN 11-3846 - Block 2, lot 1 - 10 South Street - Battery Maritime Building - Individual Landmark
A Beaux-Arts style marine terminal building designed by Walker & Morris and built in 1906-09. Application is to replace the lift bridges. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4059 - Block 485, lot 7 - 70 Greene Street - SoHo-Cast Iron Historic District
A store and tenement building built in 1860 and altered in 1872. Application is to modify rooftop additions and replace storefront infill. Zoned M1-5A. Community District 2.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 11-1274 - Block 485, lot 7 - 70 Greene Street - SoHo-Cast Iron Historic District
A store and tenement building built in 1860 and altered in 1872. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the zoning resolution. Zoned M1-5A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4055 - Block 499, lot 35 - 105 Mercer Street - SoHo-Cast Iron Historic District
A dwelling built in 1820. Application is to legalize a stoop gate and security grilles installed without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3580 - Block 512, lot 16 - 164-166 Mercer Street, aka 591 Broadway - SoHo-Cast Iron Historic District
A store and loft building built in 1859. Application is to install a painted wall sign. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4112 - Block 572, lot 14 - 56 West 9th Street - Greenwich Village Historic District
An Anglo-Italianate style rowhouse with an English basement built by Reuben R. Wood in 1853. Application is to replace leaded glass windows on the rear facade.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3140 - Block 552, lot 50 - 116 Waverly Place - Greenwich Village Historic District
A transitional Romanesque Revival/Queen Anne style apartment house, designed by Louis F. Heinecke in 1891.

Application is to redesign and rebuild the rear facade, construct a rooftop bulkhead, and install railings.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4051 - Block 621, lot 4 - 544 Hudson Street - Greenwich Village Historic District
A garage building altered in 1934-35. Application is to alter the front facade, and add windows and a door on the secondary facade. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0975 - Block 181, lot 7501 - 361 Greenwich Street - Greenwich Village Historic District
A residential building built in 1807 and altered by the construction of additional stories in 1872. Application is to construct a rooftop addition. Zoned C6-2. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8517 - Block 719, lot 4 - 467 West 21st Street - Chelsea Historic District
An Italianate style rowhouse built in 1853. Application is to legalize alterations to the rear facade performed without Landmarks Preservation Commission permits.
Community District 4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-2587 - Block 1201, lot 47 - 32 West 88th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Thom & Wilson and built in 1887-89. Application is to construct a rear yard addition. Zoned R7-2. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0024 - Block 1200, lot 45 - 24 West 87th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Thom & Wilson and built in 1891. Application is to alter the areaway.
Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-2428 - Block 1380, lot 15 - 21 East 65th Street - Upper East Side Historic District
A rowhouse built in 1881 and altered in the neo-Federal style by Scott & Prescott in 1929. Application is to modify the storefront entryway. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3001 - Block 1404, lot 67 - 110 East 70th Street - Upper East Side Historic District
A residence originally built in 1869 and altered by Robertson & Potter in 1905 in the simplified Beaux-Arts style. Application is to create an areaway. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-5578 - Block 1718, lot 72 - 188 Lenox Avenue - Mount Morris Park Historic District
A Queen Anne style rowhouse designed by Schwarzman and Buchman and built in 1886-87. Application is to legalize the removal of the stoop without Landmarks Preservation Commission permits, and to install new storefront infill and alter the facade. Community District 10.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-2950 - Block 2061, lot 135 - 739 St. Nicholas Avenue, aka 400 West 147th Street - Hamilton Heights/Sugar Hill Historic District
A Classical Revival style rowhouse designed by Henri Fouchaux and built in 1898-1900. Application is to install railings at the stoop and areaway wall. Community District 9.

n23-d7

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, December 14, 2010 at 9:30 A.M.**, at the Landmarks Preservation Commission will conduct a *public hearing and a continued public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmark, Landmark Site and Historic District. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEM TO BE HEARD**BOROUGH OF BROOKLYN**

PUBLIC HEARING ITEM NO. 1
LP-2449
PROPOSED BOROUGH HALL SKYSCRAPER HISTORIC DISTRICT
Boundary Description

The proposed Borough Hall Skyscraper Historic District consists of the property bounded by a line beginning at the intersection of the southern curblin of Montague Street and the western curblin of Court Street, continuing southerly along the western curblin of Court Street to a point formed by its intersection with a line extending westerly from and parallel with the lowest stair riser of the front steps of Brooklyn Borough Hall at 209 Joralemon Street (aka 209-245 Joralemon Street, 1-43 Court Street, and 384 Adams Street), easterly along said line to a point formed by its intersection with a line extending northerly from and parallel to the eastern outside wall of Brooklyn Borough Hall at 209 Joralemon Street (aka 209-245 Joralemon Street, 1-43 Court Street, and 384 Adams Street), southerly along said line and across the roadbed of Joralemon Street to the southern curblin of Joralemon Street, easterly along said curblin to a point formed with its intersection with a line extending northerly along a portion of the eastern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), southerly along a portion of said property line, easterly along a portion of the northern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), southerly along a portion of the eastern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street) to a point formed by its

intersection with a line extending easterly from a portion of the southern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), westerly along said line and a portion of the southern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), southerly along a portion of the eastern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), westerly along a portion of the southerly property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street) to the eastern curblin of Court Street, southerly along said curblin to the northern curblin of Livingston Street, across the roadbed of Court Street and along the northern curblin of Livingston Street to a point formed by its intersection with a line extending southerly from the western property line of 75 Livingston Street (aka 71-75 Livingston Street and 66 Court Street), northerly along said property line and a portion of the western property line of 62 Court Street (aka 58-64 Court Street), westerly along a portion of the southern property line of 62 Court Street (aka 58-64 Court Street), a portion of the southern property line of 50 Court Street (aka 46-50 Court Street and 194-204 Joralemon Street), and a portion of the southern property line of 186 Joralemon Street (aka 186-190 Joralemon Street), northerly along a portion of the western property line of 186 Joralemon Street (aka 186-190 Joralemon Street), westerly along a portion of the southern property line of 186 Joralemon Street (aka 186-190 Joralemon Street), northerly along the western property line of 184 Joralemon Street, southerly along a portion of the eastern property line of 184 Joralemon Street, westerly along a portion of the southern property line of 184 Joralemon Street, northerly along the western property line of 184 Joralemon Street, across the roadbed of Joralemon Street, and along the western property line of 191 Joralemon Street (aka 187-191 Joralemon Street), easterly along the northern property lines of 191 Joralemon Street (aka 187-191 Joralemon Street) and 193 Joralemon Street and a portion of the northern property line of 44 Court Street (aka 38-44 Court Street and 195-207 Joralemon Street), northerly along the western property line of 186 Remsen Street (aka 184-188 Remsen Street) and across the roadbed of Remsen Street to the northern curblin of Remsen Street, westerly along said curblin of to a point formed by its intersection with a line extending southerly from a portion of the western property line of 188 Montague Street (aka 188-190 Montague Street and 165 Remsen Street), northerly along said property line, westerly along a portion of the southern property line of 188 Montague Street (aka 188-190 Montague Street and 165 Remsen Street) and the southern property line of 186 Montague Street (aka 184-186 Montague Street), northerly along the western property line of 186 Montague Street (aka 184-186 Montague Street) to the southern curblin of Montague Street, easterly along said curblin to the point of the beginning.

PUBLIC HEARING ITEM NO. 2

Public Hearing Continued from October 26, 2010

LP-2427

500 FIFTH AVENUE BUILDING, 500 Fifth Avenue (aka 500-506 Fifth Avenue; 1-9 West 42nd Street), Manhattan.

Landmark Site: Borough of Manhattan Tax Map Block 1258, Lot 34

n29-d13

LOFT BOARD**PUBLIC MEETING**

NOTICE IS HEREBY GIVEN PURSUANT TO ARTICLE 7 OF THE PUBLIC OFFICERS LAW that the New York City Loft Board will have its monthly Board meeting on **Thursday December 9, 2010**. The meeting will be held at **2 p.m. at Spector Hall, 22 Reade Street, 1st Floor, New York, NY**. The proposed agenda will include cases and general business.

d1-3

OFFICE OF THE MAYOR**PUBLIC HEARINGS**NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAWS

PURSUANT TO STATUTORY REQUIREMENT, NOTICE IS HEREBY GIVEN that proposed local laws numbered and titled hereinafter have been passed by the Council and that a public hearing on such proposed local laws will be held in the Blue Room at City Hall, Borough of Manhattan, New York City, on **Tuesday, December 7, 2010 at 1:30 P.M.:**

Int. 256-A – in relation to the annual report required by certain entities which enter into contracts with the department of small business services.

Int. 376-A – in relation to creating standards for the approval and installation of certain traffic calming devices.

Michael R. Bloomberg
Mayor

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of City Legislative Affairs, 253 Broadway, 14th Floor, New York, NY 10007, (212) 788-3678, no later than five business days prior to the public hearing.

d2

BOARD OF STANDARDS AND APPEALS**PUBLIC HEARINGS**

DECEMBER 14, 2010, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, December 14, 2010, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

55-45-BZ

APPLICANT – Walter C. Maffei, AIA, for Donato Passarella, owner.
SUBJECT – Application August 31, 2010 – Pursuant to ZR (§11-411) for an Extension of Term of an existing Gasoline Service Station (*Spirit*) which expired on February 27, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on May 2, 2001; waiver of the rules. C2-4/R6B zoning district.
PREMISES AFFECTED – 51 Kingsland Avenue, Woodpoint Road, Frost Street, Block 2866, Lot 40, Borough of Brooklyn.
COMMUNITY BOARD #1BK

245-49-BZ

APPLICANT – Simons & Wright LLC, for Alley Pond Owners Corporation, owner.
SUBJECT – Application October 7, 2010 – Amendment/Waiver to legalize the conversion of one residential unit to be used as an accessory residential management office and to eliminate the term. R3-2 zoning district.
PREMISES AFFECTED – 78-09 Springfield Boulevard, east side of Springfield between Kingsbury Avenue and Union Turnpike, Block 7842, Lot 33, Borough of Queens.
COMMUNITY BOARD # 11Q

827-55-BZ

APPLICANT – Eric Palatnik, P.C., for BP Products, Incorporated, owner.
SUBJECT – Application October 5, 2010 – Pursuant to ZR (§11-411) for an Extension of Term for the continued operation of a Gasoline Service Station (*British Petroleum*) which expires on January 31, 2011. R3-2 zoning district.
PREMISES AFFECTED – 245-20 139th Avenue, southwest corner of Conduit Avenue, Block 13614, Lot 23, Borough of Queens.
COMMUNITY BOARD #13Q

758-84-BZ

APPLICANT – David L. Businelli, R.A., for Richard Sgarato, owner.
SUBJECT – Application August 30, 2010 – Extension of Term of a previously approved variance (§72-21) which permitted the legalization of a two (2) story and cellar commercial building contrary to the use regulations. R3X zoning district.
PREMISES AFFECTED – 1444 Clove Road, 61' North of intersection Tioga Street and Clove Road, Block 658, Lot 20, Borough of Staten Island.
COMMUNITY BOARD #1SI

93-00-BZ

APPLICANT – The Law Office of Fredrick A. Becker for Green 19 W44 Owner, LLC, owner; TSI West 44 LLC d/b/a New York Sports Club, lessee.
SUBJECT – Application August 25, 2010 – Extension of Term of a previously approved Special Permit (§73-36) for the continued operation of a physical culture establishment (New York Sports Club) which expired on July 25, 2010. C6-4.5 (MID) zoning district.
PREMISES AFFECTED – 19 West 44th Street, northerly side of West 44th Street, 150' west of 5th Avenue, Block 1260, Lot 24, Borough of Manhattan.
COMMUNITY BOARD #3M

128-00-BZ

APPLICANT – Rothkrug Rothkrug & Spector, LLP, for CRP/Capstone 14W Property Owner, LLC c/o CB Richard Ellis, owner; Equinox Wall Street Incorporated, lessee.
SUBJECT – Application September 30, 2010 – Extension of Term of a previously granted Special Permit (ZR §73-36) for the continued operation of a Physical Culture Establishment (*Equinox*) which expired on September 12, 2010. C5-5(LM) zoning district.
PREMISES AFFECTED – 10/16 Wall Street, north west corner of Wall Street and Nassau Street, Block 46, Lot 9, Borough of Manhattan.
COMMUNITY BOARD #1M

APPEALS CALENDAR

135-10-A

APPLICANT – Zygmunt Staszewski, for Breezy Point Cooperative Incorporated, owner; James McDonough, lessee.
SUBJECT – Application August 3, 2010 – Proposed enlargement of an existing single family home not fronting a legally mapped street contrary to General City Law Section 36. R4 zoning district.
PREMISES AFFECTED – 107 Beach 216th Street, east side of Beach 216th Street, 120' south of Breezy Point Boulevard, Block 16350, Lot 400, Borough of Queens.
COMMUNITY BOARD #14Q

212-10-A

APPLICANT – NYC Board of Standards and Appeals
OWNER - Augustus H. Lawrence and Company
SUBJECT – Application November 5, 2010 – Dismissal for lack of Prosecution - An appeal to the Department of Buildings Determination that the Applicant Engineer's report violated Building Code Section 28.211.1. (False Statements). C6-9M Zoning District.
PREMISES AFFECTED – 96 Greenwich Street, west side of Greenwich Street between Rector Street and Carlisle Street, Block 53, Lot 39, Borough of Manhattan.
COMMUNITY BOARD #1M

DECEMBER 14, 2010, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, December 14, 2010, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

45-10-BZ

APPLICANT – Sheldon Lobel, PC, for Leemilt's Petroleum, Incorporated, owner.
SUBJECT – Application April 5, 2010 – Pursuant to §11-411 and §11-412 for the reinstatement of an expired Variance for the continued operation of a Gasoline Service Station (*Getty*) which expired on June 23, 1986 and an Amendment for the increase of 425 square feet to the auto laundry; Extension of Time to obtain a Certificate of Occupancy. C1-4/R7-1 zoning district.
PREMISES AFFECTED – 1413-1429 Edward L. Grant

Highway, southwest corner of Plimpton Avenue and Edward L. Grant Highway, Block 2521, Lot 15, Borough of Bronx.
COMMUNITY BOARD #4BX

128-10-BZ

APPLICANT – Eric Palatnik, P.C., for Merhay Yagaduyev, owner; Jewish Center of Kew Gardens Hill Inc., lessee.
SUBJECT – Application July 13, 2010 – Variance (§72-21) to permit the proposed synagogue, religious school and Rabbi's residence contrary to floor area and lot coverage (§24-11), height, setback and sky exposure plane (§24-521), front yard (§24-34), side yards (§24-35), side setback (§24-551), and minimum distance between windows (§24-672 and §23-863). R4 zoning district.
PREMISES AFFECTED – 147-58 77th Road, 150th Street and 77th Road, Block 6688, Lot 31, Borough of Queens.
COMMUNITY BOARD #8Q

183-10-BZ

APPLICANT – Rothkrug, Rothkrug & Spector LLP, for Cornerstone Residence LLC, owner.
SUBJECT – Application September 20, 2010 – Variance (§72-21) for the construction of a detached two-story, two family residence contrary to the front yard requirements (ZR §23-45) and side yard requirement (ZR §23-461). R5 zoning district.
PREMISES AFFECTED – 873 Belmont Avenue aka 240 Milford Street, northwest corner of Belmont Avenue and Milford Street, Block 4024, Lot 36, Borough of Brooklyn.
COMMUNITY BOARD #5BK

Jeff Mulligan, Executive Director

d1-2

TRANSPORTATION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, December 22, 2010. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 122 Washington Place LLC to continue to maintain and use a stoop on the north sidewalk of Washington Place, east of Barrow, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period from July 1, 2010 to June 30, 2020 - \$25/annum

the maintenance of a security deposit in the sum of \$1,200 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing Farid Jaber to maintain and use a fenced-in planted area on the south sidewalk of Jewel Avenue, east of 112th Street and on the east sidewalk of 112th Street, south of Jewel Avenue, in the Borough of Queens. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2021 and provides among other terms and condition for compensation payable to the city according to the following schedule:

For the period from the date of Approval by the Mayor to June 30, 2021 - \$936/annum.

the maintenance of a security deposit in the sum of \$10,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing 346 West 17th Street, LLC to construct, maintain and use a snowmelt system, under the north sidewalk of West 16th Street, east of Ninth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2021 and provides among other terms and conditions for compensation payable to the following schedule:

From the date of Approval by the Mayor to June 30, 2011- \$8,823/annum

For the period July 1, 2011 to June 30, 2012 - \$ 9,093
For the period July 1, 2012 to June 30, 2013 - \$ 9,363
For the period July 1, 2013 to June 30, 2014 - \$ 9,633
For the period July 1, 2014 to June 30, 2015 - \$ 9,903
For the period July 1, 2015 to June 30, 2016 - \$10,173
For the period July 1, 2016 to June 30, 2017 - \$10,443
For the period July 1, 2017 to June 30, 2018 - \$10,713
For the period July 1, 2018 to June 30, 2019 - \$10,983
For the period July 1, 2019 to June 30, 2020 - \$11,253
For the period July 1, 2020 to June 30, 2021 - \$11,523

the maintenance of a security deposit in the sum of \$12,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing Roswell Avenue Homeowners Association, Inc. to construct, maintain and use a force main, together with a manhole, under, across and along the roadway of Melvin Avenue,

northeasterly of Wild Avenue, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2021 and provides among other terms and condition for compensation payable to the city according to the following schedule:

From the date of Approval by the Mayor to June 30, 2011- \$5,942/annum

For the period July 1, 2011 to June 30, 2012 - \$6,124
For the period July 1, 2012 to June 30, 2013 - \$6,306
For the period July 1, 2013 to June 30, 2014 - \$6,488
For the period July 1, 2014 to June 30, 2015 - \$6,670
For the period July 1, 2015 to June 30, 2016 - \$6,852
For the period July 1, 2016 to June 30, 2017 - \$7,034
For the period July 1, 2017 to June 30, 2018 - \$7,216
For the period July 1, 2018 to June 30, 2019 - \$7,398
For the period July 1, 2019 to June 30, 2020 - \$7,580
For the period July 1, 2020 to June 30, 2021 - \$7,762

the maintenance of a security deposit in the sum of \$10,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing Central Park Properties, LLC to construct, maintain and use a fenced-in planted areas and a trash enclosure on the north sidewalk of West 85th Street, between Amsterdam and Columbus Avenues, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date to June 30, 2021 and provide among other terms and conditions for compensation payable to the city according to the following schedule:

For the period from the date of Approval by the Mayor to June 30, 2021 - \$100/annum.

the maintenance of a security deposit in the sum of \$1,500 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#6 In the matter of a proposed revocable consent authorizing United Jewish Appeal-Federation of Jewish Philanthropies of New York, Inc. to construct, maintain and use security bollards and a subsurface security wall on and under the south sidewalk of East 59th Street between Park Avenue and Lexington Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2021.

There shall be no compensation required for this revocable consent.

the maintenance of a security deposit in the sum of \$20,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

d1-22

COURT NOTICES

SUPREME COURT

NOTICE

**RICHMOND COUNTY
IA PART 74
NOTICE OF ACQUISITION
INDEX NUMBER (CY) 4025/10**

In the Matter of the Application of the CITY OF NEW YORK relative to acquiring title in fee simple absolute to certain real property where not heretofore acquired for

SOUTH RAILROAD STREET

from North Pine Terrace to Annadale Road, in the Borough of Staten Island, City and State of New York.

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Richmond, IAS Part 74 (Hon. Abraham G. Gerges, J.S.C.), duly entered in the office of the Clerk of the County of Richmond on November 10, 2010, the application of the City of New York to acquire certain real property, for South Railroad Street, was granted and the City was thereby authorized to file an acquisition map with the Office of the Clerk of Richmond County. Said map, showing the property acquired by the City, was filed with the Clerk of Richmond County on November 10, 2010. Title to the real property vested in the City of New York on November 10, 2010.

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

Damage Parcel	Block	Part of Lot
2	6249	260
4	6249	431
5	6249	433
6	6249	530
7	Bed of Street	n/a
	Adjacent to	
	Block 6254,	
	Lot 97	

PLEASE TAKE FURTHER NOTICE, that pursuant to said Order and to §§ 503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every

person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof is hereby required, on or before November 10, 2011 (which is one (1) calendar year from the title vesting date), to file a written claim with the Clerk of the Court of Richmond County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007. Pursuant to EDPL § 504, the claim shall include:

- A) the name and post office address of the condemnee; B) reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein; C) a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and, D) if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

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

PLEASE TAKE FURTHER NOTICE, that, pursuant to § 5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007 on or before November 10, 2012 (which is two (2) calendar years from the title vesting date).

Dated: November 15, 2010, New York, New York MICHAEL A. CARDOZO Corporation Counsel of the City of New York Attorney for the Condemnor 100 Church Street New York, New York 10007 Tel. (212) 788-0716

n19-d3

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

SALE BY SEALED BID

SALE OF: 1 LOT OF 28,800 LBS. OF ONCE FIRED ASSORTED CALIBER CARTRIDGE CASES.

S.P.#: 11013 DUE: December 7, 2010

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

n23-d7

POLICE

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

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves. Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES (All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
* Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
* Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
* Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
* Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
* Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
* Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

PROCUREMENT

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

ADMINISTRATION FOR CHILDREN'S SERVICES

SOLICITATIONS

Goods & Services

REPAIR HEATING VENTILATION AND AIR CONDITIONING (HVAC) – Competitive Sealed Bids – DUE 12-29-10 AT 3:00 P.M. – PIN# 06810ADM0008 - Bronx PIN# 06810ADM0009 - Brooklyn and Staten Island

This procurement is subject to participation goals for MBEs and/or WBEs are required by Local Law 129 of 2005.

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

OPTIONAL PRE-BID DATE: Wednesday, December 15, 2010 at 10:00 A.M.

Bid forms and specifications may be obtained, free of charge, from the ACS website, any time before the bid date (recommended method). Copy the link into your browser to go to the appropriate page http://www.nyc.gov/html/acs/html/business/business.shtml.

In the event that you are unable to download this bid, a bid package may be requested via e-mail. Blueprints must be picked up from ACS prior to submitting a Bid. Send all e-mail requests to rpauley@acs.nyc.gov and roberta.smiley@dfa.state.ny.us. Please type the PIN above the type of service into the subject line. Also type the name of the company, complete address, contact name, phone and fax numbers into the body of the e-mail. If all else fails, you may call (212) 341-3458 to make arrangements to pick up a bid package in person. E-PIN#s: 06810B0022, 06810B0023.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Administration for Children's Services, 150 Williams Street, 9th Floor, New York, NY 10038. Rachel Pauley (212) 341-3458, fax: (212) 341-9830, rpauley@acs.nyc.gov

d2

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

SOLICITATIONS

Goods

WIRE ROPE, TRACTION ELEVATOR – Competitive Sealed Bids – PIN# 8571100213 – DUE 12-27-10 AT 10:30 A.M.
● STANDARDS, CUSTOM, ORGANIC AND INORGANIC (DEP) RE-AD – Competitive Sealed Bids – PIN# 8571100280 – DUE 12-29-10 AT 10:30 A.M.
● FURN: DATA, TRAINING, MAILROOM, SHELVING, DRAFTING PLUS – Competitive Sealed Bids – PIN# 8571100293 – DUE 12-28-10 AT 10:30 A.M.
● TOILET RENTALS, PORTABLE – Competitive Sealed Bids – PIN# 8571100096 – DUE 12-28-10 AT 10:30 A.M.
● FORKLIFT, DIESEL, 25000 LB. - DSNY – Competitive Sealed Bids – PIN# 8571000837 – DUE 12-28-10 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Citywide Administrative Services 1 Centre Street, Room 1800, New York, NY 10007. Anna Wong (212) 669-8610, fax: (212) 669-7603 dcasdmssbids@dcas.nyc.gov

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AWARDS

Goods

NYS CONTR FOR XEROX PRINTERS AGGREGATE BUY - NYPD – Intergovernmental Purchase – PIN# 8571100268 – AMT: \$646,777.00 – TO: Cognito Inc., 13 East 16th Street, NY, NY 10003. NYS Contract #PT59176.
● NYS CONTR FOR EMC SYSTEMS, PERIPHERALS, STORAGE - DHS – Intergovernmental Purchase – PIN# 8571100300 – AMT: \$274,994.03 – TO: Datalink Corp., 8170 Upland Circle, Chanhassen, MN 55317. NYS Contract #PT60953.
● NYS CONTR FOR DELL MICROCOMPUTER SYSTEMS - OCME/DHMH – Intergovernmental Purchase – PIN# 8571100291 – AMT: \$253,611.90 – TO: Compulink Technologies, Inc., 214 West 29th Street, NY, NY 10001. NYS Contract #PT55666.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

d2

NYS CONTR - INDUSTRIAL AND COMMERCIAL SUPPLIES FOR D.O.S. – Intergovernmental Purchase – PIN# 8571100279 – AMT: \$400,000.00 – TO: Fastenal Company, 57-08 37th Avenue, Woodside, NY 11377. NYS Contract #PC62979.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

d2

VENDOR LISTS

Goods

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

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

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

jy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
A. Collection Truck Bodies
B. Collection Truck Cab Chassis
C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

jy17-j4

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

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

jy17-j4

DESIGN & CONSTRUCTION

AWARDS

Construction / Construction Services

HW2CR11A, HW2CR11B, HW2CR11CW, RESIDENT ENGINEERING INSPECTION SERVICES FOR STREET MILLING – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502010HW0037P – AMT: \$2,788,033.60 – TO: HAKS/JWP (Joint Venture), 40 Wall Street, 11th Floor, New York, NY 10005.

d2

EDUCATION

CONTRACTS AND PURCHASING

SOLICITATIONS

Services (Other Than Human Services)

JET TRANSPORTER – Competitive Sealed Bids – PIN# Z1751040 – DUE 12-20-10 AT 4:00 P.M. – The purpose of this bid is to contract with a vendor who will supply and deliver a Electric Aircraft Tug (Jet Transporter) 30,000 lbs. Towing capacity, for Aviation High School. Vendors will be required to deliver to: JFK Int'l Airport, Building 141, Jamaica, NY 11430. If you cannot download this OMA, please send an e-mail to VendorHotline@schools.nyc.gov with the OMA number and title in the subject line of your e-mail. For all questions related to this OMA, please send an e-mail to NLabetti@schools.nyc.gov with the OMA number and title in the subject line of your e-mail.

Bid opening: Tuesday, December 21st, 2010 at 11:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Nick Labetti (718) 935-2300 vendorhotline@schools.nyc.gov

d2

OFFICE OF EMERGENCY MANAGEMENT

■ AWARDS

Goods

GENERATOR CABLES AND CONNECTORS – Intergovernmental Purchase – Judgment required in evaluating proposals - PIN# 01711G0001001 – AMT: \$88,034.83 – TO: Bridgewater Tech Inc., Trystar Cables, 2917 Industrial Drive, Fairbank, MN 55201. Pursuant to Section 3-09 of the Procurement Policy Board (PPB) rules for Intergovernmental Purchases, the NYC Office of Emergency Management (NYCOEM) has awarded a contract to Bridgewater Tech Inc., Trystar Cables for the purchase of a variety of cables and connectors that will support 3 mobile generators purchased for the Shelter Facility Emergency Power Program.

j6-20

Services (Other Than Human Services)

GRAPHIC DESIGN SERVICES – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 01710P0001001 – AMT: \$250,000.00 – TO: C and G Partners LLC, 116 East 16th Street, New York 10003. Pursuant to the Procurement Policy Board (PPB) Rules Section 3-03 Competitive Sealed Proposal method, the New York City Office of Emergency Management (NYCOEM) has awarded a contract to C and G Partners LLC, located at 116 East 16th Street, New York 10003, for graphic design services for Ready New York and other OEM campaigns for emergency preparedness.

The contract term shall be from September 15, 2010 through September 14, 2012, with three, two-year options to renew.

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300ROX00-R – DUE 03-22-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynyccongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or fax to (212) 219-5865. All proposals must be hand delivered at the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, no later than March 22, 2012.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Mental Hygiene, 93 Worth Street, Room 812 New York, NY 10013. Huguetta Beauport (212) 219-5883 fax: (212) 219-5890, hbeaupor@health.nyc.gov

o1-m21

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human / Client Services

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-27-11 AT 10:00 A.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

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

HOUSING AUTHORITY

■ SOLICITATIONS

Construction / Construction Services

GAS RISER REPLACEMENT AT TAFT HOUSES – Competitive Sealed Bids – PIN# PL1022441 – DUE 12-28-10 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121, fax: (212) 306-5151, gloria.guillo@nycha.nyc.gov

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HOUSING PRESERVATION & DEVELOPMENT

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Services (Other Than Human Services)

INTEGRATION OF SYSTEMS AND ENHANCEMENTS FOR PROPRIETARY SECTION 8 RENT SUBSIDY SOFTWARE – Sole Source – Available only from a single source - PIN# 80611P0009 – DUE 12-13-10 AT 5:00 P.M. – The Department of Housing Preservation and Development (HPD) of the City of New York intends to enter into sole source negotiations for additional proprietary software solutions required for the integration into HPD's existing Emphasys Elite Application (a proprietary software support system) currently provided by Emphasys Computer Solutions, Inc. The software is utilized to manage and track HPD's administration of HUD Section 8 Housing Assistance Payments. The additional proprietary software and software enhancements required include an Inquiry Tracking System, Rent Increase Tracking System, File Tracking System, Subpoenas and Evictions Module, Appeals Tracking System, HQS Mobile Inspection Software, Partner Portal Website Modules, PIC Validation Suite, RFTA Module improvements, Batch Correspondence improvements and extensions, and performance improvements. The software currently being utilized by HPD and to be further enhanced with additional software modules under the proposed contract is the proprietary intellectual property of Emphasys Computer Solutions, Inc. licensed to HPD. Any firm who believes it can provide this requirement is invited to do so in a letter or email.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8S6, New York, NY 10038. Darylynn Lewis (212) 863-6140, dl@hpd.nyc.gov

n29-d3

HUMAN RESOURCES ADMINISTRATION

■ AWARDS

Human / Client Services

PERMANENT SUPPORTIVE CONGREGATE HOUSING – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 09611P0007001 – AMT: \$732,040.00 – TO: Addicts Rehabilitation Center Foundation, Inc., 2015 Madison Avenue, New York, New York 10035. Permanent Supportive Congregate Housing under the NY/ NY III Supportive Housing Agreement for Homeless Single Adults. Contract Term: 10/01/09 to 09/30/14. HRA PIN#: 06909H065201.

d2

PERMANENT SUPPORTIVE CONGREGATE HOUSING – Competitive Sealed Proposals – PIN# 09610P0024006 – AMT: \$2,544,400.00 – TO: Harlem United Community AIDS Center, Inc., 306 Lenox Avenue, New York, New York 10027. Permanent Supportive Congregate Housing for Persons Living with HIV/AIDS. Contract Term: 07/01/2010 to 06/30/2014. HRA PIN#: 06910H040615.

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CONTRACTS

■ AWARDS

Human / Client Service

SCATTER SITE HOUSING FOR PERSONS LIVING WITH AIDS OR ADVANCED HIV – Renewal – PIN# 06911H046514 – AMT: \$4,108,545.00 – TO: St. Nick's Alliance Corp., 11 Catherine Street, Brooklyn, NY 11211-2706. The contract term shall be from 7/1/10 - 6/30/13.

d2

JUVENILE JUSTICE

■ SOLICITATIONS

Human / Client Services

PROVISION OF NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 6/30/11.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Juvenile Justice, 110 William Street, 14th Floor, New York, NY 10038. Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

jy1-d16

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF A T-SHIRT AND SOUVENIR CONCESSION – Competitive Sealed Bids – PIN# M5-TS-SV – DUE 12-22-10 AT 3:00 P.M. – At various locations in Battery Park, Manhattan.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Glenn Kaalund (212) 360-1397, fax: (212) 360-3434, glenn.kaalund@parks.nyc.gov

n23-d7

DEVELOPMENT, OPERATION AND MAINTENANCE OF A SNACK BAR – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# B2230A-SB – DUE 12-30-10 AT 3:00 P.M. – There will be a recommended site visit on Tuesday, December 7, 2010 at 3:00 P.M. We will be meeting at the snack bar entrance, which is located on Bedford Street, between Keap and Williamsburg Streets in Brooklyn. If you are considering responding to this RFP, please make every effort to attend this recommended site visit.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021. Charlotte Hall (212) 360-1397, fax: (212) 360-3434, charlotte.hall@parks.nyc.gov

n23-d7

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

VIDEO SURVEILLANCE CAMERAS – Competitive Sealed Bids – PIN# SCA11-13668D-1 – DUE 12-22-10 AT 11:30 A.M. – Five (5) Various Schools (Brooklyn). Project Range: \$1,380,000.00 to \$1,450,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Rookmin Singh (718) 752-5843 rsingh@nycsca.org

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CONTRACT SERVICES

■ SOLICITATIONS

Construction / Construction Services

INSTALLATION OF VIDEO SURVEILLANCE SECURITY CAMERAS – Competitive Sealed Bids – PIN# SCA11-13670D-1 – DUE 12-22-10 AT 10:00 A.M. – Five (5) Various Schools (Queens). Project Range: \$1,220,000.00 - \$1,290,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Lily Persaud (718) 752-5852 fax: (718) 472-0477, lpersaud@nycsca.org

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AGENCY RULES

CONFLICTS OF INTEREST BOARD

NOTICE

Notice of Opportunity to Comment on Proposed Rule Establishing Procedures to Appeal a Designation as a Required Filer of a Financial Disclosure Report

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Conflicts of Interest Board by Section 2603(a) of the New York City Charter and Section 12-110(c)(2) of the New York City Administrative Code that the Conflicts of Interest Board intends to adopt a rule, Section 1-17 of Title 53 of the Rules of the City of New York, establishing procedures to appeal a designation as a required filer of a financial disclosure report pursuant to Section 12-110(b) of the Administrative Code. The proposed rule is set forth below.

Written comments regarding this proposed amendment may be sent to the office of Julia Davis, Director of Financial Disclosure and Special Counsel, Conflicts of Interest Board, 2 Lafayette Street, Suite 1010, New York, NY 10007, on or before January 3, 2011. A public hearing will be held on January 3, 2011, from 9:00 A.M. to 5:00 P.M., at the foregoing address. Persons seeking to testify are requested to notify Ms. Davis at the foregoing address or by email to davis@coib.nyc.gov. The public may also submit comments on the rule electronically through NYC RULES at www.nyc.gov/nycrules. Written comments and a summary of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 A.M. and 5:00 P.M., at Ms. Davis's office.

Title 53 of the Rules of the City of New York is amended by adding a new Section 1-17, to read as follows:

[New matter is underscored]

§1-17 Procedures to Appeal a Designation as a Required Filer of a Financial Disclosure Report

(a) Applicability.

Any employee designated as a required filer by his or her agency may appeal the determination that he or she is required to file a financial disclosure report with the Conflicts of Interest Board ("the Board") pursuant to New York City Administrative Code § 12-110, first to his or her agency head and then to the Board.

(b) Appeal to the Agency Head.

(1) Any employee seeking to appeal the determination that he or she is required to file a financial disclosure report shall complete a "Notice of Appeal to Agency Head," on such form as the Board shall adopt and make available on the Board's website. The completed form shall include the employee's name, employee identification number ("EIN") or agency identifier, agency name, agency code, civil service title, office title, and a brief statement of the grounds for the appeal.

(2) An employee seeking to appeal such agency determination shall file, in the manner designated by the agency, the completed Notice of Appeal form with his or her agency financial disclosure liaison prior to the deadline for filing his or her financial disclosure report but in any event the employee shall have no fewer than twenty-one days within which to file such Notice of Appeal after receiving the notification by the agency that he or she must file a financial disclosure report. Failure to file the Notice of Appeal by the later of twenty-one days after such notification or the deadline for filing, as the case may be, shall constitute a waiver of the right to appeal and the employee will be required to file a financial disclosure report.

(3) Upon receipt of the completed Notice of Appeal, the agency financial disclosure liaison shall:

- (i) Time and date stamp the Notice of Appeal form;
- (ii) Provide the employee with a copy of such time and date-stamped form as a receipt;
- (iii) Transmit the Notice of Appeal form forthwith to the agency head or his or her designee; and
- (iv) Within five days of the receipt of the Notice of Appeal, notify the Board by e-mail of the pendency of the appeal and the date that the appeal was received by the agency. Such notice to the Board shall contain the employee's name, agency, EIN (or agency identifier), and the date that the appeal was filed.

(4) No later than fourteen days after filing the Notice of Appeal, the employee shall submit to his or her agency head or such agency head's designee a written statement and any documentation in support thereof setting forth the reasons that such employee believes he or she should not be designated as a required filer of a financial disclosure report. Failure to submit such written statement within such fourteen-day period shall constitute a waiver of the right to appeal.

(5) Within fourteen days of the agency's receipt of the employee's written statement, the agency head or his or her designee shall advise in writing or by email the employee, his or her employee's collective bargaining representative, attorney or other representative, if any, and the Board of the agency's decision as to whether or not the employee is required to file. If the agency head or the agency head's designee fails to meet such fourteen-day deadline, the appeal shall be deemed granted upon default.

(6) A decision of the agency head or his or her designee that denies an appeal shall set forth the reasons for and evidence relied upon in reaching such decision. Such denial shall be predicated on a showing that the employee meets the requirements of at least one of the filing categories set forth in New York City Administrative Code § 12-110(b)(3)(a)(3)-(4) and §§ 1-02, 1-14, and 1-15 of the Board's rules. If the agency denies the appeal, the notice to the Board shall state the manner by which the employee was notified and the date of such notification.

(7) The agency head or his or her designee may consult with the Board prior to rendering its decision.

(c) Procedure Upon Agency's Grant of Appeal.

If the agency grants the employee's appeal, the employee's name shall be removed from the Board's list of required filers and the employee will not be required to file a financial disclosure report for that filing year or in future years until or unless the employee's title, position, duties, or responsibilities change in such a way that he or she would be required to file pursuant to the criteria set forth in New York City Administrative Code § 12-110(b).

(d) Procedure Upon Agency's Denial of Appeal.

(1) An employee whose appeal is denied by his or her agency shall, within thirty days after service of the agency's notice of denial, either:

(i) file a completed financial disclosure report with the Board, or

(ii) file with the Board and with the employee's agency head or his or her designee a completed "Notice of Appeal to Board," on such form as the Board shall prescribe and make available on the Board's website. Failure to file either a financial disclosure report or an appeal with the Board within the thirty-day period shall constitute a waiver of the right to a further appeal and shall subject the employee to the imposition of the statutory late filing fine pursuant to Ad. Code § 12-110(g).

(2) Within thirty days after filing of a Notice of Appeal to the Board, the employee shall file with the Board and file with the employee's agency head or his or her designee the following materials:

(i) A copy of the statement and any supporting materials previously submitted to the agency head by the employee on the appeal in accordance with paragraph one of subdivision (a) of this section;

(ii) A copy of the agency head's decision on such appeal; and

(iii) Any supplemental documents the employee elects to provide.

(3) Within thirty days after the employee files the materials set forth in paragraph two of this subdivision, the agency shall file with the Board all materials relied upon by the agency in making its determination that the employee is required to file a financial disclosure report, as well as any additional documents in support of the agency's determination.

(4) Within thirty days after the agency has filed the materials set forth in paragraph three of this subdivision, the employee may file with the Board such additional materials as he or she deems necessary to either rebut evidence produced by the agency or otherwise support his or her position.

(5) The Board's Director of Financial Disclosure shall review the agency's determination and the documents submitted by the employee and the agency and shall make a recommendation to the Board, or to the Executive Director upon delegation by the Board, as to whether the agency's determination should be upheld or reversed. The agency and employee shall each be served with a copy of the recommendation of the Director of Financial Disclosure and, within thirty days of service of the recommendation, may submit written comments to the Board or Executive Director, as the case may be, upon the proposed recommendation.

(6) In the event that the Board, in its sole discretion, determines that issues are presented by the written materials filed on the appeal that require an evidentiary hearing, the Board may order such a hearing before the full Board, or, in the discretion of the Chair, before a member or members of the Board or before the Executive Director, designated for that purpose, at which the employee and agency may call witnesses to testify under oath to determine any such issue. If the Board requests additional information, both the employee and the agency shall provide to the Board whatever additional information it requests, within fourteen days after service of such a request in writing or by email by the Board. Failure of either party to timely provide any of the requested information may result in a summary finding adverse to that party.

(7) The Board or the Executive Director, as the case may be, shall review the recommendation and any comments submitted in response thereto and issue a decision and order either upholding or reversing the agency's decision.

(8) If the Board grants the appeal, the employee's name shall be removed from the Board's list of required filers and the employee will not be required to file a financial disclosure report for that filing year or in future years until or unless the employee's title, position, duties, or responsibilities change such that he or she would be required to file pursuant to the criteria set forth in New York City Administrative Code § 12-110(b).

(9) If the appeal is denied, the employee shall either:

(i) file a financial disclosure report for that filing year within thirty days after service of the denial of the appeal by the Board, and shall file for future years until or unless the employee's title, position, duties, or responsibilities change such that he or she would not be required to file pursuant to the criteria set forth in Administrative Code § 12-110(b); or

(ii) commence, within the time provided by law, an Article 78 proceeding to review the Board's decision.

(e) General Provisions

(1) At all stages of the financial disclosure appeals process, the employee may be represented by a union representative, an attorney or other representative.

(2) Once an employee files an appeal with the Board, neither the employee nor the agency or their respective representatives may communicate *ex parte* with any member of the Board staff or Board with respect to the matter, except on consent of the opposing party or in an emergency.

(3) During the pendency of the appeal and any court proceeding timely brought by the employee to review a denial of the appeal by the Board, the employee need not file a financial disclosure report, and no late filing fines will be assessed for that period.

(4) Whenever a deadline in the process set forth in this section is measured from the filing or service of notice and notice is filed or served by United States Postal Service mail, five days shall be added to the deadline.

(5) The Board may, in its discretion and for good cause shown, extend any deadline set forth in this rule. An application for such extension must be made in writing and prior to the expiration of the deadline.

(6) In the case of any appeal that is decided upon default, whether in favor of the employee or the agency, that decision shall apply to that filing year only and shall not be a determination on the merits.

(7) Unless otherwise stated, any reference to a number of days specified as a period within which an act is required to be done means such number of calendar days.

(8) Nothing in this rule shall prevent the Board from determining, pursuant to New York City Administrative Code § 12-110(b)(3)(a)(2)-(3), that any public servant, regardless of an agency's determination, is required to file a financial disclosure report.

STATEMENT OF BASIS OF PURPOSE OF THE PROPOSED RULE

As mandated by New York City's Financial Disclosure Law (Administrative Code § 12-110), the Conflicts of Interest Board (the "Board") must adopt a rule addressing appeals by public servants who contest their designation as required filers based on their policymaking or contracting responsibilities. See Ad. Code § 12-110(c)(2), as amended by Local Law 43 of 2003. See also Ad. Code § 12-110(b)(3)(a)(3)-(4). Determination of such appeals by employees was initially the responsibility of the Department of Investigation and in 2004 was transferred to the Board. See Ad. Code § 12-110(c)(2), as amended by Local Law 43 of 2003.

Subsequent to the transfer of the determination of appeals to the Board, the City and DC37 entered into a pilot program entitled "Financial Disclosure Appeals Process," which created a procedure for appeals for filers of financial disclosure reports. This rule is based on that process and contains procedures for any employee to appeal a designation as a required filer based on policymaking or contracting responsibilities and for agencies to respond to those appeals. The rule provides the employee with notice and the opportunity to be heard at each stage of the appeal, and the opportunity to comment on the Board's decision before it is final.

In light of the foregoing, the Board's purpose in promulgating the rule is threefold: (1) to provide all City employees with a comprehensive procedure for appealing their designation as a required filer based on policymaking or contracting responsibilities; (2) to ensure the uniform and prompt resolution of financial disclosure appeals; and (3) to provide guidance, through decisions on these appeals, to agencies as to which categories of employees are required filers as policymakers or contract filers.

The proposed rule was not included in the regulatory agenda because enactment of a financial disclosure appeals rule was not anticipated at the time of publication of agency regulatory agendas.

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TAXI AND LIMOUSINE COMMISSION

NOTICE

Notice of Promulgation of Rules

Notice is hereby given in accordance with section 1043(e) of the Charter of the City of New York ("Charter") that the Taxi and Limousine Commission ("TLC") hereby promulgates rules amending the TLC's adjudication rules.

These rules are adopted pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York.

A Public hearing on these rules was held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on November 18, 2010, at 10:00 A.M.

These rules will take effect thirty days following publication.

New material is underlined.
[Material inside brackets indicates deleted material.]

Section 1. Section 8-01 of Title 35 of the Rules of the City of New York is amended by adding new subdivisions (c), (o), and (p), relettering subdivisions (c) through (m) as subdivisions (d) through (n) and subdivisions (n) and (o) as subdivisions (q) and (r), and amending subdivisions (e) and (i), as relettered by this rule, to read as follows:

§8-01 Definitions.

- (c) **Appeals Unit.** A unit of ALJs within the Commission Adjudications Tribunal responsible for deciding cases on Appeal, who do not hear cases in the first instance.
- (e) **Chairperson.** The member of the Commission designated by the Mayor as the Chair and Chief Executive Officer pursuant to §2301(c) of the New York City Charter or his or her designee.
- (i) **Hearing.** A procedure for the presentation and consideration of evidence before an Administrative Law Judge, after which the ALJ makes findings of fact and conclusions of law [regarding any charge alleging a violation of the Administrative Code or any Commission Rule].
- (o) **Penalty Points.** A penalty point is a non-monetary penalty assessed pursuant to Chapter 6 of Title 35 of the Rules of the City of New York.
- (p) **Persistent Violator Penalty or Persistent Violator Points.** A Persistent Violator Penalty or Persistent Violator Point is a penalty imposed as part of the Persistent Violator Program pursuant to §2-70 or §6-23. This penalty may include the requirement to complete a course, points assessed against a TLC license, suspension or revocation.

Section 2. Section 8-03 of Title 35 of the Rules of the City of New York is amended by adding new subdivisions (c) and (d) to read as follows:

§8-03 Penalties.

- (c) Any revocation, suspension, Persistent Violator Penalty or Penalty Points will become effective on the date of the ALJ's decision.
 - (1) If a suspension for a specified period of time is imposed, the suspension period will be calculated from the time when the

respondent's license is turned in to the Commission.

(d) Notwithstanding any other provision of these rules, fines are due within 30 days of the day the respondent is found guilty of the violation.

(1) If the respondent files an appeal of the decision imposing the fine within 30 days of the date of the decision, the payment of the fine will be deferred until a decision on the appeal is made.

If the respondent requests a copy of the hearing recording within 7 calendar days of the hearing, the time for either filing an appeal or paying the fine will be the later to occur of either 21 days from the date the recording is issued or 30 days from the day of the decision.

(2) If the fine is not paid by the close of business on the date due, the Commission will notify the respondent in writing that the respondent's license will be suspended in ten (10) business days of the date of the notification until the fine is paid, unless the respondent demonstrates to the Commission, in person or in writing, that the fine has been paid.

Section 3. Section 8-06 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (d) to read as follows:

§8-06 Contents of Summons or Notice of Violation
(d) If the summons or notice of violation is sworn to under oath or affirmed under penalty of perjury, the summons or a copy of the summons will be admitted into evidence and will constitute prima facie evidence of the violations alleged.

Section 4. Section 8-09 of Title 35 of the Rules of the City of New York, relating to adjournment requests, is repealed and a new section 8-09 is added, to read as follows:

§8-09 Adjournment Requests

[A respondent who is unable to appear at a scheduled hearing must notify the Commission at least five (5) business days in advance of the hearing in order to request an adjournment. An adjournment will be granted only upon a showing of an inability to attend the scheduled hearing. A respondent shall be entitled to only one adjournment. Adjournment requests made upon less than five (5) business days notice shall be made in person by the respondent and decided by an ALJ on the date of the request.]

(a) Requests for Adjournments

(1) A request for an adjournment, which is a request to change the scheduled hearing date, may be made either by the Chairperson or by the respondent, or anyone authorized by this Chapter to appear for the respondent.

(2) A request to reschedule a hearing must be made at least five business days before the first scheduled hearing date or at the hearing.

(i) Good cause is not necessary for an adjournment that is requested at least five business days before the first scheduled hearing date.

(ii) A request for an adjournment that is made at least five business days before the first scheduled hearing date may be made ex parte, and may be made by telephone, or in person.

(iii) No more than one adjournment requested at least five business days before the first scheduled hearing will be granted.

(3) An adjournment that is requested at the hearing will only be granted for good cause, as determined in the discretion of the ALJ (see §8-09(b) of these Rules). The adjournment request will be made on the record. On the record means that the ALJ shall conduct a hearing. This hearing shall be recorded. The ALJ will issue a written decision explaining the ALJ's decision to grant or deny the request.

(4) Adjournments to Obtain the Testimony of Complaining Witnesses. The Respondent may request an adjournment at the first scheduled hearing date for the purposes of obtaining the testimony of a complaining witness who has sworn to or affirmed a summons or notice of violation (see §8-06(d) of these Rules). A request for an adjournment for this purpose may not be made at any time other than the first scheduled hearing date.

(i) The respondent must explain the subject of the testimony that the respondent intends to obtain from the complaining witness and must explain the relevance of that testimony to either the violations charged or a defense to those charges.

(ii) The ALJ will find that there is good cause for the adjournment only if the ALJ concludes that the complaining witness's testimony is reasonably likely to be necessary to a fair hearing of the violations charged or the defenses to those charges.

(iii) The non-attendance of the complaining witness who submitted a sworn or affirmed summons or notice of violation at the first scheduled Hearing date shall not be a failure by the Commission to produce a complaining witness (see §8-10(f) of these Rules).

(b) Good cause. In deciding whether there is good cause for an adjournment, the ALJ will consider:

- (1) Whether granting the adjournment is necessary for the party requesting the adjournment to effectively present the case;
- (2) Whether granting the adjournment is unfair to the other party;
- (3) Whether granting the adjournment will cause inconvenience to any witness;
- (4) The age of the case and the number of adjournments previously granted;
- (5) Whether the party requesting the adjournment prepared for the scheduled hearing with reasonable diligence;
- (6) Whether the need for the adjournment is due to facts that are beyond the requesting party's control;
- (7) The balance of the need for efficient and expeditious adjudication of the case and the need for full and fair consideration of the issues relevant to the case; and
- (8) Any other fact that the ALJ considers to be relevant to the request for an adjournment.

Section 5. Subdivision (d) of section 8-11 of Title 35 of the Rules of the City of New York is amended to read as follows:

§8-11 Hearings - Procedure

* * *

(d) At the conclusion of the hearing, the ALJ shall issue a decision which shall include findings of fact and conclusions of law. If the ALJ finds a violation has been committed, the appropriate penalties shall be imposed, which may include a fine, Persistent Violator or Penalty Points, and/or suspension or revocation of the respondent's license. [In the event a suspension for a specified period of time is imposed, such suspension period will not include any period of time during which the respondent's license is not in the possession of the Commission.]

Section 6. Section 8-12 of Title 35 of the Rules of the City of New York is amended by deleting subdivision (c) and adding a new subdivision (c), by amending subdivisions (d), (e), and (f), and by adding new subdivisions (g) and (h), to read as follows:

§8-12 Procedures in the Event of a Failure to Appear.

(c) [If the penalty imposed at the inquest includes the suspension of a license as a result of a violation of a Commission Rule or the Administrative Code, said suspension shall not commence until ten (10) days after the mailing of the ALJ's decision with respect to the inquest conducted herein.]
Any revocation, suspension, Persistent Violator Penalty or Penalty Points will become effective on the date of the ALJ's decision.

(d) A respondent may move to vacate the inquest determination within two (2) years of the date of the inquest. [Said] This motion must be made [in writing unless otherwise authorized by the Executive Director of Adjudications or his designee shall be filed in accordance with the Commission procedures for the submission of such motions] on an approved form and must be signed and dated. [In support of this motion to vacate, the respondent shall present written evidence as to:]

(1) A motion to vacate filed within 120 days of the date of the inquest must show:

- (i) [the reasons] reasonable excuse for his or her failure to appear at the hearing; and
- (ii) a defense to the charge, which, if established and proven at a hearing, would result in the dismissal of the summons.

[If the respondent fails to make a timely motion to vacate the default, any penalties imposed pursuant to Rule 2-70 or 6-23 shall be assessed and the respondent shall be notified of this determination by regular, first class mail.]

(2) A motion to vacate filed more than 120 days and less than 2 years after the date of inquest must show:

- (i) reasonable excuse for delay in presenting the motion, reasonable excuse for the respondent's failure to appear at the hearing, and
- (ii) A defense to the charge which, if established and proved at a hearing, would result in the dismissal of the summons.

(3) If an inquest decision on the same summons or notice of violation has been previously vacated, and a new inquest decision has been issued, a motion to vacate the second inquest decision must show:

- (i) An extraordinary and compelling reason for the respondent's failure to appear at the hearing,
- (ii) A defense to the charge which, if established and proved at a hearing, would result in the dismissal of the summons

(4) In determining whether respondent has shown a reasonable excuse for failing to appear at a hearing, the ALJ will consider:

- (i) Whether circumstances that could not be reasonably foreseen prevented the respondent from attending the hearing;
- (ii) Whether the respondent had an emergency or condition requiring immediate medical attention;
- (iii) Whether the matter had been previously adjourned by the respondent;
- (iv) Whether the respondent attempted to attend the hearing with reasonable diligence;

(v) Whether the respondent's inability to attend the hearing was due to facts that were beyond the respondent's control;

(vi) Whether the respondent's failure to appear at the hearing can be attributed to the respondent's failure to maintain current contact information on file with the Chairperson; and

(vii) Any other fact that the ALJ considers to be relevant to the motion to vacate.

(e) If the ALJ determines that the respondent has [established both a valid excuse for his failure to appear at the hearing and a defense to the violation which, if proven, would be legally sufficient] met the requirements for a motion to vacate, the inquest determination shall be vacated and the respondent shall be entitled to a hearing de novo. Any fines, Persistent Violator or Penalty Points, suspension or revocation imposed at the inquest shall be vacated. Any fines already paid shall be refunded.

(f) If the ALJ denies the motion to vacate, the penalties imposed at the inquest shall [be assessed. In addition, the ALJ shall impose any appropriate penalty required pursuant to §2-70 or §6-23 of the Commission Rules] remain in effect.

(g) A respondent may challenge a decision made after an inquest only by moving to vacate the inquest decision.

(h) The respondent may appeal a decision denying a motion to vacate.

Section 7. Subdivisions (a), (b), (c), and (d) of section 8-13 of Title 35 of the Rules of the City of New York is amended and a new subdivision (e) is added, to read as follows:

§8-13 Procedures on Appeal

(a) The respondent may appeal the decision of an ALJ as follows:

(i) [An appeal must be addressed] Two copies of the appeal must be directed to the [Deputy Commissioner for Legal Affairs/General Counsel] Appeals Unit and received within thirty (30) calendar days of the date of the decision to be appealed. If a respondent timely files an appeal, any fines imposed by the [Tribunal] decision being appealed from shall be stayed until a decision is made in such appeal; however, the Commission shall not be required to refund any fines paid before respondent made his or her appeal unless such appeal is successful.

(ii) The appeal must be accompanied by [a copy] two copies of the ALJ decision.
* * *

(b) If the ALJ's decision resulted in the suspension or revocation of a license, the determination of the appeal shall be expedited. If the ALJ's decision resulted in the suspension of a license, the [Deputy Commissioner for Legal Affairs/General Counsel or his designee] Chairperson may, in his discretion, issue a temporary license after an appeal has been filed which may remain in effect pending the determination of the appeal. In making the determination as to whether or not to issue a temporary license, the following factors may be considered: the respondent's record, the seriousness of the charges, the likelihood of the success of the appeal and the significance of the issues raised on appeal.

(c) The Commission may seek review of a determination by an Administrative Law Judge by filing an appeal with the [Deputy Commissioner for Legal Affairs/General Counsel] Appeals Unit within thirty (30) calendar days of such determination. The appeal shall be accompanied by a copy of the ALJ decision. If a Commission appeal is filed, the respondent will be notified by mail. The appeal must include a notation indicating that a copy of the appeal was mailed to the respondent. The appeal will include a written statement setting forth the basis for the appeal. The respondent may respond to the appeal within twenty-one (21) calendar days of the mailing of the appeal. The respondent may request a copy of the recording of the hearing within seven (7) calendar days of the notice of appeal. Such request must be in writing on a form to be prescribed by the Chairperson. Such form shall be completed and submitted in accordance with instructions to be printed on the form. If a respondent requests a copy of the recording of the hearing, his or her time to respond to the notice of appeal is extended until twenty-one (21) calendar days after the issuance of the requested copy by the Commission, whether by mailing or otherwise.

(d) Review of an ALJ's decision shall be limited to the issues of law raised in the appeal submitted. Findings of fact may be appealed only on the grounds that the findings of fact are not supported by substantial evidence in the record. Upon appeal, the determination of the ALJ may be affirmed, reversed in whole or in part, or modified. [In the event that a decision on appeal results in the reversal of a decision by an ALJ to dismiss a summons, the matter shall be remanded to the Commission Adjudications Tribunal for a new hearing. If a decision on appeal affirms a determination of guilt by an ALJ, but modifies a penalty which had been incorrectly imposed, the decision may correct the penalty, without remand for a new hearing.] If the record on appeal is insufficient for the Appeals Unit to correct an error of law, the matter may be remanded to the Commission Adjudications Tribunal for a new

hearing. Once an appeal has been decided, any outstanding fines imposed by the decision affirmed on appeal must be paid within 30 days.

(e) Response by the Commission.

- (i) The Commission may respond to the respondent's appeal within 21 calendar days of the filing of the appeal.
(ii) If the appeal is expedited, the Commission may respond within seven days of the filing of the appeal.

Section 8. Subdivision (g) of section 8-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

§8-14 Discretionary Revocation Proceedings.

(g) If the proceeding is conducted by OATH, the ALJ, upon a finding of guilt, may recommend to the Chairperson license revocation, license suspension for a period up to six (6) months, and/or a fine not to exceed \$10,000 for each offense for which a [taxicab owner, base owner, taximeter business owner, taxicab broker or taxicab agent] Licensed Driver is found guilty and/or a fine not to exceed \$1,000 for each offense for which any other licensee is found guilty.

Section 9. Subdivisions (a) and (e) of section 8-15 of Title 35 of the Rules of the City of New York are amended to read as follows:

§8-15 Special Procedures Relating to Fitness Hearings

(a) If the Commission believes that a licensee or applicant for a license (hereinafter referred to as "respondent") does not meet or does not continue to meet the qualifications for licensure, as set forth in Commission Rules, it may direct that such respondent appear for a fitness hearing. Such hearing shall be conducted by an ALJ. Any requests for an adjournment must be made in accordance with §8-09.

(e) The ALJ shall issue a Recommended Decision which shall include a determination as to the respondent's fitness to possess a license. [If the respondent is or has ever been a licensee, t]The Recommendation shall be issued to the Chairperson. [If the respondent is an applicant who has never held a license issued by the Commission, the Recommendations shall be issued to the Deputy Commissioner for Licensing,

his or her designee, or any other person designated by the Chairperson.] The Chairperson[, Deputy Commissioner for Licensing, or designee,] may accept, reject or modify said Recommendation. The decision of the Chairperson[, Deputy Commissioner for Licensing, or designee] shall constitute the final determination of the Commission.

Section 10. Title 35 of the Rules of the City of New York is amended by adding a new section 8-18 to read as follows:

§8-18 Special Procedures - Settlements and Withdrawals

(a) Settlements. The Chairperson and a Respondent may dispose of a summons or notice of violation by entering into a settlement agreement.

- (1) The settlement agreement must be in writing.
(2) The settlement agreement may provide for penalties different than the penalties provided for in these Rules.
(3) The settlement agreement may provide for canceling an adjudication that is open or that has been completed.
(4) The settlement agreement may provide for penalties to be imposed, with or without a further Hearing, in the event that the Respondent does not comply with the terms of the settlement agreement.
(5) Unless the settlement agreement clearly provides otherwise, the License of a Respondent who does not comply with the terms of the settlement agreement may be suspended by the Chairperson without a Hearing until the Respondent complies with the settlement agreement.
(6) By entering into a settlement agreement, the Chairperson and the Respondent both waive their rights to any further Hearings or appeals on the summons or notice of violation that is disposed of by the settlement agreement.

(b) Withdrawals. The Chairperson may withdraw a summons or notice of violation, even if it has been adjudicated. Any fine, suspension, revocation, or Persistent Violator Points or Penalty Points imposed after the Hearing will be vacated. Any fines paid will be refunded. The Chairperson will notify the Respondent that the summons or notice of violation

has been withdrawn. The Chairperson may withdraw a summons or notice of violation if the Chairperson determines that it was

- (1) Written in error.
(2) Ineffectively served on the Respondent.
(3) Written in contravention of the Chairperson's enforcement policy.

Statement of Basis and Purpose of Rule

This rule makes a number of changes to the rules governing the Taxi and Limousine Commission's (TLC) adjudications:

- The rules give the TLC the ability to submit a sworn summons or notice of violations in lieu of the testimony of the issuing witness at the hearing, freeing these witnesses to attend to other matters. A Respondent who wants to contest the factual allegations in the summonses or notice retains the right to ask the ALJ to call the issuing witness to testify. This change in adjudication procedures conforms to procedures used at other tribunals in the City, including the Environmental Control Board.
The rules refine existing rules governing motions to vacate inquest decisions and requests for adjournments. Experience with the existing rules suggests that providing more detailed guidance in the rules will be useful both to the TLC's administrative law judges and to the parties to the adjudications.
The rules streamline the appeals process by routing appeals directly to the Appeals Unit, instead of the General Counsel's Office, thereby eliminating an unnecessary step, and require the appealing party to submit a copy of the decision being appealed from. Additionally, the rules eliminate unnecessary hearings after successful appeals.
The rules codify procedures for withdrawal or settlement of summonses and notices of violations.
The rules clarify the timing of the imposition of penalties after a hearing decision.
These rules clarify that fines are due within 30 days following a Hearing unless the Respondent files a timely appeal of the decision imposing the fines, and this deadline may be extended if the Respondent makes a timely request for an audio recording.

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SPECIAL MATERIALS

CHANGES IN PERSONNEL

COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 10/29/10

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Community College (Manhattan) including Susan Mchenry, Anthony Monsanto, Deborah Morris, etc.

COMMUNITY COLLEGE (HOSTOS) FOR PERIOD ENDING 10/29/10

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Community College (Hostos) including Linda Benbow, David Floyd, Jose Garcia, etc.

COMMUNITY COLLEGE (LAGUARDIA) FOR PERIOD ENDING 10/29/10

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Community College (LaGuardia) including Giselle Acco, Trevor Azerad, Jordan Barnett, etc.

HUNTER COLLEGE HIGH SCHOOL FOR PERIOD ENDING 10/29/10

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for Hunter College High School including James Kurfess.

DEPARTMENT OF EDUCATION ADMIN FOR PERIOD ENDING 10/29/10

Large table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists numerous personnel changes for the Department of Education Administration including Jose Acevedo, Marianna Agunzo, Ryan Albaugh, etc.

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like BRATHWAITE, BUCKLEY, BURKE, etc.

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like DEABREU, DECKARD, DELLARUSSO, etc.

DEPARTMENT OF SANITATION FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like BARREIRO, BEKKER, BLAKE, etc.

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like DEABREU, DECKARD, DELLARUSSO, etc.

BUSINESS INTEGRITY COMMISSION FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employee LAUDON.

DEPARTMENT OF FINANCE FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like COPELAND, FRAZIER, HARTY, etc.

DEPARTMENT OF TRANSPORTATION FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like ALDOGOM, BISWAS, GIACCIO, etc.

DEPT OF PARKS & RECREATION FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like ABERNATHY, ACENETH, ACEVEDO, etc.

DEPT. OF DESIGN & CONSTRUCTION FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like CUMMINGS, EPSHTEYN, FENLEY, etc.

DEPT OF INFO TECHNOLOGY & TELE FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like CORRAO, PRATT.

DEPT OF RECORDS & INFO SERVICE FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employee CHAU.

CONSUMER AFFAIRS FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like KIM, SANTAPAOLA.

DEPT OF CITYWIDE ADMIN SVCS FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like CASTILLO, DUMAS, MOMPLAISIR, etc.

DISTRICT ATTORNEY-MANHATTAN FOR PERIOD ENDING 10/29/10

Table with columns: NAME, LAST, F, NUM, SALARY, ACTION, PROV, EFF DATE. Includes employees like BURNS, CAVANAGH, ESTRELLA, etc.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for HAMILTON, HARRISON, INFANTINO, LENZNER, PENABAD, RAGUSA, RIVERA, SOLOMON, TINE, TORRES, VIERA GRIMM, WARD.

BRONX DISTRICT ATTORNEY FOR PERIOD ENDING 10/29/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for BORRERO, FILIPOWSKI, FRANCIS, FULMORE, GOTAY, KANTHA, LEVIN, MARZOLF, MCSHERRY, OWENS, PETERS.

DISTRICT ATTORNEY KINGS COUNTY FOR PERIOD ENDING 10/29/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for COLLIS, COTTER, DAVIS, DILONE, FLAHERTY, RODRIGUEZ.

DISTRICT ATTORNEY QNS COUNTY FOR PERIOD ENDING 10/29/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for CLARK, FLORES, MESA, MITCHELL, RODRIGUEZ, ROSENBERG, VOSKA, ZOLDAN.

DISTRICT ATTORNEY-SPECIAL NARC FOR PERIOD ENDING 10/29/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for BURNS, SOLOMON.

PUBLIC ADMINISTRATOR-BRONX FOR PERIOD ENDING 10/29/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for MINUTO, RIVERA.

OFFICE OF THE MAYOR FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for HUGHES, LEOPOLD, MAHANNA, PERLMUTTER, RODRIGUEZ, RUVOLO, WANG.

BOARD OF ELECTION FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for ARMSTRONG, BARNES, BLACKSHEAR, BRUNO, CAPUTO, CASTILLO, CURRIE, FERNANDEZ, FIANDACA, GRAHAM, GREEN, HELMS, HORNE JR., KOSTA, LEE, MANOR, MCQUEEN, MLELENDEZ, POINTER, REID, RICHARDS, SMITH, ST GEORGE, TIRADO, WARD, WILSON, WRIGHT.

CAMPAIGN FINANCE BOARD FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for FERRIS, JEMILLO.

OFFICE OF THE ACTUARY FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for KHEEL, PETROVIC.

NYC EMPLOYEES RETIREMENT SYS FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for GARCIA, HUANG, LEVITSKAYA, TAING, VARGHESE.

BOROUGH PRESIDENT-STATEN IS FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for FUSCO, NAPOLI.

OFFICE OF THE COMPTROLLER FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for DEROSE, ECONOMOS, MARAGH, MARTINO, RADOVILSKIY, SINAGA, SOKOLOWSKI.

OFFICE OF EMERGENCY MANAGEMENT FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entry for BREGMAN.

OFFICE OF MANAGEMENT & BUDGET FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for FAJARDO, HUNTINGTON, LEE, MONTGOMERY, MONTGOMERY.

LAW DEPARTMENT FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for JACKSON, JACOBS.

DEPARTMENT OF CITY PLANNING FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entry for ORR.

TEACHERS RETIREMENT SYSTEM FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for HILLARY, LIN, MIKOFSKY, PEZZOLI, RUDDY, TTAPPALOU.

CIVILIAN COMPLAINT REVIEW BD FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entry for KUNTZ II.

POLICE DEPARTMENT FOR PERIOD ENDING 11/12/10. Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Includes entries for ACEVEDO, ACKLEY, ACOSTA, ADETULA, AGUGLIARO, AJELLO, AKHTER, ALBERTS, ALBRECHT, ALCANTARA, ALKINTOR, ALLAN, ALTAHERI, ANDERSON, ANIELLO, AUERBACH, AYBAR, BACHILLER, BANG, BARBERI, BARTLETT, BEAMER II, BELLO, BELLOMO, BERKEL, BERNADOTTE, BEST, BHATT, BIRD, BOOTH, BOTTE, BOWE JR, BOYLE, BRACE, BRANDAFINO, BRENES, BRESTLE, BRIECKE, BRIGHT, BRISACONE, BROCKINGTON, BROUSSEAU, BRUSHNIVSKY, BRYANT, BUBROWIECKI, BUCKLEY, BUFFA, BURGOS, BURGOS, BUTLER, CABAN, CACERES, CALDERON-RIVERA, CAMPANELLA, CANNIZZO, CANONICO, CAPARCO, CARABALLO-GUZMA, CARAMORE, CARR, CARRERAS, CARROL, CASTELLANO, CASTRO, CASTRO, CASTRO, CELLI, CHANG, CHECO, CHIARAMONTE, CHILDRESS-ALFOR, CHRISTOPHERSEN, CHUNG, CICCARELLO, CINTRON, CLARKE, COFFEY, COLASANTI, COLEMAN, COMISKEY, COMODO, CONELLI, CONTRERAS, CORDERO, CORDERO, CORTES, COSTA, COTTON, CRONIN, CRUZ, CUMMINGS, CURRIE-DILLON, CURTIN, DALTON, DAVILA, DAVIS, DEFRANCESCO, DELANEY, DELELLO, DELEON, DELGADO-CONTAST, DELHAYE, DELVA, DELVALLE, DEMARCO, DESENA, DIAZ.