

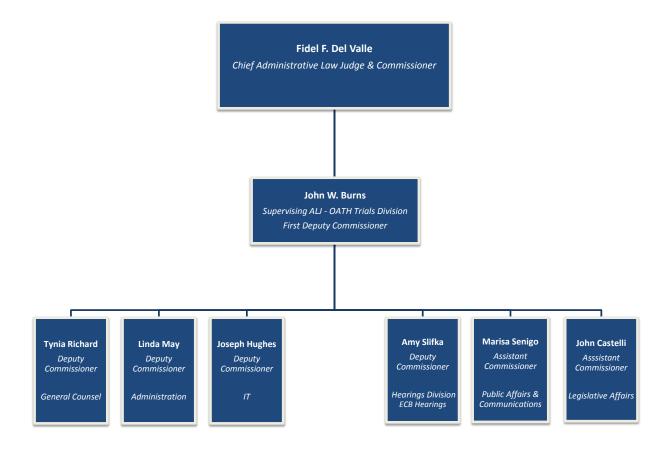


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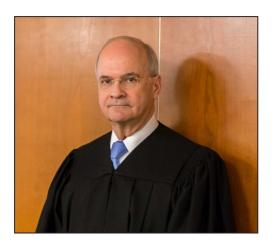
OATH Organizational Chart



I

MESSAGE FROM THE CHIEF ADMINISTRATIVE LAW JUDGE & COMMISSIONER

MESSAGE FROM THE CHIEF ALJ & COMMISSIONER



Fidel F. Del Valle

he Office of Administrative Trials and Hearings (OATH) is the City's central independent administrative law court. OATH has grown exponentially since it was established by Executive Order No. 32 in 1979. In 1988, the Office of Administrative Trials and Hearings was made a Charter Agency with Section 1048 of the Charter providing that OATH "shall conduct adjudicatory hearings for all agencies of the city unless otherwise provided for by executive order, rule, law or pursuant to collective bargaining agreements." The Charter established OATH as the first central municipal administrative law court in the country to be separate from the agencies that file their cases for hearings or trials, making OATH a truly independent municipal administrative law court. Our mandate necessitates that we foster judicial professionalism, fairness, impartiality, equality and a commitment to the integrity of the judicial decision-making process.

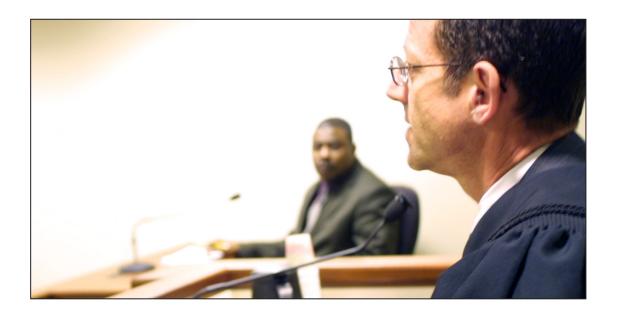
As the City's administrative law court, OATH's function is to provide due process in cases that originate from the City's numerous enforcement agencies in a forum that is in fact and in appearance truly neutral and unbiased. For the 300,000 trials and hearings that OATH currently conducts each year, OATH takes great pride in providing not only fair and impartial - but also convenient and accessible proceedings - as we work to ensure that everyone has an equal opportunity to participate in the hearing process.

In the past year, OATH has committed itself to transforming parts of the City's administrative justice system to provide New Yorkers with a more streamlined, accessible and convenient court; a court that New Yorkers can more easily navigate and understand. I invite you to read about the progress we have made over the past year and some of our 2015 accomplishments in this annual report.



OATH TRIALS DIVISION

TRIALS DIVISION OVERVIEW

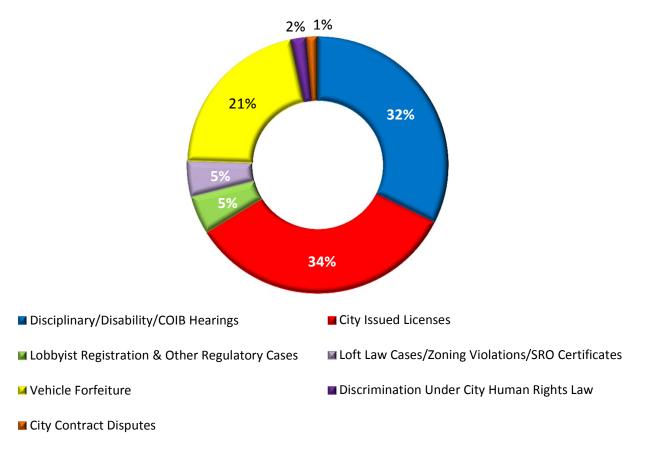


- As set out by the New York City Charter, all of the City's Administrative Law Judges (ALJs) serve at OATH and these ALJs are appointed to five-year terms by OATH's Commissioner & Chief Administrative Law Judge.
- The five-year appointment of the City's ALJs ensures absolute independence and impartiality in the judicial decision-making process since judges serve one year more than the Mayor.
- OATH ALJs are subject to the same rules of conduct and ethics that all members of the New York State Judiciary are bound by (as set forth in 22 N.Y.C.R.R. Section 100). Moreover, all ALJs and OATH Hearing Officers are also subject to the Rules of Conduct for Administrative Law Judges and Hearing Officers of the City of New York (Appendix -Chapter 48 of the Rules of the City of New York).
- There are currently 12 ALJs serving the City at OATH's Trials Division.

TRIALS DIVISION

In 2015, OATH embarked on an agency-wide transformation. The first change made was the formal creation through rule making of the OATH Trials Division and OATH Hearings Division. Experienced ALJs preside over trials and settlement conferences at the OATH Trials Division.

Types of cases filed by NYC Agencies at the OATH Trials Division in 2015



2015 Overview

- 97% of the decisions rendered by OATH ALJs were adopted by the City agencies as the final determination.
- OATH ALJs spent a total of 454 days on the bench conducting trials.
- OATH ALJs conducted 1,572 settlement conferences.
- 2,644 cases were resolved at the OATH Trials Division.



OATH HEARINGS DIVISION

HEARINGS DIVISION OVERVIEW

As the City's central, independent administrative law court, NYC agencies responsible for enforcing the City's rules, regulations and administrative laws file their summonses at OATH's Hearings Division. OATH Hearing Officers preside over OATH Hearings.

OATH currently has three different types of hearings at which all hearings on enforcement-related summonses are conducted:

- Environmental Control Board (ECB) Hearings
- Health & Restaurant Hearings
- Vehicle for Hire Hearings



Each year OATH receives approximately 700,000 summonses from the City's various enforcement agencies which include the Departments of Sanitation, Buildings, Health and Mental Hygiene, Environmental Protection, Fire and the Taxi & Limousine Commission, among many other City agencies.

CREATING FAIRER, MORE EQUITABLE HEARINGS

Through rule making, OATH formally established its Hearings Division and the rules and procedures for ECB Hearings, Health and Restaurant Hearings and Vehicle for Hire Hearings will be changed so that they all coincide with these new rules.

In 2015, Health and Restaurant Hearings were the first hearings to be transferred into the newly created Hearings Division.



An OATH Hearing Officer swears in a respondent for a Health Hearing in the new Long Island City hearing office.



What is the OATH Hearings Division?

The NYC Office of Administrative Trials and Hearings (OATH) is an independent agency responsible for conducting trials and hearings on cases brought by New York City's various agencies, boards or commissions.

The Hearings Division currently conducts hearings on alleged violations issued by the NYC Department of Health and Mental Hygiene.

Why did I get a Notice or Summons?

Your notice or summons was issued by the NYC agency responsible for enforcing the law. OATH is an administrative court and does not conduct inspections or issue summonses. If you have questions about why you received the notice or summons, contact the City agency that issued you the notice or summons. OATH can give you information on your hearing and the status of your case.

Hearings Division Brochure

Once complete, having one uniform Hearings Division will provide individuals and small businesses with the opportunity to deal with summonses and violations issued by any City agency before an independent and impartial administrative court with one uniform procedure. New Yorkers will be able to become familiar with the hearing process and represent themselves more easily when all hearings are subject to the same rules, procedures and deadlines.

OPENING NEW HEARING OFFICES FOR FUTURE "ONE-STOP HEARING CENTERS"

OATH has begun the process of reorganizing its various hearing office locations with the goal of creating "One-Stop Hearing Centers" in each borough. A One-Stop Hearing Center will provide the public with the ability to address any variety of administrative summonses, all at one location, at one time and in accordance with one set of rules and procedures.

In 2015, OATH opened a new, state-of-the-art Hearing Center in the Falchi Building in Long Island City, Queens.



Commissioner Del Valle speaks to OATH Hearing Officers at the opening of the new center in Queens.

In 2015, OATH moved its Queens Health Hearings and its Vehicle for Hire Hearings - which were previously taking place at two different Queens hearing locations - to the new hearing facility in Long Island City. In 2016, OATH will be working towards expanding the space and moving its Queens ECB hearings to the same location to create a fully consolidated One-Stop Hearing Center.



ACCESS TO JUSTICE INITIATIVES

MAKING THE HEARING PROCESS MORE CONVENIENT

OATH has made the hearing process more convenient by providing multiple ways to participate in a hearing. OATH's remote hearing methods make it possible to contest summonses without having to appear at a scheduled hearing in person. OATH's remote hearing options include:

- One-Click (online) Hearings
- Hearings by Mail
- Hearings by Phone

In 2015, OATH significantly expanded the number and types of cases that can be contested using these remote hearing methods which means that more people can contest charges at their own convenience.



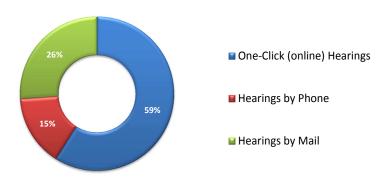
An OATH Hearing Officer conducts a Hearing by Phone with a respondent who received a recycling summons from the Sanitation Department.

2015 Accomplishments

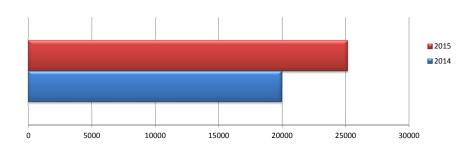
- OATH made 643 new charges eligible for a Hearing by Phone.
- There are now 1,343 alleged violations that are issued by the Departments of Sanitation, Parks, Environmental Protection, Fire, Buildings and Transportation that are eligible for some type of remote ECB hearing.
- All alleged violations issued to restaurants by the Health Department and filed at OATH for a Health Hearing are eligible for a Hearing Online, Hearing by Mail or Hearing by Phone.

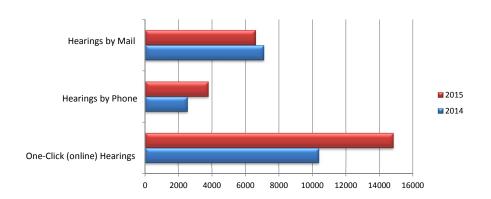
REMOTE HEARINGS

Breakdown of Remote Hearings Conducted in 2015



Total Remote Hearings Conducted





Compared to the prior year, in 2015 OATH saw a 7% decrease in Hearings by Mail while it conducted 49% more Hearings by Phone and 43% more One-Click (online) Hearings.

MAKING THE HEARING PROCESS EASIER TO UNDERSTAND

In 2015, OATH made various new informational materials available to the general public. Informational and instructional materials help ensure that the public understands the hearing process and what steps must be taken in order to contest summonses that have been issued to them. OATH created the following informational materials in 2015 and made them available in at least six languages:

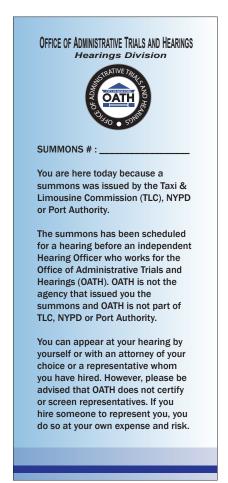
- OATH: NYC's Independent and Impartial Administrative Law Court
- How to Reopen Defaulted Cases at the Hearings Division
- Your Right to a Hearing



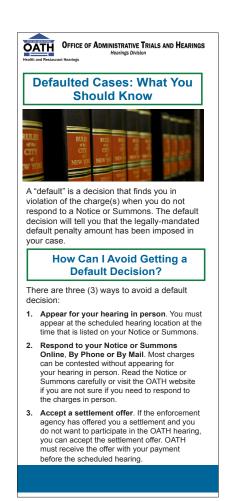
Your Right to a Hearing - A palm-card-sized handout that is given to respondents who come to OATH for a hearing in person.

MAKING THE HEARING PROCESS EASIER TO UNDERSTAND

In 2015, OATH created a new guide for members of the public who are interested in learning what can be done if a default decision is issued in their case. *Defaulted Cases: What You Should Know* informational brochure is available on the OATH website in the following languages: Spanish, Arabic, Bengali, Chinese, French-Creole, Korean, Urdu and Russian.



Palm Card for Vehicle for Hire Hearings



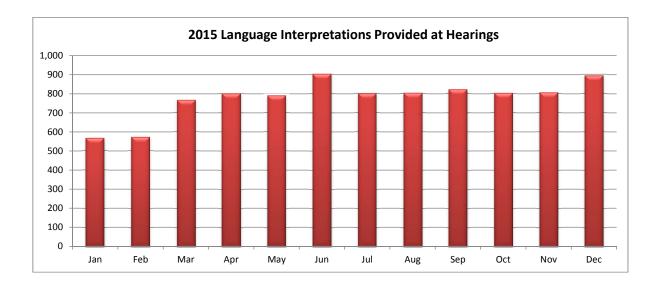
"Defaulted Cases" Brochure

OATH already has instructional brochures on the hearing and appeal process. The new default brochure for Health Hearings is OATH's seventh instructional brochure. OATH makes each of its guides available in at least six different languages.

PROVIDING FREE, COMPREHENSIVE LANGUAGE ASSISTANCE

FREE, PROFESSIONAL INTERPRETATION SERVICES AT IN-PERSON HEARINGS AND HEARINGS BY PHONE

Providing free, professional over-the-phone translation services allows OATH to instantaneously provide impartial and neutral translation services at hearings in up to 250 different languages.



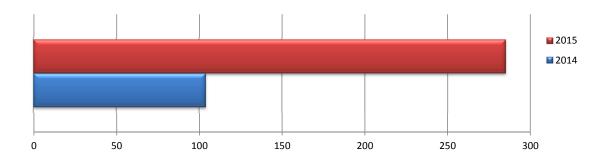
In 2015, OATH provided free interpretation at hearings 9,332 times.

PROVIDING FREE, COMPREHENSIVE LANGUAGE ASSISTANCE

FREE, PROFESSIONAL DOCUMENT TRANSLATION FOR FORMS AND DEFENSES

Members of the public can represent themselves to the best of their ability when they are able to make submissions in the language that they feel most comfortable using. OATH publicizes the fact that it accepts all documents in any language. OATH has the submissions translated into English by a third-party, professional translation service at no cost to the public before it is assigned to a Hearing Officer for consideration.

Total Number of Written Submissions Recieved in Foreign Languages that OATH Translated for the Public



In 2015, documents submitted to OATH in foreign languages included:

- Written defenses for Hearings by Mail and for One-Click (online) Hearings
- Requests for reschedules
- Requests to vacate default decisions
- Appeals of OATH hearing decisions

CITY-WIDE ADMINISTRATIVE JUSTICE REFORM

Mayor de Blasio has tasked OATH with reforming administrative law proceedings in the City of New York consistent with the concepts of impartiality, neutrality and equity. Four main mission targets and goals have been identified by the administration. Once accomplished, this initiative will create a new foundation for the City's administrative justice system in the 21st Century.

ONE HEARING

 Uniform OATH Hearings Division – The creation of a single entity that is charged with adjudicating any summons issued by any of the City's enforcement agencies and is available to adjudicate any summons in each of the five boroughs.

ONE PROCESS

Uniform procedures – The creation and adoption of rules that treat all parties equally.
 OATH's new rules and procedures will treat all agencies and the public equally. Uniform procedures will result in one set of practices and processes for all summonses, regardless of which regulatory laws are being adjudicated and regardless of which City enforcement agency issues a summons.

ONE SUMMONS

- Uniform summons The creation of one style of summons to be used by the City's
 enforcement agencies which has a consistent format regardless of what agency
 generates the summons and regardless of what law or rule is involved. A uniform
 summons will ensure that the public will always be able to find the essential information
 in the same place on any summons they may receive.
- Uniform technology The development and utilization of summons-writing technology by the City's enforcement agencies that includes hand-held electronic devices that can generate a summons in the field and has the ability to electronically file the summons with OATH within a matter of hours.



The Mayor's Office announced its city-wide administrative justice reform initiative at a meeting with Agency Heads and senior officials at City Hall.



THE ADMINISTRATIVE JUDICIAL INSTITUTE (AJI) AT OATH

CONTINUING LEGAL EDUCATION

The City's Administrative Judicial Institute (AJI) is administered by OATH. The Institute was created to serve as a judicial resource center to provide training, continuing education, research and support services for hearing officers, administrative law judges and the attorneys who appear before OATH. The AJI makes its programs available to state and federal hearing officers and administrative law judges as well. In 2015, outside entities attending AJI programs included:

- Office of the NY State Comptroller
- MTA Transit Adjudication Bureau
- NYS Department of Labor
- NYS Department of Motor Vehicles
- NYS Office of Children and Family Services
- NYS Office of Temporary Disability Assistance
- NYS Division of Human Rights
- NYS Department of Public Service
- NYS Department of Environmental Conservation

- NYC Police Department
- NYC Housing, Preservation & Development
- NYC Parking Violations Bureau
- NYC Department of Education
- NYC Housing Authority
- NYC Campaign Finance Board
- NYC Commission on Human Rights
- Civilian Complaint Review Board
- District Council 37



OATH ALJ Ray Kramer serves as the Director for the Institute. Above, Judge Kramer welcomes more than 100 attendees to a CLE program administered through the Institute and hosted by New York Law School.

In 2015, OATH broadened the scope of the City's Administrative Judicial Institute by making some of its legal trainings and CLE courses open to lawyers and practitioners and other interested parties such as law students.

NEW INNOVATIVE TRAINING METHODS

The Institute is an accredited Continuing Legal Education (CLE) provider. In addition to hands on trainings, the Institute has been granted the authority to accredit non-traditional formats for its programs including presentations through live videoconferencing and videotape replays of previously presented programs.



A hearing officer receives feedback from an OATH instructor after conducting a mock hearing in a court room at the OATH Trials Division during an eight-day training for new hearing officers that is administered by the AJI.



Videoconferencing and videotape replays of trainings offer substantial cost and time savings. The ease and convenience of these training methods helps ensure that the OATH judiciary stays current on all new City rules, regulations and administrative laws so that the judiciary issues sound legal decisions.

PROGRAMS ADMINISTERED BY THE INSTITUTE IN 2015

In 2015, OATH programs had 1,400 attendees and an overall satisfaction rate of 96%.

PROGRAMS OPEN TO CITY AND STATE HEARING OFFICERS, ALJ'S AND LEGAL PRACTITIONERS (WHEN APPLICABLE)

- Trial Skills 1: Effective Direct Examination
- Trial Skills 2: Winning Cross Examination
- Trial Skills 2: Effective Cross Examination
- Essential Mediation Skills for Administrative Law Judges: A Neutral's Perspective
- Why Innocent People Confess-and Why Confessions Trump Innocence
- Cross Cultural Issues in the Courtroom: Case Studies
- What Every OATH Attorney Should Know about NYC's Conflicts of Interest Law
- The Logical Structures of Science-Based Reasoning
- Judicial Opinion Writing for NYC and State Administrative Law Judges
- The Science of Forensic Linguistics: Innovative Uses in Counter-Terrorism, Criminal, Civil and Intelligence Cases

CLASSES ADMINISTERED TO ADMINISTRATIVE LAW JUDGES AT THE OATH TRIALS DIVISION

- New ALJ Training Legal Writing
- New ALJ Training Legal Research
- New ALJ Training Human Rights Law
- New ALJ Training Padlock Cases
- New ALJ Training Disability Cases
- New ALJ Training Loft Law
- New ALJ Training Settlement Conferencing
- New ALJ Training Disciplinary Hearings
- New ALJ Training Prevailing Wage
- New ALJ Training Zoning and SRO Cases
- New ALJ Training City Clerk Cases
- New ALJ Training Car seizures by the NYPD (Krimstock) Cases

CLASSES Provided to Hearing Officers at OATH Hearings Divisions

- New Hearing Officer Training: An Eight Day Intensive
- Hearing Officer Vendor Training
- 2014 NYC Construction Code Update: What Hearing Officers Need to Know
- OATH Hearing Officers' Training for DCA-Related Cases
- Service of Violations Returnable to OATH for ECB Hearings
- Health Cases for Hearing Officers Doing Alternative (Remote) Hearings
- Substantive Law Training for Sanitation Cases and Related Issues
- Reviewing Decisions: A Primer for Hearing Officers Doing Vehicle for Hire Hearings



THE CENTER FOR CREATIVE CONFLICT RESOLUTION (CCCR)

FREE MEDIATION SERVICES FOR NYC AGENCIES

In 2015, OATH established the Center for Creative Conflict Resolution (CCCR). The Center's mission is to assist New York City government in resolving conflicts which involve City agencies or City employees — including workplace conflict and interagency conflict — and reach resolutions in more satisfying, sustainable, collaborative and cost-effective ways.



Who

we are

magine yourself in a workforce free from the dynamics and impact of destructive conflict.

A workplace where conflict promotes change, creativity and understanding. A place where conflict ignites opportunity for respectful dialogue. A work culture that supports a working environment where people can engage in conversations that aid in ually respectful work relationship:

Conflict in the workplace, as in other areas of life, is normal. Whether that conflict is destructive or ultimately constructive to the workplace depends on how it is responded to. Conflict which is not effectively addressed or is left unresolved can result in serious costs and consequences to management and employees alike. But when conflict is managed thoughtfully, it could lead to desirable, dramatic and healing change

The New York City Center for Creative Conflict Resolution is leading an initiative to encourage change in the way workplace conflicts are addressed in City government. The Center serves as an independent conflict resource Center for the City of New York, operating under the auspices of the NYC Office of Administrative Trials and Hearings (OATH).

How

can we help

The Center's aim is to assist government personnel in resolving and learning more about workplace conflict. We offer an alternative, neutral, private and safe forum for City workers to address difficult situations early on before matters escalate.

services are designed to be broad in scope, and allow us to respond effectively to situations that range from simple misunderstandings to more complex interpersonal disputes.

Workplace Mediation

As practiced by the Center, mediation is a constructive conversation facilitated by certified mediator(s) who serve as a neutral third party. Mediators do not make decisions about who is right or wrong. Instead, they help promote a bias-free, safe and structured environment for parties to listen to one another, begin to understand each other and come to agreement that aid in mutually respectful work relationships. Mediation is:

- Free—provided free of cost to agencies and employees
- Voluntary—participation is always voluntary
 Confidential—with very limited exceptions, what is discussed in mediation is not shared outside the session

Workgroup Facilitation

Workgroup Facilitation is a flexible process designed to assist large or small work units in achieving specific goals. They can be conducted on or off site and may also be combined with other services as appropriate.

Training Conflict Management: Part of the Center's work is focused on designing and implementing professional development courses aimed at assisting personnel in better understanding workplace conflict, and in honing skills and learning new tools that help in making decisions on how to best manage difficult situations. These initiatives are typically tailored to address specific areas of interest or concern by an agency or work unit.

Mediation Training: In collaboration with the NYU Law School Mediation Clinic, the Center conducts training that emphasizes basic mediation techniques and theory, along with discussion and practice of mediation in the workplace context. This training can also be designed to accommodate specific interests of an agency or work unit.

Center staff can also assist individuals on a one on one basis, in managing workplace conflict. The aim of the service is to assist City personnel to think through and proactively respond to conflicts they are responsible for managing. Consultations are confidential and

Brochure for the Center

2015 Accomplishments

The Center established formal agreements to offer and perform workplace mediation services with the agencies listed below. Employees of other agencies can request mediation at the Center by contacting their EEO officer.

- Department of Correction (DOC)
 Police Department (NYPD)
 Fire Department (FDNY)
- Human Resources Administration (HRA) • Department of Environmental Protection (DEP)

SERVICES ADMINISTERED THROUGH THE CENTER



Mediation for Workplace Conflicts

In 2015, the Center received 27 mediation referrals and conducted a total of 18 mediations.

Workplace Conflict Consultations

In 2015, the Center conducted 15 formal conflict consultations involving ranking agency officials needing assistance with workplace conflict. Consultations involve a series of meetings, a conflict assessment and strategic design phase, and one-on-one coaching and support during implementation of conflict intervention.

Group Facilitation

In 2015, the Center conducted several group facilitation sessions with different work units at some of the various City agencies which have formal partnerships with the Center. Many of the sessions focused on improving team communication and other issues that negatively impacted the units' work dynamics. Through a series of facilitated conversations and team building exercises, the groups identify ways to enhance the flow of their work protocols and responsibilities and also implement flexible strategies to address any future breakdowns of communication within the teams.



EDUCATION, MENTORING AND OUTREACH

INFORMATIONAL FORUMS FOR SMALL BUSINESS OWNERS

In 2015, OATH hosted and participated in a number of events across the five boroughs that were aimed at helping small businesses understand the hearing process and how to contest alleged violations that are issued to their businesses.



Fidel Del Valle, OATH Commissioner & Chief ALJ, gives remarks at a forum for small business owners hosted by OATH on Staten Island.



Marisa Senigo, Assistant Commissioner for Public Affairs & Communications, attends a small business event in the Bronx.



Flyer for a small business event that was hosted by OATH in Brooklyn.

JUDGE RICHARD C. FAILLA OATH LAW CLERK FELLOWSHIP

In 2015, OATH created the Judge Richard C. Failla OATH Law Clerk Fellowship. The Fellowship is named in honor of OATH's first Chief Administrative Law Judge. Judge Failla was appointed in 1978. He established the standards which continue to guide OATH to the present day, including a commitment to professionalism, fairness and equality. Judge Failla was subsequently appointed to the New York City Criminal Court in 1985. In 1988, he was elected to the Supreme Court of the State of New York where he served as a justice until his premature death in 1993 at the age of 53.

The Failla Fellowship is a one-year clerkship for recent law school graduates. Failla Fellows work with the Administrative Law Judges at the OATH Trials Division.



OATH's first Failla Fellows were Nathalie De Choudens, a graduate of Benjamin N. Cardozo School of Law (JD '15) and Caitlin Gillies, a graduate of Northeastern University School of Law (JD '15). Above, the Fellows are shown standing in front of a photo of Judge Richard C. Failla.

INTERNSHIP PROGRAM FOR ASPIRING LAWYERS

In 2015, OATH sponsored its 4th annual "Internship Program" for aspiring lawyers. For the first time, OATH expanded the program to include students not yet in law school. Internship Program participants rotated through a variety of settings at the Trials and Hearings Divisions drafting memos, appeals and rules. Students also had the opportunity to meet with senior leaders in NYC government to learn about employment options in municipal government. Extra-curricular activities included a visit to the Federal Reserve Bank, a tour of City Hall followed by lunch in China Town, a walk across the Brooklyn Bridge and attending a baseball game on Staten Island.



There were 8 law students, 3 college students and 1 high school student who participated in the 2015 Internship Program. Two of the law school interns were international students attending law school in the US — one from China and one from The Gambia.

Students in the Internship Program were able to attend workshops through OATH's Administrative Judicial Institute (AJI), including:

- Managing a Hearing
- Judicial Decision Writing
- Assessing Credibility
- Trial Advocacy

EDUCATIONAL EVENTS FOR NYC PUBLIC SCHOOL STUDENTS

Throughout 2015, OATH hosted several groups of students for "Career Day" visits with judges and to participate in mock trials.



ALJ Kramer speaks to visiting students about the role of a judge.

- A few sparks were certainly lit in that courtroom and I feel that we all left having learned so much in a very small space of time. The students were able to apply what they have learned about argumentative writing to support their positions using the evidence and not only was it was enjoyable to watch, it was very powerful. ??
 - Teacher from visiting school



ALJ Gloade speaks about her career path before presiding over a mock trial with students.

- **Wow! Upon return to the school, the students shared their experience with me. They were very enthusiastic and informed me they learned a great deal. The mock trial was especially the best part of their visit as it was explained to me. The students couldn't stop telling me all about it. **
 - Principal of visiting school



www.nyc.gov/oath

1-844-0ATH-NYC

Office of the Chief Administrative Law Judge & Commissioner

100 Church Street, 12th Floor New York, NY 10007

Brooklyn

Hearings Center 9 Bond Street, 6th and 7th Floor Brooklyn, NY **11201**

Bronx

Hearings Center 3030 Third Avenue Bronx, NY 10455

Manhattan

Hearings Center 66 John Street, 10th & 11th Floor New York, NY 10038 Trials Division 100 Church Street, 12th Floor New York, NY 10007

Queens

ECB Hearings 144-06 94th Avenue, Main Floor Jamaica, NY 11435 Vehicle for Hire & Health Hearings 31-00 47th Avenue, 3rd Floor Long Island City, NY 11101

Staten Island

Hearings Center 350 St. Marks Place, Main Floor Staten Island, NY 10301