



# THE CITY RECORD

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**THE CITY RECORD**      **MICHAEL R. BLOOMBERG, Mayor**

**EDNA WELLS HANDY**, Commissioner, Department of Citywide Administrative Services.  
**ELI BLACHMAN**, Editor of The City Record.

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BROOKLYN BOROUGH PRESIDENT

MEETING

NOTICE IS HEREBY GIVEN that Brooklyn Borough President Marty Markowitz will hold a meeting of the Brooklyn Borough Board in the Courtroom, Second Floor, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 12:00 P.M. on Tuesday, April 23, 2013.

- I. Approval of Minutes of Borough Board Meetings held on January 8, 2013 and February 5, 2013.
- II. Presentation by the Department of Education on the updated Core Curriculum.
- III. Presentation and vote on business terms for the disposition of real property at 307 Rutledge Street, Block: 2221, Lot: 47, between the New York City Economic Development Corporation and Goldex Limited, a New York State Corporation, for the development of Commercial and Community Facility space.

Note: To request a sign language interpreter, or to request TTD services, call Mr. Kai Feder at (718) 802-3642 at least five business days before the day of the hearing.

a16-23

### 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, NY, on Wednesday, April 24, 2013 at 10:00 A.M.

**BOROUGH OF THE BRONX**

No. 1

**BRONX DA STORAGE FACILITY**

**CD 4**      **C 130131 PCX**  
**IN THE MATTER OF** an application submitted by the Bronx County District Attorney's Office and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 260 East 161 Street (Block 2443, part of Lot 100), for use as a storage facility.

**BOROUGH OF QUEENS**

No. 2

**QUEENS WEST PARK ADDITION**

**CD 2**      **C 110253 MMQ**  
**IN THE MATTER OF** an application submitted by the

Queens West Development Corporation 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 46th Road and 47th Avenue between East River Road and Center Boulevard; a portion of 46th Avenue and 47th Road between East River Road and Center Boulevard; and East River Road north of 47th Road;
- the establishment of a park addition northwest of 47th Road and Center Boulevard;
- the extinguishment of a pedestrian access easement;
- the delineation of sewer easements; and
- the adjustment of grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5016 dated July 23, 2012 and signed by the Borough President.

No. 3

**BEACH 12TH STREET DEMAPPING**

**CD 14**      **C 120209 MMQ**  
**IN THE MATTER OF** an application submitted by Bnos Bais Yaakov of Far Rockaway 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 a portion of Beach 12th Street between Caffrey Avenue and Frisco Avenue;
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5017 dated October 22, 2012 and signed by the Borough President.

No. 4

**DISPOSITION OF PROPERTY**

**CD 2**      **C130159 PPQ**  
**IN THE MATTER OF** an application submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of four (4) city-owned properties located on Block 276, Lot 46, Block 2545, Lot 54, Block 2573, Lot 124 and Block 2575, Lot 244, pursuant to zoning.

No. 5

**BELLERROSE-FLORAL PARK-GLEN OAKS REZONING**  
**CD 13**      **C 130188 ZMQ**  
**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 11b,11d, 15a, and 15c:

1. eliminating from an existing R2 District a C1-2 District bounded by:
  - a. a line 150 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 150 feet southeasterly of Hillside Avenue, 249th Street, Hillside Avenue, and 253rd Street;
  - b. 77th Road, a boundary line of the City of New York, a line 80 feet southeasterly of 77th Road and its northeasterly prolongation, a

line 300 feet northeasterly of 21st Street, a line midway between 77th Road and Union Turnpike, and 271st Street;

- c. a line perpendicular to the northeasterly street line of 271st Street distant 175 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 271st Street and the southeasterly street line of Union Turnpike, and Langdale Street; and

- d. a line perpendicular to the easterly street line of Langdale Street distant 200 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Langdale Street and the southeasterly street line of Union Turnpike, a boundary line of the City of New York, a line 240 feet northerly of 78th Avenue, and Langdale Street;

2. eliminating from an existing R4 District a C1-2 District bounded a line 100 feet northeasterly of Braddock Avenue, 239th Street, Braddock Avenue, 92nd Road, Gettysburg Street, 92nd Avenue, 224th Street, Braddock Avenue, and Moline Street;

3. eliminating from within an existing R2 District a C2-2 District bounded by:

- a. a line 150 feet northwesterly of Hillside Avenue, 261st Street, a line 150 feet southeasterly of Hillside Avenue, 258th Street, Hillside Avenue, a line 100 feet southwesterly of 256th Street, a line 100 feet southeasterly of Hillside Avenue, and Little Neck Parkway; and

- b. a line 150 feet northwesterly of Hillside Avenue, a boundary line of the City of New York, and 267th Street;

4. eliminating from within an existing R3-2 District a C2-2 District bounded by:

- a. a line 100 feet northwesterly of Jamaica Avenue, 243rd Street, Jamaica Avenue, and 240th Street; and

- b. a line 150 feet northwesterly of Union Turnpike, Little Neck Parkway, a line perpendicular to southwesterly street line of Little Neck Parkway distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Little Neck Parkway and the northwesterly street line of Union Turnpike, a line midway between Little Neck Parkway and 252nd Street, a line perpendicular to the northeasterly street line of 252nd Street distant 110 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 252nd Street and the northwesterly street line of Union Turnpike, and 252nd Street;

5. eliminating from within an existing R4 District a C2-2 District bounded by:

- a. a line 100 feet northeasterly of Braddock Avenue, a line 100 feet southeasterly of 241st Street, Braddock Avenue, and 239th Street; and

- b. a line 150 feet northerly of Jamaica Avenue, 91st Avenue, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, a line 100 feet northwesterly of Jamaica Avenue, 249th Street, Jamaica Avenue, Braddock Avenue, and Cross Island Parkway;

6. changing from an R2 District to an R1-2A District property bounded by:
- 267th Street and its northwesterly centerline prolongation, 73rd Avenue, the northeasterly prolongation of a southeasterly street line of 260th Place, a line 45 degrees to the centerline of 72nd Road and passing through the point of intersection of the centerline of 72nd Road and the southeasterly centerline prolongation of 266th Street, 72nd Road, the southeasterly street line of 260th Place and its northeasterly and southwesterly prolongations, Little Neck Parkway, and Grand Central Parkway; and
  - a line 100 feet southeasterly of Union Turnpike, 233rd Street, Seward Avenue, 235th Street, a line 100 feet southeasterly of Seward Avenue, the southeasterly centerline prolongation of 236th Street, Winchester Boulevard, a line 100 feet northerly of Hillside Avenue, 232nd Street, a line 100 feet northwesterly of Seward Avenue, and a line midway between 232nd Street and 233rd Street;
7. changing from an R3-2 District to an R1-2A District property bounded by 72nd Road, a line 45 degrees to the centerline of 72nd Road and passing through the point of intersection of the centerline of 72nd Road and the southeasterly centerline prolongation of 266th Street, and the northeasterly prolongation of a southeasterly street line of 260th Place;
8. changing from an R4 District to an R2 District property bounded by Braddock Avenue, a line 215 feet northwesterly of 90th Avenue and its northeasterly prolongation, and 221st Place;
9. changing from an R2 District to an R2A District property bounded by:
- Stronghurst Avenue, Union Turnpike, Winchester Boulevard, the southeasterly centerline prolongation of 236th Street, a line 100 feet southeasterly of Seward Avenue, 235th Street, Seward Avenue, 233rd Street, a line 100 feet southeasterly of Union Turnpike, a line midway between 233rd Street and 232nd Street, a line 100 feet northwesterly of Seward Avenue, 232nd Street, Seward Avenue, and 229th Street; and
  - Union Turnpike, 248th Street, a line 150 feet southeasterly of Union Turnpike, 249th Street, Union Turnpike, 252nd Street, 80th Avenue, 254th Street, Union Turnpike, 263rd Street, 76th Avenue, a boundary line of the City of New York, 81st Avenue, 268th Street, 83rd Avenue, a boundary line of the City of New York, a line perpendicular to the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Langdale Street and the northwesterly street line of Hillside Avenue, Langdale Street, a line 100 feet northwesterly of Hillside Avenue, 263rd Street, Hillside Avenue, 262nd Street, a line 100 feet northwesterly of Hillside Avenue, 255th Street, a line 120 feet northwesterly of Hillside Avenue, a line midway between 255th Street and Little Neck Parkway, a line 110 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 100 feet northwesterly of Hillside Avenue, 253rd Street, Hillside Avenue, 249th Street, a line 100 feet southeasterly of Hillside Avenue, 260th Street, a line 150 feet southeasterly of Hillside Avenue, a line midway between 260th Street and 261st Street, a line 100 feet southeasterly of Hillside Avenue, 267th Street, a boundary line of the City of New York, a line 100 feet northwesterly of Jamaica Avenue, Little Neck Parkway, 87th Drive, Commonwealth Boulevard, 87th Avenue, the easterly service road of the Cross Island Parkway, Hillside Avenue, the westerly street line of 240th Street and its southerly and northerly prolongations, a line 220 feet northwesterly of 83rd Avenue, a line 150 feet southwesterly of 242nd Street, the southwesterly centerline prolongation of 82nd Avenue, a line 170 feet southwesterly of 242nd Street, a line 436 feet northwesterly of 82nd Avenue and its southwesterly prolongation, a line 90 feet southwesterly of 242nd Street and its northeasterly prolongation (at the straight line portion), a line 43 feet southeasterly of Union Turnpike, and the southwesterly service road of the Cross Island Parkway;
10. changing from an R3A District to an R2A District property bounded by 86th Avenue, a line 100 feet westerly of Cross Island Parkway, 86th Road, a line 240 feet westerly of Cross Island Parkway, 87th Avenue, the easterly service road of Cross Island Parkway, a line 100 feet northeasterly of 88th Road, 247th Street and its northeasterly centerline prolongation, the northerly street line of 88th Avenue and its southeasterly prolongation,
- Commonwealth Boulevard, 87th Drive, Little Neck Parkway, the centerline of the Long Island Rail Road Right-of-Way, 249th Street, 88th Road, a line midway between 251st Street and 250th Street, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, a line midway between 89th Avenue and 88th Drive, 247th Street, 90th Avenue, a line 430 feet southeasterly of 247th Street, a line 100 feet northwesterly of Jamaica Avenue, 91st Avenue, 242nd Street, a line 100 feet northerly and northeasterly of Braddock Avenue, a line midway between 239th Street and 238th Street, 88th Avenue, Gettysburg Street, 87th Avenue, 239th Street, a line 100 feet southerly of 86th Avenue, and a line 100 feet easterly of 239th Street;
11. changing from an R3-1 District to an R2A District property bounded a line 100 feet southerly of Hillside Avenue, Winchester Boulevard, a line perpendicular to the northwesterly street line of Winchester Boulevard distant 215 feet northeasterly (as measured along the street line) from the point of intersection of northeasterly street line of 233rd Street and the northwesterly street line of Winchester Boulevard, and a line midway between 233rd Street and Winchester Boulevard;
12. changing from an R3-2 District to an R2A District property bounded by:
- a line 100 feet southwesterly of Hillside Avenue, a line midway between Range Street and Musket Street, 87th Avenue, the southerly centerline prolongation of Range Street, 88th Avenue, and Winchester Boulevard; and
  - 92nd Avenue, Gettysburg Street, 92nd Road, a line 100 feet northeasterly of Gettysburg Street, a line midway between Davenport Avenue and 92nd Road, the southwesterly boundary line of Jack Breininger Park, a line midway between Fairbury Avenue and Edmore Avenue a line 100 feet northeasterly of Gettysburg Street, a line midway between Fairbury Avenue and 93rd Avenue, a line 365 feet southwesterly of 240th Street, 93rd Avenue, a line 100 feet southwesterly of 239th Street, 93rd Road, a line 100 feet southwesterly of 224th Street, Edmore Avenue, 224th Street, 92nd Road, and a line 100 feet southwesterly of 224th Street;
13. changing from an R4 District to an R2A District property bounded by:
- 87th Avenue, a line perpendicular to the northerly street line of 88th Avenue distant 665 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 88th Avenue and the southeasterly street line of Winchester Boulevard, 88th Avenue, and the southerly centerline prolongation of Range Street;
  - a line 80 feet northwesterly of 92nd Avenue, a line 180 feet northeasterly of 224th Street, 92nd Avenue, 224th Street; and
  - 91st Avenue, a line 80 feet northwesterly of Jamaica Avenue, 245th Street, a line 150 feet northerly of Jamaica Avenue, and Cross Island Parkway; and
14. changing from an R4-1 District to an R2A District property bounded by:
- a line midway between 88th Drive and 89th Avenue, a line 100 feet easterly of 247th Street, a line midway between 89th Avenue and 90th Avenue, a line 270 feet easterly of easterly of 247th Street, 90th Avenue, and 247th Street; and
  - a line midway between 88th Drive and 89th Avenue, Commonwealth Boulevard, a line midway between 89th Avenue and 90th Avenue and its easterly prolongation, a line 400 feet easterly of 247th Street, 89th Avenue, and a line 265 feet easterly of 247th Street;
15. changing from an R3-1 District to an R3A District property bounded by a line 100 feet southerly of Hillside Avenue, a line midway between 233rd Street and Winchester Boulevard, a line perpendicular to the northwesterly street line of Winchester Boulevard distant 215 feet northeasterly (as measured along the street line) from the point of intersection of northeasterly street line of 233rd Street and the northwesterly street line of Winchester Boulevard, Winchester Boulevard, 87th Avenue, and 231st Street;
16. changing from an R3-2 District to an R3A District property bounded by:
- 231st Street, 87th Avenue, Winchester Boulevard, a line 100 feet northeasterly of Braddock Avenue, a line 100 feet northwesterly of Billings Street, Braddock Avenue, and a line 185 feet northwesterly of Billings Street and its northeasterly prolongation;
- 90th Avenue, Borkel Place, Winchester Boulevard, a line 100 feet southwesterly of Braddock Avenue, 91st Avenue, 222nd Street, 91st Road, 224th Street, 92nd Avenue, a line 100 feet southwesterly of 224th Street, 92nd Road, 224th Street, Edmore Avenue, a line 100 feet southwesterly of 224th Street, Fairbury Avenue, 222nd Street, a line midway between 93rd Avenue and 93rd Road, a line 100 feet southwesterly of 222nd Street, Edmore Avenue, Winchester Boulevard, a line 200 feet southeasterly of 92nd Avenue, 221st Street, a line 100 feet northwesterly of Davenport Avenue, 220th Street, 91st Road, and 221st Place; and
  - 92nd Road, Braddock Avenue, 240th Street, a line 100 feet southwesterly of Braddock Avenue, 243rd Street, a line 100 feet northwesterly of Jamaica Avenue, 240th Street, 93rd Road, a line 100 feet southwesterly of 239th Street, 93rd Avenue, a line 365 feet southwesterly of 239th Street, a line midway between Fairbury Avenue and 93rd Avenue, a line 100 feet northeasterly of Gettysburg Street, a line midway between Fairbury Avenue and Edmore Avenue, the southwesterly boundary line of Jack Breininger Park, a line midway between 92nd Road and Davenport Avenue, and a line 100 feet northeasterly of Gettysburg Street;
17. changing from an R4 District to an R3A District property bounded by:
- a line 100 feet northeasterly of Braddock Avenue, Ashford Street, Braddock Avenue, and a line 100 feet northwesterly of Billings Street;
  - 88th Avenue, 235th Court, 88th Avenue, Noline Street, the northwesterly centerline prolongation of 89th Avenue, and a line midway between Pontiac Street and Noline Street; and
  - Gettysburg Street, a line 100 feet northeasterly of Braddock Avenue, and a line perpendicular to the northwesterly street line of 237th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 237th Street and the northeasterly street line of Braddock Avenue;
18. changing from an R3-2 District to R3X District property bounded by:
- Hillside Avenue, 235th Court, 87th Avenue, and a line midway between Musket Street and Range Street;
  - 88th Avenue, Ransom Street, a line 100 feet northeasterly of Braddock Avenue, and Winchester Boulevard;
  - 91st Street, 220th Street, a line 100 feet northwesterly of Davenport Avenue, and 221st Street, a line 200 feet southeasterly of 92nd Avenue, Winchester Boulevard, Edmore Avenue, a line 100 feet southwesterly of 222nd Street, a line midway between 93rd Road and 93rd Avenue, 222nd Street, Fairbury Avenue, a line 100 feet southwesterly of 224th Street, 93rd Road, 220th Street, 93rd Avenue, and Springfield Boulevard;
  - a line 125 feet northwesterly of Elkmont Avenue, a line midway between 250th Street and 251st Street and its northwesterly prolongation, Shiloh Avenue, and 249th Street and its northwesterly centerline prolongation; and
  - a line 125 feet northwesterly of Elkmont Avenue, Little Neck Parkway, a line perpendicular to the southwesterly street line of Little Neck Parkway distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Little Neck Parkway and the northwesterly street line of Union Turnpike, a line midway between Little Neck Parkway and 252nd Street, a line perpendicular to the northeasterly street line of 252nd Street distant 110 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 252nd Street and the northwesterly street line of Union Turnpike, 252nd Street, a line perpendicular to the southwesterly street line of 252nd Street distant 50 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 252nd Street and the northwesterly street line of Union Turnpike, and a line midway between 251st Street and 252nd Street and its northwesterly prolongation;
19. changing from an R3-2 District to an R3-1 District property bounded by a line 125 feet northwesterly

- of Elmont Avenue, a line midway between 251st Street and 252nd Street and its northwesterly prolongation, Union Turnpike, 249th Street, Shiloh Avenue, and a line midway between 250th Street and 251st Street and the northwesterly prolongation;
20. changing from an R2 District to an R3-2 District property bounded by:
- a. a line 100 feet southerly of Hillside Avenue, Winchester Boulevard, Hillside Avenue, and 232nd Street;
  - b. Hillside Avenue, 253rd Street, a line 100 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 110 feet northwesterly of Hillside Avenue, a line midway between Little Neck Parkway and 255th Street, a line 120 feet northwesterly of Hillside Avenue, 255th Street, a line 100 feet northwesterly of Hillside Avenue, 262nd Street, Hillside Avenue, 263rd Street, a line 100 feet northwesterly of Hillside Avenue, Langdale Street, a line perpendicular to the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, 267th Street, a line 100 feet southeasterly of Hillside Avenue, a line midway between 260th Street and 261st Street, a line 150 feet southeasterly of Hillside Avenue, 260th Street, and a line 100 feet southeasterly of Hillside Avenue, and 249th Street; and
  - c. 81st Avenue, a boundary line of the City of New York, 83rd Avenue, and 268th Street;
21. changing from an R3-1 District to an R3-2 District property bounded by Hillside Avenue, Winchester Boulevard, a line 100 feet southerly and southeasterly of Hillside Avenue, and 231st Street;
22. changing from an R3A District to an R4-1 District property bounded by 90th Avenue, a line 100 feet northwesterly of Jamaica Avenue, and a line 430 feet easterly of 247th Street;
23. changing from an R4 District to an R4-1 District property bounded by a line 540 feet northeasterly of Braddock Avenue, Pontiac Street, Braddock Avenue, and Ransom Street;
24. changing from a C8-1 District to an R4 District property bounded by a line 100 feet northerly of Jamaica Avenue, 251st Street and its southerly centerline prolongation, a boundary line of the City of New York, and 249th Street and its southerly centerline prolongation;
25. establishing within a proposed R3-2 District a C2-3 District bounded by a line 110 feet northwesterly of Hillside Avenue, a line midway between Little Neck Parkway and 255th Street, a line 120 feet northwesterly of Hillside Avenue, 255th Street, Hillside Avenue, a line 100 feet southwesterly of 256th Street, a line 100 feet southeasterly of Hillside Avenue, and Little Neck Parkway;
26. establishing within an existing and proposed R4 District a C2-3 District bounded by a line 100 feet northwesterly of Jamaica Avenue, 251st Street, Jamaica Avenue, and Commonwealth Boulevard;
27. establishing within an existing R3A District a C1-3 District bounded by Hillside Avenue, a line 140 feet easterly of 241st Street, 85th Avenue, and 241st Street;
28. establishing within existing and proposed R3-2 Districts a C1-3 District bounded by:
- a. a line 100 feet northwesterly of Hillside Avenue, 234th Street and its southeasterly centerline prolongation, a line 100 feet southeasterly of Hillside Avenue, a line midway between 233rd Street and Winchester Boulevard, Hillside Avenue, and a line midway between 233rd Street and 234th Street;
  - b. Hillside Avenue, a line midway between Range Street and Musket Street, a line 100 feet southwesterly of Hillside Avenue, and Musket Street;
  - c. a line 100 feet northwesterly of Jamaica Avenue, a line midway between 242nd Street and 241st Street, Jamaica Avenue, and 240th Street;
  - d. a line 100 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 100 feet southeasterly of Hillside Avenue, 249th Street, Hillside Avenue, and 253rd Street;
  - e. a line 100 feet northwesterly of Hillside Avenue, 261st Street, Hillside Avenue, 264th Street, a line 100 feet southeasterly of Hillside Avenue, a line midway between 260th Street and 261st Street, a line 150 feet southeasterly of Hillside Avenue, 260th Street, a line 100 feet southeasterly of Hillside Avenue, 258th Street, Hillside Avenue, and 255th Street;

- f. a line 100 feet northwesterly of Hillside Avenue, 266th Street, a line 100 feet southeasterly of Hillside Avenue, and 265th Street; and
  - g. a line 100 feet northwesterly of Hillside Avenue, Langdale Street, a line perpendicular to easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, a line perpendicular to the southeasterly street line of East Williston Avenue distant 110 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of East Williston Avenue and the southwesterly street line of 268th Street, East Williston Avenue, and 267th Street; and
29. establishing within an existing R4 District a C1-3 District bounded by:
- a. a line 100 feet northeasterly of Braddock Avenue, Winchester Boulevard, Braddock Avenue, and a line midway between Ashford Street and Winchester Boulevard;
  - b. Braddock Avenue, 222nd Street, 91st Avenue, a line 100 feet southwesterly of Braddock Avenue, and Winchester Boulevard;
  - c. a line 100 feet northeasterly of Braddock Avenue, Gettysburg Street, a line perpendicular to the northwesterly street line of 237th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 237th Street and the northeasterly street line of Braddock Avenue, 237th Street, Braddock Avenue, a line midway between 237th Street and 238th Street, a line 100 feet northeasterly of Braddock Avenue, 238th Street, Braddock Avenue, 92nd Road, Gettysburg Street, 92nd Avenue, a line 180 feet northeasterly of 224th Street, a line 80 feet northwesterly of 92nd Avenue, 224th Street, Braddock Avenue, and Lyman Street;
  - d. a line 100 feet northeasterly of Braddock Avenue, 239th Street, Braddock Avenue, and a line 50 feet southeasterly of 238th Street;
  - e. a line 100 feet northeasterly of Braddock Avenue, 240th Street, Braddock Avenue, and a line midway between 239th Street and 240th Street;
  - f. a line 100 feet northeasterly of Braddock Avenue, 241st Street, Braddock Avenue, and a line midway between 241st Street and 240th Street;
  - g. a line 100 feet northerly of Braddock Avenue, 242nd Street, 91st Avenue, a line 100 feet easterly of 242nd Street, Braddock Avenue, and a line midway between 242nd Street and 241st Street; and
  - h. a line 150 feet northerly of Braddock Avenue, 245th Street, a line 80 feet northwesterly of Jamaica Avenue, 91st Avenue, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, Jamaica Avenue, Braddock Avenue, and Cross Island Parkway;

as shown in a diagram (for illustrative purposes only) dated February 19, 2013, and subject to the conditions of CEQR Declaration E-299.

**No. 6**  
**USTA BILLIE JEAN KING TENNIS CENTER**  
**CDs 3, 4, & 6-9 C 130155 PPQ**  
**IN THE MATTER OF** an application submitted by the NYC Department of Parks and Recreation (DPR) and the USTA National Tennis Center Inc., pursuant to Section 197-c of the New York City Charter, for the disposition of a lease of city-owned property to the USTA National Tennis Center Inc. located northerly of United Nations Avenue North, between Meridian Road, and Path of Americas (Block 2018, p/o Lot 1) within Flushing Meadows-Corona Park.

**NOTICE**

**On Wednesday, April 24, 2013, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning a disposition of non-residential City-owned land at the USTA Billie Jean King National Tennis Center (NTC), located in Flushing Meadows Corona Park in Queens. The NTC is located on a portion of Queens Block 2018, Lot 1, on park land leased by The City of New York Department of Parks and Recreation to USTA National Tennis Center, Incorporated (USTA). The leased site is bounded to the north by the railway tracks of Long Island Railroad (LIRR)'s Port Washington line; United Nations Avenue North to the south; the Passarelle Building and Path of the Americas to the east; and Grand Central Parkway**

**to the west. The proposed actions would facilitate a proposal to improve and expand USTA facilities, collectively known as the NTC Strategic Vision. To accommodate the proposed project, up to 0.94 acres of land would be added to the NTC site, including up to 0.68 acres of park land that would be alienated. Written comments on the DEIS are requested and would be received and considered by the Lead Agency through Monday, May 6, 2013.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQR) and City Environmental Quality Review (CEQR), CEQR No. 12DPR005Q.**

**YVETTE V. GRUEL, Calendar Officer**  
**City Planning Commission**  
**22 Reade Street, Room 2E**  
**New York, New York 10007**  
**Telephone (212) 720-3370**

a10-24

**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. 08 - Monday, April 22, 2013 at 7:30 P.M., Hillside Manor, 188-11 Hillside Avenue, Hollis, NY

**BSA #86-13-BZ**  
 65-43 171st Street, Flushing  
 Application for a special permit pursuant to Section 73-621 of the Zoning Resolution, to permit in an R2 zoning district the enlargement of an existing one-family dwelling, which will not provide the required open space ratio and exceeds the maximum permitted floor area.

**#C 130170ZMQ**  
 St. Francis Prep Rezoning  
 IN THE MATTER OF an application submitted by St. Francis Preparatory School pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, changing from an R3-2 district to an R4 district property.

a16-22

**DESIGN COMMISSION**

■ MEETING

**Meeting Agenda**  
**Monday, April 22, 2013**

**Public Meeting**

**1:00 P.M. Consent Items**

- 24708: Reconstruction of a storefront and installation of signage, 30 Flatbush Avenue, Brooklyn. (Preliminary and Final) (CC 33, CB 2) DCAS
- 24709: Construction of a multipurpose cultural facility (Culture Shed), Hudson Yards, 501 West 30th Street, Manhattan. (Preliminary) (CC 3, CB 4) DCLA
- 24710: Installation of *North of the North Pole* (formerly *The Opposite of a Duck*) by Janet Zweig, Children's Reading Room, Glen Oaks Community Library, 256-04 Union Turnpike, Queens. (Final) (CC 16, CB 13) DCLA%/DDC
- 24711: Rehabilitation of 1275 Westchester Avenue, Bronx. (Preliminary and Final) (CC 17, CB 3) DDC
- 24712: Rehabilitation of 1138 Longfellow Avenue, Bronx. (Preliminary and Final) (CC 17, CB 3) DDC
- 24713: Rehabilitation of 122, 124 and 126 West 127th Street, Manhattan. (Preliminary and Final) (CC 9, CB 10) DDC
- 24714: Rehabilitation of 11 and 13 West 137th Street, Manhattan. (Preliminary and Final) (CC 9, CB 10) DDC
- 24680: Rehabilitation of a Department Environmental Protection maintenance building (formerly Department of Sanitation Stables), 356 Flushing Avenue, Brooklyn. (Preliminary and Final) (CC 35, CB 3) DDC/DEP
- 24715: Reconstruction of the landscape, Tavern on the Green, West 67th Street and Central Park West, Central Park, Manhattan. (Preliminary and Final) (CC 8, CB 7) DPR
- 24716: Reconstruction of a portion of Cooper Park, Maspeth Avenue, Morgan Avenue, Sharon Street and Olive Street, Brooklyn. (Preliminary) (CC 34, CB 1) DPR
- 24717: Rehabilitation of a comfort station and adjacent site work, Bill Brown Park, Avenue X, Bedford Avenue, Avenue Y and East 24th Street, Brooklyn. (Final) (CC 48, CB 15) DPR

**Public Hearing**

- 1:05 p.m.
- 24718: Construction of a park, Sutton Place, FDR Drive

between East 56th Street and East 57th Street, Manhattan. (Preliminary) (CC 5, CB 6) DPR

Design Commission meetings are held in the conference room on the fifth floor of 253 Broadway, unless otherwise indicated. Please note that all times are approximate and subject to change without notice.

Members of the public are encouraged to arrive at least 45 minutes in advance of the estimated time; those who also plan to testify are encouraged to submit their testimony in writing at least three (3) business days in advance of the meeting date.

Please note that items on the consent agenda are not presented. If members of the public wish to testify on a consent agenda item, they should contact the Design Commission immediately, so the project can be rescheduled for a formal presentation at the next appropriate public hearing, per standard procedure.

Design Commission  
253 Broadway, Fifth Floor  
Phone: 212-788-3071  
Fax: 212-788-3086

✉ a18

## EMPLOYEES' RETIREMENT SYSTEM

### INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, April 23, 2013 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.

a16-22

## 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, April 23, 2013 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 14-2364 - Block 123, lot 44- Barnett Avenue between 48th Street and 50th Street - Sunnyside Gardens Historic District A park built in 1926. Application is to legalize the installation of retaining walls and to install additional retaining walls. Community District 4.

**BINDING REPORT**  
BOROUGH OF QUEENS 14-2234 - Block 898, lot 1-24-02 19th Street-Astoria Park Pool and Play Center - Individual Landmark An Art Moderne style pool complex designed by John Matthews Hatton, Aymar Embury II, landscape architects Gilmore D. Clarke and Allyn R. Jennings, and civil engineers W. Earle Andrews and William H. Latham and built in 1934-36. Application is to modify the bleachers, perimeter wall, diving pool and platforms, and to install signage and paving. Community District 1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 14-1405 - Block 262, lot 54-280 Henry Street-Brooklyn Heights Historic District A Greek Revival style rowhouse built in 1837 and altered in the late 19th and mid-20th centuries. Application is to construct a bulkhead, and mechanical equipment on the roof, reconstruct the rear facade and addition, and excavate the cellar and rear yard. Zoned R-6, LH-1. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 13-2122 - Block 1963, lot 68-156 St. James Place-Clinton Hill Historic District A vernacular frame house built circa 1865. Application is to alter the facade, replace windows and doors, and install a stoop. Zoned R6B. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 13-9332 -Block 1930, 1940, lot 1,4-325-365 Clinton Avenue-Clinton Hill Historic District An apartment building complex designed by Harrison, Fouilhoux & Abramovitz and built in 1942. Application is establish a master plan governing the future replacement of windows. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 13-8919 - Block 2112, lot 11-127 St. Felix Street-Brooklyn Academy of Music Historic District An Italianate style rowhouse built c.1859. Application is to construct a stair bulkhead, alter the rear facade, and excavate the cellar and rear yard. Zoned R6B. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 11-6748 - Block 444, lot 11-356 President Street - Carroll Gardens Historic District A brick house built in 1869. Application is to legalize the installation of windows without Landmarks Preservation Commission permit(s). Community District 6.

**BINDING REPORT**  
BOROUGH OF MANHATTAN 14-2329 - Block 1, lot 10- Governors Island - Governors Island Historic District A portion of an island in New York Harbor containing fortifications and a range of military buildings dating from the early 19th century to the 1930s. Application is to remove brick pathways. Community District 1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1137 -Block 607, lot 1-32 Avenue of the Americas-Long Distance Building of the American Telephone and Telegraph Company Building-Individual Landmark An Art Deco style building designed by McKenzie, Voorhees and Gmelin and constructed in 1911-14 and enlarged by seven stories in 1914-16, and substantially enlarged again and altered in 1930-32 by Voorhees, Gmelin & Walker. Application is to establish a Master Plan to alter ground floor openings, and install storefront infill, marquees and signage. Community District 1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1322 -Block 482, lot 44-430 Broome Street-SoHo-Cast Iron Historic District Extension A Queen Anne style store and factory building built in the earlier part of the 19th century and altered in 1894-95 by Julius Kastner. Application is to construct a rooftop addition. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1580 -Block 500, lot 21-110 Prince Street-SoHo-Cast Iron Historic District A one-story building designed by John Truso and built in 1994. Application is to retain rooftop artwork installed as temporary pursuant to Certificate of No Effect 12-3782 as a temporary installation. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-2604 -Block 586, lot 7-74 Wooster Street-SoHo-Cast Iron Historic District A factory designed by Charles Mattam and built in 1869. Application is to install new storefront infill, remove shutters, enlarge a light well and construct a rooftop addition. Zoned M1-5A. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-7977-Block 576, lot 48-11 West 12th Street - Greenwich Village Historic District A townhouse originally built in 1847, and altered in the 20th century. Application is to alter the front facade and reconstruct the rear facade, modify a bulkhead, excavate the rear yard and install a rear yard wall. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-8441 - Block 593, lot 23-395 6th Avenue-Greenwich Village Historic District A commercial building originally built in 1876, remodeled in 1958 and again in 1985 by James Stewart Polshek. Application is to alter the facade, install storefront infill, and signage. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1240- Block 611, lot 65-33 Greenwich Avenue-Greenwich Village Historic District An apartment building built in 1960-61. Application is remove a sidewalk cafe enclosure altered without Landmarks Preservation Commission permit(s), and construct a new sidewalk cafe enclosure. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-3756 -Block 590, lot 10-275 Bleecker Street-Greenwich Village Historic District Extension II A Federal/ Italianate style rowhouse built c.1818 and altered in 1876. Application is to modify storefront cladding installed without Landmarks Preservation Commission permits. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1825 - Block 1119, lot 36-54 King Street-Charlton-King-Vandam Historic District A Greek Revival style rowhouse built in 1841. Application is to modify the roof and rear facade. Zoned R10A, C4-7. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-4449 - Block 720, lot 20-455 West 22nd Street-Chelsea Historic District An Anglo-Italianate style rowhouse built in 1855. Application is to construct a rear yard addition. Zoned R7B. Community District 4.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1197 - Block 827, lot 39-202 Fifth Avenue, aka 1122 Broadway, 103 West 25th Street - Madison Square North Historic District A neo-Classical style office building designed by Buchman & Kahn, with Zimmerman, Saxe & Zimmerman, and built in 1918-1919. Application to construct a rooftop addition and bulkhead; raise a parapet; modify and create masonry openings; replace facade cladding; and install storefront infill, windows, signage, lighting, a marquee, and interior partitions at windows. Zoned C5-3. Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-0476 - Block 829, lot 39-242 Fifth Avenue-Madison Square North Historic District A Queen Anne style store building designed by George Harding and built in 1885. Application is to construct rooftop and rear yard additions, and install storefront infill. Zoned C5-2. Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1084- Block 846, lot 33-200 Park Avenue South, aka 39-45 East 17th Street-The Everett Building- Individual Landmark A Chicago style commercial building designed by Goldwin Starrett and Van Vlaeck and built in 1908. Application is to install signage and replace the storefront doors. Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-2160 - Block 1217, lot 1-165 West 86th Street -West Park Presbyterian Church - Individual Landmark A Romanesque Revival style church, designed by Henry Killburn and built in 1889-90. Application is to install a canopy and signage. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-0283 - Block 1128, lot 59-52 West 76th Street-Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse designed by George M. Walgrove and built in 1887-89. Application is to legalize the installation of security cameras and intercom installed without Landmarks Preservation Commission permit(s), and areaway and stoop alterations completed in non-compliance with Certificate of No Effect 09-0606. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-9170 - Block 1211, lot 47-132 West 81st Street-Upper West Side/Central Park West Historic District A neo-Grec style rowhouse designed by Edward J. Webb and built in 1887, altered in the Beaux-Arts style by Edward J. Webb in 1904. Application is to alter the facade, demolish the existing rear extension, and construct rear yard and rooftop additions. Zoned R8B. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1525 - Block 1218, lot 149-152 West 88th Street-Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse designed by Neville & Bagge and built in 1893. Application is to excavate the rear yard. Zoned R7-2. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-1235 - Block 1147, lot 19-125 West 75th Street-Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse designed by Neville & Bagge and built in 1893-94. Application is to alter the areaway and install new walls and railings. Zoned R8B. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-8160 - Block 1150, lot 48-140 West 79th Street-Upper West Side/Central Park West Historic District A neo-Tudor style apartment building designed by Rose & Goldstone and built in 1913-1914. Application is to legalize the installation of windows without Landmarks Preservation Commission permit(s) and establish a Master Plan governing the future installation of windows. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-8564 - Block 1251, lot 15-311 West 90th Street-Riverside West End Historic District A Renaissance Revival style rowhouse, designed by Thomas J. Sheridan and built in 1890-1891. Application is to construct the rear and rooftop additions, replace windows, lower the areaway, and construct a stoop. Zoned R-8. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1275 - Block 1379, lot 51-747 Madison Avenue-Upper East Side Historic District An apartment house designed by Kikkins & Lyras and built in 1959. Application is to replace storefront infill, install signage, and re-clad the base of the building. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-0003 - Block 1383, lot 50-827 Madison Avenue-Upper East Side Historic District A Queen Anne style residence built in 1880 and modified in 1923 by James Casale. Application is to re-clad the first floor. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-2080 - Block 1406, lot 1-737 Park Avenue-Upper East Side Historic District A Classicizing Art-Deco style apartment building designed by Sylvan Bien and built in 1940. Application is to install mechanical equipment at the roof. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-1501 - Block 1385, lot 7501-11-15 East 70th Street-John Chandler and Corrine deBebian Moore House-Individual Landmark A neo-French Classic style residence, designed by John Duncan, and built in 1909-1910, and a Beaux-Arts style residence, designed by Charles I. Berg, and built in 1909-1910. Application is to amend Certificate of Appropriateness a Master Plan for the installation of new window openings. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-0328 - Block 1377, lot 71-815 Fifth Avenue-Upper East Side Historic District A building built in 1870-71 and altered in 1923 by Murgatroyd and Ogden, and subsequently stripped of ornament at the upper floors. Application is to demolish most of the building and construct a new building. Zoned R-10. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-2598 - Block 1420, lot 7501-1127 3rd Avenue - Manhattan House - Individual Landmark A modern style mixed-use complex, consisting of a 21-story apartment house, and underground garage, and two groups of stores, designed by Mayer & Whittlesey and Skidmore, Owings, and Merrill, and built between 1947 and 1951. Application is to install through-the-wall HVAC louvers. Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-2184 - Block 1503, lot 57,58-28-30 East 92nd Street-Carnegie Hill Historic District Two Renaissance Revival style rowhouses designed by Henry J. Hardenbergh and built in 1892-95. Application is to combine

the buildings, alter the areaways, and construct rooftop and rear yard additions. Zoned R-10/C 1-5. Community District 8.

a10-23

## BOARD OF STANDARDS AND APPEALS

### ■ PUBLIC HEARINGS

MAY 7, 2013, 10:00 A.M.

**NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, May 7, 2013, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, N.Y. 10007, on the following matters:**

#### SOC CALENDAR

##### 30-02-BZ

APPLICANT – The Law Office of Fredrick A. Becker, for Trump Park Avenue, LLC, owner; Town Sports International dba New York Sports Club, lessee.  
SUBJECT – Application January 28, 2013 – Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a physical culture establishment/health club (*New York City Sports Club*) which expired on July 23, 2012; Amendment to permit the modification of approved hours and signage; Waiver of the Rules. C5-3, C5-2.5(Mid) zoning district.  
PREMISES AFFECTED – 502 Park Avenue, northwest corner of Park Avenue and East 59th Street, Block 1374, Lot 7502(36), Borough of Manhattan  
**COMMUNITY BOARD # 8M**

##### 328-02-BZ

APPLICANT – The Law Office of Fredrick A. Becker, for Park Avenue Building Co., LLP, owner; Town Sports International dba New York Sports Club, lessee.  
SUBJECT – Application January 30, 2013 – Extension of Term of a previously granted Special Permit (ZR 73-36) for the continued operation of a Physical Culture Establishment/Health Club (New York Sports Club) which expired on January 1, 2013. C5-3/C1-9 zoning district.  
PREMISES AFFECTED – 3 Park Avenue, southeast corner of Park Avenue and East 34th Street, Block 889, Lot 9001, Borough of Manhattan.  
**COMMUNITY BOARD # 5M**

##### 27-05-BZ

APPLICANT – Sheldon Lobel, P.C., for Cumberland Farms, Inc., owners.  
SUBJECT – Application February 4, 2013 – Extension of Term (§11-411) of an approved variance which permitted the operation of an automotive service station (UG 16B) with accessory uses, which expired on April 18, 2011; Amendment to permit the legalization of site layout and operational changes; Waiver of the Rules. C2-4/R6 zoning district.  
PREMISES AFFECTED – 91-11 Roosevelt Avenue, north side of Roosevelt Avenue between 91st and 92nd Street, Block 1479, Lot 38, Borough of Queens.  
**COMMUNITY BOARD #3Q**

#### APPEALS CALENDAR

##### 345-12-A

APPLICANT – Barry Mallin, Esq./Mallin & Cha, P.C., for 150 Charles Street Holdings LLC c/o Withroff Group, owners.  
SUBJECT – Application December 21, 2012 – Appeal challenging DOB's determination that developer is in compliance with ZR 15-41.  
PREMISES AFFECTED – 303 West Tenth Street aka 150 Charles Street, West Tenth, Charles Street, Washington and West Streets, Block 636, Lot 70, Borough of Manhattan.  
**COMMUNITY BOARD #2M**

##### 60-13-A

APPLICANT – NYC Department of Buildings.  
OWNER OF PREMISES -71 Greene LLC, 75 Greene LLC, 370 Clermont LLC and Earle F. Alexander.  
SUBJECT – Application February 6, 2013 – Appeal seeking to revoke Certificate of OccupancyNos. 147007 & 172308 as they were issued in error.  
PREMISES AFFECTED –71 & 75 Greene Avenue aka 370&378 Clermont Avenue, northwest corner of Greene and Clermont Avenues, Block 2121, Lots 44,41,36,39,105, Borough of Brooklyn.  
**COMMUNITY BOARD #2BK**

**\*Please note that on May 7th, the BZ calendar will immediately follow the SOC and A calendars.**

MAY 7, 2013, 10:00 A.M.

**NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, May 7, 2013, at 10:00 A.M., in Spector Hall, 22 Reade Street, New York, N.Y. 10007, on the following matters:**

#### ZONING CALENDAR

##### 113-12-BZ

APPLICANT – Mitchell S. Ross, Esq., for St. Paul CongHa-Sang R.C. Church, owners.  
SUBJECT – Application April 23, 2012 – Variance (§72-21) to permit parapet wall to exceed 42", and resulting front wall height and related structure contrary to §24-521 & 24-51. R2A zoning district.  
PREMISES AFFECTED – 32-05 Parsons Boulevard, northeast corner of Parsons Boulevard and 32nd Avenue, Block 4789, Lot 14, Borough of Queens.  
**COMMUNITY BOARD #7Q**

##### 206-12-BZ

APPLICANT – George Guttmann, for Dmitriy Kotlarsky, owner.  
SUBJECT – Application July 2, 2012– Variance (72-21) to legalize the conversion of the garage into a recreation space totaling the increase of 200 square feet of additional floor area contrary to ZR 23-141. R3-1 zoning district.

PREMISES AFFECTED – 2373 East 70th Street, between Avenue W & Avenue X, Block 8447, Lot 67, Borough of Brooklyn.  
**COMMUNITY BOARD #18BK**

##### 13-13-BZ & 14-13-BZ

APPLICANT – Slater & Beckerman, P.C., for The Green Witch Project LLC, owners.  
SUBJECT – Application January 25, 2013 – Variance (§72-21) to allow a single family residential building contrary to use regulations §42-00. M1-1 zoning district.  
PREMISES AFFECTED – 98 & 96 DeGraw Street, north side of DeGraw Street, between Columbia and Van Brunt Streets, Block 329, Lot 23, Borough of Brooklyn.  
**COMMUNITY BOARD #6BK**

##### 63-12-BZ

APPLICANT – Sheldon Lobel, P.C., for Cel-Net Holdings, Corp., owner; The Cliffs at Long Island City, LLC, lessee.  
SUBJECT – Application February 11, 2013 – Special Permit (§73-36) to permit the operation of rock climbing gymnasium (*The Cliffs*), which is considered a physical culture establishment. M1-4/R7A (LIC) zoning district.  
PREMISES AFFECTED – 11-11 44th Drive, north side of 44th Drive between 11th Street and 21st Street, Block 447, Lot 13, Borough of Queens.  
**COMMUNITY BOARD #2Q**

*Jeff Mulligan, Executive Director*

a17-18

## 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, April 24, 2013. 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 Columbia Grammar and Preparatory School to construct, maintain and use a ramp, steps and planted areas on the south sidewalk of West 94th street, east of Central Park West, 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, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the approval date to June 30, 2013 - \$1,293/annum.

For the period July 1, 2013 to June 30, 2014 - \$1,325  
For the period July 1, 2014 to June 30, 2015 - \$1,357  
For the period July 1, 2015 to June 30, 2016 - \$1,389  
For the period July 1, 2016 to June 30, 2017 - \$1,421  
For the period July 1, 2017 to June 30, 2018 - \$1,453  
For the period July 1, 2018 to June 30, 2019 - \$1,485  
For the period July 1, 2019 to June 30, 2020 - \$1,517  
For the period July 1, 2020 to June 30, 2021 - \$1,549  
For the period July 1, 2021 to June 30, 2022 - \$1,581  
For the period July 1, 2022 to June 30, 2023 - \$1,613

the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#2** In the matter of a proposed modification revocable consent authorizing Consolidated Edison Company of NY, Inc. to construct, maintain and use additional improvements. The improvements consist of antennas equipment boxes and conduits and related appurtenances on the tops and sides of The Department of Transportation street light poles, in the Five (5) Boroughs of the City of New York. The proposed revocable consent is for a term of nine years from the date of approval by the Mayor to June 30, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$84,421 + \$7,500/annum (prorated from the date of Approval by the Mayor)

For the period July 1, 2013 to June 30, 2014 - \$ 94,511  
For the period July 1, 2014 to June 30, 2015 - \$ 97,101  
For the period July 1, 2015 to June 30, 2016 - \$ 99,691  
For the period July 1, 2016 to June 30, 2017 - \$102,281  
For the period July 1, 2017 to June 30, 2018 - \$104,871  
For the period July 1, 2018 to June 30, 2019 - \$107,461  
For the period July 1, 2019 to June 30, 2020 - \$110,051  
For the period July 1, 2020 to June 30, 2021 - \$112,641  
For the period July 1, 2021 to June 30, 2022 - \$115,231

the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

**#3** In the matter of a proposed revocable consent authorizing Evergreen Gardens, Inc. to continue to maintain and use a tunnel under and across Evergreen Avenue, north of Story Avenue, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$3,527  
For the period July 1, 2013 to June 30, 2014 - \$3,623  
For the period July 1, 2014 to June 30, 2015 - \$3,719  
For the period July 1, 2015 to June 30, 2016 - \$3,815

For the period July 1, 2016 to June 30, 2017 - \$3,911  
For the period July 1, 2017 to June 30, 2018 - \$4,007  
For the period July 1, 2018 to June 30, 2019 - \$4,103  
For the period July 1, 2019 to June 30, 2020 - \$4,199  
For the period July 1, 2020 to June 30, 2021 - \$4,295  
For the period July 1, 2021 to June 30, 2022 - \$4,391

the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be the amount of One Thousand Two Hundred Fifty Million Dollars (1,250,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

**#4** In the matter of a proposed revocable consent authorizing Government of the Republic of Singapore to construct, maintain and use sidewalk lights on the south sidewalk of East 48th Street, west of United Nations Plaza, 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, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2023- \$125/annum.

the maintenance of a security deposit in the sum of \$1,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#5** In the matter of a proposed revocable consent authorizing Knickerbocker Square Associates, L.P. to continue to maintain and use a fenced-in planted area, on the north sidewalk of Gates Avenue, east of Knickerbocker Avenue, and continuing along east side of Knickerbocker Avenue in the northerly direction, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period from July 1, 2012 to June 30, 2022 - \$1,252/annum.

the maintenance of a security deposit in the sum of \$12,000 and the insurance shall be the amount of One Million Dollars (1,000,000) per occurrence, and Two Million Dollars (\$2000,000) aggregate.

a4-24

## PROPERTY DISPOSITION

### CITYWIDE ADMINISTRATIVE SERVICES

#### CITYWIDE PURCHASING

##### ■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Purchasing is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nydcas.ny/browse/home>. To begin bidding, simply click on 'Register' on the home page. There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more. Public access to computer workstations and assistance with placing bids is available at the following locations:

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

jj24-d1

## 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):

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

#### FOR ALL OTHER PROPERTY

- \* **Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906.**
- \* **Brooklyn - 84th Precinct, 301 Gold Street,**

Brooklyn, NY 11201, (718) 875-6675.  
 \* Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.  
 \* Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.  
 \* Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

## PROCUREMENT

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

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

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

## CITYWIDE ADMINISTRATIVE SERVICES

### ■ SOLICITATIONS

#### Goods

**TRUCK, VACUUM - DSNY** – Other – PIN# 857PS1300389 – DUE 05-15-13 AT 9:30 A.M. – Pre-solicitation conference for the above-listed commodity will be held on May 15, 2013 at 9:30 A.M. at DCAS/OCP, 1 Centre Street, 18th Floor South, Pre-Bid Conference Room, New York, NY 10007. Please review the attached specification before you attend the conference. If you have questions regarding this conference, please contact Joe Vacirca at (212) 669-8616 or by email at [jvacirca@dcas.nyc.gov](mailto:jvacirca@dcas.nyc.gov)

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 Department of Citywide Administrative Services,  
 1 Centre Street, 18th Floor, New York, NY 10007.  
 Joseph Vacirca (212) 669-8616; Fax: (212) 669-7581;  
[jvacirca@dcas.nyc.gov](mailto:jvacirca@dcas.nyc.gov)

a18

### ■ AWARDS

#### Goods

**POLYCHROM CLIN II COLUMNS (SOLE SOURCE)** – Sole Source – Available only from a single source - PIN# 8571200184 – AMT: \$189,358.20 – TO: Speware Corporation, 14180 Live Oak Avenue, Ste. 1, Baldwin Park, CA 91706.

a18

## CITYWIDE PURCHASING

### ■ SOLICITATIONS

#### Services (Other Than Human Services)

**PUBLIC SURPLUS ONLINE AUCTION** – Other – PIN# 0000000000 – DUE 12-31-14.

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,  
 66-26 Metropolitan Avenue, Queens Village, NY 11379.  
 Donald Lepore (718) 417-2152; Fax: (212) 313-3135;  
[dlepore@dcas.nyc.gov](mailto:dlepore@dcas.nyc.gov)

s6-f25

## MUNICIPAL SUPPLY SERVICES

### ■ AWARDS

#### Goods

**HP MICROCOMPUTER SYSTEMS - QUEENS DA** – Intergovernmental Purchase – PIN# 8571300356 – AMT: \$684,800.00 – TO: Derive Technologies LLC, 110 William Street, 14th Floor, NY, NY 10038. OGS Contr. PT65350.

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.

a18

**LAW ENFORCEMENT EQUIPMENT - NYPD** – Intergovernmental Purchase – PIN# 8571300362 – AMT: \$362,945.00 – TO: Nord Atlantic, Trading Inc., 9981 SW 130th Street, Miami, FL 33176. GSA Contr. GS-07F-0235U.

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

a18

### ■ VENDOR LISTS

#### Goods

**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: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j2-d31

## CORRECTION

### CENTRAL OFFICE OF PROCUREMENT

#### ■ AWARDS

#### Services (Other Than Human Services)

**AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS)** – Emergency Purchase – Judgment required in evaluating proposals - PIN# 072201324MIS – AMT: \$693,095.00 – TO: Morphotrak, Inc., 1250 North Tustin Avenue, Anaheim, CA 92807. Automated Fingerprint Identification System (AFIS) stores individuals fingerprints and feature data that enables it to interface with the existing NYC DOC Visitor Express System.

a18

## ENVIRONMENTAL PROTECTION

### AGENCY CHIEF CONTRACTING OFFICER

#### ■ SOLICITATIONS

#### Services (Other Than Human Services)

**LARGE VOLUME VENDORS OF RESIDENTIAL TOILET FIXTURES IN NEW YORK CITY** – Negotiated Acquisition – PIN# 8262012TRP001 – DUE 05-10-13 AT 4:00 P.M. – Time Sensitive Negotiated Acquisition. A pre-submission meeting will be held 4/25/2013 at 10:00 A.M. at 59-17 Junction Blvd., 11th Floor Conference Room.

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 Environmental Protection,  
 59-17 Junction Blvd., 11th Floor, Flushing, NY 11373.  
 Glorivee Roman (718) 595-3226; Fax: (718) 595-3208;  
[glroman@dep.nyc.gov](mailto:glroman@dep.nyc.gov)

a12-18

## FINANCE

### ■ INTENT TO AWARD

#### Services (Other Than Human Services)

**GENERAL BANKING SERVICES** – Negotiated Acquisition – PIN# 83613N0002 – DUE 04-29-13 AT 3:00 P.M. – This negotiation is between TD Bank and the New York City Department of Finance.

This notice is required as per the Procurement Policy Board Rules of the City of New York. This is not a solicitation for work It is an announcement only regarding the business of the City of New York.

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 Finance, 1 Centre Street, Room 1040,  
 New York, NY 10007. Adenike Bamgboye (212) 669-4264;  
[bamgboyea@finance.nyc.gov](mailto:bamgboyea@finance.nyc.gov)

a16-22

## 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

#### ■ AWARDS

#### Human / Client Services

**INFANT MORTALITY REDUCTION INITIATIVE** – BP/City Council Discretionary – PIN# 13FN030501R0X00 – AMT: \$197,900.00 – TO: Brooklyn Perinatal Network, Inc., 76 Nevins Street, Brooklyn, NY 11217.

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## HOMELESS SERVICES

### ■ AWARDS

#### Human / Client Services

**HUMAN SHELTER SERVICES** – Renewal – PIN# 07108P0039CNVR001 –

Sponsoring Agency  
 Bowery Residents' Committee  
 324 Lafayette Street, New York, N.Y. 10012  
 Program Site/Address  
 Safe Haven  
 315 Bowery, New York, N.Y. 10003  
 EPIN#: 07108P0039CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$13,481,008

Sponsoring Agency  
 Bowery Residents' Committee  
 324 Lafayette Street, New York, N.Y. 10012  
 Program Site/Address  
 Safe Haven The Lex  
 159 East 115th street, New York, N.Y. 10029  
 EPIN#: 07108P0041CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$5,943,864

Sponsoring Agency  
 Bronx Aids Services, Inc.  
 540 East Fordham Road, Bronx, N.Y. 10458  
 Program Site/Address  
 Prevention  
 540 East Fordham Road, Bronx, N.Y. 10458  
 EPIN#: 07110P0003002R001  
 Contract Term: 7/1/2013-6/30/2016  
 Contract Amount: \$245,454

Sponsoring Agency  
 Brooklyn Child and Family Service, Inc  
 44-60 Rockwell Place Brooklyn, N.Y. 11201  
 Program Site/Address  
 Rose F. Kennedy  
 178 Halsey Street, Brooklyn, N.Y.  
 EPIN#: 07108R0033CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$2,299,540

Sponsoring Agency  
 Bushwick Economic Development Corp  
 61 Cooper Street, Brooklyn, N.Y. 11207  
 Program Site/Address  
 Park Avenue Manor  
 652 Park Avenue, Brooklyn, N.Y. 11206  
 EPIN#: 07108P0004CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$11,341,960

Sponsoring Agency  
 CAMBA Legal Services, Inc.  
 885 Flatbush Avenue, 2nd Fl. Brooklyn, N.Y. 11226  
 Program Site/Address  
 Prevention  
 885 Flatbush Avenue, 2nd Fl., Brooklyn, N.Y. 11226  
 EPIN#: 07110P0003005R002  
 Contract Term: 7/1/2013-6/30/2016  
 Contract Amount: \$2,579,796

Sponsoring Agency  
 CAMBA, Inc.  
 1720 Church Avenue, Brooklyn, N.Y. 11226  
 Program Site/Address  
 Flagstone Family Center  
 1720 Church Avenue, Brooklyn, N.Y. 11226  
 EPIN#: 07109P0003CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$52,013,180

Sponsoring Agency  
 Common Ground Community  
 505 8th Avenue, 15th Floor, New York, N.Y. 10018  
 Program Site/Address  
 Outreach/Brooklyn and Queens  
 179 North Street, 3rd Floor, Brooklyn, N.Y. 11211  
 EPIN#: 07107P0019CNVR002  
 Contract Term: 7/1/2013-6/30/2016  
 Contract Amount: \$12,076,782

Sponsoring Agency  
 Common Ground Management Corporation  
 505 8th Avenue, New York, N.Y. 100018  
 Program Site/Address  
 Andrews Safe Haven  
 220 Bowery Street, New York, N.Y. 10012  
 EPIN#: 07108P0035CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$8,317,392

Sponsoring Agency  
 Common Ground Management Corporation  
 505 8th Avenue, New York, N.Y. 100018  
 Program Site/Address  
 Jamaica Safe Haven  
 89-25 Parsons Blvd., Jamaica, N.Y. 11432  
 EPIN#: 07108P0037CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$7,675,040

Sponsoring Agency  
 George Daly House HDFC  
 11 Park Place, Suite 1416, New York, N.Y. 10007  
 Program Site/Address  
 George Daly House  
 269 East 4th Street, New York, N.Y. 10918  
 EPIN#: 07108R0054CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$6,402,032

Sponsoring Agency  
 Goddard Riverside Community Center  
 593 Columbus Avenue, New York, N.Y. 10024  
 Program Site/ Address  
 Outreach/ Manhattan  
 593 Columbus Avenue, New York, N.Y. 10024  
 EPIN#: 07107P0021CNVR001  
 Contract Term: 7/1/2013-6/30/2016  
 Contract Amount: \$18,978,198

Sponsoring Agency  
 HELP Social Service Corporation  
 5 Hanover Square, 17th floor, New York, N.Y. 10004  
 Program Site/Address  
 Clarke Thomas  
 1 Wards Island, New York, N.Y. 10035  
 EPIN#: 07108P0011CNVR001  
 Contract Term: 7/1/2013-6/30/17  
 Contract Amount: \$18,571,104

Sponsoring Agency  
 HELP Social Service Corporation  
 5 Hanover Square, 17th floor, New York, N.Y. 10004  
 Program Site/Address  
 Hamilton  
 30 Hamilton Place, New York, N.Y. 10031  
 EPIN#: 07109P0013CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$23,218,188

Sponsoring Agency  
 Henry Street Settlement  
 265 Henry Street, New York, N.Y. 10002  
 Program Site/Address  
 Helen's House  
 309 Henry Street, New York, N.Y. 10002  
 EPIN#: 07108R0003CNVR001  
 Contract Term: 7/1/2013-6/30/2017  
 Contract Amount: \$2,496,672

Sponsoring Agency  
Housing Bridge  
652 Willoughby Avenue, Brooklyn, N.Y. 11206  
Program Site/Address  
Bridge Family Residence  
1149 Putnam Avenue, Brooklyn, N.Y. 11206  
EPIN#: 07108P0032CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$21,735,744

Sponsoring Agency  
Housing Conservation Coordinators, Inc.  
777 10th Avenue, New York, N.Y. 10019  
Program Site/Address  
Prevention  
770 10th Avenue, New York, N.Y. 10019  
EPIN#: 07110P0003007R001  
Contract Term: 7/1/2013-6/30/2016  
Contract Amount: \$245,454

Sponsoring Agency  
Icahn Cluster Model Program, LLC  
1520 Brook Avenue, Bronx, N.Y. 10457  
Program site/Address  
Icahn Cluster  
1520 Brook Avenue, Bronx, N.Y. 10457  
EPIN#: 07109P0025CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$44,992,844

Sponsoring Agency  
Legal Services for New York City  
350 Broadway, 6th floor, New York, N.Y. 10013  
Program Site/Address  
Prevention  
350 Broadway, New York, N.Y. 10013  
EPIN#: 07110P0003006R001  
Contract Term: 7/1/2013-6/30/2016  
Contract Amount: \$3,375,000.00

Sponsoring Agency  
Lenox Hill Neighborhood House, Inc.  
331 East 70th Street, New York, N.Y. 10021  
Program Site/Address  
Park Avenue  
643 Park Ave, Armory New York, N.Y. 10021  
EPIN#: 07108P0030CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$10,015,968

Sponsoring Agency  
Milbank Housing Developing Fund Corp.  
105 East 22nd Street, New York, N.Y. 10010  
Program Site/Address  
Milbank HDFC  
17-21 West 118th Street, New York, N.Y. 10026  
EPIN#: 07106R0045CNVR003  
Contract Term: 1/1/2013-12/31/2013  
Contract Amount: \$919,368

Sponsoring Agency  
Neighborhood Association for Inter-Cultural Affairs, Inc.  
1075 Grand Concourse, Suite 1B, Bronx, N.Y. 10452  
Program Site/Address  
Prevention  
1075 Grand Concourse, Suite 1B, Bronx, N.Y. 10452  
EPIN#: 07110P0003003R001  
Contract Term: 7/1/2013-6/30/2016  
Contract Amount: \$2,970,069

Sponsoring Agency  
New York Legal Assistance Group  
450 West 33rd Street, New York, N.Y. 10001  
Program Site/Address  
Prevention  
450 West 33rd Street, New York, N.Y. 10001  
EPIN#: 07110P0003008R001  
Contract Term: 7/1/2013-6/30/2016  
Contract Amount: \$1,065,666

Sponsoring Agency  
Northern Manhattan Improvement Corp.  
76 Wadsworth Avenue, New York, N.Y. 10033  
Program Site/Address  
Prevention  
76 Wadsworth Avenue, New York, N.Y. 10033  
EPIN#: 0711P0003004R001  
Contract Term: 7/1/2013-6/30/2016  
Contract Amount: \$611,181

Sponsoring Agency  
Project Hospitality, Inc.  
100 Park Avenue, Staten Island, N.Y. 10302  
Program Site/Address  
Outreach/Staten Island  
25 Central Avenue, Staten Island, N.Y. 10301  
EPIN#: 07107P0017CNVR003  
Contract Term: 7/1/2013-6/30/2016  
Contract Amount: \$3,072,372

Sponsoring Agency  
Ridgewood Bushwick Senior Services Center  
555 Bushwick Avenue, Brooklyn, N.Y. 11206  
Program Site/Address  
Prevention  
217 Wyckoff Avenue, Brooklyn, N.Y. 11237  
EPIN#: 07110P0003010R005  
Contract Term: 7/1/2013-6/30/2016  
Contract Amount: \$245,454

Sponsoring Agency  
Salvation Army  
120 West 14th Street, New York, N.Y. 10011  
Program Site/Address  
Kingsboro  
681 Clarkson Avenue, Brooklyn, N.Y. 11203  
EPIN#: 07108P0002CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$13,942,332

Sponsoring Agency  
Salvation Army  
120 West 14th Street, New York, N.Y. 11201  
Program Site/Address  
Springfield Gardens  
146-80 Guy R. Brewer Boulevard, Queens, N.Y. 11434  
EPIN#: 07108P0027CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$8,049,512

Sponsoring Agency  
SCO Family of Services, Inc.  
1 Alexander Place, Glen Cove, N.Y. 11542  
Program Site/Address  
El Camino Inn  
160-11 89th Avenue, Queens, N.Y. 11432  
EPIN#: 071090023CNVR001  
Contract Term: 7/1/2013-6/30/2018  
Contract Amount: \$34,127,760

Sponsoring Agency  
The Legal Aid Society  
199 Water Street, 9th, New York, N.Y. 10038  
Program Site/Address  
Prevention/Court Base  
190 Water Street, New York, N.Y. 10038  
EPIN#: 07110P0003009A001  
Contract Term: 7/1/2013-6/30/2016  
Contract Amount: \$4,500,000

Sponsoring Agency  
The Legal Aid Society  
199 Water Street, 9th, New York, N.Y. 10038  
Program Site/Address  
Prevention  
199 Water Street, New York, N.Y. 10038  
EPIN#: 07110P0003001R001  
Contract Term: 7/1/2013-6/30/2016  
Contract Amount: \$3,375,000

Sponsoring Agency  
Urban Pathways, Inc.  
575 8th Avenue, New York, N.Y. 10018  
Program Site/Address  
Traveler's Hotel  
274 West 40th Street, New York, N.Y. 10018  
EPIN#: 07108P0028CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$5,612,000

Sponsoring Agency  
Volunteers of America  
340 West 85th Street, New York, N.Y. 10024  
Program Site/Address  
Schwartz Shelter  
One Wards Island, New York, N.Y. 10035  
EPIN#: 07108P0013CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$23,359,348

Sponsoring Agency  
Volunteers of America  
340 West 85th Street, New York, N.Y. 10024  
Program Site/Address  
Safe Haven  
40 West 170th Street, Bronx, N.Y. 10452  
EPIN#: 07108R0005CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$5,941,636

Sponsoring Agency  
Volunteers of America  
340 West 85th Street, New York, N.Y. 10024  
Program Site/Address  
Lydia Hoffman Residence  
855 East 175th Street, Bronx, N.Y. 10460  
EPIN#: 07108R0005CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$4,867,876

Sponsoring Agency  
Women in Need, Inc.  
115 West 31st Street, New York, N.Y. 10001  
Program Site/Address  
Monica Apartments  
501 New York Avenue, New York, N.Y. 11225  
EPIN#: 07108P0044CNVR001  
Contract Term: 7/1/2013-6/30/2017  
Contract Amount: \$7,374,248

4-04(2)of the Procurement Policy Board Rules, the Department Of Homeless Services intends to exercise renewal options for the provision of shelter services for the homeless. a18

**HOUSING AUTHORITY**

**PURCHASING**

**SOLICITATIONS**

*Goods & Services*

**SMD\_FURNISH ELKAY SINKS** – Competitive Sealed Bids – RFQ# 59499 HS – DUE 05-02-13 AT 10:30 A.M. – This is a RFQ for a 2 year blanket order agreement. The awarded bidder/vendor agrees to have readily available for delivery within 10 days after receipt of order on an "as needed basis" during the duration of the contract period. The quantities provided are estimates based on current usage and the New York City Housing Authority may order less or more depending on our needs. All price adjustable RFQ's are fixed for one year after award date. One price adjustment per year will be allowed with mfg. supporting documentation only. Please note: NYCHA reserves the right to make award by line or by class as indicated. Samples may be required to be provided within 10 days of request. Failure to do will result in bid being considered non-responsive.

*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, Supply Management Dept., 90 Church Street, 6th Floor, New York, NY 10007. Bid documents available via internet ONLY: [http://www.nyc.gov/html/nycha/html/business/goods\\_materials.shtml](http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml) Harvey Shenkman (212) 306-4558; shenkmah@nycha.nyc.gov* a18

**HOUSING PRESERVATION & DEVELOPMENT**

**MAINTENANCE**

**SOLICITATIONS**

*Construction Related Services*

**HURRICANE SANDY RELATED EMERGENCY** – Emergency Purchase – Specifications cannot be made sufficiently definite - PIN# 80613E0019001 – AMT: \$250,000.00 – TO: B and N and K Restoration Co., Inc., 223 Randolph Avenue, Clifton, NJ 07011.  
**HURRICANE SANDY RELATED EMERGENCY** – Emergency Purchase – Specifications cannot be made sufficiently definite - PIN# 80613E0017001 – AMT: \$250,000.00 – TO: Linear Environmental Corp., 10-25 44th Avenue, Long Island City, NY 11101-6913. a18

**INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS**

**SOLICITATIONS**

*Services (Other Than Human Services)*

**QUEST SOFTWARE AND MEDIA MAINTENANCE SUPPORT** – Intergovernmental Purchase – Judgment required in evaluating proposals - PIN# 85813O0001001 – AMT: \$1,635,715.50 – TO: Dell Marketing LP, One Dell Way, Round Rock, TX 78682. a18

**PARKS AND RECREATION**

**CAPITAL PROJECTS**

**SOLICITATIONS**

*Construction Related Services*

**EXTENDED DESIGN AND CONSTRUCTION MANAGEMENT SERVICES** – Negotiated Acquisition – Available only from a single source - PIN# 8462013X126S01 – DUE 05-01-13 AT 4:30 P.M. – Department of Parks and Recreation, Capital Projects Division, intends to enter into a Negotiated Acquisition with Planning Design Inc., dba Sanford Golf Design, for Extended Design and Construction Management Services for the Construction of a Tournament Quality Golf Course at Ferry Point Park, The Bronx.

Any firms that would like to express their interest in providing services for similar projects in the future may do so. All expressions of interest must be in writing to the address listed here and received by May 1st, 2013. You may join the City Bidders list by filling out the "NYC-FMS Vendor Enrollment Application" available on-line at NYC.gov/selltonyc" and in hard copy by calling the Vendor Enrollment Center (212) 857-1680.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Parks and Recreation, Olmsted Center, Room 60, Flushing Meadows-Corona Park, Flushing, NY 11368. Grace Fields-Mitchell (718) 760-6687; Fax: (718) 760-6885; grace.fields-mitchell@parks.nyc.gov* a18-24

**SANITATION**

**AGENCY CHIEF CONTRACTING OFFICER**

**SOLICITATIONS**

*Goods & Services*

**CONTRACT FOR MOWING EXISTING GRASS, WEEDS, AND TURF** – Competitive Sealed Bids – PIN# 82713WD00009 – DUE 05-16-13 AT 11:00 A.M. – Bid Estimate - \$675,000. There is a \$40.00 refundable fee for this bid document. Postal money order, please make payable to "Comptroller, City of New York."

Agency contact person for all any correspondence must be addressed to: Patrick J. Lamano, New York City Department of Sanitation, Landfill Engineering Trailer, Foot of Muldoon Avenue, Staten Island, NY 10312.

The Department will hold a pre-bid conference on the date, time, and location set forth below: Landfill Engineering Trailer. Foot of Muldoon Avenue, Staten Island, NY 10312, at 10:00 A.M. on May 7th, 2013.

In accordance with Schedule A of the bid document, if your bid is over \$500,000, you must submit a certified check or money order equal to 5 percent of the Bid amount of Bid Bond with Penal Sum equal to 10 percent of the Bid amount. "This Procurement is subject to Local Law 129 of 2005." This Procurement is subject to a Project Labor Agreement (PLA).

*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 Sanitation, 44 Beaver Street, Room 203, New York, NY 10004. ACCO (212) 437-5057; Fax: (212) 514-6808; rbeza@dny.nyc.gov* a18

**SCHOOL CONSTRUCTION AUTHORITY**

**SOLICITATIONS**

*Construction / Construction Services*

**LIBRARY UPGRADE** – Competitive Sealed Bids – PIN# SCA13-13618D-1 – DUE 05-01-13 AT 10:30 A.M. – Martin Luther King Jr. High School (Manhattan). Project Range: \$1,200,000.00 - \$1,261,000.00. 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, Procurement Department, 1st Floor, Long Island City, NY 11101. Ekoko Omadeke (718) 752-5854; Fax: (718) 472-0477; eomadeke@nycsca.org* a18

**CONTRACT SERVICES**

**SOLICITATIONS**

*Construction / Construction Services*

**FLOOD ELIMINATION** – Competitive Sealed Bids – PIN# SCA13-14541D-1 – DUE 05-07-13 AT 2:30 P.M. – PS 11 (Brooklyn). Non-refundable Document Fee: \$100.00.

Project Range: \$1,240,000.00 to \$1,310,000.00. Pre-Bid Meeting Date: April 24, 2013 at 10:00 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.  
School Construction Authority, 30-30 Thomson Avenue, First Floor, Long Island City, NY 11101.  
Ricardo Forde (718) 752-5288; Fax: (718) 472-0477;  
rforde@nycsca.or

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## PROCUREMENT

### SOLICITATIONS

#### Construction / Construction Services

**ELECTRICAL UPGRADE** – Competitive Sealed Bids – PIN# SCA13-14537D-1 – DUE 05-07-13 AT 11:00 A.M. – PS 43 (Bronx). Project Range: \$970,000.00 - \$1,021,000.00. 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, L.I.C., NY 11101. Iris Vega (718) 472-8292;  
Fax: (718) 472-0477; ivega@nycsca.org

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## TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

### PROCUREMENT

### SOLICITATIONS

#### Construction / Construction Services

**INSTALLATION OF NECKLACE LIGHTING AND ACOUSTIC MONITORING UPGRADE AT THE BRONX-WHITESTONE BRIDGE** – Competitive Sealed Bids – PIN# BW1500000000 – DUE 05-14-13 AT 3:00 P.M. – A site tour and pre-bid conference will be scheduled for 04/25/13 at 10:00 A.M. Reservations must be made by contacting Brian A. Walsh, Manager, Projects at (646) 252-7155, no later than noon the preceding work day. Must have two (2) forms of identification, including photo ID. Please visit [www.mta.info](http://www.mta.info) for more information.

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.  
Triborough Bridge and Tunnel Authority, 2 Broadway, 23rd Floor, New York, NY 10004.  
Victoria Warren (646) 252-7092; Fax: (646) 252-7077;  
vprocure@mtabt.org

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## AGENCY RULES

## BUSINESS INTEGRITY COMMISSION

### NOTICE

#### Notice of Promulgation of Rules

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Business Integrity Commission by Section 2101(b)(6) of the New York City Charter and in accordance with Section 1043 of the Charter, that the Business Integrity Commission hereby amends subchapter E of Chapter 1 of Title 17 of the Rules of the City of New York relating to trade waste brokers.

This rule was first published on February 6, 2013, and a public hearing thereon was held on March 11, 2013.

#### Statement of Basis and Purpose of Final Rule

Under section §2101 of the New York City Charter, the Business Integrity Commission (BIC) is authorized to regulate the trade waste industry. To ensure trade waste businesses operate free of organized crime and corruption, BIC regulates both the providers of trade waste collection services and the trade waste brokers. As provided in Administrative Code Title 16-A, § 16-504(a), BIC regulates the issuance, suspension and revocation of registrations for trade waste brokers. Under § 16-504(i), BIC is authorized to promulgate rules the Commission deems necessary and appropriate to effectively regulate the waste removal industry, including the regulation of trade waste brokers.

These rule amendments are designed to improve BIC's capacity to properly regulate the trade waste broker community and to ensure trade waste brokers are operating fairly and free of corruption. The new amendments will also ensure BIC's rules are fair across the trade waste industry, by making rules and requirements for trade waste brokers more consistent with those of licensed providers of trade waste removal collection or disposal services, as enumerated in Title 17 Subchapter E of the Rules of the City of New York.

Specifically, the new amendments will require trade waste brokers to follow BIC rules whether they are working with licensees or registrants.

The amendments will also require trade waste brokers to follow record keeping and record reporting requirements comparable to the requirements of licensees, including:

- Maintenance and production of accounting records, including cash receivable and cash disbursement journals, payroll records, general ledgers, customer subsidiary ledgers, accounts payable ledgers and other accounting records;
- Maintenance and production of customer information;
- Maintenance and production of annual financial

statements;

- Maintenance and production of an annual report;
- Maintenance and production of the broker's Customer Register; and
- Maintenance and production of complaints made against the broker.

The new amendments also define the requirements for agreements and contracts with customers for broker services. The amendments address the information that must be included in contracts between brokers and customers, as well as the duration of such contracts. Specifically, contracts entered into after the effective date of this rule may not exceed two years in duration. Contracts entered into prior to the effective date of the rule will be deemed to terminate no later than two years following the rule's effective date. Additionally, any written contracts without a termination date will be deemed terminable at will by either party upon fourteen days written notice. Oral agreements between customers and a trade waste brokers must be deemed terminable at will by either party upon fourteen days written notice to the other party. In no instance may a broker terminate services or raise rates without at least fourteen days written notice to the customer.

Under the amendments, BIC approval will now be required before subcontracting or assigning broker services and before any sales, mergers or acquisitions of trade waste brokerages involving other businesses under BIC's jurisdiction.

In this final rulemaking, BIC is also amending the fee for review of any proposed asset sale, assignment of contract, merger, acquisition, or similar transaction by a licensee to reflect the most recent user cost analysis. The same fee structure will now be applied to transactions by registered trade waste brokers to ensure the marketplace is run fairly and free from criminal influence.

This rule will go into effect on May 20, 2013. However, provisions requiring new record keeping or invoicing will go into effect on August 19, 2013. Brokers will need to file customer registers on July 31, 2014 and every six months thereafter. Brokers will need to file financial statements six months after the close of the broker's first fiscal year that ends on or after August 20, 2014, and then on an annual basis thereafter.

Nothing in these amendments to subchapter F relating to trade waste brokers is intended to alter or affect the meaning or application of the requirements for licensees as provided in subchapter E of these rules as interpreted by BIC.

"Shall" and "must" denote mandatory requirement and may be used interchangeably in the text below, unless otherwise specified or unless the context clearly indicates otherwise.

New text is underlined; deleted text is in [ ] brackets.

Section 1. Paragraph (3) of subdivision (b) of section 5-05 of subchapter E of Chapter 1 of Title 17 of the Rules of the City of New York is amended to read as follows:

(3) Investigation, inspection, and evaluation fee. The fee for investigation and review [of any proposed asset sale, assignment of contract, merger, acquisition, or similar transaction, shall be fifteen hundred dollars (\$1500) per principal and entity involved] of any proposed transaction described in paragraphs (1) and (2) of this subdivision shall be four thousand and five hundred dollars (\$4500) per entity involved and twelve hundred (\$1200) per principal involved.

After submission to the Commission of an appropriate request for review of such a transaction, the Commission shall notify the parties to the transaction of the total fee amount due and owing, which shall be paid in full within ten days after such notification. The Commission, in its discretion, may waive or reduce fees upon written request in light of one or more of the following reason(s):

- specified persons or entities have recently undergone completed background investigations by the Commission;
- the value of the transaction under review is minimal;
- specified persons or entities need not undergo background investigations because of their attenuated connection to the transaction;
- the transaction does not involve the sale, assignment, or other transfer of any accounts or customer contracts (e.g. trucks or other non-customer assets);
- the transaction involves less than 5 customers;
- the transaction involves unique characteristics or other mitigating factors that would warrant a reduction or waiver of fees.

§ 2. Subchapter F of Chapter 1 of Title 17 of the Rules of the City of New York is amended to read as follows:

#### § 6-01. Presentation of Registration to Customer; Posting of Registration.

A trade waste broker "broker" shall not conduct an evaluation or analysis of a business' trade waste stream or broker a transaction between a commercial establishment and a trade waste business required to be licensed or registered pursuant to this chapter, unless such broker has first presented a copy of his or her registration to such customer or prospective customer. A trade waste broker shall conspicuously post the registration issued by the Commission at the broker's place of business.

#### § 6-02. Acceptance of Payment.

(a) A trade waste broker who conducts an evaluation or analysis of a trade waste stream shall not request or accept any payment in regard to such evaluation or analysis from a party other than the customer or prospective customer for whom such services are performed unless such broker has first disclosed to such customer or prospective customer in writing that the broker proposes to request or accept such payment. A copy of such notice to the customer or prospective customer shall be submitted to the Commission within fifteen (15) days of such disclosure.

(b) A trade waste broker who brokers a transaction between a customer or prospective customer of trade waste removal, collection or disposal services and a trade waste business required to be licensed or registered pursuant to this chapter shall not request or accept payment from such trade waste business. A trade waste broker shall not broker a transaction between a customer or prospective customer and a trade waste business owned by, operated by, or affiliated with the trade waste broker or any principal thereof.

(c) A trade waste broker who brokers a transaction between a customer or prospective customer of trade waste removal, collection or disposal services and a trade waste business required to be licensed or registered pursuant to this chapter shall state in writing to such customer or prospective customer that such broker has examined the rate schedules made available by the Commission pursuant to section 5-02 of this chapter.

#### § 6-03. Collection of Fees Prohibited; Contract Duration.

(a) A trade waste broker shall not engage in the collection of fees from commercial establishments for trade waste removal by a trade waste business required to be licensed or registered pursuant to this chapter except where: (i) the contract for such fee collection complies with standards set forth in subdivision (b) of this section; (ii) such fee collection is upon the request of the customer; and (iii) such fee collection is part of an agreement providing for other services such as periodic waste evaluation and consulting with respect to source separation, recycling or other business practices relating to trade waste.

(b) A contract that includes provision for the collection by a trade waste broker of fees for trade waste removal shall be submitted to the Commission and shall set forth the fee charged for such collection, the rates charged by the trade waste removal business, the method of billing employed by the trade waste removal business and shall provide that the trade waste broker provide the customer with a monthly statement detailing the volume of trade waste removed.

(c) A contract for the provision of brokering services to a commercial establishment shall not exceed two years in duration.

#### § 6-04. Records and Reporting Requirements.

[A trade waste broker shall maintain a complete and accurate set of books of account reflecting operation of the broker's business and documents, receipts, bills and other written records that concern such business. Such records shall be maintained for five years unless the Commission directs otherwise. The period for which records must be retained may be reduced only where the Commission so directs in a specific case in writing. The Commission may, in specific instances at its discretion, require more or less exacting record keeping and reporting requirements and may require the retention of identified records for a period exceeding five years. Such records shall be made available for inspection and audit by the Commission. The Commission may conduct such an inspection or audit at the trade waste broker's place of business or, at the Commission's discretion, at the offices of the Commission. The trade waste broker shall cooperate with the representatives conducting any such inspection or audit.]

(a) A trade waste broker shall keep a register of customers in a form or in a computer format approved by the Commission. This register shall contain a list of all businesses that have been served by the trade waste broker during the period covered by such register and shall describe the services performed for each business, the fees charged to such business by the trade waste broker for such services, any fee collected from any other source in relation to such services, and the name of the business to which such fees were charged.

(b) In addition to the requirements for the customer ledger set forth in subdivision a of this section, where, pursuant to section 6-03 of this chapter, a trade waste broker collects fees from a commercial establishment for trade waste removal by a trade waste removal business required to be licensed pursuant to this chapter, such broker shall include in the customer register a description of the other services provided for the customer as required by paragraph (iii) of such subdivision and shall retain for inspection by the Commission a copy of the customer's request for such collection service as required by paragraph (ii) of such subdivision and the contract governing the agreement to provide services.]

(a) Definitions. For the purposes of this subchapter, the following terms apply:

(1) The term "payor" shall mean any person who reimburses the broker for any purpose.

(2) The term "customer" means an entity who engages a trade waste broker to either (i) represent the entity for the purpose of securing trade waste removal by a licensed or registered provider, or (ii) to analyze the entity's waste stream to recommend a cost efficient means of waste disposal or to make other recommendations with respect to related business practices.

(b) A trade waste broker shall maintain any records concerning its business including but not limited to: bills and purchase invoices (with notations identifying whether the bill or invoice was paid and, if so, the check number and date), deposit slips, copies of checks received from payors, bank statements, cancelled checks, tax returns (copies of Federal, State, and local returns with all supporting schedules), copies of accountants' work papers, insurance policies, petty cash disbursement records, IRS W-2 forms, IRS W-4 forms, IRS 1099 forms, I-9 forms, internal memoranda concerning the trade waste broker's finances or one or more customers or prospective customers of the broker, contracts, copies of cash receipts, documents reflecting electronic fund transfers, written correspondence, contract assignments, waste stream analyses, rate schedules, documents concerning route sales, discount rate lists, documents concerning mergers, acquisitions, subcontracts and asset sales, and all documents supporting, evidencing, or used to create the reports, books, journals, registers, and ledgers that the broker is required to maintain pursuant to this section.

(c) A trade waste broker must provide each payor with a written receipt for all cash payments. These receipts must include the name and address of the broker, the registration number of the broker, the date of the payment, the amount of the payment and the identity of the payor. The broker or the broker's authorized agent must sign the receipt. The broker must then keep a duplicate copy of the receipt as part of its books and records in accordance with the requirements of subdivision (e).

(d) A trade waste broker must not make any payment in excess of one thousand dollars (\$1,000) in cash or by check made payable to "Petty Cash". A trade waste broker must not make any check payable to "Cash".

(e) A trade waste broker must maintain a complete and accurate set of books of account reflecting the operation of the broker's business. Such books may be maintained on a computerized accounting system. The books must be in accordance with Generally Accepted Accounting Principles and be kept on either a cash or an accrual basis of accounting. The books must be kept on a quarterly or monthly basis, as provided in this subdivision, and be brought up to date no later than thirty days after the end of each preceding quarter or month. The books shall include the following journals and ledgers:

(1) Cash Receipts Journal showing for each payment received:

(i) The date payment was received;

(ii) The identity of the payor;



(iii) The amount of the payment;

(iv) The check number; and

(v) A brief explanation of the purpose of the payment.

(2) Cash Disbursements Journal showing for each payment made:

(i) The date payment was made;

(ii) The identity of the payee;

(iii) The amount of the payment;

(iv) The check number; and

(v) A brief explanation of the purpose of the payment.

(3) Payroll Journal showing:

(i) The name of the employee;

(ii) Job title and position of the employee;

(iii) The home address of the employee;

(iv) The social security number of the employee;

(v) Gross pay;

(vi) Deductions; and

(vii) Net pay.

(4) General Journal showing all non-cash transactions including adjusting entries, reversing entries, correcting entries, and reclassifying entries with explanations.

(5) General Ledger maintaining an account for each kind of asset, liability, capital, income and expense accounts. Each posting to an account must include the date, folio page and amount. Balances of each account must be updated on a monthly basis.

(6) Customer Subsidiary Ledger including a separate account for each of the broker's customers, arranged alphabetically, showing:

(i) The name of the customer;

(ii) The customer's billing address;

(iii) Telephone number;

(iv) The name, billing address and phone number of any licensee or registrant who will be removing customer's waste;

(v) A description of the services provided to the customer;

(vi) Monthly charges to each customer;

(vii) Monthly collections from each customer;

(viii) The rate collected from customers (per cubic yard or ton where applicable);

(ix) The date, check number and amount of payments received;

(x) If the broker has arranged agreements between consumers and providers of trade waste removal, collection or disposal services, the name, billing address, and license or registration number of the provider of trade waste removal, collection or disposal who will serve the customer; and

(xi) If the broker has arranged agreements between consumers and providers of trade waste removal, collection or disposal services, the rate the provider of trade waste removal, collection or disposal is paid to remove, collect or dispose of customer's trade waste.

(7) Accounts Payable Subsidiary Ledger showing for each account:

(i) The date of purchase;

(ii) The name of the vendor or supplier;

(iii) The amount payable; and

(iv) A brief explanation of the accounts payable item.

(8) Other Subsidiary Ledgers must be kept for accounts that are not maintained elsewhere. This includes subsidiary ledgers for Loans and Notes Payable and Loans and Notes Receivable (which must include details of each loan and note including the date of the payment, the identity of the debtor or creditor, the form of the payment, and the check number, if applicable).

(f) (1) A trade waste broker must maintain an annual financial statement in a form or computer format prescribed by the Commission. The financial statements must include a balance sheet, an income statement, a statement of cash flows and a statement of retained earnings or (if the broker is a sole proprietorship or partnership) capital.

(2) The broker must retain the following records:

(i) The balance sheet, including the balance for each group or type of asset, liability, and capital amount at the end of the accounting period.

(ii) The income statement including the balance of each group or type of income and expense for the accounting period.

(3) The following schedules must be included in the financial statement in support of the balance sheet and income statement:

(i) A schedule of investments;

(ii) Allowances for doubtful accounts;

(iii) Prepaid expenses;

(iv) Miscellaneous current and other assets;

(v) Fixed assets, depreciation and accumulated depreciation;

(vi) Notes payable and receivable;

(vii) Taxes prepaid and accrued;

(viii) Miscellaneous current and accrued liabilities;

(ix) Capital stock;

(x) Additional paid-in capital;

(xi) Retained earnings;

(xii) Intangible assets and accumulated amortization; and

(xiii) Records related to any waste stream analysis performed.

(4) Operating, administrative and general expenses must be summarized and shall include schedules as follows:

(i) A payroll analysis with details of employee wages;

(ii) A compensation schedule for officers, directors and owners;

(iii) A revenue analysis;

(iv) An analysis of interest paid and received; and

(v) An amortization expense analysis.

(g) No later than six (6) months following the end of the trade waste broker's fiscal year, all brokers must file a report on a form or computer format prescribed by the Commission. Such annual report must include the financial statement described in subdivision (f) of this section and other information and documents concerning the broker's operations, including but not limited to: financial information reported on a calendar year basis, the management letter issued by the broker's auditor to the broker, if any, information concerning affiliations with other licensees and brokers; information concerning the organization and control of the broker, corporate control over the broker, corporations controlled by the broker, officers and directors of the broker, and security holders of and voting powers within the trade waste broker's business; and management, engineering and other contracts of the broker. The trade waste broker must certify, and the principal responsible for the broker's financial affairs must swear under oath upon penalty of perjury, that the financial statement accurately reflects the broker's accounts and financial operations.

(h) In the event that a revision of the report is required by the Commission subsequent to review by an auditor on the Commission's staff, an amended report must be submitted to the Commission no later than the date specified by the Commission.

(i) The Commission may require that the financial statements required under this section be audited by an independent certified public accountant. The certified public accountant must not be employed by or related to the trade waste broker or any principal of the broker and must not have any financial interest in the broker or any principal of the broker. The auditor shall render an opinion regarding: (1) the results of the broker's operations and cash flows for the broker's fiscal year end and (2) whether the financial statements accurately reflect the financial position of the broker as of the balance sheet date. The auditor need not opine on paragraphs (3) and (4) of subdivision (f) of this section. The auditor must also issue a supplemental opinion on the broker's compliance with the financial record-keeping and reporting requirements of the Commission. The supplemental opinion must detail every variance or deviation from the Commission's requirements noted during the auditor's examination of the broker's financial books and records. The trade waste broker must certify, and the principal responsible for the broker's financial affairs must swear under oath upon penalty of perjury, that the financial statement accurately reflects the broker's accounts and financial operations. At the completion of the audit, the broker must obtain from the auditor copies of the accountant's work papers.

(j) A trade waste broker must maintain a complete and accurate Customer Register on a form or in a computer format approved by the Commission, and file the Customer Register with the Commission as provided in paragraph (3) of this subdivision.

(1) The Customer Register must contain a list of all customers currently served by the broker. This list must include the customer's name and the name of an authorized representative of the customer, any trade name of the customer, the customer's address(es) of service and billing address, the customer's telephone number, the date on which services commenced, the total charge to the customer per month, and such other information as may be specified by Commission directives. Where, pursuant to section 6-03 of this chapter, a trade waste broker collects fees from a commercial establishment for trade waste removal by a trade waste removal business required to be licensed pursuant to this chapter, such broker shall include in the customer register a description of the other services provided for the customer as required by section 6-03(a)(iii) and shall retain for inspection by the Commission a copy of the customer's request for such collection service as required by section 6-03(a)(ii) and the contract governing the agreement to provide services.

(2) If the broker has secured a contract or agreement between a customer and a provider of trade waste removal, collection or disposal services, the Customer Register shall state the name, billing address and license or registration number of the provider. Additionally, the Customer Register must include the date on which services commenced, the total charge to the customer per month, including the charge for brokering services, and such other information as may be specified by Commission directives.

(3) A complete and up-to-date Customer Register must be filed twice each year: on January 30 for the period from June 1 through December 31, and on July 31 for the period from January 1 through June 30, or as often as ordered by the Commission. In the event that the Commission grants a new registration, the newly registered trade waste broker must submit its first Customer Register to the Commission no later than 90 days after the

granting of its registration, unless otherwise directed by the Commission.

(k) A trade waste broker must maintain a register of all complaints that such broker receives from customers, licensees or registrants.

(l) All records, receipts, documents, journals, ledgers, registers, and books required by this section, must be maintained for five years unless the Commission directs otherwise. This period for record keeping will only be reduced if the Commission so directs in a specific case in writing. The Commission may in specific instances, in its discretion, require more or less exacting record-keeping and reporting requirements and may require the retention of identified records for a period of time exceeding five years.

(m) All records, receipts, documents, journals, ledgers, registers, and books that must be maintained pursuant to this section, must be made available for inspection and audit by the Commission. The Commission may conduct an inspection or audit at the trade waste broker's place of business or at the offices of the Commission. The broker shall cooperate with the representatives of the Commission conducting any such inspection or audit.

(n) If any due date under this section falls on a weekend or City holiday, the due date shall be deemed to be the first business day following such weekend or holiday.

#### **§ 6-05. Compliance with Applicable Law and Regulation.**

All trade waste brokers shall at all times comply with all the laws, rules and regulations of Federal, State and local governmental authorities having jurisdiction over any of the brokers' activities. Failure to comply with these laws, rules or regulations shall be grounds for suspension and/or revocation of the registration and, in addition to any other penalty provided by law, the imposition of penalties pursuant to section 1-04 of this chapter.

#### **§ 6-06. Agreements and Contracts with Customers; Service to Customers.**

(a) Trade waste removal providers. A trade waste broker may only arrange for trade waste removal services to be provided by haulers licensed or registered by the Commission, in accordance with §16-505 of the Administrative Code.

(b) Term and form of contract; requirements; service and discontinuation of service; increase of rates.

(1) A contract for the services of a trade waste broker entered into after the effective date of this rule shall not exceed two years in duration.

(2) A contract to provide the services of a trade waste broker entered into prior to the effective date of this rule shall terminate on the date provided therein or shall be deemed to terminate no later than two years following such effective date, whichever date is earlier.

(3) A written contract to provide the services of a trade waste broker that contains no provision regarding duration must be terminable at will by either party upon fourteen (14) days written notice to the other party.

(4) An oral agreement between a customer and a trade waste broker must be terminable at will by either party upon fourteen (14) days written notice to the other party.

(5) A trade waste broker must not discontinue service to any customer, or raise the rates charged to such customer, unless at least fourteen (14) days written notice is provided to the customer. No contract for trade waste broker services shall provide that the broker may discontinue service upon shorter notice.

(6) Where a broker is arranging for an agreement between a customer and provider of trade waste removal, collection or disposal services, a written contract shall provide that the broker will arrange for removal of the customer's waste from the location designated by the customer, and state the time the waste removal will begin and the rate the customer will pay the broker. Where the services to be provided by the broker include evaluation or analysis of the waste stream, the written contract shall provide a brief description of such evaluation or analysis the broker will perform and the rate the customer will pay to the broker. A sample standard contract form shall be submitted to the Commission at the time an application for a trade waste broker registration is submitted. Brokers registered prior to the effective date of this rule shall submit a sample standard contract form with their first renewal application submitted after such effective date. A broker must submit any subsequent changes in the standard form to the Commission thirty (30) days prior to implementing such change. Nothing in this provision should be construed to prevent a broker from negotiating terms at variance with the standard form contract, except that a broker shall not vary such contract in any manner inconsistent with Chapter 1 of Title 16-A of the Code or any provision of these rules.

(7) A trade waste broker must comply with the terms of service and any other terms set forth in the written contract or oral agreement with the customer. A contract agreed to in writing should not be altered without the written agreement of the customer or authorized representative.

(8) The broker must provide the customer with any other additional informational notices required by the Commission throughout the term of service to the customer by the broker.

(c) Written contract. At the time service to a customer is commenced, the trade waste broker must take all steps necessary to attempt to reach an agreement with the customer on the terms and conditions of the service to be provided. Within forty (40) days of the commencement of service, the broker shall prepare a written contract that clearly and legibly sets forth the terms and conditions of the agreement negotiated by the broker and the customer, and deliver such contract to the customer. The contract must provide that it is only effective upon being dated and signed by the broker and the customer or authorized representative. Additionally, the contract must specify that a change of any term or condition of such contract must be made in writing, dated, and signed by both the broker and the customer or authorized representative before such term or condition takes effect. The proposed contract offered by the trade waste

broker must be accompanied by a notice that states: "You are not required to sign this contract. If you have any questions or complaints, call the Business Integrity Commission at 212-676-6300." The broker must provide one copy of such signed and dated contract and a copy of any signed and dated amendments to the customer or authorized representative.

(d) Customer's decision not to sign a written contract. A customer is not required to sign a written contract. In the event a customer fails or refuses to sign a contract that has been tendered to the customer pursuant to subdivision (d) of this section a broker will be deemed to have complied with such subdivision if the broker complies with the requirements in paragraphs (1) through (3) of this subdivision. However the broker must not discontinue service to the customer, or raise the rates charged, unless at least fourteen (14) days written notice of such discontinuance or rate increase have been given to the customer. Where a written contract with a customer has not been obtained by the trade waste broker, the broker shall:

(1) Demonstrate that a written contract has been tendered to the customer in accordance with subdivision (d) of this section, within 40 days of the commencement of service;

(2) Keep a copy of the contract tendered on file along with the signed returned postal receipt for a period of one year after the eventual discontinuance of service to the customer; and

(3) Make available to the Commission upon its request a copy of the contract and the return receipt.

(e) Liability for negligence. No contract or contract amendment between a broker and a customer may provide that the broker is exempt from liability for damage caused by the broker's negligence or the negligence of any of its agents.

(f) Standard bills, statements, invoices.

(1) A broker must provide a written bill, statement or invoice at least once every month to each customer to which such broker provides services. Such bill, statement or invoice must clearly contain all of the following:

(i) The trade waste broker's name, address, telephone number, and registration number;

(ii) The customer's name and complete address;

(iii) The maximum rates in effect with a statement indicating that the rates so identified are maximum legal rates and that lower rates may be lawfully charged;

(iv) The negotiated rate per cubic yard or per 100 pounds on which the invoice is based;

(v) An itemized list of charges detailing the cubic yards or weight of putrescible waste removed, recyclables removed, and any additional charges;

(vi) Where the customer is being charged on a "flat" or "average" billing basis:

a. The total charges for waste removal for the billing period;

b. An itemized statement of the estimated volume or weight of the putrescible waste removed and the charge for the removal of such waste;

c. An itemized statement of the estimated volume or weight, if any, of the recyclable waste removed and the charge for the removal of such waste; and

d. A statement as to the method by which the estimated volume or weight was determined; and

(vii) A separate statement of sales tax collected.

(2) When the trade waste broker has brokered an agreement between a customer and provider of trade waste removal, collection or disposal services, the broker shall provide a notice to customers as follows, on a form approved by the Commission:

**NOTICE TO CUSTOMERS --** The New York City Business Integrity Commission regulates the maximum rate your licensed trade waste hauler may charge. If you should have a question or a complaint concerning waste removal, contact the New York City Business Integrity Commission.

(3) If all trade waste being transported is exempt waste under § 5-02(a)(3) of this chapter, the Notice shall be as follows:

**NOTICE TO CUSTOMERS --** If you have a question or a complaint concerning waste removal, contact the New York City Business Integrity Commission.

(g) Subcontracting, assignment of contracts, mergers and acquisitions.

(1) Subcontracting broker services.

(i) A trade waste broker shall apply for review by the Commission before subcontracting or assigning a contract for brokering and shall seek such review by the Commission thirty (30) days before such subcontract or assignment is proposed to take effect. A request for subcontracting or assignment of contract must be submitted on a form prescribed by the commission and must identify the customer(s) involved (including name, address, contact person, and contract terms), state the requested length of the arrangement, and describe the business justification for the arrangement. Copies of all affected contracts or proposed contracts must be submitted with the request.

The Commission will not approval such a transaction unless the Commission determines that the transaction is consistent with the purposes of Chapter 1 of Title 16-A of the Administrative Code. A trade waste broker may only subcontract or

assign a contract to another trade waste broker registered by the Commission. A trade waste broker must not act as a subcontractor unless the subcontractor broker has received express written approval for the subcontracting arrangement from the Commission.

(ii) Upon approval by the Commission, within fifteen (15) days of the effective date of such assignment or subcontract an assignee or subcontractor of a broker contract shall notify each party to the contract of such assignment or subcontract and of the right of such party to terminate such contract upon thirty days notice within three months of receiving notice of such assignment or subcontract. Such notification shall be by certified mail with the receipt of delivery retained by the assignee or subcontractor and shall be upon a form approved by the Commission. Where no written broker contract exists with a customer, within fifteen (15) days of such assignment or subcontract, on a form approved by the Commission, a trade waste broker that assumes responsibility for the broker services from another broker must provide such customer with notification that a new company will be providing broker services and that the customer has the right to terminate such service. Such notification must be provided by certified mail with the receipt for delivery retained by the assignee or subcontractor.

(2) Mergers and acquisitions. A trade waste broker must apply for review by the Commission before acquiring, merging with, consolidating with, or exchanging any interest of any business that is subject to the Commission's jurisdiction pursuant to Title 16-A of the Administrative Code. Such application for review shall be submitted on a form prescribed by Commission no later than thirty (30) days before such transaction is to take effect. The Commission will not approve such a transaction unless the Commission determines that the transaction is consistent with the purposes of Chapter 1 of Title 16-A of the Administrative Code. The Commission may, in its discretion, require that either the purchaser or seller post a bond or place money in escrow with the Commission in an amount that the Commission believes, in its discretion, is needed to cover any outstanding or potential fines or penalties owed or that may be owed to the Commission, any customer complaints that have been heard pursuant to section 1-03 of this chapter in regard to which a final determination has not been rendered, and any restitution ordered by the Commission which the selling or dissolving broker has failed to make to the customer. In the event that the seller fails to post such bond or place money in escrow as set forth in this paragraph, the Commission may seek from the purchaser any and all outstanding fines or penalties for violations of Chapter 1 of Title 16-A of the Code and this chapter, and any outstanding customer restitution.

(3) Investigation, inspection, and evaluation fee. The fee for investigation and review of any proposed transaction described in paragraph 2 of this subdivision shall be four thousand and five hundred dollars (\$4500) per entity involved and twelve hundred (\$1200) per principal involved. After submission to the Commission of an appropriate request for review of such a transaction, the Commission shall notify the parties to the transaction of the total fee amount due and owing. This fee must be paid in full within ten days after such notification. The Commission, in its discretion, may waive or reduce fees upon written request in light of one or more of the following reason(s):

(i) Specified persons or entities have recently undergone completed background investigations by the Commission;

(ii) The value of the transaction under review is minimal;

(iii) Specified persons or entities need not undergo background investigations because of their attenuated connection to the transaction;

(iv) The transaction does not involve the sale, assignment, or other transfer of any accounts or customer contracts (e.g. trucks or other non-customer assets);

(v) The transaction involves fewer than 5 customers;

(vi) The transaction involves unique characteristics or other mitigating factors that would warrant a reduction or waiver of fees.

(4) Customer's thirty (30) day termination right during ninety (90) day post-assignment period. During the ninety (90) day period following any transaction for which Commission approval is required pursuant to this subdivision (g), the customer has the right to terminate its contract with the broker on thirty (30) days notice. All contracts signed by affected customers during the ninety (90) day period subsequent to such transaction remain terminable on thirty (30) days notice throughout the ninety (90) day period and any such contract signed during that ninety (90) day period must contain prominent notice of this fact.

#### § 6-07. Employee Information.

A trade waste broker shall provide to the Commission the names of any employees hired or to whom offers of employment are extended subsequent to the issuance of a registration and the information required in regard to employees and such prospective employees on the application for a trade waste broker registration.

§ 3. **Effective Date:** This rule shall take effect on May 20, 2013, provided however, that: (a) the provisions of subdivisions (b) through (f) of § 6-04, and subdivisions (b) through (f) of § 6-06 shall take effect ninety days after May 20, 2013; (b) a broker will be required to file its first financial statement form as described in §6-04(g) six months after the last date of the broker's first fiscal year that ends on or after August 20, 2014, and then on an annual basis thereafter; and (c) a broker will be required to file its first Customer Register as described in § 6-04(j) on July 31, 2014, and then every six months thereafter.

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## CAMPAIGN FINANCE BOARD

### ■ NOTICE

#### Notice of Final Rules

IN COMPLIANCE WITH SECTION 1043 OF THE NEW YORK CITY CHARTER, and exercising authority vested in the Campaign Finance Board (the "Board") under Chapter 46 of the New York City Charter (including Sections 1052(a)(8) and 1052(a)(12) thereof) and under the New York City Campaign Finance Act (the "Act") (including Section 3-708(8) of the New York City Administrative Code), the Board hereby adopts amendments to the Campaign Finance Board Rules related to contributions, loans, and expenditures, and the Board's Voter Guide.

#### I. Explanation, Basis, and Purpose

The Board Rules are codified in Chapter 52 of the Rules Compilation of the City of New York.

On April 11, 2013, the Board voted to adopt a set of rules. These rules:

- Clarify the method by which contributions, loans, and expenditures are calculated for purposes of daily pre-election disclosure requirements;
- Require that political contributions in excess of \$99 made from a candidate's personal funds be reported to the Board as campaign expenditures;
- Remove the "bonus" provisions, which provided additional public funds to candidates whose opponents spent in excess of a certain threshold;
- Establish the procedures and requirements regarding the video edition of the Board's Voter Guide;
- Clarify the procedures and requirements regarding the print edition of the Board's Voter Guide; and
- Repeal chapter 2 of Title 71 of the Rules of the City of New York, which governs the production of the video edition of the Voter Guide by the now-defunct Voter Assistance Commission, which was reconstituted within the Board as the Voter Assistance Advisory Committee.

#### Expenditure Limit Relief [Section 1-08(e)]

The expenditure limit relief provisions are moved from Board Rules 5-01 to a new subdivision, 1-08(e), with minor, non-substantive changes made to the text. The expenditure limit relief provisions increase the spending limit for candidates participating in the Campaign Finance Program ("participating candidates") opposed by non-participants who have raised or spent more than half the applicable expenditure limit. If a non-participant raises or spends more than three times the expenditure limit, expenditure limits on opponents participating in this program will be eliminated entirely. These provisions reduce the burden imposed by the Campaign Finance Program's expenditure limits on participants whose opponents are not bound by such limits. The provisions were moved because the remainder of Board Rule 5-01(a)(5) is being repealed.

#### Daily Disclosures During Two Weeks Preceding the Election [Section 3-02(e)]

During the two weeks preceding an election, candidates must report contributions, loans, or expenditures above a certain amount to the Board within 24 hours in a daily disclosure. After a review of its procedures, the Board determined that it was necessary to resolve potential ambiguities regarding how dollar amounts are calculated for the purpose of this rule. Therefore, this Rule is amended to clarify that 1) contributions and loans received from a single source during the two weeks preceding an election and 2) expenditures made to a single recipient during the two weeks preceding an election will be aggregated for purposes of determining whether a daily disclosure must be made.

#### Contributions to Political Committees [Section 3-03(e)(5)]

This Rule codifies Final Board Determinations 2009-1 and 2012-1, stating that political contributions in excess of \$99 made with a candidate's personal funds are considered campaign expenditures by that candidate, and must be reported as such.

#### Bonus Determinations [Section 5-01(a)(5)]

Board Rule 5-01(a)(5) is repealed. Board Rules 5-01(a)(5)(iii) and (vi), which provided for the granting of additional public funds to participating candidates whose opponents had received or spent above a certain threshold, are deleted pursuant to *Arizona Free Enterprise Club's Freedom Club PAC v. Bennett*, 131 S. Ct. 2806 (2011), in which the Supreme Court held that granting additional funds to a candidate based on the spending of his or her opponent violated the opponent's First Amendment rights.

Board Rules 5-01(a)(5)(i), (ii), (iv), and (v) are re-titled "Expenditure Limit Relief" and moved to new Board Rules 1-08(e)(i) and (ii).

#### Definitions Related to Voter Guide [Section 10-01]

The changes in this section and sections 10-02 and 10-03 to the rules governing the print and video editions to the Voter Guide are enacted pursuant to the 2010 Charter revision, under which the Voter Assistance Commission (VAC) was reconstituted within the Board as the Voter Assistance Advisory Committee (VAAC). Consequently, the Board's mandate expanded to include efforts aimed at facilitating voter education and participation, including the publication of the video edition of the Voter Guide.

In this Rule, the definition of "candidate voter guide statement" is amended to "candidate print statement" and a new definition of "candidate video statement" is added as part of the new set of rules governing the video edition of the Voter Guide. The definition of "registered candidate" is added to clarify whose statements would be included in the Voter Guide. The current definitions of the terms "ballot proposal"

and "election" are amended for purposes of clarification.

#### Contents of the Voter Guide [Section 10-02]

These amendments clarify the provisions relating to the printed Voter Guide, and add new provisions concerning the online Voter Guide and candidate video statements. The printed and online Voter Guides for an election will contain any information that the Board determines to be useful for promoting public awareness of the voting process, City government, and the candidates and ballot proposals in an election. This will facilitate voter education and participation, as mandated by the 2010 Charter revision.

Both the print and video statements submitted by candidates are subject to certain restrictions in order to be included in the Voter Guides. For example, candidates may not use profanity or knowingly make false statements, nor may they wear buttons, pins, or distinctive uniforms. A script for each candidate's video statement must be reviewed by the Board in advance of the candidate's scheduled recording session in order to determine that the script complies with the rules. The restrictions ensure that the Voter Guides contain only information that serves the overall purpose of facilitating voter education and participation. The aesthetic restrictions are primarily for logistical purposes, to maximize the quality of the photographs and videos published as part of the Voter Guide.

Candidate print and video statements will be included in the Voter Guides only for registered candidates who satisfy the requirements set forth by the Board. If a candidate in the general election was included in the primary election Voter Guides, that candidate's primary election statement will be included, without modification or addition, in the general election Voter Guides.

The print and online editions of the Voter Guide for a general election in which a City ballot proposal is anticipated to appear on the ballot will contain information regarding the ballot proposal. The Board will also include information about State ballot proposals in Voter Guides for a covered office or a City ballot proposal.

#### Voter Guide Publication and Distribution [Section 10-03]

These amendments clarify the provisions of the current rule relating to the printed Voter Guide, and add new provisions concerning the online Voter Guide and candidate video statements. The purpose of the rules regarding publication and distribution is to ensure that the Voter Guide is made as widely available as possible, in order to maximize the amount of information received by voters, including those not fluent in English.

The Board will produce an online Voter Guide in English and make the translated versions of the printed editions available online. The Board will post online the scripts provided for candidate video statements, along with translations of those scripts into Spanish and such other languages as may be required by law.

Conflicts related to the submission or public release of candidate print or video statements will be decided by the Board's Executive Director or his or her designee, and all decisions with respect to any edition of the Voter Guide are final.

The Board retains ownership of, and distribution rights to, all Voter Guide content, including candidate statements. Unedited candidate statements may be republished or broadcast with the Board's permission.

#### Rules of the City of New York, Title 71, Sections 2-01 – 2-10

These rules, which governed VAC's production and distribution of its Video Voter Guide, are repealed, and their substance is largely incorporated into Chapter 10 of the Board Rules. This change ensures that all rules related to the Voter Guide are located in one place and are within the scope of the Board's control, as provided by the 2010 Charter revision.

The following rules will take effect thirty days after final publication in The City Record:

### II. Final Rules

New matter is underlined. Deleted matter is shown in [brackets].

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

#### Section 1. Subdivision (e) of section 1-08 of chapter 1 of title 52 of the rules of the city of New York is amended to read as follows:

(e) [Reserved.] Expenditure limit relief.

(i) Pursuant to §3-706(3)(a) of the Code, where the Board has determined that a non-participating candidate has spent or contracted or has obligated to spend, or received in loans or contributions, or both, an amount which, in the aggregate, exceeds half the applicable expenditure limit pursuant to §3-706(1)(a) of the Code, then the expenditure limit applicable to participating candidates and limited participating candidates in the election for that office will be increased to one hundred fifty percent of the expenditure limit.

(ii) Pursuant to §3-706(3)(b) of the Code, where the Board has determined that a non-participating candidate has spent or contracted or has obligated to spend, or received in loans or contributions, or both, an amount which, in the aggregate, exceeds three times the applicable expenditure limit pursuant to §3-706(1)(b) of the Code, then the expenditure limit will no longer apply to participating candidates and limited participating candidates in the election for that office.

#### § 2. Subdivision (e) of section 3-02 of chapter 3 of title 52 of the rules of the city of New York is amended to read as follows:

(e) Daily disclosures during two weeks preceding the election. If a candidate[.], during the 14 days preceding an election, (1) accepts [a contribution or] aggregate contributions or loans from a single source [or loan] in excess of \$1,000[.], or (2) makes [an expenditure] aggregate expenditures to a single vendor in excess of \$20,000[.]; during the 14 days preceding an election, the candidate shall report all such contributions, loans, [and] or expenditures to the Board in a disclosure, which must be received by the Board within 24 hours after [it] the contribution, loan, or expenditure that causes the total to exceed \$1,000 (in the case of contributions or loans) or \$20,000 (in the case of expenditures) is accepted or made. [These disclosures shall be submitted in such form and manner as shall be provided by the Board and shall include any signatures or notarizations required by the Board.] Information reported in these daily

disclosures must also be [reported] included in the candidate's next post-election disclosure statement.

#### § 3. Subdivision (e) of section 3-03 of chapter 3 of title 52 of the rules of the city of New York is amended by adding a new paragraph (5) to read as follows:

(5) Contributions to political committees. Political contributions of more than \$99 to political committees (except political committees of other candidates) that support candidates in New York City and throughout New York State, made by a candidate with his or her personal funds, are expenditures in furtherance of his or her campaign and, as such, must be reported to the Board. Candidates must create and maintain records of such contributions.

#### § 4. Paragraph (5) of subdivision (a) of section 5-01 of chapter 5 of title 52 of the rules of the city of New York is REPEALED.

#### § 5. Chapter 10 of title 52 of the rules of the city of New York is amended to read as follows:

### Chapter 10

#### Voter [Guide] Education

##### § 10-01 Definitions.

Except as otherwise provided, the definitions set forth in § 1-02 apply in this chapter. In addition, for the purposes of this chapter, the following terms [shall] have the following meanings:

**Ballot proposal.** "Ballot proposal" shall mean means any proposition, referendum, or other question submitted to [the] New York City voters pursuant to the Charter [or to voters in New York City only pursuant to], the New York Municipal Home Rule Law, or any other law.

**Candidate print statement.** "Candidate Voter Guide statement" shall mean means the [form] document filed by a candidate [pursuant to § 10-02(b), ] containing biographical and other information[, a candidate statement] requested by the Board, and a photograph of the candidate for inclusion in the printed and/or online primary and/or general election Voter Guide[ if the candidate is on the ballot in the election].

**Candidate video statement** means a video-recorded statement by the candidate for inclusion in the video edition(s) of the primary or general election Voter Guide.

**Election.** "Election" shall mean means any primary or general election, other than a special election or runoff special election held to fill a vacancy, runoff primary, or election held pursuant to court order, for the office of mayor, public advocate, comptroller, borough president, or member of the City Council, or a general election in which a ballot proposal is on the ballot.

**Registered candidate** means a person who has registered or filed a certification with the Board pursuant to Administrative Code § 3-703(1)(c) or § 1-11 and/or § 2-01 of this title.

##### § 10-02 Contents of the Voter Guide.

(a) **[General information] Generally.** In addition to any information that the Board determines to be useful for promoting public awareness of the voting process, City government, and the candidates and ballot proposals in an election, the printed and online Voter [Guide] Guides for an election shall contain:

- (1) the date of the election;
- (2) the hours during which the polls [are] will be open;
- (3) an explanation of the voter registration process, including deadlines to register for both the primary and general elections;
- (4) an explanation of how to obtain and [use] cast or mark an absentee ballot;
- (5) an explanation of how to cast a vote, including write-in votes;
- (6) [maps outlining] information about the boundaries of City Council districts to aid voters in determining their appropriate district; and
- (7) [such] tables of contents, graphics, and other materials which the Board determines will make the Voter Guide easier to understand or more useful for the average voter.

(b) **[Candidates. (1) The Voter Guide for an election shall] Candidate statements.**

##### (1) Candidate print statements.

(i) Candidate print statements contain [biographical and other information for each candidate in the election who has submitted, in a timely manner, a candidate Voter Guide statement as provided in this subdivision. The] the following biographical information [shall be included]:

- (i) A the name of the candidate;
- (ii) B the political party, if any, in which the candidate is enrolled; (iii), and on which party line or lines the candidate's name will appear on the ballot;
- (C) the previous and current public offices held by the candidate;
- (iv) D the current occupation and employer of the candidate;
- (v) E prior employment and positions held by the candidate;
- (vi) F the experience the candidate has had in public service;
- (vii) G the educational background of the candidate;
- (viii) H a list of the candidate's major organizational affiliations;

(I) information about the candidate's principles, platform, or views, in a form prescribed by the Board; and

(ix) J such other [biographical and other] information as may be determined by the Board and requested [on] of the candidate [Voter Guide statement].

[(2) The Voter Guide shall contain concise statements on the candidate's principles, platform, or views, for each candidate in the election who has submitted, in a timely manner, a candidate Voter Guide statement which meets the requirements of this chapter. The information submitted in the candidate Voter Guide statement shall be in English and

shall be translated by a translation service under contract to the Board.

(3) Any photograph of a candidate submitted in a candidate Voter Guide statement shall meet the following requirements: (i) it is]

(ii) The candidate print statement must be submitted in English.

(iii) The photograph of the candidate submitted as part of a candidate print statement must:

(A) be a recent photograph;

(ii) it is a photograph with] B) have a plain background;

(iii) it shows] C) show only the face or the head, neck, and shoulders of the candidate;

(iv) it does] D) not include the hands or anything held in the hands of the candidate;

(v) it does] E) not show the candidate wearing any distinctive uniform, including but not limited to a judicial robe, or a military, police, or fraternal uniform;

F) not show the candidate wearing any buttons or pins; and

(vi) it is within such] G) not exceed the size and/or resolution requirements as [may be] determined [and required] by the Board.

[(4) (i) A candidate Voter Guide statement shall be included in the primary election Voter Guide for each candidate named in designating petitions filed with the Board of Elections who submits a statement to the Campaign Finance Board which meets the other requirements of this chapter not later than 12 weeks prior to the primary election or such other time as prescribed by the Campaign Finance Board. Notwithstanding the foregoing, a candidate Voter Guide statement shall not be included in the primary election Voter Guide if no contested primary election for the nomination sought by that candidate will be held based on designating petitions filed with the Board of Elections. The Campaign Finance Board shall determine whether a contested primary election will be held based on information available at the time the primary election Voter Guide is sent to press.

(ii) In the case of general election candidates not named in designating petitions filed with the Board of Elections, a candidate Voter Guide statement shall be included in the general election Voter Guide for each such general election candidate who submits a statement to the Campaign Finance Board which meets the requirements of this chapter not later than 12 weeks prior to the general election or such other time as prescribed by the Campaign Finance Board. In the case of candidates for whom a candidate Voter Guide statement was submitted for the primary election Voter Guide, that statement shall be included in the general election Voter Guide, regardless whether it was included in the primary election Voter Guide, and no additional statement or modifications to a statement or other information shall be accepted from such candidates for the general election Voter Guide.

(iii) (iv) Candidate print statements may not:

(A) contain profanity;

B) make statements that are libelous, slanderous, or defamatory, or assert facts that the candidate knows or should know to be false; or

C) engage in the unauthorized use of copyrighted material or invasion of privacy.

(v) Candidate print statements that violate any of the requirements outlined in this chapter will not be included in the Voter Guide.

(vi) Timing of submission.

(A) In the election year, all registered candidates who intend to file designating petitions must submit their print statements on or before the submission deadline set by the Board.

B) A candidate not named in a designating petition filed with the Board of Elections who intends to file an independent nominating petition for the general election must submit a candidate print statement on or before the "independent candidates" filing deadline set by the Board.

C) All candidate print statements for the general election Voter Guide must be submitted prior to the publication of the primary election Voter Guide.

(2) Candidate video statements.

(i) Candidate video statements must contain information regarding the candidate's platform and candidacy, and may contain such other information as the candidate may choose; provided, however, that the candidate may not:

(A) use profanity or make statements or gestures, or display materials, that are obscene or pornographic;

B) make statements that are libelous, slanderous, or defamatory, or assert facts that the candidate knows or should know to be false;

C) engage in any commercial programming or advertising;

D) display any literature, graphs, or props;

E) engage in the unauthorized use of copyrighted material or invasion of privacy; or

F) violate any city, state or federal law, including regulations of the New York State Public Service Commission and the Federal Communications Commission.

(ii) Candidates recording video statements may dress as they choose and are responsible for their own clothing, make-up and hairdressing; provided, however, that when recording a video statement, candidates may not:

(A) engage in full or partial nudity;

(B) wear any distinctive uniform, including but not limited to a judicial robe, or a military, police, or fraternal uniform;

(C) wear any buttons or pins; or

(D) violate any city, state or federal law, including regulations of the New York State Public Service Commission and the Federal Communications Commission.

(iii) Candidate video statement scripts must be submitted in advance of the candidate's scheduled recording session in order for the Board to determine that the script meets the requirements of this section. Candidates must follow their approved video statement script during the recording. Recorded statements will not be edited by the Board or any entity participating in the production of the video edition of the Voter Guide, except that candidate identification and other election information may be displayed.

(iv) Only the candidate may appear on camera, and only the candidate may record a candidate video statement.

(v) Candidates will be allowed to sit or stand while recording statements. Reasonable accommodations for candidates with special needs will be made.

(vi) Video statements must be recorded in English. Candidates may record a portion of their video statements in a language other than English; provided, however, that the script submitted for Board approval contains both the English and non-English text, and an English translation of all non-English text. No additional time will be allotted for statements recorded in multiple languages.

(vii) Candidate video statements that violate any of the requirements outlined in this chapter will not be included in the Voter Guide.

(viii) Timing of candidate video statement recordings. In the election year, the recording schedule for candidates' video statements will be provided to registered candidates in advance. The production schedule will permit candidates filing designating and/or independent nominating petitions to participate. Appointments for candidate video statement recordings must be made at a time within the prescribed production schedule. A candidate who fails to appear at his or her scheduled time will be deemed to have waived participation in the video edition of the Voter Guide.

(3) Inclusion of candidate statements in Voter Guide editions.

(i) Primary election editions. Candidate print and video statements will be included in primary election editions of the Voter Guide only for registered candidates who (A) have met the requirements set forth in this chapter, (B) are named in designating petitions filed with the Board of Elections, and (C) are on the ballot in a contested primary. In the case of printed editions of the Voter Guide, print statements of candidates anticipated to appear on the ballot in a contested primary on the date that the primary election print edition goes to press will be included, based on the Board's assessment of information available from the Board of Elections.

(ii) General election editions. Candidate print and video statements will be included in general election editions of the Voter Guide only for registered candidates who (A) have met the requirements set forth in this chapter, (B) are named in nominating petitions filed with the Board of Elections, and (C) are on the general election ballot. In the case of printed editions of the Voter Guide, print statements of candidates anticipated to appear on the general election ballot on the date that the general election print edition goes to press will be included, based on the Board's assessment of information available from the Board of Elections. Candidates running unopposed in the general election will be included in general election editions of the Voter Guide, except where the only election being covered is uncontested, in which case the Board will not produce or distribute print or video editions of the Voter Guide, but will produce an online Voter Guide.

(iii) If a candidate in the general election was included in the primary election Voter Guide, then that candidate's primary election Voter Guide statement will be included in the general election Voter Guide. No modifications or additions to the original statement will be accepted.

(iv) Candidates' print statements will be included in the primary and general election online editions in accordance with the rules set forth in subparagraphs (i), (ii), and (iii) of this paragraph.

(v) The Board shall not accept a candidate [Voter Guide] print or video statement unless it is submitted in a manner provided by the Board, includes any signatures or notarizations as may be required by the Board, and the candidate has verified that the contents of the form are true to the best of his or her knowledge. The Board may, [in] at its discretion, reject any [Voter Guide] candidate print or video statement, or portions thereof, it deems to contain matter that is obscene, libelous, slanderous, defamatory, or otherwise [objectionable] in violation of the requirements set forth in this chapter.

[5] Information contained in the candidate Voter Guide statement] (4) Candidate statements shall not exceed the length and space limitations provided by the Board. The Board may, [in] at its discretion, require that candidate [Voter Guide] print statements follow a consistent format, and edit statements to achieve uniformity of presentation, conformance with length and space limitations, and consistency with existing law. Candidate video statements that exceed their allotted statement time of two minutes will be cut off.

(6) The] (5) A candidate [Voter Guide] print statement or video script is a written instrument which, when filed, becomes part of the Board's records. Knowingly filing a written instrument that contains a false statement or false information is a Class A misdemeanor under New York State Penal Law §175.30. A candidate may not include any false information in his or her candidate [Voter Guide] print statement or video script. The candidate shall verify that his or her candidate [Voter Guide] print statement and/or video script is true, to the best of his or her knowledge.

(7) Together with a] (6) With each candidate [Voter Guide] print statement, the Board shall publish one of the following notices:

(i) In the case of a participant: "Participant in the Campaign

Finance Program["] or language to like effect.

(ii) In the case of a limited participant: "Limited participant in the Campaign Finance Program["] or language to like effect.

(iii) In the case of a non-participant: "Not a participant in the Campaign Finance Program["] or language to like effect.

(c) Reserved.

(d) Ballot proposals. The print and online editions of the Voter Guide for [the] a general election in which a city ballot proposal is anticipated to appear on the ballot shall contain:

(1) the form of each ballot proposal[,] as it will appear on the ballot[,] in the general election;

(2) [an] a plain-language abstract of each ballot proposal; and

(3) to the extent feasible, [a statement of] the major arguments for and against the passage of each ballot proposal, clearly labeled as such. If feasible, the Board shall solicit and accept from the public statements for and against passage of each ballot proposal for possible inclusion in the Voter Guide for [a] the general election [statements of arguments for and against passage]. A statement shall not be accepted by the Board unless [the statement] it:

(i) is submitted in a form and manner provided by the Board and includes any signatures required by the Board;

(ii) conforms to the length and space limitations provided by the Board; and

(iii) identifies the organization, if any, on whose behalf the statement is made; and

(iv) clearly argues for or against passage of the proposal.

No person may submit more than one statement per ballot proposal pursuant to this paragraph.

(e) Board determines whether to publish statements for and against ballot proposals.

With respect to statements [of arguments] for [and] or against passage of ballot proposals, the Board, [in] at its discretion, may determine:

(1) not to publish any such statements;

(2) not to publish any statements submitted pursuant to paragraph (d)(3);

(3) to publish all or any portion of a statement submitted pursuant to paragraph (d)(3); and

(4) [to edit any statement submitted pursuant to paragraph (d)(3) and publish the edited statement; and (5)] to compose and publish such statements of arguments for and against passage of ballot proposals as it deems appropriate[, or to designate one or more persons to compose such statements].

(f) State Ballot Proposals. The Board will include information about state ballot proposals in Voter Guides for a covered office or a city ballot proposal. At its discretion, the Board may produce an online Voter Guide to provide information about state ballot proposals during an election for which no print Voter Guide is produced.

§ 10-03 Publication and Distribution

(a) [The Voter Guide shall be published] The Board will publish printed Voter Guides in English and Spanish, and in such other languages as [the Board may determine to be necessary and appropriate] may be required by law. The Voter Guide [shall] will be distributed by mail to each household in which there is at least one registered voter eligible to vote in the primary or general election, as the case may be, in the City. [In its discretion, the Board may provide for the publication and distribution of a different Voter Guide in each borough or other subdivision of New York City.]

(b) The Board will produce an online Voter Guide in English and make the translated versions of the printed editions available online.

(c) The Board will make all reasonable efforts to produce a video edition of the Voter Guide for citywide elections, and will seek partners for the production, marketing, and broadcasting of video editions of the Voter Guide. The Board will post online the scripts provided pursuant to § 10-02(b)(2)(iii), along with translations of those scripts into Spanish and such other languages as may be required by law.

(d) Any conflicts related to the submission or public release of candidate print or video statements will be decided by the Board's Executive Director or his or her designee.

(e) All decisions with respect to any edition of the Voter Guide, including resolution of conflicts, made by the Board, its Executive Director, or his or her designee are final.

(f) The Board retains ownership of, and distribution rights to, all Voter Guide content, including candidate statements. Unedited candidate statements may be republished or broadcast with the Board's permission.

§ 10-04 Elections Not Held as Scheduled.

Notwithstanding any other provision of this chapter, the Board shall take such actions as are practicable to prepare, publish, and distribute a Voter Guide in a timely manner for an election that is not held as initially scheduled.

§ 6. Chapter 2 of title 71 of the rules of the city of New York is REPEALED.

## SPECIAL MATERIALS

### HOUSING PRESERVATION & DEVELOPMENT

#### ■ NOTICE

#### EQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: April 9, 2013

To: Occupants, Former Occupants, and Other Interested Parties

Property: Address	Application #	Inquiry Period
548 West 142nd Street, Manhattan	22/13	March 11, 2010 to Present
4 West 126th Street, Manhattan	24/13	March 15, 2010 to Present
40 West 119th Street, Manhattan	26/13	March 19, 2010 to Present
360 West 123rd Street, Manhattan	28/13	March 21, 2010 to Present
14 Sutton Place South, Manhattan	29/13	March 25, 2010 to Present
8 West 121st Street, Manhattan	30/13	March 26, 2010 to Present
263 West 132nd Street, Manhattan	31/13	March 27, 2010 to Present
142 West 75th Street, Manhattan	32/13	March 27, 2010 to Present
429 West 162nd Street, Manhattan	33/13	March 29, 2010 to Present
436 Jefferson Avenue, Brooklyn	23/13	March 13, 2010 to Present
278 Clinton Avenue, Brooklyn	25/13	March 18, 2010 to Present
91 Macon Street, Brooklyn	27/13	March 20, 2010 to Present

Authority: SRO, Administrative Code §27-2093

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

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 3rd Floor, New York, NY 10038 by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277, (212) 863-8211.

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

Notice Date: April 9, 2012

To: Occupants, Former Occupants, and Other Interested Parties

Property: Address	Application #	Inquiry Period
519 Graham Avenue, Brooklyn	21/13	October 4, 2004 to Present

Authority: Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90

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

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## TRANSPORTATION

#### ■ NOTICE

The NYC Department of Transportation (DOT) is now accepting applications from eligible not-for-profit organizations to propose sites for new public plazas. Through the NYC Plaza Program, DOT works with selected community organizations to build new or enhance existing neighborhood plazas throughout the City. After the plazas are designed and built, the partnering organizations are responsible for the maintenance, operation and management of the plazas, which may include the operation of a concession by the selected not-for-profit organization. Interested not-for-profit organizations should visit [www.nyc.gov/plazas](http://www.nyc.gov/plazas) prior to contacting NYC DOT to learn more about the program and its application guidelines. Any eligible not-for-profit organizations that believe they meet the requirements should download and complete the application form from the department website above. Eligible and interested not-for-profit organizations can obtain further information about the program by contacting Emily Weidenhof at (212) 839-4325. Applications can be submitted either by mail to NYC Plaza Program; NYC DOT, 55 Water Street, 9th Floor, New York, New York 10041, or by email to [plazas@dot.nyc.gov](mailto:plazas@dot.nyc.gov). All applications must be either submitted by email or postmarked by Wednesday, July 31, 2013.

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