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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

MANHATTAN BOROUGH PRESIDENT

PUBLIC HEARINGS

A public hearing on the proposed changes to the Waterfront Revitalization Program.

NOTICE IS HEREBY GIVEN THAT Manhattan Borough President Scott M. Stringer will hold a meeting of the Manhattan Borough Board on: Thursday, June 21, 2012 - 8:30 A.M., 163 West 125th Street, 8th Floor, New York, New York 10027.

j15-21

CITY COUNCIL

PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, June 19, 2012:

UPPER WEST SIDE NEIGHBORHOOD RETAIL STREETS

MANHATTAN CB - 07

N 120144 ZRM

Application submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article XIII, Chapter 2 (Special Enhanced Commercial District), along Broadway, Amsterdam and Columbus avenues.

Matter in underline is new, to be added;
 Matter in ~~strikeout~~ is old, to be deleted;
 Matter within # # is defined in Section 12-10;
 * * * indicate where unchanged text appears in the Zoning Resolution

Article I: General Provisions

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12

Establishment of Districts

* * *

11-122

Districts established

* * *

Special Purpose Districts

Establishment of the Special 125th Street District

* * *

Establishment of the Special Enhanced Commercial District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 2, the #Special Enhanced Commercial District# is hereby established.

* * *

Establishment of the Special Fourth Avenue Enhanced Commercial District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 2, the #Special Fourth Avenue Enhanced Commercial District# is hereby established.

* * *

Chapter 2 - Construction of Language and Definitions

12-10 Definitions

* * *

Special Enhanced Commercial District

The "Special Enhanced Commercial District" is a Special Purpose District designated by the letters "EC" in which special regulations set forth in Article XIII, Chapter 2, apply.

* * *

Special Fourth Avenue Enhanced Commercial District

The "Special Fourth Avenue Enhanced Commercial District" is a Special Purpose District designated by the letters "EC" in which special regulations set forth in Article XIII, Chapter 2 apply.

* * *

Chapter 4 - Sidewalk Cafe Regulations

* * *

14-44

Special Zoning Districts Where Certain Sidewalk Cafes are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
125th Street District	Yes	Yes
Battery Park City District	Yes	Yes
Clinton District	Yes	Yes
Enhanced Commercial District 2 (Columbus and Amsterdam Avenues)	Yes	Yes
Enhanced Commercial District 3 (Broadway)	Yes	Yes
Limited Commercial District	No	No*
Lincoln Square District	No	Yes

	No	Yes
Little Italy District	No	Yes
Lower Manhattan District	No	Yes**
Manhattanville Mixed Use District	No***	Yes
Transit Land Use District	Yes	Yes
Tribeca Mixed Use District	Yes	Yes
United Nations Development District	No	Yes

* #Unenclosed sidewalk cafes# are allowed on Greenwich Avenue
 ** #Unenclosed sidewalk cafes# are not allowed on State, Whitehall or Chambers Streets or Broadway
 *** #Enclosed sidewalk cafes# are allowed in Subdistrict B

Brooklyn	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Fourth Avenue Enhanced Commercial District	No	Yes
Bay Ridge District	Yes	Yes
Coney Island District	No	Yes
Coney Island Mixed Use District	Yes	Yes
Downtown Brooklyn District	Yes	Yes
Enhanced Commercial District 1 (Fourth Avenue)	No	Yes
Mixed Use District-8 (Greenpoint-Williamsburg)	Yes	Yes
Ocean Parkway District*	Yes	Yes
Sheepshead Bay District	No	Yes

* #Sidewalk cafes# are not allowed on Ocean Parkway

Article XIII: Special Purpose Districts

* * *

Chapter 2

Special ~~Fourth Avenue~~ Enhanced Commercial District

132-00 GENERAL PURPOSES

The #Special ~~Fourth Avenue~~ Enhanced Commercial District#, in the Borough of Brooklyn, established in this Chapter of the Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the promotion and maintenance of a lively and engaging pedestrian experience along commercial avenues and the following specific purposes:

- in #Special Enhanced Commercial District# 1, to enhance the character vitality of emerging commercial districts the area by ensuring that a majority of the ground floor space within buildings is occupied by commercial establishments that enliven the pedestrian experience along the street that promote a lively and engaging pedestrian experience along ~~Fourth Avenue~~;
- in #Special Enhanced Commercial District# 2, to enhance the vitality of well-established commercial districts by ensuring that ground floor frontages continue to reflect the multi-store character that defines such commercial blocks; to limit the number of curb cuts along ~~Fourth Avenue~~ in order to minimize conflicts between vehicles and pedestrians; and
- in #Special Enhanced Commercial District# 3, to enhance the vitality of well-established commercial districts by limiting the ground floor presence of inactive #street wall# frontages; and
- to promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.

132-01
Definitions

Ground floor level

For the purposes of this Chapter, "ground floor level" shall mean a building's lowest story located within 30 feet of the building's street wall of the building.

132-10
GENERAL PROVISIONS

The provisions of this Chapter shall apply to all buildings with Fourth Avenue street frontage along a designated commercial street.

The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter.

132-11
Special Enhanced Commercial Districts Specified

The Special Enhanced Commercial District is mapped in the following areas:

(a) Special Enhanced Commercial District # 1: (11/29/11)

The Special Enhanced Commercial District # 1 is established on the following designated commercial streets as indicated on the zoning maps:

- (1) Fourth Avenue, in the Borough of Brooklyn, generally between 24th Street and Atlantic Avenue.

(b) Special Enhanced Commercial District # 2: (date of adoption)

The Special Enhanced Commercial District # 2 is established on the following designated commercial streets as indicated on the zoning maps:

- (1) Amsterdam Avenue, in the Borough of Manhattan, generally between West 73rd Street and West 110th Street; and
(2) Columbus Avenue, in the Borough of Manhattan, generally between West 72nd Street and West 87th Street.

(c) Special Enhanced Commercial District # 3: (date of adoption)

The Special Enhanced Commercial District # 3 is established on the following designated commercial streets as indicated on the zoning maps:

- (1) Broadway, in the Borough of Manhattan, generally between West 72nd Street and West 110th Street.

132-12
Definitions

Ground floor level

For the purposes of this Chapter, "ground floor level" shall mean a building's lowest story located within 30 feet of the building's street wall along a designated commercial street.

Designated commercial street

For the purposes of this Chapter, "designated commercial street" shall be the portions of those streets specified in Section 132-11 (Special Enhanced Commercial Districts Specified).

132-13
Applicability of Special Use, Transparency and Parking Regulations

The special use, transparency and parking regulations of this Chapter shall apply to buildings in Special Enhanced Commercial Districts as designated in the following Table, except as otherwise provided in Sections 132-21, 132-31, and 132-41.

Table with columns: #Special Enhanced Commercial District, #Use# Regulations, Minimum Percentage of Commercial Use#, Minimum Number of Establishments#, Other non-Residential Establishments#, Residential Lobbies#, Ground Floor Transparency#, Parking Regulations, and a grid of 'X' marks indicating applicability.

132-20
SPECIAL USE REGULATIONS

The special use regulations of this Section shall apply to the Fourth Avenue street wall of developments and to buildings enlarged on the ground floor level, where such ground floor level fronts upon Fourth Avenue.

The following shall be exempt from the use provisions of this Section:

- (a) buildings located in Commercial Districts on a zoning lot with a width of less than 20 feet, as measured along the Fourth Avenue street line;
(b) any community facility building used exclusively for either a school, as listed in Use Group 3, or a house of worship, as listed in Use Group 4.

The special use regulations of this Section, inclusive, shall apply to buildings in the Special Enhanced Commercial Districts designated in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), except as otherwise provided in Section 132-21 (Applicability of Use Regulations).

In all Special Enhanced Commercial Districts:

- (a) the finished floor of the ground floor level for developments or ground floor level enlargements shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjacent sidewalk along a designated commercial street; and
(b) where regulations apply to existing buildings in Special Enhanced Commercial Districts 2 and 3, constructed prior to (date of adoption), the finished floor of the ground floor level shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjacent sidewalk along a designated commercial street.

132-21
Applicability of Use Regulations
Special Ground Floor Level Use Requirements in Commercial Districts

In Commercial Districts, the following use provisions shall apply to the ground floor level of a building. In addition to these provisions, permitted uses shall comply with the provisions of Sections 132-30 (SPECIAL TRANSPARENCY REGULATIONS), and 132-40 (SPECIAL PARKING REGULATIONS).

- (a) Mandatory commercial uses for a portion of the ground floor level:
Mandatory commercial use regulations shall apply to an area of a building's ground floor level defined by an aggregate width equal to at least 50 percent of a building's Fourth Avenue street wall and a depth equal to at least 30 feet, as measured from the Fourth Avenue street wall.
(b) Remaining portion of ground floor level:
The remaining portion of the ground floor level shall be occupied by any non-residential use permitted by the underlying district regulations, except that:
(1) residential lobbies, and an associated vertical circulation core shall be permitted in such remaining area, provided that the street wall width of such lobbies shall not exceed 25 feet, as measured along the Fourth Avenue street line.
(2) off street parking spaces and entrances to such spaces shall comply with the provisions of Section 132-40 (SPECIAL PARKING REGULATIONS).

- (c) Location of ground floor level:
The finished floor of the ground floor level shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjacent Fourth Avenue public sidewalk.

In Special Enhanced Commercial Districts the applicable special use provisions set forth in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations) shall apply as follows:

- (a) Enhanced Commercial District 1:
In the Commercial Districts located within the Special Enhanced Commercial District # 1, the applicable special use provisions indicated in the Table in Section 132-13 shall apply to developments and to buildings enlarged on the ground floor level, where such ground floor level fronts upon a designated commercial street, except that such provisions shall not apply to zoning lots with a width of less than 20 feet, as measured along the street line of the designated commercial street, provided such zoning lot existed on November 29, 2011.
(b) Enhanced Commercial Districts 2 and 3:
In Special Enhanced Commercial Districts 2 and 3, the applicable special use provisions indicated in the Table in Section 132-13 shall apply to all buildings with frontage along a designated commercial street, except that such provisions shall not apply to:
(1) the portion of a ground floor level of a building containing a commercial use continuously existing since (date of

adoption), where the average depth of such commercial use is less than 30 feet, as measured from the street wall of the building fronting upon the designated commercial street;

- (2) any establishment which has been lawfully issued a building permit on or before (date of adoption) authorizing "other construction", as set forth in paragraph (c)(3) of Section 11-31 (General Provisions), that would create a street wall width exceeding the maximum street wall width set forth in Section 132-24, provided that such "other construction" is completed by (six months after date of adoption). However, where such establishment is located within a landmark building or within an Historic District designated by the Landmarks Preservation Commission, and a completed application has been filed at the Landmarks Preservation Commission on or before the (date of adoption), such "other construction" shall be completed within six months after a Certificate of Appropriateness or other permit approving the building design was obtained from the Landmarks Preservation Commission.

In the event that such "other construction" has been commenced but not completed before the applicable date set forth in this paragraph (b)(2), the building permit shall automatically lapse and the right to continue construction shall terminate. An application to renew the building permit may be made to the Board of Standards and Appeals not more than 30 days after the lapse of such building permit. The Board may renew the building permit pursuant to the provisions set forth in paragraph (b) of Section 11-332 (Extension of period to complete construction); and

- (3) in Enhanced Commercial District 2, the portion of a ground floor level of a building containing a food store, as listed in Use Group 6A, where at least 6,000 square feet of floor area, or cellar space utilized for retailing, is utilized for the sale of a general line of food and non-food grocery products, such as dairy, canned and frozen foods, fresh fruits and vegetables, fresh and prepared meats, fish and poultry, intended for home preparation, consumption and utilization. Such retail space utilized for the sale of a general line of food and non food grocery products shall be distributed as follows:

- (i) at least 3,000 square feet or 50 percent of such retail space, whichever is greater, shall be utilized for the sale of a general line of food products intended for home preparation, consumption and utilization; and
(ii) at least 2,000 square feet or 30 percent of such retail space, whichever is greater, shall be utilized for the sale of perishable goods that shall include dairy, fresh produce, frozen foods and fresh meats, of which at least 500 square feet of such retail space shall be designated for the sale of fresh produce.

In addition, in Special Enhanced Commercial Districts # 1, 2 and 3 the applicable special use provisions indicated in the Table in Section 132-13 shall not apply to any community facility building used exclusively for either a school, as listed in Use Group 3, or a house of worship, as listed in Use Group 4.

132-211
Non-Conforming Uses

In Special Enhanced Commercial Districts # 2 and 3, the regulations of Article V, Chapter 2 shall be modified as follows.

For the purposes of this Chapter, non-conforming uses shall include ground floor level uses exceeding the applicable maximum street wall widths set forth in Section 132-24 (Maximum Street Wall Width).

Any ground floor level use with a non-conforming street wall width may be continued or changed to another use permitted by the applicable district regulations, provided that such change of use does not create a new non-conformance or increase the degree of non-conformance with regard to the permitted street wall width of such proposed use. The discontinuance provisions of Section 52-60 shall not apply to such change of use within establishments with non-conforming street wall widths.

132-22
Minimum Percentage of Commercial Uses
Special Ground Floor Level Use Requirements in Residence Districts

In Residence Districts, all uses permitted by the underlying district regulations are permitted on the ground floor level, provided such uses comply with the provisions of Sections 132-30 (SPECIAL TRANSPARENCY REGULATIONS), where applicable, and 132-40 (SPECIAL PARKING REGULATIONS).

In the applicable Special Enhanced Commercial Districts indicated in the Table in Section 132-13 (Applicability of

Special Use, Transparency and Parking Regulations), the following provisions shall apply to the #ground floor level street walls# of #buildings# fronting along a #designated commercial street#. For #buildings# fronting along multiple #streets#, the required percentage of #ground floor level street wall# allocated to certain #uses#, as set forth in this Section, shall apply only to the portion of the #building's ground floor level# fronting upon a #designated commercial street#.

- (a) Mandatory #commercial uses# for a portion of the #ground floor level#

Mandatory #commercial use# regulations shall apply to an area of a #building's ground floor level# defined by an aggregate width equal to at least 50 percent of a #building's street wall# along a #designated commercial street# and a depth equal to at least 30 feet, as measured from the #street wall# along the #designated commercial street#. Such an area on the #ground floor level# shall be occupied by #commercial uses# listed in Use Groups 5, 6A, 6C excluding banks and loan offices, 7B, 8A, 8B, or 9A.

- (b) Remaining portion of #ground floor level#

The remaining portion of the #ground floor level# shall be occupied by any non-#residential use# permitted by the underlying district regulations, except that:

- (1) #residential# lobbies, and an associated vertical circulation core, shall be permitted in such remaining area, provided that such lobbies comply with the applicable maximum width provisions of paragraph (c) of Section 132-24 (Maximum Street Wall Width). In addition, the 30 foot depth requirement for #commercial uses# pursuant to paragraph (a) of this Section may be encroached upon where necessary to accommodate a vertical circulation core associated with such #residential# lobby; and
- (2) off-street parking spaces and entrances to such spaces, where permitted, shall comply with the provisions of Section 132-40 (SPECIAL PARKING REGULATIONS).

132-23 Minimum Number of Establishments

In the applicable #Special Enhanced Commercial Districts# indicated in the Table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the #ground floor level# of all #buildings# with #street# frontage along a #designated commercial street#.

For #zoning lots# with a #lot width# of 50 feet or more, as measured along the #street line# of the #designated commercial street#, a minimum of two non-#residential# establishments shall be required for every 50 feet of #street# frontage. In addition, each such #ground floor level# establishment shall have an average depth equal to at least 30 feet, as measured from the #street wall# along the #designated commercial street#. However, such depth requirement may be reduced where necessary in order to accommodate a vertical circulation core associated with a #residential# lobby.

132-24 Maximum Street Wall Width

In the applicable #Special Enhanced Commercial Districts# indicated in the Table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the #ground floor level# of all #buildings# with #street# frontage along a #designated commercial street#.

- (a) Banks and loan offices

In the applicable #Special Enhanced Commercial Districts#, within 30 feet of a #building's street wall# along a #designated street#, the maximum #street wall# width of a bank or loan office, as listed in Use Group 6C, on a #ground floor level# shall not exceed 25 feet.

- (b) Other non-#residential# establishments

In the applicable #Special Enhanced Commercial Districts#, the maximum #street wall# width of any non-#residential ground floor level# establishment, other than a bank or loan office, shall not exceed 40 feet, as measured along the #street line# of a #designated commercial street#.

- (c) #Residential# lobbies

In the applicable #Special Enhanced Commercial Districts#, the maximum #street wall# width of any #ground floor level residential# lobby shall not exceed 25 feet, as measured along the #street line# of a #designated commercial street#.

132-30 SPECIAL TRANSPARENCY REGULATIONS

The special transparency regulations of this Section shall apply to the Fourth Avenue #street walls# of #developments# and to portions of #buildings enlarged# on the #ground floor level#, where such #ground floor level# fronts upon Fourth Avenue. For #buildings# fronting along multiple #streets#,

the required percentage of #ground floor level street wall# allocated to transparent materials, as set forth in this Section, shall apply only to the portion of the #building's ground floor level# fronting upon Fourth Avenue.

The following shall be exempt from the transparency provisions of this Section:

- (a) ~~#buildings# in #Residence Districts# where the #ground floor level# of such #buildings# contains #dwelling units# or #rooming units#; and~~
- (b) ~~#buildings# located in #Commercial Districts# on a #zoning lot# with a width of less than 20 feet, as measured along the Fourth Avenue #street line#, provided such #zoning lot# existed on (date of adoption); and~~
- (c) ~~any #community facility building# used exclusively for either a #school# or a house of worship.~~

The special transparency regulations of this Section, inclusive, shall apply to #buildings# in the #Special Enhanced Commercial Districts# indicated in the Table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), except as otherwise provided in Section 132-31 (Applicability of Transparency Regulations).

132-31 Applicability of Transparency Regulations Special Ground Floor Level Transparency Requirements

The #ground floor level street wall# shall be glazed with transparent materials which may include show windows, transom windows or glazed portions of doors, provided such transparent materials have a minimum width of two feet. Such transparency shall occupy at least 50 percent of the surface area of each such #ground floor level street wall# between a height of two feet, and 12 feet, or the height of the ground floor ceiling, whichever is higher as measured from the adjoining sidewalk. The lowest point of any transparency that is provided to satisfy the requirements of this Section shall not be higher than two feet, six inches above the #curb level#, with the exception of transom windows, or portions of windows separated by mullions or other structural dividers. In addition, the maximum width of a portion of the #ground floor level street wall# without transparency shall not exceed ten feet.

However, where an entrance to an off-street parking facility is permitted on Fourth Avenue in accordance with the provisions of Section 132-42 (Special Curb Cut Requirements), the transparency requirements of this Section shall not apply to the portion of the #ground floor level street wall# occupied by such entrance.

In #Special Enhanced Commercial Districts#, the special transparency provisions indicated in the Table in Section 132-13 shall apply to #developments# and to #buildings enlarged# on the #ground floor level#, where such #ground floor level# fronts upon a #designated commercial street#, except that such provisions shall not apply:

- (a) to #zoning lots# in #Commercial Districts# with a width of less than 20 feet, as measured along the #street line# of a #designated commercial street#, provided such #zoning lots# existed on:
- (1) November 29, 2011 for #Special Enhanced Commercial District# 1; and
- (2) (date of adoption) for #Special Enhanced Commercial Districts# 2 and 3;
- (b) to any #community facility building# used exclusively for either a #school#, as listed in Use Group 3, or a house of worship, as listed in Use Group 4; and
- (c) in #Special Enhanced Commercial District# 1, to #buildings# in #Residence Districts# where the #ground floor level# contains #dwelling units# or #rooming units#.

132-32 Ground Floor Level Transparency Requirements

In the applicable #Special Enhanced Commercial Districts#, as indicated in the Table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the special transparency regulations of this Section shall apply to the #ground floor level street walls# of #buildings# fronting along a #designated commercial street#. For #buildings# fronting along multiple #streets#, the required percentage of #ground floor level street wall# allocated to transparent materials, as set forth in this Section, shall apply only to the portion of the #building's ground floor level# fronting upon a #designated commercial street#.

The #ground floor level street wall# shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors. Such transparent materials may be provided anywhere on such #ground floor level street wall#, except that:

- (a) transparent materials shall occupy at least 50 percent of the surface area of such #ground floor level street wall# between a height of two feet and 12 feet, or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. Transparent materials provided to satisfy such 50 percent requirement shall:
- (1) not begin higher than 2 feet, 6 inches above the level of the adjoining sidewalk, with the exception of transom windows, or portions of windows separated by

- mullions or other structural dividers; and
(2) have a minimum width of two feet; and

- (b) the maximum width of a portion of the #ground floor level street wall# without transparency shall not exceed ten feet.

However, where an entrance to an off-street parking facility is permitted on a #designated commercial street# in accordance with the provisions of Section 132-43 (Curb Cut Requirements), the transparency requirements of this Section shall not apply to the portion of the #ground floor level street wall# occupied by such entrance.

132-40 SPECIAL PARKING REGULATIONS

The provisions of this Section shall apply to all #buildings# with Fourth Avenue #street# frontage.

The special parking regulations of this Section, inclusive, shall apply to all #buildings# in the #Special Enhanced Commercial Districts# indicated in the Table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations).

132-41 Applicability of Parking Regulations Special Location of Parking Spaces Requirements

All off-street parking spaces shall be located within a #completely enclosed building#. Enclosed, off-street parking spaces shall be permitted on the ground floor of a #building# only where they are located beyond 30 feet of such #building's# Fourth Avenue #street wall#. Entrances to such spaces along Fourth Avenue shall be permitted only where a curb cut is allowed in accordance with the provisions of Section 132-42 (Special Curb Cut Requirements).

In #Special Enhanced Commercial Districts#, the applicable special parking provisions indicated in the Table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations) shall apply to all #buildings# with frontage along a #designated commercial street#.

132-42 Location of Parking Spaces Special Curb Cut Requirements

For #zoning lots# with frontage along Fourth Avenue and another #street#, curb cuts accessing off-street parking spaces shall not be permitted along Fourth Avenue.

Curb cuts accessing off-street parking spaces shall be permitted on Fourth Avenue only where such curb cut is located on a #zoning lot# that:

- (a) is an #interior lot# fronting along Fourth Avenue;
- (b) existed on (date of adoption);
- (c) has a width of at least 60 feet, as measured along the Fourth Avenue #street line#; and
- (d) has a #lot area# of at least 5,700 square feet.

In the applicable #Special Enhanced Commercial Districts#, as indicated in the Table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the ground floor of all #buildings# with #street# frontage along a #designated commercial street#.

All off-street parking spaces shall be located within a #completely enclosed building#.

Enclosed, off-street parking spaces shall be permitted on the ground floor of a #building# only where they are located beyond 30 feet of such #building's street wall# along a #designated commercial street#. Entrances to such spaces along a #designated commercial street# shall be permitted only where a curb cut is allowed in accordance with the provisions of Section 132-43 (Curb Cut Requirements).

132-43 Curb Cut Requirements

In the applicable #Special Enhanced Commercial Districts#, as indicated in the Table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the ground floor of all #buildings# with #street# frontage along a #designated commercial street#.

For #zoning lots# with frontage along a #designated commercial street# and another #street#, curb cuts accessing off-street parking spaces shall not be permitted along a #designated commercial street#.

Curb cuts accessing off-street parking spaces shall be permitted on a #designated commercial street# -only where such curb cut is located on a #zoning lot# that:

- (a) is an #interior lot# fronting along a #designated commercial street#;
- (b) existed on November 29, 2011 in #Special Enhanced Commercial District# 1;
- (c) has a width of at least 60 feet, as measured along the #street line# of the #designated commercial street#; and
- (d) has a #lot area# of at least 5,700 square feet.

132-50 CERTIFICATIONS AND AUTHORIZATIONS

132-51 Certification to Allow a Limited Increase in Street Wall Width

In #Special Enhanced Commercial District# 2, an

establishment may #extend#, thereby exceeding the maximum #street wall# width for non-#residential# establishments set forth in paragraph (b) of Section 132-24 (Maximum Street Wall Width), and may reduce the number of establishments required pursuant to 132-23 (Minimum Number of Establishments) upon certification by the Chairperson of the City Planning Commission to the Department of Buildings that:

- (a) the proposed establishment does not exceed a maximum #street wall# width of 60 feet;
- (b) the applicant has submitted an affidavit attesting to and including information that:
- (1) at the time of application for #extension#, the #use# has existed within such #building# for a period of one year; and
- (2) such existing establishment cannot #extend# without increasing the #street wall# width for such establishment because of:
- (1) physical restrictions created by the #building# design, including, but not limited to the location of existing structural walls and vertical circulation cores;
- (2) the presence of other #uses# with ongoing or expected occupancy within such #building#; or
- (3) regulatory limitations; and
- (c) the applicant has demonstrated that at the time of application not more than one non-#residential# establishment has a #street wall# width exceeding 40 feet on either the same #block# frontage containing the applicant's establishment, or on the #block# frontage directly across the #street# from the #block# containing such establishment, or on the #blocks# fronting on the #commercial street# immediately adjacent to the north and south of the #block# containing such applicant's establishment.

In order to demonstrate such conditions, the applicant shall:

- (1) submit photographs or dimensioned elevation drawings to verify compliance with the conditions specified in this paragraph (c); and
- (2) verify that at the time of application no other approved applications exist for certifications or authorizations under Section 132-50 (CERTIFICATIONS AND AUTHORIZATIONS) in the geographic boundaries set forth in this paragraph (c).

A copy of an application for certification pursuant to this Section shall be sent by the Department of City Planning to the affected Community Board, which may review such proposal and submit comments to the Chairperson of the City Planning Commission. If the Community Board elects to comment on such application, it must be done within 30 days of receipt of such application. The Chairperson will not act on such application until the Community Board's comments have been received, or the 30 day comment period has expired, whichever is earlier.

A certification granted pursuant to this Section shall automatically lapse if substantial construction in accordance with the plans for which such certification was granted, has not been completed within one year from the effective date of such certification.

132-52 Authorization to Modify Maximum Street Wall Widths of Establishments

In #Special Enhanced Commercial Districts# 2 and 3, the City Planning Commission may authorize a modification of the maximum #street wall# width of non-#residential# establishments, as set forth in paragraphs (a) and (b) of Section 132-24 (Maximum Street Wall Width), provided the Commission finds that:

- (a) such additional frontage space is required for the operation of such proposed #use#, and such #use# cannot be reasonably configured within the permitted #street wall# width; or
- (b) a high ground floor vacancy rate exists within a reasonable distance of the proposed #use#, and such high vacancy rate is a consequence of adverse market conditions.

The land use application for an authorization pursuant to this Section shall be sent to the applicable Community Board. If the Community Board elects to comment on such application, it must be done within 30 days of receipt of such application. The Chairperson will not act on such application until the Community Board's comments have been received, or the 30 day comment period has expired, whichever is earlier.

UPPER WEST SIDE NEIGHBORHOOD RETAIL STREETS

MANHATTAN CB - 07 **C 120145 ZMM**
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, Sections Nos. 5d & 8c:

1. establishing within an existing R10A District a C1-5 District bounded by West 77th Street, a line 100 feet easterly of Columbus Avenue, a line midway between West 76th Street and West 77th Street, and Columbus Avenue;

2. establishing a Special Enhanced Commercial District- 2 (EC-2) bounded by:
- a. Cathedral Parkway, Amsterdam Avenue, West 109th Street, a line 100 feet easterly of Amsterdam Avenue, West 105th Street, Amsterdam Avenue, West 103rd Street, and a line 100 feet westerly of Amsterdam Avenue;
- b. West 102nd Street, Amsterdam Avenue, West 101st Street, and a line 100 feet westerly of Amsterdam Avenue;
- c. West 100th Street, Amsterdam Avenue, West 87th Street, a line 100 feet easterly of Amsterdam Avenue, West 73rd Street, Amsterdam Avenue, West 75th Street, and a line 100 feet westerly of Amsterdam Avenue; and
- d. West 87th Street, a line 100 feet easterly of Columbus Avenue, West 81st Street, Columbus Avenue, West 77th Street, a line 100 feet easterly of Columbus Avenue, West 72nd Street, Columbus Avenue, West 72nd Street, a line midway between West 72nd Street and West 73rd Street, and a line 100 feet westerly of Columbus Avenue; and
3. establishing a Special Enhanced Commercial District- 3 (EC-3) bounded by Cathedral Parkway, a line 100 feet easterly of Broadway, West 78th Street, a line 100 feet westerly of Amsterdam Avenue, West 75th Street, Amsterdam Avenue, West 74th Street, Broadway, West 72nd Street, a line 100 feet westerly of Broadway, West 105th Street, West End Avenue, West 107th Street, and a line 100 feet westerly of Broadway.

as shown in a diagram (for illustrative purposes only) dated January 3, 2012.

WOODHAVEN-RICHMOND HILL REZONING

QUEENS CB - 09 **C 120195 ZMQ**
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. 14b, 14d, 17c, 18a, and 18c:

1. eliminating from an existing R3-1 District a C1-2 District bounded by a line 100 feet northerly of Jamaica Avenue, 85th Street, a line 150 feet northerly of Jamaica Avenue, Woodhaven Boulevard, 86th Drive, 94th Street, a line 150 feet northerly of Jamaica Avenue, 98th Street, a line 150 feet southerly of Jamaica Avenue, 85th Street, a line 100 feet southerly of Jamaica Avenue, 80th Street, Jamaica Avenue, and 80th Street;
2. eliminating from an existing R3-1 District a C2-2 District bounded by:
- a. a line 100 feet northerly of Jamaica Avenue, 76th Street, a line 150 feet northerly of Jamaica Avenue, 80th Street, Jamaica Avenue, 80th Street, a line 100 feet southerly of Jamaica Avenue, 78th Street, a line 150 feet southerly of Jamaica Avenue, 75th Street, a line 100 feet southerly of Jamaica Avenue, and Dexter Court and its southerly centerline prolongation;
- b. a line 150 feet northwesterly of Atlantic Avenue, 112th Street, a line 100 feet northwesterly of Atlantic Avenue, and 108th Street; and
- c. and a line 150 feet northwesterly of Atlantic Avenue, 121st Street, a line 100 feet northwesterly of Atlantic Avenue, and 114th Street;
3. eliminating from an existing R5 District a C2-2 District bounded by a line 100 feet northwesterly of Atlantic Avenue, 121st Street, Atlantic Avenue, Lefferts Boulevard, 94th Avenue, 120th Street, a line 150 feet southeasterly of 94th Avenue, Lefferts Boulevard, a line 150 feet southeasterly of Atlantic Avenue, 107th Street, Atlantic Avenue, and 108th Street;
4. changing from an R3-1 District to an R3A District property bounded by:
- a. a line 100 feet southerly of Jamaica Avenue, a line 80 feet northeasterly of 90th Street, 88th Avenue, a line 100 feet southwesterly of Woodhaven Boulevard, 89th Avenue, Woodhaven Boulevard, 91st Avenue, 88th Street, a line 80 feet northerly of 91st Avenue, and a line midway between 88th Street and 89th Street; and
- b. Park Lane South, the northeasterly boundary line of the Long Island Railroad right-of-way (Rockaway Beach Division), a line 100 feet northerly of Jamaica Avenue, 98th Street, a line 250 feet northerly of Jamaica Avenue, and a line 100 feet easterly of 96th Street;
5. changing from an R3-1 District to an R3X District property bounded by:
- a. Park Lane South, 89th Street, a line 150 feet southerly of 85th Road, a line midway between 88th Street and 89th Street, a line 100 feet northerly of Jamaica Avenue, 86th Street, 86th Avenue, a line

290 feet northeasterly of Forest Parkway, a line 100 feet northerly of Jamaica Avenue, Forest Parkway, southeasterly street line of 86th Road and its northeasterly prolongation, and a line 100 feet southwesterly of Forest Parkway;

- b. Park Lane South, a line 100 feet easterly of 96th Street, a line 150 feet northerly of Jamaica Avenue, 96th Street, a line 100 feet southerly of 86th Road, 94th Street, 86th Drive, Woodhaven Boulevard, 86th Road, 91st Street, a line 150 feet northerly of 85th Road, and a line midway between 91st Street and 90th Street; and
- c. a line 100 feet southerly of Jamaica Avenue, 98th Street, a line 175 feet southerly of Jamaica Avenue, a line 140 feet northeasterly of 98th Street, a line 225 feet southeasterly of 91st Avenue, 98th Street, a line 100 feet northwesterly of Atlantic Avenue, 96th Street, 91st Avenue, 96th Street, 89th Avenue, and Woodhaven Boulevard;
6. changing from an R5 District to an R4-1 District property bounded by:
- a. 95th Avenue, 104th Street, 94th Avenue, a line 90 feet northeasterly of 104th Street, 95th Avenue, a line midway between 106th Street and 105th Street, a line 100 feet northwesterly of 101st Avenue, and 102nd Street;
- b. a line 100 feet southeasterly of 101st Avenue, a line midway between 112th Street and 113th Street, a line 100 feet northwesterly of 103rd Avenue, and a line midway between 101st Street and 102nd Street; and
- c. Atlantic Avenue, 124th Street, a line 100 feet northwesterly of 95th Avenue, and 121st Street;
7. changing from an M1-1 District to an R4-1 District property bounded by 94th Avenue, 104th Street, 95th Avenue, and 102nd Street;
8. changing from an R3-1 District to an R4A District property bounded by a line 100 feet southeasterly of Jamaica Avenue, a line midway between 114th Street and 115th Street, a line perpendicular to the southwesterly street line of 115th Street distant 290 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Jamaica Avenue and the southwesterly street line of 115th Street, 115th Street, a line 200 feet southeasterly of Jamaica Avenue, 116th Street, a line 100 feet southeasterly of Jamaica Avenue, Lefferts Boulevard, 89th Avenue, 121st Street, a line 100 feet northwesterly of Atlantic Avenue, 112th Street, 89th Avenue and its southwesterly centerline prolongation, and 113th Street;
9. changing from an R5 District to an R4A District property bounded by:
- a. Atlantic Avenue, 96th Street, 95th Avenue, and Woodhaven Boulevard;
- b. 94th Avenue, 106th Street, a line 100 feet southeasterly of Atlantic Avenue, Lefferts Boulevard, a line 200 feet northwesterly of 95th Avenue, 120th Street, a line 150 feet northwesterly of 95th Avenue, 121st Street, a line 100 feet southeasterly of 95th Avenue, 124th Street, 94th Avenue, 125th Street, Atlantic Avenue, 127th Street, 94th Avenue, 129th Street, a line 150 feet southeasterly of Atlantic Avenue, 130th Street, a line 100 feet southeasterly of Atlantic Avenue, a line 100 feet northeasterly of 134th Street, a line 100 feet northwesterly of 95th Avenue, a line 100 feet southwesterly of the Van Wyck Expressway, a line 100 feet northwesterly of 101st Avenue, a line midway between 105th Street and 106th Street, 95th Avenue, and a line 90 feet northeasterly of 104th Street; and
- c. a line 100 feet southeasterly of 101st Avenue, 135th Street, 102nd Avenue, Van Wyck Expressway, a line 100 feet northwesterly of 103rd Avenue, 133rd Street, 103rd Avenue, 127th Street, a line 90 feet northwesterly of 103rd Avenue, 114th Street, a line 100 feet northwesterly of 103rd Avenue, and a line midway between 112th Street and 113th Street;
10. changing from an R5 District to an R4B District property bounded by a line 100 feet northwesterly of 95th Avenue, 124th Street, a line 100 feet southeasterly of 95th Avenue, and 121st Street;
11. changing from an R3-1 District to an R6A District property bounded by:
- a. a line 100 feet northerly of Jamaica Avenue, a line 85 feet westerly of 76th Street, a line 100 feet northerly of Jamaica Avenue, Woodhaven Boulevard, 86th Drive, 94th Street, a line 100 feet southerly of 86th Road, 96th Street, a line 150 feet northerly of Jamaica Avenue, a line 100 feet easterly of 96th Street, a line 250 feet northerly of Jamaica Avenue, 98th Street, a line 100 feet southerly of Jamaica Avenue, and Dexter Court and its southerly centerline prolongation;
- b. a line 150 feet southerly of Jamaica Avenue, a line 100 feet southwesterly of 102nd Street, a line 175 feet southerly of Jamaica Avenue, and 98th Street; and
- c. a line 100 feet southeasterly of Jamaica Avenue, 116th Street, a line 200 feet

- southeasterly of Jamaica Avenue, 115th Street, a line perpendicular to the southwesterly street line of 115th Street distant 290 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Jamaica Avenue and the southwesterly street line of 115th Street, and a line midway between 114th Street and 115th Street;
- 12. changing from an R3-2 District to an R6A District property bounded by a line 130 feet northerly of Jamaica Avenue, a line 85 feet westerly of 76th Street, a line 100 feet northerly of Jamaica Avenue; and Dexter Court;
- 13. changing from an R5 District to an R6A District property bounded by a line midway between 93rd Avenue and Atlantic Avenue and its northeasterly prolongation, 108th Street, a line 100 feet northwesterly of Atlantic Avenue, 121st Street, Atlantic Avenue, Lefferts Boulevard, a line 100 feet southeasterly of Atlantic Avenue, 106th Street, 94th Avenue, and a line 100 feet northeasterly of 104th Street;
- 14. changing from a C8-1 District to an R6A District property bounded by:
 - a. Jamaica Avenue, the southerly prolongation of Dexter Court, a line 100 feet southerly of Jamaica Avenue, and Eldert Lane; and
 - b. a line 100 feet northerly of Jamaica Avenue, the northeasterly boundary line of the Long Island Railroad right-of-way (Rockaway Beach Division), a line perpendicular to the southwesterly street line of 101st Street distant 240 feet northwesterly (as measured along the street line) from the point of intersection of the northerly street line of Jamaica Avenue to the southwesterly street line of 101st Street, 101st Street, Jamaica Avenue, a line 100 feet southwesterly of 102nd Street, a line 150 feet southerly of Jamaica Avenue, and 98th Street;
- 15. establishing within a proposed R4A District a C2-3 District bounded by a line 150 feet southeasterly of Jamaica Avenue, Lefferts Boulevard, a line 535 feet southeasterly of Jamaica Avenue, and a line midway between Lefferts Boulevard and 118th Street;
- 16. establishing within an existing R5 District a C2-3 District bounded by:
 - a. 94th Avenue, 120th Street, a line 100 feet southeasterly of 94th Avenue, and Lefferts Boulevard;
 - b. Atlantic Avenue, a line 100 feet northeasterly of 130th Street, a line 100 feet southeasterly of Atlantic Avenue, 129th Street, 94th Avenue, and 127th Street;
 - c. Atlantic Avenue, 134th Street, a line 100 feet southeasterly of Atlantic Avenue, and 133rd Street; and
 - d. a line 100 feet southeasterly of Atlantic Avenue, the southwesterly service road of Van Wyck Expressway, a line 100 feet southeasterly of 95th Avenue, a line 100 feet southwesterly of Van Wyck Expressway, and a line 100 feet northwesterly of 95th Avenue, and a line 100 feet northeasterly of 134th Street;
- 17. establishing within a proposed R6A District a C1-4 District bounded by a line 100 feet northerly of Jamaica Avenue, Woodhaven Boulevard, 86th Drive, 94th Street, a line 100 feet southerly of 86th Road, 96th Street, a line 100 feet northerly of Jamaica Avenue, 98th Street, a line 100 feet southerly of Jamaica Avenue, 80th Street, Jamaica Avenue, and 80th Street;
- 18. establishing within a proposed R6A District a C2-3 District bounded by a line midway between 93rd Avenue and Atlantic Avenue and its northeasterly prolongation, 108th Street, a line 100 feet northwesterly of Atlantic Avenue, 121st Street, Atlantic Avenue, Lefferts Boulevard, a line 100 feet southeasterly of Atlantic Avenue, 106th Street, Atlantic Avenue, and a line 100 feet northeasterly of 104th Street; and
- 19. establishing within a proposed R6A District a C2-4 District bounded by:
 - a. Jamaica Avenue, Dexter Court, a line 130 feet northerly of Jamaica Avenue, a line 85 feet westerly of 76th Street, a line 100 feet northerly of Jamaica Avenue, 80th Street, Jamaica Avenue, 80th Street, a line 100 feet southerly of Jamaica Avenue, and Eldert Lane; and

- b. a line 100 feet northerly of Jamaica Avenue, the northeasterly boundary line of the Long Island Railroad right-of-way (Rockaway Beach Division), a line perpendicular to the southwesterly street line of 101st Street distant 240 feet northwesterly (as measured along the street line) from the point of intersection of the northerly street line of Jamaica Avenue to the southwesterly street line of 101st Street, 101st Street, Jamaica Avenue, a line 100 feet southwesterly of 102nd Street, a line 175 feet southerly of Jamaica Avenue, and 98th Street;
- as shown on a diagram (for illustrative purposes only) dated February 27, 2012, and subject to the conditions of CEQR Declaration E-281.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, June 19, 2012:

32 DOMINICK STREET HOUSE

MANHATTAN CB - 02 20125554 HKM (N 120263 HKM) Designation (List No. 453/LP-2480) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the 32 Dominick Street House (Tax Map Block 578, Lot 64), as an historic landmark.

34 DOMINICK STREET HOUSE

MANHATTAN CB - 02 20125555 HKM (N 120264 HKM) Designation (List No. 453/LP-2481) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the 34 Dominick Street House (Tax Map Block 578, Lot 63), as an historic landmark.

36 DOMINICK STREET HOUSE

MANHATTAN CB - 02 20125556 HKM (N 120265 HKM) Designation (List No. 453/LP-2482) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the 36 Dominick Street House (Tax Map Block 578, Lot 62), as an historic landmark.

DENNISON AND LYDIA WOOD HOUSE

MANHATTAN CB - 02 20125557 HKM (N 120266 HKM) Designation (List No. 453/LP-2486) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Dennison and Lydia Wood House, located at 310 Spring Street (Tax Map Block 594, Lot 34), as an historic landmark.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, June 19, 2012.

j13-19

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, June 20, 2012 at 10:00 A.M.

BOROUGH OF THE BRONX

No. 1

HIGHBRIDGE CHILD CARE/SENIOR CENTER

CD 4 C 120140 PQX

IN THE MATTER OF an application submitted by the Administration for Children's Services, the Department for the Aging, and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 1181 Nelson Avenue (Block 2516, Lot 51), for continued use as a child care center and senior center.

BOROUGH OF BROOKLYN

Nos. 2 & 3

59 WALTON STREET REZONING & TEXT AMENDMENT

No. 2

CD 1 C 100041 ZMK

IN THE MATTER OF an application submitted by the Walton Realty Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b:

- 1. changing from an M1-2 District to an R6A District property bounded by Middleton Street, Union Avenue, Lorimer Street, and Marcy Avenue;
- 2. changing from an M3-1 District to an R7A District

- property bounded by Lorimer Street, Union Avenue, Wallabout Street, and Marcy Avenue; and
- 3. establishing within a proposed R7A District a C2-4 District bounded by Lorimer Street, a line 150 feet northeasterly of Marcy Avenue, Walton Street, and Marcy Avenue;

as shown in a diagram (for illustrative purposes only) dated March 26, 2012 and subject to the conditions of CEQR Declaration E-282.

No. 3

CD 1 N 100042 ZRK

IN THE MATTER OF an application submitted by Walton Realty Associates pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Appendix F (Inclusionary Housing Designated Areas), relating to the extension of the Inclusionary Housing Program to a proposed R7A district.

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

**APPENDIX F
 Inclusionary Housing Designated Areas**

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing designated areas# are mapped in #Commercial Districts#, the residential district equivalent has instead been specified for each map.
 * * *
 Brooklyn, Community District 1

In Waterfront Access Plan BK-1 and in the R6, R6A, R6B, R7A, R7-3 and R8 Districts within the areas shown on the following Maps 1, 2, 3 and 4:

* * *

EXISTING

(TO BE DELETED)

Map 4 (12/21/00)

Portion of Community District 1, Brooklyn



**PROPOSED
(TO REPLACE EXISTING)**

Map 4
Portion of Community District 1, Brooklyn



No. 4

74 WALLABOUT STREET REZONING

CD 1 C 110390 ZMK
IN THE MATTER OF an application submitted by 74 Wallabout LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Sections No. 12d:

- changing from an M1-2 District to an R7-1 District property bounded by Wallabout Street, Franklin Avenue, Flushing Avenue, and Kent Avenue; and
 - establishing within a proposed R7-1 District a C1-5 District bounded by Wallabout Street, Franklin Avenue, Flushing Avenue; and Kent Avenue;
- as shown in a diagram (for illustrative purposes only) dated March 26, 2012 and subject to the conditions of CEQR Declaration E-283.

BOROUGH OF MANHATTAN

No. 5

FORDHAM UNIVERSITY PASSAGEWAY

CD 7 C 120172 ZSM
IN THE MATTER OF an application submitted by Fordham University, West 62nd Street LLC and West 60th Realty LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 82-33 of the Zoning Resolution to modify the minimum distance between buildings requirements of Section 23-711 (Standard minimum distance between buildings), in connection with the proposed expansion of Fordham University, Lincoln Center Campus, bounded by Amsterdam Avenue, West 62nd Street, Columbus Avenue, West 60th Street, Amsterdam Avenue, West 61st Street, a line 200 feet easterly of Amsterdam Avenue, and a line 90 feet southerly of West 62nd Street (Block 1132, Lots 1, 20, 21, 22 and 35), in a C4-7 District, within the Special Lincoln Square District.

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

No. 6

120 EAST 125TH STREET FIREHOUSE

CD 11 N 120248 HAM
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of property located at 120 East 125th Street (Block 1773, Lot 62) as an Urban Development Action Area;
 - and an Urban Development Action Area Project for such an area;

to facilitate the rehabilitation of an existing four-story building for community facility and art-related uses.

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

j7-20

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 02 - Wednesday, June 20, 2012, 6:00 P.M., Polytechnic Institute, Dibner Library, Room LC 400, 5 Metrotech Center, Brooklyn, NY

#N120384ZRK
Downtown Brooklyn Parking

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution; to modify the parking regulations of the Special Downtown Brooklyn District.

IN THE MATTER OF an application to be filed at the Board of Standards and Appeals (BSA) to allow the reconversion of an existing community facility hotel back to its original transient hotel use in a C1-3/R7-1 and R6 zoning district, where transient hotel use is not otherwise allowed.

j14-20

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO.18 - Wednesday, June 20, 2012 at 7:00 P.M., Community Board Office, 1097 Bergen Avenue, Brooklyn, NY

IN THE MATTER OF an application submitted by the New York City Department of Small Business Services, pursuant to Section 384(b)4 of the New York City Charter for the disposition of city-owned property located at 2875 Flatbush Avenue (a.k.a. Mill Basin Project).

BSA# 337-90-BZ

Premises: 1415 East 92nd Street (a.k.a 9201-11 Avenue L) A public hearing on an application filed pursuant to Section 11-411 of the Zoning Resolution to waive the Rules of Practice and Procedure to extend the time to obtain a Certificate of Occupancy and to re-open and extend the term of variance, for a term of ten (10) years; to permit the continued operation of an automotive service station, and automobile repair establishment.

j14-20

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 12 - Monday, June 25, 2012, 6:45 P.M., Community Board 12 Office, 5910 13th Avenue, Brooklyn, NY

Premises: 1030-1044 Ocean Parkway
An amendment to split the previous BSA grant into two separate job numbers at the Department of Buildings and to legalize the addition of a cellar mezzanine at the premises.

j19-25

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, June 26, 2012 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.

j19-25

ENVIRONMENTAL CONTROL BOARD

■ MEETING

**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS/
ENVIRONMENTAL CONTROL BOARD**

The next meeting will take place on Thursday, June 28, 2012 at 40 Rector Street, OATH Lecture Room, 14th Floor, New York, N.Y. 10006 at 9:15 A.M., at the call of the Chairman.

j18-20

INDEPENDENT BUDGET OFFICE

■ MEETING

The New York City Independent Budget Office Advisory Board will hold a meeting on Tuesday, June 26, 2012, beginning at 8:30 A.M. at the offices of the NYC Independent Budget Office, 110 William Street, 14th Floor. There will be an opportunity for the public to address the advisory board during the public portion of the meeting.

j18-19

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, June 26, 2012 at 3:30 P.M.**, at the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Historic District. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEM TO BE HEARD

PUBLIC MEETING ITEM NO. 1
LP-2491

PROPOSED EAST VILLAGE/LOWER EAST SIDE

HISTORIC DISTRICT, Borough of Manhattan.

Boundary Description

The proposed East Village/Lower East Side Historic District consists of the property bounded by a line beginning at the northeast corner of Second Avenue and East 2nd Street, extending westerly across Second Avenue and continuing westerly along the northern curblineline of East 2nd Street to its intersection with a line extending southerly from the western side wall of 26 East 2nd Street, northerly along the western side wall of 26 East 2nd Street, easterly along the northern property line of 26 East 2nd Street and a portion of the northern property line of 28 East 2nd Street, northerly along a portion of the western property line of 28 East 2nd Street, easterly along a portion of the northern property line of 28 East 2nd Street and the northern property lines of 30 to 36 East 2nd Street to the western curblineline of Second Avenue, northerly along the western curblineline of Second Avenue to its intersection with a line extending easterly from the southern property line of 43 Second Avenue, westerly along the southern property line of 43 Second Avenue, northerly along the western property lines of 43 to 45-47 Second Avenue, westerly along a portion of the southern property line of 30 East 3rd Street to the northern curblineline of East 3rd Street, westerly along the southern curblineline of East 3rd Street to its intersection with a line extending southerly from the western property line of 7 East 3rd Street, northerly along the western property line of 7 East 3rd Street, westerly along the southern property line of 56 East 4th Street and a portion of the southern property line of 54 East 4th Street, northerly along a portion of the western property line of 54 East 7th Street, westerly along a portion of the southern property line of 54 East 7th Street, northerly along a portion of the western curblineline of East 4th Street, easterly along the northern curblineline of East 4th Street to its intersection with a line extending southerly from the western property line of 57 East 4th Street, northerly along the western property line of 57 East 4th Street, westerly along a portion of the southern property line of 210-214 East 5th Street, northerly along the western property line of 210-214 East 5th Street to the northern curblineline of East 5th Street, westerly along the northern curblineline of East 5th Street to its intersection with a line extending southerly from the western property line of 207 East 5th Street, northerly along the western property line of 207 East 5th Street, easterly along the northern property lines of 207 to 223 East 5th Street and a portion of the northern property line of 225 East 5th Street, northerly along the western property line of 226 East 6th Street to the southern curblineline of East 6th Street, easterly along the southern curblineline of East 6th Street to its intersection with a line extending southerly from the western property line of 103 Second Avenue (aka 239 East 6th Street), northerly along the western property lines of 103 Second Avenue (aka 239 East 6th Street) and 105 Second Avenue and a portion of the western property line of 107-113 Second Avenue, easterly along a portion of the northern property line of 107-113 Second Avenue, northerly along a portion of the western property line of 107-113 Second Avenue and the western property line of 46 East 7th Street to the northern curblineline of East 7th Street, westerly along the northern property line of East 7th Street to its intersection with a line extending southerly from the western property line of 11 East 7th Street, northerly along the western property line of 11 East 7th Street, easterly along the northern property lines of 11 to 39 East 7th Street and a portion of the northern property line of 41-43 East 7th Street, northerly along western property line of 125 Second Avenue, easterly along a portion of the northern property line of 125 Second Avenue, northerly along the western property lines of 127 Second Avenue to 131 Second Avenue (aka 36 St. Mark's Place) to the southern curblineline of St. Mark's Place, easterly along the southern curblineline of St. Mark's Place, southerly along the western curblineline of Second Avenue to the southwest corner of Second Avenue and East 7th Street, easterly along the southern curblineline of East 7th Street to its intersection with a line extending southerly from the western property line of 49 East 7th Street, northerly along the western property line of 49 East 7th Street, easterly along the northern property line of 49 East 7th Street, northerly along a portion of the western property line of 51 East 7th Street, easterly along the northern property lines of 51 to 65 East 7th Street, southerly along a portion of the eastern property line of 65 East 7th Street, easterly along the northern property lines of 67 to 69 East 7th Street, northerly along a portion of the western property line of 71 East 7th Street, easterly along the northern property lines of 71 to 73-75 East 7th Street, southerly along a portion of the eastern property line of 73-75 East 7th Street, easterly along the northern property line of 77 East 7th Street, northerly along a portion of the western property line of 79 East 7th Street, easterly along the northern property lines of 79 to 85 East 7th Street, southerly along the eastern property line of 85 East 7th Street to the northern curblineline of East 7th Street, westerly along the northern curblineline of East 7th Street to its intersection with a line extending northerly from the eastern property line of 84 East 7th Street, southerly along the eastern property line of 84 East 7th Street, westerly along the southern property line of 84 East 7th Street, southerly along portions of the eastern property lines of 82 East 7th Street and 341 East 6th Street, easterly along the northern property line of 99 First Avenue (aka 343-347 East 6th Street) to the western curblineline of First Avenue, southerly along the Western curblineline of First Avenue to its intersection with a line extending westerly from the northern property line of 100 First Avenue (aka 401-403 East 6th Street), easterly along the northern property line of 100 First Avenue (aka 401-403 East 6th Street), northerly along portions of the western property lines of 405 East 6th Street and 92 East 7th Street, westerly along the southern property line of 112 First Avenue to the eastern curblineline of First Avenue, northerly along the eastern curblineline of First Avenue to its intersection with a line extending westerly from the northern property line of 122 First Avenue, easterly along the northern property line 122 First Avenue, northerly along a portion of the western property line of 95 East 7th Street, easterly along the northern property lines of 95 to 109 East 7th Street, southerly along a portion of the eastern property line of 109 East 7th Street, easterly along the northern property line of 111-115 East 7th Street, southerly along a portion of the eastern property line of 117-119 East 7th Street, easterly the northern property lines of 117-119 to 129 East 7th Street, southerly along the eastern property line of 129 East 7th Street to the northern curblineline of East 7th Street, westerly along the northern curblineline of East 7th

Street to its intersection with a line extending northerly from the eastern property line of 122 East 7th Street, southerly along the eastern property line of 122 East 7th Street, easterly along the northern property lines of 439 to 441 East 6th Street and 101 Avenue A to the western curblineline of Avenue A, southerly along the western curblineline of Avenue A to the northern curblineline of East 6th Street, westerly along the northern curblineline of East 6th Street to its intersection with a line extending northerly from the eastern property line of 340 East 6th Street, southerly along the eastern property line of 340 East 6th Street, westerly along the southern property lines of 340 to 306-308 East 6th Street, southerly along the eastern property line of 92-94 Second Avenue, westerly along a portion of the southern property line of 92-94 Second Avenue, southerly along the eastern property line of 88-90 Second Avenue (aka 301 East 5th Street) to the southern curblineline of East 5th Street, easterly along the southern curblineline of East 5th Street to its intersection with a line extending northerly from the eastern property line of 86 Second Avenue (aka 300 East 5th Street), southerly along the eastern property lines of 86 Second Avenue (aka 300 East 5th Street) to 72 Second Avenue (aka 91 East 4th Street) to the northern curblineline of East 4th Street, westerly along the northern curblineline of East 4th Street to its intersection with a line extending northerly from the eastern property line of 68-70 Second Avenue (aka 86 East 4th Street), southerly along the eastern property lines of 68-70 Second Avenue (aka 86 East 4th Street) to 64 Second Avenue, easterly along a portion of the northern property line of 60-62 Second Avenue, southerly along the eastern property line of 60-62 Second Avenue, easterly along a portion of the northern property line of 51-55 East 3rd Street, northerly along a portion of the western property line of 51-55 East 3rd Street, easterly along a portion of the northern property line of 51-55 East 3rd Street and the northern property line of 57 East 3rd Street, southerly along the eastern property line of 57 East 3rd Street to the southern curblineline of East 3rd Street, easterly along said curblineline to a point on a line extending northerly from the eastern property line of 64 East 3rd Street, southerly along the eastern property line of 64 East 3rd Street, easterly along a portion of the northern property line of 52-74 East 2nd Street, southerly along the eastern property line of 52-74 East 2nd Street, westerly along a portion of the southern property line of 52-74 East 2nd Street, southerly along the eastern property line of 80 East 2nd Street to the northern curblineline of East 2nd Street, westerly along said curblineline to a point on a line extending northerly from the eastern property line of 77 East 2nd Street, southerly along said line and the eastern property line of 77 East 2nd Street, westerly along the southern property lines of 77 and 75 East 2nd Street, southerly along a portion of the eastern property line of 67-69 East 2nd Street, westerly along the southern property lines of 67-69 and 59-63 East 2nd Street, northerly along a portion of the western property line of 59-63 East 2nd Street, westerly along the southern property line of 47-55 East 2nd Street, southerly along a portion of the eastern property line of 43-45 East 2nd Street (aka 32-34 Second Avenue), westerly along the southern property line of 43-45 East 2nd Street to the eastern curblineline of Second Avenue, northerly along said curblineline, easterly along the southern curblineline of East 2nd Street to a point on a line extending southerly from the western property line of 52-74 East 2nd Street, northerly along said line and the western property line of 52-74 East 2nd Street, westerly along the southern property lines of 54-56 and 50-52 East 3rd Street, northerly along a portion of the western property line of 50-52 East 3rd Street, westerly along the southern property lines of 48 through 40-42 East 2nd Street (aka 50-52 Second Avenue) to the eastern curblineline of Second Avenue, and southerly along said curblineline to the point or place of beginning.
[Community Board 3]

j12-25

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, **June 19, 2012 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-2666 - Block 2102, lot 62-141-147 Lafayette Avenue - Fort Greene Historic District A group of 4 Italianate style rowhouses built c. 1860, and redesigned as a multiple dwelling by Horace B. Mann in 1938; and a two-story brick structure with a central entrance built circa 1860. Application is to replace the roof at the existing back-house. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-0961 - Block 1065, lot 23-854 Union Street - Park Slope Historic District A neo-Classical style rowhouse designed by Axel Hedman and built in 1902. Application is to construct a stair bulkhead and roof deck and raise the parapet. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-9066 -Block 942, lot16 - 100 Park Place - Park Slope Historic District A neo-Grec style rowhouse designed by Parfitt Brothers and built in 1877. Application is to enlarge an existing tree pit. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-2348 - Block 322, lot 12-37 Cheever Place - Cobble Hill Historic District An Italianate style rowhouse built circa 1853. Application is to construct a rear yard addition. Zoned R6-B. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-0518 - Block 1165, lot 66 - 307 Sterling Place - Prospect Heights Historic District A Renaissance/Romanesque Revival style rowhouse designed by William H. Reynolds and built circa 1897. Application is to construct a rear yard addition. Zoned R-6B. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 12-9366 - Block 5939, lot 463-

5241 Independence Avenue - Riverdale Historic District A vacant lot. Application is to construct a new house. Zoned R-1-1, NA-2. Community District 8.

BINDING REPORT
BOROUGH OF MANHATTAN 13-1350 - Block 1211, lot 1-1 Centre Street - Municipal Building - Individual Landmark A Beaux-Arts style skyscraper designed by William M. Kendall of McKim, Mead & White, and built in 1909-14. Application is to install rooftop mechanical equipment. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5920 - Block 194, lot 40-405 Broadway - Tribeca East Historic District A store and loft building built in 1853-1854 and altered by Clarence L. Sefert in 1908. Application is to establish a Master Plan governing the future installation of painted wall signs. Zoned M1-5. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1630 - Block 225, lot 7501-125 Watts Street - Tribeca North Historic District A Romanesque Revival style warehouse built in 1884-85. Application is to construct a rooftop addition and install a glass railing. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-2358 - Block 97, lot 10-12-104-106 South Street - South Street Seaport Historic District A commercial building constructed in 1823 and altered between 1855-66; a commercial building constructed in 1824-25 and altered in 1870; and a commercial building constructed in 1823 and altered in 1855. Application is to construct rooftop additions, replace windows, enlarge window openings, and install storefront infill. Zoned C6-2A. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1778 - Block 515, lot 13-475 West Broadway - SoHo-Cast Iron Historic District A neo-Grec style tenement building designed by Frederick H. Gross and built in 1878-79. Application is to establish a Master Plan governing the future installation of painted wall signs. Zoned M1-5A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-9676 - Block 229, lot 1-341 Canal Street - SoHo-Cast Iron Historic District A vacant lot. Application is to construct a new six-story building. Zoned M1-5B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1729 - Block 487, lot 6-498 Broome Street - SoHo-Cast Iron Historic District A store building designed by Ernest Greis, and built in 1885. Application is to construct a rooftop addition, replace windows, and install storefront infill. Community District 2.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 13-1441 - Block 487, lot 6-498 Broome Street - SoHo-Cast Iron Historic District A store building designed by Ernest Greis, and built in 1885. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for Modification of Use Pursuant to Section 15-20(b) of the Zoning Resolution. Zoned M1-5A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0754 - Block 502, lot 33-422 West Broadway - SoHo-Cast Iron Historic District Extension An Italianate style store building designed by John H. Whitenack, and built in 1873-74. Application is to construct a rooftop addition. Zoned M1-5A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-9527 - Block 583, lot 38-28 7th Avenue South - Greenwich Village Historic District A one-story brick building built in 1921. Application is to legalize the installation of rooftop HVAC in non-compliance with Miscellaneous Amendment 12-1361 issued 6/7/2011. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7177 - Block 592, lot 1-1-2 Sheridan Square - Greenwich Village Historic District A loft building designed by Mulliken & Moeller and built in 1902-03. Application is to replace a window. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1429 - Block 621, lot 24-91 Charles Street, aka 368 Bleecker Street - Greenwich Village Historic District A rowhouse built between 1847 and 1853. Application is to construct a barrier-free access ramp. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8461 - Block 619, lot 1-125 Christopher Street - Greenwich Village Historic District An apartment building designed by H.I. Feldman and built in 1944. Application is to construct a barrier-free access ramp. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1687 - Block 631, lot 64-705 Greenwich Street - Greenwich Village Historic District A building originally built as a Federal style house in 1828, and later altered in the mid-19th Century. Application is to legalize alterations at the ground floor and signage installed without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1857 - Block 521, lot 13-307-309 Mott Street - NoHo East Historic District A pair of Italianate style tenement buildings built c. 1867-68. Application is to legalize alterations to facade while a permit is pending, legalize the installation of entrances without

Landmarks Preservation Commission permits, and to install light fixtures and new windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0884 - Block 544, lot 72-27 East 4th Street - NoHo Historic District Extension A garage and repair shop designed by Herman Kron and built in 1945-46. Application is to demolish the existing building and construct a new building. Zoned M1-5B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0180 - Block 530, lot 7504-50 Bond Street - NoHo Historic District Extension A Classical Revival style store and loft building designed by Cleverdon and Putzel and built in 1896-97. Application is to alter a roof deck. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0624 - Block 643, lot 43-68 Gansevoort Street - Gansevoort Market Historic District A tenement built by John Glass in 1880-81, altered and combined into a two-story market building by Voorhees, Foley, Walker & Smith in 1940. Application is to install an internally illuminated bracket sign. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-2458 - Block 712, lot 14-431 West 14th Street - Gansevoort Market Historic District An Arts and Crafts style market building designed by James S. Maher and built in 1914. Application is to install storefront infill and an awning. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7265 - Block 820, lot 33-7 West 18th Street - Ladies' Mile Historic District A neo-Renaissance style store and loft building designed by Buchman & Deisler and built in 1896-97. Application is to install new storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1886 - Block 843, lot 37-18 East 16th Street - Ladies' Mile Historic District A Beaux-Arts style store and loft building designed by Benjamin Levitan and built in 1905-07. Application is to install storefront infill, signage, lighting and an awning. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7553 - Block 828, lot 39-224 Fifth Avenue - Madison Square North Historic District A mid-19th century house altered in 1981-82. Application is to install signage. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0104 - Block 829, lot 36-236-238 Fifth Avenue - Madison Square North Historic District A Beaux Arts style lofts building designed by Buchman and Fox and built in 1906-1907. Application to legalize the installation of windows and facade work without Landmarks Preservation Commission permits. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1299 - Block 1274, lot 55-22 Central Park South - Plaza Hotel - Individual Landmark A building, originally built circa 1897, and enlarged and redesigned as a studio building by George M. McCabe in 1908-1909, included in the designated site of the Plaza Hotel, a French Renaissance style hotel designed by Henry J. Hardenberg and built in 1905-07, with an addition designed by Warren and Wetmore and built in 1921. Application to redesign the front and rear facades and construct an addition. Zoned R10H. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0360 - Block 1286, lot 53-457 Madison Avenue - The Villard Houses - Individual Landmark A complex of Italian Renaissance style brownstone townhouses combined into a single monumental U-shaped unit set around an open court, designed by McKim, Mead & White and built in 1882-85. Application is to alter a portion of the protected interior, install an HVAC louver and also an entrance door. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1008 - Block 1029, lot 53-5 Columbus Circle, aka 1790 Broadway - (former) US Rubber Company Building - Individual Landmark A Beaux-Arts style office building designed by Carrere & Hastings, and built in 1911-12, and altered in 1959. Application is to install signage. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-2283 - Block 1270, lot 34-1 West 54th Street - The University Club - Individual Landmark An Italian Renaissance style clubhouse designed by McKim, Mead and White and built in 1899. Application is to install a new entrance and canopy. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1110 - Block 1335, lot 5-320 East 43rd Street, aka 321 East 42nd Street - The Ford Foundation Building - Interior Landmark, Individual Landmark A Modern style office building designed by Kevin Roche & John Dinkeloo Associates and built in 1963-67. Application is to alter a pathway, install a doorway and install Ipad stands. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0767 - Block 1203, lot 8-63 West 89th Street - Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse, designed by Neville and Bagge and built in 1895. Application is to combine windows vertically on the rear facade. Community District 7.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-6519 - Block 1115, lot 7501-25 Central Park West -The Century Apartments - Individual Landmark -Upper West Side /Central Park West Historic District An Art Deco style apartment building designed by Irwin S. Chanin, and built in 1931. Application is to establish a Master Plan governing the future installation of through-the-wall air conditioners. Community District 7.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 13-0063 - Block 1150, lot 8-159 West 78th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse with neo-Grec style elements, designed by Thom & Wilson and built in 1890. Application is to construct a rooftop addition and alter window openings at the rear facade. Zoned R8B. Community District 7.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 13-2554 - Block 1386, lot 16-19 East 71st Street - Upper East Side Historic District
A rowhouse with Queen Anne style features built in 1889-90 and later altered in 1937 by Joseph Furman. Application is to install awnings and signage. Community District 8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-9093 - Block 1409, lot 50-170 East 75th Street - Upper East Side Historic District Extension
An Arts and Crafts style rowhouse designed by Hill and Stout and built in 1880-81, and converted into an automobile stable in 1902. Application is to construct additions and modify a dormer. Zoned C1-8X. Community District 8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-7073 - Block 1384, lot 24-21 East 69th Street - Upper East Side Historic District
A residence built in 1885-86 and altered in the neo-Georgian style in 1926-27 by Sloan and Robertson. Application is to construct a rear yard addition. Zoned C5-1 MP. Community District 8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-2424 - Block 1496, lot 1-1030 Fifth Avenue - Metropolitan Museum Historic District
An apartment building designed by J.E.R. Carpenter and built in 1924-25. Application is to construct a rooftop addition at the penthouse. Zoned R10 (P1). Community District 8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 13-0875 - Block 1498, lot 1-1050 Fifth Avenue - Carnegie Hill Historic District
A Modern style apartment building designed by Wechsler & Schimenti and built in 1958. Application is to create a new window opening. Community District 8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-8722 - Block 1504, lot 29-63 East 92nd Street - Carnegie Hill Historic District
A rowhouse built in 1886 and altered in the neo-Colonial style by Edward Webber in 1928. Application is to construct rooftop and rear yard additions and alter front and rear facades. Zoned R8B. Community District 8.

j6-19

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, June 27, 2012. 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 The Trustee of Columbia University in the City of New York to construct, maintain and use a conduit, together with pull boxes, under and along West 168th Street and under, across and along Audubon Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 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- \$7,536/annum.

For the period July 1, 2013 to June 30, 2014 - \$7,755
For the period July 1, 2014 to June 30, 2015 - \$7,974
For the period July 1, 2015 to June 30, 2016 - \$8,193
For the period July 1, 2016 to June 30, 2017 - \$8,412
For the period July 1, 2017 to June 30, 2018 - \$8,631
For the period July 1, 2018 to June 30, 2019 - \$8,850
For the period July 1, 2019 to June 30, 2020 - \$9,069
For the period July 1, 2020 to June 30, 2021 - \$9,288
For the period July 1, 2021 to June 30, 2022 - \$9,507
For the period July 1, 2022 to June 30, 2023 - \$9,726

the maintenance of a security deposit in the sum of \$9,800 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 revocable consent authorizing Richard Cantor and Esther Altmann to construct, maintain and use a stoop on the south sidewalk of West 87th Street, west of West End Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from 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 - \$25/annum.

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

#3 In the matter of a proposed revocable consent authorizing Francesco Scattone and Judith Gibbons to construct, maintain and use a stoop and a fenced-in area on the south sidewalk of East 93rd Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from 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 - \$25/annum.

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be the amount of One Million dollars (1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#4 In the matter of a proposed revocable consent authorizing Kurt W. Rueloffs Jr. and Shyanne Rueloffs to construct, maintain and use a stoop and a stair on the south sidewalk of West 88th 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 others terms and condition for compensation payable to the city according to the following schedule:

From the Approval Date to June 30, 2023 - \$25/annum.

the maintenance of a security deposit in the sum of \$5,000 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.

j7-27



CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PURCHASING

SALE BY SEALED BID

SALE OF: METAL MEZZANINE AND GAS HEATERS, USED.

S.P.#: 12023

DUE: June 28, 2012

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

j15-28

POLICE

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES

(All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31

PROCUREMENT

“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.”

ADMINISTRATION FOR CHILDREN’S SERVICES

SOLICITATIONS

Human / Client Services

NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06811N0004 – DUE 05-31-13 AT 2:00 P.M. – The Administration for Children’s Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 5/31/13.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10038.
Patricia Chabla (212) 341-3505; Fax: (212) 341-3625;
patricia.chabla@dfa.state.ny.us

j1-n14

AGING

INTENT TO AWARD

Human / Client Services

BILL PAYER PROGRAM – Demonstration Project – Available only from a single source - PIN# 12512D0001 – DUE 06-20-12 AT 10:00 A.M. – This notice is for informational purposes only. The Department for the Aging intends to award a contract for a demonstration project for two years starting 7/1/12 to test the feasibility of a Bill Payer Program (BPP) through the Council of Senior Centers and Services of NYC. The program would assist older adults referred by DFTA funded case management agencies with a third-party bill paying service that would provide financial and social services.

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 for the Aging, 2 Lafayette Street, Room 400, New York, NY 10007. Margaret McSheffrey (212) 442-1373; mmsheffrey@aging.nyc.gov

j13-19

CHIEF MEDICAL EXAMINER

CONTRACTS

SOLICITATIONS

Goods & Services

CORRECTION: OCME DNA FORENSIC SWAB AND SWAB KIT – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81609ME0010 – DUE 09-13-12 AT 3:00 P.M. – This is a concessions RFP for the license rights or the right to act as licensing agent for the manufacture, sale and distribution of OCME DNA forensic swab and swab kit.

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.
Office of Chief Medical Examiner, 421 East 26th Street, 10th Floor, New York, NY 10016.
Althea Samuels (212) 323-1730; Fax: (646) 500-5548;
asamuels@ocme.nyc.gov

j14-27

CITY UNIVERSITY

SOLICITATIONS

Goods & Services

PRINTING 2012/14 CONTINUING ED NEWSPAPER INSERT – Competitive Sealed Bids – PIN# 2012001420002 – DUE 07-18-12 AT 11:00 A.M. – Contractor will provide four issues of the Continuing Ed Catalogues in two formats for newspaper insertion, direct mail and for College distribution.

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.
Kingsborough Community College, 2001 Oriental Boulevard, Brooklyn, NY 11235. Lynn Relay (718) 368-4602; lrelay@kbcc.cuny.edu

j19

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

AWARDS

Goods

GSA CONTR FOR IDENTIFINDER - NYPD – Intergovernmental Purchase – PIN# 8571200404 – AMT: \$697,184.64 – TO: Government Scientific Source, Inc., 12351 Sunrise Valley Drive, Reston, VA 20191. GSA Contract #GS-07F0147T.

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

j19

MOPS, DECK – Competitive Sealed Bids – PIN# 8571200489 – AMT: \$37,800.00 – TO: CMC Distributors Inc. dba Truemedix Diagnostics, 1510 Bath Avenue, Brooklyn, NY 11228.

j19

KOSHER DINNERS FOR D.O.C. – Competitive Sealed Bids – PIN# 8571200356 – AMT: \$230,418.27 – TO: Bruno Specialty Funds, 208 Cherry Avenue, West Sayville, NY 11796.

● **KOSHER DINNERS FOR D.O.C.** – Competitive Sealed Bids – PIN# 8571200356 – AMT: \$713,911.31 – TO: Golden Platter Foods Inc., 37 Tompkins Point Road, Newark, NJ 07114.

j19

RESPONSE BOAT - NYPD – Intergovernmental Purchase – PIN# 8571200364 – AMT: \$2,515,369.00 – TO: Kvichak Marine Industries Inc., 469 NW Bowdoin Place, Seattle, WA 98107. GSA Contract #GS-07G-0013J.

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

j19

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.

j5-d31

DESIGN & CONSTRUCTION

AWARDS

Construction/Construction Services

CONSTRUCTION OF COMBINED AND SANITARY SEWERS IN WATER EDGE DRIVE BETWEEN 23RD ROAD AND 23RD AVENUE, ETC QUEENS – Competitive Sealed Bids – PIN# 85012B0041 – AMT: \$3,364,440.50 – TO: Inter Contracting Corp., 50 Nelson Road, Scarsdale, New York 10583. PROJECT ID: SEQ002657. DDC PIN#: 8502012SE0002C.

● **SNUG HARBOR CULTURAL CENTER RECONSTRUCTION OF BUILDINGS "F" AND "G" INFRASTRUCTURE AND INTERIOR RECONSTRUCTION, STATEN ISLAND** – Competitive Sealed Bids – PIN# 85012B0037 – AMT: \$6,262,335.00 – TO: C and L Contracting Corp., 14-20 128th Street, College Point, New York 11356. - PROJECT ID: PV490-FH. DDC PIN#: 8502012PV0008C.

j19

HEALTH AND HOSPITALS CORPORATION

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

j1-d31

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

SOLICITATIONS

Human/Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals –

PIN# 81608PO076300R0X00-R – DUE 09-18-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at

<http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynyccongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or e-mailed to the above address. All proposals must be hand delivered at the Agency Chief Contracting Officer, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132, no later than September 18, 2012.

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

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

Health and Mental Hygiene, ACCO, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132.

Huguette Beauport (347) 396-6633; hbeaupor@health.nyc.gov

a6-s17

AWARDS

Human/Client Services

MENTAL HEALTH SERVICES – Required/Authorized Source – Judgment required in evaluating proposals – PIN# 13AZ005001R0X00 – AMT: \$316,341.00 – TO: Association to Benefit Children, Inc., 316 East 88th Street, New York, NY 10128.

● **MENTAL HEALTH SERVICES** – Required Method (including Preferred Source) – PIN# 13AZ005701R0X00 – AMT: \$892,104.00 – TO: Geel Community Services, Inc., 2516 Grand Avenue, Bronx, NY 10468.

j19

HOUSING AUTHORITY

SOLICITATIONS

Human/Client Services

GSD SECURITY GUARD SERVICES – Request for Proposals – PIN# 29668 – DUE 07-20-12 AT 2:00 P.M. – At NYCHA's 55 senior housing developments and 5 satellite office locations. Based on this RFP, NYCHA intends to award one (1) three-year contract with two (2) optional one-year renewal periods, under the same terms and conditions, at NYCHA's discretion. Note, however, that NYCHA reserves the right to postpone or cancel this RFP, to reject any and all proposals, to re-advertise for new proposals, to not award any Agreement pursuant to this RFP and/or to award an Agreement to more than one Proposer, if NYCHA deems it in its best interest to do so.

A mandatory Proposer's conference will be held on June 27, 2012, at 9:30 A.M. in Room 11-516 located on the 11th floor at 90 Church Street, New York, N.Y. 10007. All security firms seeking to submit a proposal must attend the conference and must notify NYCHA's Coordinator, via e-mail at Bonnie.Smith@nycha.nyc.gov, by June 26, 2012, no later than 2:00 P.M. to confirm your attendance. NYCHA additionally recommends that prospective Proposers submit any questions, in writing, in advance of the Proposers' conference to NYCHA's Coordinator by the Conference Confirmation Deadline. The questions may be e-mailed or mailed to NYCHA's Coordinator at the address listed in the RFP, with the e-mail subject matter or the mailing envelope marked "SECURITY GUARD SERVICES RFP - PROPOSER'S QUESTIONS." The prospective Proposer must include with the written questions the name, title and telephone number of the individual submitting the question. Prospective Proposers will be permitted to ask additional questions at the Proposers' conference. All questions, and any answers, will be provided to each firm attending the conference. NYCHA reserves the right not to answer any question.

Each Proposer is required to submit one (1) signed original and seven (7) copies of its proposal package.

Firms are invited to obtain a copy on NYCHA's website: [Doing Business With NYCHA](http://www.nyc.gov/nychabusiness). <http://www.nyc.gov/nychabusiness>; Select "Selling to NYCHA". Vendors are instructed to access the "Getting Started: Register or Log-in" link. If you have supplied goods or services to NYCHA in the past and you have your log-in credentials, click "Returning iSupplier users, Log-in here". If you do not have your log-in credentials, select "Click here to Request a Log-in ID". Upon access, select "Sourcing Supplier" then "Sourcing Homepage"; conduct a search for applicable RFP number.

Proposers electing to obtain a non-electronic paper document will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFP documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to 12th Floor, General Services Procurement Group. A RFP package will be generated at time of request.

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

Housing Authority, 90 Church Street, 12th Floor, New York, NY 10007. Bonnie Smith, Coordinator, (212) 306-4267; Fax: (212) 306-5119; Bonnie.Smith@nycha.nyc.gov

j19

PURCHASING

SOLICITATIONS

Goods

SCO FURNISHING TOPSOIL – Competitive Sealed Bids – RFQ# 29633,1 AS – DUE 07-12-12 AT 10:35 A.M. – Note: This is a RFQ for 3 years blanket order agreement. The awarded bidder/vendor agrees to have (what is being bid) readily available for delivery within 20 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.

● **SCO FURNISHING CCTV ITEMS** – Competitive Sealed Bids – RFQ# 29662 AS – DUE 07-12-12 AT 10:30 A.M.

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

Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY:

http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Atul Shah (718) 707-5450.

j19

HUMAN RESOURCES ADMINISTRATION

AGENCY CHIEF CONTRACTING OFFICER/CONTRACTS

INTENT TO AWARD

Human/Client Services

PROVISION OF PERMANENT CONGREGATE HOUSING AND SUPPORTIVE SERVICES FOR PERSONS LIVING WITH AIDS (PLWA'S) – Negotiated Acquisition – PIN# 06906X0043CNVN002 – DUE 06-27-12 AT 5:00 P.M. – *For Informational Purposes Only*

HRA/HASA intends to extend the contract with Food First, Inc., located at 165 Conover Street, Brooklyn, NY 11231. EPIN: 06906X0043CNVN002 Contract Amount: \$487,660.00

HRA has determined that there is a compelling need, in light of the Agency's programmatic responsibilities, for the use of the Negotiated Acquisition Extension process to extend the contract for the following permanent congregate vendor; Food First, Inc. This vendor is currently providing Permanent Congregate Housing and Supportive services to Persons Living with AIDS (PLWAs). This extension will ensure that these fragile clients continue to receive needed critical services until a new contract is in place. In view of the fact that Food First, Inc. current contract expires October 31, 2012, the department is requesting an eight (8) month Negotiated Acquisition Extension with the current vendor while the evaluation and selection processes for the Congregate RFP are completed. The term of this contract period is from November 1, 2012 through June 30, 2013.

● **PROVISION OF PERMANENT CONGREGATE HOUSING AND SUPPORTIVE SERVICES FOR PERSONS LIVING WITH AIDS (PLWA'S)** – Negotiated Acquisition – PIN# 06906X0042CNVN002 – DUE 06-27-12 AT 5:00 P.M. *For Informational Purposes Only*

HRA/HASA intends to extend the contract with Doe Fund, Inc., located at 232 East 84th Street, New York, NY 10028. EPIN: 06906X0042CNVN002 Contract Amount: \$563,434.00

HRA has determined that there is a compelling need, in light of the Agency's programmatic responsibilities, for the use of the Negotiated Acquisition Extension process to extend the contract for the following permanent congregate vendor; Doe Fund, Inc. This vendor is currently providing Permanent Congregate Housing and Supportive services to Persons Living with AIDS (PLWAs). This extension will ensure that these fragile clients continue to receive needed critical services until a new contract is in place. In view of the fact that the Doe Fund, Inc. current contract expires November 30, 2012, the department is requesting an seven (7) month Negotiated Acquisition Extension until a new contract is in place and the evaluation and selection processes for the Congregate RFP are completed. The term of this contract period is from December 1, 2012 through June 30, 2013.

● **PROVISION OF PERMANENT CONGREGATE HOUSING AND SUPPORTIVE SERVICES FOR PERSONS LIVING WITH AIDS (PLWA'S)** – Negotiated Acquisition – PIN# 06905X0002CNVN003 – DUE 06-27-12 AT 5:00 P.M. *For Informational Purposes Only*

HRA/HASA intends to extend the contract with Flemister Housing Development Fund Corp., located at 527 West 22nd Street, New York, NY 10011. EPIN: 06905X0002CNVN003 Contract Amount: \$689,185.00

HRA has determined that there is a compelling need, in light of the Agency's programmatic responsibilities, for the use of the Negotiated Acquisition Extension process to extend the contract for the following permanent congregate vendor; Flemister Housing Development Fund Corporation (Flemister House). This vendor is currently providing Permanent Congregate Housing and Supportive services to Persons Living with AIDS (PLWAs). This extension will ensure that these fragile clients continue to receive needed critical services. In view of the fact that Flemister Housing Development Fund Corporation current contract expires December 31, 2012, the department is requesting a six (6)

month Negotiated Acquisition Extension with the current vendor, until a new contract is in place and the evaluation and selection processes for the Congregate RFP are completed. The term of this contract period is from January 1, 2013 through June 30, 2013.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Human Resources Administration, 180 Water Street,
14th Floor, New York, NY 10038.
Barbara Beirne (212) 331-3436; beirneb@hra.nyc.gov

j19

PARKS AND RECREATION

SOLICITATIONS

Goods & Services

MEDIEVAL FESTIVAL – Sole Source – Available only from a single source - PIN# 84612S0020 – DUE 06-25-12 AT 5:00 P.M. – Department of Parks and Recreation intends to enter into a sole source negotiation with Washington Heights and Inwood Development Corporation to develop and conduct the Medieval Festival at Fort Tryon Park. Any firm that would like to express their interest in providing services for similar projects in the future may do so by joining 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 at (212) 856-1680.

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, 24 West 61st Street, 3rd Floor, NY,
NY 10023. Oishi Ahmed (212) 830-7964;
oishi.ahmed@parks.nyc.gov

j13-19

TRANSPORTATION

BRIDGES

SOLICITATIONS

Services (Other Than Human Services)

INDEPENDENT MONITORING OF LEAD PAINT REMOVAL AND ENVIRONMENTAL REMEDIATION OPERATIONS AT VARIOUS BRIDGES, CITYWIDE – Request for Proposals – PIN# 84112MBBR646 – DUE 07-17-12 AT 2:00 P.M. – A printed copy of the Proposal can also be purchased. New York City Department of Transportation. A deposit of \$50.00 is required for the proposal in the form of a certified check or money order payable to: New York City Department of Transportation. No cash accepted. Company address, telephone and fax numbers are required when picking up contract documents.

A pre-bid meeting (optional) will be held on June 26, 2012 at 1:00 P.M. at 55 Water Street, Ground Floor Conference Room, New York, N.Y. For additional information, please contact Gail Hatchett, (212) 839-9308.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Transportation, Office of the Agency Chief Contracting Officer, Contract Management Unit,
55 Water Street, Ground Floor, New York, NY 10041.
Bid Window (212) 839-9435.

j19

TRAFFIC AND PLANNING

SOLICITATIONS

Services (Other Than Human Services)

CITY OF NEW YORK PARKING SYSTEM PRIVATE MANAGEMENT AGREEMENT – Request for Qualifications – PIN# 84112PMA – DUE 07-31-12 AT 3:00 P.M. – The proposed Request for Qualifications is to seek statements of qualifications from companies in order to establish a Pre-Qualified List (PQL) who may compete for a potential City of New York Parking System Private Management Agreement. DOT's intent in developing a Pre-Qualified List is to establish a list of competent and experienced firms for a potential PMA procurement, consistent with the overall policies, goals, and requirements of the City.

Request for Qualification can be downloaded free of charge from the City Record Website at
<http://a856-internet.nyc.gov/nycvendononline/home.asp>

A printed copy of the Request for Qualifications can also be obtained.

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 Transportation, Office of the Agency Chief Contracting Officer, Contract Management Unit,
55 Water Street, Ground Floor, New York, NY 10041.
Hours 9:00 A.M. - 3:00 P.M. Bid Window (212) 839-9435;
parkingRFQ@dot.nyc.gov

j13-19

AGENCY RULES

HEALTH AND MENTAL HYGIENE

NOTICE

NOTICE OF PUBLIC HEARING

Subject: Opportunity to Comment on the Proposed Amendment of Article 81 (Food Preparation and Food Establishments) of the New York City Health Code, found in Title 24 of the Rules of the City of New York.

Date/Time: July 24, 2012 / 1:00 P.M. to 3:00 P.M.

Location: New York City Department of Health and Mental Hygiene
2 Gotham Center, Third Floor, Room 3-32
42-09 28th Street
Long Island City, NY 11101-4132

Contact: Rena Bryant
(347) 396-6071

Proposed Rule

The Department of Health and Mental Hygiene is proposing that the Board of Health amend Article 81 of the Health Code, related to the maximum size of sugary drinks and self-service beverage cups sold and offered in food service establishments. This proposal was not included in the Department's Regulatory Agenda for 2011-2012 because the Department did not anticipate this amendment at the time.

Instructions

- Prior to the hearing, you may submit written comments about the proposed amendment by mail to

New York City Department of Health and Mental Hygiene
Board of Health
Office of the Secretary to the Board
Attention: Rena Bryant
2 Gotham Center, 14th Floor, Room 14-15, Box 31
Long Island City, NY 11101-4132

or electronically through NYC RULES at <http://www.nyc.gov/html/nycrules> or by email to RESOLUTIONCOMMENTS@HEALTH.NYC.GOV or online (without attachments) at <http://www.nyc.gov/html/doh/html/notice/notice.shtml> on or before 5:00 P.M., on July 24, 2012.

- To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please contact Rena Bryant at the phone number shown above by July 10, 2012.
- Copies of written comments and a summary of oral comments received at the hearing will be available within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M. at the

New York City Department of Health and Mental Hygiene
Board of Health
Office of the Secretary to the Board
Attention: Rena Bryant
2 Gotham Center, 14th Floor, Room 14-15, CN 31
Long Island City, NY 11101-4132

Statement of Basis and Purpose

Statutory Authority

These proposed amendments to the Health Code are promulgated pursuant to §§ 558 and 1043 of the Charter. Sections 558(b) and (c) of the Charter empower the Board of Health to amend the Health Code and to include in the Health Code all matters to which the authority of the Department of Health and Mental Hygiene (the “Department” or “DOHMH”) extends. Section 1043 grants the Department rule-making authority. The amendment is also proposed pursuant to the Department's historic power to regulate restaurants and food safety in New York City.

Background

The Charter provides the Department with broad jurisdiction to protect and promote the health of all New Yorkers. Regulation of food service establishments (“FSEs”), a category that includes restaurants, is a core public health function. The Department enforces provisions of the Health Code, the State Sanitary Code, Public Health Law and other applicable laws relating to food served directly to consumers throughout New York City. This includes regulation of food that is commercially prepared and sold by FSEs. The Department issues permits to and inspects all New York City FSEs, as defined in §81.03(s) and (aa) of the Health Code in an attempt to ensure safe and healthy dining options.

FSEs are an important source of food and beverages for New York City residents. An estimated one third of daily caloric intake comes from foods purchased and prepared outside of the home, and this proportion is increasing.¹ By eating out more, people are more likely to be exposed to oversized beverages sold at restaurants.^{2,3}

Obesity is epidemic among New Yorkers and the consequences are devastating

More than half of New York City adults (58%) are now overweight or obese⁴ and more than 20% of the City's public school children (K-8) are obese.⁵ Obesity is a risk factor for heart disease, cancer and diabetes.⁶ Adults who are obese are almost twice as likely to develop diabetes as those who are overweight and almost three times as likely as those who are at a healthy weight.⁷ Childhood obesity leads to serious health consequences, including cardiovascular disease and increased mortality.⁸ As a result of obesity, today's children may have a shorter life expectancy than their parents.⁹

Sugary drinks are a leading driver of the obesity epidemic and are associated with dangerous chronic diseases

Americans consume 200-300 more calories daily than 30 years ago, with the largest single increase due to sugary drinks.¹⁰ Sugary drinks are also the largest source of added sugar in the average American's diet, comprising nearly 43% of added sugar intake.¹¹ A 20 ounce sugary drink can contain the equivalent of 16 packets of sugar. These drinks are associated with long-term weight gain among both adults and youth.^{12,13,14,15} With every additional sugary beverage a child drinks daily, his/her odds of becoming obese increase by 60%.¹⁶ In addition, high consumption of sugary drinks is linked to an increased risk of heart disease and diabetes.^{17,18,19} These drinks are now the primary source of added sugars (sugars and syrups that are added to foods or beverages when they are processed or prepared) in children's diets.²⁰ Sugar intake has also been linked to heart disease risk factors in adolescents.²¹

New Yorkers are consuming excessive quantities of sugary drinks

Sugary drink consumption among New York City residents is alarming. More than 30% of adult New Yorkers report drinking one or more sugary drink per day.²² These rates are much higher in minority and low-income communities. Many residents in low-income neighborhoods report drinking 4 or more sugary drinks daily.²³ New York City youth are also consuming these drinks in excessive quantities: in 2009, 44% of NYC children aged 6 to 12 years consumed more than 1 sugary drink per day,²⁴ and 26% of public high school students consumed 2 or more sugary drinks per day in the last week.²⁵

Portion sizes are increasing – and bigger portions lead to greater consumption of sugary drinks

The trend toward larger portion sizes has occurred in parallel with increases in the prevalence of obesity and people being overweight.²⁶ Serving sizes of manufacturer-packaged carbonated soft drinks have exploded – the original Coca-Cola bottle size was 6.5 fluid ounces, which is significantly smaller than the vast majority of sizes for sale today.²⁷ Fountain drink portions at restaurants are also growing - beverage portion sizes at McDonald's have increased 457% since 1955, from 7 fluid ounces to 32 fluid ounces.^{28,29} Some quick-service chain restaurants in New York City offer individual drink sizes up to 64 fluid ounces. A sugary drink of this size contains 780 calories and 54 teaspoons of sugar, and no nutrients.

Larger portions lead to increased consumption and calorie intake.^{30,31,32} When people are given larger portions they unknowingly consume more and do not experience an increased sense of satiety. In one study, people eating soup from self-refilling bowls ate 73% more, without perceiving that they had eaten more or feeling more full.³³ The same holds true with beverages. When served more fluid ounces of a beverage, people drink more without decreasing the amount of food they eat or experiencing a difference in “fullness” or thirst.³⁴

Proposed Rule

To address the obesity epidemic among the City's residents, the Department proposes that the Board of Health amend Article 81. The proposed changes would establish maximum sizes for beverages offered and sold in FSEs. The limits would apply to cups and containers used for sugary drinks. The limits would also apply to all self-service cups and containers, regardless of intended contents. Without such limitation, a self-service cup exceeding the maximum size could be used for either non-sugary or sugary drinks. This rule will not limit the amount of sweetener a customer may add to his or her own drink.

The rule will not take effect until 6 months after adoption by the Board of Health. It establishes a fine of \$200 for each occasion that it is violated. By addressing the increasing size of sugary drinks and reacquainting New Yorkers with more appropriate portion sizes, the City is taking an important step in reducing sugary drink consumption and combating obesity and its resulting morbidity and mortality.

The following specific amendments are proposed:

- *Set a maximum size for sugary drinks:* Non-alcoholic sugary drinks may not be offered or sold in cups or containers that can contain more than 16 fluid ounces.
- *Set a maximum size for self-service cups:* Food service establishments may not offer or sell self-service cups that can contain more than 16 fluid ounces.
- *Set a fine for violations:* No more than two hundred dollars for each violation as described in the proposed rule.

¹ Guthrie JF, Lin BH, Frazao E. Role of food prepared away from home in the American diet, 1977-78 versus 1994-96: Changes and consequences. *Society for Nutrition Education* 2002; 34:140-50.

² Guthrie JF et al. (2002)

- ³ National Restaurant Association (NRA). Industry at a Glance. 2005.
- ⁴ New York City Department of Health and Mental Hygiene. Community Health Survey 2010.
- ⁵ Centers for Disease Control and Prevention. Obesity in K-8 students – New York City, 2006-07 to 2010-11 school years. *Morbidity and Mortality Weekly Report* 2011; 60(49): 1673-78.
- ⁶ National Institutes of Health. Clinical Guidelines on the Identification, Evaluation, and Treatment of Overweight and Obesity in Adults: the Evidence Report. Bethesda, MD: National Institutes of Health, U.S. Department of Health and Human Services; 1998.
- ⁷ Narayan KMV, Boyle JP, Thompson TJ, Gregg EW, Williamson DF. Effect of BMI on lifetime risk for diabetes in the U.S. *Diabetes Care* 2007; 30(6):1562-66.
- ⁸ Han JC, Lawlor DA, Kimm SYS. Childhood obesity. *Lancet* 2010; 375:1737-48.
- ⁹ Olshansky SJ, Passaro DJ, Hershov RC, Layden J, Carnes BA, Brody J, Hayflick L, Butler RN, Allison DB, Ludwig DS. A potential decline in life expectancy in the United States in the 21st century. *New England Journal of Medicine* 2005; 352(11): 1138-45.
- ¹⁰ Finkelstein EA, Ruhm CJ, Kosa KM. Economic causes and consequences of obesity. *Annual Review of Public Health* 2005; 26:239-57.
- ¹¹ Guthrie JF, Morton JF. Food sources of added sweeteners in the diets of Americans. *Journal of the American Dietetic Association* 2000; 100:43-51.
- ¹² Malik VS, Schulze MB, Hu FB. Intake of sugar-sweetened beverages and weight gain: A systematic review. *American Journal of Clinical Nutrition* 2006; 84:274-88.
- ¹³ Mozaffarian D, Hao T, Rimm EB, Willett WC, Hu FB. Changes in diet and lifestyle and long-term weight gain in women and men. *New England Journal of Medicine* 2011; 364(25): 2392-404.
- ¹⁴ Malik VS, Popkin BM, Bray GA, Despres J-P, Hu FB. Sugar-sweetened beverages, obesity, type 2 diabetes mellitus, and cardiovascular disease risk. *Circulation* 2010; 121(11):1356-64.
- ¹⁵ Schulze MB, Manson JE, Ludwig DS, Colditz GA, Stampfer MJ, Willett WC, Hu FB. Sugar-sweetened beverages, weight gain, and incidence of type 2 diabetes in young and middle-aged women. *Journal of the American Medical Association* 2004; 292(8):927-34.
- ¹⁶ Ludwig DS, Peterson KE, Gortmaker SL. Relation between consumption of sugar-sweetened drinks and childhood obesity: A prospective, observational analysis. *Lancet* 2001; 357:505-8.
- ¹⁷ Fung TT, Malik V, Rexrode KM, Manson JE, Willett WC, Hu FB. Sweetened beverage consumption and risk of coronary heart disease in woman. *American Journal of Clinical Nutrition*. 2009; 89:1037-42.
- ¹⁸ Malik VS et al. (2010)
- ¹⁹ Schulze MB et al. (2004)
- ²⁰ Reedy J, Krebs-Smith SM. Dietary sources of energy, solid fats, and added sugars among children and adolescents in the United States. *Journal of the American Dietetic Association* 2010; 110:1477-84.
- ²¹ Welsh JA, Sharma A, Cunningham SA, Vos MB. Consumption of added sugars and indicators of cardiovascular disease risk among US adolescents. *Circulation* 2011; 123:249-57.
- ²² New York City Department of Health and Mental Hygiene. Community Health Survey 2010.
- ²³ Alberti P, Noyes P. Sugary drinks: How much do we consume? New York, NY. New York City Department of Health and Mental Hygiene, 2011.
- ²⁴ New York City Department of Health and Mental Hygiene. Child Health Survey 2009.
- ²⁵ New York City Department of Health and Mental Hygiene. Youth Risk Behavior Survey 2009.
- ²⁶ Young LR, Nestle M. The contribution of expanding portion sizes to the US obesity epidemic. *American Journal of Public Health* 2002; 92(2):246-49.
- ²⁷ Retrieved on 5/7/2012 from: <http://www.thecoca-colacompany.com/ourcompany/history/bottling.html>.
- ²⁸ Young LR, Nestle M. Portion sizes and obesity: Responses of fast-food companies. *Journal of Public Health Policy* 2007; 28:238-48.
- ²⁹ Retrieved on January 6, 2012 from: <http://nutrition.mcdonalds.com/getnutrition/nutritionfacts.pdf>.
- ³⁰ Wansink B, Painter JE, North J. Bottomless bowls: Why visual cues of portion size may influence intake. *Obesity Research* 2005; 13(1): 93-100.
- ³¹ Flood JE, Roe LS, Rolls BJ. The effect of increased beverage portion size on energy intake at a meal. *Journal of the American Dietetic Association* 2006; 106:1984-90.
- ³² Nielsen SJ, Popkin BM. Patterns and trends in food portion sizes, 1977-1998. *Journal of the American Medical Association* 2003; 289(4): 450-53.
- ³³ Wansink B et al. (2005)
- ³⁴ Flood JE et al. (2006)

“Shall” and “must” denote mandatory requirements 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.

RESOLVED, that Article 81 of the New York City Health Code, found in Title 24 of the Rules of the City of New York is being amended by adding a new §81.53 and will be printed together with explanatory notes, to read as follows:

§ 81.53 Maximum Beverage Size

(a) *Definition of terms used in this section.*

(1) *Sugary drink* means a carbonated or non-carbonated beverage that:

(A) is non-alcoholic;

(B) is sweetened by the manufacturer or establishment with sugar or another caloric sweetener;

(C) has greater than 25 calories per 8 fluid ounces of beverage; and

(D) does not contain more than 50 percent of milk or milk substitute by volume as an ingredient.

The volume of milk or milk substitute in a beverage will be presumed to be less than or equal to 50 percent unless proven otherwise by the food service establishment serving it.

(2) *Milk substitute* means any liquid that is soy-based and is intended by its manufacturer to be a substitute for milk.

(3) *Self-service cup* means a cup or container provided by a

food service establishment that is filled with a beverage by the customer.

(b) *Sugary drinks*. A food service establishment may not sell or offer to sell a sugary drink in a cup or container that is able to contain more than 16 fluid ounces.

(c) *Self-service cups*. A food service establishment may not sell or provide to any customer a self-service cup or container that is able to contain more than 16 fluid ounces.

(d) *Violations of this section*. Notwithstanding the fines, penalties, and forfeitures outlined in Article 3 of this Code, a food service establishment determined to have violated this section will be subject to a fine of no more than two hundred dollars for each violation and no more than one violation of this section may be cited at each inspection of a food service establishment.

Notes: §81.53 was added to Article 81 by resolution adopted XXX to establish maximum sizes for sugary drinks and self-service beverage cups sold and offered in FSEs. People tend to consume more calories at meals that include large beverage sizes. Its intent is to address the supersize trend and reacquaint New Yorkers with smaller portion sizes, leading to a reduction in consumption of sugary drinks among New York City residents.

RESOLVED, that the Table of Section Headings of Article 81 of the New York City Health Code, found in Title 24 of the Rules of the City of New York is being amended, to read as follows:

ARTICLE 81

FOOD PREPARATION AND FOOD ESTABLISHMENTS

§81.01 **Scope.**

* * *

§81.53 **Maximum Beverage Size.**

§81.55 **Modification by Commissioner.**

NEW YORK CITY LAW DEPARTMENT

DIVISION OF LEGAL COUNSEL

100 CHURCH STREET

NEW YORK, NY 10007

212-788-1087

CERTIFICATION PURSUANT TO

CHARTER §1043(d)

RULE TITLE: Serving Sizes in Food Service Establishments (Health Code Article 81)

REFERENCE NUMBER: 2012 RG 047

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: June 5, 2012

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS

253 BROADWAY, 10th FLOOR

NEW YORK, NY 10007

212-788-1400

CERTIFICATION / ANALYSIS

PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Serving Sizes in Food Service Establishments (Health Code Article 81)

REFERENCE NUMBER: DOHMH-18

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

- Is understandable and written in plain language for the discrete regulated community or communities;
- Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- Does not provide a cure period because a cure period would pose a risk to public health.

/s/ Ruby B. Choi
Mayor's Office of Operations

6/5/2012
Date

NOTICE OF ADOPTION OF AMENDMENTS TO ARTICLE 47 OF THE NEW YORK CITY HEALTH CODE

In compliance with §1043(b) of the New York City Charter (the “Charter”) and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Article 47 of the New York City Health Code (the “Health Code”) was published in the City Record on March 16, 2012 and a public hearing was held on April 19, 2012. Five people testified and two written comments were received. In response to the comments, several changes were made in the resolution. At its meeting on June 12, 2012, the Board of Health adopted the following resolution.

Statement of Basis and Purpose

Statutory authority

These amendments to the Health Code are promulgated pursuant to §§558 and 1043 of the Charter. Sections 558(b) and (c) of the Charter empower the Board of Health to amend the Health Code and to include in the Health Code all matters to which the Department’s authority extends. Section 1043 grants the Department rule-making authority.

Background of amendments

The Charter provides the New York City Department of Health and Mental Hygiene (“Department”) with jurisdiction to regulate many areas with the goal of protecting and promoting the health of all New Yorkers. The Bureau of Child Care, in the Department’s Division of Environmental Health, enforces Article 47 (“Child Care Services”) of the Health Code, which regulates all public and private group day care services providing care for children less than six years of age, except those residential-based programs that are registered or licensed by the State Office of Children and Family Services. Standards for school-based programs for children ages three through five have been established in Article 43 of the Health Code. Article 47 was repealed and recodified in 2008, as part of a general Health Code revision process, resulting in updating and reorganizing many of its provisions.

Amendments

This resolution amends Article 47 as follows:

- Provides additional guidance and establishes additional standards for programs providing care for infants in child care services.
- Requires that staff of each child care service be instructed and trained in the policies and procedures contained in the required written safety plan of each child care service.
- Requires reporting to the Department of incidents where children are seriously injured, died or where program staff or volunteers fail to maintain constant line of sight supervision; requires permittees to provide a correction plan when such incidents occur. Requires that child care services review with parents the service’s procedures for the overall care of their child while the child is in attendance, including but not limited to, supervision, attendance and emergency response procedures.
- Replaces the term “discipline” with “behavioral management.”

(1) *Infant care supervision and safe sleep environments*. In early 2011, the death of a four month old child in an infant care program was reported to the Department. The Department investigated the incident, which occurred while the child was sleeping, and which was found to have resulted from natural causes by the City’s Chief Medical Examiner. The Department’s review of the supervision practices of the infant care program found that while supervision was provided in accordance with Health Code requirements, i.e., line of sight supervision was maintained by an adequate number of qualified and trained staff, the Code was silent as to what constitutes adequate line of sight supervision for sleeping infants. Article 47 is being amended to assist infant care programs and the Department in assessing whether they are providing such supervision at all times, as well as a safe sleep environment for infants. These provisions are largely based on recommendations of the American Academy of Pediatrics, American Public Health Association, and the National Resource Center for Health and Safety in Child Care and Early Education’s *Caring for our children: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs*, 3rd ed., 2011. Section 47.11 (Written safety plan) (b) has been amended to include provision in the written safety plan for infant sleep safety and for training staff in procedures, and § 47.67 (Child development policies, program, rest periods and clothing) has been amended to add a new subdivision (f) (Safe sleep environment for infants). In response to a comment that documenting checks of sleeping infants would be burdensome, the Department has amended the provision to require retention of forms for no more than two weeks, unless an infant is observed in some distress, and has eliminated a requirement for the educational director to review all forms.

(2) *Staff training in policies and procedures in the written safety plan*. In addition, although Health Code §47.11 requires that emergency and other policies and procedures of every child care service be incorporated in the written safety plan, the Department notes that where rates of staff turnover in child care services are relatively high, many staff do not have adequate training in the contents and application of the written safety plan policies and procedures. When issues have arisen involving lack of supervision, recent Department inspections have noted that staff and volunteers are not aware of and are not being trained in the procedures in the written safety plan. Accordingly, this provision and §47.37 have been amended to specify more active training requirements, and in response to a comment, to add provisions requiring drills in emergency responses.

(3) *Notification and preparation of a correction plan when children are injured, died, or were lost to supervision.* Since January 1, 2009 there have been 40 instances reported to the Department of child care services regulated by Article 47 failing to maintain line of sight supervision of children in their care resulting in the children wandering through and/or out of the child care facilities alone and unnoticed by child care services' staff. In addition the Department has received reports of 10 incidents resulting in the serious injury to a child, 2 fatalities, and 110 incidents of alleged child abuse in the same period. The DOHMH is usually notified of these incidents by complaints made by parents, the New York State Central Register for Child Abuse and Maltreatment, and concerned members of the public after they have come across a child alone in the neighborhood. Currently the Code requires that programs notify the Department and submit corrective action plans when programs are notified that staff or potential hires have a criminal or child abuse or maltreatment background, but does not require immediate notification to the Department of deaths, serious injuries, or lost children. This results in delays in reporting and immediate analysis of what happened and how to prevent further incidents from occurring. Accordingly, §47.19 (g) has been amended to add a requirement for timely reporting of these critical incidents and §47.21 (a)(2) has been amended to require the submission of a corrective action plan within five business days for the Department's review and approval. The list of imminent or public health hazards in §47.01 (Definitions) has been amended to include failure to maintain constant and competent line of sight supervision as such a hazard. Failure to provide reports of lost children will be considered a violation of §47.19 (g), but not an imminent health hazard. In response to a comment, the term "constant and competent supervision" has been clarified. It is hoped that these amendments will reduce the frequency and recurrence of lost children incidents.

(4) *Parent orientation upon enrollment.* During a recent hearing on Code requirements for child care services by the City Council, some council members expressed a desire for increased communication between the Department and parents as to what to expect from the child care service their children attend. They said that parents were interested in getting more information about particular programs and child care services generally. Health Code §47.67(d)(2) (Parents) contains a number of requirements for allowing parents access to their children while they are attending child care services, but there is no requirement that the parents receive a full orientation in the policies and procedures of the child care service, including the contents of the written safety plan. This provision is being amended to require that child care services provide orientation and information for parents, and that they distribute to parents copies of the Department brochure on how to get information on child care in New York City.

(5) *Discipline v. behavior management.* The term "discipline" is being amended, substituting the term "behavior management," to reflect current trends in child care practice which favor "behavior management" as a more neutral, non-judgmental term.

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

The resolution is as follows:

Note-matter in brackets [] to be deleted

Matter underlined is new

RESOLVED, that subdivision (k) of §47.01 of Article 47 of the New York City Health Code, set forth in title 24 of the Rules of the City of New York, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

§47.01 Definitions.

* * *

(k) *Imminent or public health hazard* shall mean any violation, combination of violations, conditions or combination of conditions occurring in a child care service making it probable that illness, physical injury or death could occur or the continued operation of the child care service could result in injury or be otherwise detrimental to the health and safety of a child. Any of the following shall be imminent or public health hazards which require the Commissioner or designee to order its immediate correction or to order the child care service to cease operations immediately and institute such corrective action as may be required by the Department or provided by this Code. Imminent or public health hazards shall include, but not be limited to:

(1) Supervision of children that is not in accordance with the supervisory ratios required by this Article;]

(1) Failure to maintain constant and competent supervision of children: for the purpose of this Article, supervision is constant and competent if it (i) complies with the staff:child supervisory ratios required by this Article; (ii) consists of line of sight observation of all children at all times; and (iii) is provided by qualified and cleared staff;

(2) Use of corporal punishments or of frightening or humiliating methods of [discipline] behavior management;

(3) Failure to report instances of alleged child abuse or maltreatment to the Department and the Statewide Central Register of Child Abuse and Maltreatment and to take appropriate corrective action to protect children when allegations of such abuse or maltreatment have been reported to or observed by the permittee;

(4) Refusal or failure to provide access to the child care facility to an authorized employee or agent of the Department;

(5) Uncontained sewage in any part of the child care facility;

(6) Transporting children in the bed of a truck or trailer or in any other part of any motor vehicle that is not designed for passenger occupancy; or transporting children without

adequate supervision; or failing to use appropriate child restraints in vehicles;

(7) Failure to provide two approved means of egress or obstructing any means of egress or a required fire exit;

(8) Failure to properly store flammable liquids or other toxic substances;

(9) Failure to maintain firefighting or fire detection equipment in working order;

(10) Allowing pillows to be used for children who are not disabled or when not recommended by a health care provider;

(11) Contamination of the potable water supply by cross connection or other faults in the water distribution or plumbing systems;

(12) Serving food to children from an unknown or unapproved source; serving food that is adulterated, contaminated or otherwise unfit for human consumption, or re-serving food that was previously served;

(13) Holding potentially hazardous foods for periods longer than that necessary for preparation or service at temperatures greater than 41°F or less than 140°F;

(14) Failing to exclude from work at the child care service a person with a communicable disease who is required to be excluded pursuant to Article 11 of this Code;

(15) Failure to implement the child care service's written safety plan resulting in a child not being protected from any unreasonable risk to his or her safety;

(16) Conducting construction, demolition, painting, scraping, or any repairs other than emergency repairs while children are present in the child care service; failing to remove children from areas and rooms while such activities are in progress;

(17) Failure to screen any person who has, or will have the potential for, unsupervised contact with children in accordance with §47.19 of this Article; or

(18) Any other condition(s), violations, or combination of conditions or violations, deemed to be an imminent health hazard by the Commissioner or his or her designee.

(l) *Infant* means a child younger than 12 months of age.

* * *

Notes: Paragraph (1) of subdivision (k) of §47.01 was amended by resolution of the Board of Health adopted on June 12, 2012 to reduce incidents of lost children and clarify the meaning of failure to maintain constant and competent supervision.

RESOLVED, that §47.11 of Article 47 of the New York City Health Code, set forth in title 24 of the Rules of the City of New York, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

§47.11 Written safety plan.

(a) *Safety plan required.* Every current permittee and every applicant for a new permit shall develop, review annually and update, in accordance with changed circumstances, conditions or activities, or as required by the Department, a written safety plan. The written safety plan shall be approved by the Department if it includes all the information required in this Article. Upon permit renewal, if no changed circumstances require changes to a previously approved written safety plan, the permittee shall state in writing that no changes were needed or made to the plan. The safety plan shall be implemented by the permittee, [used in training staff and volunteers,] provided to parents on request, kept in an accessible location at the child care service where it may be used by staff for reference and be available for Department inspection. The child care service must provide all staff and volunteers with copies of the safety plan and training in implementing the policies and procedures of the plan. This training shall include, but not be limited to, training and drills in medical and other critical and emergency response procedures, including evacuation of the premises. Documentation showing that staff have received copies of the plan and training and drills in implementing its provisions must be maintained by the permittee and made available for inspection by the Department while staff remain employed at the child care service.

(b) *Scope and content.* The written safety plan shall establish policies and procedures for safe operation, including teaching and other staff duties, facility operation and maintenance, fire safety, general and activity-specific safety, emergency management, staff and child health and medical requirements, staff training and parent/child orientation. The written safety plan shall consist of, at a minimum, a table of contents and the following components:

(1) *Staff:* organization chart, job descriptions, responsibilities and supervisory responsibilities.

(2) *Program operation and maintenance:* including, but not limited to, schedules and designated staff for facility inspection, cleaning and maintenance, schedule for boiler/furnace and HVAC system maintenance, maintenance of adequate water pressure, protection of the potable water supply from submerged inlets and cross-connections in the plumbing system, schedule for the annual lead paint survey, inspection of window guards, indoor and outdoor equipment inspection and replacement schedule, evaluation of injury prevention procedures, equipment and structures, identification of procedures for transportation vehicle maintenance, food protection procedures during receipt, storage and preparation, identity of individuals certified in food protection, schedule for sanitization procedures of food prep areas and identification of approved food sources.

(3) *Fire safety:* evacuation of buildings and property, assembly, supervision, and accounting for children and staff; fire prevention; coordination with local fire officials; fire alarm and detection systems and their operation, maintenance, and routine testing; type, location and maintenance of fire extinguishers; inspection and maintenance of exits; required fire drills and log; electrical safety; and reporting to the Department within 24 hours fires which destroy or damage any facilities, or which result in notification of the fire department, or are life or health threatening.

(4) *Health care plan:* statement of policies and procedures to show how the health and medical requirements of this Code shall be implemented for maintaining children's medical histories; addressing individual children's

restrictions on activities, policies for medication administration and special needs, if any; initial health screening for children and staff; daily health surveillance of children; procedures for providing basic first aid, handling and reporting medical emergencies and outbreaks; procedures for response to allegations of child abuse; identification of and provisions for medical, nursing and emergency medical services addressing special individual needs; names, qualifications and duties of staff certified in first aid and CPR; description of separation facilities, supervision and other procedures for ill children to be provided by the child care service until parent arrives; storage of medications; location and use of first aid and CPR supplies; maintenance of a medical log; description of universal precautions for blood borne pathogens; reporting of child and staff illness and injuries; and sanitary practices. When the permittee has a medication administration policy, the permittee shall immediately notify the Department of any changes in designated exempt or certified staff.

(5) *Corrective action plans:* actions to be taken to protect children on receipt of reports of alleged and confirmed teaching and other staff criminal justice or child abuse histories.

(6) *General and activity specific safety:* description of child supervision and staff schedules, including arrangements for general supervision; supervision during and between on-site activities; recreational and trip supervision for specific outdoor and off-site activities; supervision during sleeping and rest hours; transportation; and in emergencies.

(7) *Infant sleep safety:* practices and policies that establish a safe sleeping environment, promote an infant's comfort and well-being and reduce the risk of suffocation or death occurring while infants are in cribs or asleep. Such practices and policies must be based on current recommendations of the American Academy of Pediatrics, American Public Health Association, and the National Resource Center for Health and Safety in Child Care and Early Education, *Caring for our children: National Health and Safety Performance Standards: Guidelines for Early Care and Education Programs*, 3rd edition, 2011, or successor recommendations. The plan must include procedures for actively observing and evaluating infants for overheating, breathing status, and other signs of physical or medical distress that may require intervention, at intervals not to exceed 15 minutes. Documentation must be maintained, on forms provided or approved by the Department, of staff infant observations. The infant/toddler education director must maintain the forms for two weeks. Forms with entries indicating problems observed in an individual infant shall be kept in the child's medical record while the child remains enrolled in the child care service. Observation forms shall be made available for inspection by the Department. The use of infant movement monitors or infant apnea monitors does not relieve the child care service from conducting and noting required observations.

[(7)] (8) *Staff training:* new employee orientation; training curricula, including how staff will be trained in the provisions of the written safety plan and be made aware of its contents of and any changes to the safety plan; procedures for child supervision, infant sleep safety; [and] behavior management; child abuse recognition and reporting; provision of first aid and emergency medical assistance; reporting of child injury and illness; managing and reporting incidents where children are lost to supervision; fire safety and fire drills; child and staff evacuation procedures; activity specific training for assigned activities; and process to document attendance at staff training.

[(8)] (9) *Emergency evacuation:* age-specific plans for removal of children from the premises for each shift and program where care is provided. Primary emphasis shall be placed on the immediate evacuation of children in premises which are not fireproof. Emergency evacuation procedures, implementing Fire Department recommendations, shall be posted in conspicuous places throughout the facility. The emergency evacuation plan shall include the following:

- (A) How children and staff will be made aware of the emergency;
- (B) Primary and secondary routes of egress;
- (C) Methods of evacuation, including where children and staff will meet after evacuating the building, and how attendance will be taken;
- (D) Roles of the staff and chain of command;
- (E) Notification of authorities and the children's parents.

[(9)] (10) *Parent / child orientation:* orientation curriculum outline; tour of premises; reporting and management of illnesses, injuries and other incidents; evacuation plan; lost child plan; lightning plan; fire safety and fire drills; evacuation procedures; activity specific training for assigned activities; trips (if provided).

Notes: §47.11 was amended by the Board of Health by resolution adopted June 12, 2012, adding provisions requiring training in the policies and procedures included in the written safety plan for staff and volunteers to subdivision (a) and a new paragraph (7) for infant sleep safety provisions to subdivision (b).

RESOLVED that subdivision (g) of §47.19 of the New York City Health Code, set forth in title 24 of the Rules of the City of New York, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

§47.19 Criminal justice and child abuse screening of current and prospective personnel; reports to the Department.

* * *

(g) *Reports to the Department.* Permittees shall notify the Department within 24 hours when they have received an indicated report from the SCR; an employee report that an allegation has been filed against the employee; and a record or report of criminal conviction(s), pending criminal action, or arrest or criminal charge for any misdemeanor or felony for any person required to have a criminal record review or SCR screening. Permittees must also notify the Department within 24 hours whenever a child attending a child care service has been seriously injured, has died, or a child in their care has been unaccounted for, left behind at any

location outside the child's assigned classroom or where supervision has not been maintained in the manner required by this Code for any period of time while in the care of the permittee.

Notes: Subdivision (g) was amended by resolution adopted June 12, 2012 to add a requirement that the permittee timely report any incident involving death or serious injury of a child or that a child has been lost to supervision while attending the child care service.

RESOLVED that paragraph (2) of subdivision (a) of §47.21 of the New York City Health Code, set forth in title 24 of the Rules of the City of New York, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

§47.21 Corrective action plan.

(a) *Approved corrective action plan required.* A corrective action plan shall be submitted by the permittee [and approved by the Department] to the Department within five business days for review and approval by the Department.

* * *

(2) When a death or serious injury of a child or an incident involving a lost child has occurred while in the care of an applicant or permittee, or in the care of any owner, director, employee, or volunteer of the applicant or permittee or while in the care of any agent of the permittee, or if a related criminal or civil action has been already adjudicated or adjudication is pending in any jurisdiction with respect to such death or serious injury or incident involving a lost child.

* * *

Notes: Paragraph (2) of subdivision (a) was amended by resolution of the Board of Health adopted on June 12, 2012 to require that permittees submit a corrective action plan whenever there has been an incident involving a lost child.

RESOLVED, that paragraph (3) of subdivision (a) of §47.77 of Article 47 of the New York City Health Code, set forth in title 24 of the Rules of the City of New York, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

§47.37 Training.

(a) [Educational Director:] *Educational director responsibility.* The educational director shall arrange for and verify continuing in-service training of all employees, teaching staff and others, as required by this Article. The educational director may be certified to conduct such training or may designate other teaching staff to obtain such certification and conduct such training. The educational director shall maintain copies of certificates verifying completion of required training; shall document written safety plan training, including dates and times that emergency response drills were conducted, evaluation of staff performance, and recommendations for improvements in training or amendments to the safety plan; and shall make such records available for inspection by the Department.

(b) [(1)] *All employees.*

(1) *Child abuse and maltreatment.* All employees, and any volunteers or other persons who have, will have, or have the potential for, unsupervised contact with children in a child care service, shall receive two hours of training in child abuse and maltreatment identification, reporting and prevention and requirements of applicable statutes and regulations. Such training shall be provided by a New York State Office of Children and Family Services certified trainer. New employees shall receive such training within six (6) months of hire. All employees shall receive such training every 24 months.

[In addition, all] (2) *Infection control.* All teachers shall receive training in infection control and reporting infectious diseases. [The Educational Director shall maintain copies of certificates verifying completion of such training.]

(3) *Emergency procedures.* The permittee shall provide annual training to all staff, volunteers and other individuals providing services on a regular basis in the emergency procedures contained in the approved written safety plan, including (i) in-depth review of the provisions of the plan and (ii) announced and unannounced real-time drills demonstrating competency of all staff members in:

- (A) Emergency medical response;
- (B) CPR and first aid proficiency of certified staff;
- (C) Critical incident response; and
- (D) Evacuation procedures other than the monthly fire drills required by §47.59(d) of this Article.

(c) [(2)] *Infant/toddler and night care service staff.* In addition to the training requirements in paragraph (1) above, infant/toddler and night care services staff shall complete sudden infant death syndrome ("SIDS") and "shaken baby" identification and prevention training.

(d) [(3)] *Assistant teachers.* Assistant teachers shall complete 15 hours of training every 24 months, including the mandatory child abuse prevention and identification training in paragraph (1), and other subjects related to child health and safety, and early childhood development. The [Educational Director] *educational director* shall develop a training curriculum based on assessment of the professional development needs of individual assistant teachers. The curriculum shall include, but not be limited to, the following topics:

- [(A)] (1) Preventing, recognizing signs of, and reporting injuries, infectious diseases, other illnesses and medical conditions[.];
- [(B)] (2) First aid and CPR[.];
- [(C)] (3) Lead poisoning prevention[.];
- [(D)] (4) Physical activities, scheduling and conducting guided and structured physical activity[.];
- [(E)] (5) Asthma prevention and management[.];
- [(F)] (6) Setting up and maintaining staff and child health records including immunizations[.];
- [(G)] (7) Growth and child development[.]; including:

- [(i)] (A) Early intervention[.];
- [(ii)] (B) Early childhood education curriculum development and appropriate activity planning[.];
- [(iii)] (C) Appropriate supervision of children[.];
- [(iv)] (D) Meeting the needs of children with physical or emotional challenges[.];
- [(v)] (E) Behavior management and discipline[.];
- [(vi)] (F) Meeting nutritional needs of young children[.];
- [(vii)] (G) Parent, staff, and volunteer, communication and orientation: roles and responsibility[.];
- [(viii)] (H) The selection of appropriate equipment and classroom arrangement[.]; and
- [(ix)] (I) Safety and security procedures for fire safety, emergency evacuation, playgrounds, trips and transportation.

Notes: §47.37 was amended by resolution of the Board of Health adopted on June 12, 2012 adding training and drill requirements for staff in the written safety plan; relettering the various subdivisions and relettering paragraphs to correct typographical errors; and deleting the term "discipline" from the training requirements in former clause (v) of former subparagraph (G), now identified as subparagraph (E) of paragraph (7) in subdivision (d).

RESOLVED, that §47.67 of Article 47 of the New York City Health Code, set forth in title 24 of the Rules of the City of New York, be and the same hereby is amended, to be printed together with explanatory notes, to read as follows:

§47.67 Child development policies, program, rest periods and clothing.

(a) *Program.* The program shall be varied in order to promote the physical, intellectual, and emotional well-being of the children. Corporal punishment and humiliating or frightening methods of control [and discipline] shall be prohibited. Food, rest or isolation shall not be used as a means of punishment. Punitive methods of toilet training are prohibited.

(b) *Schedules.* A written daily schedule of program activities and routines which offer reasonable regularity, including snack and meal periods, nap and rest periods, indoor and outdoor activities, and activities which provide children with opportunities for learning and self-expression in small and large groups is required. When night care is provided, this schedule shall include routine personal hygiene, including changing into night clothes, brushing teeth, and washing before bed in the manner to be agreed between the parent and the operator.

(c) [Disciplinary policies.] *Child behavior management.* A written statement on the philosophy of [disciplining] managing the behavior of children shall be distributed to every staff member, posted in a prominent location within the child care service and made available to parents upon request.

(d) *Parents.*

(1) *Unrestricted access.* Parents shall have unrestricted access to their children at all times.

(2) *Enrollment and orientation.* At the time children are enrolled in a child care service, parents must be provided with information that acquaints parents with the policies and procedures of the child care service for supervision, attendance, admission, discharge, emergency and illness management as specified in the written safety plan and the requirements of this Code, and a copy of the Department brochure, "How to Get Information about Child Care Programs in New York City," or successor publication.

(1) (3) *Video surveillance.* The parents of all children receiving care in a child care service equipped with video surveillance cameras installed for the purpose of allowing parents to view their children in the child care setting by means of the internet shall be informed in writing that cameras will be used for this purpose. All staff of the child care service also shall be informed in writing if video surveillance cameras will be used for this purpose. The child care service shall make available copies of such notices to the Department upon request.

(2) (A) All parents of children enrolled in the child care service and all staff of the child care service shall be made aware of the locations of all video surveillance cameras used at the child care service.

(3) (B) Child care services opting to install and use video surveillance equipment shall comply with all law applicable to the use of such equipment.

(4) (C) Video surveillance cameras may not be used as a substitute for competent direct supervision of children.

(5) (D) Child care services opting to allow parents to view their children in the child care setting by means of the internet shall use and maintain adequate internet security measures at all times. Such measures include but are not limited to: passwords that are frequently changed that enable parent to access the internet site for viewing children; filtering measures that prohibit public access to or viewing of child care activities via the internet; and immediate corrective action in response to any report of abuse of the system or inappropriate access. Such services shall also advise the parents having access to views of the child care service through the internet of the importance of security in regard to such viewing and of the importance of the privacy rights of other children who may be viewed.

(6) (E) Video surveillance cameras shall be used only to transmit images of children in common rooms, hallways and play areas. Bathrooms and changing areas shall remain private and free of all video surveillance equipment.

(7) (F) Child care services that use video surveillance equipment shall allow inspectors and other representatives of the Department to have access to such equipment and to have viewing privileges as required by the Department.

(e) Children shall be comforted when distressed.

(f) *Safe sleep environment for infants.*

(1) An infant/toddler service must provide a safe sleep environment for each infant, consisting of a single crib or bassinet per child that is approved by the US Consumer Product Safety Commission, and that complies with standards of the American Society for Testing and Materials [ASTM] International for infant sleep equipment; and a firm

crib mattress specifically designed for the equipment used, covered by a tight fitting sheet flush with the sides of the crib/bassinet. The crib or bassinet must be free of bumper pads, pillows or sleep positioning devices not medically prescribed, loose bedding, blankets, toys and other possible suffocation risks.

(2) *Positioning.* Infants must be placed in a supine position unless written medical instructions directing otherwise are provided by the infant's primary health care provider. The child care service must maintain written medical instructions and make the instructions available for inspection by the Department. Infants capable of turning over by themselves in any direction may remain in the position the infant attains.

(3) *Prohibitions.* Infants must not be allowed to sleep or nap in a car safety seat except during transportation. Infants must not be allowed to sleep on bean bag chairs, futons, bouncy seats, infant swing or highchairs, playpens or other furniture/equipment not designed and approved for infant sleep purposes and meeting safe sleep environment criteria. Infants found sleeping in other than a safe sleep environment must be moved to a safe sleep environment upon discovery. Only one infant may occupy a single crib or bassinet at any given time.

(4) *Bedding.* Bedding must be changed prior to placing an infant in a crib or bassinet previously occupied by another infant.

(5) *Choking, tangling hazards.* Bibs, necklaces, and garments with ties or hoods must be removed prior to placing an infant in a crib or bassinet.

(f) (g) Each child in full time child care shall have a quiet, relaxed period of approximately one hour a day. Shorter, comparable periods of quiet and relaxation shall be provided for each child who spends less time in the service.

Notes: §47.67 was amended by resolution of the Board of Health adopted June 12, 2012, adding requirements in subdivision (d) for enhanced parent orientation and a new subdivision (f) requiring provision of a safe sleep environment for infants in child care.

RESOLVED, that the Table of Section Headings in Article 47 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be and the same hereby is amended, to be printed together with explanatory notes to read as follows:

ARTICLE 47 CHILD CARE SERVICES

§47.01 Definitions

*

§47.17 **Teaching staff qualifications in night child care services.**

§47.19 **Criminal justice and child abuse screening of current and prospective personnel; reports to the Department.**

§47.21 Corrective action plan.

*

Notes: The listing for §47.19 in the Table of Section Headings was amended by resolution of the Board of Health adopted June 12, 2012, adding "reports to the Department" to the section title.

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NOTICE OF PUBLIC HEARING

Subject: Opportunity to Comment on Proposed Amendment of Article 5 (General Permit Provisions) of the New York City Health Code found in Title 24 of the Rules of the City of New York

Date / Time: July 26, 2012 / 2:00 P.M. to 4:00 P.M.

Location: New York City Department of Health and Mental Hygiene
2 Gotham Center, 14th Floor, Room 14-45
42-09 28th Street
Long Island City, NY 11101-4132

Contact: Rena Bryant (347) 396-6071
New York City Department of Health and Mental Hygiene
Board of Health
Office of the Secretary to the Board
2 Gotham Center, 14th Floor,
Room 14-15, Box 31
Long Island City, NY 11101-4132

Instructions

- Prior to the hearing, on or before 5pm, July 26, 2012, you may submit written comments about the proposed amendment by mail to Rena Bryant at the address above, by email at resolutioncomments@health.nyc.gov online (without attachments) at www.nyc.gov/html/doh/html/notice/notice.shtml or electronically through NYC RULES at www.nyc.gov/nycrules.

- To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please contact Rena Bryant at the phone number above by July 12, 2012.

- Copies of written comments and a summary of oral comments received at the hearing will be available within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M. at the contact address above.

Proposed Amendment

The Department of Health and Mental Hygiene is proposing

that the Board of Health amend Article 5 of the Health Code to authorize a \$70.00 annual fee for a permit to operate a temporary food service establishment.

STATEMENT OF BASIS AND PURPOSE

Statutory Authority

These amendments to the New York City Health Code (the "Health Code") are issued in accordance with §§556, 558 and 1043 of the New York City Charter (the "Charter").

- Section 556 of the Charter provides the Department of Health and Mental Hygiene (the "Department") with authority to regulate all matters affecting health in the City of New York.
- Section 558(b) and (c) of the Charter empower the Board of Health (the "Board") to amend the Health Code and to include in the Health Code all matters over which the Department has authority.
- Section 1043 of the Charter gives the Department rulemaking powers.

Basis and purpose of the amendment

The Commissioner currently issues permits for temporary food service establishments (TFSE) to operate for up to 14 days at a time. These permits currently cost \$20.00. Each time a TFSE wants to operate at a new venue, a new permit is required. In practice, however, the Department has observed an increasing number of operators who obtain this permit and operate every weekend, at recurring events, or at many different events throughout the City during any given year.

The Department is proposing that the Board:

- change the TFSE permit to an annual permit, rather than to an event-specific 14-day permit, to reflect how these permits are actually used, and,
- raise the fee for this permit from \$20.00 to \$70.00 to reflect the administrative costs of issuing individual permits.

While the price of the permit will go up, operators will be in a position to save money by purchasing one annual permit at \$70.00 rather than multiple event-specific permits at \$20.00 each. Although an annual permit will be issued, any operator of a TFSE who wishes to participate in any street or other event must still obtain the permission of the event sponsor, and comply with all other applicable provisions of the Health Code and other law.

Specifically, the Department is requesting that the Board amend Article 5 (General Permit Provisions) by raising the fee for a permit for a temporary food service establishment (TFSE) from \$20.00 to \$70.00. The Department will also exercise the authority granted it by the Board in December 2009 when the Board amended Article 88 of the Health Code and authorized the Department to issue an annual TFSE permit fee, based on the fact that many TFSEs operate at events that recur throughout the year, more than 14 days at a time, and sometimes every weekend.

The resolution is as follows:

Matter to be deleted is in brackets []

New matter is underlined

RESOLVED, that §5.07 of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes as follows:

§5.07 Expiration dates; fees.

Description of Activity	Health Code or other Law Section Reference	Fee	Date Expiration
* * * NON-RETAIL FOOD PROCESSING ESTABLISHMENT: Permit to maintain or operate a non-retail food processing establishment	81.05 (c)	\$200.00	One year from end of the month in which the initial application was submitted or, in the case of a renewal, one year from date of last permit expiration
TEMPORARY FOOD SERVICE ESTABLISHMENTS:	88.03 (a)	[\$20.00] <u>\$70.00</u>	[Maximum of fourteen (14) consecutive days] <u>One year from end of the month in which the initial application was submitted or, in the case of a renewal, one year from date of last permit expiration</u>
PRESCRIPTION FORMULA PREPARATION:	115.05	\$50.00	March 31
* * *			

Notes: §5.07 was amended by resolution adopted XXX to change the \$20.00 fee for a temporary 14-day food service establishment permit to an annual permit with a \$70.00 fee.

**NEW YORK CITY LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087**

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Amendment of Fee for Temporary Food Service Permit (Health Code Article 5)

REFERENCE NUMBER: 2012 RG 052

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN Date: May 31, 2012
Acting Corporation Counsel

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

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Fee for Temporary Food Service Permit (Health Code Article 5)

REFERENCE NUMBER: DOHMH-21

RULEMAKING AGENCY: DOHMH-21

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

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

/s/ Francisco Navarro Date: May 31, 2012
Mayor's Office of Operations

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NOTICE OF ADOPTION OF AMENDMENTS TO ARTICLE 49 OF THE NEW YORK CITY HEALTH CODE

In compliance with §1043(b) of the New York City Charter (the "Charter") and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Article 49 of the New York City Health Code (the "Health Code") was published in the City Record on March 16, 2012 and a public hearing was held on April 20, 2012. There was no testimony, but four written comments were received. At its meeting on June 12, 2012, the Board of Health adopted the following resolution.

Statement of Basis and Purpose

Statutory Authority

These amendments to the New York City Health Code (the "Health Code") are issued according to §§556, 558 and 1043 of the New York City Charter (the "Charter").

- Section 556 of the Charter provides the Department of Health and Mental Hygiene (the "Department" or "DOHMH") with authority to regulate all matters affecting health in the City of New York.
- Section 558(b) and (c) of the Charter empowers the Board of Health (the "Board") to amend the Health Code and to include in the Health Code all matters over which the Department has authority.
- Section 1043 of the Charter gives the Department rulemaking powers.

Introduction and Background

The Board of Health is amending Health Code §49.06, repealing required tuberculosis (TB) testing for secondary school new entrants, and as amended will authorize the Commissioner to require testing for TB infection in schools only when testing is necessary for epidemiologic or other public health purposes.

Between 2001 and 2010, the TB case¹ rate among persons 18 years of age and younger in New York City declined 42%, from 4.8 to 2.8 cases per 100,000 persons. As TB rates continue to decline, the Department has found that screening school children is currently not an effective way to identify new cases of active TB or TB infection.

In the 1980s, TB incidence in New York City was rising and high rates of TB were found during voluntary TB screenings.

As a result, the Board of Health adopted Health Code §49.06 in 1989 to require that all new school entrants from pre-kindergarten to 12th grade have a tuberculin skin test. In 1996, the Board of Health amended §49.06 to eliminate mandatory TB testing except for new entrants to secondary schools within any public or non-public school system in New York City. Secondary school is defined in the Health Code as including junior high school and higher grade levels. This change was based on data showing that the prevalence of TB infection was low among young school age children but increased with age.

Mandatory TB testing of school children had the following objectives:

- 1) Identify children with TB disease and provide appropriate medication and follow up;
- 2) Identify TB disease through investigation of family contacts that may be the source of infection;
- 3) Identify children with latent TB infection and provide preventive therapy to them; and
- 4) Provide valid data on the prevalence of TB infection in school children.

¹ A TB case is a person who shows signs and/or symptoms of active TB disease, as defined in Health Code §11.03 (a). TB infection or latent TB infection (LTBI) occurs in persons who have been exposed to a person with active TB disease, test positive for TB infection on a tuberculin skin test or blood test, and who have become infected with the TB bacillus, but do not show signs and/or symptoms of active TB disease.

School Screening and TB Control

In recent years, DOHMH data suggest that the school TB screening requirement has not achieved the first three objectives as stated above. From September 2010 to August 2011, no TB cases were found through the school screening requirement. However, DOHMH identified 32 cases of active TB among persons 10-18 years old in New York City through other means. Twenty persons (63%) were evaluated as a result of symptoms consistent with TB; 10 (31%) had a chest radiograph, a medical evaluation or an incidental laboratory result that led to their TB diagnosis; and 2 (6%) were identified through DOHMH screening of newly arrived immigrants. In 2009, TB preventive therapy was initiated in only 59% of 10-18 year olds with TB infection who were not contacts to active cases and had received a normal chest radiograph in a DOHMH TB clinic.² Only 27% that initiated therapy actually completed therapy.³

The fourth objective of §49.06 has been met. Based on data from the New York City Department of Education (DOE), the overall latent TB infection (LTBI) prevalence for new entrants tested from September to December 2011 was 8% (458 out of 5,643). Prevalence by secondary school grade level did not differ substantially: 7% (42 of 618 persons tested) below 7th grade, 8% (109 of 1,408) for grades 7 and 8; and 8% (307 of 3,617) for 9th through 12th grade. This prevalence rate is much lower than in children who were tested in DOHMH TB clinics between 2002 and 2004, when 21% (2,742 of 13,311) had LTBI, including 6% (177 of 2,918) among US born and 24% (2,565 of 10,569) among foreign born.⁴ This finding is consistent with the decline in the overall TB case rate among persons aged 18 years and younger in New York City.

² DOHMH TB clinic data do not specifically capture the school entry requirement as a reason for obtaining a TB test or chest radiograph, but it can be assumed that children who are not contacts come to the clinic for this reason.

³ This includes all children in the age group that were started on isoniazid (INH) preventative treatment regardless of TB test or chest radiograph result.

⁴ Li, J, Munsiff, SS, Agerton, T. Prevalence of tuberculin skin test positivity in clinical population in New York City. J Immigr Minor Health. 2010. 12(6):816-22

Resources Saved By Eliminating the TB Testing Requirement

DOHMH TB clinics currently provide TB testing and follow-up evaluation for new secondary school entrants who need to be tested as a result of this Health Code mandate. Every year approximately 3,300 children in the secondary school age group² are referred to one of the clinics for TB testing and follow-up.

In addition, two DOHMH bureaus, Bureau of TB Control (BTBC) and Bureau of School Health (BSH), and the DOE oversee compliance with this mandate in schools. At the beginning of each school year, DOE staff identifies eligible entrants in public schools and informs parents of the mandate. School principals are required to follow up on TB testing, reading TB tests, and chest x-ray results of identified students, and then report results back to DOE. DOE collects the data, enters it into an electronic system, and submits follow-up reports to the DOHMH and BSH on a monthly basis. BTBC also mails packets of information about the TB testing requirement and copies of the reporting forms to hundreds of private, parochial, and charter schools. After schools submit their reporting forms to DOHMH, data are compiled and entered into a database.

Over the past several years, DOE's compliance with this provision of the Health Code improved from 30% to 90% for public schools. Obtaining compliance, however, is extremely resource intensive for both DOE and DOHMH. Moreover, children who visit DOHMH clinics are missing school and their parents or guardians are missing work to comply with the testing requirement.

Children and adolescents are considered to be at low risk for exposure to TB and should be tested only if one or more risk factors⁵ are present. Since the mid 1990's, mandated TB testing for low risk school entrants has not been recommended by both the Centers for Disease Control and Prevention (CDC) and American Academy of Pediatrics in the absence of risk factors.⁶

⁵ Risk factors for TB disease and latent TB infection: Contact to a TB case; immigrated in the past 5 years from high TB incidence areas;

prolonged stay in high TB incidence areas; work in clinical or institutional settings such as nursing home or homeless shelters; individuals with certain clinical conditions, i.e. HIV, cancer, etc. and children/adolescents exposed to adults in high-risk categories.⁶ Centers for Disease Control and Prevention. 2000. Targeted tuberculosis testing and treatment of latent tuberculosis infection. *MMWR* 49(No. RR-6): 7-10; Pediatric TB Collaborative Group. Targeted tuberculin skin testing and treatment of latent TB infection in children and adolescents. *Pediatrics*. 2004;114:1175-1201.

Conclusion

Mandatory testing of new entrants in secondary schools consumes substantial resources while contributing little to TB prevention and control in New York City. Eliminating this mandate will allow DOHMH to direct increasingly limited resources to screen, identify and treat TB among persons at highest risk, and allow the DOE to focus its resources on higher priority adolescent health issues.

Instead of mandatory testing of all new entrants in secondary schools, the provision in current subdivision (g) of this section has been amended to authorize the testing of persons in a school only when such testing is considered by the Department as necessary for epidemiologic and other public health purposes, such as in an investigation to determine if any students or staff may have had contact with a TB case in a school.

Although the proposal was circulated to many NYC pediatricians, the Department received only four e-mail comments, including one in favor of and two opposed to the amendment. One comment indicated it was too soon for the requirement to be repealed, without stating more, and another indicated that without the mandate, children would not return for readings of TB tests. The Department, as noted above, has found that although compliance with the TB testing requirement has been fairly high, at over 90% of eligible students, the numbers and percent of cases of TB infection and active disease identified has been very low, and do not justify maintaining the testing requirement. With increasingly limited resources, it is important that the Department focus its efforts on individuals who are at highest risk for infection and developing active disease, including people who are contacts of cases of active disease, or who have become recently infected and are likely to develop active disease. Accordingly, no change has been made in the resolution.

The resolution is as follows.

New matter is underlined; Deleted matter appears in [brackets].

RESOLVED, that of §49.06 (Mandatory tuberculosis examination for students) of Article 49 (Schools) of the New York City Health Code, found in Title 24 of the Rules of the City of New York, is repealed and recodified, to be printed together with explanatory notes to read as follows:

§49.06 Test for tuberculosis infection. The Department may require testing for tuberculosis of any persons in a school when such testing is considered by the Department as necessary for epidemiological or other public health purposes.

Notes: Section 49.06 (Mandatory tuberculosis examination for students) was repealed and recodified by resolution of the Board of Health adopted June 12, 2012, after an analysis of incidence data showed that routine mandatory testing of all children newly admitted to secondary schools was ineffective in identifying new tuberculosis cases occurring in persons under 18 years of age. As amended, this section now authorizes the Department to require testing of any persons in a school when such testing is considered by the Department as necessary for epidemiological or other public health purposes.

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NOTICE OF PUBLIC HEARING

Subject: Opportunity to Comment on Proposed Amendment of Article 11 (Reportable Diseases and Conditions) and Article 13 (Clinical Laboratories) of the New York City Health Code found in Title 24 of the Rules of the City of New York

Date / Time: July 26, 2012 / 10:00 A.M. to 12:00 P.M.

Location: New York City Department of Health and Mental Hygiene
2 Gotham Center, 15th Floor, Room 15-12
42-09 28th Street
Longand City, NY 11101-4132

Contact: Rena Bryant (347) 396-6071
New York City Department of Health and Mental Hygiene
Board of Health
Office of the Secretary to the Board
2 Gotham Center, 14th Floor,
Room 14-15, Box 31
Long Island City, NY 11101-4132

Instructions

- Prior to the hearing, on or before 5pm, July 26, 2012, you may submit written comments about the proposed amendment by mail to Rena Bryant at the address above, by email at resolutioncomments@health.nyc.gov online (without attachments) at www.nyc.gov/html/doh/html/notice/notice.shtml or electronically through NYC RULES at www.nyc.gov/nycrules
- To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please contact Rena Bryant at the

phone number above by July 12, 2012.

- Copies of written comments and a summary of oral comments received at the hearing will be available within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M. at the contact address above.

Proposed Amendments

- The Department of Health and Mental Hygiene is proposing that the Board of Health amend:
 1. Article 11 of the Health Code, to require that physicians obtain specimens for herpes simplex virus (HSV) testing from infants with vesicular skin lesions who are suspected of having HSV infection, and
 2. Article 13 to require that clinical laboratories detecting HSV in any specimens from infants 60 days of age or less forward a portion of the specimen and any derived materials to the State Department of Health laboratories.

STATEMENT OF BASIS AND PURPOSE

Statutory Authority

These amendments to the New York City Health Code (the "Health Code") are issued in accordance with §§556, 558 and 1043 of the New York City Charter (the "Charter").

- Section 556 of the Charter provides the Department of Health and Mental Hygiene (the "Department") with authority to regulate all matters affecting health in the City of New York.
- Sections 558(b) and (c) of the Charter empower the Board of Health (the "Board") to amend the Health Code and to include in the Health Code all matters over which the Department has authority.
- Section 1043 of the Charter gives the Department rulemaking powers.

Basis and purpose of the amendments

One of the most important duties of any public health agency is to investigate and control communicable diseases. As the local health officer for the City of New York (NYC), the Commissioner of the Department is required "to make such an investigation as the circumstances may require for the purpose of verifying the diagnosis, ascertaining the source of infection...to collect and submit, or cause to be collected and submitted, for laboratory examination such specimens as may furnish necessary or desirable information in determining the source of infection or in assisting diagnosis: ..." New York State Sanitary Code §2.6 [10 NYCRR Chapter 1]. Similarly, Health Code §11.03(e) provides that upon receiving a report of a disease or condition required to be reported, the Department may conduct any surveillance, epidemiological and laboratory investigation necessary to verify diagnosis, ascertain sources or causes of infection, identify additional cases, and implement public health measures to control the disease and prevent further morbidity or mortality. These provisions authorize the Department to require collection of specimens for laboratory examination for testing to be performed by the Department or as designated by the Department.

Neonatal Herpes

Neonatal herpes is an uncommon but serious infection with a high case fatality rate; since 2006, 15 NYC neonates have died from herpes. In 2006, Health Code §11.03 was amended to make neonatal herpes simplex virus (HSV) infection a reportable disease. There are approximately 15 laboratory-confirmed cases reported each year, and 2-4 additional cases that meet a case definition for probable infection but are not laboratory-confirmed. The Department believes that the number of confirmed cases is an underestimate, because health care providers fail to obtain specimens for herpes virus detection, do not send specimens to laboratories that can perform the necessary testing, and obtain specimens after starting anti-viral treatment, which can reduce the likelihood of detecting virus in a specimen.

State Sanitary Code §2.5 provides that a "physician in attendance on a person affected with or suspected of being affected with any of the diseases mentioned in this section shall submit to an approved laboratory, or to the laboratory of the State Department of Health, for examination of such specimens as may be designated by the State Commissioner of Health, together with data concerning the history and clinical manifestations pertinent to the examination: ... Herpes infection in infants aged 60 days or younger (neonatal) ..."

Nucleic Acid Amplification Tests (NAAT)

Nucleic acid amplification tests (NAAT) are a form of molecular testing. They are more sensitive than cultures for the detection of HSV infection. However, few health care providers and hospitals have ready access to laboratories that are able or authorized to perform NAAT on swabs from skin vesicles, and opportunities for laboratory-confirmation of herpes infection have been missed. The New York State Department of Health Wadsworth Center laboratories have the ability to perform NAAT and other molecular analyses.

Highly sensitive NAAT testing of suspected neonatal herpes specimens benefits individual cases and public health in three ways:

- (1) It enables confirmation of the diagnosis, and reassures physicians and parents that, given the serious threat to the neonate's life posed by a herpes infection, treatment for herpes should be started and continued despite the risks associated with such treatment.

(2) Public health officials can more accurately document disease incidence.

(3) Public health officials can prioritize cases for investigation to determine how transmission occurred and how it can be prevented in the future.

Amendment of Article 11

The Department is proposing that the Board amend Article 11 to add a new §11.10 requiring health care providers to obtain swab specimens from vesicular skin lesions in a neonate presenting with possible HSV infection before or when starting treatment of the infant with anti-viral drugs, and submitting the specimens to the NYS Department of Health Wadsworth Center laboratory, for diagnostic testing. State Sanitary Code §2.5 provides that a "physician in attendance on a person affected with or suspected of being affected with any of the diseases mentioned in this section shall submit to an approved laboratory, or to the laboratory of the State Department of Health, for examination of such specimens as may be designated by the State Commissioner of Health, together with data concerning the history and clinical manifestations pertinent to the examination [in cases of]: ... Herpes infection in infants aged 60 days or younger (neonatal) ..." The State Sanitary Code clearly states the authority of the State Commissioner of Health to require submission of such specimens, and the Department believes that a similar provision is necessary in the City's Health Code. The Department does not intend that this requirement result in delaying necessary treatment.

Amendment of Article 13

The Department is also proposing that the Board amend Article 13 to add a new §13.09 to require that clinical laboratories detecting HSV in any specimen from infants sixty days of age or less submit a portion of such specimens and derived materials to the Wadsworth Center for further testing as needed. NYC neonatal herpes surveillance data, collected since 2006 when the disease was made reportable, are used for local and national provider education and to support investigations to determine if cases are related. However, even when infection is laboratory-confirmed as HSV infection, viral type (indicating whether infection is due to HSV type 1 or HSV type 2) is unknown approximately 15% of the time. Data regarding viral type will help the Department understand factors associated with infection, factors associated with virulence of each type, and the impact that future vaccines are likely to have on neonatal HSV infection.

The resolution is as follows:

Matter to be deleted is in brackets []

New matter is underlined

RESOLVED, that Article 11 (Reportable Diseases and Conditions) of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be amended, adding a new §11.10, to be printed together with explanatory notes as follows:

§11.10 Neonatal herpes simplex. At or before initiating treatment for a suspected case of herpes simplex virus infection occurring in a child aged 60 days or less, the health care provider ordering treatment shall collect specimens from one or more vesicles or from any skin lesions suggestive of herpetic disease. Unless otherwise directed by the Department, all such specimens shall be sent by the provider to the New York State Department of Health Wadsworth Center laboratories for diagnostic testing using molecular methods, and a report of the results shall be forwarded to the Department.

Notes: §11.10 was added to Article 11 by resolution adopted XXX. It requires physicians and other health care providers to obtain specimens from vesicular skin lesions on infants suspected of having neonatal herpes simplex virus at or before starting anti-viral treatment to enable prompt and accurate diagnosis. It also requires such health care provider to submit the specimens to New York State Department of Health for testing.

RESOLVED, that the Table of Section Headings in Article 11 of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be amended, adding a new §11.10, to be printed together with explanatory notes as follows:

ARTICLE 11 REPORTABLE DISEASES AND CONDITIONS

§11.01 Definitions.

* * *

§11.09 Blood Lead Reporting and Children's Blood Lead Registry.

§11.10 Neonatal herpes simplex.

§11.11 Confidentiality of reports and records.

* * *

Notes: Article 11 was amended by resolution adopted XXX to add a new §11.10 that requires physicians and other health care providers to obtain specimens from vesicular skin lesions on infants suspected of having neonatal herpes simplex virus at or before starting anti-viral treatment to enable prompt and accurate diagnosis, and submit the specimens to the New York State Department of Health for testing.

RESOLVED, that Article 13 (Clinical Laboratories) of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be amended, adding a new §13.09, to be printed together with explanatory notes as follows:

§13.09 Neonatal herpes simplex specimens.

When a clinical laboratory detects herpes simplex virus in a specimen collected from a child 60 days of age or less, the laboratory shall send the original specimen and any derived materials to the New York State Department of Health Wadsworth Center laboratories for further testing as needed. A copy of the test results shall be sent to the Department.

Notes: §13.09 was added to Article 13 by resolution adopted XXX. It requires clinical laboratories to forward portions of specimens from infants in which herpes simplex virus is detected to NYS Department of Health for testing as needed.

RESOLVED, that the Table of Section Headings in Article 13 of the New York City Health Code, found in Title 24 of the Rules of the City of New York, be amended, adding a new §13.09, to be printed together with explanatory notes as follows:

**ARTICLE 13
CLINICAL LABORATORIES**

§13.01 Definitions.

* * *

§13.07 Reporting of Hemoglobin A1C.

§13.09 Neonatal herpes simplex specimens.

Notes: Article 13 was amended by resolution adopted XXX to add a new §13.09 that requires clinical laboratories to forward portions of specimens from infants in which herpes simplex virus is detected to the New York State Department of Health Wadsworth Center laboratories for further testing as needed.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087**

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

RULE TITLE: Testing for Neonatal Herpes

REFERENCE NUMBER: 2012 RG 047

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: May 31, 2012

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

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

RULE TITLE: Testing for Neonatal Herpes

REFERENCE NUMBER: DOHMH-19

RULEMAKING AGENCY: DOHMH-19

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

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

/s/ Francisco Navarro
Mayor's Office of Operations

May 31, 2012
Date

NOTICE OF PUBLIC HEARING

Subject: Opportunity to Comment on Proposed Amendment of Article 48 (Summer Day Camps, Children's Overnight Camps, Children's Traveling Summer Day Camps, and Municipal Camps) of the New York City Health Code, found in Title 24 of the Rules of the City of New York.

Date / Time: July 25, 2012 / 10:00 A.M. to 12:00 P.M.

Location: New York City Department of Health and Mental Hygiene
2 Gotham Center, 20th Floor, Room 20-38
42-09 28th Street
Long Island City, NY11101-4132

Contact: Rena Bryant
(347) 396-6071

Proposed Amendment

The Department of Health and Mental Hygiene is proposing that the Board of Health amend Article 48 of the Health Code relating to nutritional requirements at children's summer camps. This was included in the Department's regulatory agenda.

Instructions

- Prior to the hearing, you may submit written comments about the proposed amendment by mail to:

New York City Department of Health and Mental Hygiene
Board of Health
Office of the Secretary to the Board
Attention: Rena Bryant
2 Gotham Center, 14th Floor, Room 14-15, Box 31
Long Island City, NY11101-4132

or electronically through NYC RULES at www.nyc.gov/nycrules or by email to RESOLUTIONCOMMENTS@HEALTH.NYC.GOV or online (without attachments) at <http://www.nyc.gov/html/doh/html/notice/notice.shtml> on or before 5:00 P.M., on July 25, 2012.

- To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please contact Rena Bryant at the phone number shown above by July 11, 2012.
- Copies of written comments and a summary of oral comments received at the hearing will be available within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M. at the

New York City Department of Health and Mental Hygiene
Board of Health
Office of the Secretary to the Board
Attention: Rena Bryant
2 Gotham Center, 14th Floor, Room 14-15, CN 31
Long Island City, NY11101-4132

Statement of Basis and Purpose

Statutory Authority

These amendments to the Health Code are promulgated pursuant to §§558 and 1043 of the Charter. Sections 558(b) and (c) of the Charter empower the Board of Health to amend the Health Code and to include in the Health Code all matters to which the authority of the Department of Health and Mental Hygiene (the "Department" or "DOHMH") extends. Section 1043 grants the Department rule-making authority.

Background of Proposed Amendment

Children's camps (a term that includes summer day camps, children's overnight camps, and children's traveling summer day camps) provide a structured place for children up to the age of 16 years during the summer months, when the majority of young people are not in school. In the 2010 summer season, DOHMH issued permits to 862 children's camps in New York City (NYC). Approximately 165,000* children attended these programs.

Many of these camps provide food and beverages for campers. To help combat childhood obesity, as well as enable children's camps to improve the diets and better safeguard the health of the City's children, the Department proposes that the Board of Health amend Article 48. This proposal would align nutritional requirements for children's camps with similar standards used for other child care environments. Those standards include requirements in Article 47 for early child care centers and City standards for school-provided meals.

Overview of Proposed Amendment

The proposed changes would establish nutritional requirements for children's camps that hold permits issued pursuant to Article 48 of the Health Code. Specifically, the new requirements would:

- Prohibit service of certain beverages to campers, specifically:
 - Sugary drinks,
 - Non-100% juice,
 - Beverages with additives, and
 - Higher fat and flavored milk;
- Require potable water; and
- Prohibit camper access to vending machines both on and off camp premises.

* This number may be an overrepresentation as camps often operate multiple sessions for the season and children who attend multiple sessions are counted per session in the DOHMH database.

The goal of these amendments is to decrease the amount of energy-dense items that children in New York City consume.

Basis for Proposed Amendment

- **Childhood obesity has reached critical levels**
Nearly 40% of NYC public school students (K-8) are obese or overweight.^{1,2} Obese children are more

likely than normal-weight children to have risk factors for heart disease³, type 2 diabetes⁴ and many other disorders and conditions.^{5,6,7} Obese children are more likely to become obese adults,^{8,9} and obesity in adulthood is associated with serious diseases and conditions, and with higher rates of death.¹⁰

- **Sugary drinks are a leading driver of the obesity epidemic**
Children have dramatically increased their intake of sugary drinks over the last few decades. At the same time, consumption of healthy beverages such as milk has declined.^{11,12,13} Sugary drinks are the primary source of added sugars and a significant contributor of excess calories in children's diets.¹⁴ Sugar intake has been linked to heart disease risk factors in adolescents,¹⁵ and there is also a link between sugary drinks and weight gain.^{16,17,18,19,20}

According to DOHMH survey in 2009, 44% of NYC children aged 6 to 12 years consumed more than 1 sugary drink per day.²¹ As for public high school students, 26% had consumed 2 or more sugary drinks per day in the last week.²²

- **Experts recommend limits on 100% juice**
The United States Department of Agriculture (USDA)²³ and the American Heart Association²⁴ recommend limiting children's intake of 100% juice. When consumed in moderation, 100% juice can be a healthy beverage; however, the USDA recommends that the majority of a child's recommended fruit servings should come from whole fruit. Despite this recommendation, children are consuming more than half of their fruit intake as juice. One hundred percent (100%) juice intake has been associated with higher body weight in overweight and obese children,²⁵ which is of great concern given the large number of overweight and obese children in New York City.

- **Snacking on energy-dense foods and high-calorie beverages leads to weight gain²⁶**
Not only are children drinking more sugary drinks than they were several decades ago, but they are also snacking more.²⁷ Although nutrition experts recommend that children consume snacks that are nutritious and minimally processed,²⁸ young people often snack on unhealthy foods, such as sugary drinks, candy, salty snacks, and dessert items.²⁹

- **Experts recommend that additives be limited in children's diets**
The nation's leading health advisory organization, The Institute of Medicine (IOM), has taken the position that additives such as caffeine and artificial sweeteners should be limited in children's diets. They recommend that foods and beverages served to children through school meal programs should be caffeine-free, as caffeine "has no place in foods and beverages offered in schools."³⁰ With regard to non-nutritive sweeteners, the IOM states that "there is still uncertainty, particularly about long-term use and about low-level exposure effects on health and development in children" and recommends that high school-age students should limit consumption to after the school day.³¹

- **Children are heavily influenced by their environment**
Young people are greatly affected by what is around them.³² Vending machines, which typically sell energy-dense foods, may increase the number of unhealthy snacks that children consume.^{33,34} Like other child care settings in NYC, such as early child care centers and schools, camps should provide an environment that promotes—rather than undermines—health and wellness.

- **The proposed requirements are similar to other City and national guidelines pertaining to children**
These include: Article 47³⁵ of the New York City Health Code, the New York City Department of Education's Wellness Policy³⁶ and Chancellor's Regulation A-812,³⁷ New York City Food Standards,³⁸ *Dietary Guidelines for Americans, 2010*,³⁹ and guidelines issued by the IOM.⁴⁰

¹ Centers for Disease Control and Prevention. Obesity in K-8 students: New York City, 2006-07 to 2010-11 school years. *Morbidity and Mortality Weekly Report*. 2011;60:1673-1678.

² New York City Department of Health and Mental Hygiene. NYC Vital Signs: Childhood Obesity is a Serious Concern in New York City. June 2009. <http://www.nyc.gov/html/doh/downloads/pdf/survey/survey-2009fitnessgram.pdf>. Accessed May 17, 2012.

³ Freedman DS, Mei Z, Srinivasan SR, Berenson GS, Dietz WH. Cardiovascular risk factors and excess adiposity among overweight children and adolescents: The Bogalusa Heart Study. *J Pediatr*. 2007;150:12-17.e2.

⁴ Hannon TS, Rao G, Arslanian SA. Childhood obesity and type 2 diabetes mellitus. *Pediatrics*. 2005;116:473-480.

⁵ Han JC, Lawlor DA, Kimm SY. Childhood obesity. *Lancet*. 2010;375:1737-1748.

⁶ Dietz W. Health consequences of obesity in youth: Childhood predictors of adult disease. *Pediatrics*. 1998;101:518-525.

⁷ Biro FM, Wien M. Childhood obesity and adult morbidities. *Am J Clin Nutr*. 2010;91:1499S-1505S.

⁸ Whitaker RC, Wright JA, Pepe MS, Seidel KD, Dietz WH. Predicting obesity in young adulthood from childhood and parental obesity. *N Engl J Med*. 1997;37:869-873.

⁹ Serdula MK, Ivery D, Coates RJ, Freedman DS, Williamson DF, Byers T. Do obese children become obese adults? A review of the literature. *Prev Med*. 1993;22:167-177.

¹⁰ National Institutes of Health. Clinical Guidelines on the Identification, Evaluation, and Treatment of Overweight and Obesity in Adults: the Evidence Report. Bethesda, MD: National Institutes of Health, U.S. Department of Health and Human Services; 1998.

¹¹ Harnack L, Stang J, Story M. Soft drink consumption among US children and adolescents: Nutritional consequences. *J Am Diet Assoc.* 1999;99:436-441.
¹² Nielsen S, Popkin B. Changes in beverage intake between 1977 and 2001. *Am J Prev Med.* 2004;27:205-210.
¹³ Wang Y, Bleich S, Gortmaker S. Increasing caloric contribution from sugar-sweetened beverages and 100% fruit juices among US children and adolescents, 1988-2004. *Pediatrics.* 2008;121:e1604-e1614.
¹⁴ Reedy J, Krebs-Smith SM. Dietary sources of energy, solid fats, and added sugars among children and adolescents in the United States. *J Am Diet Assoc.* 2010;110:1477-1484.
¹⁵ Welsh, J, Sharma A, Cunningham SA, Vos M. Consumption of added sugars and indicators of cardiovascular disease risk among US adolescents. *Circulation.* 2011;123:249-257.
¹⁶ Fiorito LM, Marini M, Francis LA, Smicklas-Wright H, Birch LL. Beverage intake of girls at age 5 y predicts adiposity and weight status in childhood and adolescence. *Am J Clin Nutr.* 2009;90:935-942.
¹⁷ Ludwig DS, Peterson KE, Gortmaker SL. Relation between consumption of sugar-sweetened drinks and childhood obesity: A prospective, observational analysis. *Lancet.* 2001;357:505-508.
¹⁸ Malik VS, Schulze MB, Hu FB. Intake of sugar-sweetened beverages and weight gain: A systematic review. *Am J Clin Nutr.* 2006;84:274-88.
¹⁹ Mozaffarian D, Hao T, Rimm EB, Willett W, Hu FB. Changes in diet and lifestyle and long-term weight gain in women and men. *N Engl J Med.* 2011;364(25):2392-2404.
²⁰ Schulze MB, Manson JE, Ludwig DS, Colditz GA, Stampfer MJ, Willett WC, HU FB. Sugar-sweetened beverages, weight gain, and incidence of type 2 diabetes in young and middle-aged women. *JAMA.* 2004;292:927-34.
²¹ New York City Department of Health and Mental Hygiene, Child Health Survey 2009.
²² New York City Department of Health and Mental Hygiene, Youth Risk Behavior Survey 2009.
²³ U.S. Department of Agriculture and U.S. Department of Health and Human Services. Dietary Guidelines for Americans, 2010. 7th Edition, Washington, DC: U.S. Government Printing Office, December 2010. <http://www.health.gov/dietaryguidelines/>. Accessed May 17, 2012.
²⁴ American Heart Association. AHA Scientific Position: Dietary recommendations for healthy children. http://www.heart.org/HEARTORG/GettingHealthy/Dietary-Recommendations-for-Healthy-Children_UCM_303886_Article.jsp. Accessed May 17, 2012.
²⁵ USDA. Dietary Guidelines for Americans, 2010.
²⁶ Bisset S, Gauvin L, Potvin L, Paradis G. Association of body mass index and dietary restraint with changes in eating behaviour throughout late childhood and early adolescence: a 5-year study. *Pub Health Nutr.* 2007;10(8):780-789.
²⁷ Piaras C, Popkin BM. Trends in snacking among U.S. children. *Health Affairs.* 2010;29:398-404.
²⁸ USDA, Dietary Guidelines for Americans.
²⁹ Piaras et al. (2010)
³⁰ IOM (Institute of Medicine). 2007. Nutrition Standards for Foods in Schools: Leading the Way Toward Healthier Youth. Washington, DC: The National Academies Press.
³¹ IOM, Nutrition Standards for Foods in Schools.
³² Centers for Disease Control and Prevention. Children's Food Environment State Indicator Report, 2011. <http://www.cdc.gov/obesity/downloads/ChildrensFoodEnvironment.pdf>. Accessed May 17, 2012.
³³ Neumark-Sztainer D, French SA, Hannan PJ, Story M, Fulkerson JA. School lunch and snacking patterns among high school students: Associations with school food environment and policies. *Int J Behav Nutr Phys Act.* 2005;2:14.
³⁴ Center for Science in the Public Interest. Dispensing Junk: How School Vending Undermines Efforts to Feed Children Well. May 2004. http://www.cspinet.org/new/pdf/dispensing_junk.pdf. Accessed May 17, 2012.
³⁵ 24 RCNY Health Code 47 (2012).
³⁶ New York City Department of Education. Wellness Policy. Issued June 2010. http://schools.nyc.gov/NR/rdonlyres/2B99376C-5BA2-4D97-9F85-1C5DA395EFF4/0/NYCDOEWellnessPolicy_June2010.pdf. Accessed May 17, 2012.
³⁷ New York City Department of Education. Regulation of the Chancellor A-812. Issued February 25, 2010. <http://schools.nyc.gov/NR/rdonlyres/381F4607-7841-4D28-B7D5-0F30DDB77DFA/78296/A812FINAL.pdf>. Accessed May 17, 2012.
³⁸ New York City Department of Health and Mental Hygiene. New York City Food Standards. <http://www.nyc.gov/html/doh/html/cardio/cardio-vend-nutrition-standard.shtml>. Accessed May 17, 2012.
³⁹ USDA, Dietary Guidelines for Americans.
⁴⁰ IOM, Nutrition Standards for Foods in Schools.

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

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

* * *

RESOLVED, that Article 48 of the New York City Health Code, found in Title 24 of the Rules of the City of New York be, and the same hereby is, amended, by adding a new §48.28, to be printed together with explanatory notes, to read as follows:

§48.28 Nutritional requirements for beverages; camper access to vending machines.

- (a) Sugary Drinks. Except as provided in subdivision (c) and (d), permittees must not serve campers beverages that contain more than ten (10) calories per eight (8) ounces or beverages that are sweetened with sugar or another caloric sweetener including, but not limited to, high fructose corn syrup, sucrose, and honey.
- (b) Additives. Beverages that permittees provide to campers must not contain caffeine, artificial sweeteners, or non-nutritive sweeteners including, but not limited to, stevia and erythritol.
- (c) Milk. Except when permitted by federal law, milk that permittees provide to campers must be unflavored, unsweetened milk with 1% or less milk-fat, unless milk with a higher fat content is medically required for an individual child as documented by the child’s medical provider.
- (d) 100% Juice. Except when permitted by federal law, permittees must not provide more than one portion of juice to campers daily, and such portion must not contain more than six (6) ounces and must consist of 100% fruit or vegetable juice.
- (e) Water. Potable water with no artificial or natural sweeteners must be made available and easily accessible to campers while on camp premises and must be provided with

all meals and snacks.
 (f) Vending machines. Wherever feasible and practicable, permittees must restrict access to food and beverage vending machines in child-accessible areas of the camp during camp hours of operation, and must prohibit campers from using food and beverage vending machines during camp hours and on camp trips.

Notes: §48.28 was added to Article 48 by resolution adopted XXX to establish requirements for beverages provided to campers by permittees and to prohibit access to vending machines. Its intent is to prevent children from being provided with, and having access to, minimally nutritious beverages and snacks while attending camp, and to contribute to a more healthful diet. The goal is to decrease consumption of energy-dense snacks and sugary drinks among the City’s children. In this context, “wherever feasible and practicable” means wherever campers can be barred from using food and beverage vending machines without causing undue hardship to persons other than campers and camp staff who might reasonably need to access the vending machines on camp premises, or to campers while on camp trips.

RESOLVED, that the Table of Section Headings of Article 48 of the New York City Health Code, found in Title 24 of the Rules of the City of New York be, and the same hereby is, amended, to read as follows:

ARTICLE 48

SUMMER DAY CAMPS, CHILDREN’S OVERNIGHT CAMPS, CHILDREN’S TRAVELING SUMMER DAY CAMPS, AND MUNICIPAL CAMPS

§48.01 **Scope.**

* * *
 §48.27 **Modification**

§48.28 **Nutritional requirements for beverages; camper access to vending machines.**

Notes: Article 48 was further amended by resolution adopted by the Board of Health on XXX to add a new §48.28 (Nutritional requirements for beverages; camper access to vending machines) to establish requirements for beverages provided to campers by permittees and to prohibit access to vending machines. Its intent is to prevent children from being provided with, and having access to, minimally nutritious beverages and snacks while attending camp and to contribute to a more healthful diet. The goal is to decrease consumption of energy-dense snacks and sugary drinks among the City’s children.

**NEW YORK CITY LAW DEPARTMENT
 100 CHURCH STREET
 NEW YORK, NY 10007
 212-788-1087**

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

RULE TITLE: Nutritional Requirements for Children’s Camps (Health Code Article 48)

REFERENCE NUMBER: 2012 RG 045

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN Date: June 5, 2012
 Acting Corporation Counsel

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

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

RULE TITLE: Nutritional Requirements for Children’s Camps (Health Code Article 48)

REFERENCE NUMBER: DOHMH-17

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

- (iii) Does not provide a cure period because a cure period would present a risk to public safety.

/s/ Rachel Squire 06/05/2012
 Mayor’s Office of Operations Date

☛ j19

NOTICE OF PUBLIC HEARING

Subject: Opportunity to Comment on the Proposed Amendment of Article 181 (Protection of Public Health Generally) of the New York City Health Code, found in Title 24 of the Rules of the City of New York.

Date/Time: July 23, 2012 / 10:00 A.M. to 12:00 P.M.

Location: New York City Department of Health and Mental Hygiene
 2 Gotham Center, 14th Floor, Room 14-43
 42-09 28th Street
 Long Island City, NY 11101-4132

Contact: Rena Bryant
 (347) 396-6071

Instructions

Prior to the hearing, you may submit written comments about the proposed amendment by mail to

New York City Department of Health and Mental Hygiene
 Board of Health
 Office of the Secretary to the Board
 Attention: Rena Bryant
 2 Gotham Center, 14th Floor, Room 14-15, Box 31
 Long Island City, NY 11101-4132

or electronically through NYC RULES at <http://www.nyc.gov/html/nycrules> or by email to RESOLUTIONCOMMENTS@HEALTH.NYC.GOV or online (without attachments) at <http://www.nyc.gov/html/doh/html/notice.shtml> on or before 5:00 P.M., on July 23, 2012.

To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please contact Rena Bryant at the phone number shown above by July 9, 2012.

Copies of written comments and a summary of oral comments received at the hearing will be available within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M. at the

New York City Department of Health and Mental Hygiene
 Office of the Secretary to the Board
 Attention: Rena Bryant
 2 Gotham Center, 14th Floor, Room 14-15, CN 31
 Long Island City, NY 11101-4132

Proposed Amendment

The Department of Health and Mental Hygiene is proposing that the Board of Health amend Article 181 of the Health Code to add a new §181.21 to require written consent for performance of circumcision when such circumcisions involve the performance of direct oral suction. This proposal was not included in the Department’s Regulatory Agenda for FY ‘12 because the Department did not determine that it was needed until after the Regulatory Agenda was promulgated.

Statement of Basis and Purpose

Statutory Authority

- These proposed amendments to the Health Code are promulgated pursuant to §§ 558 and 1043 of the Charter.
- Sections 558(b) and (c) of the Charter empower the Board of Health to amend the Health Code and to include in the Health Code all matters to which the authority of the Department of Health and Mental Hygiene (the “Department” or “DOHMH”) extends.
 - Section 1043 grants the Department rule-making authority.

The amendment is also proposed pursuant to the Department’s historic power to supervise the control of communicable disease in New York City. Section 556 of the Charter provides the Department with broad jurisdiction to regulate all matters affecting health in the City of New York. The control of communicable disease is a core public health function.

Purpose of the Proposed Amendment

The purpose of the proposed amendment is to require informed consent from a parent or legal guardian when direct oral suction will be performed during his or her son’s circumcision. A written informed consent will be required, which would provide information about the risks involved, including possible infection with herpes simplex virus and its potentially serious consequences, such as brain damage and death. Knowing the risks posed by direct oral suction, a parent or legal guardian can then make an informed choice about whether it should be performed as part of the circumcision.

The proposed amendment will require practitioners of oral suction during circumcision to retain copies of informed consent forms for at least one year and to make them available to the Department upon request.

Background

Male circumcision, which involves cutting off skin and leaving an open wound on the penis, carries a risk for infection, bleeding and penile injury to infants under 60 days of age. Therefore circumcision should be performed under sterile conditions to protect the open wound from infection. A practice known as *metzitzah b'peh*, involves direct contact between the mouth of a person performing circumcision and the infant's circumcised penis ('direct oral suction'). When direct oral suction is performed as part of circumcision, there is a risk that the person performing direct oral suction will transmit herpes simplex virus or other infectious disease to the infant being circumcised.

Between 2004 and 2011, the Department learned of 11 cases of laboratory-confirmed herpes simplex virus infection in male infants following circumcisions that were likely to have been associated with direct oral suction. Two of these infants died, and at least two others suffered brain damage. The parents of some of these infants have said that they did not know before their child's circumcision that direct oral suction would be performed. In addition, since 2004, the Department has received multiple complaints from parents whose children may not have been infected who were also not aware that direct oral suction was going to be performed as part of their sons' circumcisions.

The proposed amendment

A new Health Code provision, §181.21 — Consent for direct oral suction as a part of circumcision, would require that if direct oral suction is to be performed as part of a circumcision, the person performing the direct oral suction must obtain prior written informed consent from a parent or legal guardian. The written consent would document that a parent has been given notice that direct oral suction is to be performed and that the parent has been informed of the risk of transmission to the infant of herpes simplex virus infection and other diseases. A copy of the signed consent form would have to be given to the parent or legal guardian signing the consent, and the person performing direct oral suction as part of the circumcision would have to maintain the original for at least one year after the circumcision is performed, and make it available for inspection at the request of the Department.

The proposal is as follows:

Note- matter in [] brackets to be deleted;

Matter underlined is new.

RESOLVED, that Article 181 of the New York City Health Code, found in Title 24 of the Rules of the City of New York, and the same hereby is, amended, by adding a new §181.21, to be printed together with explanatory notes, to read as follows:

§ 181.21 Consent for direct oral suction as part of a circumcision.

(a) Direct oral suction means contact between the mouth of a person performing a circumcision and the infant's circumcised penis.

(b) Written informed consent required. A person may not perform a circumcision that involves direct oral suction on a child under one year of age without obtaining, prior to the circumcision, the written informed consent of a parent or legal guardian of the child who is being circumcised in a form approved or provided by the Department. The written informed consent must include notice that direct oral suction exposes the infant to the risk of transmission of herpes simplex virus infection and other infectious diseases.

(c) Retention of consent forms. The person performing the circumcision must give the parent or legal guardian a copy of the signed consent form and retain the original for one year from the date of the circumcision, making it available for inspection if requested by the Department.

Notes: §181.21 was added to Article 181 by resolution adopted XXX to require that persons who perform circumcisions on children under one year of age that involve the application of direct oral suction obtain the written informed consent of a parent and warn of the risks of infection posed by direct oral suction prior to performance of the circumcision.

RESOLVED, that the Table of Section Headings of Article 181 of the New York City Health Code, found in Title 24 of the Rules of the City of New York be, and the same hereby is, amended, to be printed together with explanatory notes, to read as follows:

ARTICLE 181
PROTECTION OF PUBLIC HEALTH GENERALLY

§181.01 Definitions.

* * *

§181.21 Consent for direct oral suction as part of a circumcision.

Notes: Article 181 was amended by resolution adopted XXX adding a new §181.21 requiring written parental consent for circumcisions performed on an infant under one year of age that involve the application of direct oral suction in view of the risks of transmission of infection to such infants through the practice of direct oral suction.

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087

CERTIFICATION PURSUANT TO
CHARTER §1043(d)

RULE TITLE: Consent for Non-Medical Circumcision (Health Code Article 181)

REFERENCE NUMBER: 2012 RG 053

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN Date: June 5, 2012
Acting Corporation Counsel

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

CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Consent for Non-Medical Circumcision (Health Code Article 181)

REFERENCE NUMBER: DOHMH-23

RULEMAKING AGENCY: DOHMH

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

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

/s/ Francisco Navarro Date: June 5, 2012
Mayor's Office of Operations



HEALTH AND MENTAL HYGIENE

NOTICE

NOTICE OF THE ESTABLISHMENT OF MOBILE FOOD VENDOR PERMIT WAITING LISTS BY THE NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE

CHANGES IN PERSONNEL

DEPARTMENT OF EDUCATION ADMIN FOR PERIOD ENDING 05/25/12							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	
ONDIK	NATALIE	S	10026	\$70000.0000	INCREASE	YES	04/04/12
OPOKU	AKOSUA		54503	\$29927.0000	RETIRED	YES	05/14/12
PANCHAMIA	HIMA		06219	\$60731.0000	INCREASE	YES	12/14/11
PARENTE	DIANA	C	10026	\$75000.0000	APPOINTED	YES	05/01/12
PERLSTEIN	MICHAL	A	10026	\$81000.0000	INCREASE	YES	04/05/12
PIZARRO	FRANCESC		56056	\$27351.0000	APPOINTED	YES	04/25/12
POLIZZI	SARINA		54503	\$25653.0000	APPOINTED	YES	04/22/12
PONGNON	MARC	G	1262D	\$75828.0000	RESIGNED	YES	05/06/12
RANDAZZO	GIUSEPPE		06786	\$34563.0000	APPOINTED	YES	04/22/12
RITTERMAN	RIVKAH		06216	\$56094.0000	APPOINTED	YES	05/04/12
ROBERTS	BEATRICE		56073	\$52551.0000	RETIRED	YES	02/01/12
SCHIB	LISA	A	10031	\$81000.0000	RESIGNED	YES	05/04/12
SCHRADER	BARBARA		06217	\$60731.0000	APPOINTED	YES	05/13/12
SHRAER	OLGA		06219	\$60731.0000	APPOINTED	YES	05/13/12
SINCLAIR	NICOLA	S	06217	\$60731.0000	INCREASE	YES	09/08/11
STEELE	PHYLESIA		12750	\$45000.0000	APPOINTED	YES	05/01/12
STEINBERG	DARA	T	06217	\$60731.0000	INCREASE	YES	05/06/12
STRAUSS	JESSICA	E	06216	\$56094.0000	APPOINTED	YES	04/24/12
TALIAFERO	FERLISHA		12832	\$32000.0000	APPOINTED	YES	04/15/12
TIMQUE	JENNIFER	A	06217	\$60731.0000	APPOINTED	YES	05/06/12
TURNER JR	GEORGE	L	56056	\$27351.0000	APPOINTED	YES	03/22/12
VARGAS	VIRGINIA	E	54503	\$25653.0000	APPOINTED	YES	04/01/12
VERNON	ROSAMOND		10026	\$81000.0000	APPOINTED	YES	05/06/12
WATSON	MELVIN		10062	\$111000.0000	RESIGNED	YES	05/18/12
WIELAND	KATHERIN	C	10031	\$75000.0000	RESIGNED	YES	05/08/12
WILKINSON	SYLVIA		54503	\$25935.0000	RETIRED	YES	05/04/12
WILLIAMS	DENISE	T	54503	\$25653.0000	APPOINTED	YES	03/11/12

OFFICE OF PROBATION FOR PERIOD ENDING 05/25/12							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	
CLACKEN-FANE	MERL	E	51810	\$58672.0000	RETIRED	NO	05/15/12
GRAYSON	PATRICIA		51860	\$69699.0000	RETIRED	NO	05/12/12
WESTBROOK	CHRISTIN	G	51860	\$65613.0000	RETIRED	NO	05/06/12

On Friday, August 10, 2012, the Department of Health and Mental Hygiene (DOHMH) will establish, utilizing a random selection process, five (5) separate waiting lists for Green Cart permits — two-year, full-term mobile food vendor unit permits authorizing the holders thereof to sell only raw, whole fresh fruits and vegetables within designated areas of the City — for the Bronx, Brooklyn, Manhattan, Queens and Staten Island.

Application packages with detailed instructions for inclusion in the selection process for the Green Cart permit waiting lists may be obtained via the internet at www.nyc.gov/greencarts, by calling 311, or in person at the New York City Department of Consumer Affairs Licensing Center, located at 42 Broadway, 5th Floor, New York, New York 10004, Monday through Friday from 9:00 AM to 5:00 PM.

In order to be eligible for inclusion in the selection process to establish these waiting lists, the applicant must have a valid mobile food vendor license (ID badge) issued by the Department of Health and Mental Hygiene **on or before Tuesday, July 31, 2012**, and the applicant must submit a completed waiting list application form by mail only to the address listed on the application form with a postmark dated **on or before Tuesday, July 31, 2012**.

All eligible waiting list applications will secure a waiting list position.

In accordance with Local Law No. 9 of 2008, preference or priority for a waiting list position will be given to those applicants who are members of a "preference category" listed in Local Law No.9. This preference or priority will be established by the giving of additional points to those applicants who are:

- already on an existing DOHMH mobile food vending permit waiting list
- United States veterans
- disabled persons

Applicants who do not belong to a preference category/priority group will secure a waiting list position after those who belong to a preference category/priority group.

For each borough list, all applications will be randomly assigned a number on each waiting list. Preference category/priority group applicants will be randomized separately and prioritized accordingly. If the applicant secures a waiting list position based upon a claim of being in one or more of the preference categories/priority groups mentioned above, the applicant will have to provide proof of such claim when the applicant is notified to apply for the Green Cart permit. If an applicant fails to do so, he or she will be disqualified from all Green Cart waiting lists.

Mobile Food Vendor License Applications: Application packages for a mobile food vendor operator's license (ID badge) may also be obtained via the internet at www.nyc.gov/greencarts, by calling 311, or in person at the New York City Department of Consumer Affairs Licensing Center, located at 42 Broadway, 5th Floor, New York, New York 10004, Monday through Friday from 9:00 A.M. to 5:00 P.M. Interested persons should allow at least twenty-five (25) business days to receive the necessary tax documentation and register for and pass the Department's "Mobile Food Vendor Food Protection Course", both of which are required prior to applying for a mobile food vending license.

j18-22

DEPARTMENT OF BUSINESS SERV.
FOR PERIOD ENDING 05/25/12

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
CANIZIO	MICHELLE E	10209	\$12.8600	RESIGNED	YES	03/09/08

HOUSING PRESERVATION & DVLPMNT
FOR PERIOD ENDING 05/25/12

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
CUEVAS	ROLAAN	12158	\$52902.0000	INCREASE	YES	05/06/12
ESPINAL	VICTOR	90573	\$32980.0000	APPOINTED	YES	05/06/12
FULTS	DAVID C	30086	\$52482.0000	APPOINTED	YES	05/06/12
GOMEZ	JOSE	90573	\$32980.0000	APPOINTED	YES	05/06/12
JANNAT	KHADIZA N	31670	\$45162.0000	RESIGNED	NO	05/08/12
JARVIS-MCPHERSON	ANNFIERA	31670	\$43424.0000	RESIGNED	YES	06/08/08
MURRAY	MARSHA E	95005	\$95000.0000	RESIGNED	YES	04/08/12
PISKUNOV	OLEG	31670	\$45162.0000	APPOINTED	NO	05/13/12
RERES	MASI	90573	\$32980.0000	APPOINTED	YES	05/06/12
THOMPSON	KARIM A	21210	\$55345.0000	RESIGNED	NO	05/04/12
VEGA	LEONEL	90573	\$32980.0000	APPOINTED	YES	05/06/12
WOLF	RUBIN	83006	\$101391.0000	DECEASED	NO	12/17/11

DEPARTMENT OF BUILDINGS
FOR PERIOD ENDING 05/25/12

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
AHMAD	FAAIQA	1002A	\$56937.0000	INCREASE	YES	05/13/12
ANGELONIAS	ANASTASI	31623	\$55889.0000	APPOINTED	YES	05/06/12
BALKE	HANS	31644	\$68605.9200	RETIRED	YES	05/11/12
BALKE	HANS	31624	\$48017.0000	RETIRED	NO	05/11/12
BERGMAN	EDUARD	31623	\$55889.0000	APPOINTED	YES	05/06/12
CATANZARITA	JOSEPH F	31623	\$55889.0000	APPOINTED	YES	05/06/12
CONSIGLIO	VINCENT J	31624	\$51936.0000	APPOINTED	YES	05/06/12
DARDIA	WILLIAM P	31624	\$51936.0000	APPOINTED	YES	05/06/12
DAVIS	KATHY-AN S	10124	\$51423.6500	RESIGNED	YES	05/10/09
DEJESUS	PAUL	31624	\$51936.0000	APPOINTED	YES	05/06/12
DEMARCO	VICTOR	31624	\$60000.0000	APPOINTED	NO	05/06/12
DOBRICH	MARINO	31623	\$55889.0000	RESIGNED	YES	05/13/12
DONOHUE	WILLIAM	31624	\$60000.0000	APPOINTED	NO	05/06/12
DONOVAN	JAMES P	31623	\$55889.0000	APPOINTED	YES	05/06/12
FAY	RICHARD T	31623	\$55889.0000	APPOINTED	YES	05/06/12
FRANKLIN	JOHN	31622	\$51936.0000	APPOINTED	NO	05/06/12
FULLER	ANTHONY E	31649	\$65977.0000	RESIGNED	YES	06/14/09
GAVELA UGARTE	GABRIEL S	12626	\$52162.0000	APPOINTED	NO	02/12/12
GLYNN	JAMES A	3165A	\$54000.0000	APPOINTED	YES	05/06/12
KAFFETZAKIS	MICHAIL	31623	\$55889.0000	APPOINTED	YES	05/06/12
KEMPF	JOHN A	31623	\$55889.0000	APPOINTED	YES	05/06/12
KHURDAN	CECIL N	22401	\$51936.0000	APPOINTED	YES	05/06/12
MORSE	JAMES R	31622	\$51936.0000	APPOINTED	NO	05/06/12
PICONE	JAMES	3165A	\$54000.0000	APPOINTED	YES	05/06/12
RAMSUMAIR	SHIUA	3165A	\$54000.0000	APPOINTED	YES	05/06/12
SAFFAYEH	GABRIEL J	3165A	\$54000.0000	APPOINTED	YES	05/06/12
SAMARAS	TASOS	31623	\$55889.0000	APPOINTED	YES	05/06/12
SCHNEIDER	ANDREW G	31623	\$55889.0000	APPOINTED	YES	05/06/12
SZPAK	RADOSLAW	31629	\$51936.0000	APPOINTED	YES	05/06/12
WARSHALL	MICHAEL J	31640	\$78282.0000	RETIRED	YES	05/15/12

DEPT OF HEALTH/MENTAL HYGIENE
FOR PERIOD ENDING 05/25/12

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ASHER	GENEVIEV N	30086	\$52482.0000	APPOINTED	YES	05/06/12
AWOLAJA	AKINSANY B	31215	\$38436.0000	APPOINTED	NO	05/15/12
BASLOUS	SAMIR S	21514	\$53646.0000	PROMOTED	NO	05/13/12
BRITE	JENNIFER K	10209	\$12.9600	APPOINTED	YES	05/08/12
CHALASANI	UMADEVI	53040	\$71.1800	RETIRED	YES	05/09/12
DANIEL JR.	KENNETH R	10069	\$102113.0000	RETIRED	NO	04/29/12
DELANEY	RICHARD J	10026	\$133019.0000	RESIGNED	YES	04/22/12
DRAIN	LORRIE	10251	\$43605.0000	APPOINTED	YES	04/15/12
FERNANDEZ	GUSTAVO	10209	\$10.0000	APPOINTED	YES	05/09/12
GILLES	MARIE A	5100B	\$29.2000	RESIGNED	YES	03/18/12
GOINS	JOSHUA	90698	\$24.8600	APPOINTED	NO	05/06/12
GRAHAM	JOHN E	90644	\$12.9600	APPOINTED	YES	06/13/10
GRANVILLE	ELIZABET E	95937	\$39.4700	RESIGNED	YES	07/03/11
GRUBER	ALLISON M	10209	\$11.3600	APPOINTED	YES	05/08/12
HICKS	AJANI	70817	\$47093.0000	PROMOTED	NO	05/06/12
HILLS	MORGAN	21744	\$54080.0000	APPOINTED	YES	05/06/12
HOPE	RONNETTE M	10209	\$11.3600	APPOINTED	YES	05/06/12
HOWELL	DAVID	10050	\$85000.0000	APPOINTED	YES	05/13/12
IFEZULUMBA	CONSOLE C	52613	\$43068.0000	APPOINTED	NO	05/06/12
INDELICATO	CARMINE J	90698	\$24.8600	APPOINTED	NO	05/06/12
JACOBS	MAXINE C	51011	\$36.4000	DECEASED	YES	04/29/12
JONATHAN	SHALEEM	13631	\$56151.0000	APPOINTED	YES	05/06/12
JONES	ROSE M	12627	\$68466.0000	RESIGNED	YES	05/08/12
KALYANARAMAN	ROOPA	1002A	\$75000.0000	RESIGNED	YES	05/17/12
KAMARA	TAAPOI S	21744	\$76873.0000	RESIGNED	YES	05/08/12
KEMP	THOMAS	10251	\$35285.0000	RESIGNED	NO	05/13/12
KINDJA	MARIA M	21849	\$46455.0000	APPOINTED	YES	05/06/12
LASHLEY	LINDEN	90698	\$198.8800	APPOINTED	NO	05/06/12
LATIMER	GERALDIN	52613	\$49528.0000	TERMINATED	NO	03/18/12
LAWAL	WAHEED A	31220	\$58426.0000	INCREASE	YES	05/06/12
LAWAL	WAHEED A	31215	\$52568.0000	APPOINTED	NO	05/06/12
LEE	DAVID	21744	\$54080.0000	APPOINTED	YES	05/06/12
LICATA	CHARLES A	13632	\$85000.0000	RESIGNED	YES	05/17/12
MALAVE	TANYA N	31220	\$58426.0000	INCREASE	YES	05/06/12
MALAVE	TANYA N	31215	\$52568.0000	APPOINTED	NO	05/06/12
MARRERO	ELIZABET	21849	\$46455.0000	APPOINTED	YES	05/06/12
MCKIERNAN	MEGHAN	21849	\$46455.0000	APPOINTED	YES	05/06/12
MICHEL	MARLENE	51022	\$29.4200	RESIGNED	YES	05/15/12
NABOZNY	JENNIFER G	21849	\$46455.0000	APPOINTED	YES	05/06/12
NOVROSKI	NICOLE	21849	\$46455.0000	APPOINTED	YES	05/06/12
OLUWASEGUN	GABRIEL	52613	\$50000.0000	APPOINTED	NO	05/06/12
ORTALANO	GARY G	70822	\$70000.0000	INCREASE	YES	05/06/12
ORTALANO	GARY G	70817	\$47093.0000	APPOINTED	NO	05/06/12
PARIS	FRANCES J	10022	\$104374.0000	RETIRED	YES	05/02/12
RAMACHANDRAN	SHRUTI	21744	\$69907.0000	APPOINTED	YES	05/13/12
REHM	CLIFFORD	10124	\$45978.0000	RETIRED	NO	04/30/12
REID	KENNETH	31215	\$45711.0000	INCREASE	NO	01/24/12
RINGEL	ERIC L	12200	\$15.4400	APPOINTED	NO	05/06/12
RIVERA	ERIC A	51001	\$58307.0000	INCREASE	YES	05/06/12
RIVERA	ERIC A	10124	\$48314.0000	APPOINTED	NO	05/06/12
ROMAIN	ANTHONY R	10124	\$56911.0000	INCREASE	NO	05/06/12
SANFORD	AARON	80609	\$31414.0000	APPOINTED	NO	05/17/09
SCOTT	SHERN'AE	21849	\$46455.0000	APPOINTED	YES	05/06/12
SHEN	ZHIMIN	21744	\$71220.0000	APPOINTED	YES	05/06/12
SHIFRIN	ILENE M	30085	\$86399.0000	TRANSFER	NO	07/03/11
SHIH	SARAH C	10069	\$117720.0000	INCREASE	YES	05/06/12
SLIVKA	EMMI	21849	\$46455.0000	APPOINTED	YES	05/06/12
SPEIDEL-CUESTA	JUSTINE	83052	\$76454.0000	RESIGNED	YES	05/09/12
TEUMELISSAN	GIRMA M	10069	\$58363.0000	RETIRED	YES	03/25/12
THOMAS	JACINTHE A	21744	\$81903.0000	INCREASE	YES	05/13/12
THOMAS	PIERRE L	97022	\$72819.0000	RETIRED	YES	03/11/12
THOMASSON	DAVID	90644	\$37671.0000	INCREASE	YES	05/06/12
TYMEJCZYK	OLGA A	10209	\$11.3600	APPOINTED	YES	05/06/12

WALKER	TAYYAB	1002A	\$88649.0000	DECREASE	YES	05/06/12
WEN	TIMOTHY	10209	\$12.9600	RESIGNED	YES	05/13/12
WHITE	KRISTIN L	10209	\$12.8600	RESIGNED	YES	05/06/12
WONG	HELEN	21849	\$46455.0000	APPOINTED	YES	05/06/12

ADMIN TRIALS AND HEARINGS
FOR PERIOD ENDING 05/25/12

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
BROWN	ORIESIA L	52406	\$13.6000	RESIGNED	YES	05/18/12
CRAWFORD	IVORY S	52406	\$16.2800	APPOINTED	YES	05/06/12
MCKENZIE	DEVON A	10209	\$9.3100	RESIGNED	YES	05/05/12
PETERS	FAYNA	52406	\$13.6000	RESIGNED	YES	05/12/12
PURDY	WILLIAM J	95937	\$36.6000	RESIGNED	YES	05/01/12
RICE	ISSA	10251	\$13.6000	DECREASE	YES	05/07/12
ROSE	NARDIA G	52406	\$13.6000	APPOINTED	YES	05/06/12
SHIFRIN	ILENE M	30085	\$86399.0000	RETIRED	NO	05/17/12
SNYDER	JESSE L	95005	\$82000.0000	INCREASE	YES	05/06/12
WATSON	FARAD	10251	\$15.6500	RESIGNED	YES	05/05/12
ZEAS	NELLY E	52406	\$13.6000	APPOINTED	YES	05/06/12

DEPT OF ENVIRONMENT PROTECTION
FOR PERIOD ENDING 05/25/12

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ACIKGOZ	MURAT	20415	\$78110.0000	RESIGNED	NO	04/25/12
ANDREWS	MELVIN	91212	\$42095.0000	RETIRED	NO	05/03/12
AYAD	MARWA	20210	\$48126.0000	RESIGNED	YES	05/06/12
BLAIR	EQUILLA	10251	\$28997.0000	RETIRED	NO	04/22/12
CARDOZA JR	PAUL A	12202	\$37899.0000	APPOINTED	YES	05/13/12
CASSIUS LINVAL	CARLOS	20215	\$87732.0000	RESIGNED	NO	05/15/12
COFFEY	DANIEL M	90748	\$30589.0000	DECREASE	YES	04/23/12
DALY	TIMOTHY P	83008	\$112000.0000	APPOINTED	YES	05/13/12
DELVA	ERIC	22427	\$66051.0000	RETIRED	NO	05/11/12
DIBELER	BARBARA	21538	\$38459.0000	RETIRED	YES	04/01/12
ENG	DONALD	20510	\$55345.0000	INCREASE	NO	04/08/12
FAGNANI	THOMAS	83008	\$89281.0000	RESIGNED	YES	05/13/12
GETER	CHRISTIN	10124	\$51591.0000	RETIRED	NO	04/09/12
GILBRIDE	CHRISTOP D	10033	\$120000.0000	INCREASE	YES	05/13/12
GOSLIN	RICHARD	90748	\$30589.0000	DECREASE	YES	04/23/12
HANNA	ADEL H	21822	\$76107.0000	RETIRED	NO	05/11/12
HERNANDEZ JR	EDUARDO	91308	\$81272.0000	APPOINTED	NO	05/01/12
HLAWATY	RONALD	91645	\$363.9200	RETIRED	NO	05/08/12
HUKEY	KATHLEEN T	21538	\$51325.0000	RESIGNED	YES	05/09/12
JELLEN	ROY A	31220	\$58887.0000	RETIRED	YES	04/17/12
JELLEN	ROY A	31215	\$50792.0000	RETIRED	NO	04/17/12
LAPOMPE	RAINIER A	90748	\$26601.0000	DECREASE	YES	04/23/12
LEON	NELSON A	83008	\$75609.0000	INCREASE	YES	05/01/12
LEW	CALVIN	90748	\$31988.0000	RESIGNED	YES	05/02/12
LI	JUN	10124	\$39981.0000	APPOINTED	NO	05/13/12
LUBIN HOLDER	SANNIE	10124	\$39981.0000	APPOINTED	NO	05/13/12
MCMAHON	BRENDAN P	10081	\$91345.0000	APPOINTED	YES	05/13/12
MELLETT	WILLIAM P	91717	\$343.0000	RETIRED	NO	05/12/12
MORALES SR	JORGE A	91308	\$81272.0000	APPOINTED	NO	05/01/12
MURPHY	STEPHEN	90756	\$296.5600	DISMISSED	NO	05/15/12
NICOLL	MICHELLE	20210	\$57678.0000	RETIRED	NO	05/02/12
NIEVES-AGOSTO	JOSE A	20510	\$55345.0000	APPOINTED	NO	04/08/12
OLIVIO	DANA	21538	\$63876.0000	INCREASE	YES	05/13/12
ORPIANESI	MAURO	10015	\$104504.0000	INCREASE	YES	05/01/12
OWENS	ANDREW	20118	\$47718.0000	DISMISSED	NO	05/07/12
OWENS	ROBERT	82015	\$31390.0000	RETIRED	NO	05/08/12
RAICH	RUSSELL	91011	\$34597.0000	APPOINTED	YES	05/13/12
RUIZ	CARMEN L	101				

CULTRARO	LAURA	C	10124	\$39981.0000	APPOINTED	NO	05/06/12
DAMATO	JOSEPH	T	91212	\$33695.0000	APPOINTED	NO	05/13/12
ESEALUKA	DAMIAN		10050	\$120000.0000	INCREASE	YES	05/13/12
HERNANDEZ	BETSY		10124	\$39981.0000	APPOINTED	NO	05/06/12
JAMES	ALAISTAI	S	10124	\$45978.0000	APPOINTED	NO	05/06/12
KILPATRICK	LAURIE	A	10124	\$65296.0000	RESIGNED	YES	05/06/12
LASKO	WILLIAM	J	30085	\$69085.0000	APPOINTED	NO	05/08/12
MAHAN JR.	JOHN	T	10026	\$103127.0000	RETIRED	YES	04/28/12
MAHAN JR.	JOHN	T	40523	\$67452.0000	RETIRED	NO	04/28/12
PETERSON	AIYANA	I	10124	\$45978.0000	APPOINTED	NO	05/06/12
QUASHIE	JOY		10124	\$39981.0000	APPOINTED	NO	05/06/12
RAMANATHAN	MEENAKSH		10050	\$135000.0000	APPOINTED	YES	05/13/12
ROMAN-SERRANO	MILAGROS		10251	\$35350.0000	RESIGNED	YES	05/24/09
SEIGEL	DAVID		40202	\$48278.0000	APPOINTED	YES	05/13/12
TAYLOR	DEBRA		40202	\$48278.0000	APPOINTED	YES	05/13/12
VARGAS	CASANDRA	R	10124	\$45978.0000	APPOINTED	NO	05/06/12
WELLS	BRANDEN	V	40202	\$48278.0000	APPOINTED	YES	05/13/12
WICKHAM	MICHELLE	O	10124	\$39981.0000	APPOINTED	NO	05/06/12
YANCEY	TRISHA	N	10251	\$35317.0000	DISMISSED	NO	05/07/12

DEPARTMENT OF TRANSPORTATION
FOR PERIOD ENDING 05/25/12

NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
ACQUISTA	EDUARDO D	90692	\$46028.0000	INCREASE	YES	03/18/12
ACTIE	CRAIG	90692	\$46028.0000	INCREASE	YES	03/18/12
ADORNO	JONATHAN	90692	\$46028.0000	INCREASE	YES	03/18/12
ALZATE	LEONARDO I	90692	\$46028.0000	INCREASE	YES	03/18/12
BAEZ	LUIS	90692	\$46028.0000	INCREASE	YES	03/18/12
BANENOSE	RON	90692	\$46028.0000	INCREASE	YES	03/25/12
BARNES	DWANE M	90692	\$46028.0000	INCREASE	YES	03/18/12
BARRETT	DENNIS	90692	\$46028.0000	INCREASE	YES	03/18/12
BEGELEUS	ANDRE E	90692	\$46028.0000	INCREASE	YES	03/18/12
BENSON	VAMEEK R	90692	\$46028.0000	INCREASE	YES	03/18/12
BOVELL	PAUL R	90692	\$46028.0000	INCREASE	YES	03/18/12
BRADLEY	JAMES E	90692	\$46028.0000	INCREASE	YES	03/18/12
BROWN	EBONI J	90692	\$46028.0000	INCREASE	YES	04/19/12
BROWN	RICARDO H	90692	\$46028.0000	INCREASE	YES	03/18/12
BRUCCULERI	JOSEPH A	90692	\$46028.0000	INCREASE	YES	03/18/12
BURKS	DARRELL	90692	\$46028.0000	INCREASE	YES	03/18/12
BUSH	KEVIN A	90692	\$46028.0000	INCREASE	YES	03/22/12
CACERES	RICARDO	90692	\$46028.0000	INCREASE	YES	03/18/12
CASTRO JR	BENJAMIN	90692	\$46028.0000	INCREASE	YES	04/04/12
CHARLES	PIERRE	56057	\$42428.0000	RETIRED	YES	05/15/12
CHARLES - BREWST	TROY H	90692	\$46028.0000	INCREASE	YES	03/18/12
CHARRETTE	ROGER M	90692	\$46028.0000	INCREASE	YES	03/18/12
CLEZIDOR	RAYMOND	90692	\$46028.0000	INCREASE	YES	03/18/12
COHEN	MITCHELL	13632	\$110000.0000	APPOINTED	YES	05/13/12
DEPRADINE	WAYNE R	90692	\$46028.0000	INCREASE	YES	03/18/12
DESIR	JACQUES V	90692	\$46028.0000	INCREASE	YES	03/18/12
DIACONEASA-BEDO	IOSIF C	90692	\$46028.0000	INCREASE	YES	03/18/12
DOUGLAS	ARIS	90692	\$16.3500	RESIGNED	YES	09/13/01
DURANT	ANTHONY M	90692	\$46028.0000	INCREASE	YES	03/18/12
EUSTACHE	RACQUEL C	10251	\$30683.0000	APPOINTED	NO	05/13/12
FLOOD	HUGH	91110	\$31296.0000	RESIGNED	YES	05/06/12
GILBRIDE	CHRISTOP D	12627	\$65000.0000	RESIGNED	YES	11/25/07
GOODRIDGE	FRANCIS	90692	\$46028.0000	INCREASE	YES	03/18/12
GRAF	MICHAEL J	90692	\$46028.0000	INCREASE	YES	03/18/12
GRANT	JHAMAIN D	90692	\$46028.0000	INCREASE	YES	03/18/12
GUIROLA	ALFREDO	10124	\$62041.0000	RETIRED	YES	05/09/12
GUIROLA	ALFREDO	90910	\$53999.0000	RETIRED	NO	05/09/12
HANFT	JEFFREY	20617	\$72212.0000	APPOINTED	YES	05/06/12
HEIDLER	WILLIAM F	90692	\$46028.0000	INCREASE	YES	03/18/12
HERNANDEZ	ANTONIO	90692	\$46028.0000	INCREASE	YES	03/18/12
HERNANDEZ	JOSE A	90692	\$46028.0000	INCREASE	YES	03/18/12
JAMANRAM	THAKURDI	90692	\$46028.0000	INCREASE	YES	04/15/12
JEAN	DANIEL	90692	\$46028.0000	INCREASE	YES	03/18/12
JOYCE	PATRICK D	10026	\$87026.0000	RESIGNED	YES	05/06/12
KIM	SOOYEON	10251	\$30683.0000	APPOINTED	YES	05/06/12
KOUROUMA	NGANIFO	90692	\$46028.0000	INCREASE	YES	03/18/12
LOPEZ	MILAGROS	90692	\$46028.0000	INCREASE	YES	03/18/12
MACKIE	FLOYD D	90692	\$46028.0000	INCREASE	YES	03/18/12
MCDOWELL	WAYNE	90692	\$46028.0000	INCREASE	YES	03/18/12
MCKENZIE II	THOMAS E	90692	\$46028.0000	INCREASE	YES	03/18/12
MENDEZ	LUIS A	90692	\$46028.0000	INCREASE	YES	03/18/12
MICKENS	ROBERT L	90692	\$46028.0000	INCREASE	YES	03/18/12
MOORE	JASON	90692	\$46028.0000	INCREASE	YES	03/24/12
MULLER	STEVEN G	90692	\$46028.0000	INCREASE	YES	03/18/12
NAILER	ANATOLY	90692	\$46028.0000	INCREASE	YES	03/19/12
NARVAEZ	JOSEPH P	91110	\$31296.0000	APPOINTED	YES	05/13/12
OLADIPO	LORI K	21210	\$55345.0000	APPOINTED	YES	03/01/12
PATSON	RICHARD M	92472	\$311.5200	RETIRED	NO	05/08/12
SCHOLLHAMER	JAMES J	91616	\$52.8000	APPOINTED	YES	03/18/12
SCOTT	SHAUN	90692	\$46028.0000	INCREASE	YES	03/18/12
SHELBY	LACY J	21310	\$55345.0000	APPOINTED	YES	03/25/12
SILVESTRI	ALBERT J	56058	\$52457.0000	APPOINTED	YES	05/13/12
SOTO	LUIS E	90692	\$46028.0000	INCREASE	YES	03/18/12
STREET	DELROY B	90692	\$46028.0000	INCREASE	YES	03/18/12
TORAIN	JAMES	92406	\$315.6800	RETIRED	NO	05/12/12
VILORIA	VICTOR N	20210	\$55345.0000	RESIGNED	YES	03/21/10
VIZCARRONDO	WILLIAM	90692	\$46028.0000	INCREASE	YES	03/18/12
WALKER	RAHEEM	90692	\$46028.0000	INCREASE	YES	03/21/12
WILLIAMS	HUGH R	90692	\$46028.0000	INCREASE	YES	03/18/12
WRIGHT	DANNY	90692	\$46028.0000	INCREASE	YES	03/18/12
YOUSSEF	RENE M	90692	\$46028.0000	INCREASE	YES	03/18/12

DEPT OF PARKS & RECREATION
FOR PERIOD ENDING 05/25/12

NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
ACEVEDO	NELSON	90698	\$201.2000	DECREASE	YES	05/13/12
ACEVEDO	NELSON	90641	\$33662.0000	APPOINTED	YES	05/13/12
AKTER	PANNA	10251	\$18.4700	APPOINTED	YES	05/07/12
ANDINO	SHANEQUE M	80633	\$9.2100	APPOINTED	YES	04/26/12
BARTOSZEWSKI	PIOTR	81310	\$17.5300	APPOINTED	YES	04/17/12
BEDIAKO	ANDREW A	81310	\$17.5300	APPOINTED	YES	04/15/12
BELFON	LAWRENCE	90641	\$14.0200	APPOINTED	YES	05/02/12
BORTHWICK	JOSEPH J	81111	\$61287.0000	INCREASE	YES	05/06/12
BORTHWICK	JOSEPH J	81106	\$44155.0000	APPOINTED	NO	05/06/12
BOWMAN	IKIMA	80633	\$9.2100	RESIGNED	YES	04/22/12
BRACERO	FRANCISC	81106	\$44051.0000	APPOINTED	NO	04/23/12
BRIGGS	JASMINE	81106	\$18.3500	APPOINTED	YES	05/06/12
BURTON	DENNIS	10071	\$70000.0000	APPOINTED	YES	05/13/12
CABRERA	JEFFREY	81106	\$44051.0000	INCREASE	YES	05/13/12
CABRERA	JEFFREY	90641	\$33662.0000	APPOINTED	YES	05/13/12
CALDEIRA	CHARLES P	06070	\$38257.0000	INCREASE	YES	05/08/12
CALDERON	ROBERT	90641	\$209.1200	PROMOTED	NO	04/08/12
CANALES	MILAGROS	81106	\$44051.0000	INCREASE	YES	04/22/12
CARPENTER	GLENN D	81106	\$44051.0000	INCREASE	YES	05/06/12
CARPENTER	GLENN D	90641	\$33662.0000	APPOINTED	YES	05/06/12
CARRERO	SANDRA J	60440	\$23.7100	APPOINTED	YES	05/01/12
CHANCE	KIMBERLY C	10251	\$37309.0000	RESIGNED	YES	07/13/08
CLARK	TARAS A	80633	\$9.2100	APPOINTED	YES	05/07/12
CLAXTON	TYRONE G	90641	\$112.1500	APPOINTED	YES	05/06/12
COLON	JULIO A	90641	\$44230.0000	RETIRED	YES	05/11/12
COLON	NELSON	90698	\$209.1200	DECREASE	YES	04/23/12

COLON	NELSON	90641	\$33662.0000	APPOINTED	YES	04/23/12
COPPOLA	MICHAEL	91915	\$46.0100	APPOINTED	YES	05/02/12
CORTES	ESTEVAN	90641	\$14.0200	APPOINTED	YES	05/06/12
COSME	JESUS D	81111	\$61287.0000	INCREASE	YES	05/06/12
CRUMP	JAMES J	80633	\$9.2100	APPOINTED	YES	05/07/12
CRUZ	JOSEPHIN	81111	\$61287.0000	INCREASE	YES	05/06/12
CRUZ	JOSEPHIN	90641	\$33662.0000	APPOINTED	YES	05/06/12
DANIELS	MATHEW	81111	\$61287.0000	INCREASE	YES	05/06/12
DARGAN	DANIEL	90641	\$16.1200	APPOINTED	YES	05/01/12
DAVIS	GEORGE	81106	\$44051.0000	INCREASE	YES	04/22/12
DAVIS	GEORGE	90641	\$33662.0000	APPOINTED	YES	04/22/12
DE LA PENA PORT	ANA M	10251	\$14.0600	INCREASE	YES	02/05/12
DELANEY	WILLIAM M	81111	\$61287.0000	INCREASE	YES	05/06/12
DELANEY	WILLIAM M	90641	\$44051.0000	APPOINTED	YES	05/06/12
DELGADO	JUANA	91406	\$11.1100	APPOINTED	YES	05/08/12
DESPOSORIO	CHRISTIA P	06664	\$17.1400	APPOINTED	YES	05/01/12
DIAZ JR	THOMAS	81106	\$44051.0000	INCREASE	YES	04/22/12
DUKES	YOLANDA	91406	\$10.2400	INCREASE	YES	04/02/07
ERVIN	SYLVESTE	81106	\$44051.0000	INCREASE	YES	05/11/12
ERVIN	SYLVESTE	90641	\$33662.0000	APPOINTED	YES	05/06/12
EVANS	CHARLES E	90641	\$16.1200	APPOINTED	YES	05/06/12
FAISON	VINCENT C	90698	\$209.1200	DECREASE	YES	04/23/12
FAISON	VINCENT C	90641	\$33662.0000	APPOINTED	YES	04/23/12
FERRARO	WILLIAM	81111	\$61287.0000	INCREASE	YES	05/10/12
FERRARO	WILLIAM	90698	\$209.1200	APPOINTED	NO	05/10/12
FINLEY	MICHAEL A	90641	\$33662.0000	APPOINTED	YES	04/30/12
FORD	JEROME	81106	\$44051.0000	INCREASE	YES	04/22/12
FORD	JEROME	90641	\$33662.0000	APPOINTED	YES	04/22/12
FOSKEY	ALFRED	90641	\$16.1200	APPOINTED	YES	05/06/12
GARCIA	ALBERTO	90641	\$33662.0000	APPOINTED	YES	05/01/12
GARCIA	BASILIO U	90641	\$44051.0000	INCREASE	YES	05/06/12
GARCIA	BASILIO U	90641	\$33662.0000	APPOINTED	YES	05/06/12
GIL	RAFAEL B	81106	\$44051.0000	INCREASE	YES	04/22/12
GILKES	EDWARD J	81111	\$62116.0000	DECREASE	NO	05/08/12
GIORDANO	JONATHAN T	81111	\$61287.0000	INCREASE	YES	05/06/12
GIRTON	FRANKLIN G	81111	\$61287.0000	INCREASE	YES	04/29/12
GIRTON	FRANKLIN G	90641	\$44051.0000	APPOINTED	YES	04/29/12
GLASCO	MICHAEL	81111	\$61287.0000	INCREASE	YES	05/13/12
GOLDBARD	FRED G	81111	\$63768.0000	RETIRED	NO	05/11/12
GONZALEZ	GERMAN	90641	\$14.0200	APPOINTED	YES	05/02/12
GORDON	ALECIA U	81106	\$44051.0000	INCREASE	YES	05/06/12
GRIGGS	NELLIE E	80633	\$9.2100	APPOINTED	YES	04/26/12
GROSEWALD	SANDI B	06070	\$38265.0000	RETIRED	YES	05/16/12
GUARTAN	JOSE L	81106	\$44051.0000	INCREASE	YES	05/13/12
GUARTAN	JOSE L	90641	\$33662.0000	APPOINTED	YES	05/13/12
GUIDOTTI	JACK	81106	\$44202.0000	APPOINTED	NO	04/29/12
GUMBS	VERNON B	81106	\$44051.0000	INCREASE	YES	05/04/12
GUMBS	VERNON B	90641	\$33662.0000	APPOINTED	YES	05/04/12
HAYES	ANTWAN A	81106	\$44051.0000	INCREASE	YES	