



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

JOHN WEIS
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

March 8, 2009

Hon. Michael Bloomberg
Mayor
City Hall
New York, NY 10007

Re: Statement on the Preliminary Budget, Fiscal Year 2009

Dear Mayor Bloomberg:

Thank you for the opportunity to review your Preliminary Budget for Fiscal Year (FY) 2010. Manhattan Community Board Four examined the budget carefully and while we find areas of agreement, we view others with concern.

Reactions to Agency Decisions re October 2007 Budget Requests and Statement of District Needs

The confines of the board is defined by its homegrown, unique characteristics, both physical and social; its symbiotic relationships with surrounding neighborhoods; and our communities' reaction to the unique characteristics, both physical and social, of those surrounding neighborhoods.

In the current setting of recession, Manhattan Community Board No. 4's priorities are (1) preventing long-term residents and businesses from displacement, (2) maintaining neighborhood character, stability and quality of life, and (3) attracting development that enhances diversity and positive neighborhood relations among disparate groups. Concrete efforts to realize these priorities include advocacy for increased supply and access to affordable housing, affordable rents for small businesses, improvement of the area's physical infrastructure, and adequate delivery of social and public services. These are the guidelines the board uses when making its recommendations.

Our major concern at this time is that the laws and regulations be stringently enforced by all agencies, particularly by the NYPD; non-eviction law, non-harassment laws, building code, noise code, traffic enforcement, et al. In a recession, we believe keeping our neighborhood well maintained is the first step to recovery and to maintaining the quality of life.

Further comments follow by agency:

Department of Youth and Community Development

The combined neighborhood of Chelsea/Hell's Kitchen/Clinton is home to more than 8,407 children under 18 years of age¹, 17.6% of whom receive public assistance² and 14% of whom live under the poverty line³. Given that basic living conditions have a significant impact on a young person's ability to learn and thrive, it is worth noting that 12% of the housing stock is fair to poor⁴ and many children are without health insurance⁵. In our district, which had 245 reports of abuse in 2004⁶ and neglect per year and about 54 felony arrests of youth under 16 years of age and 315 for ages 16-20⁷, both subsidized child care and general youth services have long been under-funded; this has only been compounded by the recent reorganization and reduced funding of after school care and youth services. There are extremely limited resources for safe recreational, cultural, and educational activities for youth of all ages. In particular, we urge the Administration to encourage more youth-friendly mental health access programs.

It is important to be cognizant of the fact that as evidenced by the data noted above, despite what large scale aggregate statistics might suggest this is a district with a large low-income population, concentrated in several local public housing developments with several severely underperforming schools, and significant social needs.

In neighborhoods such as ours, which include many low-income working families, quality, publicly-funded day care - including school-age child care - is a primary concern. The Board urges the City to take steps to restore the core youth services infrastructure for this district. For example, in the agency response we are concerned that there was no restoration of funds for affordable after-school care for low-income working families.

Plus, there are significant risks to this population, going forward, since there is no funding for City Council Discretionary Funds (which funds over 1000 community based youth organizations), Homeless Youth Shelter Prevention, Cultural After-School Adventure, After-Three Program by TASC, or Beacon Program Expansion.

¹ Citizen's Committee for Children, Community District Data, http://www.ccnewyorkkeepingtrack.org/Community_results.asp

² Citizen's Committee for Children, Community District Data, http://www.ccnewyorkkeepingtrack.org/Community_results.asp

³ US Census American Community Survey

⁴ NYC Housing Vacancy Survey

⁵ Individual percentages for this data are not available for each Community District. However, the estimated rate for uninsured children in all of New York City is 5% (2002). Based on this Citywide percentage, the estimated number of uninsured children in Manhattan CD 4 was 420 in 2002. This data is from a study by the Urban Institute.

⁶ NYC Administration for Children's Services

⁷ This is from the NYPD. Please keep in mind that these estimates are a bit rough since this data is reported by police precincts and CD4 in Manhattan overlaps a number of police precincts.

With regard to other youth needs, we urge that housing for homeless and run-away youth be maintained and expanded, and that alternative to violence and creative justice programs, as well as job training and placement programs be maintained and expanded. CB4 is home or adjacent to two of the primary magnet areas – Port Authority and Times Square area—for homeless and runaway youths in the city.

The Department for the Aging

While we are pleased that funding for senior services, as reflected in the proposed budget, is overall relatively stable, we note with continued alarm that core funding for senior programs has been disastrously neglected for many years, and this year's proposal takes no steps towards addressing those years of neglect. In fact, the five year summary shows a slight decrease in funding by FY 2012.

In addition, we are seriously concerned that a number of senior programs that were restored or enhanced in last years budget are not included in the FY 2010 proposal: Naturally Occurring Retirement Communities (NORCS), Meals on Wheels, weekend meals, Rent for Senior Centers, City Council Discretionary funding and Borough President Department for the Aging funding.

There is an urgent need to stabilize and enhance funding for service models designed to address the needs and desires of seniors to age-in with dignity and security in their own homes, as best represented by the NORC initiative. We would also urge that funding to address the mental health needs of seniors be baselined into the city budget. In general, consistent with our desire to maintain the diversity of our district and ensure that it is "senior friendly", we believe a comprehensive range of services, including community centers, in-home supports, transportation, supportive housing, and preventive health and social services, are essential to assuring that they can live out their lives with dignity within their home communities.

Administration for Children's Services

Although we are pleased about the additional money available to implement the recommendations made by the Department of Investigations regarding ACS case practice, we are very concerned that more money was not given to the caseload reduction initiative to child advocacy centers. We are also concerned about the continued vulnerability of day care slots and the elimination of school-age child care in our district. In addition, with regard to child welfare, we believe there is a need for much improved coordination with local service providers regarding the needs of children and families who are or may be at risk. Furthermore, our district continues to be concerned about the welfare of older youths, and those youths who go without services as they age out of the foster care, or LGBT teens who neither live at home nor are in foster care.

Department of Homeless Services

Homelessness has long been and continues to be a major factor in our Board area. While we have productively welcomed numerous and varied homelessness-related services to our district, we are concerned that there be adequate funding for those service components directed at preventing homelessness. We urge full funding of the adult rental assistance program; the anti-eviction and SRO legal services programs, which provide free legal services to low- and moderate-income people faced with eviction from their homes, as well as services for low-income Single Room Occupancy housing tenants; and aftercare services, which prevent families placed in permanent housing from returning to shelters.

We are also deeply concerned about the inadequacy of family shelter slots, especially for victims of domestic violence, as well as the lack of adequate resources for homeless youth. It is especially troubling that the needs of women, children, and youth at risk are still far from being met.

Department of Social Services/Human Resources Administration

CB4 is pleased that funds to provide poverty relief were increased in the proposed budget. In particular, working poor families in New York City may soon find relief through the series of programs that offer tax credits to poor families to offset child care costs. Finally, given the rise of hunger in our community, we are thrilled to see funds directed to the new Food Today, Healthy Tomorrow program and the hiring of the new Food Policy Coordinator.

Department of Housing Preservation & Development

We agree with Mayor Bloomberg that “affordable housing is fundamental to our long-term economic prosperity” and continue to applaud the new Ten Year New Housing Marketplace Plan and especially the preservation strategy for government-assisted affordable housing.

The overall goals and specific targets we articulated in the last three years continue in effect: this Board has an overall goal that 30% of new housing units should be permanently affordable. Since both the 421(a) and Inclusionary Housing Bonus programs are targeted only to low income citizens, the Board urges that the City's other programs include flexibility that would allow the overall achievement of our stated goals. This logic would apply to New HOP, the Brownfield Program, and the development of government-owned sites. These additional units should be mixed income housing that is available to people with the range of incomes detailed below:

- 20% of the units should be available to people with incomes up to a maximum of 80% of the Area Median Income (AMI);
- 50% of the units should be available to people with incomes up to a maximum of 125% of AMI; and

- 30% of the units should be available to people with incomes up to a maximum of 165% of AMI.

The current 80-20 formula used in most new housing construction ignores the needs of middle-income families who are essential to healthy, stable neighborhoods, but who are forced to leave their neighborhoods in search of affordable housing. Furthermore, the program's time limited affordability fails to provide what we desperately need – housing that is permanently affordable.

In addition to our concerns about new affordable housing, we also believe that the City must commit additional funds to the preservation of existing units in order to prevent loss of affordable housing through expiring Section 8 contracts, expiring-use programs, displacement from harassment, and an increasing number of de-regulated units. In a community such as ours that relies heavily on rent-regulated apartments to provide affordable housing, vacancy decontrol, de-regulation and expiring affordability create the potential for a crisis.

We continue to witness tenant harassment, and expect it to increase as development pressures increase. We must emphasize the importance of increasing HPD's code enforcement budget, and therefore its ability to inspect and enforce its regulations in the board and everywhere in the city where tenant harassment takes place. We also strongly urge that efforts be made to better coordinate enforcement of regulations between HPD and the Department of Buildings in the interests of efficiency. Eviction prevention services are also needed.

The city should step up its collection of fines levied by HPD for code violations. We suggest that the funds from some of these fines be earmarked for code enforcement or rehabilitation of affordable housing and that more funds be dedicated for low-cost financing to building rehabilitation.

We are disappointed that the agency response back to our budget requests failed to address the inadequate funding to the Community Consultant Program and the fact that the Neighborhood Preservation Consultant Program, although also poorly funded is not in the confines of CD4.

New York City Housing Authority

Adequate capital and expense funding is needed to assure that the quality of life for tenants living in New York City Housing Authority developments is maintained and improved. More personnel, funds and police intervention must be made available to address persistent security, drug dealing, gangs, graffiti, garbage storage and collection, and cleanliness problems. The agency response was for us to look at the RFP procedure. However, the RFP process is driven by money and inadequate funding seriously compromises the ability to contract out when building and/or maintaining developments.

Department of Buildings

Of equal importance to HPD is the Department of Building's ability to provide a level of code enforcement necessary to protect existing low-income housing stock. More inspectors are needed to ensure compliance with zoning bulk and use requirements in order to preserve community character at a time when self-certification is being more widely depended on, and we note with regret that the preliminary budget provides for no increase in DOB staff. Funds are also needed to train plan inspectors including training on the zoning regulations applicable to special districts.

Funds are also needed for additional inspectors to monitor compliance with special district regulations and to stop illegal use of rent regulated apartments for transient use. Private apartments and SROs are increasingly being used as "bed and breakfast" rooms, which both deprives the community of affordable apartments that would otherwise be rented on a long term basis, and secondly, the nature of such short term use compromises the security and habitability for those living in the building.

We were please to read in the agency's response that there is an increase in funds proposed for FY 2009. However, we ask that the needs of CD4 – which consists almost entirely of special districts – be addressed when allocations of these funds are determined, after adoption of the budget.

Department of Health and Mental Hygiene

We are pleased to see that the Preliminary Budget provides expenditure increases for many necessary programs: Reproductive Health Outreach to High-School Age Adolescents, School Based Health and Reproductive Health and Reproductive Health Centers, and Antimicrobial Resistance Surveillance and Response. However, CB4 is still greatly concerned about the continued growth of the use of crystal methamphetamine use as well as that of other non-traditional or boutique drugs In addition to other health and mental health dangers, use of this drug has been associated with increased use of other illicit drugs and sexual practices which enhance chances of contracting HIV and other STD's.

The Department of Health and Mental Hygiene needs to increase funding for education, prevention and treatment programs to address this problem. As noted in the comments regarding the Department for the Aging, there is a need to baseline funding to meet the growing mental health needs of our older adult population.

New York Public Library

For the first time in a long time, funding for the New York Public Libraries (NYPL) has not been cut, which is good news for Manhattan Community Board 4; however, the NYPL is requesting \$--.- million in additional funding for a 45 hour, six day a week schedule in each branch in order to provide the best service for everyone.

Libraries are places for young children to learn the joy of reading, for students to receive assistance with homework, for immigrants to learn English, for adults to learn parenting skills, and for entrepreneurs to find information about starting small businesses. Therefore, we feel it is essential that the requested funding be found.

Department of Cultural Affairs

Small cultural institutions, many of which are located in the Board 4 area, are struggling. They especially need to be adequately funded. The larger institutions, which also should be supported, have greater capabilities for raising private funds than the smaller institutions. Needless to say, inadequate funding will result in less accessibility to these resources, a decrease in services to school children, a loss of jobs, and a diminishment of the cultural vitality of the City.

However, we are greatly encouraged by the dramatic expansion of merit-based funding available through the Department of Cultural Affairs' Cultural Development Fund, which increased from \$3.8 million in FY2007 to \$30 million in FY2008. We hope to see a similar commitment in FY2009. In addition, we applaud the last year's decision to baseline the Cultural Institution Group (CIG) funding at \$115.3 million and we ask that this commitment be continued.

Department of Education

The Department of Education is the largest youth service agency in New York City, providing free primary and secondary school education to more than one million students. It also offers an array of necessary support services including meals, safety, recreation, guidance, health and transportation. For children from low-income or troubled families these services are not frills, they are essential to child development.

The school system needs more money to address problems of overcrowded classrooms, school safety, special education and at-risk students. There is currently inadequate funding for:

- The hiring and retention of certified teachers to replace the thousands who will be retiring;
- Making salaries competitive with surrounding communities to attract and retain the best;
- Repair, renovation, maintenance, and new construction of school buildings, including upgrading electrical systems for computer use;
- Art music and physical education courses from elementary through high school;
- Additional security within schools;
- Books, materials, and classroom supplies;
- Lowering class sizes in grades K-12;
- Implementing and carrying-out quality HIV/AIDS mandated education.

We agree that the State must drastically increase funding for city schools, but the City budget must also contain substantially more money for schools. In particular, we are concerned about the delays in funding school renovation and construction, especially given the expected growth in our community's school-age population due to the recent rezonings of West Chelsea and the Hudson Yards.

Police Department

We commend the continuing reduction of crime in the City through the truly exemplary efforts of the NYPD. We are concerned, however, with the reduced number of officers at our precincts, all of which remain below full strength despite increased demand for safety and enforcement in Community District 4.

The number of nightclubs and bars in our District places extra demands on all four of our precincts, Midtown North, Midtown South, Thirteenth and the Tenth. Counter-terrorism efforts have increased the workload for officers at all our precincts. These combined with the exponential acceleration of new building construction in and around Hudson Yards calls for the creation of a new precinct and a redistribution of territory.

CD4 neighborhoods have a pressing need for increased enforcement of many laws and regulations related to the safety of pedestrians. We support a continuing emphasis on traffic enforcement efforts, and urge that more existing traffic enforcement officers be reassigned specifically to enforce the laws and issue gridlock summonses, truck violations, idling, noise, and yield to pedestrian summonses, and address conditions in residential areas where many side streets appear to have become arteries of the Interstate Highway System. Gridlock laws are not respected, impeding the flow of EMS vehicles and obstructing pedestrian crossings. Trucks and charter buses are increasingly avoiding traffic by racing through narrow residential streets, often speeding and failing to yield the right of way to pedestrians. As noted in last years Truck Study, increased enforcement is needed for trucks illegally using residential, instead of designated through streets.

Side streets signed as no parking or no standing zones have become free parking lots for black cars and limos, trucks and charter buses, all of which often idle beyond permitted time. Extra traffic enforcement personnel are needed to address these conditions. More enforcement is especially needed for the midtown West 42nd Street corridor and the increasingly dangerous Ninth Avenue stretch from 49th to 37th Street. In Chelsea, more no-honking enforcement is needed for the community between 15th and 18th Streets from Thursday to Sunday throughout the night caused by the concentration of nightlife in the Gansevoort area. CB4 favors the addition of five traffic officers to the NYPD for enforcement and the addition of as many traffic agents. We also suggest a retraining of all traffic officers and agents to focus more on pedestrian safety.

Department of Transportation

The effective and safe transportation of people and goods remains an important priority of CB4. Our neighborhoods are the focus of major redevelopment plans won by this

Administration and hosts to existing major regional transportation and logistics hubs as well. We emphasize the considerable opportunities these plans present for rethinking 50 year old traffic infrastructure and flows, for creating a better and healthier pedestrian environment and for improving the quality of life in our neighborhoods. We continue to urge an increase in enforcement rather than increases in parking permit administrators.

Capital Funds for Pedestrian/Bicycle Safety Improvements: The high level of pedestrian injuries and fatalities in our district calls for addressing more aggressively some of the pressing basic infrastructure improvements necessary to keep our district safe, including the use of ADA compliant pedestrian ramps and signals; traffic-calming devices, such as neck downs, speed bumps and raised crosswalks; bicycle lanes; sidewalk widening; and other measures that will improve safety for pedestrians, transit-users, cyclists, and drivers. Crossing time for pedestrians and lead pedestrian intervals should be increased throughout the district. Specifically, we applaud the city's current program for traffic calming in front of some of our schools and request the program be expanded to other schools as well as senior centers. We applaud as well the dedicated turning lanes and turning signals installed as part of the City's thru-street plan and request that such turning lanes and signals be installed all along Ninth Avenue on both avenue and streets. We recommend that all street resurfacing include such improvements to pedestrian safety. The Board supports proposals to the federal government for needed funding.

Capital funds for charter, tourist, and commuter bus parking garage: the high concentration of charter buses and the volume of small and medium commercial buses in the district contribute to poor air quality, which contributes to a death rate from chronic lung disease higher than New York City's average. Funds should be allocated to build a new charter bus garage. The Board supports proposals to the federal government (CMAQ funds for Traffic congestion measures) for needed funding.

Capital funds for mass transit: Eleventh Avenue has been chosen as one of the test locations for an Express bus lane; however, changing Eleventh Avenue to one way downtown must be implemented to provide for enough capacity. Plus, we believe more funding needs to be assigned to create dedicated bus lanes on both Tenth and Ninth Avenues and to extend cross-town bus routes to Eleventh Avenue. Currently the traffic constraints on these avenues have made the bus alternative unviable. Indeed the inclusion of the Tenth Avenue station in the Number Seven extension is critical to contain the growth of automotive use by residents of the westernmost developments.

Expense funds for sidewalk maintenance and enforcement: The inspection and enforcement of sidewalk usability is woefully inadequate. Recent changes regarding the way sidewalk-related liability is assigned have done little to speed up the repair of dangerously uneven, and in some cases, collapsing sidewalks. Funds must be dedicated to improving the coordination between DOT, DCA, and DOB of a rigorous enforcement program of regulations that ensure safe, unobstructed pedestrian movement on our sidewalks. CB4 favors the hiring of sidewalk usability inspectors over the proposed hiring of five special parking permit employees. As funds are spent to rebuild sidewalks, neck downs and other traffic calming devices must be implemented as part of every sidewalk reconstruction program.

Department of Parks and Recreation

A major thrust for Community Board 4 in FY 09 will be to continue to secure funding for upgrades in DeWitt Clinton Park. The DeWitt Clinton Park Conservancy has been working with elected and park officials to identify park needs and has helped to secure funding for ball field renovation and other improvements. However, additional funding in FY09 will likely be needed to complete further upgrades, including repairs to the staircases and other upgrades. CB4 will continue to advocate for a much needed pedestrian bridge over the West Side Highway to connect park users from DeWitt Clinton Park safely with the Hudson River Park.

As we have done the past several years, we continue to request that funds be allocated to complete a major renovation of the 59th Street Recreation Center, a project that has had full community support throughout several years of planning and study.

Chelsea Recreation Center is the most utilized public recreation center in New York City. Given its high level of use, the center continues to be in need of additional staffing for maintenance and activities. In addition, systematic maintenance of this center is a crucial issue in avoiding costly repairs and in keeping future costs low.

Hudson River Park

The City, in concert with the State, needs to fund the following portions of Hudson River Park: the completion of the western portion of Chelsea Waterside Park including Piers 62, 63 and 64, removal of the heliport at West 39th Street, completion of the esplanade and park from about 28th street north to Pier 76, and completion of the long planned amenities in the eastern portion of Chelsea Waterside. CB4 also asks that the City negotiate with Circle Line/World Yacht to move the parking in front of Piers 81 and 83 to a new garage on Pier 81 so as to permit completion of the park and esplanade in front of these 2 piers.

In addition, as we have noted many times, the Hudson River Park Act calls for the City to use its best efforts to find a new location for the existing tow pound so that this pier can be developed as 50% parkland and 50% compatible commercial use. We urge the City to consider alternatives as soon as possible, including the possibility of privatizing tow pound operations among several existing garage facilities, so that Pier 76 can take its rightful place as part of Hudson River Park. We also ask that the city seriously consider the proposal by Manhattan Community Board 4 to explore the feasibility of using Pier 76 as a combined replacement for the existing MTS at Pier 99 as well as the proposed new MTS at Gansevoort, thus freeing up these two locations for park use and/or park-compatible uses, including water-dependent uses and increased water access. This proposal includes providing 100% of the footprint of Pier 76 as part at-grade park and part elevated park on the roof of the MTS.

Landmarks Preservation Commission

The Preliminary Budget request for the Landmarks Preservation Commission includes funding at a level comparable to last year's request but does not include the additional funds added by the Council. These funds have enabled the Research Staff and the Commission to begin sorting through and clearing up the backlog, accumulated over many years, of requests for designation of buildings and districts that deserve preservation. This funding level should become the baseline in the future in order to provide a balance between the current extraordinary pressures for development and the need for preservation of valuable historic resources in many areas of the city, among them West Chelsea and Clinton.

Department of Environmental Protection

We urge the City to include in the budget funds for studies to determine the effect of air pollution on the community around the Lincoln Tunnel traffic corridor. According to the Environmental Protection Agency, New York City and its suburbs are in violation of new air quality health standards. The EPA identifies the problem as dangerous microscopic soot from diesel engines in trucks and buses.

Because of the locations of the Chelsea and Clinton/Hell's Kitchen neighborhoods close to the Lincoln Tunnel and to the Port Authority Bus Terminal, this community likely suffers particular risk from unhealthy air. According to the New York City Department of Health and Mental Hygiene, this community suffers the second highest incidents of chronic lung disease of any community in Manhattan south of Harlem.

Public Hearing

The board held a public meeting during its March 4, 2009 Full Board meeting. In addition, the board office contacted numerous civic groups and block associations. The input provided has been incorporated in the above response.

Thank you for your consideration of our comments.

Sincerely,



Jean-Daniel Noland
Chair
Manhattan Community Board Four

cc: Mark Page, Director of OMB
Christine Quinn, NYC Council Speaker
Gale Brewer, Councilmember
Scott Stringer, Manhattan Borough President