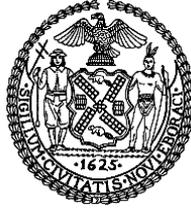


MANHATTAN COMMUNITY BOARD 4



Response to Mayor's Preliminary Budget

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Fiscal Year 2015  
(July 1, 2014 – June 30, 2015)

**CHRISTINE BERTHET**  
Chair

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District Manager

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Chair, Budget and Jobs Task Force

April 2, 2014

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CITY OF NEW YORK

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April 3, 2014

Hon. Bill de Blasio  
Mayor  
City Hall  
New York, NY 10007

**Re: Statement on the Preliminary Budget, Fiscal Year (FY) 2015**

Dear Mayor de Blasio:

Manhattan Community Board Four (hereafter “MCB4”) is grateful for the opportunity to review your \$73.7 billion Preliminary Budget for FY 2015. We did this examination keeping in mind the many pressing needs of our community, which we have prioritized as follows (all of equal weight):

- Improving our quality of life with the creation of additional green spaces; schools; educational, community and cultural facility spaces; and an appropriate balance in street usage between pedestrians, bicycles and vehicles,
- Attracting development that makes available more affordable housing that is permanent and that enhances diversity and positive neighborhood relations among disparate groups,
- Maintaining our neighborhood character and stability, and
- Preventing displacement and evictions of current residents and businesses. .

Given these priorities, MCB4 is extremely pleased that there are no additional budget cuts contemplated in a balanced 2015 Preliminary Budget

Of \$73.7 million, approximately \$54 billion is made up of City funds from local taxes, fines, fees, and other revenue. Although the Office of Management and Budget (OMB) is projecting a small surplus at the end of the current Fiscal Year, the NYC Independent Budget Office (IBO) is projecting a \$2 billion surplus, \$244 million more than OMB’s projections. IBO has also projected a surplus of \$1.2 billion in FY15, while OMB has projected no surplus. NYC Comptroller Scott Stringer has also projected additional tax revenue for FY14 and FY15 totaling \$860M for the two fiscal years. These potential surpluses will be important as the City deals with several potential risks to its balanced budget, most notably the fact that all of our collective

bargaining agreements are currently expired, leaving our municipal employees without contracts. Although MCB4 takes no position on this issue we do urge timely and fair settlements to allow for more prudent fiscal planning in the future.

## **I. STRUCTURAL REDUCTIONS IN COSTS**

### 1. Pay-As-You-Throw (estimated annual structural cost reductions of \$275 million) --

Under a so-called “pay-as-you-throw” (PAYT) program, households would be charged for waste disposal based on the amount of waste they throw away—in much the same way that they are charged for water, electricity, and other utilities. The city would continue to bear the cost of collection, recycling, and other sanitation department services funded by city taxes. PAYT programs are currently in place in cities such as San Francisco and Seattle, and more than 7,000 communities across the country.

Based on sanitation department projections of annual refuse tonnage and waste disposal costs, each residential unit would pay an average of \$81 a year for waste disposal in order to cover the cost of waste export, achieving a net savings of \$275 million. A 14 percent reduction in waste would bring the average cost per household down to \$69 and a 20 percent reduction would further lower the average cost to \$65 per residential unit.

Alternatively, implementation could begin with Class 1 residential properties (one-, two, and three-family homes) where administration challenges would be fewer than in large, multifamily buildings. This would provide an opportunity to test the system while achieving estimated savings of \$88 million.

### 2. Replace 500 NYPD Police Officer Positions with Less Costly Civilian Personnel

(Savings: \$17.0 million annually). The New York City Police Department (NYPD) has a long-standing practice of using varying numbers of police officers to perform administrative and other support functions which do not require law enforcement expertise. In fact, the department acknowledged that as of December 2012 there were 543 fully capable police officers (personnel not restricted to light duty) performing such “civilianizable” functions.

Moreover, the city’s June 2013 Financial Plan calls for full-time civilian (NYPD staff who are not police officers) staffing within the department to continue to shrink to about 14,300 by the end of next fiscal year (June 2014), a decline of about 800 civilian staff from the comparable number as recently as June 2009. This has led to a concern that an even greater number of police officers will need to spend time performing functions which could instead be performed by less costly civilian personnel.

This option proposes that 500 positions which the NYPD reports are currently being staffed with full-duty police officers instead be staffed with newly hired civilian police personnel. The police officers currently in such positions would be redeployed to direct law enforcement activities, which in turn would allow for police officer staffing to eventually decline by 500 positions through attrition without a loss in enforcement strength. Net annual savings of \$17.0 million, including fringe benefit savings, would

be generated as a result of lower costs associated with civilian as opposed to uniformed staffing.

## **II. REVENUE ENHANCING IDEAS**

1. *Toll the East River and Harlem River Bridges (estimated annual revenues of \$1.0 billion)* – This proposal, analyzed in more detail in the IBO report *Bridge Tolls: Who Would Pay? And How Much?* involves placing tolls on 12 city-owned bridges between Manhattan and Queens, Brooklyn, and the Bronx. In order to minimize backups and avoid the expense of installing toll booths or transponder readers at both ends of the bridges, a toll equivalent to twice the one-way toll on adjacent Metropolitan Transportation Authority (MTA) facilities would be charged to vehicles entering Manhattan, and no toll would be charged leaving Manhattan. The automobile toll on the four East River bridges would be \$9.60, equal to twice the one-way E-ZPass toll for the MTA-owned Brooklyn-Battery and Queens-Midtown tunnels. The automobile toll on the eight Harlem River bridges would be \$4.40, equal to twice the one-way E-ZPass toll for the MTA's Henry Hudson Bridge. A ninth Harlem River bridge, Willis Avenue, would not be tolled since it carries only traffic leaving Manhattan. The Ravitch Commission made a similar proposal in 2008.

Estimated annual toll revenue would be \$730 million for the East River bridges and \$275 million for the Harlem River bridges, for a total of over \$1.0 billion. On all of the tolled bridges, buses would be exempt from payment. IBO's revenue estimates assume that trucks pay the same tolls as automobiles. If trucks paid more, as they do on bridges and tunnels that are currently tolled, there would be a corresponding increase in total revenue. IBO estimates that exempting all city residents from tolls would reduce revenue by more than half, to \$455 million.

2. *Restore the Commuter Tax (estimated annual revenues of \$856 million)* – Another option is to increase city revenues would be to restore the nonresident earnings component of the personal income tax (PIT), known more commonly as the commuter tax. Beginning in 1971, when it was established, the tax had equaled 0.45 percent of wages and salaries earned in the city by commuters and 0.65 percent of self-employment income. Thirteen years ago the New York State Legislature repealed the tax, effective July 1, 1999. If the Legislature were to restore the commuter tax at its former rates effective on July 1 of this year, the city's PIT collections would increase by an estimated \$856 million in 2015.
3. *Personal Income Tax Increase for High-Income Residents (estimated annual revenues of \$485 million)* – Under this option the marginal personal income tax rates of high-income New Yorkers would be increased. Currently, there are five personal income tax (PIT) brackets. The fourth (next-to-top) bracket begins at \$50,000 of taxable income for single filers, \$90,000 of taxable income for joint filers and \$60,000 for heads of households, and its effective marginal tax rate is 3.65 percent (the 3.2 percent base rate multiplied by the 14 percent surcharge). A fifth bracket was established in 2010 when the state Legislature eliminated STAR-related PIT benefits for all filers with taxable income above \$500,000, and its marginal rate is 3.876 percent.

This option would increase current marginal tax rates by a tenth for single filers with taxable incomes above \$200,000, for joint filers with incomes above \$250,000, and for heads of household with incomes above \$225,000. The change would effectively add a bracket in which income above these thresholds up to \$500,000 would be taxed at the rate of 4.013 percent. The top bracket marginal rate would become 4.264 percent.

This option is similar in structure to the 2003–2005 PIT increase that raised upper-income tax burdens, but the rate increases kick in at higher income levels and the rates are lower than they were under the 2003-2005 increase. This option also differs in that it does not include a “recapture provision” under which some or all of taxable income not in the highest brackets were taxed at the highest marginal rates. If this option were in effect for fiscal year 2015, PIT revenue would increase by \$485 million. This tax change would require approval by the state Legislature.

4. Parking Rates -While MCD4 applauds the increase in parking meter rate, the target average of \$ 1 per hour seems (depending on locations) not commensurate with the value of the service provided. We encourage a more rapid escalation of parking fees, particularly if that revenue could be dedicated to transportation related improvements. Today Tour and Charter Buses park at curbside for free. We strongly encourage DOT to institute a curbside charge and dedicate that funding specifically to fund initiatives, such as a Bus parking garage, which creates alternatives to curbside parking.
5. Curbside loading fees for Long Distance Buses and Shuttle Vans - drivers idle their engines and companies abuse large swath of sidewalk for hours at a time without paying for the real estate. Other cities charge up \$ 60,000 a year for such benefit. They could be charged \$ 1 per traveler, per stop, a charge that can be easily absorbed by their customers. In MCD4 only, we have identified up to 450 arrivals and departures per day.
6. Increased franchise fees for Sidewalk cafes and other sidewalk uses– The fees have not been adjusted since 2007 and are low enough that some operators use sidewalk cafés as advertisement, obstructing the sidewalk with furniture well past the season, whether it snows or rains. We encourage the city to increase these fees and to institute a fee structure that takes into account both the size of the café and the value of the adjacent real estate (as reflected in property tax valuations).
7. Enforcement of traffic laws – Enforcing the rules of the road - idling buses, blocking the intersection, running red lights, refusal to yield to pedestrians, honking, riding against the traffic- would reduce the number of fatalities, improve the quality of life and bring revenue to the city .

### **III. REACTION BY CITY AGENCY:**

#### **Community Boards**

We would highlight that Community Boards have not received an inflator to the OTPS budget since 1990, twenty-two-years-ago. Over these years the prices of goods and services in New York City increased by 85%. In the meantime, union employees receive pay increases, the cost for supplies have skyrocketed, postage increases have occurred, and additional increases are inevitable; the workplace continues to become more technical in nature; most City and State agencies now send all types of documents electronically. This has translated into savings for them while creating additional expenditures for the Community Boards, such as increased network system maintenance costs, IT consulting services, and other needed technological infrastructure updates.

Thus, we endorse Manhattan Borough President Gale Brewer's efforts to improve the technological capacity of the Boards to analyze land use applications and neighborhood data available on the New York City Open Data portal, created pursuant to the Law she passed as a Council Member. She has brought local technologists and civic hackers to Borough Board meetings, in an effort to get open data tools into the hands of the community. However, implementation of these efforts, along with proposed transparency projects such as webcasting Board meetings, require a capital and staff investment.

We ask that Boards be provided with additional funding to better compensate their staff, improve their technological capacity, improve their websites, and provide important local data visualizations to their constituents.

#### **Administration for Children's Services (ACS)**

No comments this fiscal year.

#### **Department for the Aging (DFTA)**

MCB4 is worried that core funding for senior programs have been disastrously neglected for many years. DFTA provides operating support to senior centers, meal programs, NORCs, elder abuse programs, case management, and more. Significant funding must be devoted to these programs, as well as to infrastructure improvements to make Manhattan and all of New York City more age-friendly. This means accessible transportation options, sidewalks, and entrances to buildings and stores. Community Boards have also highlighted programs such as adult daycare, meal delivery, visiting neighbor services, eviction prevention, and the Senior Citizens Rent Increase Exemption (SCRIE) as essential for prioritization in the budget.

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. We would also urge that funding to address the mental health needs of seniors be base lined 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.

### **Department of Buildings (DOB)**

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 continue to be 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 ask that the needs of MCD4 – 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 (DOHMH)**

MCD4 is home to a significant population who suffers from mental illness, particularly among our homeless population in and around Port Authority Bus Terminal and Times Square. As noted in our comments regarding the Department for the Aging, there is a very real need to baseline funding to meet the growing mental health needs of our older adult population.

### **Department for Homeless Services (DHS)**

Homelessness has long been and continues to be a major problem in MCD4. While we have productively welcomed numerous and varied homelessness-related services to our district, these facilities must be *properly sized* to fit seamlessly into our residential community. We are further 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.

However, we were happy to see that Mayor de Blasio has recognized the need for increased funding for DHS by allocating an additional \$26.4 million in funding for homeless services to cope with the increased need, as well as provide funding for subsidized employment services. Other restorations include additional funding for runaway and homeless youth beds, as well as community-based mental health providers to serve the homeless population and more.

In the past, we have stressed our concern 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.

The contracting process for shelters also bears further scrutiny, as the City is currently paying far more for shelter beds than would be required to pay for permanent affordable housing subsidies. Some of the funding dedicated to shelter beds should instead be directed to rental subsidies to keep people in their homes, rather than place them in temporary shelters.

### **Department for Housing Preservation and Development (HPD)**

We agree with Mayor de Blasio that affordable housing is fundamental to our long-term economic prosperity.

The overall goals and specific targets we articulated in the last four 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.

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 that is permanent, 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.

HPD is also dealing with serious budget problems, as evidenced by drastic cuts to the Section 8 Program. In 2013, HPD began implementation of an ill-advised downsizing program that would

require tenants, many elderly, to move into smaller apartments, despite many occupying the same units for decades. Of particular concern is the impact these changes may have on seniors and those with mobility issues or home health aides, who may require additional bedrooms or special housing arrangements. The City should explore the allocation of additional resources to HPD to end this program, or, at the very least, to assist tenants with moving expenses in the event of any required downsizing.

We continue to witness tenant harassment, and expect it to increase as the housing market rebounds. 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, especially since the agency is slated for an 8.4% cut in funding in FY15. 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.

### **Department of Cultural Affairs (DCA)**

From The Baryshnikov Arts Center, to the Orchestra of St. Luke's to the Theater Building on West 36th Street, MCD4 is home to the largest concentration of small to mid-sized non-profit performance art spaces in New York City. In addition, the theater/dance/performing art companies that make a home in MCD4 produce thousands of performances a year and provide affordable and professional rehearsal and production space for thousands of artists and hundreds of other non-profit theater and performing art companies (from all over New York City) that do not have the ability to sustain a creative home. As a result, these companies create an undeniable and substantial positive economic impact for our neighborhood businesses and the community at large.

The gains made by the introduction of artists and new audiences in underserved areas also create incalculable social and tax revenue benefits for the City of New York. For example, over the past ten years, Manhattan's Garment Center ("The Fashion Center") - a locus of new theater and visual arts and gallery activity in New York City - now teams at night and on weekends with new audiences and attendees, many of whom had never ventured to this underutilized neighborhood before.

MCB4 requests that the City's Department of Finance work with the City Council in determining the amount of money it would take to abate the property tax assessments for those non-profit performing arts organizations which rent and have an artistic mission and/or rent performance space to similar non-profit performing arts groups with artistic missions of their own that reside in our District. In addition, as part of a larger citywide effort, we believe this study should be conducted throughout the entire City of New York.

We believe through research conducted independently by the Actors Fund, ART/NY, New York Innovative Theater Foundation and The League of Independent Theater, that such a tax credit initiative would be below five million dollars (City wide) on an annual basis, and by its implementation, would generate far more City tax revenues by keeping these important community cultural institutions in business with their creative doors open. This abatement would support the vital commercial traffic that these artistic success stories generate on a daily basis and that our District and City so desperately needs to sustain its standing as an artistic Mecca throughout the world.

MCB4 urges the City to work with all the NYC Community Boards, State agencies and the public in supporting future legislative action that will strengthen vital common cultural goals that proposals such as this tax relief legislation represent and to work with our community in restoring proposed funding cutbacks to the Department of Cultural Affairs FY2015 Budget.

The Board also encourages NYEDC and the Parks Department to do more to advocate for artists and art businesses in the district. NYEDC initiatives could mirror those taken in the internet, film and fashion industries, promoting artist incubators with physical loft and/or studio space where artists are vetted by a panel of community leaders and leading arts organizations. NYEDC could also encourage the reservation of booth space for artists at street fairs and in parks within the district to encourage exposure to the district's cultural heritage at the highly trafficked and popular events, like the Ninth Avenue Street Fair and River to River Festival.

### **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.

For the past few years, the City has needed to allocate more of its budget towards education due to increased funding cuts at the State level. While we applaud the City's continued commitment to education in these difficult times, the school system needs more money to address problems of overcrowded classrooms, school safety, special education and at-risk students. Class sizes are continuing to grow and more teaching positions are needed to ensure that every child receives a personalized education.

In addition, there is currently inadequate funding for:

- 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.

The City budget must also contain substantially more money for school infrastructure. 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 rezonings of West Chelsea and the Hudson Yards.

MCD4 has many schools of all grades serving local children as well as children from other school districts and boroughs. We have always supported education and are committed to developing and maintaining high standards for teachers as well as students. We must also provide assurances to parents that their children are in safe and healthy environments, both during the school day and during after school programs; this means on the streets as well as indoors.

There exists a heavy concentration of high schools within MCD4; therefore, we would like to be consulted when new schools (provided through either new construction or space rental) are planned. The reason for this provision can best be seen in the case of Park West High School and Graphic Communication Arts, which are within one block of each other. The 3,500 students attending these schools come from all five boroughs. This has led to clogged neighborhood streets at varying arrival and dismissal times, problems at subways and at other transportation points, and disruptive situations affecting our residents and businesses.

In addition, greater consideration should be given to community residents in terms of their needs, which include better sanitation around schools, cleaner and safer streets for pedestrians, etc. Joint planning between the Department of Education and CB4 can result in a more harmonious relationship, which will lead to a better educational environment.

In regard to the schools' challenge to recruit and retain qualified teachers, and the severe levels of turnover, this Board supports efforts to increase teachers' salaries to levels in parity with the surrounding suburban areas.

*Better Planning to Address the Increased Number of School Age Children and Public Schools -*

The Board wants better measures to assess the number of additional residents living in CD4 with particular emphasis on the number of school age children and the number of public schools that can accommodate this population.

The needs of the community are growing faster than what the city planners can offer or have planned. The current number of schools in MCD4 cannot meet the increasing number of school age children who will be living in new residential developments throughout the community.

Funding and institutional support for an education needs assessment, which should be a systematic process to acquire an accurate, thorough picture of the strengths and weaknesses of a school community that can be used in response to the academic needs of all students for improving student achievement and meeting challenging academic standards. Process that

collects and examines information about school wide issues and then utilizes that data to determine priority goals, to develop a plan, and to allocate funds and resources. Students, parents, teachers, administrators, and other community members should be included in gathering data.

We must revise Chapter 6 of the City Environmental Quality Review, which grossly and unfairly under counts needed school seats in our community. The problem is worst in Manhattan; as each residential “unit” is calculated to yield three times more 4-17 year olds in the Bronx [.74] as in Manhattan [.22].

In addition, we request funding for a study regarding the re-purposing of Holy Cross School on West 43<sup>rd</sup> Street (which may be closed by the Roman Catholic Church sometime in 2014) as either a New York City Public or private Charter school, or some combination thereof. As this institution has been an integral part of the educational services offered to our community for over 150 years, its continued use as an educational facility and community resource is necessary for the needs of our District’s children.

### **Department of Youth and Community Development**

It is well documented that day care and after-school programs are critical in the positive development of children. Child care and after-school programs provide children with critical educational opportunities that pave the way for future success, and kids who attend these programs do better in school, are more likely to graduate, and have lower incidences of violence, drug-use and teen pregnancy. Child care and after-school programs also allow working parents to keep their jobs, and without access to these programs, working parents will be forced to make potentially unsafe arrangements for their children in order to keep their jobs.

Thus, we were happy to see that the FY15 Preliminary Budget includes a restoration of \$51 million for the Out of School Time (OST) initiative, as well as a plan to provide \$190 million in new funding for after school programs as part of the Universal Middle School Afterschool Program. The Department of Youth and Community Development (DYCD) has also enhanced its program for OST, by increasing the price paid per slot from \$2,100 to \$3,000, and raising program hours to 540 per year.

### **Fire Department of New York**

MCB4 specifically requests immediate funding for a site relocation study for the EMS station that is temporarily located on W. 23<sup>rd</sup> Street and Tenth Avenue. We believe it is in the best interests of this community that a fully functioning garage be built on a property that not only fully serves the needs of the NYFD, but also takes into concerns the negative environmental and traffic impacts its current presence has on these heavily congested Chelsea streets. The current temporary location was never designed for the heavy use the EMS is placing on this location, and in terms of policing environmental concerns, including noise and exhaust pollution, the unsafe and cramped conditions that this site poses for FDNY personnel, the inadequate communication infrastructure installed (one working telephone line), our community strongly

urges that funding for a relocation study in order to build a fully equipped and well-designed EMS site be found immediately.

### **New York 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.

- We request the remapping of our district from 4 precincts to 3 precincts.
- There needs to be more sound measurement devices and trained officers at at the precincts to address the many noise complaints due to bars and clubs.

MCB4 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 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 the 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.

- MCD4 favors the addition of five traffic officers in each of our NYPD precincts 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.

While New York State is reducing its funding for the City, it should allow the city to substitute technology to improve enforcement and safety at lower cost.

- As part of the budget, the city should negotiate for approval of 500 cameras for red lights and speeding enforcement; this will save lives and increase revenues.

The recent NYC Council Hearings on Traffic Safety pointed out deficiencies in traffic enforcement on arterials streets and the need for the city to more aggressively investigate both pedestrian and bicyclist injuries and deaths caused by drivers. A part of the problem is the decrease in number of police officers in the Highway Patrol District – from 376 in 2000 to 211 in 2012 and their exclusive focus on highways.

This Community Board has been an active supporter of the city's and DOT's efforts to improve both the pedestrian experience and more bicycle usage. However these efforts also require efforts to increase street safety and more highly prioritize investigations into accidents.

- We recommend an increase in highway patrol officers and their deployment in the precincts to focus on arterial road safety.
- We recommend an increase in personnel for the Collision Investigation Squad to more thoroughly evaluate crashes and the responsibilities of all parties.

### **New York Public Library**

One of our top priorities in the Capital Budget Request was the renovation of the Muhlenberg branch of the New York Public Library. The sidewalk and HVAC need to be replaced. Extensive roof work is needed; the interior spaces renovated. New furniture and a security system are needed as well.

The Board is happy that six day funding for libraries has changed for the better: currently, the libraries are not at risk of losing their base funding. We hope this does not change.

We support increasing branch library funding to bridge the "digital divide" through free computer training and broad access to the Internet. Ninety-eight percent of all free public access computers in the City are in public libraries.

The Board also believes that library funding for expanded hours and technology training and services should be increased. This Board seeks funding for building and technology infrastructure, which would serve to protect the investment that the City has made in computers and electronic information resources while ensuring well-maintained and secure libraries.

In regard to the libraries' challenge to recruit and retain qualified librarians, and the severe levels of turnover, this Board supports efforts to increase librarian salaries to levels in parity with the surrounding suburban areas. In addition, we hope funding stays at a level that assure there will be no personnel decreases.

### **City Planning**

Regarding community facility space, CB4 strongly recommends that in conjunction with the City Council, Manhattan Borough President, Gale Brewer, the Department of City Planning and the

Department of Buildings, and a funding study be made to ascertain the costs of creating a publically accessible Community Facilities data base that would index information contained in the Certificate of Occupancy of every building located within MCD4. This database could contain information such as:

- if Community Facility space is available in a particular building;
- if that space is being utilized; and if so, by whom and for what purpose;
- length of current lease in place for said space and contact information for owner/landlord or managing agent; and
- the physical dimensions and layout of said space, including all exits and entrances and HVAC information, if installed.

Additional FAR bonuses given to commercial developers for the inclusion of Community Facility Space in new development is an undeniable inducement to build. At the same time it is an unsatisfactory reality that there is no practical way for our electeds, businesses, citizens, and this Community Board to gain an accurate understanding of what Community Facility space is available and how it is being utilized, if at all.

Further, CB4 strongly recommends that the creation of such a database be eventually extended to contain similar information for the entire City.

### **Department of Environmental Protection**

*Air Pollution* - Given the proximity of the Chelsea and Clinton/Hell's Kitchen neighborhoods to the Lincoln Tunnel and to the Port Authority Bus Terminal, MCD4 most likely is at 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. We thus continue to urge the City to include in the budget enough funds for additional studies to determine the effect of air pollution on the community around the Lincoln Tunnel traffic corridor.

*Storm Surges* – We also saw the new maps that extended Zone A for flooding concerns extended. This is an issue we wrote you about in 2010. One of the greatest natural calamities that could wreak havoc in New York City would be flooding due to the surge from a “100 year storm.” This storm could appear at any time – and even many times – within the next 100 years. In fact, with Hurricane Sandy we get a real life experience with these types of storms with more to come. New York City is particularly vulnerable to storm surges because of the New York Bight, which funnels water and increases the speed of a storm surge moving through the Verrazano Narrows. Storm surges have been known to be as high as 20 feet.

Recognized experts have suggested that sea gates at the Narrows, the mile wide entry to New York Harbor, and lesser gates near Arthur Kill and where the East River meets Long Island Sound (Throgs Neck) would protect much of Manhattan. Gates could also help address issues related to sea level rise due to global warming: even without storm surges, estimated sea level

rise in 20 to 40 years will cause potential flooding at certain times of the year having nothing to do with storms.

Other cities have already built sea gates (Rotterdam and London) or are currently building them (Venice). In the case of London, the barrier's purpose is to prevent the city from being flooded by exceptionally high tides moving up from the sea, often exacerbated by a storm surge. It is deployed on average four times a year. In Rotterdam, the Maeslantkering is expected to be closed once every ten years due to a storm surge, but with rising sea levels, that frequency is expected to rise in 50 years to once every five years. The situation in New York City will depend on the expected frequency of storm surges.

MCB4 urges the City to invest its money in this FY14 budget and to reach out to our Federal representatives to request funding for a feasibility study to protect our city from potentially life threatening storm surges. The total cost of design and construction for gates at Verrazano Narrows, Arthur Kill and Throgs Neck is estimated at \$10 billion. There is no time to waste; whole communities may suffer irreparable damage if we don't act now.

### **Department of Parks and Recreation**

Chelsea Recreation Center continues to be the most utilized public recreation center in New York City. Given its high level of use, systematic maintenance of this center is a crucial issue in avoiding costly repairs and in keeping future costs low. In particular the exercise equipment is showing age and needs to be upgraded.

Green Street at the Canoe MCB4 requests that the green street be completed at West 36<sup>th</sup> Street between Dyer and Ninth Avenues. The former administration had committed to former Speaker Quinn as part of the Hudson Yards rezoning follow up actions (WRY negotiations) that the project would be completed in 2010. To date only half of the project has been completed.

Hudson River Park - The City, in concert with the State, needs to fund the following portions of Hudson River Park:

- Removal of the commercial activities of heliport at West 36<sup>th</sup> Street
- Completion of the long planned amenities in the eastern portion of Chelsea Waterside
- Completion of the esplanade and park from about W. 28<sup>th</sup> Street north to Pier 76. 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 Pier 76 can be developed as 50% parkland and 50% compatible commercial use. We urge the City to consider alternatives as soon as possible so that Pier 76 can take its rightful place as part of Hudson River Park.

### **Department of Transportation**

Mass Transit - MCB4 supports DOT's recent efforts to work with the MTA to promote mass transit, such as creating express bus lanes and improving bus shelter conditions.

- We request that DOT make Eleventh Avenue one-way southbound from West 57<sup>th</sup> Street to West 44<sup>th</sup> Street to ensure the reliability of the new bus route to be implemented on Eleventh and Twelfth Avenues.

Street Reconstruction and Plaza - MCB4 requests that sidewalks be enlarged on Eighth Avenue between West 42<sup>nd</sup> and West 43<sup>rd</sup> Streets to accommodate the ever increasing volume of pedestrians.

ADA Compliance - MCB4 is pleased that a significant budget is allocated citywide to installing pedestrian ramps across the city. This should allow the City to fulfill its commitment to former Speaker Quinn to install ADA compliant ramps at all intersections of Dyer Avenue with W. 34<sup>th</sup>, 35<sup>th</sup>, 36<sup>th</sup>, 40<sup>th</sup>, 41<sup>st</sup> and 42<sup>nd</sup> Streets and reduce the radius of W. 35<sup>th</sup> Street turn at Dyer Avenue (Hudson Yards rezoning follow up actions, WRY negotiations). It should also allow the city to equip any modified crossing with accessible traffic signals.

We also note that many ramps along Eighth and Ninth Avenues have become unusable due to heavy deterioration of the ramps and street condition and heavy water accumulation adjacent to the ramps. We encourage DOT to resurface both ramps and pedestrian crossings in priority and to ensure materials and designs that ensure longer “street” life.

Safer Routes to School and Safer Routes for Seniors - We applaud the fact that significant funds are reserved for safer routes to schools and safe routes to seniors.

- We request that specific funds be reserved for design modifications at W. 42<sup>nd</sup> Street at Eighth and Ninth Avenues, which are the two most dangerous intersections in New York and qualify for safe route to schools funds.
- We also request that additional funding be reserved for the Signal Division so that eight Split Phase signals can be installed on Ninth Avenue as part of the Hell’s Kitchen Traffic Study to protect pedestrians from turning cars.
- The study of the option to build a contra bus lane on Dyer Avenue from West 42<sup>nd</sup> to West 41<sup>st</sup> Streets should be completed to make the intersection of Ninth Avenue and West 42<sup>nd</sup> Street less dangerous and congested.

### **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 or the city, among them West Chelsea and Clinton.

### **III. Public Hearing**

The Board held a Public Hearing at its April 2, 2014 full board meeting. Prior to the Public Hearing, the board office contacted numerous civic groups and blocks associations and posted notice of said Hearing. The input received has been incorporated in this Response to the Preliminary Budget.

Thank you for your consideration of our comments.

Sincerely,



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Christine Berthet  
Chair, Manhattan Community Board Four

cc: NYC Council Speaker Melissa Mark-Viverito  
Dean Fuleihan, Director, Office of Management and Budget  
Manhattan Borough President Gale Brewer  
Manhattan Borough Board  
City Council Member Corey Johnson