

Terri Cude, *Chair*
Susan Kent, *First Vice Chair*
Daniel Miller, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Erik Coler, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village ∨ Little Italy ∨ SoHo ∨ NoHo ∨ Hudson Square ∨ Chinatown ∨ Gansevoort Market

February 21, 2017

Marisa Lago
Director of City Planning
120 Broadway, 31st Fl.
New York, NY 10271

Carmen Farina
Chancellor
Department of Education
Tweed Court House
52 Chambers Street
New York, NY 10007

Dear Director Lago and Chancellor Farina:

At its Full Board meeting February 16, 2017, Community Board #2, adopted the following resolution:

Resolution for Reforming the City Environment Quality Review for Public Schools

Whereas:

1. All residential construction results in an increased number of families in our community;
2. Community Board 2, Manhattan welcomes new families, but appreciates that an increase in the number of families requires a corresponding increase in community facilities and social services, such as: schools, parks, police, and medical care;
3. Good public schools add value to our community, ease the burden on employed parents and benefit children for decades;
4. Community Board 2, Manhattan is concerned about the continuing problem of overcrowding in our local public schools, and unanimously passed resolutions in February 2008 and February 2012 that stressed the need to consider “school capacity and overcrowding as part of our evaluation process for each and every new residential project;”
5. In 2014, New York State passed legislation to require the Department of Education and School Construction Authority to account for population growth in planning new schools and to use more local data when forecasting enrollment projections, citywide, for each community school district and for each community board;
6. The City Environmental Quality Review formulas, which are used by The Department of Education and City Planning, to calculate the impact on school seats caused by new residential development are based on long outdated assumptions that describe a time when families generally chose not to live in

Manhattan, and when Greenwich Village, in particular, was known as a neighborhood primarily for singles, who moved away when they married and had children;

7. The CEQR Technical Manual, according to these assumptions, calculates new residential units in the Bronx to yield 0.55 K-8 public school children – and 0.41 in Brooklyn, 0.40 in Queens and 0.30 in Staten Island – but for Manhattan reduces that number to 0.16 children, leading to inadequate planning for school capacity in our community;
8. In accordance with the CEQR Technical Manual, the city only requires that a detailed Environmental Impact Analysis (EIS) of school seats be conducted on residential projects which will add at least 310 units or more, even though it is clear that all new residential construction and conversions (including those of only a few units) have the potential to add children to our schools;
9. The EIS analysis is flawed when it includes 100% of the capacity for a school when some or all of the relevant school zone is outside of the study area for the analysis, as occurred with the rezoning for 550 Washington Street that the city approved in 2016 without any requirement for funding or building additional public school seats;
10. Under the EIS analysis, the formula for calculating the change in utilization is (Students Introduced by the Proposed Project) / (Capacity in the Study Area) = Change in Utilization,¹ and as a result, as the population in the study area expands or more school capacity is built, the threshold for any residential project to impact utilization increases, while the cost to build new school seats continues to rise;
11. The CEQR policy is based on capacity as defined in the Blue Book (officially known as the Enrollment, Capacity, and Utilization Report), which continues to be based on class sizes of 28 students for grades 4-8 and 30 for high school, despite class sizes in the state-mandated Contract for Excellence plan of 23 students per class in grades 4-8 and 25 in high school;
12. The CEQR policy also only counts the number of units and does not calculate the number of bedrooms, especially units with more than one bedroom, which increases the likelihood of more children occupying an apartment; and,
13. Multiple projects that individually do not trigger an EIS-analysis will certainly have a collective impact on the school age population and therefore increase the demand for public school seats.

Therefore Be It Resolved that CB 2 Manhattan:

1. Calls upon the Department of City Planning to develop new and better formulas, based upon current demographics, that more accurately represent the percentage of families with school age children that comprise our local population, and considers the number of families who can be expected to move into new residential development;
2. Calls upon the Department of City Planning to institute a policy that would require a school impact study, using local data as required under the 2014 law, on all new residential construction and conversion, regardless of size; and,

¹ Formula Simplified

Utilization with Action – Utilization No Action = % Change in Utilization
[(Future + Project) / Capacity] – [(Future/Capacity)] = % Change in Utilization
[(Future + Project – Future)] / Capacity = % Change in Utilization
Project / Capacity = % Change in Utilization

Variables

Future = Total Future Enrollment in 2024

Project = Students Introduced by the Proposed Project

Capacity = Public School Capacity in the Study Area

3. Urges our elected officials to develop a mechanism that would require developers of all new residential buildings to contribute to a capital fund for public schools, and/or include new school seats within their projects.

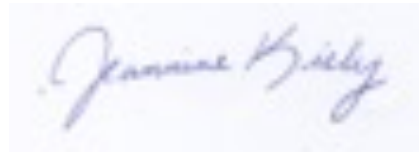
VOTE: Unanimous, with 36 Board Members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Terri Cude, Chair
Community Board #2, Manhattan



Jeannine Kiely, Chair
Schools and Education Committee
Community Board #2, Manhattan

TC/EM

- c:
- Hon. Brad Hoylman, NY State Senator
 - Hon. Daniel Squadron, NY State Senator
 - Hon. Deborah Glick, State Assembly Member
 - Hon. Yuh-Line Niou, Assembly Member
 - Hon. Corey Johnson, Council Member
 - Hon. Margaret Chin, Council Member
 - Hon. Rosie Mendez, Council Member
 - Hon. Gale Brewer, Manhattan Borough President
 - Hon. Melissa Mark-Viverito, Speaker of the Council
 - Lorraine Grillo, President and CEO, School Construction Authority
 - Robin Broshi, President, CECD2

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February 21, 2017

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

At its Full Board meeting February 16, 2017, Community Board #2, adopted the following resolution:

Resolution in Support of Phase-In of Foundation Aid Formula

Whereas:

1. In his proposed 2017-18 budget, Governor Andrew Cuomo is calling for repeal of New York's Foundation Aid Formula, the 2007 law responding to the landmark case, [Campaign for Fiscal Equity v. State](#) (CFE);
2. The Formula was carefully designed to deliver funding for the essential resources all New York school children need to achieve the state's academic standards, including additional resources needed for students in poverty, English language learners and students with disabilities;
3. The Formula was also designed to drive increases in state aid to high need schools across the state, addressing New York's longstanding disparities between high poverty, low wealth and low poverty, high wealth school districts;
4. In the 2003 CFE ruling, New York's highest court declared the state's method of funding schools violated New York City students' constitutional right to a "sound basic education" and the Court of Appeals sharply criticized the funding system, calling it a "political process" that allocates funds to schools in a way that "does not bear a perceptible relation to the needs of" public school children;
5. In the wake of CFE, the Legislature enacted the Formula to move the state from funding schools based on available dollars and raw politics to year-to-year determinations based on student and school need;
6. The Formula also allocated school aid based on district fiscal capacity to raise local revenue from property taxes;

7. To accomplish this objective, the Formula provided for a four-year phase-in of increases in state aid, or \$5.5 billion statewide, the vast majority targeted to the poorest urban and rural districts;
8. In 2009, the state froze and then subsequently cut Formula aid;
9. Since taking office, Governor Cuomo has staunchly resisted increasing aid to move districts towards full Formula funding;
10. The Formula remains underfunded by \$4.3 billion; and,
11. Under Governor Cuomo's proposed budget for 2017-18:
 - a. The state would no longer owe school districts \$4.3 billion in Foundation Aid,
 - b. The amount of Foundation Aid schools would receive would be locked in at the 2017-18 levels in perpetuity, and
 - c. The current spending gap of \$10,000 per pupil between rich and poor schools in New York State would keep growing larger and larger.

Therefore be it resolved that CB 2 Manhattan urges the Governor to commit to a two year phase in of the Foundation Aid Formula to comply with the remaining two years of the Campaign for Fiscal Equity phase-in, which was established after the New York State of Appeals final ruling that ordered the state to stop underfunding schools so that all students have the opportunity to a "sound basic education" and to not limit Foundation Aid that schools will receive to 2017-2018 levels in perpetuity.

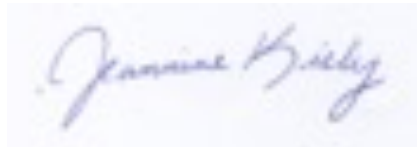
VOTE: Unanimous, with 36 Board Members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Terri Cude, Chair
Community Board #2, Manhattan



Jeannine Kiely, Chair
Schools and Education Committee
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