

# FY 2019 Borough Budget Consultations

## Manhattan - Department of Environmental Protection

Meeting Date 9/6/2017

### AGENDA ITEM 1 : General Agency Funding Discussion

The purpose of holding the Borough Budget Consultations is to provide Community Boards with important information to assist in drafting their statement of District Needs and Budget Priorities for the upcoming fiscal year. As you know, Community Board Members are volunteers who may not be familiar with the budget process and how agencies' programs are funded. At the same time, Community Board members are very knowledgeable about local service needs.

This year's Manhattan agendas have Agencies begin the consultation with a presentation of their goals, funding decision process, and highlights of their funding needs.

Then, the agenda continues with Community Boards asking about specific program funding.

Lastly, the agendas include Boards' requests on district-specific budget questions. We request that the agency respond in writing, but have any further discussions on these items with the Community Boards outside of the consultation.

For the General Agency Funding Discussion, please provide written responses and please be prepared to present on the following topics for 10-15 minutes at the beginning of our Consultation:

1. Explain the process the agency uses to formulate goals and budget priorities.
2. What are the current proposed FY18 and FY19 service and operational goals and proposed funding?
3. Which programs is the agency adding, dropping, or changing for FY18 and projected for FY19?

### AGENCY RESPONSE:

DEP has overall responsibility for the City's water supply and sewer systems, including providing drinking water to all New Yorkers, maintaining pressure to fire hydrants, managing storm water, and treating wastewater. In addition, DEP also regulates air quality, hazardous waste, and critical quality of life issues, including noise.

The Water Board is an independent body whose fiduciary mandate is to set rates that will satisfy System revenue requirements for operations & maintenance (O&M) expenses, servicing debt obligations, and achieving fiscally prudent year-end cash reserves

DEP suggests a rate and the Water Board approves it. In all our decisions we weigh the impact of the systems needs to our ratepayers and we work to continuously improve and maintain our status as one of the most efficient water utilities in the nation.

### MEETING NOTES:

COMMENTS:

FOLLOW-UP:

## AGENDA ITEM 2 : Water and Sewer Program

DEP's capital program is funded by water and sewer rate money, so they do not request capital money in the budget consultation process.

### AGENCY RESPONSE:

This is correct

### MEETING NOTES:

#### COMMENTS:

#### FOLLOW-UP:

## AGENDA ITEM 3 : After-Hours Construction Complaints

.Historically, there have not been enough inspectors to respond to after-hours construction complaints, late-night commercial noise complaints, and weekend special events. What are the budget and staffing levels devoted to monitoring and regulating air quality and noise in FY 2018 and expected for FY 2019? How many Air & Noise inspectors are on staff? What hours/shifts are inspectors on duty? How many inspectors are on late-night/after-hours shifts? Are these inspectors allocated in any way to particular silos (construction, restaurants, special events, etc.)? How does DEP determine whether the number of inspectors is sufficient? What is the ratio of air actions/complaints to noise actions/complaints? What is the mean/median response time for addressing air/noise complaints? How do FY 2018 and FY 2019 levels compare with FY 2017 levels (for all of the questions)? What percentage of complaints result in the issuance of a violation, and how many of those result in a fine?

### AGENCY RESPONSE:

- DEP Air & Noise Inspectors/Staffing: 57
- DEP Air & Noise Manhattan Day Time Inspectors, Monday – Friday, 6 AM – 6 PM: 12 (including supervisors)
- DEP Air & Noise Night Unit responds to complaints in all boroughs Monday – Friday 6PM – 2AM 12 (including supervisors)
- DEP Air & Noise Late Night Unit, newly added, also responds to complaints in all boroughs, Monday – Friday, 8PM – 4AM, 4 inspectors/1 supervisor
- DEP Air & Noise Early Morning Construction Unit, newly added, also responds to complaints in all boroughs, Tuesday- Saturday 6AM - 2PM, 6 Inspectors/1 Supervisor.
- Weekend inspections will be augmented by staff working overtime based on complaint volume and time of day.

### MEETING NOTES:

#### COMMENTS:

5 new air and noise inspectors (brings total to 57)

Not all complaints tell us when the noise occurs

We need contact information in order to get into apartments and many do not provide this and some complaints are made anonymously.

DEP does its best to investigate complaints within a day or two if not when the complaint is made

We cannot respond as the police do.

We do sweeps through specific areas that have had idling issues

OATH produces a book every month of how many idling complaints are upheld

Last year there were 56,000 noise complaints and 12,000 air complaints

We can arrange to patrol and search for violations on a case by case basis

**FOLLOW-UP:**

## **AGENDA ITEM 4 : Idling Laws**

What resources have been allocated to enforcing the idling law in FY18 and projected FY19 budget? Please be as specific as possible. For example, how much of these resources are for inspection/enforcement activities and how much are for educational/outreach initiatives? How many Air & Noise inspectors are available to swiftly respond to vehicle idling complaints? What is the mean/median response time? Are there plans to add idling to the list of complaints one can report on the 311 mobile app? What percentage of complaints result in the issuance of a violation, and how many of those result in a fine?

**AGENCY RESPONSE:**

- NYC DEP Air & Noise Unit receives & responds to 311 vehicle idling complaints. In addition to DEP’s educational outreach initiatives.
- During Asthma Awareness Month (May), DEP steps up education and enforcement efforts. Whereas DEP staff targets Neighborhoods with high rates of asthma, truck & bus traffic and near schools and distributes literature to parents, teachers and bus drivers at elementary schools. DEP also sends out inspectors to enforce city Local Law 5, which limits idling in school zones to one minute. Drivers observed illegally idling will be issued a warning for a first offense and a \$350 fine for subsequent offenses.
- There has never been an “Idling Unit” in DEP’s Bureau of Environmental Compliance. All idling complaints are addressed by Air & Noise inspectors.

**MEETING NOTES:**

**COMMENTS:**

Every May we go through schools, bus companies and make sure that they are aware of what the idling laws are. There is a provision in the air code that allows for people to fill out physical forms, but this is not available on the 311 mobile app.

Inspectors in the last three weeks have handhelds so once that is fully implemented it will help improve efficiencies

**FOLLOW-UP:**

## **AGENDA ITEM 5 : Water/Sewer Operations**

Since DEP’s water/sewer-related operations and capital program are funded by water and sewer rate money, and therefore are not considered in the budget consultation process, what air, noise and asbestos programs-related budget priorities would DEP like for CBs to help them advocate for during the FY 2019 budget process?

**AGENCY RESPONSE:**

**MEETING NOTES:**

**COMMENTS:**

No response

**FOLLOW-UP:**

## **AGENDA ITEM 6 : Programmatic Catch Basin Cleaning Program**

What is the funding level for DEP's Programmatic Catch basin cleaning program for FY 2018 and FY 2019? How does this level of funding compare to FY 2017? What is the budget for repairing defective catch basins? How many do you anticipate will be repaired in Manhattan in FY 2019 and what are their locations? What new funding is available to address the need for increased catch basin repairs as a result of new construction and development?

### **AGENCY RESPONSE:**

Catch basins serve to collect rainwater from streets and direct it into the city's sewer system. To prevent clogging of catch basin and maintain a state of good repair, the New York City Department of Environmental Protection (DEP) programmatically inspects catch basins on a regular cycle and performs cleanings and repairs as needed to ensure the system's ability to drain storm water. In addition to the programmatic inspection program, DEP responds to complaints of clogged and/or malfunctioning basins received through the City's 311 system and performs cleanings and repairs as needed.

LL48/15 is an amendment to Section 24-5030 of the Administrative Code of the City of New York, which requires all 150,000 catch basins within DEP's jurisdiction to be inspected annually and catch basins to be unclogged or repaired within nine days of inspection or receipt of a complaint about a clogged or malfunctioning catch basin. The requirements of 24-5030 are effective for a three year period beginning July 1, 2016 and ending June 30, 2019. Prior to LL48/15, DEP inspected catch basins on a three-year programmatic cycle. This new law has required DEP to acquire additional resources and staff in order to accelerate the inspection cycle from once every three years to once a year.

### **MEETING NOTES:**

#### **COMMENTS:**

#### **FOLLOW-UP:**

## **AGENDA ITEM 7 : Closure Codes**

Has DEP resolved why their closure codes are not properly reflected in Open Data? If now, when do you anticipate resolving the disconnect?

### **AGENCY RESPONSE:**

This issue has been resolved.

### **MEETING NOTES:**

#### **COMMENTS:**

#### **FOLLOW-UP:**