

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

JESSE R. BODINE
District Manager

Manhattan Community Board 4
Response to Fiscal Year 2016 Preliminary Budget
Summary

Manhattan Community Board Four (hereafter “MCB4”) is grateful for the opportunity to review your \$79.6 billion Preliminary Budget for FY 2016. Our district, which is made up of Chelsea, Hudson Yards and Clinton/Hell’s Kitchen has historically been characterized by culturally and economically diverse neighborhoods. An explosion of development of market rate housing in our area has had a ripple effect on our community including:

- Many longtime residents, especially seniors are being priced or harassed out of the neighborhood
- Local “Mom & Pop” businesses are forced to leave due to unreasonable rents
- City services are stretched thin as our population growth is not matched by additional resources allocated to city agencies for our district

Our stated goal of maintaining the diversity of our neighborhoods can be achieved by applying the resources from the FY 2016 budget as it pertains to our district towards:

- Attracting development that makes available more affordable housing that is permanent. MCB4 firmly agrees with your administration’s aim to ensure New Yorkers can still afford to live well integrated in most neighborhoods of our great city. We believe that the establishment of permanently affordable housing across multiple income bands enhances diversity,
- Maintaining the unique character of our neighborhoods by using the existing zoning,
- Preventing displacement and evictions of current residents and businesses, and
- Improving our quality of life with the creation of additional green spaces; schools; educational, community and cultural facility spaces; and creating an appropriate balance in street usage between pedestrians, bicycles and vehicles.

Given these priorities, MCB4 is extremely pleased that there are no budget cuts contemplated in a 2016 Preliminary Budget balanced and generating a surplus.

MCB4 believes it is worthwhile for the City to explore future municipal revenue enhancements created by the imposition of impact fees on developments; the proposals of Move New York including tolling of currently “free” intra-borough bridges and the creation of a line beyond which a charge would be realized for those entering by vehicle into Manhattan; and some kind of tax on legalized AirBnB sellers and/or renters. We believe these all would have beneficial effects in our neighborhoods.

We have suggested a number of other revenue enhancements and costs savings that could add to this surplus and fund the following requests that we look forward to being incorporated in the budget:

Department for Housing Preservation and Development (HPD)

- Dedicate City-owned property located within MCD4 to create permanently affordable housing across multiple income bands, but maintain existing street walls and height restrictions.
- Provide Funds for preservation of existing affordable units within MCD4
- Increase funding for enforcement of regulations to protect tenants from harassment

Department of Buildings (DOB)

- Funding of at least \$200,000 to hire Community Coordinator and two Administrative Associates

Department for the Aging (DFTA)

- Increase funding to maintain and expand existing programs.

Department for Homeless Services (DHS)

Department of Health and Mental Hygiene (DOHMH)

- Increase funding to maintain and expand existing programs.
- Provide funding for additional shelter facilities to allow for the downsizing of the West 25th Street BRC site so as to alleviate community conflicts.

Department of Sanitation (DSNY)

- Funding to provide two additional pick-up trucks.

Department of Environmental Protection (DEP)

- Provide funding to conduct storm surge mitigation studies.
- Expand permeable surface and sidewalk swale pilot program to include MCD4
- Provide funding to conduct air pollution studies.

New York Police Department (NYPD)

- Remapping of Precincts from 4 to 1 or 2 within MCD4
- Additional funding for an increase of traffic officers and Collision Investigation Squad personnel
- 500 additional traffic camera

Department of Transportation (DOT)

- Provide funding for improved mass transit on 9th Avenue, for the 41st street station, # 7 extension and bus storage
- Provide funding for Sidewalk Widening - Street Reconstruction
- Increase funding for improved ADA compliance
- Significantly increase funding for Vision Zero implementation

Department of Education (DOE)

- Provide funding for an education needs assessment

Fire Department of New York (FDNY)

- Provide funding for relocating the 23rd Street EMS station

Department of Parks and Recreation (DPR)

- Provide funding to upgrade the Chelsea Recreation Center
- Provide funding to complete Hudson Boulevard Park
- Provide funding for the staircases at DeWitt Clinton Park
- Provide funding for Hudson River Park

Landmarks Preservation Commission (LPC)

- Increase budget to provide adequate staffing to address the current backlog

Department of Cultural Affairs (DCA)

- Provide funding to preserve and create affordable spaces for small operation of creative arts

Department of City Planning (DCP)

- Provide funding to create a database of shared community facilities.

Community Boards

- Provide Community Boards with additional funding for staffing, technology upgrades and to access outside resources.

The full details are attached.

Sincerely,



Christine Berthet
Chair
Community Board 4

[Signed 4/8/15]

Burt Lazarin
Chair
Budget and Jobs Working Group



Delores Rubin
First Vice Chair
Community Board 4

MANHATTAN COMMUNITY BOARD NO. 4



Response to Mayor's Preliminary Budget

Fiscal Year 2016
(July 1, 2015 – June 30, 2016)

CHRISTINE BERTHET

Chair

JESSE R. BODINE

District Manager

BURT LAZARIN

Chair, Budget and Jobs Working Group

Table of Contents

I. Statement on the Preliminary Budget
 Revenue Enhancement Ideas
 Structural Reductions in Costs

II. Reaction to Agency Responses on Capital & Expense Budget Requests
 Department for Housing Preservation & Development
 Department of Buildings
 Department for the Aging
 Department of Health and Mental Hygiene/ Department for Homeless Services.....
 Department of Sanitation of New York
 Department of Environmental Protection.....
 New York City Police Department
 Department of Transportation
 Department of Education.....
 Department of Youth and Community Development.....
 New York Public Library
 Department of Cultural Affairs.....
 Fire Department of New York.....
 Department of Parks and Recreation
 Landmarks Preservation Commission.....
 City Planning
 Community Boards.....

III. Public Hearing



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

JESSE R. BODINE
District Manager

April 8, 2015

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

Re: Statement on the Preliminary Budget, Fiscal Year (FY) 2016

Dear Mayor de Blasio:

Manhattan Community Board Four (hereafter “MCB4”) is grateful for the opportunity to review your \$79.6 billion Preliminary Budget for FY 2016. Our district, which is made up of Chelsea Hudson Yards and Clinton/Hell’s Kitchen has historically been characterized by culturally and economically diverse neighborhoods. An explosion of development of market rate housing in our area has had a ripple effect on our community including:

- Many longtime residents, especially seniors are being priced out of the neighborhood
- Local “Mom & Pop” businesses are forced to leave due to unreasonable rents
- City services are stretched thin as our population growth is not matched by additional resources allocated to city agencies for our district
- The explosion in development has led to more pedestrian and vehicular traffic in our neighborhood with few improvements to vital infrastructure necessary to accommodate the drastic increase, and limited initiatives have been seriously considered to help alleviate the congestion.

Hence our goal in responding to the FY 2016 Preliminary Budget is to highlight key concerns that need to be addressed which will assist in bringing back the balance to our district and allowing Chelsea and Hell’s Kitchen to maintain the stability and neighborhood character that has made our area such a wonderful place to visit, work and live.

Our stated goal of maintaining the diversity of our neighborhoods can be achieved by applying the resources from the FY 2016 budget as it pertains to our district towards:

- Attracting development that makes available more affordable housing that is permanent. MCB4 firmly agrees with your administration’s aim to ensure New Yorker’s can still afford to live in our great city. We believe that the establishment of permanently affordable housing across multiple income bands enhances diversity,
- Defending the character of our neighborhoods by maintaining the existing zoning,
- Preventing displacement and evictions of current residents and businesses, and
- Improving our quality of life with the creation of additional green spaces; schools; educational, community and cultural facility spaces; and creating an appropriate balance in street usage between pedestrians, bicycles and vehicles.

Given these priorities, MCB4 is extremely pleased the 2016 Preliminary Budget is balanced, generating a surplus and that there are no budget cuts contemplated.

Of the \$79.6 billion, approximately \$58.9 billion is made up of City funds from local taxes, fines, fees, and other revenue. The Office of Management and Budget (OMB) is projecting a surplus at the end of the current Fiscal Year of \$1.6 billion. This surplus will be important as the City deals with several potential risks to its balanced budget, most notably the fact that some key collective bargaining agreements are currently expired, leaving many municipal employees such as firefighters, sanitation workers, police officers and both CUNY pedagogical and non-pedagogical 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.

MCB4 believes it is worthwhile for the City to explore future municipal revenue enhancements created by the imposition of impact fees on developments; the proposals of Move New York including tolling of currently “free” intra-borough bridges and the creation of a line beyond which a charge would be realized for those entering by vehicle into Manhattan; and some kind of tax on legalized AirBnB sellers and/or renters. We believe these all would have beneficial effects in our neighborhoods.

There are a number of additional revenue enhancement ideas and savings measures outlined by the Independent Budget Office (IBO). Those that MCB4 feels are most aligned with our district goals are described below with estimated revenues and savings noted.

I. Revenue Enhancing Ideas

1. Toll the East River and Harlem River Bridges (estimated annual revenues of \$1.0 billion) (Currently incorporated into Move New York) – 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. 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.
2. Restore the Commuter Tax (estimated annual revenues of \$860 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 \$531 million) – Under this option the marginal personal income tax rates of high-income New Yorkers would be increased. 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. If this option were in effect for fiscal year 2015, PIT revenue would increase by \$485 million.
4. Create a New Real Property Transfer Tax Bracket for High-Value Residential Properties (estimated annual revenues of \$39 million) - This proposal, which would require state legislative approval, would add another bracket to the city RPTT on residential properties. Under the proposal, sales of residential properties valued at \$5 million or more would be subject to an additional 0.5 percent levy. IBO estimates that this tax increase would bring in \$39 million in revenue in 2016, increasing gradually in subsequent years.
5. Eliminate 421-a Benefits for Coop and Condo Apartments Not Used as Primary Residence (estimated annual revenues of \$5 million) - The 421-a program is intended to promote housing development in the city. Developers can receive a temporary exemption from tax on the value created by the new construction. The exemption is initially 100 percent of the new value and then declines over time, with the duration varying based on location and financing details. Depending on the location of the project and the duration of the benefit, developers are usually required to subsidize the construction of new affordable units as part of the project. In 2015 the exemption saved property owners \$1.2 billion, making it the city's single largest property tax expenditure.

Based on the city's experience to date with the coop/condo abatement program, the share of owners who are not primary residents could approach 50 percent in newer buildings. Using a conservative assumption that 20 percent of purchasers of apartments built with 421-a are not primary residents and that new 421-a coop and condo projects will result in \$30 million in new benefits annually (based on a weighted moving average of the additions in the previous three years during which the growth of new 421-a exemptions has been slowing from its 2011 peak), this option would result in \$5 million in annual savings beginning in 2016.

6. Extend the Mortgage Recording Tax to Coops (estimated annual revenues of \$98 million) - The mortgage recording tax (MRT) is levied on the amount of the mortgage used to finance the purchase of houses, condo apartments, and all commercial property. It is also

levied when mortgages on such properties are refinanced. IBO estimates that extending the city MRT to coops would raise \$98 million in 2016 and \$103 million in 2017. If the state MRT were also extended to coops, the additional revenue to the city would be around 50 percent greater.

7. *Tax Vacant Residential Property the Same as Commercial Property (estimated annual revenues of \$21 million)* - Under this option, which would require state approval, vacant lots with an area of 2,500 square feet or more would be taxed as Class 4, or commercial property, which is assessed at 45 percent of full market value and has no caps on annual assessment growth; 9,113 lots would be reclassified. Phasing in the assessment increase evenly over five years would generate \$21.3 million in additional property tax revenue in the first year, and the total increment would grow by \$26.3 million in each of the next four years. Assuming that tax rates remain at their 2015 levels, once the phase-in is complete the annual property tax revenue generated by the reclassification would be \$126.7 million.

8. *Tax Single-Use Disposable Bags (estimated annual revenues \$102 million)* - Single-use disposable plastic bags (such as those used in supermarkets and drug stores) are made of thin, lightweight film, typically from polyethylene, a petroleum-based material. Although convenient, plastic bags represent the largest share of plastic in the city's waste stream. Plastic bags make up about 2.9 percent, or 84,000 tons, of New York City's residential waste, according to the Department of Sanitation. In 2014, the city spent approximately \$8 million to export and landfill plastic bags. Once in a landfill, plastic bags can take 10 years to fully break down—and for some plastics it can take significantly longer. Retailers purchase plastic bags in bulk for about 2 cents to 5 cents per bag, a cost that is passed on to consumers.

This option, which would institute a tax of 6 cents per bag, would generate \$102 million in revenue in the first year, including \$2 million in averted waste export costs due to fewer bags being thrown out. Institution of this tax would require approval from the state Legislature.

9. *Tax Sugar-Sweetened Beverages (estimated annual revenues \$235 million)* - New York City residents consume over 406 million gallons of sugar-sweetened beverages each year, Scientific evidence suggests that drinking such beverages can increase the risk of obesity and related conditions like diabetes, heart disease, stroke, arthritis, and cancer. Many New Yorkers already suffer from these conditions: 32 percent of adults are overweight and another 24 percent are obese. An excise tax of half a cent per ounce levied on beverages with any added caloric sweetener could generate \$235.2 million in revenue for the city, equivalent to 17 percent of the Department of Health and Mental Hygiene's total budget. Diet beverages or those sweetened with non-caloric sugar substitutes would not be subject to the tax.

10. *Increase Food Service Permit Fee to \$700 (estimated annual revenues \$10 million)* - Restaurants and other food service establishments in New York require a license from the Department of Health and Mental Hygiene to operate, which must be renewed annually. Fees for these licenses are currently set at \$280, plus \$25 if the establishment

serves frozen desserts. In 2012, the department processed 4,699 new food service establishment applications and 21,758 renewals, for a total of 26,457 permits. About 9 percent of these permits were for school cafeterias and other noncommercial establishments, which are exempt from fees.

In fiscal year 2013, the cost for processing these permits including the cost of inspections was budgeted at approximately \$14.5 million for commercial establishments. When enforcement costs from the Office of Administrative Trials and Hearings' budget are added in, the total cost is \$18.5 million. But the department collected only between \$6.8 million and \$7.4 million from restaurant permits during 2012. Thus, fees cover less than half of the full costs associated with restaurant permits. Increasing the application fee from \$280 to \$700 (leaving the frozen dessert charge unchanged) would bring permit fees closer in line with permit costs and raise \$10.2 million in revenue.

11. *Institute Competitive Bidding for Mobile Food Vending Permits (estimate annual revenues \$47 million)* - Food carts and trucks operating in New York City must obtain a Mobile Food Vending Unit permit from the Department of Health and Mental Hygiene (DOHMH). The fees charged for these permits range from \$15 to \$200, and vary based on whether the vendor operates seasonally or year-round and whether food is processed on-site. Local law limits the number of mobile food vending permits that may be issued for use on public space to 3,100 for year-round permits (good for two years); 1,000 for seasonal permits (good for seven months), and there are an additional 1,000 permits available for vendors selling fresh fruit and vegetables. Demand for permits greatly exceeds the number available and there were waiting lists totaling 3,813 individuals as of November 2012. In 2012, DOHMH issued 3,546 permits, 85 percent of them renewals, and raised \$399,450 in revenue.

Food carts or trucks that operate on private, commercially zoned property, or in city parks, are exempt from limits placed on the number of DOHMH permits. Vendors wishing to operate on park land must enter into a separate concession agreement with the parks department through a competitive bidding process. These concessions are valid for five years, are in effect year round, and in 2014 ranged in price from \$292 to \$217,920 per year, depending on location. In 2014, 341 parks department mobile food vending concessions generated a total of \$5.8 million in revenues for the city, or an average of \$17,048 per concession. In contrast, health department-issued permits on average brought in only \$113 per permit. We encourage DOHMH and DCA to use a model similar to DPR competitive bidding model.

12. *Increase Parking Rates* – While MCB4 applauds the increase in parking meter rates, the target average of \$1 per hour seems (depending on location) not commensurate with the value of the service provided. We encourage a more rapid escalation of demand driven parking fees based on geography and time of day and day of the week, 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 alternative to curbside parking.

13. *Increase Curbside Loading Fees for Long Distance Buses and Shuttle Vans to \$1 traveler, per stop* – drivers idle their engines and companies abuse large swath of sidewalk for hours at a time without paying for the use of the real estate. Other cities charge up to \$60,000 a year for such a benefit. These buses and shuttle vans could be charged \$1 per traveler, per stop, a charge that can be easily absorbed by the customers. In MCD4 only, we have identified up to 450 daily arrivals and departures.
14. *Increased Franchise Fees for Sidewalk Cafés and Other Sidewalk Users* – The fees have not been adjusted since 2007 and are low enough that some operators use sidewalk cafés as advertisements, 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).
15. *Enforcement of Traffic Laws* – Enforcing the rules of the road – idling buses, blocking the intersection, running red lights, refusal to yield to pedestrians, honking, bicycle riding against the traffic – would reduce the number of fatalities, improve the quality of life and bring revenue to the city. Additionally, empowering more traffic enforcement agents with the ability to issue tickets, would generate additional revenue while improving the safety of city streets.
16. *Eliminate the Property Tax Exemption for Madison Square Garden (estimated revenue \$44 million)* -
 This option would eliminate the property tax exemption for Madison Square Garden (MSG or the Garden). Since 1982, the Garden has received a full exemption from property tax liability for its sports, entertainment, and exposition property. Under Article 4, Section 429 of New York State Real Property Tax law, the exemption is contingent upon the continued use of MSG by professional major league hockey and basketball teams for their home games. In 2013 the Garden’s owners completed a \$1 billion renovation of the facility, and as a result the tax expenditure for the exemption increased from \$17.3 million last year to \$44 million for 2015. Therefore, the tax exemption should be worth at least \$44 million in 2016.

Source:

<http://www.ibo.nyc.ny.us/publicationsAnnuals.html#budgetOptions>

II. Structural Reductions in Costs

1. *Pay-As-You-Throw (estimated annual structural cost reductions of \$282 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.

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. As of two years ago, the department acknowledged that there were 543 fully capable police officers (personnel not restricted to light duty) performing such “civilianizable” functions.

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.

Source

<http://www.ibo.nyc.ny.us/publicationsAnnuals.html#budgetOptions>

III. REACTION BY CITY AGENCY: *(in order of MCB4's priorities)*

Department for Housing Preservation and Development (HPD)

Asks:

- **Dedicate City-owned property located within MCD4 to create permanently affordable housing across multiple income bands, but maintain existing street walls and height restrictions.**
- **Provide Funds for preservation of existing affordable units within MCD4**
- **Increase funding to HPD budget for enforcement of regulations to protect tenants from harassment**

As previously stated 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.

Whereas MCB4's highest priority is to increase the availability of permanently affordable housing, we caution that it does not come at the expense of our hard fought zoning currently in place. The character of our district comes as much from the residents as it does from the look and feel of our neighborhoods, which has been preserved by height and bulk restrictions in our Special Districts. Especially in the case of City-owned land, there is never any reason to offer additional incentives of greater heights to developers in exchange for more affordable units. There must be a balance in size of future developments and amount of achievable affordable housing.

We strongly urge the Administration to ensure City owned properties are properly leveraged by leasing the land instead of selling at below market rate to entice a developer to build more

affordable units or breaking the zone regulation for the promise of added affordable housing; this can and must be achieved without the concessions.

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 especially among our seniors.

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.

Department of Buildings (DOB)

Ask:

- **Funding of at least \$200,000 to hire Community Coordinator and two Administrative Associates**

The Department of Building's (DOB) ability to provide a level of code enforcement necessary to protect existing low-income housing stock as well as monitor practices such as unsafe and after hours construction is vital to preserving the neighborhoods. The Manhattan Borough office remains understaffed with only one Community Coordinator responsible for the entire Borough of Manhattan. An increase of approximately \$200,000 in DOB's expense budget to fund an additional Community Coordinator and two Administrative Associates is needed. Equally as important 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. Multiple dwellings and SROs continue to be warehoused and rented as a short term stays illegally, 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 for the Aging (DFTA)

Ask:

- **Increase DFTA funding to maintain and expand existing programs.**

As previously stated, seniors in MCB4 are at risk of not being able to stay in the district as housing and retail have become increasingly unaffordable. MCB4 was relieved that the Senior Citizens Rent Increase Exemption (SCRIE) was increased, but for those seniors that remain in our district, they are still at risk because core funding for senior programs has 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, and eviction prevention 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 place 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 for Homeless Services (DHS)

Department of Health and Mental Hygiene (DOHMH)

Asks:

- **Increase DHS and DOHMH funding to maintain and expand existing programs.**
- **Provide funding for additional shelter facilities to allow for the downsizing of the West 25th Street BRC site so as to alleviate community conflicts.**

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. The BRC facility on West 25th Street is a prime example where too large of a facility becomes a hardship for a community. The negative impact to businesses and residents of the surrounding area has been well documented by our Board. Multiple facilities with a smaller capacity will help to provide the balance our community needs.

MCD4 is 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.

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.

Furthermore, we encourage the Department of Health and Mental Hygiene to improve service delivery through additional funding. 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 of Sanitation (DSNY)

Ask:

- **Funding to provide two additional DSNY basket trucks.**

MCD4 is one of the fastest growing areas of the city. We have significant new developments in West Chelsea and Clinton and are gaining a whole new neighborhood in the Hudson Yards. In addition to the increased residential uses within MCD4 we are seeing significant increases in foot traffic from people visiting the Theatre District, the High Line, our great restaurants and nightlife, and other recreational activities.

Given this growth, special attention must be paid to ensure that we maintain the character of our community. Trash Cans overflowing in the street have become a recurring problem in our community. The overflowing cans are a blight on the community, cause rats infestation and trash to blow across our streets and sidewalks. We understand that DSNY is limited in their abilities to make collections by the amount of trash pick-up vehicles they have. MCD4 is underserved by having only two DSNY trash pickup trucks, while entire avenues get populated. MCD4 requests that DSNY include two additional pickup trucks in their FY16 budget, bringing the total amount of trucks for MCD4 to four.

Department of Environmental Protection (DEP)

Asks:

- **Provide funding to conduct storm surge mitigation studies.**
- **Expand permeable surface and sidewalk swale pilot program to include MCD4**

- **Provide funding to conduct air pollution studies.**

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 multiple occurrences are possible within the next 100 years. In fact, with Super Storm Sandy our district experienced enough damage to recognize the urgent need to put in place storm surge mitigation measures as more of these types of storms are bound to hit our city. 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. MCD4 includes all six of New York City’s Flood zones, however MCB4 is especially concerned about the Southern and Western areas of MCD4 that lie within New York City’s Flood Zone’s 1 & 2 and the entrances to the Lincoln & Amtrak tunnels.

Although MCB4 lauds DEP’s NYC Green Infrastructure Program we ask that DEP and agency partners, including the Federal government design, construct and maintain a variety of sustainable green infrastructure practices within MCD4. A portion of the FY 2016 budget should be earmarked to conduct a feasibility study of measures that can limit the damage of storm surges including flood gates. It has been estimated that the cost to design and construct flood gates at Verrazano Narrows, Arthur Kill and Throgs Neck is approximately \$10 billion.

The combined sewage system of New York City poses a threat to our waterways during flooding events like that of Super Storm Sandy. MCB4 borders the Hudson River which is still recovering from the heavy pollution of the not so distant past. The New York City Council passed a bill in 2014 to begin a pilot program of using permeable sidewalk surfaces to reduce runoff from entering our combined sewage system. MCB4 would like to extend that pilot program to our district which as mentioned includes Flood Zones 1 & 2 in some of our neighborhoods. In addition to this measure sidewalk swales which are used in other parts of the city should be installed within our district. The pedestrian islands that were installed to accommodate the separated bike lines along Eighth, and Nine Avenues would be optimal locations for sidewalk swales.

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.

New York Police Department (NYPD)

Asks:

- **Remapping of Precincts within MCD4**
- **Additional funding for an increase of traffic officers and Collision Investigation Squad personnel**

- **500 additional traffic cameras**

With the development of the Hudson Yards district underway, the addition of tens of thousands of residents, the installation of new tourist destinations (Whitney museum, High line, Hudson Boulevard and Park) and new commuter flows (#7 subway) our current precincts are stretched to the limit. It is time to regroup all of MCB4 within a single precinct that incorporate all the new territory and activities that are being developed. These combined with the exponential influx of residents, commuters and businesses 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 1 or at most 2 precincts

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..

- There needs to be more night resources, sound measurement devices and trained officers at the precincts to address the many noise complaints due to bars and clubs and now construction activity.

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 traffic enforcement personnel be hired and assigned specifically to enforce the laws and issue gridlock summonses, truck violations, idling, noise, wrong way bicycling, bicycling on the sidewalk 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 the DOT 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.

- MCB4 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.

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 and 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.

Department of Transportation (DOT)

Asks:

- **Provide funding for improved mass transit**
- **Provide funding for Street and Plaza Reconstruction**
- **Provide funding for improved ADA compliance**
- **Provide funding for Safer Routes to School and Safer Routes for Seniors**

MCB4 is home to one the busiest commuter hubs in the United States with the Port Authority Bus Terminal, Pennsylvania Station and the entrance to the Lincoln Tunnel all within our borders or immediately adjacent. Due to the massive commuter, tourist and residential traffic in our district, MCD4 has very unique and specific requirements that need to be considered in the FY 2016 budget. The areas of concentration are as follows:

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 support the DOT's proposal to make Eleventh Avenue one-way southbound from West 57th Street to West 44th Street to ensure the reliability of the new bus route to be implemented on Eleventh and Twelfth Avenues.
- We request DOT expand the bus lane on 9th Avenue to increase the reliability and consistency of its service.
- We request the city dedicate \$ 2 million to complete the work of the #7 Train Extension Study Group to extend the #7 train to Frank R. Lautenberg Station (FRL Station) in Secaucus. This proposal includes two elements of particular importance to CB4 - building a minimum 60 bay bus facility just south of (and integrated into) the existing

FRL Station to accommodate a commuter bus terminus at the proposed #7 train stop rather than Manhattan, and the building of the #7 train subway stop at 10th Avenue and West 41st Street, a long time priority of CB4. It also allows for the building of a garage to accommodate additional off-street parking sites for tourist and commuter buses and vans. The parking and standing of these vehicles on our residential streets from West 50th to West 55th Streets between Ninth and Eleventh Avenues, and around Port Authority and Penn Station, causes serious delays in MTA bus service.

- A comprehensive plan for off-street parking for buses, van services, and waiting "black cars" should be devised - and intelligent parking technology deployed - to reduce the miles travelled and the collision risks while searching for parking space. The plan should also accommodate the long distance bus operations that currently operate in the street. A plan for commuter vans must still be

Street Reconstruction and Plaza - MCB4 requests that sidewalks be enlarged on Eighth Avenue between West 42nd and West 43rd 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. 34th, 35th, 36th, 40th, 41st and 42nd Streets and reduce the radius of W. 35th 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, poor 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.

- Increase the funding related to maintenance and installation of ADA compliant ramps at two pedestrian crossings between West 34th and West 42nd Streets. Many pedestrian ramps to cross the streets are unusable because of damaged interface with the street, and most of them do not include the required 12 inches wide detectable warning strip. At West 48th Street and Eighth Avenue the ramp is missing. Very few of them include Accessible Pedestrian Signals. DOT should establish a maintenance program similar to the street resurfacing program to keep these facilities up to code.
- We request funding to restore the ramp t West 48th Street and Eighth Avenue.
- We request funding to expand the installation of Pedestrian Signals.
- We request funding for DOT to establish a maintenance program similar to the street resurfacing program to keep pedestrian ramp facilities up to code

Funding for Vision Zero Initiatives- We applaud the fact that the Mayor has made the safety NYC streets a focus of his administration, and request an increase in funding to support this initiative.

- We request the city triple the funding dedicated to the signals and study divisions in order to achieve Vision Zero in 10 years and not 100 years (at the current rate of spending). The Mayor's Vision Zero Plan, has identified many intersections as being dangerous. There needs to be a significant increase in funding to tackle those intersections in a systematic way.
 - We request that specific funds be reserved for design modifications at W. 42nd Street at Eighth and Ninth Avenues, which are the two most dangerous intersections in New York.
 - We request that specific funds be reserved for design modifications at West 57th at 10th, 9th and 8th avenues, as well as 14th Street at 6th avenue; intersections which have been identified as dangerous intersections through the Manhattan Vision Zero Plan.
 - We request that specific funds be reserved for the for the installation of a Barne's dances at the intersections in the 8th Avenue Port Authority Bus Terminal Corridor, including 40th Street and 8th Avenue, 41 Street and 8th Avenue, and 42nd Street and 8th Avenue.
- 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, as well as installation of split phases along the bicycle lanes,
- We support and encourage the speedy implementation of the contra bus lane on Dyer Avenue from West 42nd to West 41st Streets should be completed to make the intersection of Ninth Avenue and West 42nd Street less dangerous and congested.

Department of Education (DOE)

Ask:

- **Provide funding for an education needs assessment**

While we applaud the commencement of Universal Pre-K MCB4 would like to ensure the FY 2016 Budget allocates the appropriate funds 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.

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.

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. MD4 is one of the fastest growing districts in the City and with the increased development including that of Hudson Yards, the number of school age children will skyrocket.

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 is essential. There 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. A process is needed 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.

The Department of Education and the Department of City Planning 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] than in Manhattan [.22]. Calculations must be based on the most recently available data to update the borough formulas.

Fire Department of New York (FDNY)

Ask:

- **Provide funding for relocating the 23rd Street EMS station**

MCB4 specifically requests immediate funding for a relocation of the EMS station that is temporarily located on W. 23rd 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 is appropriately situated in an area that does not disturb residents and is not hindered by heavily congested streets. The current temporary location was never designed for the heavy use the EMS is placing on this site. The current small, cramped location adjacent to residential buildings has resulted in noise and exhaust pollution. The site is unsafe for both FDNY personnel and nearby residents and pedestrians. There is an inadequate communication infrastructure—(one working telephone line). Our community strongly urges funding for a relocation study so a fully equipped and well-designed EMS site can be found immediately.

Department of Parks and Recreation (DPR)

Asks:

- **Funding to upgrade the Chelsea Recreation Center**
- **Funding to complete Hudson Boulevard Park**
- **Funding for the staircases at DeWitt Clinton Park**
- **Funding for Hudson River Park**

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.

Hudson Boulevard Park – As part of the agreement of the Western Railyards rezoning our district was promised a six block long park. Funding has been secured for the first three blocks and construction has commenced. MCB4 would like to see additional funds allocated from the FY 2016 budget towards the completion of the fully envisioned park.

DeWitt Clinton Park- Funding to replace the staircases leading to the Park from Twelfth Avenue would allow for better access to this wonderful 5.83 acre green space within our district.

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 36th Street
- Completion of the long planned amenities in the eastern portion of Chelsea Waterside including a Comfort Station
- Completion of the esplanade and park from about W. 28th 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.

MCB4 also has concerns around the possible sale of air rights by HRPT because many of the identified potential landing sites fall within our district. It is imperative that the City and State work with HRPT to ensure pricing of any sale of air rights falls within the range of market rates and that any subsequent development will include affordable housing and be in scale with the existing neighborhood.

Landmarks Preservation Commission (LPC)

Ask:

- **Increase LPC budget to provide adequate staffing to address the current backlog.**

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. The backlog has put many historic sites at risk with the recent de-calendaring of multiple sites including several within our district. The demolition of the Frank Lloyd Wright Park Avenue Auto Showroom in 2013 is a prime example of how the lack of funding for LPC puts New York City's history at risk.

Department of Cultural Affairs (DCA)

Ask:

- **Funding to preserve and create affordable spaces for small creative spaces**

Theater and artists are a major attraction and economic engine in New York City. The majority of New York City small-to-mid-sized performing arts groups have their offices and creative spaces in Community District 4. According to a study conducted by Innovative Theater Foundation and Columbia University in the Fall of 2008, close to 30% of performance spaces have closed within CD4 in the last eight years due to development pressures we believe originate from the Hudson Yards and Chelsea rezoning -- as these changes have a direct impact on the value of real estate. The creation of a subsidy program, as part of the overall budget of the Department of Cultural Affairs, that could ensure permanent locations for existing and displaced nonprofit arts entities is an ongoing need and a high priority for this community.

Therefore we request increase funding for preservation and creation of affordable space for small to mid-sized theatrical and other non-profit performance and visual art organization as well as their support services such as artists' studios, rental storage space for art, costumes, scenery, lighting, and rehearsal studios.

Department of City Planning (DCP)

Ask:

- **Provide funding to conduct a study of publically accessible Community Facilities.**

Regarding community facility space, MCB4 *strongly* recommends that in conjunction with the Department of Buildings, 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 COO of every building located within MCD4. This database could contain information such as:

- Location of Community Facility space the physical dimensions and layout of said space, including all exits and entrances and HVAC information, if installed.
- How is the space utilized and by whom
- length of current lease in place for said space and contact information for owner/landlord or managing agent;

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

Community Boards

Asks:

- **Provide Community Board with additional funding for staffing, technology upgrades and to access outside resources.**

Although Community Boards are comprised of 50 volunteers that either work or live within the District, the work that is done could not be accomplished with the support of the District Office. The District Office is the lifeblood of a Community Board by providing the resources required by the volunteers to best represent the voice of the community. We would argue the a Community Board is as vital a “City Agency” as any and to that we are deeply concerned that Community Boards have not received an inflator to the OTPS budget since 1990, twenty-four-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. In addition, Community Boards are expected to take the lead when planning for their community, funds are needed to pay for outside planning consultants and software such as GiS and Adobe, and Sketch up.

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.

III. Public Hearing

The Board held a Public Hearing at its April 1, 2015 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,

A handwritten signature in blue ink, appearing to read "Christine Berthet".

Christine Berthet
Chair
Manhattan Community Board 4