MANHATTAN COMMUNITY BOARD NO. 4

Response to Mayor's Preliminary Budget

Fiscal Year 2014
(July 1, 2013 – June 30, 2014)

DRAFT

COREY JOHNSON
Chair

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

RAUL LARIOS and BURT LAZARIN
Co-Chairs, Budget Task Force

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CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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

COREY JOHNSON
Chair

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

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

Re: Statement on the Preliminary Budget, Fiscal Year (FY) 2014

Dear Mayor Bloomberg:

Manhattan Community Board Four (hereafter "MCD4") is grateful for the opportunity to review your $70.1 billion Preliminary Budget for FY 2014. 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 a better 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 eviction.

Given these priorities, MCD4 is extremely pleased that there are no additional budget cuts above those already announced in November PEG or taxes contemplated in a balanced 2014 Preliminary Budget. As recently as November 2011, the City was anticipating a $2 billion deficit which would have resulted in deep cuts throughout various City Agencies, including Education, Health, Homeless Services, Transportation, Police and Fire. We are therefore pleased that the estimated shortfall has been closed thanks to (among other things) higher-than-expected tax revenues and the projected revenue from the sale of 2,000 new taxi medallions (now estimated at garner $600 million in revenue and not the previously budgeted $790 million), and lower-than-expected pension and health care costs. We are especially pleased with the announcement that no teachers, police or fire department employees will be laid off with this Budget. Although we are mindful of the possible damage to that could be done the FY13 and FY14 budgets as it relates to services, health care and education if nothing is done to mitigate the sequestration cuts at the federal level.

However, a closer inspection of the Budget reveals two major areas of concern, which we summarize in the following sections:

A. First and foremost is the proposed 6% cut to Community Board budgets. In November 2012, all Community Boards were asked to identify 6% in savings (cuts). Of MCD4's total budget, this equals $15,339, and is included in the proposed FY 2014

Preliminary Budget. These cuts are based on a total budget that now includes our office rent.

Although these numbers may seem minimal, they only appear so because our budgets are so meager to start with. Community Boards are a highly utilized City agency and represent the first level of municipal government. As you know, each of the 59 Community Boards consists of 50 non-salaried volunteers and a small (2-4 people) paid staff. Thus, the operating budget is probably the best value in the City, especially since Community Boards have the smallest budget in the City.

By law Community Boards are required to review and make recommendations related to land use (zoning, franchises, etc.), licensing (street cafes, liquor licenses, etc.), transportation planning, waterfront uses, and so on. They are the vital organs of information, recommendation, and action on many issues that have serious repercussions on the vitality of a neighborhood. As Jane Jacobs wrote in The Death and Life of Great American Cities, "Citizens of big cities need fulcrum points where they can apply their pressures, and make their wills and their knowledge known and respected". The City Charter understood this and created Community Boards to fill this need. But it is one thing to have the necessary apparatus; it is another entirely for it to be sufficiently funded to operate effectively.

In addition, Section 2800-d of the City Charter defines an extensive range of responsibilities for Community Boards:

- Address the welfare of the District,
- Communicate with the people of the District,
- Participate in the Budget Process and the Capital Program,
- Plan to meet the needs of the District,
- Monitor and evaluate the delivery of services, and
- Conduct Community Board business.
-

The only way to meet these responsibilities – notice the use of verbs in the list – is through the work of office staff and meetings of the Full Board, Board Committee(s), and District Service Cabinet. Organization of public meetings requires nearly constant community communication (through mailings, postings, and e-mails) enabled by experienced staff and reliable office budgets. Due to their behemoth size, large City agencies would be incapable of duplicating these local constituent services.

The proposed cuts seriously limit the ability to hire and retain experienced professionals capable of accurately assessing zoning, liquor administrative regulations and other issues handled by Community Boards. In addition, a couple of years ago, there were cuts in management benefits and health care that eliminated the strongest enticement we had when hiring – a good health plan. These cuts when applied to other than personnel services (OTPS) would make it almost impossible to maintain an efficient and reasonably up to date office and still find ways to keep the community informed, as required by law.

We would also highlight that Community Boards have not received an inflator to the OTPS budget since 1990, twenty-two-years-ago. 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.

Community Boards cannot function with fewer resources. Please reconsider any attempts to reduce an already diminutive agency budget.

B. The other major area of concern we have with the Preliminary Budget is the continuous use of multiple one-time, stop-gap, non-recurring measures to get it balanced. The continued transfer of the City's surplus funds, this year $1.3 billion, in order to balance the Preliminary Budget raises questions. What about next year, and the year after that? These one-time, non-recurring strategies are especially distressing in light of the deficit projections of at least $3 billion in each of the next three fiscal years!

We therefore encourage the Administration to really focus on structural reductions in costs as well as permanent revenue-enhancing strategies. The combination of both would not only have an immediate first-year impact, but would also put the City on a more sustainable financial path every year thereafter.

I. Structural Reductions in Costs

1. *Pay-As-You-Throw (estimated annual structural cost reductions of $262 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 6,000 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 $76 a year for waste disposal in order to cover the cost of waste export, achieving a net savings of $262 million. A 14 percent reduction in waste would bring the average cost per household down to $66 and a 20 percent reduction would further lower the average cost to $61 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 $84 million.

2. *Replace 500 NYPD Police Officer Positions with Less Costly Civilian Personnel (Savings: $16.5 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 September 2010 there were 621 fully capable police officers (personnel not restricted to light duty) performing such "civilianizable" functions.

Moreover, the city's 2013 Preliminary Budget calls for full-time civilian (NYPD staff who are not police officers) staffing within the department to continue to shrink to about 14,100 by the end of next fiscal year (June 2013), a decline of about 900 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 $16.5 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 $970 million)* – 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 MTAowned 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 $660 million for the East River bridges and $250 million for the Harlem River bridges, for a total of $910 million. 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 $410 million.

2. *Restore the Commuter Tax (estimated annual revenues of $735 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 $814 million in 2013.

3. *Personal Income Tax Increase for High-Income Residents (estimated annual revenues of $450 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 2013, PIT revenue would increase by $448 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. Assuming $1 per passenger, this could generate up to $ 1.3 million in parking fees[1]. We also propose that the Mayor expand his initiative to reduce use of city placard. Estimates for the increased revenue from reducing the number of placards issued range up to $360 million in annual revenue.

[1] 3 @ $3 per hour, 8 hours a day, 5 days a week, 50 weeks a year

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. This represents approximately $ 8.2 million in potential revenues per year. [2]

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 .

[2] 4 @ $1 per person, 50 persons a bus, 450 arrival and departures, 365 days in a year

III. REACTION BY CITY AGENCY:

Administration for Children's Services

We are concerned that this agency's budget is getting cut again (8.1% in FY13; 5.4% in FY14), meaning that less money will be available for the caseload reduction initiative to child advocacy centers. We are also concerned about the continued vulnerability of day care slots and the elimination of school-age child care in our district. In addition, with regard to child welfare, we believe there is need for much improved coordination with local service providers regarding the needs of children and families who are or may be at risk. Furthermore, our district continues to be concerned about the welfare of older youths, and those youths who go without services as they age out of the foster care system, or LGBT teens who neither live at home nor are in foster care.

Department for the Aging

MCD4 is worried that core funding for senior programs have been disastrously neglected for many years, and this year's proposal takes no steps towards addressing those years of neglect. In addition, we are seriously concerned that a number of senior programs that were restored or enhanced in prior year budgets are not included in the FY 2014 proposal: Naturally Occurring Retirement Communities (NORCS), Meals on Wheels, weekend meals, Rent for Senior Centers, City Council Discretionary funding and Borough President Department for the Aging funding.

There is an urgent need to stabilize and enhance funding for service models designed to address the needs and desires of seniors to age-in with dignity and security in their own homes. 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

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

Despite the 6.8% proposed budget cut in FY13, the Department of Health and Mental Hygiene should reallocate internal funding for more education, outreach, prevention and treatment programs to address mental health. 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

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.

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

Department for Housing Preservation and Development

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

The overall goals and specific targets we articulated in the last 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. This logic would apply to New HOP, the Brownfield Program, and the development of government-owned sites.

These additional units should be mixed income housing that is available to people with the range of incomes detailed below:

- 20% of the units should be available to people with incomes up to a maximum of 80% of the Area Median Income (AMI);
- 50% of the units should be available to people with incomes up to a maximum of 125% of AMI; and
- 30% of the units should be available to people with incomes up to a maximum of 165% of AMI.

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

In addition to our concerns about new affordable housing 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.

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 FY14. 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

MCD4 is very concerned that proposed funding cutbacks for the NYC Department of Cultural Affairs (DCA) will dramatically reduce program support that this vital City organization provided to hundreds of performing and visual arts organizations throughout the City in FY2012. While MCD4 acknowledges the severe budget considerations facing the City, and considering the overall breadth of other funding cut-backs already documented in State (NYSCA), corporate and individual sources, MCD4 has a significant interest in advocating for equitable and consistent public funding of small to mid-sized non-profit performing arts companies, visual art businesses and other cultural organizations which reside within our community and contribute greatly to the District's character and commerce.

Specifically, last year's DCA budget of $155.6 million dollars is now being proposed to be reduced to $88.5 million dollars for a 40% reduction in funding. Even more devastating, the

"program category", in which hundreds of vital and valuable NYC non-profits arts organizations receive significant portions of their annual funding, is being reduced from $37.4 to $15.6 million, a $14.2 million, which equals a 60% reduction in funding -- far more than any other City agency!!

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. However, in 2008, New York Innovative Theatre Foundation (now "Innovative Theatre Foundation") released a widely publicized study (featured in The New York Times) that evaluated trends regarding the loss of performance venues in the city of New York.

The study found that in the confines of MCD4, twenty-six percent (26%) of all small to mid-sized performance space inventories have been lost over the past five years. That trend has only accelerated in the past four plus years.

In particular, 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.

An increase in the overall budget of the Department of Cultural Affairs with a subsidy program that could ensure permanent locations and/or support for existing and displaced nonprofit arts entities is an ongoing need for this community. MCD4's Theater Task Force led a successful all-Manhattan Community Board effort in 2010 by proposing an innovative tax abatement proposal to support those small to mid-sized non-profit performing arts organizations, throughout New York City, that offer professional and reasonably priced performance space to the hundreds of performing arts organizations that do not have access to permanent performance space of their own. All 12 Manhattan Community Boards voted overwhelmingly in support of this resolution. In addition, MMCD4's Theater Task Force has successfully help formed a coalition of the major performing arts advocacy organizations in the City, including A.R.T./New York, Innovative Theater Foundation, Institute for Culture in the Service of Community Sustainability and The League of Independent Theater, in support of this property tax relief initiative.

Manhattan Community Board 4 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.

MCD4 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 FY2014 Budget.

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. That's why the proposed 3.1% cut in toto is so worrisome to our community.

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 recent rezonings of West Chelsea and the Hudson Yards.

Further Education Needs

Schools - It is the Board's responsibility to protect and support quality public education for all students. Our Board's work includes engagement and information sharing to community members and education stakeholders when there are any significant proposed changes to schools. The Board will work with the Department of Education (DOE) to help alert the community in any way possible to ensure that decisions are made on behalf of our district's students with full community participation and involvement.

The Board welcomes diverse methods and structures of learning and knows that co-locations (placing multiple schools in individual buildings) can be successful when applying proper parental and community feedback into its assessments. When the Board considers co-locations, expansions or the re-location of schools, we will prioritize community needs and consider the affected institutions while maintaining high quality programming.

The Board is committed to working closely with the CEC's, Stakeholders and local elected officials, believing that all must be taken into account throughout the decision making process.
In recent years, there has been a tremendous amount of development of new residences within CD4; this inevitably leads to many new residents. Plus, there are plans for further development of residences; especially in the West Side Rail Yards. However, there have been no new schools built or opened in a district that already has a shortage of space. We need better planning to address this need.

P.S. 51 in Hell's Kitchen has been operating at over capacity for years now. Construction is underway to expand the school but by the time the school is built it will be operating at over capacity again. The area needs a new school and needs one built that will meet its future needs at the time it opens, not for what is the present need.

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.

Department of Education (DOE) Transparency with the Community - MCB4 wants DOE to be more communicative with District 2 (within MCD4) as parents whose children's lives (and quality of education) will be affected by changes in policy. Changes in policy can range from (but is not limited to) the number of pupil in a classroom, resources availability for teachers and the principal to placing multiple schools in individual buildings (co-locations), as recently been made to P.S. 11.

The Board thinks that access to a great free public education is every child's right. We support excellent quality education where children are challenged and love to learn. Parents' support and involvement betters the quality of education afforded to students.

The Board will work with DOE to alert the community to ensure that decisions made on behalf of our district's students are made with full community participation and involvement. The Board is committed to working closely with CECs, stakeholders and local elected officials. Our Board's work includes engagement and information sharing to community members and education stakeholders when there are significant proposed changed to schools.

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 43rd 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

Terribly distressing to our community is the fact that the Preliminary Budget is targeting our low-income children by seeking to cut 16,000 day-care seats and thousands of after-school slots, impacting over 40,000 kids. The total savings is only $150 million, which seems minor compared to a 2014 Education budget of $25 billion. It is well documented that day care and after-school programs are critical in the positive development of children. In addition, we believe that this proposed budget cut will disproportionately impact single working mothers who may have to quit their jobs to care for their children, thereby becoming an additional burden to the City. There is nothing to gain and a lot to lose by implementing this misguided budget cut.

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.

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. 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 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.

MCD4 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 in last year's 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 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.

Capital investments for the Police Department are needed - 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.

Increased Funding and Responsibilities of Highway Patrol District - 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.

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 would be nice as well.

Since Muhlenberg is the only branch that serves Chelsea, we were dismayed with OMB's response that "City-funded Capital appropriations are required to initiate this project." That's why we put in our Capital Budget request to begin with. It was the Library that approached us, so we respectfully request that OMB re-consider.

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. We strongly urge the City to maintain funding so our libraries remain open on Saturdays for those residents who are unable to use them during the week.

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.

Community Facility Usage Data Base

Regarding community facility space, CB4 *strongly* recommends that in conjunction with the Department of City Planning and 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:

- 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.

Visual Arts

Manhattan's West Side has been called "the epicenter of the New York art scene". With approximately 400 art galleries, the Rubin Museum of Art, the Chelsea Art Museum, and the planned expansion of the Whitney Museum of American Art, all in CD4, the importance of visual art to the community's vitality and viability cannot be overstated. At the same time, challenges continue to face art institutions, art businesses, art not-for-profits, and artists.

The Board recommends increased involvement of NYC Economic Development Corporation (NYCEDC) in art affairs relating to art businesses and artists, as an acknowledgement that art-based businesses generate millions of dollars in tax revenue to the city, while simultaneously enhancing the cultural legacy of New York City as a global art capital. The Board further recommends continuing cooperation with the High Line for permanent and temporary public art projects, and exploring innovative cooperation between landlords and building owners in the district to promote pop-up galleries and outdoor artwork, rather than maintaining lifeless, vacant space; and advertising on exterior walls.

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 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. As much of MCD4 lies within the 100 Year Flood Plain, we request that the City petition Congress to appropriate necessary funds to enable the Army Corps of Engineers to begin studying the feasibility of installing sea gates and barriers for protection from the sea.

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

A major thrust for MCD4 in FY 2014 will be to continue to secure additional funding for upgrades in DeWitt Clinton Park. The DeWitt Clinton Park Conservancy has been working with elected and park officials to identify park needs and has helped to secure funding for ball field renovation and other improvements. However, additional funding will be needed to complete further upgrades, including repairs to the historic staircases at the west end and other upgrades.

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 a green street be constructed at W. 36th Street between Dyer and Ninth Avenues. The administration had committed to Speaker Quinn as part of the Hudson Yards rezoning follow up actions (WRY negotiations) that the project would be completed in 2010.

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
- 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.

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 encourage DOT to expand those that have been successful and create new initiatives.

Street Reconstruction and Plaza - MCB4) requests that the construction of a green street/ plaza at W. 36th Street between Dyer and Ninth Avenues and the creation of a pedestrian crossing be included in the capital budget. The administration had committed to Speaker Quinn as part of the Hudson Yards rezoning follow up actions (WRY negotiations) that the project would be completed in 2010. However, the project has not been completed or included in the budget. We also request that sidewalks be enlarged on Eighth Avenue between W. 42nd and W. 44th Streets to accommodate the ever increasing volume of pedestrians.

ADA Compliance - MCD4 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 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 and Ramp C at Ninth 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. 42nd 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.

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 March 6, 2012 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,

Corey Johnson
Chair, Manhattan Community Board Four