



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.ManhattanCB4.org

J. LEE COMPTON
Chair

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

March 13, 2007

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

Re: Statement on the Preliminary Budget, Fiscal Year 2008

Dear Mayor Bloomberg:

Thank you for the opportunity to review your Preliminary Budget for Fiscal Year 2007. Manhattan Community Board Four examined the budget carefully and while we find areas of agreement, we view others with concern.

The Board's detailed agency comments follow.

Department of Youth and Community Development

The combined neighborhood of Chelsea/Clinton is home to more than 8,817 children under 18 years of age¹, 11.2% of whom receive public assistance² and 14% of whom live under the poverty line³. Given that basic living conditions have a significant impact on a young person's ability to learn and thrive, it is worth noting that 12% of the housing stock is fair to poor⁴ and many children are without health insurance⁵. In our district, which had 245 reports of abuse in 2004⁶ and neglect per year and about 54 felony arrests of youth under 16 years of age and 315 for ages 16-20⁷, both subsidized child care and general youth services have long been under-funded; this has only been compounded by the recent reorganization and reduced funding of after school care and youth services. There are extremely limited resources for safe recreational, cultural, and educational activities for youth of all ages. In particular, we urge the Administration to encourage more youth-friendly mental health access programs.

¹ Claritas

² NYC Human Resources Administration's District Resource Statement

³ US Census American Community Survey

⁴ NYC Housing Vacancy Survey

⁵ Individual percentages for this data are not available for each Community District. However, the estimated rate for uninsured children in all of New York City is 5% (2002). Based on this Citywide percentage, the estimated number of uninsured children in Manhattan CD 4 was 420 in 2002. This data is from a study by the Urban Institute.

⁶ NYC Administration for Children's Services

⁷ This is from the NYPD. Please keep in mind that these estimates are a bit rough since this data is reported by police precincts and CD4 in Manhattan overlaps a number of police precincts.

It is important to be cognizant of the fact that as evidenced by the data noted above, despite what large scale aggregate statistics might suggest this is a district with a large low-income population, concentrated in several local public housing developments with several severely underperforming schools, and significant social needs.

In neighborhoods such as ours, which include many low-income working families, quality, publicly-funded day care - including school-age child care - is a primary concern. The Board urges the City to take steps to restore the core youth services infrastructure for this district.

We are pleased to see that the Preliminary Budget shows an investment of over \$70 million in additional tax levy for child care and out-of-school time programs. Plus, it wisely calls for the State to increase funding statewide by \$75 million, which would allow NYC to receive approximately \$50 million in FY 2008.

We are also pleased to see that an agreement has already been reached with the City Council to baseline \$10 million for family child care, so that 1500 children already in programs will have uninterrupted care. Nevertheless, we think there are significant risks still since there was no funding for City Council Discretionary Funds (which funds over 1000 community based youth organizations), Homeless Youth Shelter Prevention, Cultural After-School Adventure, After-Three Program by TASC, or Beacon Program Expansion. In addition, the proposal sadly fails again (as last year's budget did) to provide funding for Shelter Beds for at Risk LGBT youth.

With regard to other youth needs, we urge that housing for homeless and run-away youth be maintained and expanded, and that alternative to violence and creative justice programs, as well as job training and placement programs be maintained and expanded. CB4 is home or adjacent to two of the primary magnet areas – Port Authority and Times Square area—for homeless and runaway youths in the city.

The Department for the Aging

While we are pleased that funding for senior services, as reflected in the proposed budget, is overall relatively stable, we note with continued alarm that core funding for senior programs has been disastrously neglected for many years, and this years 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 last years budget are not included in the FY 2008 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, as best represented by the NORC initiative. We would also urge that funding to address the mental health needs of seniors be baselined 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.

Administration for Children's Services

Although we are pleased about the additional money available for Family Court Attorneys, the ACS Child Protective Staff as well as enhancements for technological supports (e.g., mobile phones, blackberries), and to serve children in foster care, we are very concerned that more money was not given to 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 a 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, or LGBT teens who neither live at home nor are in foster care.

Department of Homeless Services

Homelessness has long been and continues to be a major factor in our Board area. While we have productively welcomed numerous and varied homelessness-related services to our district, we are 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.

Currently, two of the twelve citywide drop-in centers for homeless individuals are located within CB4. We encourage the City to continue funding these centers, as well as to maintain and expand funding for effective outreach, to ensure that the comprehensive interventions that are needed can be provided. 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.

We are also very concerned about the soon-to-be-filled RFP for a provider to service the homeless community throughout the entire City. When this becomes a reality many service providers will lose city funding, some that operate within our area. The agency needs to give long thought on how best to phase out long term providers while the one new citywide provider begins its process of taking over operations.

Department of Social Services/Human Resources Administration

CB4 is pleased that funds to provide poverty relief were increased in the proposed budget. In particular, working poor families in New York City may soon find relief through the series of programs that offer tax credits to poor families to offset child care costs. Finally, given the rise of hunger in our community, we are thrilled to see funds directed to the new Food Today, Healthy Tomorrow program and the hiring of the new Food Policy Coordinator.

Department of Housing Preservation & Development

We agree with Mayor Bloomberg that “affordable housing is fundamental to our long-term economic prosperity” and 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 three 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.

HPD plays a leading role in preserving and expanding affordable housing in the Board 4 area. With the Hudson Yards and West Chelsea rezonings recently completed this is especially important, three new low income housing plans that have been submitted, reviewed, and commented on by Manhattan Community Board Four.

However, we are seriously concerned about the recently reported request from the State Housing Finance Agency that nine developers who were expecting state-authorized tax-exempt bonds to resubmit their applications with the understanding that they would receive far less financing than when they had first applied, perhaps only \$1.5 million in bonding for each affordable unit created.

This creates a serious obstacle to the fulfillment of the Mayor's affordable housing strategy and could cause serious problems for the final decisions made on lower income housing plans. For example, developers that go into such development will be even more likely to fight to keep inclusionary units separate from market rate units and or distributed less uniformly throughout the building.

We understand the need to use a good portion of this year's budget surplus to protect future budgets, especially since the budget surplus is primarily due to high Wall Street profits and is not something we can or should rely on from year to year when planning city budgets. However, we believe that some consideration of using part of the surplus in a creative way to continue the development of affordable housing is something well worth pursuing.

In addition to our concerns about the funding of new affordable housing, 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 development pressures increase. We must emphasize the importance of increasing HPD's code enforcement budget, and therefore its ability to inspect and enforce its regulations in CB4 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. 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.

We are disappointed about the proposed cuts to the Neighborhood Preservation Consultant Program and the Community Consultant Program at a time when new resources are needed in our community to preserve the existing affordable units.

New York City Housing Authority

Adequate funding is needed to assure that the quality of life for tenants living in New York City Housing Authority developments is maintained and improved. More personnel, funds and police intervention must be made available to address persistent security, drug dealing, gangs, graffiti, garbage storage and collection, and cleanliness problems.

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 "bed and breakfast" use. Private apartments and SROs are increasingly being used as "bed and breakfast" rooms, which both deprives the community of apartments that would otherwise be rented on a long term basis as affordable, and secondly, the nature of such short term use compromises the security and habitability for those living in the building.

Department of Health and Mental Hygiene

We are pleased to see that the Preliminary Budget provides expenditure increases for many necessary programs: Reproductive Health Outreach to High-School Age Adolescents, School Based health and Reproductive Health and Reproductive Health Centers, and Antimicrobial Resistance Surveillance and Response. However, CB4 is still greatly concerned about the continued growth of the use of crystal methamphetamine use as well as that of other non-traditional or boutique drugs In addition to other

health and mental health dangers, use of this drug has been associated with increased use of other illicit drugs and sexual practices which enhance chances of contracting HIV and other STD's.

The Department of Health and Mental Hygiene needs to increase funding for education, prevention and treatment programs to address this problem. As noted in the comments regarding the Department for the Aging, there is a need to baseline funding to meet the growing mental health needs of our older adult population.

New York Public Library

For the first time in a long time, funding for the New York Public Libraries (NYPL) has not been cut, which is good news for Manhattan Community Board 4; however, the NYPL is requesting \$17.9 million in additional funding for a 45 hour six day a week schedule in each branch in order to provide the best service for everyone.

Libraries are places for young children to learn the joy of reading, for students to receive assistance with homework, for immigrants to learn English, for adults to learn parenting skills, and for entrepreneurs to find information about starting small businesses. Therefore, we ask that the requested funding be found.

Department of Cultural Affairs

The Preliminary Budget's modest increase of \$600,000 to the City's Cultural Affairs program spending cannot begin to make up for the dramatic reduction in spending of the previous four fiscal years. Small cultural institutions, many of which are located in the Board 4 area, are struggling. They especially need to be adequately funded. The larger institutions, which also should be supported, have greater capabilities for raising private funds than the smaller institutions. Needless to say, inadequate funding will result in less accessibility to these resources, a decrease in services to school children, a loss of jobs, and a diminishment of the cultural vitality of the City.

However, we are greatly encouraged by the dramatic expansion of merit-based funding available through the Department of Cultural Affairs' Cultural Development Fund, which increased from \$3.8 million in FY2007 to \$30 million in FY2008. In addition, we applaud the decision to baseline the Cultural Institution Group (CIG) funding at \$115.3 million, which represented the FY07 baseline plus the \$14.2 million that the City Council has historically restored to the CIG budget. This plus the annual \$4.4 million New Needs Fund being baselined makes for a significant step forward when it comes to funding CIGs.

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.

The school system needs more money to address problems of overcrowded classrooms, school safety, special education and at-risk students. There is currently inadequate funding for:

- The hiring and retention of certified teachers to replace the thousands who will be retiring;

- 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;
- 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
- Art music and physical education courses

We are heartened by the outcome of the Campaign for Fiscal Equity lawsuit, and we agree with you that the State must drastically increase funding for City schools, but the City budget must also contain substantially more money for schools. 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.

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 in District Four.

The increasing number of nightclubs and bars in our District has placed extra demands on all three of our precincts, Midtown North, Midtown South and the Tenth, and especially on the Tenth Precinct. Added Counter-terrorism efforts have increased the workload for officers, especially at the Midtown North Precinct. 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.

CB4 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 officers be assigned specifically to 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 recently completed 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 intolerably beyond permitted time. Extra traffic enforcement personnel are needed to address these illegal, unhealthy, and dangerous 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 enforcement is also needed for the mostly senior community between 29th and 23rd Streets, and for West 15th and West 16th Streets. CB4 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 officer and agents to focus more on pedestrian safety.

Department of Transportation

The effective and safe transportation of people and goods remains an important priority of CB4. Our neighborhoods are the focus of major redevelopment plans won by this Administration and hosts to existing major regional transportation and logistics hubs as well. We emphasize the considerable opportunities these plans present for rethinking 50 year old traffic infrastructure and flows, for creating a better and healthier pedestrian environment and for improving the quality of life in our neighborhoods. We continue to urge an increase in enforcement rather than increases in parking permit administrators.

Capital Funds for Pedestrian/bicycle Safety Improvements: The high level of pedestrian injuries and fatalities in our district calls for addressing more aggressively some of the pressing basic infrastructure improvements necessary to keep our district safe, including the use of ADA compliant pedestrian ramps and signals; traffic-calming devices, such as neck downs, speed bumps and raised crosswalks; bicycle lanes; sidewalk widening; and other measures that will improve safety for pedestrians, transit-users, cyclists, and drivers. Crossing time for pedestrians and lead pedestrian intervals should be increased throughout the district. Specifically, we applaud the City's current program for traffic calming in front of some of our schools and request the program be expanded to other schools as well as senior centers. We applaud as well the dedicated turning lanes and turning signals installed as part of the City's thru-street plan and request that such turning lanes and signals be installed all along Ninth Avenue on both avenue and streets. We recommend that all street resurfacing include such improvements to pedestrian safety. The Board supports proposals to the federal government for needed funding.

Capital funds for charter, tourist and commuter bus parking garage: the high concentration of charter buses and the volume of small and medium commercial buses in the district contribute to poor air quality, which contributes to a death rate from chronic lung disease higher than New York City's average. Funds should be allocated to build a new charter bus garage. The Board supports proposals to the federal government (CMAQ funds for Traffic congestion measures) for needed funding.

Capital funds for mass transit: CB4 is delighted that Eleventh Avenue has been chosen as one of the test locations for an Express bus lane; however, changing Eleventh Avenue to one way downtown must be implemented to provide for enough capacity. Plus, we believe more funding needs to be assigned to create dedicated bus lanes on both Tenth and Ninth Avenues and to extend cross-town bus routes to Eleventh Avenue. Currently the traffic constraints on these avenues have made the bus alternative unviable. Indeed the inclusion of the Tenth Avenue station in the Number Seven extension is critical to contain the growth of automotive use by residents of the westernmost developments.

Expense funds for Sidewalk Maintenance and Enforcement: the inspection and enforcement of sidewalk usability is woefully inadequate. Recent changes regarding the way sidewalk-related liability is assigned have done little to speed up the repair of dangerously uneven, and in some cases, collapsing sidewalks. Funds must be dedicated to improving the coordination between DOT, DCA and DOB of a rigorous enforcement program of regulations that ensure safe, unobstructed pedestrian movement on our sidewalks. CB4 favors the hiring of sidewalk usability inspectors over the proposed hiring of five special parking permit employees. As funds are spent to rebuild sidewalks, neck downs and other traffic calming devices must be implemented as part of every sidewalk reconstruction program.

Funds for Sustainable Transportation Planning: Our two recent rezonings will bring many new residents and businesses to the CB4 area, which is already plagued by some of the worst automotive

congestion in New York City. CB4 has requested several planning studies in previous years, including one for making Eleventh Avenue one-way, that have yet to be undertaken. As development plans move forward, CB4 emphasizes the need for funds to integrate the various private studies underway in Chelsea, to complete the DOT truck study for Clinton- Hell's Kitchen. These studies should result in innovative initiatives for infrastructure and programming that will prioritize the use of mass transit and non-motorized transportation options for commuting and discretionary travel to and within the CB4 area, while at the same time discouraging and reducing private automotive travel through our district.

Department of Parks and Recreation

Manhattan Community Board Four is pleased to see an increase in baseline funding in the preliminary budget for vital services such as seasonal staffing, tree pruning, tree stump removal and Out of School Programming. The additional \$1 million for Parks Enforcement and \$1.5 million for 26 new full-time gardeners will also help to keep our parks safe and well maintained.

However, with costs for maintenance and renovation continuing to rise, New York City parks remain grossly under-funded receiving less funding per resident than Chicago, Seattle, San Francisco, and Washington D.C.

A major thrust for Community Board 4 in FY 08 will be to continue to secure 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 proposed repairs to the staircases and other upgrades. However, additional funding in FY08 will likely be needed to complete further upgrades in overall park design. CB4 will continue to advocate for a much needed pedestrian bridge over the West Side Highway to connect park users from DeWitt Clinton Park safely with the Hudson River Park.

As we have done the past several years, we continue to request that funds be allocated to complete a major renovation of the 59th Street Recreation Center, a project that has had full community support throughout several years of planning and study.

Chelsea Recreation Center is the most utilized public recreation center in New York City. Given its high level of use, the center continues to be in need of additional staffing for maintenance and activities. In addition, systematic maintenance of this center is a crucial issue in avoiding costly repairs and in keeping future costs low.

Hudson River Park

The completion of this vital park remains one of the CB4's highest priorities. The longer it takes for this park to be completed, the more costly it will be to build. Funding is still insufficient to complete the park as planned, including Pier 97 in the Clinton Cove section and portions of the Chelsea segment in particular. Only 30% of the park is complete; we urge the City, in conjunction with the State, to commit the additional \$120 million needed to complete the park.

In addition, 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 this pier can be developed as 50% parkland and 50% compatible commercial use. We urge the City to consider alternatives as soon as possible, including the possibility of privatizing tow pound operations among several existing garage facilities, so that Pier 76 can take its rightful place as part of Hudson River Park. We also ask that the

city seriously consider the proposal by Manhattan Community Board Four to explore the feasibility of using Pier 76 as a combined replacement for the existing MTS at Pier 99 as well as the proposed new MTS at Gansevoort, thus freeing up these two locations for park use and/or park-compatible uses, including water-dependent uses and increased water access. This proposal includes providing 100% of the footprint of Pier 76 as part at-grade park and part elevated park on the roof of the MTS.

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 of the city, among them West Chelsea and Clinton.

Department of Environmental Protection

We urge the City to include in the budget funds for studies to determine the effect of air pollution on the community around the Lincoln Tunnel traffic corridor. According to the Environmental Protection Agency, New York City and its suburbs are in violation of new air quality health standards. The EPA identifies the problem as dangerous microscopic soot from diesel engines in trucks and buses.

Because of the locations of the Chelsea and Clinton/Hell's Kitchen neighborhoods close to the Lincoln Tunnel and to the Port Authority Bus Terminal, this community likely suffers 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.

Thank you for your consideration of our comments.

Sincerely,



J. Lee Compton
Chair
Manhattan Community Board Four

cc: Scott Stringer, Manhattan Borough President
Christine Quinn, Councilmember
Gale Brewer, Councilmember
Mark Page, Director of OMB