

Testimony of Margery Perlmutter, Chair of the Board of Standards and Appeals

New York City Council Committee on Governmental Operations

February 25, 2019

Good morning, Chair Cabrera and Council Members of the Committee on Governmental Operations. I am Margery Perlmutter, Chair of the New York City Board of Standards and Appeals, and I am here to express our support of the legislative proposal to require notifications to community boards and property owners of the expirations of terms of variances and special permits granted by the Board. I would also like to update you on our implementation of legislation enacted in 2017 and bring attention to a concern about the resources necessary to implement this newly proposed legislation.

Let me start with a brief background on the Board of Standards and Appeals. Since 1916, the Board has worked to administer zoning, building, and housing regulations in a fair and just manner to protect the City's interest in safeguarding the general welfare while balancing private property interests. In this role, the Board has frequently been called a "relief valve"—a protector of the City's regulations from constitutional challenge and a guardian of the urban fabric.

Under Section 659 of the New York City Charter, the Board is an independent agency that consists of five full-time commissioners with select skill sets—including experience in architecture, urban planning, and engineering—supported by a staff of 19 employees. The Board's commissioners also reside in different boroughs, with no more than two commissioners residing in the same borough. This geographic diversity further imbues the Board's commissioners with a diversity of viewpoints beyond their professional qualifications. Using their technical expertise and independent judgment, each commissioner scrutinizes every land-use application with the utmost of care. Commissioners' review frequently involves analyzing intricate construction documents, financial statements, testimony from other government agencies, and site conditions gleaned through visits to the properties and neighborhoods at issue.

The Board's staff of 19 employees currently manages 103 years of archives and 566 pending applications. Since 1998, the Board has had approximately 14,000 applications filed—an average of about 700 applications per year over the past two decades. Under the direction of the Board's executive director and deputy director, these 700 applications are reviewed by four full-time project managers, one part-time project manager, and one environmental officer.

Once applications are deemed complete by a project manager, the Board's executive director schedules them for a public hearing in accordance with Section 661 of the City Charter. On the day before the public hearing, the Board holds a review session, which allows the Board's commissioners to discuss the merits of each application in a meeting open to the general public pursuant to Section 1060 of the City Charter. The following day, the Board holds a public hearing where applicants and their team of attorneys, engineers, and design professionals present proposals before the Board and any members of the public in attendance. Other stakeholders—including tenants, members of the community, other agencies, and elected officials—are also welcome to present additional information that the Board should consider before voting on an application. Many applications involve complex facts and circumstances that warrant continued hearings, so missing the first public hearing does not mean a stakeholder's chance to weigh in is lost.

Each year, the Board holds approximately 70 public hearings and review sessions and considers about 25 to 30 applications at each hearing. Both public hearings and review sessions are open to the general public in accordance with Section 663 of the City Charter as well as the New York State Open Meetings Law. In furtherance of the Board's commitment to transparency, all of the Board's public hearings and review sessions are recorded and posted publicly within one day through the Board's website on YouTube. Remote access to the Board's hearings also furthers community engagement by allowing stakeholders the opportunity to learn about applications and listen to the Board discussing the merits of each one.

After considering the record in its entirety and deliberating, the Board votes on the application. Under Section 663 of the City Charter, a majority of the Board must vote in the affirmative to grant an application; otherwise, the application is denied.

Every one of the Board's decisions is explained in writing in the form of a written resolution. These written resolutions, drafted by our staff of three attorneys, must be detailed and describe the reasons for the Board's decisions in accordance with Section 668 of the City Charter and Section 25-206 of the Administrative Code.

Decisions of the Board are then subject to judicial review pursuant to Section 25-207 of the Administrative Code and Article 78 of the Civil Practice Law and Rules. The Board's three attorneys support the City's Law Department, which represents the Board in litigation, in approximately 10 challenges per year.

Community boards are an invaluable participant throughout the Board's current application processes. For decades, community boards have enhanced neighborhood participation by allowing communities a strong voice in shaping important land-use decisions, and the Board's application processes reflect the significance of community boards' vital role.

Consistent with Section 668 of the City Charter, community boards receive copies of all of the Board's application materials—as well as follow-up submissions—because community boards provide a first-level, neighborhood-based review of applications. After they receive a copy of these application materials, community boards may then conduct a public hearing and submit a written recommendation to the Board, or they may opt not to do so. These community-level hearings provide an opportunity for concerned citizens to learn more about an applicant's initial proposal and express concerns that may then be incorporated into the community board's official recommendation to the Board. The Board fosters further community testimony by requiring that notice of our hearings be mailed to neighbors 20 days in advance of the first hearing and encouraging community participation in the hearing process. The Board's commissioners consider every concern expressed by the community and by community boards in accordance with Section 666 of the City Charter.

The input of community boards is invaluable. At each hearing, I read the community board's recommendation aloud, and the Board then ensures that the applicant addresses any concerns expressed by the community board. Frequently community boards also recommend specific

conditions, which are often incorporated into the project and then become part of the Board's approval and written resolution. This ensures that community boards continue to enhance neighborhood participation by allowing communities a strong voice in shaping important land-use decisions and is one way that the Board recognizes the significance of the community boards' role.

I would also note that, while many community boards provide their recommendations to the Board in written form, community boards are always welcome to attend the Board's public hearings and offer testimony and recommendations in person.

Furthermore, the Board appreciates community input, which can provide additional information about the history of a site and how the site has been doing. This allows the Board to address the community's concerns by requiring an applicant to be responsive. The Board often hears applications for renewals of special permits and variances for automotive uses. Commissioners visit these sites and may observe that the site under consideration is in terrible condition, with litter strewn about, cars crowding onto the sidewalks, fences collapsing, covered in graffiti, and paint peeling—in other words, an eyesore and a nuisance and in violation of the conditions of the Board's prior grant. Without community testimony, the Board would not know how long the site has been poorly maintained nor the community's efforts to bring it under control. Armed with this community-supplied information, the Board can require that the applicant clean up the site before entertaining any request for renewal of the term of a previous grant. The vast majority of applicants cooperate with the Board's directions, which allows the applicant to deliver back to the community a much improved and even attractive site that contributes to, rather than detracts from, a neighborhood. Through these open and productive communications with the Board, communities learn how seriously the Board takes their concerns and understands that applicants can be brought back before the Board with a compliance hearing should the site fall back into disarray.

Accordingly, for more than 100 years, the Board of Standards and Appeals has been serving New Yorkers by providing relief from regulations that affect the use and development of real property to ensure that sites will be used and developed safely and respectfully, and for decades community boards have played an integral role in the Board's decision-making process by providing invaluable recommendations and information about on-the-ground conditions.

Next, I would like to provide an update on the Board's implementation of recent legislation. In 2017, the City Council passed nine bills relating to the Board of Standards and Appeals and its operations, which were signed into law on May 30, 2017. These bills addressed concerns relating to the Board's transparency, consideration of community comments, and the veracity of applicants' submissions and testimony. The Board has since undertaken a number of initiatives to ensure implementation of these bills as well as measures of its own to further promote transparency and community engagement.

With respect to presentations before community boards, the Board has issued an administrative notice to ensure that applicants provide to the Board copies of presentation materials used before community boards. These materials may include handouts, photocopies of poster boards, and copies of slide-show presentations. Copies of these materials are due within 10 days of presentation.

Applicants must comply with the Board's requirements for proof of service. At every public hearing, videos of which are available through the Board's website, the Board begins by discussing compliance with the required proof of service and notice of hearing. If an applicant has failed to comply with these requirements, the Board postpones the hearing until they have been met.

With respect to mapping and open data, the Board has provided data to the City's Open Data portal in the form of a geocoded data set as well as a map of the Board's applications. This transparency measure allows the public to see information about applications filed and visualizes decisions the Board has made since 1998. Furthermore, the Board posts bi-annual reports on the number of variance and special-permit applications, decisions, and withdrawals to the front page of its website. It forwards copies of these reports to the City Council and makes copies available on request.

With respect to the Department of City Planning, the Board has added a tab to its website to ensure easy access to any City Planning testimony.

With respect to providing access to the advice of a state-certified general real estate appraiser, the Board has reached out to the Department of Citywide Administrative Services—which performs specified administrative functions for the Board under Section 829 of the City Charter—regarding contracting of outside consultants, and discussions are ongoing; however, this is an area where resources present a challenge. Additionally, I would note that one of the Board’s commissioners has strengths in real-property feasibility analysis.

With respect to the testimony and application materials provided by applicants, the Board now requires applicants, applicants’ representatives, and other fact witnesses to affirm their testimony under oath live at hearings. The Board also posted an administrative notice on its website about the Board’s expectations for the affirmation process, and the Board plans to update its rules to incorporate feedback on this and other administrative notices. The Board is also in the process of revising its application materials, which will include a more detailed certification form to ensure that applicants are made more aware of the consequences of providing false information to the Board. The Board continues to refer what it perceives as false statements made by applicants and their representatives to the Department of Investigation for appropriate enforcement. As to minimum required materials, the Board has issued an administrative notice about construction cost estimates to standardize expectations and provide consistency in the application process, and the Board has recently released updated guidelines for drawings, which will be effective March 1, 2019. The Board also instructs applicants as to best practices for minimum required materials by providing sample documents.

With respect to its written determinations, the Board has hired an additional attorney (bringing its legal staff to three) in order to enhance the responsiveness of the Board’s resolutions to community concerns. Drafting resolutions involves a review and summary of the entire administrative record—including notes taken while attending public hearings, hearing videos, and testimony from elected officials and members of the community to ensure accuracy and completeness of information.

Lastly, and most relevant to our discussion today, the existing legislation enacted in 2017 provides that the Board will ensure that, “[f]or any variance granted by the Board after December 31, 2013,

. . . for which [the] Board imposed a term, the Board shall notify . . . the owner of record of the subject property that the term of such variance will expire” under Section 25-209 of the Administrative Code.

As a preliminary matter, I would note that resources were not a concern with this expiration notice requirement enacted in 2017 because few variances granted since 2013 include a term that will expire. For instance, of 167 variances granted since December 31, 2013, the Board imposed a term on approximately three.

While the Board has taken steps toward providing notice of variance expirations, the Board does not expect this requirement to impose any significant burden on resources because, as I mentioned, the universe of variances granted since 2013 that are subject to a term that will expire is miniscule.

Thanks to these nine bills, the Board was also able to hire three additional staff members (an IT professional, a compliance officer, and an attorney), all of whom have been instrumental in the above implementation measures.

Lastly, now that I have provided some background on the Board and measures it has taken to implement recent legislation, I would like to touch on why I support this bill and would also like to bring attention to the resources necessary to implement broader notification requirements.

Expanding the recently enacted requirement from notifying property owners about variance expirations to notifying both property owners and community boards about the expiration of variances and special permits is a laudable idea. As I discussed earlier, increasing communication between community boards and the Board is a commendable goal because community boards are crucial to the Board’s decision-making process.

So I will address the resources that would be necessary to implement this legislation.

In contrast to the three or so variances that have been granted with terms since 2013, expanding expiration notices to special permit applications granted with terms since 2013 and requiring

notification of community boards as well as property owners would call for significantly more resources and at least one new staff member to implement.

Unlike the three variances granted with terms since 2013, the Board has granted 251 special permits with terms since then. (These 251 special permits have terms imposed by the Zoning Resolution and do not include any special permits with terms granted at the Board's discretion, but, like the three variances with terms, this number would be minimal.)

Almost all of these 251 special-permit applications—such as for gyms, drive-throughs, and eating and drinking establishments—allow uses that require continued vigilance to ensure that the Board's conditions and safeguards are observed. This is why expiration notices for community boards is a laudable goal: community boards provide invaluable insight into on-the-ground conditions in their neighborhoods.

However, at a rate of about 250 special permits with terms granted every five years, it would not take long for the number of notices to property owners and community boards to grow exponentially as new special permits are granted and others are renewed. Even special permits' terms vary. Some—like gyms—have maximum terms of 10 years under Section 73-36 of the Zoning Resolution. Others—like drive-throughs—have maximum terms of five years under Section 73-243 of the Zoning Resolution.

Implementing an expanded notification requirement for the expiration of variances and special permits would require additional resources for the Board's staff of 19 employees. The Board's single IT professional—who is already hard at work implementing recent legislation and pursuing additional initiatives to streamline the Board's application processes—would need to design an entirely new component of the Board's internal database system to manage and track expiration dates. Data would need to be entered into the new component of the Board's database. Staff would need to monitor expiration dates. Each letter would need to be drafted and reviewed for accuracy. Mailing addresses for property owners, who may have changed multiple times since the time of the last Board action at a property, would need to be researched using the Board's records and other available public sources. Resolutions would be retrieved, printed, and included with the

notice letter as an attachment. Addresses for community boards would also need to be researched and continuously kept up to date. Letters would be sent by certified mail, a cost that would only grow over time. Return receipts would be logged. Tracking data would be logged. Notice letters would become part of the Board's record and would need to be filed in a new digital archive, which would be more efficient than retrieving the paper case file from the Board's off-site archives. Each letter would also need to be tracked for compliance purposes, and staff would need to respond to inquiries from property owners and community boards about the notices they had received regarding the imminent expiration of variances and special permits.

All of which is to say that a clerical assistant to support the Board's compliance officer would be necessary to implement an expanded notification requirement for the expiration of variances and special permits. The Board's single compliance officer—who has not yet been assigned the task of tracking variances with terms granted since 2013—is frequently in the field on site inspections, attending public hearings, and coordinating with the Department of Buildings, Fire Department, and other enforcement agencies. These duties do not, at this time, allow for the monitoring of hundreds of expiration dates and drafting and tracking newly required notices for hundreds of special permit applications.

With the above considerations in mind, I fully support this proposal to ensure that community boards and property owners receive notice of the expiration of variances and special permits. I only ask that the City Council be mindful of the resources necessary to implement this proposed legislation should it be enacted.

I am happy to take any questions and look forward to hearing ideas on how to make the Board's application processes more transparent. Thank you for the opportunity to testify.



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Margery Perlmutter
Chair/Commissioner

December 14, 2018

Honorable Speaker Corey Johnson
New York City Council
City Hall Office
New York, NY 10007

RE: New York City Administrative Code § 25-208(a) Report on Variances and Special Permits

Dear Honorable Speaker Johnson,

Pursuant to New York City Administrative Code § 25-208(a), the Board of Standards and Appeals is providing your office with a report regarding the applications filed and decided upon for the first four months of the fiscal year, that is, from July 1, 2018 to October 31, 2018. The statute also requires reporting on the pre-application meeting held and statistics on the length of time from filing to a decision.

While the law only requires reporting on appeals, special permits and variances, the report also includes data on what is known as the "Special Order Calendar" (SOC), which includes applications to extend the term of prior Board grants and amendments to previously approved application. In addition, in this year's reports, we've provided additional context to the Review Metrics, which report the average number of days that have elapsed between the filing of an application and the Board's decision, by breaking down the duration of the application review by the fiscal year in which the application was filed.

The Board remains excited to provide additional information about its work to the public. Please feel free to reach out to me directly with any questions or comments regarding the report, which will be made available on our website shortly. I can be reached by phone at 212-386-0068 or by email at ccostanza@bsa.nyc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Carlo Costanza".

Carlo Costanza
Executive Director

C: Deputy Mayor Alicia Glen, via email

Fiscal Year 2019 (July 1, 2018 to October 31, 2018)

FILED CASES	105
Appeal	16
GCL Waivers	6
Interpretive Appeal	5
Common Law Vesting	5
SOC	
(Includes Extensions of Term, Amendments, Extensions of time to Complet	34
BZ	6
Variances	
72-21	
BZY	0
Statutory Vesting	
11-331 & 11-332	0
Special Permits	
Waivers for Homes in a Floodplain	17
64-92	
Schools in M1 or C8 Districts	2
73-19	
Permit Automotive Service Station	2
73-211	
Accessory Drive-Thru to Eating and Drinking Est.	1
73-243	
Permit a Physical Culture Establishment	16
73-36	
Reduction in parking for community facilities or office	1
73-44	
Enlargements of buildings containing residential	2
73-621	
Single-family Home Enlargements	8
73-622	
Filed Cases for which a Pre-App meeting was held	0
Preapplication Meetings	
Total meetings requested/held	21

Fiscal Year 2019 (July 1, 2018 to October 31, 2018)

DECIDED CASES	Granted	Denied	Withdrawn	Dismissed	TOTAL DECIDED
Appeal	1	1	0	0	2
GCL Waivers	14	0	0	0	14
Revoke a C of O	1	0	1	0	2
	Granted	Denied	Withdrawn	Dismissed	TOTAL DECIDED
SOC	33	1	2	0	36
<i>(Includes Extension of Term, Amendment, Extension of Work Complete Construction etc.)</i>					
	Granted	Denied	Withdrawn	Dismissed	TOTAL DECIDED
BZ					
Variances	9	0	7	1	17
Special Permits	49	0	0	0	49
	Granted	Denied	Withdrawn	Dismissed	TOTAL DECIDED
Reinstatements 11-41	1	0	0	0	1
Initial Hearings Held					
BZ	73				
SOC	35				
Appeal	36				
2011					
REVIEW METRICS Granted or Denied (FY 2019)	0				
Average Number of Days from Filing to Decision: Appeal	0				
Average Number of Days from Filing to Decision: SOC	0				
Average Number of Days from Filing to Decision: BZ	0				
REVIEW METRICS Dismissed or Withdrawn (FY 2019)	1				
Average Number of Days from Filing to Decision: Appeal	0				
Average Number of Days from Filing to Decision: SOC	0				
Average Number of Days from Filing to Decision: BZ	2141				
2012					
REVIEW METRICS Granted or Denied (FY 2019)	11				
Average Number of Days from Filing to Decision: Appeal	0				
Average Number of Days from Filing to Decision: SOC	0				
Average Number of Days from Filing to Decision: BZ	0				
REVIEW METRICS Dismissed or Withdrawn (FY 2019)	1				
Average Number of Days from Filing to Decision: Appeal	0				
Average Number of Days from Filing to Decision: SOC	0				
Average Number of Days from Filing to Decision: BZ	1685				
2013					
REVIEW METRICS Granted or Denied (FY 2019)	4				
Average Number of Days from Filing to Decision: Appeal	0				
Average Number of Days from Filing to Decision: SOC	1393				
Average Number of Days from Filing to Decision: BZ	1453				
REVIEW METRICS Dismissed or Withdrawn (FY 2019)	8				
Average Number of Days from Filing to Decision: Appeal	1845				
Average Number of Days from Filing to Decision: SOC	1407				
Average Number of Days from Filing to Decision: BZ	1383				
2015					
REVIEW METRICS Granted or Denied (FY 2019)	3				
Average Number of Days from Filing to Decision: Appeal	1121				
Average Number of Days from Filing to Decision: SOC	1144				
Average Number of Days from Filing to Decision: BZ	1222				
REVIEW METRICS Dismissed or Withdrawn (FY 2019)	5				
Average Number of Days from Filing to Decision: Appeal	0				
Average Number of Days from Filing to Decision: SOC	0				
Average Number of Days from Filing to Decision: BZ	1185				
2016					
REVIEW METRICS Granted or Denied (FY 2019)	13				
Average Number of Days from Filing to Decision: Appeal	0				
Average Number of Days from Filing to Decision: SOC	817				
Average Number of Days from Filing to Decision: BZ	751				
REVIEW METRICS Dismissed or Withdrawn (FY 2019)	2				
Average Number of Days from Filing to Decision: Appeal	0				
Average Number of Days from Filing to Decision: SOC	356				
Average Number of Days from Filing to Decision: BZ	922				
2017					
REVIEW METRICS Granted or Denied (FY 2019)	73				
Average Number of Days from Filing to Decision: Appeal	428				
Average Number of Days from Filing to Decision: SOC	424				
Average Number of Days from Filing to Decision: BZ	403				
REVIEW METRICS Dismissed or Withdrawn (FY 2019)	2				
Average Number of Days from Filing to Decision: Appeal	531				
Average Number of Days from Filing to Decision: SOC	0				
Average Number of Days from Filing to Decision: BZ	499				
2018					
REVIEW METRICS Granted or Denied (FY 2019)	45				
Average Number of Days from Filing to Decision: Appeal	139				
Average Number of Days from Filing to Decision: SOC	162				
Average Number of Days from Filing to Decision: BZ	74				
REVIEW METRICS Dismissed or Withdrawn (FY 2019)	1				
Average Number of Days from Filing to Decision: Appeal	0				
Average Number of Days from Filing to Decision: SOC	145				
Average Number of Days from Filing to Decision: BZ	0				



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ADMINISTRATIVE NOTICE

TO: Distribution
From: Carlo Costanza, Executive Director
Date: April 27, 2018
Subject: Requirements of a CCEs Submitted to the Board

EFFECTIVE APRIL 30, 2018

Construction Cost Estimates (CCEs) are required to be submitted to the Board of Standards and Appeals (the "Board") to justify development cost, and are typically submitted as part of a variance application. CCEs are typically incorporated in the development financial analysis, to demonstrate the degree of financial feasibility of the development and/or to show hardship claimed due to non-self-created unique site-specific conditions.

Any CCE submitted to the Board must satisfy the minimum requirements below. If necessary, additional requirements may be imposed by the Board, depending on the complexity of the subject application. The requirements to be satisfied in a CCE submitted to the Board are as follows:

- The financial analysis shall have an independent CCE for each development scheme explored, such as "proposed", "as-of-right", "scheme A", etc.;
- For each development scheme, CCEs shall be consistent with the development scheme drawings submitted to the Board, including all drawings based on which the CCE, for all trades, was established (i.e. architectural, structural, foundations, excavation support, etc.). These drawings can be either Construction Drawings (CDs) or Schematic Drawings (SCDs). All CDs and/or SCDs shall be signed and sealed by the project engineer and/or the architect, as applicable;
- CCEs shall include detailed calculations for all quantities shown on these CCEs. Excerpts from applicable CDs and/or SCDs shall be referenced, as necessary, in "explanation/clarification notes" to clarify, explain and make it easy to review all quantity calculations;
- Unit prices used in CCEs shall be reasonable and consistent with the unit prices prevailing in the area where the development is located and with the development site conditions. If unit prices used in a CCE are considered by the Board to be exaggerated, references justifying the unit prices used shall be provided by the applicant. References accepted by the Board include cost of recently-constructed similar developments, or prevailing prices from cost-estimating references such as RSMeans;



**Board of Standards
and Appeals**

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Margery Perlmutter
Chair/Commissioner

ADMINISTRATIVE NOTICE

TO: Distribution
FROM: Carlo Costanza, Executive Director
DATE: June 1, 2018
SUBJECT: Submission of Presentation Materials Used at Community Board Hearings

EFFECTIVE JUNE 1, 2018

Pursuant to Local Law 103 of 2017, in relation to applications for variances and special permits:

If a public hearing is held [by the affected Community Board or Borough Board], the applicant shall submit to the board of standards and appeals a copy of any presentation materials utilized at the hearing, as well as a notarized statement executed under penalty of perjury that such materials are true and correct and are as presented to the community board, and such community board may submit to the board of standards and appeals a copy of any testimony presented or materials received from the applicant for such application.

Where the affected Community Board or Borough Board holds a public hearing on an application for a variance or special permit **on or after May 30, 2018**, the applicant's representative must submit (1) a copy of any presentation materials used at the hearing along with (2) a notarized statement executed under penalty of perjury that such materials are true and correct and are as presented to the affected Community Board or Borough Board.

The affected Community Board or Borough Board is also welcome to submit copies of presentation materials used at the hearing.

Examples of acceptable copies of presentation materials that are typically used include:

- Handouts;
- Photographic copies of poster boards in PDF format; and
- Printouts of PowerPoint presentations in PDF format.

Copies of presentation materials are required to be electronically submitted to submit@bsa.nyc.gov (with the applicable project manager cc'd) within three (3) business days after the public hearing of the affected Community Board or Borough Board.

Hard copies of electronic submissions must still be made in person at the Board office, 250 Broadway, 29th Floor. An appointment is required and must be made between 9:00 AM and 4:00 PM by calling (212) 386-0009.



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and Appeals**

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Margery Perlmutter
Chair/Commissioner

ADMINISTRATIVE NOTICE

TO: Distribution
FROM: Carlo Costanza, Executive Director
DATE: June 1, 2018
SUBJECT: Sworn Testimony at Public Hearings

EFFECTIVE JUNE 1, 2018

Pursuant to Local Law 103 of 2017, in relation to applications for variances and special permits, “[a]ll testimony delivered at a public hearing by the applicant on the proposed application shall be sworn or affirmed under oath.”

Beginning with the Board’s public hearing on June 5, 2018, all testimony is required to be sworn or affirmed under oath prior to its presentation by the applicant and by the applicant’s consultants and representatives appearing as experts or fact witnesses to provide factual support on the application.

Note: The Board will not consider factual statements presented at hearing on behalf of an applicant that have not been sworn or affirmed under oath.



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Chair/Commissioner

ADMINISTRATIVE NOTICE

TO: Distribution
FROM: Carlo Costanza, Executive Director
DATE: February 22, 2019
SUBJECT: Certification of Statements Made in All Applications

EFFECTIVE IMMEDIATELY

Effective May 1, 2018, New York City Charter § 668(a) now states, in relevant part:

The applicant, the property owner, and the preparer of any document accompanying an application to vary the zoning resolution or an application for a special permit shall certify, executed under penalty of perjury, that the statements made in the application and accompanying documents are correct. Such certifications shall be notarized.

In addition, New York City Charter § 670 now states:

It shall be a violation of this section for any person to knowingly make or allow to be made a material false statement in any certificate, professional certification, form, signed statement, application or report that is either submitted directly to the board of standards and appeals or that is generated with the intent that the board rely on its assertions.

Accordingly, the applicant, the applicant's representative and any other preparers of a document submitted with any application submitted to the Board is required to submit the appropriate Certification Form to confirm that the statements made in the application and accompanying documents are accurate. This applies to, not only, variance and special permit applications filed on the Board's BZ or SOC Calendar, but also appeals filed on the Board's A Calendar.

The Certification Form, available on the Board's website, must be notarized by a notary public, pursuant to all applicable notary laws.



CITY OF NEW YORK

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Burt Lazarin
Chair

Jesse R. Bodine
District Manager

**Testimony before Committee on Government Relations
Monday, February 25, 2019
Community Board OTPS Funding
&
FY20 Preliminary Budget**

Good afternoon Chair Cabrera, Speaker Johnson, and the fellow members of the Committee on Governmental Operations. My name is Jesse Bodine and I have the privilege to be the District Manager of a Manhattan Community Board 4, representing West Chelsea, Hudson Yards, and Clinton\Hell's Kitchen.

Firstly, let me state that I grateful that I am here today advocating for a continued increase in the Community Boards budget rather than opposing a proposed cut. CB4 thanks Chair Cabrera and Speaker Johnson for the increase in the OTPS budget for Fiscal Year 2019.

Over the last four years CB4 has had the highest number of land use actions of all of the 59 Community Boards. As a result, CB4 routinely finds itself in a reactionary position to the varying issues impacting the neighborhoods it represents. The increase in the OTPS budget allows CB4 to transition away from simple reactionary responses to re-zoning proposals towards proactive representation for ongoing challenges such as gentrification and quality of life issues.

For example, for over a decade, the community of Hell's Kitchen has advocated for the creation of a Hell's Kitchen Historic District. This district highlights the rich immigrant history of the neighborhood and preserves the tenement and rowhouse built environment. Over the years, CB4 has worked to organize the material needed for a formal preservation report. With the increase in OTPS funds, the board can hire a consultant to produce a report to be reviewed by the Community and eventually be submitted to the Landmarks Preservation Commission to help preserve the vital history of our community.

Additionally, CB4 has four special zoning districts within its borders that include anti-harassment and demolition restrictions for residential buildings. However, CB4 has witnessed over the last 3 years ten buildings that were improperly demolished or partially demolished, forever resulting in the loss of over 100 residential units. With an increase in OTPS funding, CB4 has begun conversations with our local tenants' rights and housing organizations to conduct targeted tenant education outreach to the remaining buildings.

Finally, with the additional OTPS funds, the CB4 office has been able to seriously explore ways to use technology to improve service response to the community and collect key data. CB4 is collaborating with Google Headquarters, located in CB4, and its partners, to create a series of online tools and a constituent relationship management system. Additionally, we also now have a web based 24/7 language translation and ASL interpreter service to ensure wider accessibility to committee business.

As a last thought, I would like to strongly urge both the City Council and the Mayor's office to baseline these funds. Only by guaranteeing these funds for future years will Community Boards be able to plan and proactively meet their Charter Mandated responsibilities.

In closing, I want to thank you for your attention and look forward to working with you in the future.



Community Board Ten

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Brooklyn Community Board 10
COMMENTS ON INTRO 1095 and FY 2019 FUNDING
February 25, 2019

My name is Josephine Beckmann and I am the District Manager of Community Board Ten Brooklyn, New York. Community Board Ten encompasses the Bay Ridge, Dyker Heights and Fort Hamilton sections of Brooklyn and I would like to first offer my comments regarding Intro 1095, a Local Law to amend the administrative code of the City of NY in relation to the notification of expiration of variances and special permits granted by the Board of Standards and Appeals.

I support advance notification to the Community Board prior to the expiration of a variance or special permit. If adopted, I assert this intro will help to ensure zoning compliance by creating formal notice to the property owner from the Community Board explaining that the application to extend the term of variance or special permit pending its expiration may not be automatically supported. I would also add that Brooklyn Community Board Ten most likely has a smaller number of variances and special permits than surrounding boards. Therefore, this change to a proactive notification process would not be burdensome on my staff operations. CB10 proactively notifies all SLA licensed owners 3 months before the expiration of their licenses as a courtesy so we are not overwhelmed with licensees who forget to renew.

I would like to share with the Committee that a resident contacted me about use of a driveway at a commercial establishment in my District. The longtime resident told me there was a 10 year variance on the property. I did not have the institutional knowledge of this site and when I checked BIS – I realized that I could not readily identify this property had a variance. The BIS is always my first stop in checking use and active permits. I had to contact BSA and look at my archived files. I would recommend that all BSA Variances and Special Permits be hyperlinked to the BSA on the front page of the BIS.

Next I would like to speak about Community Board Operations and Needs. FY 2018 Council Initiative funding was extremely helpful. Brooklyn Community Board Ten members voted to use the funds to improve technology in the office and expand outreach. We increased the broadband service in our office to meet our growing needs. Prior to this upgrade we had fellows and interns in our office that would use their laptops walking around the office in search of a signal so they could find a corner to complete their work. We also upgraded our technology, computers, large screen display – instead of working with projector and pull down screen. More and more city agencies are digitizing filings – and we are now ready to display for Committee members. We also upgraded our phones with the help of DoITT to Windstream digital system that provides us with logs of callers and messages.

ERIC L. ADAMS, BOROUGH PRESIDENT

Community Board Ten

Page - 2 -

I along with many of my Brooklyn colleagues tried for years working with DoITT to secure a license for a CRM – Customer Relationship Management program similar to that used by the City Council, Council Stat, to no avail. Funds provided by the City Council for the creation of a CRM tailored to Community Boards by Beta NYC (in conjunction with DoITT) have been set aside. This is a big achievement and will help our Board a great deal as I and many other Boards currently use spreadsheets or good old fashioned paper binders.

However, it is projected that the CRM being constructed may have recurring maintenance costs into the next Fiscal Year – which has many Boards concerned.

We also expanded funding to broaden public outreach by utilizing **Unites States Postal Service (USPS) Every Door Direct Mail (EDDM)** to reach out to local residents for zoning or other matters impacting a specific geographic area. Recently we mailed to about 400 residential units regarding DOT bicycle workshop and 75 residents attended with the majority coming out as a result of our mailing.

Email Newsletter - our distribution list is at about 1700 via Constant Contact and we hope to continue to grow our email list by hosting large public forums and expanding outreach efforts for public hearings.

Public Forums / Special Events - CB10 will be hosting a Senior Resource Forum this spring as part of its Age Friendly initiative with local seniors and business community. We will also be releasing a Senior Resource Guide at the event.

Moving forward, our ask to the City Council is for continued initiative funding to help us keep up with technology and administrative costs associated with performing our mandated responsibilities. It is our hope that the FY 2019 funds can be baselined so that we can hire much needed staff to handle the growing number of zoning applications; administrative support involved the ever changing needs of our districts, and costs needed to keep up with constantly advancing technology.

Thank you for the opportunity to present this testimony today.

ERIC L. ADAMS, BOROUGH PRESIDENT

TESTIMONY ON BEHALF OF BROOKLYN COMMUNITY BOARD 14
BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON GOVERNMENT OPERATIONS
Oversight Hearing on Community Board Operations and Needs
February 25, 2019

Submitted by Alvin M. Berk, Chair, Brooklyn Community Board 14
Presented by Shawn Alyse Campbell, District Manager, Brooklyn Community Board 14

Thank you to the Government Operations Oversight Committee for this opportunity to present testimony of behalf of Brooklyn Community Board 14 and special thanks to the Committee Chairman, Council Member Cabrera, for bringing your experience as a community board member to bear on your work in the New York City Council. We appreciate your insight and support as we all strive to make New York City a collection of ever-better communities.

For years, despite our efforts, appeals and data-backed budget requests as well as your recent efforts to support community boards, the City has not provided a significant budget increase, or additional capacity support tools such as access to CityNet, or ongoing technical or analytic support to assist the work of community boards. Yet, additional responsibilities including budget functions and privacy operations have increased. At the same time, our population is growing, land development is expanding, and community requests for service delivery continue to increase, all putting a strain on the productivity of our three person office.

So, the funding provided to us in this fiscal year could not have come at a better time! Community Board 14 Members wanted to make sure that this one-time allocation would have long lasting impact and would improve our ability to serve our community. Thus, the funding will help support our 12th Annual Youth Conference in March, which serves over 500 young people between the ages of 13-21, helping prepare them for future endeavors. We will also expand the reach of our annual Non-Profit Roundtable, and coordinate with over 40 local organizations to assist in the 2020 Census Count. As a woefully undercounted community, we trust improvement in our Census numbers will be reflected in improved federal allocations and representation, which will surely have long lasting positive impact.

In addition, the main portion of the funding is allotted to a contract with BetaNYC to develop a New York City Community Board tailored Community Relations Management (CRM) tool. This will ensure that this one-time allocation will have a significant impact on our ability to serve our community for years to come. This data tool will help us with service delivery by tracking requests and communications, and furnishing analytics that will help us measure community needs more accurately and serve our community more efficiently. However, without ongoing funding, that impact will reach a point of diminishing returns, as our community grows and changes, and land use, permitting and service delivery requests increase. Simultaneously, board members and staff will change, and the need to adapt and expand the CRM system and train users and communicate out to stakeholders will require ongoing support. We therefore ask that funding be baselined into our budgets to continue to improve the efficiency and productivity gains that a CRM system supports. This in turn will help us communicate with other city agencies, local elected representatives and better serve our community at large.

Likewise, Intro 1095 helps ensure that we better serve our community. Notification of expiring special permits and variances prior to their expiration would be helpful in ensuring that stakeholders are advised and that we can better prepare and take a broader view of the application. Just recently, CB 14 was not notified of the expiration of a variance until the property owner applied for its renewal two years after it had already expired. This particular application, which was to allow the continuation of an auto-body shop in a residential zone, met with controversy. If CB 14 had notification two years ago, we would have been alerted to engage community members and attempt to address concerns before they became a community burden. Sharing timely information with stakeholders who have an impact on an outcome shouldn't even be a question. We trust this Intro will pass.

Again, Brooklyn Community Board 14 is grateful for this opportunity to support Intro 1095, and to let you know that the funding that was provided this year is not just an expenditure but rather an investment in the future of our community and in our ability to ably serve all of its members. We ask that this funding be baselined into our budget going forward in order to expand its potential uses and continue to increase our efficiency and capacity.

Thank you.

To: Chair of Committee on Governmental Operations, Council Member Cabrera
From: Noel Hidalgo, Executive Director of BetaNYC
Re: Oversight - Committee on Governmental Operations Transparency



Monday, 25 February 2019

Dear Chair of Committee on Governmental Operations, Council Member Cabrera and Committee Members,

It is an honor to have this opportunity to represent New York City's civic technology, design, and data community and the research we've done with the Manhattan Borough President Gale A. Brewer, Brooklyn Borough President Eric Adams, and the City's Community Boards.

I am the Executive Director of BetaNYC, a member-driven, good-government non-profit organization. *We are advocates for a City government that is for the people, by the people, and for the digital era.*

Our History

In 2009, a group of neighbors started meeting to discuss the future of public data and technology because they were concerned about a lack of open data and expensive technology procurements.

Over the last ten years, our 5,100+ members have sought to improve people's lives through technology, data and design.¹ We have watched the past three Public Advocates appoint COPIC members, host one meeting per term, and walk out of the office with little accomplishment. We have watched every Public Advocate publish flowery press releases only for them to disappear like tears in rain.

In 2012, we joined with Council Member Gale A Brewer to support the City's open data law. COPIC's absence is why we fought for the City's open data law.

In 2014, we published a *People's Roadmap to a Digital New York City*². It outlined how our City could adopt modern, agile practices to meet pressing needs for a more efficient, participatory, and transparent government. Additionally, we proposed 34 ideas that resulted in the following transformative legislation:

- placing the City Record online and in a machine readable format,
- ensuring that our Charter and laws are owned by the people, not a corporation,
- strengthening the NYC's open data laws³ through seven interlocking pieces of legislation,
- Formalizing the City's Chief Analytics Officer and the Mayor's Office of Data Analytics into the charter.

¹ <https://www.meetup.com/betanyoc/>

² <http://nycroadmap.us>

³ <https://opendata.cityofnewyork.us/open-data-law/>

Our Research and Programs

The *People's Roadmap* outlined ideas that required government partnership. And, for the past four years, we have worked successfully with the Manhattan Borough President Gale Brewer, Brooklyn Borough President Eric Adams, Mayor's Office of Data Analytics, Manhattan and Brooklyn Community Boards, CUNY Service Corps, the Fund for the City of New York, and the Alfred P. Sloan Foundation to study and test how communication technologies and open data can equip the public to improve their decision-making.

Our Civic Innovation Lab and Fellowship is incubated out of the Manhattan Borough President's Office and includes the following list of achievements.

- educated, mentored, and employed over 50 City University of New York undergraduates⁴
- the nation's first FREE municipal open data bootcamp⁵
- A suite of specialized open data tools for community boards⁶
- suggestions on how community board could better use communication technologies, including their websites (which DOITT is working on)⁷
- convinced DOITT to be a part of the district needs process
- we've documented, in detail, how information flows through community board meetings and the data they need to improve decision making⁸
- we've taught over one thousand New Yorkers how to put NYC's open data to use
- we've enriched a local community of open data professionals and advocates by hosting three annual citywide open data festivals, with the fourth co-hosted with MODA⁹ coming up on Saturday, 2 March.

Highlighted prototypes we have built

- BoardStat¹⁰ — a tool built with Community Boards for Community Boards that demystifies NYC 311 service request data.
- BoardTrack¹¹ — is a community board attendance tracking tool and data standard that helps community board staff submit attendance records.
- SLAM (State Liquor Authority Mapper)¹² — is a tool that aggregates data that community boards often have to gather in order to review liquor license applications and sidewalk cafe applications.

⁴ <https://beta.nyc/programs/civic-innovation-lab/>

⁵ <https://beta.nyc/products/nyc-opendata-classes/>

⁶ <https://beta.nyc/products/>

⁷ <https://beta.nyc/publications/betanycs-civic-innovation-fellows-community-board-technology-needs-report-2018/>

⁸ <https://beta.nyc/publications/>

⁹ <https://schoolofdata.nyc>

¹⁰ <https://beta.nyc/products/boardstat/>

¹¹ <https://beta.nyc/products/boardtrack/>

¹² <https://beta.nyc/products/slam/>

- Tenants Map¹³ — (alpha prototype) residential buildings with rent-regulated units throughout Manhattan and their volume of housing safety-related 311 service requests, which is updated daily.

Reports & Insights

Briefly, I would like to highlight the insights we gleaned from our three reports on Community Board Technology needs.

Community Board Technology Needs

We have dedicated two years to interviewing Community Boards to understand their needs. First, in 2015, we documented massive gaps in tools, services, and technology. This report laid the foundation for our Civic Innovation Fellows program.¹⁴ In 2018, we performed a follow up report with intimate, on the record, statements.¹⁵

Drawing from interviews with community board district managers and staff, our second report distills boards' most salient technology needs and provides broad recommendations and best practices to adopt. This report justifies the need for new technology categories in the District Statement of Needs, and is meant to help community boards tailor their asks in the next District Statement of Needs cycle.

A brief summary of needs

- Trainings on software and digital practices
- Constituent Relationship Management (CRM) software & trainings.
- Office productivity tools like Microsoft Office, especially Excel. Support to migrate to Google G-Suite for email, calendaring, word processing, spreadsheets, and presentations.
- High speed internet at district offices with secure, public Wi-Fi capabilities.
- Office equipment & updated staff computers / dual screens / laptops
- Multifunction, large format copy machines
- Updated phone systems
- Paperless solutions, like tablets / iPads for Community Board members to receive meeting agenda items like applications, presentation material, or proposals.
- A desire to digitize archives and create a database of board resolutions.
- Live streaming hardware kits — ie dedicated equipment to live stream or record events / meetings.
- Event presentation kits — dedicated equipment that integrates with the live streaming kit to use at events / meetings.
- Improved website content management systems and training.
- Mass emailing best practices
- Social media best practices

¹³ <https://beta.nyc/products/tenants-map/>

¹⁴ <https://beta.nyc/publications/official-report-on-the-2015-nyc-civic-innovation-fellows/>

¹⁵ <https://beta.nyc/publications/betanycs-civic-innovation-fellows-community-board-technology-needs-report-2018/>

- Real-time Group Communication Tools, ie Slack
- Better integration / notification of 311 service requests
 - To track constituents' 311 service requests
 - To easily file requests on behalf of constituents

Community Boards' Data Challenges¹⁶

While many of the boards that BetaNYC interviewed outlined specific use cases for which the board would like to leverage city and state data resources, they also acknowledged the challenges to doing so. Sometimes, the data they wish to leverage has not been published by the City, is not up-to-date, or is categorized in a way that makes it irrelevant to addressing their issue. At other times, community boards do not have the time, skills, or technical infrastructure to work with data resources effectively. Boards are also concerned that ignoring biases in city and state datasets will lead them to overlook certain community issues, misrepresent marginalized populations, or propagate a culture of surveillance.

Recommendations

- Invest in technology and information infrastructure improvements for community boards based on researched and documented needs;
- Prioritize digital and data resources that enhance and support civic engagement;
- Demand that agencies improve technology support and release pertinent data;
- Sponsor digital and data literacy training for community boards and the public

Database on community needs for Community Boards

As of January 2018, we have started working with Sahana Foundation¹⁷ to further prototype and develop a tool to help community boards track constituent needs. We are working with a select group of Community Boards to build a solution that addresses their specific needs, enhances their existing workflows, and gives them a foundation that they own and we can iterate on. This would be done through a three step process. Phase 1 → Research, build, and launch an alpha CRM prototype that Community Boards own and can modify. Phase 2 → Research, customize, and deploy this prototype that Community Boards own and can modify. Phase 3 → Host trainings and provide support.

We are offering to do this for \$10,000 per Community Board. Currently, we have 11 Boards signed up for this project.

Conclusion

We are doing all of this work because DOITT continues to express limited resources and ability to help address community board needs. We fundamentally believe in the fabric of our communities and seek to build resources and tools for community boards for the digital era.

¹⁶ <https://beta.nyc/publications/data-design-challenges-and-opportunities-for-nyc-community-boards/>

¹⁷ <https://sahanafoundation.org/>



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Nilsa Orama
Chair

Angel D. Mescaim
District Manager

Manhattan Community Board 11
Testimony before the New York City Council Committee on Governmental Operations
Regarding Community Board Operations and Needs
February 25, 2019

Good Afternoon Chairman Cabrera and members of the Governmental Operations Committee:

My name is Angel Mescaim and I am the District Manager of Manhattan Community Board 11 which proudly represents the neighborhood of East Harlem. I thank Chairman Cabrera and the committee for the opportunity to address it today on a matter that I believe is vitally important to the civic engagement of our neighbors with the government that seeks to represent them and their quality of life.

For many City residents and businesses, community boards are the face of New York City government. We facilitate civic participation in effective and meaningful ways and provide a forum for residents to be heard on a variety of issues affecting their neighborhoods. Those of us that work for community boards and our members are thankful for the ongoing support that the City Council has provided and continues to provide us with each year. But the fact remains that in order to achieve our charter mandated roles in planning and reviewing land use applications and participating in a meaningful way in the City's budget process while also assessing our community needs through often constant change and providing necessary services to our constituencies, our current level of funding is just not enough.

Every year, community boards across the City hold hundreds of public hearings and meetings to meet our mandates and allow community members to learn about and comment on applications for sidewalk cafes, liquor licenses, zoning and landmark changes, as well as a variety of other issues and proposals affecting their quality of life such as traffic and transportation, parks and open space, schools and education, health, and human services. Community board offices see an endless number of applications, constituent complaints, public hearing notices and community planning exercises while also being responsible for providing its membership and constituency with the necessary information they require to meaningfully participate in these processes. All of this is done with what are often just three staff members including the District Manager.

We are very thankful for Councilmember Cabrera's ongoing advocacy on behalf of supporting community boards and for the \$42,500 that the Council was able to allocate to us as part of the Fiscal Year 2019 budget. These funds have been and are being utilized in a variety of useful

ways depending on the needs of individual boards across the city. However, because these funds were a one-time allocation from Council initiative funds and could not be used for personal services, we could not add professional staff which would benefit some of our offices.

We again ask the Council to consider a baseline increase to the annual budget of Community Boards. Increasing the budget would allow boards to hire additional professional staff as well as investing in the necessary technology or to better perform our duties as staff and board members. For example, having a database to easily catalogue and retrieve resolutions or a constituent management system that would allow community boards to improve record-keeping, enhance communication with their constituents and be more transparent in the age of open data.

We respectfully request that the Council consider these increases to allow us to enhance our resources so that we may be better able to perform our City Charter-mandated responsibilities.

Thank you.

TESTIMONY ON BEHALF OF BROOKLYN COMMUNITY BOARD 14
BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON GOVERNMENT OPERATIONS
Oversight Hearing on Community Board Operations and Needs
February 25, 2019

Submitted by Alvin M. Berk, Chair, Brooklyn Community Board 14

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So, the funding provided to us in this fiscal year could not have come at a better time! Community Board 14 Members wanted to make sure that this one-time allocation would have long lasting impact and would improve our ability to serve our community. Thus, the funding will help support our 12th Annual Youth Conference in March, which serves over 500 young people between the ages of 13-21, helping prepare them for future endeavors. We will also expand the reach of our annual Non-Profit Roundtable, and coordinate with over 40 local organizations to assist in the 2020 Census Count. As a woefully undercounted community, we trust improvement in our Census numbers will be reflected in improved federal allocations and representation, which will surely have long lasting positive impact.

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Again, Brooklyn Community Board 14 is grateful for this opportunity to support Intro 1095, and to let you know that the funding that was provided this year is not just an expenditure but rather an investment in the future of our community and in our ability to ably serve all of its members. We ask that this funding be baselined into our budget going forward in order to expand its potential uses and continue to increase our efficiency and capacity.

Thank you.



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HON. ANTONIO REYNOSO
COUNCILMEMBER, 34th CD

TESTIMONY

FEBRUARY 25, 2019
COMMUNITY BOARD OPERATIONS AND NEEDS
(T2019-3800)

COMMITTEE ON
GOVERNMENTAL OPERATIONS

NEW YORK CITY COUNCIL
250 BROADWAY
(Committee Room, 14th Floor)

Good afternoon Chairman Fernando Cabrera and greetings to the other esteemed members of the Committee on Governmental Operations. Brooklyn Community Board No. 1 submits the following comments regarding the community board’s budget.

Brooklyn Community Board No. 1’s district comprises Brooklyn’s two most northern communities: Greenpoint and Williamsburg. The 2010 census reported a diverse population of over 179,000 persons. This figure is an undercount as our Board continues to see more and more people moving into the district.

Community Board No. 1 still lacks adequate funding. The meager budget provided for our board does not keep pace with inflation and any increased

operating costs. The cost for acquiring much needed newer technology, computer software, upgraded hardware as well as internet/web access capabilities is expensive.

Community Board No. 1 is always facing yet another round of budget cuts in the budget process. While one time restorations were made this fiscal year, we remain guarded about projected cuts for upcoming fiscal years. Community Boards have not seen a tangible increase in our budget in over 20 years. If it wasn't for this fiscal year's generous allocation made possible by Council Member Cabrera, the community boards would not have been able to realize any increase in their expense budgets at all! We applaud the NYC Council for championing our cause.

Our usual internal budget is not sufficient enough to meet the ever escalating costs of necessary office operations and staffing. The rapid changes in communications, media and computers, plus the costly upgrading of various programs and equipment would inhibit a Board's daily operations whose insufficient budget covers a small staffing of only three persons (3 full-time) and a miniscule operating (OTPS). We are forever juggling the figures and cutting corners to provide for our basic needs. We need personnel service (PS) dollars on a continuing basis to hire additional staff.

Our office carries out a myriad of services. CB #1 is the mini City Hall for our constituents. We handle complaints, provide comments on projects, land use and develop capital/expense budget lines for the district as well as conduct public hearings.

We have 13 established committees that comprehensively tackle matters of concern and service delivery. Our staff also supports the board members in preparing reports, minutes, and scheduling of meetings. Matters from the public are handled as well, these often range from simple point of information inquiries, "freedom of information (FOIL)", to major investigations requiring constant follow up! In addition, we have other operating tasks that are for specifically needed to administer the CB #1's internal operations. These include

recordkeeping, timekeeping, budget preparation, monitoring & payment of expenditures, voucher preparation, inventory and auditing.

TECHNOLOGY

Although we have consistently advocated for increased budgets for community boards, Community Boards still lack adequate funding. The meager budget provided for our board does not keep pace with inflation and any increased operating costs.

The cost for acquiring much needed newer technology, computer software, upgraded hardware as well as internet/web access capabilities is expensive and way beyond our normal fiscal capability. CB #1 has to make do with the limited resources of DoITT (there is one tech person assigned for all of the 59 community boards).

We recently wrote to Speaker Corey Johnson seeking his assistance in securing clarification regarding our community board and access to various vital communication services that DoITT has under its auspices for delivery to city agencies. There is a complete lack of clarity regarding DoITT's current choice to migrate from the current platform for these services. We are highly concerned because we have to make clear choices in these areas...choices that have great financial impacts for our meager budgets and general office operations such as:

- Email and electronic communications
- Website
- Internet Connection (i.e. - Making and handling complaints; information Access; timekeeping; FISA/financial management
- Intranet
- Cable TV Service (for viewing hearings and other news/information programs)
- Telephone services - office telephone system

A vendor “Windstream” was contacting our board directly soliciting our engagement with their services. We have been informed by DoITT’s staff that “If you don’t upgrade, the new email system will not run smoothly and everything will be delayed and frustrating.” We note that there is a serious downside to using a sole system for both the telephone and internet access. There are problems. If the access goes down, we lose all connections. Currently, we have separate systems for the internet and telephones. When one goes down, we still have access and connection. As previously stated, our board does not want to operate in the dark when it comes to planning for services – and – we do not want to be misinformed about costs and vendors. If the City is choosing to change any of its platforms, it should do so and provide the best goods and services incurred. In the case of larger agencies, perhaps their needs are met and are financial feasible with their plump budgets. For community boards, we are always left hanging with a make shift system [a prime example is our watered down email system]. Unfortunately, we are made to endure complications that other city agencies do not. The current internet service is provided to our board free via DoITT.

Communications from DoITT on policy are nonexistent!

Community Boards should not be treated like stepchildren. If the City Administration is making changes, we need first --- to be better informed, and secondly --- the City itself should endure the costs directly.

It is quite unfortunate that we have had to purchase interim programs and equipment that the City should have provided. As I noted before, every penny is pinched. DoITT should provide a true cost analysis and meaningful comparisons before mandating our board to make any telecommunication changes. It is imperative that we ascertain how these changes will impact our budget before making choices.

SUSTAINABILITY OF COMMUNITY BOARDS

Community Board budgets should not be at the sole whim of the Administration. The NYC Charter’s language regarding community boards must be strongly re-written to ensure that community boards are fiscally protected and

legislatively promulgated – the budgets must be held harmless from political climates.

BIGGER AND BETTER LAND USE ROLES

Community Board No. 1 is no stranger to the land use process. Many impacts for Greenpoint and Williamsburg have been from various ULURP, BSA applications and development scenarios – all which our board has taken an active role in. Our diligent work never ceases and our voices must be heard. Community Board No. 1 needs the commission to strengthen our role by giving us more teeth with which to have a better bite. We will continue to partner with the Brooklyn Borough President on these important matters that affect the life, health and welfare of those who live in, or visit, our community

We thank you for providing additional funding this current fiscal year. These funds enabled our board to replace outdated apparatus and secure upgraded equipment as well as replenish supplies. However, this additional one-shot funding could not be used for any staffing needs. It is greatly appreciated if the Council could allocate our board with a larger yearly budget with supplementary funds that could be more comprehensively used for fiscal needs --- both OPTS and PS services. This broader based funding will allow Brooklyn Community Board #1 to continue our work developing strategies and making recommendations in regards to matters that have an effect on the health, welfare and life of all.

Thank you again for providing our community boards with this valuable opportunity to relate its individual budget concerns.

Respectfully submitted,



Dealice Fuller
Chairperson



Gerald A. Esposito
District Manager

THE CITY OF NEW YORK



BOROUGH OF THE BRONX

COMMUNITY BOARD #5

Honorable Ruben Diaz, Jr., *Bronx Borough President*

**Chairperson
Dr. Bola Omotosho**

**District Manager
Kenneth Brown**

February 25, 2019

Testimony for Committee on Governmental Operations, related to Community Board Operations and Needs.

Chairperson Cabrera and committee members,

Thank you for affording us this opportunity to make a presentation concerning the recent allocation of monies to our District Offices.

I am here today as the representative of Bronx Community Board 5. We have the added privilege of being represented (in part) by Chairperson Cabrera, so the opportunity to testify today is also a means to give thanks for Councilperson Cabrera's efforts on behalf of the community.

Attention to the needs of the Community Board Districts is greatly appreciated. As the level of government that is most intimately connected to the community it is most welcome that we are receiving consideration for our needs. Anything that can improve the operations of the Community District offices is a boon to those community members that live and work in our neighborhoods.

The allocation of \$42,500.00 for our District Office's operations was a most welcome boon. Thank you, Councilperson Cabrera and all of the members of the New York City Council. These monies will go a long way to improving the operations of the Community Board office. We have and intend to use these monies to buy needed equipment for our office, purchase promotional items that will be of use at community-events to give-away and improve community events by providing additional resources such as petting zoos.

Although the allocation of this \$42,500 as a one-time allocation is greatly appreciated, we would like to, respectfully, recommend improvements in any future allocations. These are:

- Institutionalize this allocation so that it can be incorporated, on an ongoing basis, into the District Office's budget.
- Remove the prohibition on using the monies for capital expenditures. Our office could have benefited from this money if we had been able to make improvements in our office's telecommunication and physical infrastructure.

In addition, as regards other matters for the District offices greater efficiency, we recommend the following:

- Reinstatement of parking privileges for Board Chairpersons and the District Offices' Community Coordinators.
- Increase Community District offices so that more staff may be hired, which will accommodate the growing diversity and breadth of our community.
- Periodic City sponsored leadership training/retreats for Board members and staff.
- Reinstatement of the ULURP privileges that the Community Board s once had.

Respectfully submitted by,

Ken Brown
District Manager
Bronx Community Board 5
BCC Campus, Gould Residential Hall, Room 200
Bronx, NY 10453
(office) 718-364-2030
(cellular) 646-988-7423
Kennbrown@cb.nyc.gov

BCC Campus * Gould Hall, Room 200 * 2155 University Avenue * Bronx, New York 10453
Telephone (718) 364-2030 * Facsimile (718) 220-8426 * bx05@cb.nyc.gov

Serving these Neighborhoods:
Fordham, Morris Heights, Mount Hope, University Heights

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Appearance Card

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in favor in opposition

Date: 2/25/19

(PLEASE PRINT)

Name: Jesse Bodin

Address: 330 West 42nd Street

I represent: Community Board 9, Manhattan

Address: _____

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in favor in opposition

Date: 2-25-19

(PLEASE PRINT)

Name: NOEL HIDALGO

Address: 85 DRILL AVE, 11222

I represent: BETA NYC

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 1095

in favor in opposition

Date: 2/25/19

(PLEASE PRINT)

Name: Shawn Campbell

Address: 810 E 16th St BKLYN 11230

I represent: CB14 Brooklyn

Address: 810 E 16th St

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Name: Kurt Steinhouse

Address: _____

I represent: BSA

Address: 250 Broadway, 29th Fl.

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Name: Carlo Costanzo

Address: _____

I represent: BSA

Address: 250 Broadway, 29th Fl.

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Name: Margery Perimutter

Address: _____

I represent: BSA

Address: 250 Broadway, 29th Fl.

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(PLEASE PRINT)

Name: Josephine Beckmann

Address: 8119 5 Ave

I represent: CB 10 - Brooklyn

Address: 8119 5 Ave

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Date: _____

(PLEASE PRINT)

Name: Jo Mescain
ANGEL MESCAIN

Address: 1664 PARK Avenue NY NY

I represent: Community Board 11 Manhattan

Address: _____

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Date: 2/22/19

(PLEASE PRINT)

Name: Ken Brown

Address: 2155 University Ave. B.C.C. campus

I represent: Brinx Community Board 5

Address: _____

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Date: 2-25-19

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Name: Shirley SantAndres-Alonzo

Address: 1317 Morrison Ave

I represent: Bronx Community Board 9

Address: 1967 Turnball Ave.

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in favor in opposition

Date: 2-25-19

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Name: ROSEMARY GINTY

Address: _____

I represent: CHAIR, CB#8 BRONX

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 2/25/19

(PLEASE PRINT)

Name: Darlene Jackson

Address: 1134 Stratford Avenue #4I
BX, NY 10472

I represent: New Yorkers Tax payers

Address: NYC



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