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Testimony of Michael J. Ryan, Executive Director Board of Elections in the City of New York

Committee on Governmental Operations Council of the City of New York

Fiscal Year 2019 Preliminary Budget

March 19, 2018

Chair Fernando Cabrera and members of the New York City Council's Committee on Governmental Operations, thank you for the opportunity to appear before you on behalf of the Board of Elections (Board). I am Michael J. Ryan, the Executive Director of the Board. Joining me here at the table is the Board's Finance Officer, Gerald Sullivan.

Also present at today's hearing are the Board's:

- General Counsel, Steven H. Richman, Esq.
- Deputy General Counsel, Raphael Savino, Esq.
- Director of Communications and Public Affairs, Valerie Vazquez
- Director of Electronic Voting Systems, John Naudus
- Financial Analyst, Stacy Infante

Before I begin discussing the Mayor's Preliminary Budget for FY19, I would like to thank the City Council and the Mayor for providing the necessary support to the Board in FY18 to meet its Constitutional and statutory mandates as well as the needs of the voters of the City of New York.

FY19 Overview

In FY19, the Board anticipates conducting two citywide election events including a State Office Primary (September 2018) and a State Office General Election (November 2018.)

FY19 Budget Projections

Our projection for FY19 is based upon similar event years, with up-to-date adjustments.

The Board projects an FY19 budget of \$137.6 Million, which is \$42.5 Million more than the FY19 Departmental Estimate of \$95.1 Million. As is the process with the Mayor's Administration, the Board will work closely with OMB during the intervening weeks. The Board has every expectation that all financial needs will be addressed by the Mayor's Administration and the City Council, upon the completion of the Preliminary Budget Process and as the Executive Budget Process is finalized.

Personal Services

Cyber Security

The Board is requesting additional positions in the Electronic Voting Systems and MIS department to further enhance our cyber security efforts. Additional positions are needed in each county office to ensure the Board maintains physical security of its hardware and firewall of software at each office location.

The Board's assessment leads us to request funding for a new initiative that will serve to further fortify our Electronic Voting Systems (EVS) and Management Information Systems (MIS) against the potential cyber threats. We are requesting a total of sixteen (20) new positions at the Board of Elections.

Six of these positions will be embedded within the EVS and MIS Departments at our General Office operations as Senior Security Analysts/Engineers (3) and Network Implementation Engineers (3). The responsibility of the positions will be coordinating with the Board's Senior Management and the agency's EVS/MIS Departments to:

- Identify, support and resolve any and all cyber security issues moving forward.
- Provide assessment support and engineering solution to ensure the agency's sound network security and design.
- Review, analyze and document the security requirements of applications, systems and networks across their life cycle.
- Research, evaluate, design, test recommend or plan the implementation of new or updated information security hardware and/or software, and analyze its impact on the existing environment.
- Provide technical expertise for the administration of the needed security tools to protect the Agency's internal and external operations and performance in service to its mandate of conducting fair and honest election events.

The remaining ten (10) positions will be deployed in our five (5) borough offices as supervisors of the newly created Borough Canvassing Units (BCU) dedicated to conducting daily, weekly and routine cyber security checks and recommending necessary upgrades as new technology evolves. We are requesting annual funding in the amount of \$1.3 million to implement and maintain this upgraded Cyber Security initiative.

Record Management Department

To meet all statutory, regulatory and court mandates (including the National Voter Rights Act and New York State Election Law) with respect to maintaining accurate voter lists for the Board, it must establish 2 Citywide List Maintenance Managers, 1 MIS List Maintenance Coordinator (assigned to the General Office) and 10 List Maintenance specialists assigned to the offices in each of the 5 boroughs at a cost of \$980,000.

Personal Services – Poll Workers

Based on the anticipated two citywide election events, the Board requires \$24 million compared to the \$9.9 million FY19 Departmental Estimate. The Board expects to hire 42,000 Election Day workers for each election event. The Board's projected allocation includes funding for the proposed legislative poll worker pay increase.

Election Day Poll Worker Compensation

The advent of electronic voting brings with it additional tasks and responsibilities which require poll workers to work longer hours. Combined with the enhanced testing standards already implemented, an increase to the poll worker compensation is essential to enable the Board to recruit and retain qualified people. Several City Council members and the Asian American Legal Defense and Education Fund (AALDEF) have expressed support for this increase.

The last increase in poll worker compensation occurred in August 2001 by Mayoral Executive Order. Given the dramatic changes in the conduct of elections imposed upon the poll workers of the City of New York by federal and state law, the Board requests the Mayor to increase the compensation for all poll workers by \$100 for each election event.

The Board asks this Council to work with the Mayor to raise poll worker compensation at an estimated cost of \$7.4 million for FY18.

Other Than Personal Services

The Board's analysis shows that \$66.3 million is required in the OTPS allocation compared to the \$55.9 million FY19 departmental estimate. With this additional funding, the Board's OTPS budget will be adequately funded to provide for property, equipment, and services such as the mandated Accessibility compliance (all poll site accessibility equipment), necessary support and data service contracts for the Board's voting systems and information technology infrastructure and the Citywide Poll Worker Recruitment Initiative (including website redesign, advertisements and other public information efforts).

Poll Worker Outreach

In FY18 the Board of Elections paid \$840,000 to place poll worker recruitment advertising on subways and buses. This was a 16 week program which resulted in 30,000 hits to the website, which resulted in an additional 1,400 poll workers that worked the Primary and the General Election of 2017. The Board of Elections would like to extend the advertising program. The Board is requesting an additional \$1 million to continue the outdoor advertisements and enhance the Boards ability to cover print media advertisements, and social media advertisements with geo fencing capabilities in an attempt to recruit more poll workers.

Conclusion

The Board remains sensitive to the fiscal challenges faced by the City and mindful of its obligations to serve the voters of the City of New York. The Board remains committed to the partnership that has been forged with this Administration and this Council. The Board is confident that the additional funding requests will enhance its ability to serve the voters of the City of New York. The Board reaffirms its commitment to this Council that any allocated resources will be wisely utilized and the public trust will continue to be its guidepost.

As always, my colleagues and I are available to answer any questions that you may have, and we are always available if anyone should need further information.

Statement by
Corporation Counsel Zachary W. Carter
to the City Council
in Connection with the Preliminary Budget for Fiscal Year 2019

March 19, 2018

Good morning Chair Cabrera and distinguished Members of the Government Operations Committee. It is a pleasure to come before you to discuss the Law Department's fiscal year 2019 Preliminary Budget.

As the Corporation Counsel, I have been engaged with Law Department attorneys and professional support staff in representing the City of New York in literally thousands of cases and transactions with enormous liability, policy and operational implications for the City and its constituent agencies and important equity and fairness implications for its 8.5 million residents. Our work supports important City policy initiatives in areas as varied as immigration, affordable housing, mental health and homeless outreach, environmental protection, accessibility for the disabled and public safety. On every occasion, I have never failed to be impressed by the professionalism, hard work, depth of knowledge, expertise and dedication of our lawyers and the extraordinary staff that supports them.

Ultimately, our mission is to vigorously defend the legal interests of the City with an appreciation for the importance of fair outcomes in enhancing public confidence in City government.

The Corporation Counsel is the attorney for the City and its agencies and has responsibility for all litigation and other legal matters involving the City. The Law Department currently has on board approximately 887 attorneys and 718 professional support staff. Let me add that of our attorneys, approximately 26.2% are ethnically diverse and fifty-seven percent are women.

The Law Department consists of sixteen legal and three support divisions. We handle an extraordinary array of cases and non-litigation matters: from tort to tax, from environmental and administrative issues to economic development and municipal financing. We also represent the City as plaintiff in a wide variety of affirmative matters.

Our Affirmative Litigation Division expects to collect \$50 Million Dollars this fiscal year in funds owed to the City. Ongoing affirmative litigation includes a case against FedEx for delivering untaxed cigarettes; litigation against opioid manufacturers and distributors to recover the costs of the opioid epidemic in NYC; a suit against fossil fuel producers for their contributions to climate change and catastrophic storms that have and will continue to have costly impacts on this City and its residents; and a suit against the Department of Defense for failure to report mandated records to the FBI background check system. In May 2017, a federal judge ordered United Parcel Service to pay approximately \$247M in damages and penalties for illegally shipping large volumes of untaxed cigarettes in New York City and State, awarding \$168 million to the State and \$81 million to the City. That case is currently on appeal. In

addition, the Affirmative Litigation Division has over 2600 matters in which we have obtained or are seeking to obtain coverage from insurers, who are obligated to defend and indemnify the City. Total savings to the City from this insurance project is over \$1.3 billion, with about \$73 million attributable to insurer payouts for the first half of FY18.

The volume of litigation matters pending against the City presents a substantial challenge. The Tort Division alone defends more than 21,000 cases currently pending against the City, its agencies and employees. Historically, the sheer volume of cases required a horizontal assignment of attorneys, with individual cases handled in assembly line fashion, with different attorneys handling different tasks as they came due. Consequently, no one attorney was familiar with every facet of the case until it was finally assigned for trial. With Council's assistance, last fiscal year the Law Department worked toward the vertical assignment of cases to attorneys in the Brooklyn and Bronx offices of the Tort Division. This means that to the greatest extent possible, cases were assigned to lawyers with the expectation that the same lawyer will handle that case from its inception through its conclusion. The enhanced familiarity with cases resulting from vertical handling by the same attorney at every stage provides a substantial strategic advantage and significantly increases the likelihood of success at trial. In addition our enhanced trial readiness produces reasonable settlement values where settlement is appropriate and over time discourages the filing of frivolous suits.

For the last four years, a special unit within the Tort Division that defends cases filed against the City's law enforcement agencies and personnel has assigned its cases to attorneys vertically. We believe that the marked decrease in new state law enforcement case filings - down 20% in each of the last two years - is partially attributable to the strategic advantages achieved through the vertical assignment of cases.

Our Special Federal Litigation, which defends law enforcement in federal court and assigns its cases vertically, has seen a 44% decrease in case filings in FY17. These results were achieved while nationally new federal court civil rights case filings rose 3%. Fewer incoming cases has permitted the division to increase its trial work, trying 40 federal trials in FY17, which represents twenty percent of all civil trials conducted in United States District Courts in our geographic area. In FY17, there were 93 total civil trials in the Eastern District of New York and 112 total civil trials in the Southern District of New York.

Our Family Court Division balances the dual goals of serving the needs and best interest of the child brought before the court and ensuring community safety. Last year, the Division's Juvenile Delinquency Prosecution Unit handled approximately 3,060 new juvenile delinquency referrals and approximately 3,900 new interstate child support petitions. For many months, our Office has been planning for the implementation of New York State's Raise the Age law, which will take effect on October 1, 2018 and which will significantly affect our juvenile delinquency caseload. We anticipate that we will be in a position to explain those plans in detail during consideration of the Executive Budget.

Conclusion

I thank you for your support of the Law Department and look forward to our continued cooperation. I would be happy to answer any questions you may have.



**FY 2019 PRELIMINARY BUDGET HEARING
NEW YORK CITY COUNCIL
COMMITTEE ON GOVERNMENTAL OPERATIONS**

**TESTIMONY BY LISETTE CAMILO
COMMISSIONER, DEPARTMENT OF CITYWIDE ADMINISTRATIVE
SERVICES
MARCH 19, 2018**

Good morning Chair Cabrera, and members of the Governmental Operations Committee. I am Lisette Camilo, Commissioner of the Department of Citywide Administrative Services (DCAS). Thank you for the opportunity to appear before you today. I am joined by members of my senior staff to discuss the planned expenditures and revenues for FY19 as well as highlights of the DCAS Capital Plan, all of which are aimed to help further and support the operations of City government.

Overview

DCAS is an instrumental part of New York City government. We're comprised of more than 2,000 dedicated employees who work in personnel management, engineering, procurement, real estate, custodial services, and more. We are Customer Focused and Service Driven.

Each of our lines of service brings support to this Administration's important goals of equity, growth, resiliency, and sustainability. We play a direct role in the implementation of Citywide Mayoral initiatives including: leveraging the City's purchasing power to generate savings and efficiencies; reducing greenhouse gas emissions 80% by 2050; providing increased access to job and contracting opportunities to a more diverse population; and increasing the City's Green Fleet. In short, we provide many of the services that allow the City to function and to be a national leader in various initiatives.

DCAS supports our sister agencies by ensuring they have the critical resources and support needed to provide the best possible services to the public. These range from operating the Central Storehouse where agencies can purchase supplies from DCAS, managing and paying utility bills, improving the energy efficiency for all City buildings, and finding work space for every City employee.

Now I would like to take a minute to provide the Council with an update on some of the other initiatives that we are currently working on:

Human Capital/EEO

DCAS continues its efforts to ensure that the city is an employer of choice. Key to these efforts is the administration of Civil Service examinations in a more efficient, automated, and transparent manner.

I am pleased to announce that DCAS opened two new Computer-based Testing and Application Centers (CTACs) recently, bringing our total number of CTACs to four. The new testing center in Queens, opened in June 2017 and has 153 test taking stations. The other testing center was opened in the borough of Staten Island in January 2018 with 77 testing stations. The addition of these two sites increases DCAS's testing capacity by 60%. To date, a total of over 16,000 candidates have been tested at the new site in Queens, with over 130 tested in Staten Island. We are currently working on a plan for a site in the Bronx.

DCAS continues to lead the way in providing training on diversity and inclusion and Equal Employment Opportunity rights for City employees. For FY18 to date, we have provided classroom and computer-based training to almost 16,000 City employees and we're on track to meet our FY18 training goal of 20,000 employees. For FY19, DCAS plans to enhance and expand its e-learning offerings and other tools provided to its Citywide client base. Our upcoming module on sexual harassment reflects our enhancement of services.

Procurement

DCAS continues to increase our M/WBE vendor outreach to ensure that M/WBE's are included as a normal part of the agency's purchasing culture. This fiscal year we have hosted and participated in more than 18 outreach events. We have awarded approximately \$47 million in contracts to M/WBE firms including a \$28 million contract to E. Electrical Contracting, the largest M/WBE contract ever for DCAS. We have more work to do, but I am happy to say that we have been making progress in this area and are on pace to surpass the amount of dollars we awarded in FY17.

Fleet

DCAS is working to make the largest municipal fleet in the nation also the safest and most sustainable. We are well ahead of schedule in achieving the 2025 target of adding 2,000 Electric Vehicles (EVs) to the City's Fleet.

NYC Fleet currently has almost 1,300 electric plug-in vehicles on the road with 400 more on order. This is four times as many EVs than when we started NYC Clean Fleet in late 2015.

Real Estate

DCAS, with the Office of Management and Budget and City Hall, is on a mission to maximize the use of all City-owned and private leased spaces currently occupied by City agencies. We are implementing the new space standard for work stations when designing new work space for City employees at both private leased and City-owned space.

Energy Management

We are ramping up the rate of installation of clean energy technologies within the City. We estimate initiating more than 24 Megawatts of clean, distributed solar power generation projects this calendar year, which is almost double what we have installed to date and enough to power 82 NYC homes. We are also piloting energy storage technologies that are both stand-alone and coupled with clean distributed generation.

DCAS continues to work closely with agencies Citywide, to enhance the energy performance of their facilities through a range of programs, which includes retrofitting equipment, improving operations and maintenance, as well as training and outreach to reduce the City's energy costs.

Facilities Management

Regarding the 55 buildings in our City-owned space portfolio that DCAS manages, we have been proactive in seeking areas where energy consumption can be reduced. We are in the process of installing Building Management Systems (BMS) in select locations. In-house staff recently installed a BMS at Queens Supreme Court, allowing better ventilation control. This upgrade has resulted in an 11% reduction in electrical consumption, resulting in more than \$50,000 in cost savings per year. Four additional buildings are currently being upgraded with new BMS technology.

Expense Budget Funding and Additions:

DCAS's expense budget reflects funding of \$1.2 billion and a budgeted headcount of 2,464 in FY19. The majority of DCAS's planned FY19 expenditure—\$714 million—is allocated for Citywide heat, light, and power

expenses, which is based on forecasted agency energy usage as well as commodity rates expected in the upcoming fiscal year.

In the FY19 Preliminary Budget, DCAS received expense funding to enhance our services through joint efforts with other City agencies including but not limited to Civil Examination Administration, Citywide Fleet initiatives, and public safety. Examples include:

- Operation of Staten Island CTAC: DCAS received funding for 24 positions and \$1.4 million for the staffing of this new facility that operates Monday through Friday from 8 am to 8:30 pm and Saturday until 6:00pm. The additional funding is allocated to assist in the administration of exams, to provide customer service, and assist test takers if needed.
- Citywide Fleet Management System: DCAS received approval for \$1.4 million in FY18 and an additional \$800,000 in FY19 to upgrade, modify, and add new modules to the City's Fleet Management System. The information from the system will allow us to develop better maintenance and car replacement schedules.
- Life and Safety Measures: An additional \$2.0 million was provided in FY18 to perform life and safety projects, including \$1.7 million for roof repairs and \$300,000 for the installation of sidewalk sheds at various DCAS managed buildings. The Fire & Life Safety unit also received \$300,000 to repair the fire alarm system at 1118 Grand Concourse, a system that is currently more than 20 years old.

Agency Efficiency Initiatives

As requested by OMB, DCAS has identified savings in areas that will not adversely affect the agency's provision of core services to both the public and our sister City agencies. These efficiency initiatives include:

- Additional Civil Service Exams Fees: DCAS expects to earn an additional \$1.0 million in Civil Service exam fees in FY19 associated with the increase in the number of exams as part of the Provisional Reduction Program.

- PS Budget Reduction: DCAS's FY19 Personal Services Budget is reduced by \$2.0 million. DCAS will achieve these savings from accruals based on delays in the backfilling of attrition from three to six months.
- NYSERDA Incentive Payments: In FY 19, DCAS expects to receive an additional \$750,000 in incentive payments from the New York State Energy Research Development Authority (NYSERDA) associated with the installation of solar photovoltaic power projects at 24 schools which were completed in FY16.

Revenues

The FY19 total DCAS revenue budget is \$65.3 million primarily due to:

- DCAS's largest source of recurring revenue is from private rentals of City-owned property, projected at \$43.1 million.
- Another significant revenue source is the sale of surplus vehicles and other City-owned equipment totaling \$7.9 million.
- DCAS also receives revenue from applicant filing fees for Civil Service examinations. DCAS anticipates collecting \$4.8 million from these fees.

Capital Plan

The Preliminary Budget reflects an updated Four-Year Capital Plan of \$2.5 billion for FY19-FY22 to maintain and enhance DCAS facilities and leased office spaces, as well as to continue the Energy Conservation Program. The Preliminary Capital Budget for FY19 is \$858 million and will allow us to complete some of the following initiatives:

- DCAS Managed Facilities: DCAS's capital construction program for City-owned office and court buildings totals \$475 million. This includes \$182 million allocated for the upgrade of fire protection and suppression systems at Brooklyn Supreme Court, 851 Grand Concourse, 253 Broadway, and 80 Centre St.

- Energy Conservation and Clean Energy Projects: The capital plan for FY19 totals \$265 million. This budget allocation includes \$57 million for solar powered roof-top energy systems at waste water treatment plants, Sanitation garages, DOE schools, and the installation of solar canopies in parking lots and garages.

Conclusion

Thank you for this opportunity to discuss DCAS's planned expenditures and revenues for FY19, as well as our capital plan. I look forward to a strong, continued working relationship with the Council over the next year. I would be happy to answer any questions you may have.

Statement by Fidel F. Del Valle, Commissioner & Chief Administrative Law Judge at the NYC Office of Administrative Trials and Hearings, to the City Council in Connection with the Preliminary Budget for Fiscal Year 2019

March 19, 2018

Introduction:

The City's Independent Administrative Law Court:

The Office of Administrative Trials and Hearings (“OATH”) is the City’s independent administrative law court. OATH’s mandate is to foster judicial professionalism, fairness, impartiality, equality and a commitment to the integrity of the administrative law judicial decision-making process. As the City’s administrative law court, OATH’s function is to provide due process in cases that originate from the City’s numerous enforcement agencies in a fair and impartial forum that is also convenient and accessible to the public. The past year has given rise to changes at OATH that have resulted in providing the public with a more streamlined, accessible and convenient court that is easier to navigate and understand. In 2016, we restructured OATH into two divisions: the Trials Division and the Hearings Division: (a) The Trials Division conducts adjudications on a wide variety of complex administrative matters. In fiscal year 2017, the Trials Division resolved 1,896 cases. (b) OATH’s Hearings Division adjudicates a wide variety of summonses. In fiscal year 2017, the Hearings Division held over 298,000 hearings.

OATH keeps both the public and the enforcement agencies informed of its commitment to provide impartial, fair, and timely trials and hearings to everyone who appears before our administrative law judges and hearing officers. OATH

regularly provides to issuing agencies statistical data concerning dispositions on summonses returnable to the OATH Hearings Division including dismissal rates. OATH continues to provide the City Council, Public Advocate, and Enforcement Agencies with a monthly dismissal report pursuant to Local Law No. 64. OATH also regularly submits a quarterly report on the number of adjudications of specified Criminal Justice Reform Act (CJRA) violations to the City Council and the Mayor pursuant to Local Law 73. To inform the public, OATH posts quarterly reports containing the data for these reports on its website. While technically we are a creature of the executive, OATH is an impartial, unbiased, and independent administrative law court where everyone appearing gets a fair shot. In addition to these reports, OATH has worked with the Mayor's Office of Operations to revamp its PMMR and MMR indicators to provide information that better reflect the work of OATH. The new MMR goes a step further than just providing reports on the number and timeliness of hearings, trials, and decisions by also reporting prehearing activities and data related to OATH's remote hearing options that affords individuals and small businesses the opportunity to participate in a hearing without having to physically appear in person.

I. Greater Equity, Fairness, and Equal Access to Justice

To provide greater equity and fair and equal access to justice, OATH continues to work to eliminate barriers to obtaining convenient hearings for all New Yorkers and to put small businesses and residents first. To that end, OATH's Trials Division and Hearings Division, Office of the Clerk, and Help Centers encourage greater participation in the administrative justice process.

OATH Trials Division

At OATH Trials Division, administrative law judges preside over the more complex trials concerning Article 75 disciplinary proceedings involving civil servants, zoning matters, seizure cases, license revocations, Conflict Of Interest Board violations, vehicle forfeiture, Loft Law and SRO cases, City Human Rights Law violations, lobbyist registration and other regulatory cases, and city contract disputes. Legal and factual issues presented at these trials can be complex. For instance, a trial concerning a loft board case can involve the participation of 10 - 20 witnesses and voluminous documentary exhibits requiring 5 to 10 days of a judge's time to hear the evidence and afterwards analyze the law and facts and propose a decision. OATH administrative law judges serve for five year terms that ensure absolute independence and impartiality in the judicial decision-making process since judges serve one year more than the Mayor. There are currently 12 active administrative law judges serving the City at OATH's Trials Division. As part of the 1,896 resolved cases for fiscal year 2017, OATH administrative law judges conducted 1,568 settlement conferences, 328 trials (full trials resulting in a decision being issued in fiscal year 2017), and 99.2% of the decisions rendered were adopted by the City agencies as their final determinations.

OATH Hearings Division

Through rule making, OATH has implemented new rules and procedures for its Hearings Division. This new uniform procedural process removes the impediments that existed under the old rules and procedures where the type of summons issued determined the appropriate venue for adjudicating a hearing. The new uniform rules and procedures ensure a streamlined path where one venue is provided for all

summonses that are, accordingly, subject to the same hearing process. The new rules go further in affording residents and small businesses a more level playing field at the Hearings Division since these rules provide in the clearest language that one standard of justice applies equally to both residents and small businesses and the City enforcement agencies. OATH's Hearings Division uniform system of rules and procedures also provides a greater opportunity for New York City residents and small businesses to become familiar with the hearing process and represent themselves. To ensure greater procedural justice, in 2016, OATH started requiring that a hearing officer review whether proper service of a summons occurred prior to determining that an individual or small business is in default for failing to appear at a hearing. In fiscal year 2017, OATH hearing officers have dismissed 3,322 summonses out of 199,516 defaulted summonses for jurisdictional insufficiency.

In an effort to promote greater fairness, impartiality, professionalism and transparency in the hearing process, Mayor Bill de Blasio signed Executive Order 18 on June 23, 2016 transferring jurisdiction to OATH to hear cases involving Department of Consumer Affairs (DCA) charges and DCA-issued summonses. As a result, DCA now files all inspection related summonses at OATH's Hearings Division while the OATH Trials Division hears license revocation cases, and cases involving charges against businesses alleging violations of the City's Paid Sick Leave Law, and Commuter Transit Benefits Law. OATH's Hearings Division has adjudicated 5,229 cases since the transfer of jurisdiction to hear cases involving DCA-issued summonses took effect.

In June 2016, Mayor Bill de Blasio signed a package of bills called the Criminal Justice Reform Act (CJRA). Summonses issued by the New York City Police

Department (NYPD) prior to CJRA go to NYC Criminal Court where the court could issue an arrest warrant for failing to appear, and/or impose a penalty resulting in incarceration and a criminal record that could block a person from qualifying for government assistance for housing and college, among other consequences. CJRA gives the NYPD the discretion to file summonses at OATH for low-level offenses such as drinking alcohol in public, littering, public urination, offenses in parks, and unreasonable noise. Since going into effect in June of 2017, OATH has received 44,410 summonses from the NYPD that would have been otherwise filed with NYC Criminal Court. In some cases, CJRA gives OATH the authority to provide an option to complete community service rather than a monetary fine. The community service option is not the typical picking-up garbage in park or work at a Department of Sanitation garage. OATH along with the Center for Court Innovation, our community service provider, has developed an e-learning video tutorial that places emphasis upon common behavioral norms that are expected by all members of a civil society. This tutorial also demonstrates how the behavior of those who have been found in violation has an impact upon their fellow New Yorkers. It is our belief that their future conduct will be positively affected upon learning how their behavior has negatively impacted the community.

OATH established the Office of the Clerk in June 2016 to further encourage greater participation in the administrative justice process and provide more assistance to the public. The Clerk's Office ensures that certain functions unrelated to adjudications and the issuing of legal decisions and orders are separate and apart from the Hearings Division. Clerks in the Clerk's Office are responsible for providing assistance to residents and small businesses, answer questions concerning their cases, and offer them information about available options. Clerks

also provide the hearing support necessary to help ensure that OATH Hearing Officers are equipped to conduct hearings in an efficient, fair and orderly manner.

The Clerk's Office also oversees the Penalty Processing Unit which liaises with the NYC Department of Finance (DOF). DOF is the City agency responsible for collecting monies owed to the City of New York.

II. A Hearing Process More Convenient and Easier for Residents and Small Businesses to Understand

One Click (online) Hearings, Hearings by Mail, & Hearings by Phone

OATH has made the hearing process more convenient by providing alternative ways to participate in a hearing. OATH's remote hearing methods make it possible to contest summonses without having to appear at a scheduled hearing in person. These alternative options include One-Click (online) Hearings, Hearings by Mail, Hearings by Phone, and Hearings by Webcam.

The most commonly issued charges from the New York City Department of Sanitation (DSNY), Department of Parks & Recreation (DPR), Department of Environmental Protection (DEP), Fire Department (FDNY), Department of Buildings (DOB), and Department of Transportation (DOT) are now eligible for some type of remote Hearings Division Hearing; and all summonses issued to restaurants by the Department of Health and Mental Hygiene (DOHMH) and filed at OATH for a hearing are eligible for whatever remote hearing method that respondent wants to choose. Last year we conducted nearly 5,000 Hearings by Phone and have conducted nearly 20,000 Hearings by Phone since launching that

hearing option. In 2017, OATH conducted 14,778 Online Hearings and conducted more than 64,000 Online Hearings since that hearing method was launched.

Webcam Hearings

In my testimony before this committee each of the past two years, I told you about the implementation of the virtual hearing program utilizing webcam technology for summonses issued by the DOHMH as a means to improve access to justice for individuals and small business owners throughout the five boroughs. The use of webcam technology permits enforcement agencies to have their representatives testify from their location irrespective of the location of the hearing. This enables individuals and small businesses to attend hearings at OATH offices located in the borough in which they live or operate their business, reduces the time they would have to wait for an enforcement agent to attend the hearing in person, and reduces adjournments which would require them to return for another hearing on the same matter. Additionally, in past years I also testified before this committee about how webcam technology had also been implemented by OATH for Vehicle for Hire summonses issued by Port Authority of New York and New Jersey Police which permitted them to testify while remaining on site at John F. Kennedy (JFK) International Airport. This cost saving measure no longer required OATH to staff the JFK location with hearing officers and supporting staff to adjudicate cases, and made it convenient for drivers, many of whom as taxi medallion owners are small business people, by requiring that they only appear in person at OATH's location in Long Island City, Queens. The use of webcam technology also permitted enforcement agencies representatives to quickly return to the field to conduct their duties. In 2017, OATH received confirmation from the New York City Taxi and Limousine Commission (TLC) that it would agree to have some cases adjudicated

with both the respondent and a TLC representative appearing by webcam, if the respondent wanted to use that option. OATH has received the list of eligible case types from TLC and has information posted to its website alerting respondents of this option. Additionally, OATH is adjudicating some DCA cases via webcam and is in the process of expanding webcam hearings to 4 of the 5 boroughs. Since 2017, OATH continues to provide webcam hearings for members of the public with the option to contest summonses through the use of a desktop computer, tablet, and mobile devices with video capabilities.

Resources for Residents and Small Businesses

OATH continues to make it easier for small businesses and individuals who have received summonses and were interested in learning about the new rules and procedures for hearings, appeals, and defaulted cases and how to better understand and participate in the adjudicatory process. OATH currently has brochures describing the Hearings Division, when to appeal a decision, and information explaining defaulted cases. In 2017, OATH created two informational videos, one about the CJRA and one that explains the hearing process and a respondent's many options for responding to a summons. Both videos are available on our website and play in OATH Hearings Division locations.

Residents and small businesses are afforded greater opportunities to fight City Hall as a result of the changes made at OATH. It's also important to point out that the way residents and small businesses perceive their experience with the hearings process and how they were treated is a matter that OATH takes seriously. OATH strives to ensure procedural justice, the idea that the hearings process and administration of justice is fair and impartial for residents and small businesses. It

is important for residents and small businesses to know they received a fair and impartial hearing no matter what the outcome of the case might be. Self-represented residents and small businesses are also provided information by clerks about OATH's rules and procedures on the day of the hearing. To make the hearing process easier to understand and navigate, OATH employees give out palm cards to residents and small businesses. These palm cards are available in nine languages and include information that plainly describes the hearing process and their rights, making the overall experience of fighting City Hall more convenient and less intimidating.

OATH instantly provides free professional over-the-phone impartial and neutral translation services at hearings in up to 250 different languages, including Urdu, Burmese, Bengali, Haitian Creole, Farsi, Punjabi, Somali, and Tagalog. In 2017, OATH provided 14,463 free interpretations at hearings, which is an increase of 25% from 2016. OATH also publicizes the fact that it will accept and have translated any documents or written defenses that are received in foreign languages at no cost to the resident or small business. This includes providing free document translation for forms and written defenses for self-represented residents and small businesses. This service ensures that the self-represented can use the language with which they are most comfortable when participating in the administrative adjudicatory process. The types of documents that are submitted to OATH and translated into English by a third-party at no cost to residents and small businesses prior to review at the hearing include written defenses for hearings by mail and One-Click (online) hearings, requests to vacate default decisions, and appeals of OATH hearings decisions.

Reaching Goals

The reforms made at OATH reinforce Mayor de Blasio's overall commitment to provide City residents and small businesses with an administrative law process that is impartial and fair. To ensure an even greater level of impartiality and equity in the administrative law process, and to provide City residents and small businesses with the highest quality of convenience, Mayor de Blasio has set four mission targets and goals for OATH to meet. The first two of these targets is the Uniform OATH Hearings Division or, what is also referred to as One Hearing, that I described earlier. OATH's component toward this commitment was met during 2016 with the establishment of the Hearings Division and Hearing Centers in all five boroughs and the ability of all OATH Hearing Officers to adjudicate any type of summons as a result of the cross-training provided to them. Prior to 2017, residents and small businesses in Queens were burdened with sometimes having to go to two different locations to contest their summonses in person. OATH removed this burden by centralizing its Queens location to make it more convenient for residents and small businesses. Residents and small businesses can now contest all of their summonses at OATH's Long Island City Hearing Center location. OATH hearing officers are now capable of adjudicating any type of summons that is issued from any enforcement agency from Monday through Friday at any Hearing Center in each of the 5 boroughs. OATH hopes to see that enforcement agencies provide their own administrative prosecutorial units with necessary resources to ensure that residents and small businesses are able to have their cases adjudicated from Monday through Friday in any of the 5 boroughs. This would require providing enough agency representatives to present their cases at all hearing locations from Monday through Friday. Since webcam technology is currently used by DCA, DOHMH, and the Port Authority of New York and New Jersey

Police, the expanded implementation of webcam hearings by more enforcement agencies will further improve greater access to justice for residents and small businesses. OATH continues to cross-train all hearing officers on new rules and laws relevant to summonses issued for violations by all enforcement agencies where OATH has adjudicatory jurisdiction.

The second target to achieve the goal of One Process was met with the establishment of uniform procedures during 2016 that I described earlier. These new rules and procedures apply equally to all parties appearing at OATH. Since the establishment of uniform procedures there is one set of deadlines, one set of forms, and one set of rules for all residents and small businesses appearing before the Hearings Division at OATH to contest summonses, which has resulted in simplifying the procedures and alleviating the confusion caused by having multiple rules and deadlines before 2016.

For the past two years, OATH has been working with the Mayor's Office of Operations and city enforcement agencies on the third goal, One Summons, by establishing one uniform summons to be used by all city enforcement agencies. The uniform summons provides a consistent easy-to-read format that makes it more convenient for residents and small businesses to understand and answer. Additionally, OATH continues to work with the Mayor's Office of Operations and enforcement agencies to develop and use a summons writing technology that includes hand-held electronic devices that can generate a summons in the field and electronically file the summons shortly thereafter. Currently, each enforcement agency has adopted the universal summons for some if not all of their issuance. Other agencies are updating their technology in order to be able to adopt the

universal format. Not all agencies are currently capable of transmitting their summons data electronically to OATH.

III. Greater Transparency & Access to Justice

In 2017, OATH established the Ombudsperson/Pro Se Clerk to ensure unrepresented residents and small businesses receive greater access to justice and equitable and fair treatment. The Ombudsperson/Pro Se Clerk is responsible for investigating and resolving complaints made by residents and small businesses who have appeared and participated in either a trial or hearing at OATH. The Ombudsperson/Pro Se Clerk is also responsible for ensuring that residents and small businesses appearing at OATH understand the adjudicatory process prior to their hearing. OATH also established the first ever administrative law court's *Help Center* in 2017 in its hearing centers throughout the 5 boroughs to provide information to any self-represented party appearing before OATH. The Ombudsperson/Pro Se Clerk is responsible for overseeing the *Help Center*. Of the 39,344 individuals and small businesses connecting with the *Help Center* during its inaugural year, 27,783 were provided help, while 10,596 opted not to receive any assistance, and 965 never responded to the *Help Center*'s offer. The *Help Center* also provides assistance for individuals receiving summonses issued pursuant to CJRA. Of the 4,616 individuals connected with the *Help Center*, 4,514 were helped while 102 opted not to receive any assistance.

There are certainly a lot of rules and laws in this city; most City enforcement agencies have hundreds or thousands that they enforce. It's those agencies' mission and job to let people know what their rules are and provide direction on how New Yorkers can be in compliance with those rules and laws. The *Help*

Center at OATH is trying to play an intermediary role in that regard, explaining to people why they were given a summons (not saying that they are guilty but explaining what rule or law they have been charged with violating by looking at the summons). To the extent that we can, the *Help Center* aims to educate New Yorkers while also ensuring that OATH hearings remain completely impartial and neutral so that the administration of justice at OATH continues to be fair.

New OATH Website

In 2017, OATH launched its new website, which is more user-friendly. The site now clearly illustrates the reorganized court, continuing OATH's commitment to ensure that all individuals and small business owners have equal access to the information they need to fully prepare for and participate in their hearings. Information and forms about OATH's Trials Division and Hearings Division are accessible on the administrative law court's website. Residents and small businesses scheduled to appear at the Hearings Division can conveniently complete and submit some applications and/or requests directly from the website at any time without having to go in person to an OATH location. OATH's website continues to provide access to decisions made at the Trials Division. In conjunction with *New York Law School*, OATH Trials Division decisions are posted to the *City/Administrative Online Library* that is located on the law school's *Center for New York City Law* website. OATH Trials Division decisions are also posted on the *Lexis* pathway for public view. OATH's Trials Division also publishes *Benchnotes*, a monthly periodical highlighting key administrative law decisions. The website was designed to foster an understanding of the many options available to anyone responding to a summons from a city enforcement agency. OATH's commitment to providing easy to understand instructions is demonstrated by the

plain language format of our website. The website is also available in 34 languages including Arabic, Russian, Ukrainian, Spanish, Vietnamese, Simplified and Traditional Chinese, Hebrew, Hindi, Italian, Greek, and Korean. OATH Hearings Division Summons Finder search application for hearings, also on the website, permits the user to search for summonses issued by most enforcement agencies, view and print copies of the summons, and learn the summons' current status. OATH is working on expanding the Summons Finder Application so that individuals and small business owners will have the ability to search and find summonses issued by the DOHMH, DCA, and TLC. OATH has also made new informational materials available to the public that are designed to help the public develop a greater understanding of the administrative law adjudicatory process. These informational materials are available in at least 8 languages and elaborate on subjects that range from an individual's right to a hearing to how defaulted cases are reopened.

IV. OATH Outreach

In 2015, OATH became the first administrative law court in the nation to provide outreach initiatives focused on greater access to justice for communities. The first of these initiatives focused on educating small businesses and later expanded in 2016 to include programs that provide education for young adults, immigrants, and individuals from the many diverse communities on how to respond to a civil summons and navigate the administrative law process. OATH expanded outreach during 2017 to include new initiatives focused on providing informational seminars for seniors, community leaders, and New York City military veterans.

OATH continued to host and participate in a number of events throughout the city that were aimed at helping small businesses learn about the City's administrative law court and how it functions. OATH's *Building Bridges for Small Businesses* Initiative was established to ensure that small businesses throughout the City are aware of the administrative law court's geographical presence and adjudicatory role in each borough. Through *Building Bridges for Small Businesses*, OATH provides educational seminars with a focus on helping small businesses develop a greater understanding of the administrative law adjudicatory process and to assist them in navigating through this process. In 2017, *Building Bridges for Small Businesses* events took place where OATH partnered with Brooklyn Borough President Eric Adams, City Council Member Ben Kallos, City Council Member Antonio Reynoso, and City Council Member Ralf Espinal, *Queens Chamber of Commerce, Bronx Chamber of Commerce, and the Staten Island BUCKS Business Network*. OATH will continue in 2018 to *build bridges* with small businesses throughout the city.

ACCES or the Administrative Law Court Community Education Service, was launched by OATH in 2016 to educate the public about OATH and how OATH is working toward achieving the goal of greater access to justice for all. *ACCES* focuses on educating our diverse communities about OATH since OATH can be the first and in some cases, the only experience a resident has in seeking justice within a court process in the United States. It is OATH's goal through *ACCES*, to ensure that irrespective of the outcome, a resident will encounter a fair and impartial hearing process and just as important, s/he will be satisfied with her/his experience. A good first and sometimes only impression of an experience in seeking justice through a court process irrespective of their case's outcome, is not only important for that individual, but also for the community at large, the City,

and the Nation. Nearly all *ACCES* events have foreign language translators to facilitate understanding by audience members and the question and answer sessions. Additionally, *ACCES* continues to educate diverse communities throughout the City about OATH's new role in adjudicating civil summonses issued by the NYPD for violations that have been decriminalized by Criminal Justice Reform Act. *ACCES* also involves educating the public about OATH's language support services and OATH's Ombudsperson. Finally, *ACCES* representatives from OATH visit New York City schools and teach children about access to justice and the role the administrative law court plays in society.

In 2017, *ACCES* events took place where OATH partnered with Borough President Gale Brewer, Borough President Eric Adams, Borough President Melinda Katz, United States Congresswoman Grace Meng, United States Congressman Adriano Espaillat, New York City Council Member Ritchie Torres, City Council Member Ben Kallos, New York City Council Member Margaret Chin, New York City Council Member Antonio Reynoso, New York City Council Member Peter Koo, New York City Council Member Ydanis Rodriguez, New York State Senator Toby Stavisky, New York State Senator Marisol Alcantara, New York State Assembly Member Carmen De La Rosa, New York State Assembly Member Ron Kim, Community Board 7, Asian Americans For Equality, Chinese-American Planning Council, Flushing BID, Flushing Chinese Business Association, Forest Hills Asian Association, Greater Flushing Chamber of Commerce, Korean American Association of Queens, F&T Group, Hyatt Place Hotel, Progress High School for Professional Careers at Grand Street Campus, The High School For Enterprise, Business And Technology at Grand Street Campus, High School for Legal Studies at Grand Street Campus, New York Immigration Coalition, African Services Committee, Kechie's Project, African Communities Together, African Life Center,

International Human Rights Commission, United African Congress, Inc., Harlem YMCA of Greater New York, New York African, Afrikan Spot.Com, Immigrant Community Law Center, Immigrant Community Center, Hamilton Madison House, Chinatown Partnership Local Development Corporation, Asian American Federation, Indochina Sino-American Senior Citizen Center, Chinese Consolidated Benevolent Association, and Chinatown Business Improvement District.

OATH launched the *Court Education for Seniors* or *CourtESy* initiative in 2017. The *CourtESy* initiative focuses on assisting elderly residents navigating the hearing process by providing education forums at senior centers and elderly support organizations throughout the five boroughs. Attendees at *CourtESy* events receive informational material that include postcard-sized magnets with instructions for how to do a hearing remotely. *CourtESy* events provide instruction on participating in remote hearing methods, including hearings by phone, by mail, and online, effectively eliminating any inconvenience seniors may experience when physically travelling to an OATH hearings location. In its inaugural year, OATH *CourtESy* included New York City Council Member Ben Kallos, New York State Assembly Member Joe Lentol, New York City Council Member Peter Koo, New York City Council Member Fernando Cabrera, New York State Assemblyman Mark Gjonaj, New York State Assistant Speaker Felix Ortiz, Lenox Hill Neighborhood House, Swinging 60s Senior Center, Bronx Works Morris Innovative Senior Center, RAIN Boston Road Senior Center, Nan Shan Senior Center, and United Senior Citizens Center.

In 2017, OATH introduced the *Veterans Hearing Support (VHS)* initiative and the first ever citywide *Symposium for Veterans Hearing Support*. OATH *VHS* provides Military Veterans who are residents in New York City with important

information about what to do when they get a summons issued by a city enforcement agency for an alleged violation. *VHS* also provides Military Veterans with valued information on how to navigate the administrative law process and provides access to resources and assistance when they contest a summons. 2017 OATH VHS partners include Brooklyn Borough President Eric Adams, Manhattan Borough President Gale Brewer, Queens Borough President Melinda Katz, Staten Island Borough President James Oddo, New York State Senator Martin Malave Dilan, New York State Senator Marisol Alcantara, New York State Assembly Member Joseph Lentol, New York State Assembly Member Helene Weinstein, New York State Assembly Member Matthew Titone, New York State Assembly Member Felix Ortiz, New York State Assembly Member Michael G. DenDekker, New York State Assembly Member Robert Carroll, New York State Assembly Member Mark Gjonaj, New York State Assembly Member Carmen De La Rosa, New York State Assembly Member Joanne Simon, New York State Assembly Member Michael Cusick, New York State Assembly Member David Weprin, New York State Assembly Member Daniel J. O'Donnell, New York City Council Member Ben Kallos, New York City Council Member Mark Levine, New York City Council Member Ritchie Torres, New York City Council Member Elizabeth Crowley, New York City Council Member Robert E. Cornegy Jr., New York City Council Member Brad Lander, New York City Council Member Fernando Cabrera, New York City Council Member Helen Rosenthal, New York City Council Member Daneek Miller, New York City Council Member Rafael L. Espinal, New York City Council Member Jumaane Williams, New York City Council Member Costa Costantianides, New York City Council Member Alan Maisel, New York City Council Member Stephen T. Levin, New York City Council Member Mark Treyger, New York City Council Member Andrew Cohen, New York City Council Member Ydanis Rodriguez, New York City Council

Member Antonio Reynoso, New York City Council Member Peter Koo, New York City Department of Veterans Affairs, VA New York Harbor Health Care System, Military Veterans of America, National Association of Invalids and Veterans of World War II, and Black Veterans for Social Justice.

In 2017, OATH initiated the *Commissioner's Community Roundtable*, which is a speaking series where the Commissioner and groups of community leaders discuss OATH, what someone can do when they receive a summons, and the resources that are available to them at OATH. The first *Commissioner's Community Roundtables (Roundtable)* took place during December of 2017 in the Bronx with co-sponsor Community Board 7 and during February 2018 in Brooklyn with co-sponsor New York State Assistant Speaker Felix Ortiz. More recently, OATH co-sponsored a *Roundtable* in Brooklyn with New York City Council Member Robert E. Cornegy Jr. OATH looks forward to conducting more *Roundtables* throughout the city during 2018.

In 2017, OATH introduced summer outreach initiatives that included *Outreach At The Beach* and *School At The Pool*. OATH conducted outreach and distributed information pamphlets at locations where large numbers of individuals, especially young adults, congregate for recreation in order to educate them on what to do if they receive a summons and what kinds of summonses can be issued by the NYPD pursuant to the *Criminal Justice Reform Act*. OATH *Outreach At The Beach* events took place at beaches throughout the city including Rockaway Beach in Queens, Orchard Beach in the Bronx, Coney Island Beach in Brooklyn, and South and Midland Beaches in Staten Island. OATH partnered with New York State Assembly Member Joe Lentol, New York City Council Steven Levin, and

Community Board 1 in kicking off *School At The Pool* at McCarren Park Pool in Brooklyn. OATH looks forward to continuing its summer outreach initiatives for 2018.

Implementing Mayor Bill De Blasio's goal for greater access to justice for all New Yorkers and in partnership with elected leaders throughout the City, OATH is introducing in 2018 the first in the nation mobile administrative law court. OATH *Neighborhood Pop-Up Courts* will provide greater accessibility for residents and small business owners by providing them with the opportunity to appear in person at a live hearing to contest civil summonses issued by the DSNY and DOHMH. Residents and small business owners can travel to a nearby location in their neighborhoods to contest eligible summonses at live hearings conducted by OATH hearing officers on specified dates. OATH will identify residents and small business owners who have received summonses and reside or conduct business near a designated *Neighborhood Pop-Up Court* site. Eligible residents and small businesses will be notified by mail and invited to attend the *Neighborhood Pop-Up Court* during the time it's in their community.

OATH recognizes the significant role faith-based community organizations have in providing assistance and support for the many diverse communities throughout the City. In 2018, OATH launched, *Fairness In Trials & Hearings or FAITH*, a new outreach initiative with a focus on providing education about OATH and how to navigate the administrative law process after a summons is issued by a city enforcement agency, and the resources available to the members of these faith-based organizations when seeking to fight a summons. *FAITH* kicked off earlier this year with a presentation made to the New York Hispanic Clergy Organization.

OATH plans on bringing *FAITH* to faith-based community organizations throughout the 5 boroughs during the upcoming year.

V. Center for Creative Conflict Resolution

In the latter half of 2015, OATH established the *Center for Creative Conflict Resolution* (CCCR). The *Center's* mission is to serve as a conflict resource and support for all City agencies and employees. The *Center* currently offers an array of conflict resolution services including mediation to help city employees resolve workplace conflict. The city employees participating in the *Center's* mediation program voluntarily and collaboratively work through issues that involve workplace and interagency conflict in a non-adversarial setting resulting in resolutions that are satisfactory and cost effective for them. Resolving workplace conflicts prior to any escalation can potentially thwart litigation and improve workplace congeniality and overall employee productivity.

In 2017, the *Center* received 92 mediation referrals and conducted a total of 62 mediations, 81% of which resulted in a mutual and voluntary agreement. Additionally, the *Center* surveys indicated that 87% of participants agreed or strongly agreed that mediation was a better way of handling their conflict than more formal procedures. And 92% agreed or strongly agreed they were satisfied with the mediation process. City employees interested in participating in the program can request mediation at the *Center* through a number of avenues including contacting their EEO officer or Human Resources personnel.

The *Center* additionally offers conflict coaching, group processes like group facilitation, restorative practices, dispute system design services, and training and

education. These services are available for employees of all City agencies at any level. The *Center* has received referrals or requests for assistance from the New York Police Department (NYPD), Human Resources Administration/Department of Homeless Services (HRA/DHS), the Department of Correction (DOC), Health + Hospitals Corporation (HHC), Department of Environmental Protection (DEP), Department of Citywide Administrative Services (DCAS), Department of Sanitation (DSNY), New York Fire Department (FDNY), Department of Information and Technology and Telecommunications (DoITT), Department of Mental Health and Hygiene (DOHMH), Department of Transportation (DOT), Department of Design and Construction (DDC), Department of Buildings (DOB), Department of Parks and Recreation (DPR), Office of Administrative Trials and Hearings (OATH), Mayor's Office for Contract Services (MOCS), City Commission on Human Rights (CCHR), NYC Law Department (Law Dept.), Employee Assistance Program (EAP), Department for the Aging (DFTA), Department of Education (DOE), Department of Finance (DOF), Office of the NYC Comptroller (Comptroller's Office), The Office of the Mayor (Mayor's Office), AmeriCorps Volunteers, Financial Information Services Agency-Office of Payroll Administration (FISA-OPA), King's County Public Administrator's Office, NYC Service, City University of New York (CUNY), and the Borough of Manhattan Community College (BMCC). In 2017, the *Center* provided 73 consultations involving 21 agencies, 46 Conflict Coaching Sessions with individuals from 12 agencies, and 2 Dispute System Design Projects with leadership teams from 2 agencies. The Center has developed a survey to measure the satisfaction of coaching services. In 2017, 92% of participants expressed satisfaction with coaching services. In the area of Group Work during 2017, the *Center* managed 8 large group conflicts referred by 5 different city agencies. The

Center applies restorative practices that include the Circle Process in its group work.

In 2017, the *Center* experienced an increase in demand for training in the following areas: conflict and communication skills, use of mediator skills in the workplace, restorative practices, and conflict management for supervisors. The *Center* led 41 training sessions for nine 9 city agencies and entities. These agencies and entities include FDNY, DSNY, NYC Service/AmeriCorps, CUNY Research Foundation, DPR, OLR/EAP, CCHR, NYC Law Department, and NYPD. Training surveys revealed that 98% of participants rated the training overall as good or excellent.

Recognition of the *Center's* value as a city government conflict resource continues to grow along with its visibility. As examples, the *Center* has led panels including a panel at New York Law School entitled "Early Conflict Intervention within New York City Agencies," and led workshops on conflict resolution at the request of public high schools including West Brooklyn Community High School and Curtis High School in Staten Island.

Finally, the hope is to expand the *Center* to provide conflict resolution services for the public on matters involving the City's government and the communities that it serves.

V. Headcount

The agency's headcount remains at 315 employees in Fiscal Year 2019 adopted preliminary budget. This does not include a roster of 338 which comprises (per

diem) attorneys who function as our hearing officers at the Hearings Division.

VI. Revenue

OATH adjudicates summonses alleging violations that exclusively carry civil penalties. Cases adjudicated before OATH hearing officers provide the parties the opportunity to present factual evidence supporting their respective positions with regard to the allegations made by enforcement agencies. Summonses issued by enforcement agencies can result in monetary penalties mandated by applicable laws or rules. The rules or governing laws of enforcement agencies that issue the summonses establish the amount of these fines and penalties. OATH's role is restricted to adjudicating cases and providing a fair and impartial adjudication. Moreover, OATH's dismissal rate after a hearing is approximately 44%. OATH affords businesses and residents the opportunity to fight *City Hall*. It should be noted that approximately 24% of the total number of summonses issued by enforcement agencies are admitted by the respondent and paid without a hearing taking place. Revenue collection and enforcement issues subsequently arise after a decision. OATH has no role to play. The expected revenue for fiscal year 2019 from the payment of these fines post adjudication and pre-docketing is \$139 million. Certain OATH hearing decisions can be docketed to become a civil court judgment. However, the process for collection of the penalties adjudicated by OATH is conducted and enforced by the Department of Finance and the Law Department.

VII. Budget

OATH's total Preliminary Budget for Fiscal Year 2019 is \$48.9 million which

represents an increase of \$1.5 million from the current Fiscal Year's budget for restoration of FY18 budget reductions. Of the \$48.9 million, \$35.6 million is PS and \$13.3 million is OTPS.

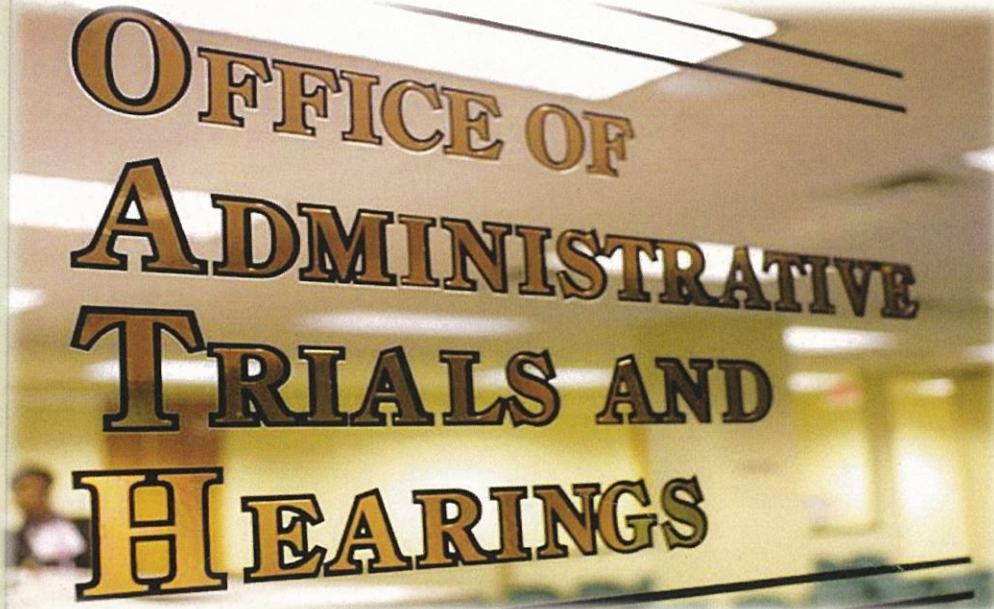
Conclusion

Thank you for your ongoing support of OATH and I look forward to our continued partnership. I would be happy to answer any questions you may have.



**OFFICE OF ADMINISTRATIVE
TRIALS AND HEARINGS**

Agency Overview



OATH holds **trials** on a diverse range of administrative matters including: human rights and discrimination cases, car seizure cases, license revocation cases and complex contractual disputes in addition to being the agency responsible for hearing disciplinary cases relating to the City's more than 325,000 civil servant workforce.

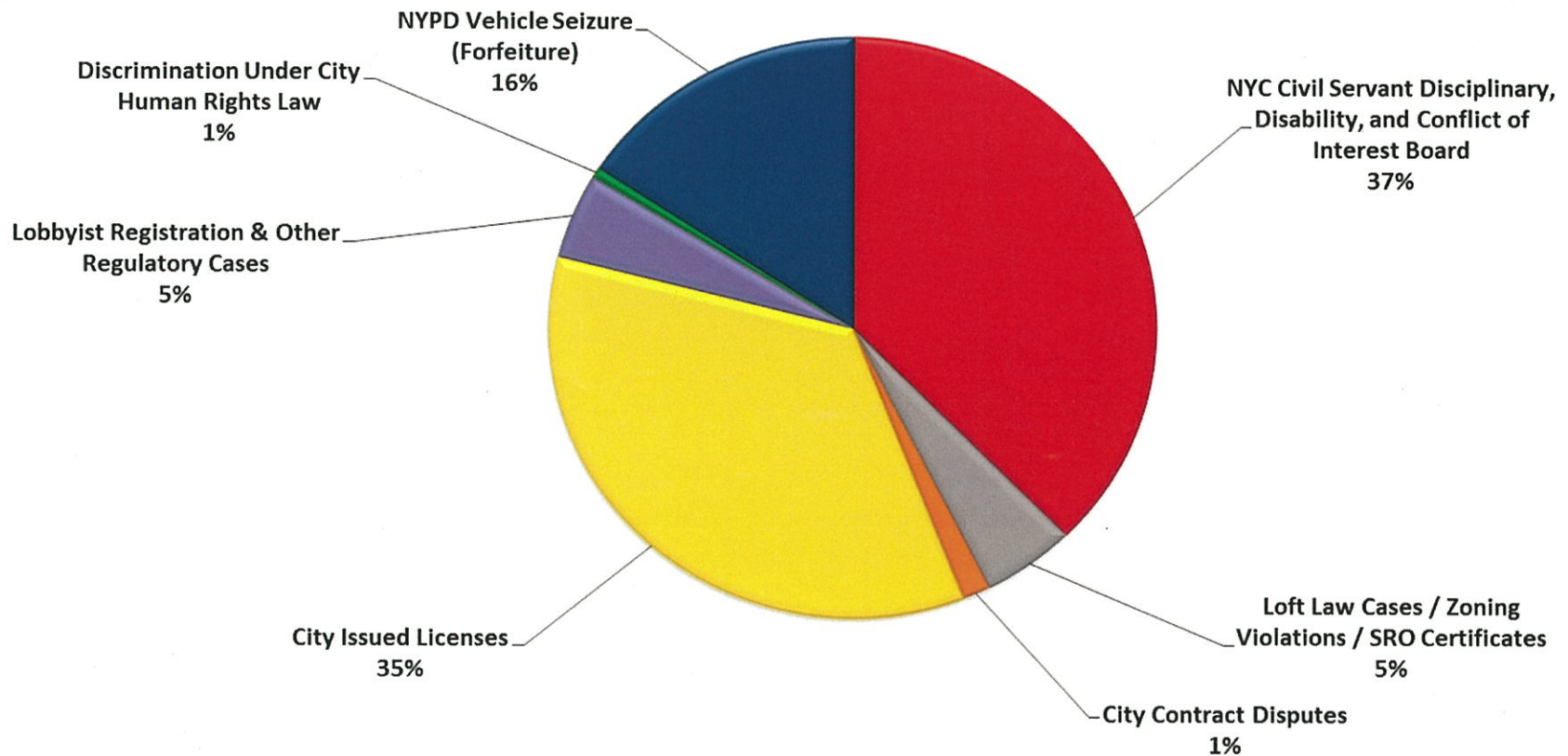
OATH also receives more than 850,000 summonses each year- from the City's various enforcement agencies- on which it conducts about 300,000 **hearings**.



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Trials Division

Types of Cases Filed by NYC Agencies at the OATH Trials Division in 2017

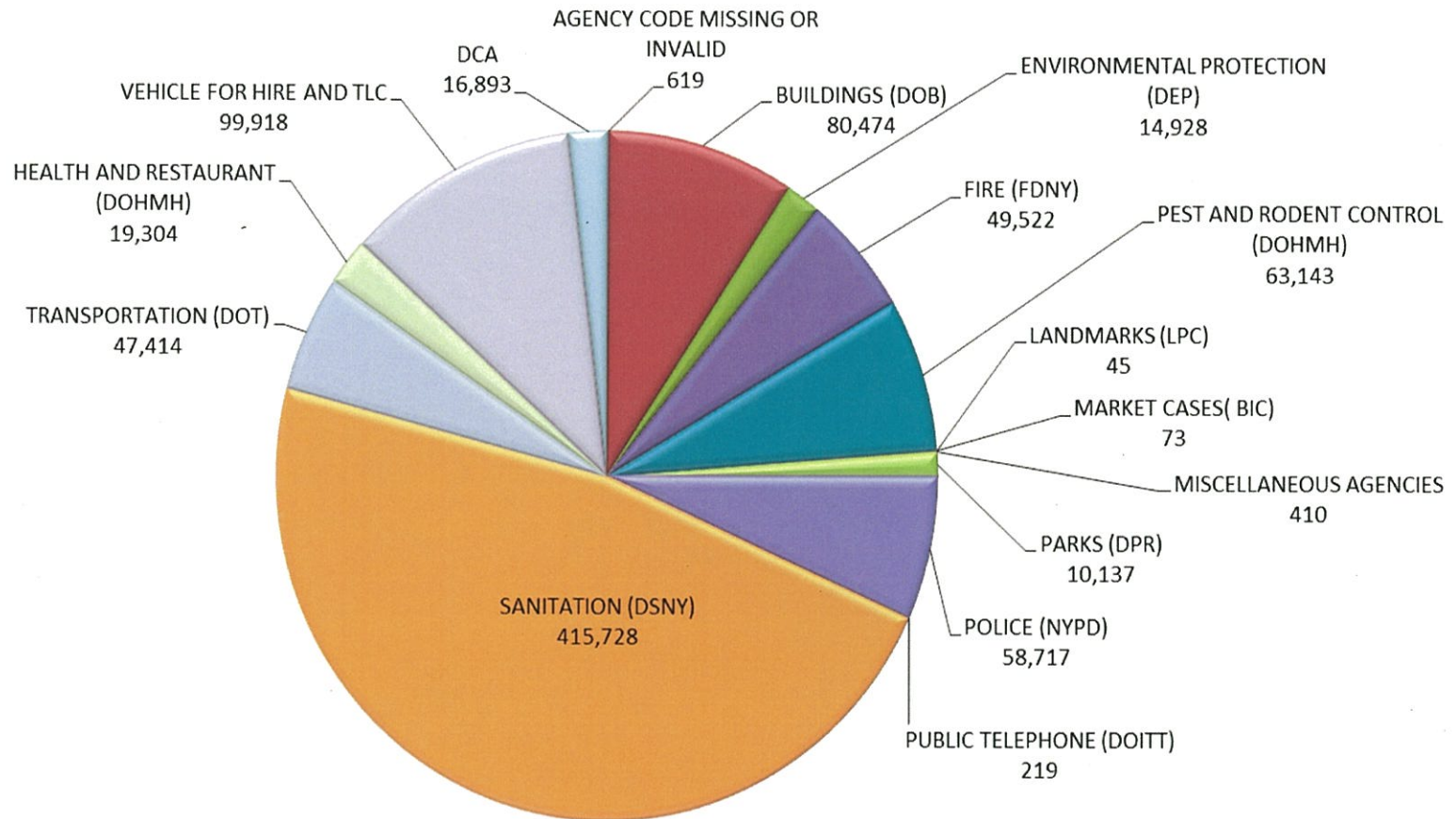




OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Cases Received by Hearings Division from City Enforcement Agencies
877,544 Summonses Received in 2017

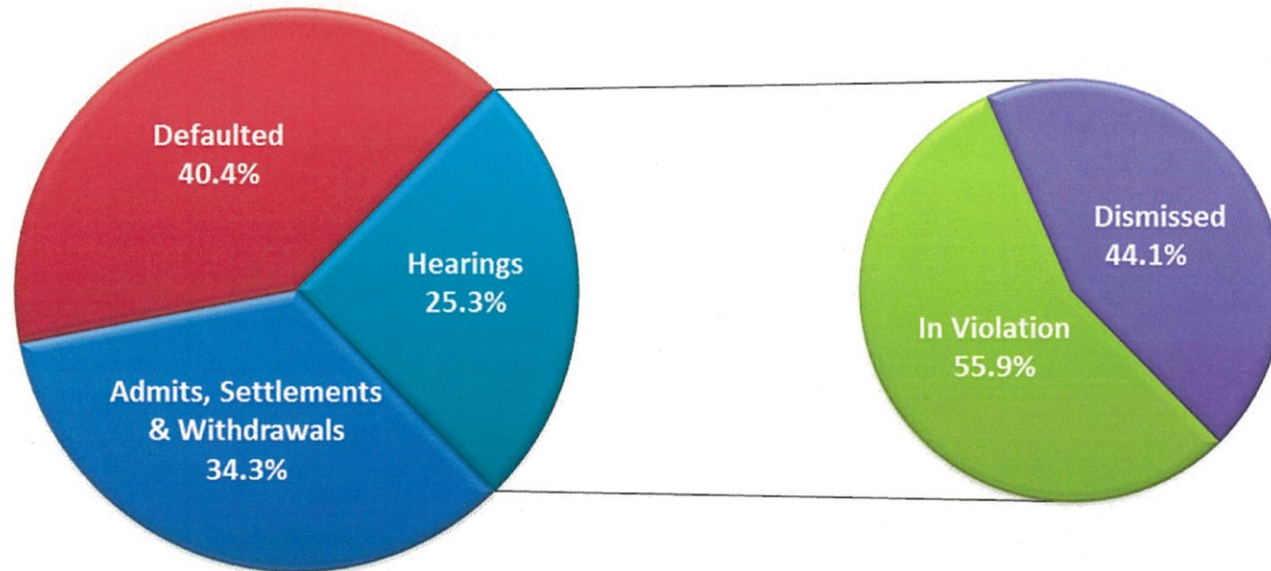




OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

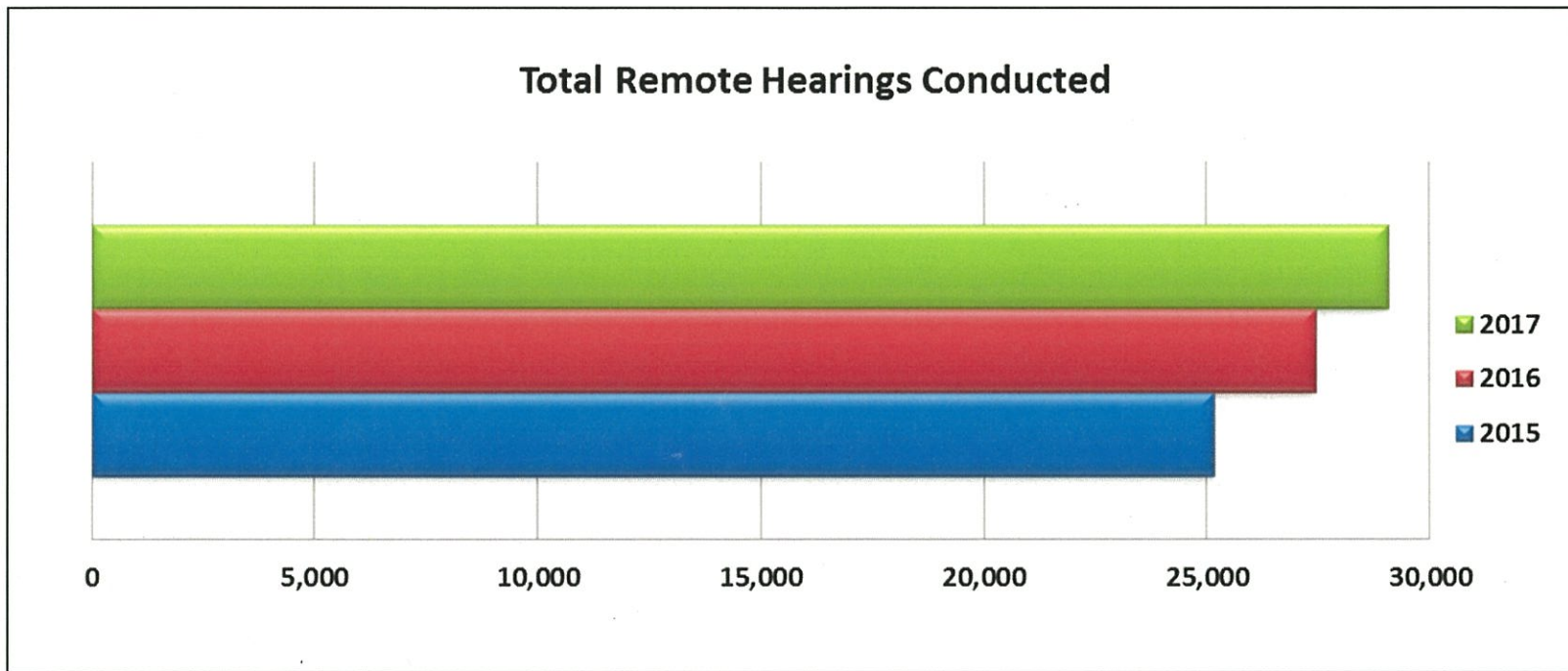
2017 Outcomes for Summonses Filed with the OATH Hearings Division





OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

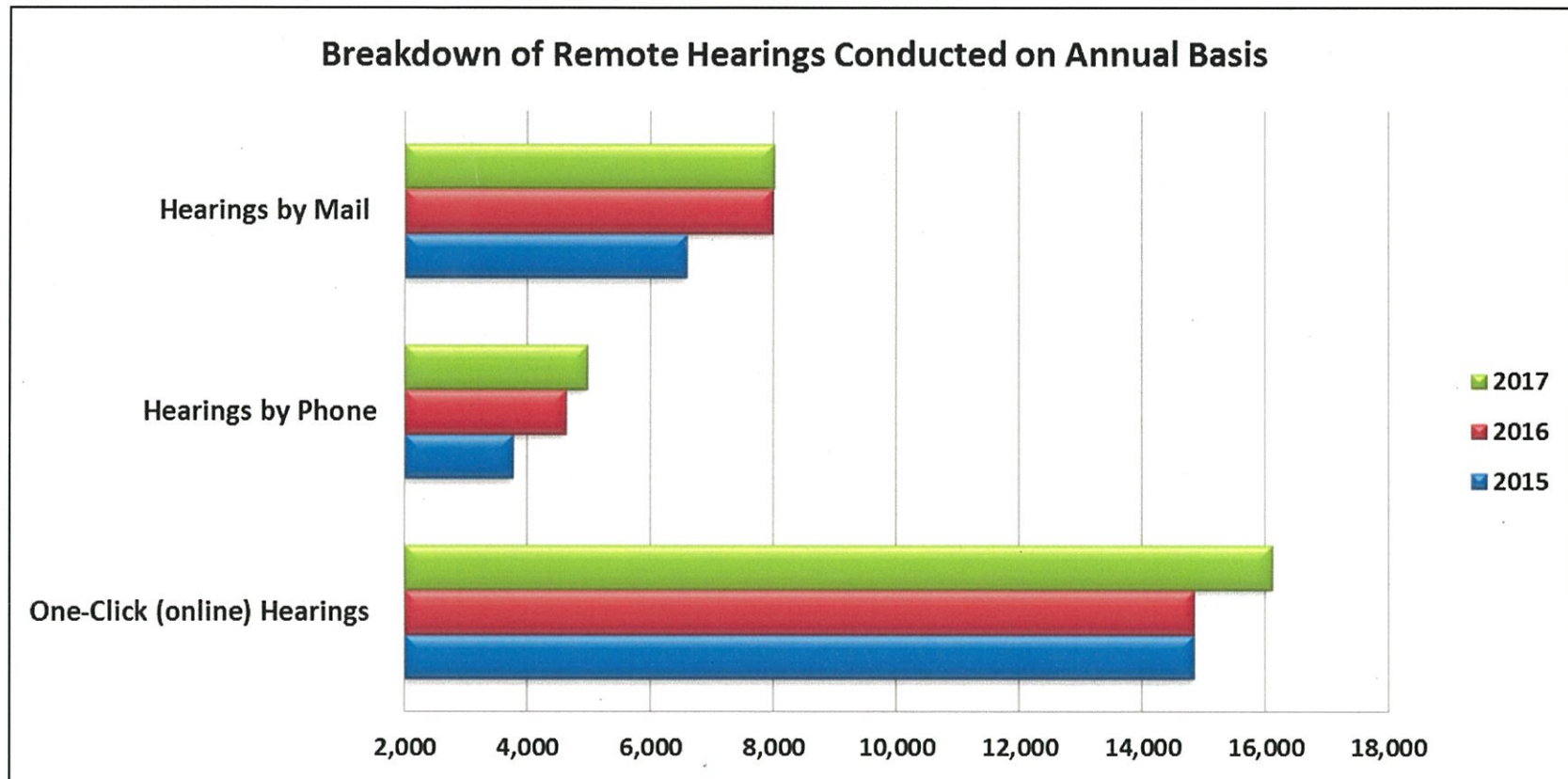
Hearings Division





OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

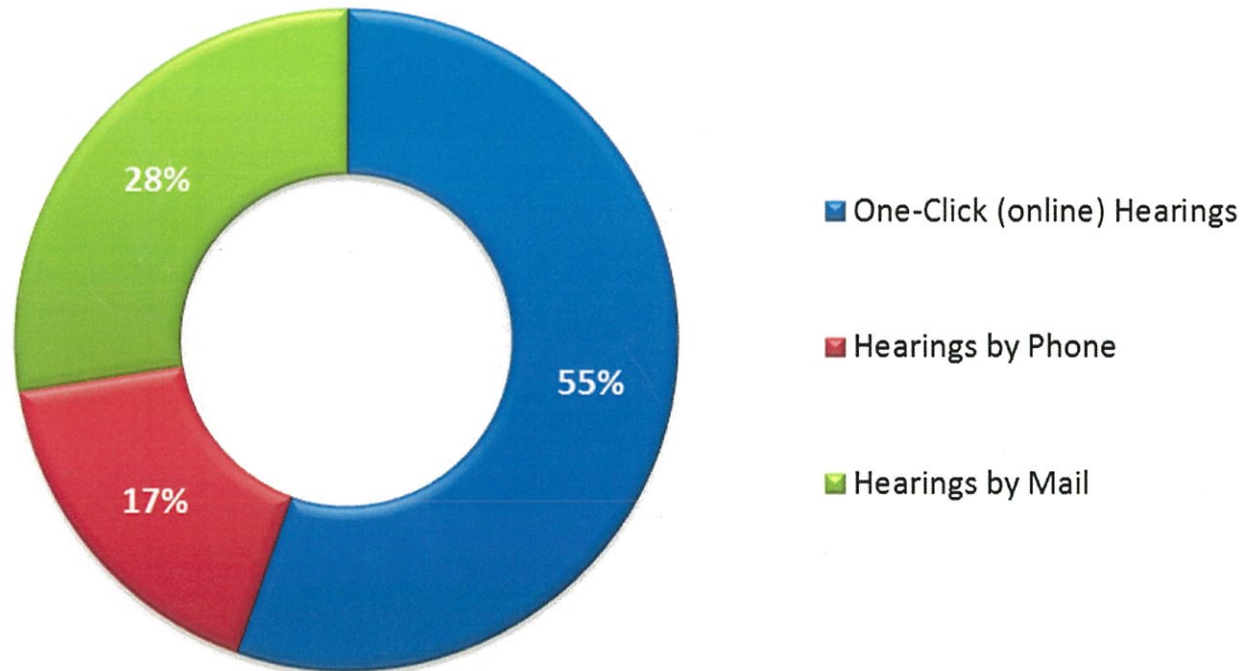




OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

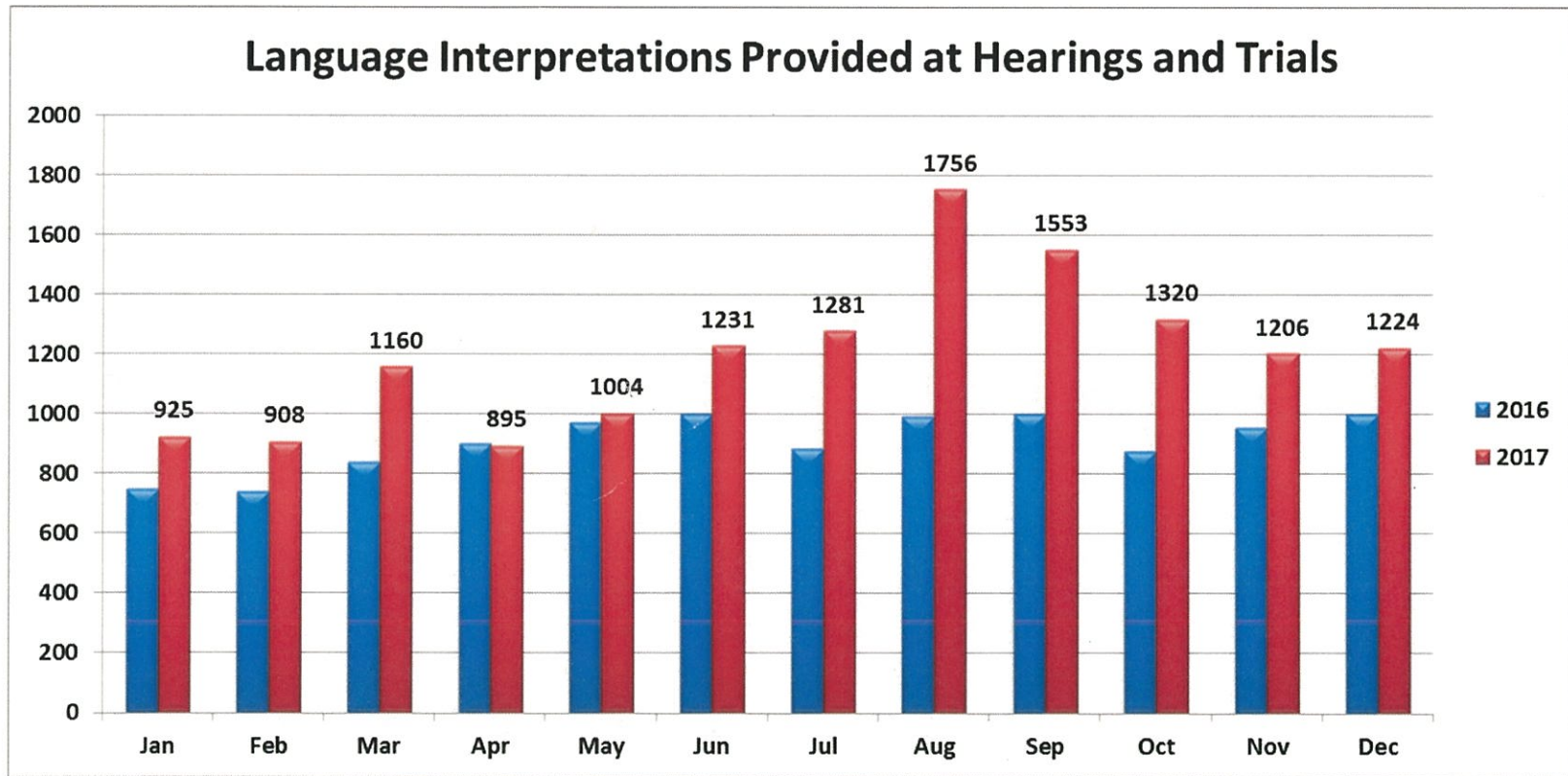
Breakdown of Remote Hearings Conducted in 2017





OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division





The City of New York

Manhattan Community Board 1

Anthony Notaro, Jr. CHAIRPERSON | Lucian Reynolds DISTRICT MANAGER

**The New York City Council
Committee on Governmental Operations
Preliminary Budget Hearing – Community Boards
Lucian Reynolds, District Manager
Council Chambers, City Hall
New York, NY 10007
2:00PM, Monday, March 19, 2018**

Good afternoon. My name is Lucian Reynolds and I am the District Manager of Manhattan Community Board 1. I want to thank Chairman Cabrera and the members of the Committee on Governmental Operations for holding this hearing. As you already know, community boards are where the rubber meets the road for local governance at its most grassroots level, and the office makeup and committee structure of each board is unique to each district. I am pleased to have this opportunity to speak on behalf of my staff and the incredible work that they accomplish for the people who live and work in Lower Manhattan.

Long Term Planning and Response to Tragedy

For those who know the district that I serve, and to all of the people here today, welcome to Community District 1. For those who only know the area around City Hall for its bridges and buildings and waterfront, you may be surprised to learn that this is one of the fastest growing residential communities in the city. From 2000 to 2014, CB 1's population increased by over 79%, attracting young families with school-aged children. The City has targeted many public projects and incentivized residential development for Lower Manhattan but did not plan for the community infrastructure necessary to support this increased development. Our Board has needed to work intensely with our City's agencies to fight for the infrastructure necessary to support this planned development.

Action also comes during the aftermath of tragic events, which I don't need to mention today. The important point is that all community boards must assist their communities come to grip with tragic events and the policies that may have prevented or lessened those tragedies. Every building fire, resident without heat, and traffic-related death is a tragedy as well as a call for community action. Our offices must be given the resources to act as the center for community discussion and response.

Strategic Decisions

Currently, our budget provides the resources to maintain a basic staff of three. Community boards must decide whether they wish to narrow the roles of office staff towards land use and policy as CB 1 has done over the years, or to instead focus on constituent services as many other boards must do. Any pivot towards specialization reduces the amount of general committee support that is required for the volunteer members to maximize the time and skills that they donate to their districts. Research must be completed in a timely manner for every committee and for the full board. Information is shared with local state and municipal elected officials

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www.nyc.gov/html/mancb1

whenever possible. Community board offices also sort through constituent issues by municipal or state oversight to send them along through the proper channels. If the committee would allow me to use a basketball analogy: if each individual, institutional, or commercial constituent that gets the service or information that they need represent one point on the scoreboard, not only would community boards have impressive stats in that regard alone, but we would surely lead the league in assists.

Community-based City Agencies

Each community board is an agency unto themselves, but limited staffing inhibits our agility to adapt to new issues and to expand our reach to residents that are not yet engaged with the community process. A budget increase to support additional staff would allow us to do more in concert with all other agencies. Thank you for the opportunity to speak today.



NYC City Council Committee on Governmental Operations Preliminary Budget and Oversight Hearing

City Hall, March 19, 2018

Testimony by Phil Vos, NY Program Director, Energy Vision

I'd like to thank the Chair and the Committee for this opportunity to testify on behalf of Energy Vision, a New York-based national 501(c)(3) environmental organization recognized as a leading expert on alternative fuels for heavy-duty vehicles.

This testimony addresses the Committee's oversight of the **Department of Citywide Administrative Services**, with its broad responsibilities for purchasing and management of City fleet vehicles. Energy Vision's research and analysis indicates that for the City to meet its important greenhouse gas and clean-air targets, it must further align vehicle and fuel procurement policies with its environmental goals.

Referring to the "existential threat" of climate change, the City's 2015 *NYC Clean Fleet* document sets a laudable and ambitious goal of reducing greenhouse gas (GHG) emissions from City vehicle fleets 80% by 2035 (against a 2005 baseline). But an analysis of *Clean Fleet* shows that even its best scenario falls short of this target, since the plan *fails to adequately address the reduction or elimination of diesel fuel*. And without addressing continued diesel dependence, it will be extremely difficult to achieve the *OneNYC* goal of having the cleanest air of any large American city.

NYC Clean Fleet sets out measures that address all City vehicles, and some for diesel vehicles specifically. However, when all measures are combined, total emissions reductions reach only 67%. That's close, but even that depends on two diesel replacement options that are minimized as soon as they're mentioned: greater use of compressed natural gas (CNG), said to face a "formidable" implementation obstacle in facility ventilation; and use of renewable diesel, acknowledged to be largely unavailable in the Northeast. Without these options, total emissions reductions only get to 43%.

Of the City's roughly 26,000 "fuel burning" vehicles, nearly 10,000 use diesel—about 38%. But they consume 60% of all fuel and generate 63% of GHG emissions. Diesel also produces high levels of health-damaging nitrogen oxides, sulfur oxides and particulate matter. To hit its climate and clean air targets, the City must act decisively to displace diesel with zero and near-zero emission technologies. Fortunately, such technologies are already available.

A decade of research by Energy Vision indicates that the *Clean Fleet* plan's apparent minimization of compressed natural gas (CNG) is misguided, as CNG technology opens the door to two clean technologies that can drive both GHG reduction and clean air goals: ultra-low-emission, renewable biomethane fuel, and "Near-Zero" emission natural gas engines.

Natural gas vehicle technology is proven, commercial and cost effective, and provides the power and torque required for a range of duties. There are approximately 150,000 buses, tractor-trailers and trucks across the country running on natural gas now; 60% of new garbage trucks sold in the country are CNG models, and DSNY has a small number of CNG trucks that collect garbage and plow snow. CNG vehicles cost fractionally more than diesel models, but fuel and operations/maintenance savings make the investment attractive. CNG fueling capacity

exists within New York City, and the private sector is eager to build more. The obstacle of garage ventilation has been overcome in cities coast to coast, including here in NYC.

Better yet, any vehicle equipped to run on natural gas can also use biomethane, an ultra-low emissions renewable fuel. Made by refining the methane-rich biogas released by decomposing organic wastes (at landfills, wastewater treatment plants, and in anaerobic digesters processing food waste or animal manure), biomethane used in heavy-duty vehicles achieves GHG emissions reductions of 70% or more compared to diesel, and 40% or more compared to conventional natural gas. When it is made from food waste, biomethane can actually be net-carbon-negative on a life-cycle basis: capturing biogas to make it actually prevents more GHG emissions than are produced when it is combusted.

Biomethane is **being used right now** in hundreds of UPS vehicles, and in refuse trucks owned by Republic Services, Waste Management and other carters. Private haulers in Los Angeles, Sacramento and San Francisco use biomethane from the organics they collect to fuel their trucks; Toronto, Vancouver, Los Angeles and Portland are developing similar projects to fuel their municipal fleets. The *entire* CNG bus fleet in Santa Monica runs on biomethane, and Los Angeles is piloting it in nearly 300 CNG buses; in England, Bristol, Nottingham and Reading have all introduced biomethane buses.

Because organic waste materials are abundant and renewable, New York City's own organic waste streams could be harnessed to produce this sustainable fuel. In fact, there are operational or in-development projects in NYC already:

- Biomethane produced at Fresh Kills landfill—the first biomethane project in the country, in 1982—is being sent via natural gas pipeline to fuel buses in the Orange County Transit fleet.
- Food waste is being processed at the Newtown Creek wastewater treatment plant to boost biogas production, and soon, to make biomethane. This could be replicated at NYC's other wastewater plants.
- In total, New York's food waste, converted to biomethane, would produce enough fuel to displace all the diesel used in City fleets and more, while also driving the City's goal of zero waste to landfill by 2030.

In addition to using biomethane, heavy-duty vehicles can be fitted with readily available "Near Zero" emission natural gas engines. Certified by the California Air Resources Board and the US EPA, Near-Zero engines cut emissions of health damaging nitrogen oxides and particulate matter 90% below EPA requirements, and are 50% to 80% quieter than diesel engines. This would particularly benefit the often-poorer neighborhoods that house many City vehicle depots.

New York City can no longer justify buying high-carbon, polluting diesel vehicles and fuel when clean alternatives are available. **As Dr. Philip J. Landrigan, Head of Global Health at Mt. Sinai has said:**

I strongly recommend that the City of New York eliminate diesel trucks and buses from its fleet. This enlightened and visionary action will reduce rates of asthma among our children. It will reduce myocardial infarctions, cardiac arrhythmias, and strokes among New York City's adults. It will reduce risk of lung cancer. And because it will prevent many cases of these debilitating diseases, the elimination of diesel trucks and buses will reduce health care costs and save the City money.

The combination of biomethane and Near Zero engines—proven technologies that are available now—would drive the City's GHG reduction and clean air goals. The City spends hundreds of millions of dollars annually on procurement of diesel fuel and vehicles. Using these funds instead to deploy proven, cost-effective non-diesel alternatives would leverage the City's buying power to drive sustainability and combat the "existential threat" of climate change. We urge the Committee on Governmental Operations to work with DCAS on this critically important issue.

Testimony
NY City Council General Services Committee Hearing
Monday, March 19, 2018
By Ralph Palladino, 2nd Vice President Local 1549 DC 37
City Employees Should be doing the Work for which they were hired

Local 1549 has filed numerous grievances against management in several agencies, including the NYPD (other than the ones already won at Arbitration) and the NYC H+H, for replacing Clerical-Administrative Employees with higher paid, mostly non-competitive titles while assigning those replacements the same routine work that our members perform. They do this mainly to circumvent the civil service system. They hire who they want instead of utilizing the merit system.

This is a waste of the public's tax dollars. It is also a subversion of the Civil Service System that smells of favoritism and cronyism.

Our analysis of most, not all, of the grievances filed shows that the city, by conservative estimate, is wasting approximately \$2,220,000 *annually* in just five city agencies and H+H (See the attached) not including the waste of \$30 million due to lack of NYPD civilianization. This does not include the cost of processing and hearing the grievances nor the cost of arbitration.

Civilianization Saves Tax Dollars

There is no greater example of this kind of waste than by the NYPD.

We thank the City Council for supporting Civilianization of the New York City Police Department (NYPD) in the past. We ask you to proactively encourage the city administration and NYPD to follow through on their promise to FULLY civilianize. Why does it take four years to complete this good government policy? While the NYPD has civilianized some positions, they have not been forceful enough addressing many desks that should be staffed by Police Administrative Aides's (PAA) and supervisors (SPAA).

This failure to fully civilianize has had a demoralizing effect on our members. It also is not looked on favorably by the men and women in uniform patrolling risking their lives every day making us safe when there are uniformed employees who are able bodied are sitting behind desks when they be out on patrol.

Local 1549 and DC 37 won three NYPD arbitrations on Civilianization, including judgments against the appeals by the city. The former administration just ignored the rulings. The current city administration is doing the same.

There are still approximately 500 able bodied uniformed personnel in the NYPD, including *Police Officers, Traffic Enforcement Agents and School Safety Agents* who still perform the jobs of clerical employees, doing routine tasks of Police Administrative Aides (PAA) such as answering phones, taking reports, responding to inquiries, filing, roll call and payroll among others. Uniformed personnel can be better utilized in *community policing, enforcement, protecting pedestrians from accidents and in making schools safer*. The NYPD, City Council and union had agreed four years ago that 750 such positions could be civilianized. The number of PAA's has actually decreased to a five year low. Why?

Failing to civilianize is an outrageous waste of taxpayers' dollars. It is estimated by various sources, including former City Comptrollers, Public Advocates, the Citizens Budget Commission and the Independent Budget Office that **NYPD Civilianization could save the taxpayers anywhere between \$17 and \$127 million dollars. Our latest figures, factoring in our members' collective bargaining raises, but NOT those of uniformed personnel, show an approximate savings of: \$30 million recurring yearly. Add to that the additional cost based on the grievances filed between 2004 and 2014 and this totals almost \$32 million annually.**

Civilianization saves tax dollars, enhances public safety and health, and creates jobs for New Yorkers. It is good public policy! What better time to invest in such long term savings when there is such a large budget surplus!

The cost factor for this waste of city dollars for employees mainly performing clerical-administrative work but who are of higher titles is close to \$35 million annually. In addition most of the titles that these employees are in titles that are mostly Non-Competitive. The city is subverting the civil service system. (See attachments)

Local 1549 Asks that:

- **The City Council should demand that the city assign employees work that is in their job description and for which they are being compensated for.**
- **The City Council should demand that the city stop subverting the civil service system.**
- **The City Council should demand that the city and NYPD complete the civilianization process immediately as stated by the Arbitrators.**
- **The City Council should and request also that the NYC Comptroller perform audits of city agencies for the purpose of determining how much waste of tax dollars exist because of employees not performing the work they were hired to perform.**
- **The City Council join with Local 1549 to request that the NYC Comptroller perform an audit on the NYPD on Civilianization.**

Thank you.

ADDENDUM

Civil Service Abuse and Waste of Tax Dollars

Agencies using Non-Competitive titles, all with higher salaries to perform Clerical-Administrative Duties.

NYC H+H (all hospitals)
ACS;
Human Resources Administration
Consumer Affairs;
DOHMH;
DOT;
HASA;
MISCA;
HPD;
TLC;
OATH;
OCSE;
DEP;
NYFD;
Department of Aging
Department of Buildings
Department of Sanitation

Non-competitive titles with little or no clerical work assigned in their city job descriptions currently being used to perform routine clerical work.

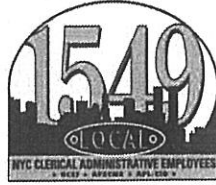
Assistant Coordinating Manager
Community Associates
Community Liaisons
Community Assistants
Community Aides
Healthcare Program Planner Analyst
Clinical Dietetic Technician
Nurse
Bio Medical Equipment Technician

Patient Care Associate
Patient Care Technician
Service Aide
Sanitation Worker

**Higher Paid Civil Service Titles performing primarily
routine Clerical-Administrative tasks thus *wasting*
*tax dollars.***

Police Officers- NYPD
Traffic Enforcement Agents- NYPD
School Safety Agents- NYPD

Healthcare Investigators- NYC Health and Hospitals
Systems Analysts- NYC Health and Hospitals
Assistant System Analyst- NYC Health and Hospitals



Local 1549
Department of Environmental Protection
Grievances Regarding Employees of Other Titles Performing Clerical
Duties in Violation of
Article VI, Section 14 of the Clerical Unit Contract
For 2004, 2005, 2010, 2011, 2012, 2013, 2014
2004

No.	Date	Step	Representative/ Attorney	Agency	Article	Location/ Case No.	Number Non-Clerical Employees Performing out of title duties	Σ
1.	1.16.04	II	J. Thomas	DEP	VI, Sec. 14	Various locations OLR File No 41931	Senior Community Liaison Worker (CLW), CLW, Assistant CLW, Community Associate	64
2.	2.25.04	Arb	A. Browne, Esq.	DEP	VI, Sec. 14	Call Center A-9829-01	Community Liaison	18

2005

3.	10.5.05	III	J. Thomas	DEP	VI, Sec. 14	Bureau of Environmental Engineering OLR No. 41931	Sr. Community Assoc.	2
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2010

No.	Date	Step	Representative	Agency	Article	Location/ Case No.	Number Non-Clerical Employees Performing out of title duties	Σ
4.	9.29.10	III	E. Douglass	DEP	VI, Sec. 14	Pike Street	Principal Administrative Associate I	4

2011

5.	2.10.11	Arb.	S. Sykes	DEP	VI, Sec. 14	Various A-11796-06 OLR No. 42255	Community Assistant 18 Community Assoc. 100 Community Coord. 6	124
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2012

6.	5.29.12	Arb.	E. Douglass	DEP	VI, Sec. 14	Customer Services Bronx, Queens Lefrak	Assistant Community Liaison Worker Community Liaison Worker Community Service Aide Seasonal Aide Staff Analyst	19
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2013

7.	9.18.13	III	E. Douglass	DEP	VI, Sec. 14	Timekeeping	Principal Administrative Associate	11
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2014

8.	4.2.14	III	E. Douglass	DEP	VI, Sec. 15	Water and Sewer Systems	Supervisors and District Supervisors	N.A.
9.	9.29.14	Arb.	E. Douglass T. Cooke, Esq.	DEP	VI, Sec. 15	Pike Street Yard Various facilities OCB Docket Number A-13717-11 to A-13721-11 and A-13777-11	Principal Administrative Associates	4

$\Sigma = 242$



Local 1549
NYC Buildings Department
Grievances Regarding Employees of Other Titles Performing Clerical Duties in
Violation of Article VI, Section 14 of the Clerical Unit Contract
2006, 2009, 2012

2006

No.	Date	Step	Representative/ Attorney	Agency	Article	Location/ Case No.	Number Non-Clerical Employees Performing out of title duties	Σ
1.	3.10.06	Arb.	R. Arnero A. Brown	Buildings	VI, Sec. 14	Various A-11796-06 OLR No. 42255	Community Assistant 18 Community Assoc. 100 Community Coord. 6	124

2009

2.	11.29.09	Arb	A. Brown	Buildings	VI, Sec. 14	Various A-11796-06 OLR No. 42255	Community Assistant 18 Community Assoc. 100 Community Coord.. 6	104
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2012

3.	1.17.14	III	J. Roberts	Buildings	VI, Sec. 14	Various OLR No. 48929	Community Assistants	64
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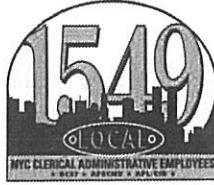
Σ=292



**Local 1549 Analysis of Projected Salary Difference
Regarding NYC Buildings Employees in Non-Clerical Titles Performing Clerical
Duties in Violation of Article VI, Section 15 of the Clerical Unit Contract
For the Period 2006 to Present**

Titles of Non-Clerical Employees Performing Out-of-Title Duties	Salary Approx.	Clerical Associate	Difference	Projected Savings
Community Associate	\$41K	\$37K	\$4K	10 Community Associates reassigned would save approximately \$40,000.
Senior Community Assistant	\$47k	\$37k	\$10k	10 Sr. Community Associates reassigned would save approximately \$100,000.
Community Coordinator	\$48k	\$37k	\$11k	10 Community Coordinators reassigned would save approximately \$110,000.

Source: Current incumbent pay rates. NYS Civil Service Law, Article 61, Section 2: Prohibition against out of title Work and Clerical Unit Contract: Article VI, Section 15.



Local 1549
NYC Housing Preservation Department 2010
and
NYC Department of Sanitation 2014
Grievances Regarding Employees of Other Titles Performing Clerical Duties in
Violation of Article VI, Section 14 of the Clerical Unit Contract
2010 and 2014

2010

No.	Date	Step	Representative	Agency	Article	Location/ Case No.	Number Non-Clerical Employees Performing out of title Duties	Σ
1.	6.11.10	III	R. Harris	HPD	VI, Sec. 14	Various OLR No. 46949	Community Associates	100

2014

2.	9.29.14	III	G. Johnson	Dept. of Sanitation	VI, Sec. 15	Medical Division	Office Temps	9
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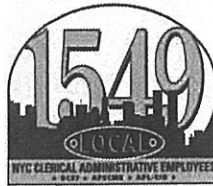


**Local 1549 Analysis of Projected Salary Difference
Regarding NYC Housing Preservation Department and
NYC Sanitation Department
Employees in Non-Clerical Titles Performing Clerical Duties in Violation of Article
VI, Section 15 of the Clerical Unit Contract
For the Periods 2010 and 2014**

Titles of Non-Clerical Employees Performing Out-of-Title Duties	Salary Approx.	Clerical Associate	Difference	NYC HPD Projected savings
Community Associate	\$41k	\$37K	\$4k	10 Community Associates reassigned would save approximately \$40,000.
Senior Community Associate	\$47k	\$37K	\$10k	10 Sr. Community Associates reassigned would save approximately \$100,000.
Titles of Non-Clerical Employees Performing Out-of-Title Duties	Salary Approx.	Clerical Associate	Difference	NYC Sanitation Dept. Projected savings
Office Temporaries*	NA	\$37K	NA	Not Available

Source: Current incumbent pay rates. NYS Civil Service Law, Article 61, Section 2: Prohibition against out of title Work and Clerical Unit Contract: Article VI, Section 15. *Office Temporaries are contracted in some Departments.

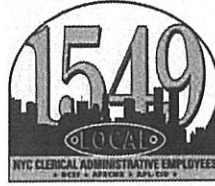
Clerical-Administrative Employees Local 1549, District Council 37, AFSCME, AFL-CIO



**Local 1549 Analysis of Projected Salary Difference
Regarding NYC Health + Hospitals Employees in Non-Clerical Titles Performing
Clerical Duties in Violation of Article VI, Section 15 of the Clerical Unit Contract
For the Period 2012-2017**

Titles of Non-Clerical Employees Performing Out-of-Title Duties	Salary Approx.	Clerical Associate	Difference	NYC Health + Hospitals Projected Savings
Coordinating Manager	\$50K	\$37K	\$13K	10 Coordinating Managers reassigned would save approximately \$130,00.
Hospital Care Investigators	\$44K	\$37K	\$7K	10 Hospital Care Investigators reassigned would save approximately \$70,000
Assistant Coordinating Manager	\$50K	\$37K	\$13K	10 Coordinating Managers reassigned would save approximately \$130,000.
Hospital Police Officer	\$49K	\$37K	\$12K	10 Hospital Police Officers would save approximately \$120,000.
Sr. Health Care Program Planner Analyst	\$55K	\$37K	\$18 K	10 Sr. Health Care Program Planner Analysts reassigned would save approximately \$180,000.
Community Associate	\$41K	\$37K	\$4K	10 Community Associates reassigned would save approximately \$40,000.
Service Aides Housekeeping Aides Institutional Aides	\$37K	\$37K	0	10 Service Aides Housekeeping Aides reassigned would save approximately \$0 but would ensure clerical errors are reduced.

Clerical-Administrative Employees Local 1549, District Council 37, AFSCME, AFL-CIO



**Local 1549 Analysis of Projected Salary Difference
Regarding NYC Health + Hospitals Employees in Non-Clerical Titles Performing
Clerical Duties in Violation of Article VI, Section 15 of the Clerical Unit Contract
For the Period 2012-2017**

Titles of Non-Clerical Employees Performing Out-of-Title Duties	Salary Approx.	Clerical Associate	Difference	NYC Health + Hospitals Projected savings
Bio Med Equipment Technician	\$43K	\$37K	\$6K	10 Bio Med Equipment Technician reassigned would save approximately \$60,000
Telecommunications Associate I	\$47K	\$37K	\$10K	10 Telecommunications Associates reassigned would save approximately \$100,000
Patient Care Associates	\$41K	\$37K	\$4K	10 Patient Care Associates reassigned would save approximately \$40,000.
Health Care Program Planner	\$42K	\$37K	\$5K	10 Health Care Program Planner reassigned would save approximately \$50,000.
Sr. Health Care Program Planner Analyst	\$41K	\$37K	\$4K	10 Sr. Health Care Program Planner Analysts reassigned would save approximately \$40,000.

Source: Pay Orders. NYS Civil Service Law, Article 61, Section 2: Prohibition against out of tile Work and Clerical Unit Contract: Article VI, Section 15.

Addendum 2- Civilianization of NYPD

1-Cost Savings Documented

DC 37 latest analysis of cost savings for Civilianization of the NYPD. The numbers from DC 37 Research and Negotiations reflect the inclusion of the collective bargaining increases for our members including health benefits.

NYPD- 750 (this is the number set by the NYPD and City Council and we are agreeable to it)
500 (This is the approximate number of positions still not civilianized for the PAA's as of late 2014 as per the NY City Council)
Since we have little evidence of any real civilianization of the Police Administrative Aide positions since we assume this number is still correct.

These are positions where *able bodied uniformed employees* are performing routine clerical duties. These duties include roll call, payroll, answering phones, filing, etc. There are currently civil service lists that are pending where these positions can be filled with able candidates. None of the job descriptions for the work being performed are different that the job descriptions contained in the Civil Service Job Specifications.

See below:

NYPD- Using the incumbent rates after 5 years a uniformed police officer would be a cost of \$87,119.20 (current) and approximately \$95,831 (factoring in the pattern for collective bargaining) and a Police Administrative Aide would cost \$51, 658.60. The additional cost for a uniformed employee is \$35,460.60. Multiplied by 500 positions is **\$26,595.450 annually.**
(\$30 million approximately annually factoring in NYPD uniformed collective bargaining agreement not yet finished negotiation but based on pattern of other agreements.)

500 positions civilianized this year would save \$30 million per year for each future year.



COMMUNITY BOARD ELEVEN

BOROUGH OF MANHATTAN
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Nilsa Orama
Chair

Angel D. Mescaïn
District Manager

Manhattan Community Board 11
Testimony before the New York City Council Committee on Governmental Operations
Regarding the Fiscal Year 2019 Preliminary Budget
March 19, 2018

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

My name is Angel Mescaïn 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 citizen participation in effective and meaningful ways and provide a forum for citizens 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.

It is with regard to these challenges that we ask the Council to consider an increase to the annual budget of Community Boards to support the vital role they play in planning and quality of life advocacy for their communities. Increasing the budget would allow boards to hire additional professional staff, invest in the necessary technology or to create customized technology to better perform our duties. 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. Further, we request that the Council consider additional increases to our budgets so that Board office spaces may include not just space for staff offices but also meeting areas that are able to hold up to 100 people for monthly committee meetings.

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.

The Judge Will Hear Your 223,000 Excuses Now

Tales from the tiny offices where New Yorkers go to fight summonses for everything from unshoveled sidewalks to underheated hot dogs.

By ANDY NEWMAN MARCH 16, 2018

There are a lot of ways to run afoul of local laws in this town. You can enter a park after the posted closing hour, or fail to clean 18 inches into the street in front of your house, or install a toilet without a permit, or let your poodle's rabies vaccine expire. You can spit on the sidewalk, or urinate on the sidewalk or drink a beer on the sidewalk or leave your trash can on the sidewalk before 4 p.m. on the eve of collection day.

Last year, not counting parking and red-light tickets, the city handed out more than 877,000 noncriminal summonses.

Most people simply pay them and get on with their lives. But there are those who choose to fight.

About a thousand times a day across New York City, a judge clutching a skinny file folder enters a waiting room, calls out a name and leads a defendant back to a little office furnished with only a desk and chairs, computer and printer, and a window that looks out on a windowless hallway.

The judge turns on a recorder, reads a summons into the record, and asks the defendant: Tell me your story.

Hoi Eng Chan does not know how all those unbundled un-broken-down cardboard boxes wound up in front of the house she owns in the Bronx. It is near the subway, so a lot of people throw trash there.

Aminur Howlader concedes that the rice in the steam table of the Halal food cart he operates was being held at less than 140 degrees, but he was going to throw it out. He had already made a whole other cooker of rice and was serving from that instead.

As for the other summons, Mr. Howlader's cart was indeed parked less than 20 feet from a door of the Target on Avenue H, but that door is used only by employees when the store is closed, which it wasn't. He has been parking in that spot for nine years and never got a ticket.

This is life at OATH, a little-known but ever-expanding branch of the municipal justice system. OATH, the **Office of Administrative Trials and Hearings**, now handles violation summonses from 19 city agencies, from the health department to the Fire Department to the Business Integrity Commission. OATH hears about 100 times more cases than all the criminal courts in the city put together.

A day spent in the hearing rooms of an OATH office — there is one in each borough — offers both a voyage into the small intestine of bureaucracy and a front-row seat at an endless and sometimes heartbreaking parade of excuses and ostensibly exculpatory explanations.

Sometimes injustice is exposed and defeated. Sometimes it is as if a pack of homework-eating dogs is roaming the streets.

The folding table from which Liudmyla Sviderska was selling pastries without a permit on Brighton Beach Avenue was not a mobile food cart, her representative said. Also, they were just pastries from a nearby bakery that got an A on its health inspection. Also, the pastries were individually wrapped and not potentially hazardous.

Everyone else on 23rd Road also lets their tenants park illegally on the side of the house.

Hector Sanabria would have pleaded not guilty to the open-container summons but he does not remember what happened that day.

If courthouses, with their columns and marble and carved mottos, are built to inspire awe at the majesty of the law, the aesthetics of an OATH hearing center, with its box-office windows and crowd-herding cordons, will be immediately familiar to anyone who has done time at the D.M.V.

The judges do not wear robes or carry gavels. They are per-diem city lawyers in business attire and are known as hearing officers.

Defendants — they are called respondents — may bring a lawyer, but most do not. The agency that issued the summons can send a representative, and some routinely do. But the Sanitation Department, which accounts for nearly half of the summonses processed by OATH, nearly never sends anyone. Nor does the Police Department, another leading summons source. So most of the time, it is just the respondent and the hearing officer in the little room.

It is not Arjan Gjushi's fault if the subcontractors brought their dumptrucks to the site more than an hour early and blocked Featherbed Lane.

It is not Metin Kurtulus's fault if patrons of the bodega next to his vacant lot throw their empty bottles over his fence, especially after he chained his own trash can to a post for them to use and someone stole it.

Strokos Gourmet Deli has fired the exterminator responsible for the 46 live fruit flies a health inspector observed on a recent visit.

Over the course of many hearings, patterns of excuse emerge. Very frequently, they hinge on evasion or transfer of blame. This is a risky legal strategy.

“A lot of people can't distinguish between being responsible for something and being at fault,” OATH's commissioner, Fidel F. Del Valle, said in an interview in his office on Church Street in Lower Manhattan. “‘At fault’ is the person who put the crap in front of your house. But if you're the owner of the property, you're responsible for policing the front of your house.”

Many respondents are tempted to try a kitchen-sink defense, offering the judge multiple reasons to find that the preponderance of the evidence (more than 50 percent) indicates a lack of guilt. It can backfire, as Jose Lopez, accused of possessing an open 24-ounce can of Coors beer inside Sunset Park on a balmy December afternoon, demonstrated at the Downtown Brooklyn OATH office on Jan. 19.

First he told the hearing officer, James A. DeVito, that the police saw the beer can by his feet and decided it was his even though it belonged to a friend.

Then he said that he was not drinking beer because he was with his wife. Then he said that he did have his friend's beer in his hand briefly, but only to move it, as a favor to his friend, because he saw the police coming.

"I told them that I was just moving it over but it was not mine and I was just going home with my wife," he said through a Spanish interpreter who was patched in on speakerphone.

"I do not credit the respondent's testimony," Mr. DeVito wrote in his decision sustaining the summons.

Photographs and other documentary exhibits may be submitted but are not always helpful, either.

The photos show that Skyline Developers' workers were just washing their truck, not pouring concrete, at the time the summons was issued. They were not in the act of working.

The photo Inessa Malamud submitted shows that there was not a summonsable amount of trash between her driveway and stoop, only four sheets of crumpled paper, two crushed plastic bottles, a small flattened box, a coffee-cup lid, a padded yellow mailing envelope and a shopping bag of supermarket fliers.

"One of the odder pieces of evidence we got was from someone who had gotten a summons from the department of health for having a rat infestation on her property," said James Moore, a supervising hearing officer. "Her entire defense was

that ‘I have many cats on the property to control the rat population.’ She submitted photos of all her cats. Except that two of them were raccoons.

“As a practical matter,” he added, “having a bunch of cats is not an acceptable rodent abatement plan.”

Last year, OATH opened a help center at each office, where respondents can go to have charges explained and get a primer on procedure.

A help center worker might tell the respondent about some common defenses, like the “reasonable effort” defense — since you can’t be expected to clean the sidewalk in front of your house 24 hours a day, if you testify that you regularly clean twice a day, that is often sufficient.

Your odds of beating a ticket at an OATH hearing are not bad: 44 percent of the 223,000 summonses that were contested last year got dismissed, up from 39 percent the year before.

OATH was created in 1979 to provide an independent alternative to internal agency tribunals that tried their own cases and were often criticized as biased. Initially, only more complex trials were heard at OATH. But over the last 10 years, more and more agencies’ routine charges were transferred to its jurisdiction.

Last summer, when the police began **issuing civil rather than criminal summonses** for quality-of-life offenses like public drinking and urination and making noise, those came under the OATH umbrella, too.

Some agencies have bristled at the loss of control and complained that OATH hearing officers are too sympathetic, Mr. Del Valle said.

“When you don’t send someone and the respondent puts up a credible, viable defense and there’s no one from the agency to impeach it, it’s very likely that the summons will be dismissed,” Mr. Del Valle said. “One agency was arguing, ‘How can that be?’ And our response is ‘Where’s the evidence that rebuts the defense?’ And the guy says, ‘Here’s the evidence — the summons — the summons is proof!’ No, that’s the allegation, the summons isn’t proof.”

On the evening of Nov. 28, a police officer approached Jorge Guillermo on Hughes Avenue in the Bronx and charged him with violating section 16-118(6) of the city's administrative code. "Defendant was found to be urinating on a public sidewalk," the summons read.

At his hearing in January, Mr. Guillermo, 42, testified that he was a locksmith who had just finished a job and was simply waiting between two parked cars for his co-worker to pick him up when the officer accosted him.

"I showed him my tool bag," he told the hearing officer, Rhonda Leader. "I showed him the work order. He said, 'I thought you were breaking into this car.'" Then, Mr. Guillermo said, the officer asked if he had been urinating, and though he answered that he had not, the officer gave him a ticket anyway.

"I do kind of believe him because he sort of painted a detailed picture," Ms. Leader said after Mr. Guillermo had left. "It's a tough one. This —" she held up the summons — "is basically 'the preponderance of evidence,' but if you believe somebody, you believe them." She dismissed the ticket.

Sheikh Sohail could not have been blocking a bike lane with his cab at 6:30 p.m. because his Uber log shows that at 6:34 p.m., he was seven blocks away.

Qiong Zhen Ng's trash cans had their lids securely attached to prevent spillage when he left for work in the morning and when he came home that night.

Bruce Nixon was almost done with his beer when the officer walked up, and though he explained that he had just learned that he would be moving from a homeless shelter to an apartment and his friend had bought him a beer to celebrate, she gave him a ticket anyway.

Most OATH hearing officers are paid \$51 an hour and barred by the city from working more than 1,000 hours a year, lest they qualify for Civil Service benefits. They must have "three years of recent satisfactory relevant legal experience" and attend two weeks of training.

They do not specialize and may be called upon to interpret any of thousands of pieces of agency code. Some are near the beginning of their legal careers, while

others are retired government lawyers with decades of experience — former prosecutors, assistant attorneys general and the like. Those who have other legal practices may keep them if cleared by OATH administrators.

“This is the greatest legal training ground — in 10 years I’ve learned so much about how to adjudicate,” said Patrick Mercurio, a hearing officer in the Bronx.

“I’m doing exactly what I’d like to do. I’d just like to do it someday in an actual courtroom.”

While the job carries little prestige, the hearing officers understand that for most people who appear before them, they are the face of the legal system.

“I may be the only person that someone like this respondent ever sees in the realm of the law,” said Loren Luzmore, a Manhattan hearing officer since 2013. “It’s really important to me for him to feel heard and respected.”

The amount of care lavished on a summons at OATH can seem almost disproportionate when the criminal justice system in the city is so often burdened with backlogs and delays. Even a \$25 nuisance summons gets a formal written decision that recites and evaluates all of the respondent’s arguments.

In January, Martha Rosa, 68, appeared before Mr. Mercurio in the Bronx on a \$100 summons for failure to shovel snow in a timely fashion. She said that her 76-year-old husband had done his best.

“He cleans the snow but he doesn’t clean everything,” she said. She added that she had since purchased a snowblower.

“I believe that he tried to make a path,” Mr. Mercurio said afterward. “He probably didn’t do a great job. But we try to err on the side of giving them a break, especially older people who’ve been living here for years. It’s just a matter of respect.” He dismissed the summons.

Some summonses disintegrate under scrutiny. Benedetto Savino was charged in December with allowing an unlicensed dog grooming business to operate in his building on Webster Avenue in the Bronx. The health department’s evidence was a

permit that said it was issued in 2017 but expired in 2016. “This is almost bizarre,” Mr. Mercurio said. He dismissed the summons.

On Jan. 24 of this year, if his testimony is to be credited, Charles Oehlmann, a 72-year-old retired ConEd worker, went to sleep at his home on Staten Island around 10 p.m. with the garbagemen still not having come to collect his trash. At 1:45 a.m., an inspector issued him a \$100 summons for leaving his trash out on a non-collection day.

“I don’t know what I’m supposed to do,” he told the hearing officer. “It seems a little ridiculous. Am I supposed to set my alarm for after midnight?”

His wife, he added, had checked the city’s rules, which **state plainly** that if garbage is collected after 4 p.m., you have until 9 a.m. the next day to retrieve your trash cans. He was acquitted.

But other cases stand up. On Dec. 9, a young man walked into Temal Discount Grocery on 120th Avenue in South Ozone Park, Queens, and asked for a pack of Newports. Rickie Temal, the owner, sold them to him. An older woman approached the counter. She was a Department of Consumer Affairs inspector. The young man was her plant. He was 17. Mr. Temal was issued a \$1,000 summons for selling tobacco to a minor.

At his hearing in Manhattan, Mr. Temal argued that the customer looked at least 24.

“He’s a bearded macho man — I shouldn’t be asking him for an ID,” he said. “Do I want someone to curse me out?”

“You’re supposed to ask if they look like they’re under 30,” said the inspector, Barbara Murray.

Mr. Temal grew indignant. “They came in just to fool me so they can make a violation,” he said. “So you guys work with kids to fool the entrepreneur of the business?”

“No,” Ms. Murray said. “The inspection is to catch you doing what you normally do.”

Mr. Temal gathered his thoughts.

“If by chance this honorable judge and honorable inspector find me guilty,” he said, “I beg for leniency.”

Follow Andy Newman on Twitter: [@andylocal](#)

A version of this article appears in print on March 18, 2018, on Page MB1 of the New York edition with the headline: Step Right Up and Say What Happened.

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I am here⁽¹⁾ because I recently noticed the difference in Community boards, within the Bronx as well as Community boards outside the Bronx.

The major difference I noted is the number of Committees they have and more importantly how often they met.

I made a quick comparison between my community board II and another community board in the Bronx

Community board 8 held 2 public hearings on 2019 ~~Budget~~ Budget Priorities; my CB II held none. This is quite concerning since it seems the general public didn't have input on the capital + expense needs of the district

The city charter doesn't mandate Committee to meet monthly. I noted from July 2017 to March 2018, the Parks Committee only met ~~twice~~ in CB 11 compared to 6 meetings in CB 8. The same with the housing Committee that met only twice in CB 11 but 6 times in CB 8.

I am not against increase in Community board funding but I ask for accountability and improvements in Community boards.

- For Instance, even though Community members are volunteers, they should be removed for poor attendance.

- Reused the city charter to mandate Public hearings in the community boards on Budget Priorities.

②
- I recommend an audit of
the Community boards beyond the
Financial Scope done by NYC Comptroller
We need a productivity audit which
includes attendance records of Community
board members, number of committees
and frequency as well as posting their
meeting agenda.

Not All community boards are equal, but
they ^{are} all needed to gather the public's
sentiments and concerns. Therefore, if
we can improve the community boards in
communicating with more people ~~in~~ in their
district, it will engage people into our democratic
process.
~~Also Community board~~

Roxanne Delgado
Matthews, Box NY 10767

Bronx CB11	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Total per committee
Economic Development	1		1	1	1			1		5
Land Use	1									1
Education			1	1	1			1	1	5
Health & Social Services			1	1	1			1	1	5
Sanitation & Environment			1		1		1		1	4
Public Safety			1	1	1			1	1	5
Leadership			1	1	1		1	1	1	6
Parks and recreational				1	1					2
Housing				1		1				2
CERT				1	1	1	1	1	1	6
transporatation							1	1	1	3
Total committee meeting per month	2	0	6	8	8	2	4	7	7	

Bronx CB8	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Total per committee
Traffic & Transportation	1		1	1	1		1	1	1	7
Public Safety	1			1	1		1	1	1	6
Land Use	1		1	1		1	1	1	1	7
Environmental & Sanitation			1	1	1		1	1	1	6
law, Rules and ethics			1		1	1	1	1	1	6
Health, Hospital, social			1	1	1	1		1	1	6
Aging			1	1	1	1	1	1	1	7
Housing			1	1	1		1	1	1	6
education			1		1	1	1	1	1	6
Youth			1	1	1		1	1	1	6
Parks and recreation			1	1	1		1	1	1	6
Veteran committee			1		1		1		1	4
Libraries and cultural affairs				1	1	1		1	1	5
Economic Development				1		1		1		3
Special Greenway Committee				1						1
PUBLIC HEARING ON 2019 BUDGET Priorities				1				1		2
Total committee meeting per month	3	0	11	13	12	7	11	14	13	



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**BRONX COMMUNITY BOARD NO. 8 MEETINGS
JULY 2017**

PLEASE CHECK WEBSITE FOR UPDATES (www.nyc.gov/bronxcb8)

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
3	4 HOLIDAY OFFICE CLOSED	5	6	7
10 Traffic & Transportation Kingsbridge Heights Community Center 3101 Kingsbridge Terrace 7:00PM (please note time)	11	12	13	14
17	18	19	20 Public Safety 50 th Police Precinct 3450 Kingsbridge Avenue 7:00PM	21
24	25	26	27 Land Use Riverdale YM/YWHA 5625 Arlington Avenue, Multipurpose Room 7:30 PM	28

*Dates & locations are subject to change. If you do not receive a meeting notice, please verify with the Board Office 718-884-3959

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**BRONX COMMUNITY BOARD NO. 8 MEETINGS
SEPTEMBER 2017**

*PLEASE CHECK WEBSITE FOR UPDATES (www.nyc.gov/bronxcb8)

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
				1
4 Labor Day Board Office Closed	5 Land Use William E. Irwin, Jr. American Legion Post 774 3035-37 Corlear Avenue (between West 230th and 231st Streets) 7:30PM <hr/> Economic Development No meeting	6 Executive Committee Riverdale Mental Health Assoc. 5676 Riverdale Avenue 2 nd floor Conference Room 7:30 PM	7 Environment & Sanitation Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	8
11 Law, Rules & Ethics Board Office 5676 Riverdale Avenue Suite 100 7:00 PM	12	13 Board Meeting Manhattan College School of Engineering, 3825 Corlear Ave. Fischbach Room, 4th Floor 7:30PM	14 Libraries & Cultural Affairs No Meeting	15
18 Health, Hospitals & Social Svcs. Riverdale YM/YWHA 5625 Arlington Avenue Teen Lounge 7:30 PM	19 Aging River Walk Senior Apartments 5961 Palisade Ave (Photo ID required at entrance gate) 3:30 PM <hr/> Traffic & Transportation Citadel Nursing & Rehab Center 3400 -26 Cannon Place 7:00 PM (please note time)	20	21	22
25 Housing Ft. Independence Community Center, 3350 Bailey Avenue 7:30 PM	26 Education Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	27 Youth Board Office 5676 Riverdale Avenue Suite 100 1:00 PM <hr/> Parks and Recreation Van Cortlandt Green (Self Help Building) 6469 Broadway 7:00 PM	28 Veterans' Committee Jericho Project 2701 Kingsbridge Terrace Community Room 4:30PM <hr/> Public Safety No Meeting	29

*Dates & locations are subject to change. If you do not receive a meeting notice, please verify with the Board Office 718-884-3959

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**BRONX COMMUNITY BOARD NO. 8 MEETINGS
OCTOBER 2017**

PLEASE CHECK WEBSITE FOR UPDATES (www.nyc.gov/bronxcb8)

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<p>2</p> <p>LIBRARIES Kingsbridge Branch Library 291 West 231 Street 6:30PM</p>	<p>3</p> <p>EXECUTIVE Board Office 5676 Riverdale Avenue Suite 100 7:30 PM (please note day change)</p>	<p>4</p>	<p>5</p>	<p>6</p>
<p>9</p> <p>Law, Rules & Ethics No Meeting</p>	<p>10</p> <p>Public Hearing FY 2019 Budget Priorities Riverdale YM/YWHA 5625 Arlington Avenue Multi-Purpose Room 7:00 PM BOARD MEETING Riverdale YM/YWHA 5625 Arlington Avenue Multi-Purpose Room 7:30 PM</p>	<p>11</p>	<p>12</p>	<p>13</p>
<p>16</p> <p>Health, Hospital & Social Services Board Office 5676 Riverdale Avenue, Suite 100 7:30 PM</p>	<p>17</p> <p>AGING Methodist Home for Nursing & Rehabilitation, 4499 Manhattan College Parkway 3:30 PM <hr/>Traffic & Transportation St. Margaret's of Cortona 452 West 260 Street, Gym 7:30 PM</p>	<p>18</p> <p>ENVIRONMENT & SANITATION Board Office 5676 Riverdale Avenue Suite 100 7:30 PM</p>	<p>19</p> <p>PUBLIC SAFETY 50th Precinct 3450 Kingsbridge Avenue 7:00 PM</p>	<p>20</p>
<p>23</p> <p>HOUSING Riverdale Mental Health Assoc. 5676 Riverdale Avenue 2nd floor Conference Room 7:30 PM</p>	<p>24</p> <p>ECONOMIC DEVELOPMENT Barcelona Bites 240 West 242 Street 7:30 PM <hr/>EDUCATION No meeting</p>	<p>25</p> <p>YOUTH Board Office 5676 Riverdale Avenue, Suite 100 1:00PM <hr/>PARKS & RECREATION Ft. Independence Community Center, 3350 Bailey Avenue 7:00 PM</p>	<p>26</p> <p>LAND USE Christ Church Riverdale 5030 Henry Hudson Parkway East 7:30PM</p>	<p>27</p>
<p>30</p> <p>SPECIAL GREENWAY COMMITTEE Riverdale YM/YWHA 5625 Arlington Avenue, Board Room -1UL 7:00 PM</p>	<p>31</p>			

*Dates & locations are subject to change. If you do not receive a meeting notice, please verify with the Board Office 718-884-3959



**BRONX COMMUNITY BOARD NO. 8 MEETINGS
NOVEMBER 2017**

***PLEASE CHECK WEBSITE FOR UPDATES (www.nyc.gov/bronxcb8)**

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
		1 Executive Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	2	3
6 Land Use No Meeting	7 ELECTION DAY OFFICE CLOSED Economic Development No Meeting	8	9 Libraries & Cultural Affairs Glyndor House of Wave Hill Mansion, 675 West 252 Street 3:30PM (Please note change of time)	10 VETERANS DAY OFFICE CLOSED
13 Law, Rules & Ethics Board Office 5676 Riverdale Avenue Suite 100 7:00PM	14 Board Meeting Amalgamated Houses, Vladeck Hall, 74 Van Cortlandt Park South 7:30 PM	15 Environment & Sanitation Mosaic Mental Health 5676 Riverdale Avenue, Suite 202 7:30 PM	16 Public Safety 50 th Precinct 3450 Kingsbridge Avenue 7:00 PM	17
20 PUBLIC HEARING Health, Hospitals & Social Services Riverdale Neighborhood House 5521 Mosholu Avenue 7:30PM	21 Aging Board Office 5676 Riverdale Avenue Suite 100 3:00PM (please note time)	22	23 THANKSGIVING DAY OFFICE CLOSED	24 OFFICE CLOSED
27 Housing Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	28 Education Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	29 Youth Board Office 5676 Riverdale Avenue Suite 100 1:00 PM Parks & Recreation PARKS CONSERVANCY FORUM Manhattan College Leo Engineering Building 3825 Corlear Avenue, Scala Room, 2nd Floor, Room 215 7:00 PM	30 Veterans' Committee Board Office 5676 Riverdale Avenue Suite 100 5:00 PM ----- Traffic & Transportation Riverdale YM/YWHA 5625 Arlington Avenue 1 st floor board room 7:30 PM	

*Dates & locations are subject to change. If you do not receive a meeting notice, please verify with the Board Office 718-884-3959

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**BRONX COMMUNITY BOARD NO. 8 MEETINGS
DECEMBER 2017**

*PLEASE CHECK WEBSITE FOR UPDATES (www.nyc.gov/bronxcb8)

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
				1
4 Land Use Conservative Synagogue 475 West 250 Street 7:30 PM	5 Economic Development Land and Sea Restaurant 5535 Broadway 7:30PM	6 Executive Committee Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	7	8
11 Law, Rules & Ethics No meeting 7:00 PM	12 Board Meeting Presbyterian Church 4765 Henry Hudson Pkwy. West 7:30 PM	13	14 Libraries & Cultural Affairs Kingsbridge Library 291 West 231 Street 5:00 PM (please note earlier time)	15
18 Health, Hospitals & Social Services Christ Church 5030 Henry Hudson Parkway, East 7:30 PM	19 Aging Van Cortlandt Green, 6469 Broadway at 3:00 pm (please note earlier time) ----- Education (please note date change) Board Office 5676 Riverdale Avenue Suite 100 7:30 PM ----- Public Safety No meeting	20 Environment & Sanitation No Meeting	21 Traffic & Transportation No meeting 7:30 PM	22
25 Housing No meeting	26	27 Youth No Meeting ----- Parks and Recreation Tentative	28	29

*Dates & locations are subject to change. If you do not receive a meeting notice, please verify with the Board Office 718-884-3959

**BRONX COMMUNITY BOARD NO. 8 MEETINGS
JANUARY 2018**

PLEASE CHECK WEBSITE FOR UPDATES (www.nyc.gov/bronxcb8)

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
1 NEW YEAR'S DAY OFFICE CLOSED	2 ECONOMIC DEVELOPMENT No Meeting	3 EXECUTIVE Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	4 LAND USE Conservative Synagogue 475 West 250 Street 7:30 PM	5
8 Law, Rules & Ethics Board Office 5676 Riverdale Avenue Suite 100 7:00 PM	9 BOARD MEETING William E. Irwin, Jr. American Legion Post 774 3035-37 Corlear Avenue (between West 230th and 231st Streets) 7:30 PM	10	11 LIBRARIES & CULTURAL AFFAIRS No Meeting	12
15 MLK DAY OFFICE CLOSED HEALTH, HOSPITALS & SOCIAL SERVICES HOLIDAY No meeting	16 AGING Atria Riverdale 3718 Henry Hudson Parkway 3:00 PM (please note time) ----- PUBLIC SAFETY 50th Precinct 3450 Kingsbridge Avenue 7:00 PM	17 ENVIRONMENT & SANITATION Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	18 TRAFFIC & TRANSPORTATION Ethical Culture Fieldston School 3901 Fieldston Road Student Commons 7:00 PM (please note time)	19
22 HOUSING Board Office 5676 Riverdale Avenue, Suite 100 7:30 PM	23 EDUCATION Board Office 5676 Riverdale Avenue, Suite 100 7:30 PM	24 YOUTH Board Office 5676 Riverdale Avenue, Suite 100 1:00 PM ----- PARKS & RECREATION Park Gardens Rehab & Nursing Ctr. 6585 Broadway 7:00 PM	25 VETERANS' COMMITTEE Board Office 5676 Riverdale Avenue, Suite 100 5:00 PM ----- Land Use Committee Informational Presentation & Hearing College of Mount Saint Vincent 6301 Riverdale Avenue Founders Hall Building Smith Hall, 2nd Floor 7:30PM	26
29	30	31		

*Dates & locations are subject to change. If you do not receive a meeting notice, please verify with the Board Office 718-884-3959

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**BRONX COMMUNITY BOARD NO. 8 MEETINGS
FEBRUARY 2018**

PLEASE CHECK WEBSITE FOR UPDATES (www.nyc.gov/bronxcb8)

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
			1 Health, Hospitals & Social Services Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	2
5 Land Use Conservative Synagogue 475 West 250 Street 7:30PM	6 Economic Development Yo Burger 3726 Riverdale Avenue 7:30 PM	7 Executive Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	8 Libraries & Cultural Affairs Spuyten Duyvil Branch Library, 650 West 235 Street 5:30PM	9
12 Law, Rules & Ethics No meeting	13 PUBLIC HEARING Preliminary Budget Responses for FY 2019 Riverdale Country School 5250 Fieldston Road, Student Center 7:00 PM (please note time) <hr/> Board Meeting Riverdale Country School 5250 Fieldston Road, Student Center 7:30 PM	14	15 Traffic & Transportation Riverdale YM/YWHA 5625 Arlington Avenue Board Room 7:30 PM	16
19 PRESIDENTS DAY OFFICE CLOSED	20 Aging No meeting <hr/> Public Safety 50 th Precinct 3450 Kingsbridge Avenue 7:00 PM	21 Environment & Sanitation Mosaic Mental Health 5676 Riverdale Avenue 2 nd floor conference room 7:30PM	22	23
26 Housing Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	27 Education Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	28 Youth Board Office 5676 Riverdale Avenue, Suite 100 1:00PM <hr/> Parks & Recreation No meeting		

Dates & locations are subject to change. If you do not receive a meeting notice, please verify with the Board Office 718-884-3959

**BRONX COMMUNITY BOARD NO. 8 MEETINGS
MARCH 2018**

PLEASE CHECK WEBSITE FOR UPDATES (www.nyc.gov/bronxcb8)

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
			1	2
5 Land Use Manhattan College 3825 Corlear Avenue, Fischbach Room, 4 th Floor 7:30PM	6 Economic Development No Meeting	7 Executive Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	8 Libraries & Cultural Affairs Derfner Museum 5901 Pallsade Avenue Hebrew Home, Jacob Reingold Pavilion 5:30PM	9
12 Law, Rules & Ethics Board Office 5676 Riverdale Avenue Suite 100 7:00PM	13 Board Meeting Schervier Nursing Care & Rehab Center 2975 Independence Avenue, Community Hall, Ground Floor 7:30 PM	14	15	16
19 Health, Hospitals & Social Services Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	20 Aging Ft. Independence Senior Center 3350 Bailey Avenue 3:30 PM (please note time) ----- Public Safety Downey's Bar and Grill 5790 Mosholu Avenue 7:00 PM ----- Traffic & Transportation Downey's Bar and Grill 5790 Mosholu Avenue (Mosholu Ave. & Post Road) 7:30 PM	21 Environment & Sanitation Board Office 5676 Riverdale Avenue Suite 100 7:30PM	22 Veterans' Services Committee Board Office 5676 Riverdale Avenue Suite 100 5:00PM	23
26 Housing Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	27 Education Board Office 5676 Riverdale Avenue Suite 100 7:30 PM	28 Youth Ft. Independence Community Center, 3350 Bailey Avenue 7:30PM (Please note change of time) ----- Parks & Recreation St. Patrick's Nursing Home, 66 Van Cortlandt Park South, Joseph's Hall, 2 nd Floor 7:00PM	29	30

Dates & locations are subject to change. If you do not receive a meeting notice, please verify with the Board Office 718-884-3959

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July 2017 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 OFFICE CLOSED: Independence Day	5	6 7:00 PM Economic Development (Board Office)	7	8
9	10	11	12 7:00 PM Land Use (Board Office)	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	Bronx CB 11				

S	M	T	W	T	F	S
			1	2	3	
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August 2017 Calendar

Bx CB 11

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																								
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September 2017 Calendar

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10	11	12 7:00 PM Health & Social Services (Board Office)	13	14 7:00 PM Sanitation & Environmental Protection (Board Office)	15	16																																																																																																		
17	18	19 7:00 PM Public Safety (Board Office)	20	21 Rosh Hashanah	22 Rosh Hashanah	23																																																																																																		
24	25 7:00 PM CERT (Board Office)	26 7:00 PM Leadership (Board Office)	27	28 7:00 PM Full Board (Lubin Hall, Einstein College of Medicine, 1200 Van Nest Avenue)	29	30 Yom Kippur																																																																																																		

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October 2017 Calendar

BX CB 11

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1	2 7:00 PM Parks & Recreation and Transportation (New York Institute for Special Education 999 Pelham Parkway North)	3 7:00 PM Education, Culture & Youth Services (Board Office)	4	5 Sukkot	6 Sukkot	7																																																																																				
8	9 OFFICE CLOSED: Columbus Day	10 7:00 PM Health & Social Services (Board Office) 7:30 PM Housing (Board Office)	11	12 Shemini Atzeret	13 Simchat Torah	14																																																																																				
15	16 7:00 PM CERT (Board Office)	17 7:00 PM Public Safety (Board Office)	18 7:00 PM Economic Development (Board Office)	19 10:00 AM DSC* (Board Office) *This meeting is closed to the public. Diwali	20 Vikram 2074	21																																																																																				
22	23 7:00 PM Leadership (Board Office)	24 11:00 AM -1:00 PM Flu Clinic (Board Office)	25	26 7:00 PM Full Board (Lubin Hall, Einstein College of Medicine, 1200 Van Nest Avenue)	27	28																																																																																				
29	30	31	<div style="display: flex; justify-content: space-around;"> <table border="1" style="font-size: small;"> <caption>Sep 2017</caption> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td></td><td>1</td><td>2</td><td></td></tr> <tr><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr> <tr><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td></tr> <tr><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td></tr> <tr><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td></tr> </table> <table border="1" style="font-size: small;"> <caption>Nov 2017</caption> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td></td><td></td></tr> </table> </div>				S	M	T	W	T	F	S					1	2		3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	S	M	T	W	T	F	S				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30		
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November 2017 Calendar

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5	6	7 OFFICE CLOSED: Election Day	8 7:00 PM Education, Culture & Youth Services (Board Office)	9 7:00 PM Sanitation & Environmental Protection (Board Office)	10 OFFICE CLOSED: Veterans Day (Observed)	11 Veterans Day																																																																																																									
12	13 7:00 PM CERT (Board Office)	14 7:00 PM Health & Social Services (Board Office)	15	16 10:00 AM DSC* (Board Office) *This meeting is closed to the public.	17	18																																																																																																									
19	20	21 7:00 PM Public Safety (Board Office)	22	23 OFFICE CLOSED: Thanksgiving Day	24	25																																																																																																									
26	27	28 7:00 PM Leadership (Board Office)	29	30 7:00 PM Full Board (Lubin Hall, Einstein College of Medicine, 1200 Van Nest Avenue)																																																																																																											

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December 2017 Calendar

BX CB11

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10	11 7:00 PM CERT (Board Office)	12 7:00 PM Housing (Board Office)	13 7:00 PM Holiday Party (Fratelli Restaurant, 2507 Eastchester Road)	14	15	16																																																																																																		
17	18	19	20 12:00 PM DSC* (Board Office) *This meeting is closed to the public.	21	22	23																																																																																																		
24	25 OFFICE CLOSED: Christmas Day	26	27	28	29	30																																																																																																		
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January 2018 Calendar

BX CB 11

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	1 OFFICE CLOSED: New Year's Day Solemnity of Mary, Mother of God	2	3	4	5 12:00 PM Executive Board (Board Office)	6 Epiphany																																																																																												
7	8 7:00 PM CERT (Board Office) 7:00 PM Transportation (Board Office)	9	10	11	12	13																																																																																												
14	15 OFFICE CLOSED: Martin Luther King, Jr. Day	16 7:00 PM Public Safety (Board Office)	17	18 10:00 AM DSC* (Board Office) *This meeting is closed to the public.	19	20																																																																																												
21	22 7:00 PM Leadership (Board Office)	23	24	25 7:00 PM Full Board (Calvary Hospital, 1740 Eastchester Road)	26	27																																																																																												
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February 2018 Calendar BXCB 11

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4	5 7:00 PM Transportation (Lubin Hall, Einstein College of Medicine, 1200 Van Nest Avenue)	6 7:00 PM Education, Culture & Youth Services (Board Office)	7	8	9	10
11	12 7:00 PM CERT (Board Office)	13 7:00 PM Health & Social Services (Board Office) Shrove Tuesday (Mardi Gras)	14 Ash Wednesday	15 10:00 AM DSC* (Board Office) *This meeting is closed to the public.	16	17
18	19 OFFICE CLOSED: Washington's Birthday	20 7:00 PM Leadership (Board Office)	21 7:00 PM Public Safety (Board Office)	22 7:00 PM Full Board (Lubin Hall, Einstein College of Medicine, 1200 Van Nest Avenue)	23	24
25	26	27	28			

March 2018 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																				
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11	12 7:00 PM CERT (Board Office)	13 7:00 PM Health & Social Services (Board Office)	14 7:00 PM Education, Culture & Youth Services (Board Office)	15 10:00 AM DSC* (Board Office) *This meeting is closed to the public.	16	17																																																																																				
18	19 7:00 PM Leadership (Board Office)	20 7:30 PM Public Safety (350 Marconi Street)	21	22 7:00 PM Full Board (Lubin Hall, Einstein College of Medicine, 1200 Van Nest Avenue)	23	24																																																																																				
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The City of New York

Financial Information Services Agency

Office of Payroll Administration

Roy Mogilanski
Executive Director

**Financial Information Services Agency Testimony
to the Committee on Governmental Operations**

March 19, 2018

Reporting jointly to the Mayor and the Comptroller, the Financial Information Services Agency (FISA) is a state-of-the-art information technology service center responsible for the critical City enterprise systems that provide financial, and human resources/payroll functions to City officers, employees, and agencies.

The Mayor's Preliminary Budget provides FISA with the resources it needs to support the citywide procurement, financial, payroll, pension payroll, human resources, and timekeeping applications which we develop and maintain. City officials utilize these applications to carry out their charter-mandated activities. FISA provides services to various entities through the operation and maintenance of major information systems such as the Payroll Management System (PMS), the Financial Management System (FMS), the Pension Payroll Management System (PPMS), the New York City Automated Personnel System (NYCAPS) and CityTime.

The Agency provides technical expertise and support primarily to the Office of Management and Budget (OMB), the Office of the Comptroller, the Mayor's Office of Contract Services (MOCS), the Office of Labor Relations (OLR) and the Department of Citywide Administrative Services (DCAS). FISA ensures citywide system access and provides technical assistance to all agencies processing transactions in FMS, PMS, PPMS, NYCAPS, and CityTime.

As part of our continuing reporting obligation, the Affordable Care Act requires large employers such as the City to file an annual information document with the federal government and to provide a statement (1095-C form) to each employee, reporting whether the City offered health insurance, and if so, what insurance was offered. FISA-OPA worked with the Office of Labor Relations (OLR) to provide these forms and reports to the Federal Government. This year, over 10,000 employees chose to view and print their W-2 forms through NYCAPS Employee Self-Service rather than have the City print out and distribute their W-2 forms. We worked with our oversights to allow for the self-service printing of W-2, 1127, and 1095C forms.

Data security and physical security are critical areas for any business operation today, particularly one that has responsibilities related to computer systems containing sensitive information. FISA-OPA takes this security obligation seriously, and we are continuously vigilant in our efforts to protect the City's – and its employees' – confidential information. We continue to proactively review our security procedures for potential vulnerabilities and to take all necessary steps with regard to evolving security threats to further protect our citywide systems and information.

In the Mayor's Preliminary Budget, we received new Personal Services (PS) and Other Than Personal Services (OTPS) funding to hire two additional security analysts and purchase additional hardware and software products required to prevent the unauthorized use of data from FISA-OPA systems and comply with cyber security certification standards.

The Agency has instituted a rigorous approach to its business continuity planning process to ensure the continued operation of critical City systems in the event of a major disruption or disaster. This approach will identify and document critical processes and key personnel, establish recovery time objectives, and develop immediate and long-term strategies for the continued operation of our systems in the event of a disruption or disaster.

The systems that FISA supports are utilized by tens of thousands of users in the performance of their duties on behalf of the people of our City. An overview of these systems can be found below.

Financial Management System (FMS)

FMS supports the functions required of a citywide budget and accounting system. FMS processes data for inclusion in the City's Financial Plans, Budget, the Comptroller's Annual Statements, and all required tax reports. In Calendar Year 2017, FMS generated approximately 700,000 disbursements valued at approximately \$54 billion.

FISA supports all users of FMS—both City employees and vendors. In Calendar Year 2017, the FMS/PIP Help Desk handled 36,712 incident reports with over 83% of the tickets resolved within one day and an average of 96% resolved within three days of initial reporting.

In Fiscal Year 2017, FISA provided instructor-led training to 1,187 City employees in various FMS courses covering topics such as general fund budget preparation and maintenance, procurement functions, contract and payment processing, revenue accounting, capital budgeting, tax reporting, and other online inquiries and reporting tools.

FISA is pleased to report a positive trend toward greater usage of Electronic Funds Transfer (EFT) by vendors and other payees receiving payments from the City. In Calendar Year 2010, approximately 41% of the City's total disbursements were made using EFT. Today, the EFT percentage has grown to approximately 73%. This greater use of EFT is due to a number of complementary initiatives such as City legislation by the City Council which makes EFT the preferred method of payment by agencies, a nominal paper check fee of \$3.50 that has generated over \$1,992,000 for the City since the end of Fiscal Year 2011, and working in conjunction with the City's Department of Finance, vigorous vendor enrollment efforts.

FISA, working with MOCS, DCAS, and the Comptroller's Office continues to implement citywide procurement improvement initiatives. In the past year, MOCS launched the first phase of the PASSPort initiative which focused on improving the VENDEX process. The next phase of work will improve purchasing processes related to Citywide Requirements Contracts. FISA is also working with MOCS and the Comptroller's Office to implement the new Minority and Woman-Owned Business Enterprise (MWBE) Program micro-purchase rule in FMS.

FISA has already been successful in exceeding the City MWBE vendor goal of 30% by 2021. In Fiscal Year 2017, 34% of FISA contracts were awarded to MWBE vendors.

FISA also provides the New York City Comptroller's Office with a diverse set of financial and payroll, contract, and payment data for the Checkbook 2.0 web site. The payroll feeds include funding, annual salary, gross, base, overtime, and other pay data. The employee's name is not provided to protect the privacy of the individual. This data is provided for each employee for each pay cycle for all City agencies and the Water Authority. The financial feeds include detailed contract, subcontract, disbursement, and cash receipt transactions; and operating budget amount and balances data. Financial data feeds are sent at the close of each business day. In the past year, we supported the Comptroller's Office initiative to incorporate additional data on NYPD spending. We continue to actively provide support as the Comptroller designs additional functionality and new components of Checkbook.

FISA, working with the Comptroller's Office, continues to upgrade the capabilities of the City's Payee Information Portal (PIP). Efforts are underway to improve the process to

enroll in the City's preferred payment method, Electronic Funds Transfer (EFT). Software enhancements will improve the quality of payee data collected from PIP and will allow payees to submit documentation for changes that impact tax form processing.

Debt Management System (DMS)

DMS is the official repository of data pertaining to debt issued by New York City and the Transitional Finance Authority (TFA). The application is used by investment banks, bond counsel and City employees. The DMS application includes over 100 years of historical data. FISA completed the initial implementation and is continuing to maintain the application and apply enhancements as prioritized by DMS stakeholders. The system was updated to include bonds issued by the New York City Municipal Water Finance Authority. FISA continues to work with the system owners to make that data available to investment banks.

Payroll Management System (PMS)

PMS is the computerized application used to produce the City's payroll. PMS processes over ten million payments for the City's workforce annually by running over 393 pay cycles per year that produce payrolls valued at approximately \$34 billion. FISA continues to work on initiatives to move non-payroll functionality out of PMS and into other FISA-run systems as part of the strategy to transform the 30-year-old mainframe-based system to a more current technical environment. Several new web-based entry and inquiry screens have also been deployed, enabling the shutdown of a number of the mainframe screens. Work will continue on this effort in the coming year.

Pension Payroll Management System (PPMS)

PPMS produces payments to New York City members of the five major pension systems: New York City Employees' Retirement System (NYCERS), Police Pension Fund, Fire Department Pension Fund, Teachers Retirement System (TRS), and Board of Education Retirement System (BERS). For Calendar Year 2017, PPMS produced over 4.2 million payments for approximately 317,000 pension recipients by running 177 pay cycles, valued at approximately \$27 billion. FISA manages the distribution of retiree checks, 1099 forms and quarterly statements to pensioners. This year, almost 90% of

pension payments were made through Direct Deposit, simplifying the process for both the retirees and FISA.

New York City Automated Personnel System (NYCAPS)

NYCAPS is the citywide human resource and health benefits system that FISA administers for DCAS. This system processes transactions for City employees and pensioners. In the past year, FISA has successfully converted the employees of all CUNY community colleges into NYCAPS which completes the transition of all personnel actions from PMS to NYCAPS. FISA is currently working to upgrade NYCAPS to enable its use on mobile devices.

CityTime

The CityTime system is the unified and automated timekeeping system which interfaces with NYCAPS and PMS to support accurate time and attendance records, leave processing and contractual pay calculations. There are currently 181,000 active employees that have timesheets processed through CityTime at 71 agencies.

Both the Department of Correction and the Police Department have been working to expand the use of CityTime by their civilian employees. The Department of Correction has successfully implemented having civilian employees enter their own time, rather than use timekeepers to enter time on their behalf. The Police Department is currently in an expanded pilot to do the same.

FISA's staffing for Fiscal Year 2018 and Fiscal Year 2019 is authorized at 456 and 460 employees respectively. FISA's total January Plan Expense Budget allocation for Fiscal Year 2019 is \$114 million: \$50 million for Personal Services and \$64 million for Other Than Personal Services.

FISA's Capital Plan for Fiscal Year 2019 as per the January 2018 Capital Commitment Plan, is \$18 million and encompasses upgrades to the Data Center hardware and software and infrastructure upgrades to the Financial and HR/Payroll Systems.

FISA and OPA foster a work environment where diversity is highly valued. This commitment is demonstrated by executive leadership and is communicated throughout the organization in meetings and posted materials, as well as in an Annual Commitment Memo distributed to all staff every December.

FISA and OPA are committed to enriching staff through training. Last year, FISA employees participated in 873 professional development opportunities. These included the DCAS performance evaluation clinic, as well as classes in leadership, managing multiple priorities, and supervision. FISA staff attended classes to augment their technical skills on topics such as cyber security, data recovery, and core system administration. Managers and supervisors also completed training on ethics in New York City government and transgender inclusion.

We continue to offer our staff on-site OLR seminars on Social Security and Medicare, health benefits, college planning, eldercare, and flexible spending. In addition to partnering with OLR and other City agencies to bring supplemental programs to our employees, we have developed our own Wellness at Work program focused on improving the physical and mental health of our employees.

FISA is a unique agency in that we not only develop, implement, and maintain critical applications, but we also focus on user support and customer service.



The City of New York

Financial Information Services Agency

Office of Payroll Administration

Roy Mogilanski
Executive Director

**Office of Payroll Administration Testimony to the
Committee on Governmental Operations**

March 19, 2018

Reporting jointly to the Mayor and the Comptroller, the Office of Payroll Administration (OPA) manages payroll check, pension check, and direct deposit distributions to all City employees and retirees. The Payroll Operations Bureau administers the core mission of OPA – to ensure the delivery of timely and accurate employee and retiree payrolls.

In Calendar Year 2017, over ten million payments, valued at approximately \$34 billion, were made to City employees. Over 8.5 million of these were direct deposit payments, and over 1.4 million were paper checks, reflecting a direct deposit participation rate of 85%.

Use of direct deposit is strongly promoted by OPA. The Agency partners with eight financial institutions in the “Free Checking with Direct Deposit” initiative for active City employees.

In addition, OPA manages the payroll distribution for the City’s five major pension systems: New York City Employees’ Retirement System (NYCERS), Police Pension Fund, Fire Department Pension Fund, Teachers Retirement System (TRS), and Board of Education Retirement System (BERS). In Calendar Year 2017, over 4.2 million payments, valued at approximately \$27 billion were made to City retirees, of which almost 90% were processed via direct deposit.

Over the past year, in collaboration with the Mayor’s Office of Labor Relations (OLR) and the Department of Citywide Administrative Services (DCAS), OPA implemented retroactive and prospective salary increases for much of the City’s workforce. According to OLR, the administration has reached contractual agreements with over 99% of the workforce, representing civilian and uniformed employees. Since provisions and interpretations of these contracts affect over 180 union agreements and over 400 pay and leave labor agreements, OPA diligently monitors all updates for accuracy.

For Tax Year 2017, current City employees of Mayoral Agencies, the New York City Housing Authority (NYCHA), and elected officials were able to choose to have their W-2, 1095-C, and 1127 tax forms delivered electronically instead of by paper copy. Electronic W-2 form delivery is voluntary, secure, and accurate. This paperless option supports a more sustainable New York City in accordance with Mayor de Blasio's 80 x 50 program, which commits the City to an 80 percent reduction in greenhouse gases by 2050.

As part of its fiduciary responsibility, OPA reports wages, pension distributions, and withholding tax information to Federal and State tax authorities. The entities for which we have reporting responsibilities include the City, NYCHA, the NYC Municipal Water Finance Authority, the NYC Retirement System Pension Trust (Pension Periodic), and the NYC Retirement System Trust (Pension Non-Periodic).

OPA ensures the City complies with ordered deductions that have been served upon City employees. Some of these ordered deductions include child support, Internal Revenue Service (IRS) tax levies and repayment agreements, creditor garnishment orders, higher education loan orders, and national medical support notices.

OPA is responsible for collecting and remitting City employees' voluntary payroll deductions and data including union dues, life insurance premiums, and political action committee contributions to internal and external entities.

The City's Commuter Benefits program is administered by OPA. This transit benefit program offers eligible employees the opportunity to use pre-tax and post-tax earnings to cover certain public transportation costs throughout the New York Tri-State area. As of the end of December 2017, more than 60,000 City employees were participating. The City continues efforts to increase our enrollment participation. These efforts include notifying employees through a citywide email, creating an informational e-banner for Employee Self-Service and CityTime log-in pages, creating a Commuter Benefits Public Service Announcement, and posting pay statement messages. To further enhance the benefit for City employees, OPA is adding rideshare options in compliance with IRS provisions of the Commuter Benefits pre-tax program.

OPA is responsible for the business functionality addressed by major citywide systems covering payroll, pension, and timekeeping functions. These systems include: Payroll Management System (PMS), Pension Payroll Management System (PPMS), Workers' Compensation System (WCS), CityTime, City Human Resources Management System (CHRMS), W2 Replacement and Correction System (RACS), Welfare Benefit Annuity System (WBAS), Payroll Information (PI) — an electronic portal to manage payroll pay and deductions — and an e-portal to access pay statements and tax forms, known as E-STUBS. In addition to ensuring these systems meet business needs, OPA also provides support and help desk functions by addressing agency questions and issues, and disseminating information pertaining to OPA citywide systems.

In Calendar Year 2017, the HR/Payroll Help Desk handled 42,684 incident reports with an average of 89% resolved within three days of initial reporting.

Using business analysis, OPA assesses and makes system update recommendations based on changes to over 180 union agreements as well as legislative or other required business changes. OPA also engages agencies to participate in software testing to ensure that software usability meets the business need.

OPA reviews and validates payroll results, and ensures that federal and state tax filings are accurate and filed in a timely fashion. An important function of OPA's Support Services Division is its proactive agency outreach. This approach focuses on assisting agencies with correcting transactions, recommending business process changes and communicating system updates to the user community. In addition, OPA also works directly with employees on their payroll deductions, replacement checks, banking and tax issues. OPA also coordinates with external entities such as family courts, labor unions, and insurance carriers in the administration of the City's payroll.

In Fiscal Year 2017, the OPA Training Team conducted 42 instructor-led classes for 726 participants in such courses including CHRMS, PI, New York City Automated Personnel System (NYCAPS), Worker's Compensation, and Remedy Ticketing System Training.

OPA is on target to exceed the City's Minority and Women-Owned Business Enterprise (MWBE) Program goal of 30% by the year 2021. In Fiscal Year 2017, over 27% of OPA contracts were awarded to MWBE vendors.

OPA is working with the City's labor unions on a project to streamline the submission of union membership data, to deliver reports electronically, and to convert union payments from paper to electronic funds transfer (EFT).

While the bulk of OPA has moved to its midtown space at 5 Manhattan West, we are maintaining a walk-in service for City employees in the downtown area. OPA has established a satellite office in the Department of Finance business center at 66 John Street. There, Customer Service Representatives assist City employees, retirees, and payroll departments.

OPA has authorized full-time staffing levels of 179 employees for Fiscal Year 2018 and 183 employees for Fiscal Year 2019. OPA's total January Plan budget allocation for Fiscal Year 2019 is \$16.9 million: \$15.2 million for Personal Services (PS) and \$1.7 million for Other Than Personal Services (OTPS).

The portion of the Mayor's Preliminary Budget that pertains to OPA provides us with the necessary resources to support employee and retiree payrolls including the management and reconciliation of the City's payroll bank accounts. OPA maintains and enforces uniform payroll policies and procedures and coordinates payroll matters among City agencies, NYCHA, and elected officials. OPA ensures the continued

security, integrity, and effectiveness of the City's payroll systems as well as compliance with requirements of Federal, State, and City tax authorities, while using technology to the greatest possible advantage in support of its operations.

**Testimony of Ellen E. Hoffman Submitted to the
City Council Committee on Government Operations**

Thank you Chair Cabrera and Members of the Committee on Government Operations for the opportunity to discuss the current operations and future plans of the Office of Administrative Tax Appeals.

In 2007, the City Council amended the New York City Charter putting both the Tax Commission and the Tax Appeals Tribunal under the umbrella of the Office of Administrative Tax Appeals.

The fiscal 2017 Executive Budget figure for the Office of Administrative Tax Appeals was \$4.972 million and \$5.091 million for fiscal 2018 as of the January plan.

Tax Commission. Since 2011, a filing fee of \$175 has applied to Tax Commission Applications for Correction covering properties having an assessed value of \$2 million or more, equivalent to a market value of about \$4.45 million for properties in tax classes two, three and four, or over \$33 million for properties in tax class one. The fee is collected through the Department of Finance's real property tax billing process. In 2017, the filing fees billed totaled approximately \$2 million.

Under the City Charter, the Tax Commission includes a President and six part-time Commissioners appointed by the Mayor to staggered, six-year terms, with advice and consent of the City Council. Under the Charter, there must be at least one part-time Commissioner from each borough and the Commissioners must have at least three years of business experience in real estate or real estate law. Currently, there are four part-time Commissioners, one whose term ends in January 2022, two whose terms ended in January 2018 and one holdover whose term ended in January 2016. The part-time Commissioner positions for the Bronx and Staten Island are currently vacant. Efforts to fill those positions are ongoing.

During 2017, the actual headcount for the Tax Commission comprised 27 full-time employees plus the President, four part-time Tax Commissioners and two additional part-time hearing officers.¹

After the Department of Finance issued the Notice of Property Values for the 2017/2018 tax year in January 2017, the Tax Commission joined the Department of Finance at ten public outreach sessions in February 2017 to explain the assessment appeal process, including one morning and one evening session in each borough. In addition, we conducted information sessions for staff of City Council members and for the 3-1-1 call center staff to assist them in answering questions. Finally we emailed a four page summary of the respective functions of the Finance Department and the Tax Commission in reviewing assessments to every City Council member's office to aid in answering constituents' questions.

We also include an instant translation feature on our website that enables visitors to translate important information about the appeal process.

Tax Appeals Tribunal. The Tax Appeals Tribunal has an actual headcount of 11 full-time employees including four Administrative Law Judges and three Commissioners. In addition to their work on Tribunal matters, the ALJs and Tribunal Commissioners are designated by the Tax Commission President to serve as hearing officers for Tax Commission matters.

I currently serve both as President of the Tax Commission and as President and Commissioner of the Tax Appeals Tribunal, as did my predecessor.

Operations & Performance

Applications for Correction of Assessments. In 2017, the Tax Commission received 54,730 applications covering 211,034 separately assessed tax lots. Those lots had an aggregate assessed value of over \$223 billion, which is over 98% of the 2017/18

¹¹ The Tax Commission also employs part-time college aides.

tentative taxable assessed value of *all* tax lots in the City. The number of applications received represents an increase of 1% over 2016 and about a 26% increase since 2008.

In 2017, the Tax Commission provided substantive hearings on about 29,800 applications and granted over \$5 billion in assessment reductions for the 2017/18 tax year, yielding an estimated \$577 million in tax relief for that year. As a condition of accepting an offer of reduction from the Tax Commission, property owners must agree to discontinue all pending judicial proceedings for prior years and to forego filing a judicial proceeding for the current year. As a result, in conjunction with its disposition of 2017 applications, the Tax Commission also obtained discontinuances of about 20,000 pending judicial review proceedings. That compares to the 678 proceedings resolved last year through court settlements and trials.

Personal Exemptions. The Department of Finance removed significant numbers of personal exemptions from properties in 2017. As a result, in 2017, the Tax Commission received 4,114 applications for review of denials of personal exemptions including STAR, Enhanced STAR, Senior Citizen, Disabled, Veteran and Clergy exemptions. This was an unprecedented eightfold increase over the number of such appeals received in 2016. Of the applications received in 2017, 50 were for the 16/17 tax year, all of which were resolved. Of the applications received for the 17/18 tax year, 2,090 have been fully resolved. An additional 277 have been given an extended opportunity to provide additional information to the Tax Commission. Where the Department of Finance removed a personal exemption because the property owner did not file a renewal, and if the Tax Commission received sufficient information from the property owner, the Tax Commission sent those applications to the Department of Finance for initial review. If the Department of Finance grants the exemption following its review, the application to the Tax Commission will not require further consideration.

Protests of RPIE Penalties. Since 2011, at the request of the Commissioner of Finance, the Office of Administrative Tax Appeals has conducted hearings on protests of penalties asserted for failure to file Real Property Income and Expense Statements with

the Department of Finance. In 2017 the Office of Administrative Tax Appeals received 29 protests of such penalties.

FOIL. In 2017, the Office of Administrative Tax Appeals received 214 FOIL requests, all of which were for Tax Commission documents.

Tax Appeals Tribunal. The Tax Appeals Tribunal, including the Administrative Law Judge Division and the Appeals Division, reviews petitions filed by taxpayers in response to notices issued by the Department of Finance asserting deficiencies or denying refunds of non-property income and excise taxes administered by the Department of Finance. These cases involve significant pre-hearing conferences and evidentiary hearings with witnesses and substantial documentary evidence together with a transcribed record of the hearing. Determinations of the administrative law judges include findings of facts and conclusions of law. Administrative law judge determinations are appealable to the Appeals Division of the Tribunal. The three Tribunal Commissioners review those determinations as a panel and issue decisions based on their review of the entire record of the case and any additional briefs submitted on appeal. Tribunal decisions are binding on the Department of Finance, which does not have the right to appeal those decisions to the courts. Only the taxpayer has a right of appeal. As a result, those decisions, if not appealed by the taxpayer, establish legal precedents for future Department of Finance actions.

As of the end of December 2017, the inventory of cases at the Tribunal was 66, including 61 cases pending before the Administrative Law Judge division and five appeals pending before the Commissioners. The Administrative Law Judge Division closed 51 cases in fiscal 2017 and the Appeals Division closed three in fiscal 2017.

Looking Forward to 2018

The last date to file applications with the Tax Commission for the 2018/2019 tax year was March 15, 2018 for class 1 properties. The deadline for properties in classes 2,

3 and 4 was March 1. Preliminary results show that the number of applications filed in 2018 exceeds 55,000 not including applications filed by self-represented applicants, which generally total between 1,000 and 2,000.

For the last few years, the Tax Commission has been working with the Department of Finance on its PTS project, which will replace the entire computer system used by Finance for property tax administration and will replace the principle computer systems that the Tax Commission uses to do its work. Members of our staff continue to spend a substantial portion of their time working with the PTS vendor to develop the components of PTS that affect our work. The switch to PTS also will affect other mainframe systems of the Tax Commission that will have to be modified or replaced. We are working closely with the Department of Finance to plan for these changes.

I am happy to answer any questions you may have and to provide any additional information you require.

DEPARTMENT OF RECORDS & INFORMATION SERVICES

Pauline Toole, Commissioner

FY 2019 PRELIMINARY BUDGET STATEMENT

Submitted to the New York City Council
March 19, 2018

DORIS PRELIMINARY BUDGET STATEMENT MARCH 2018

The Department of Records & Information Services (DORIS) is responsible for three key government functions: (i) establishing and enforcing records practices and policies; (ii) providing access to New York City government information; and (iii) preserving the historical records of City government. We do this through our three divisions: Municipal Library, Municipal Archives, and Municipal Records Management with essential support from the Information Technology and Administration Units. The agency's mission is to foster civic life by preserving and providing access to the historical and contemporary records of City government, to ensure that City records are properly maintained following professional archival and record management practices, and to make our materials available to diverse communities.

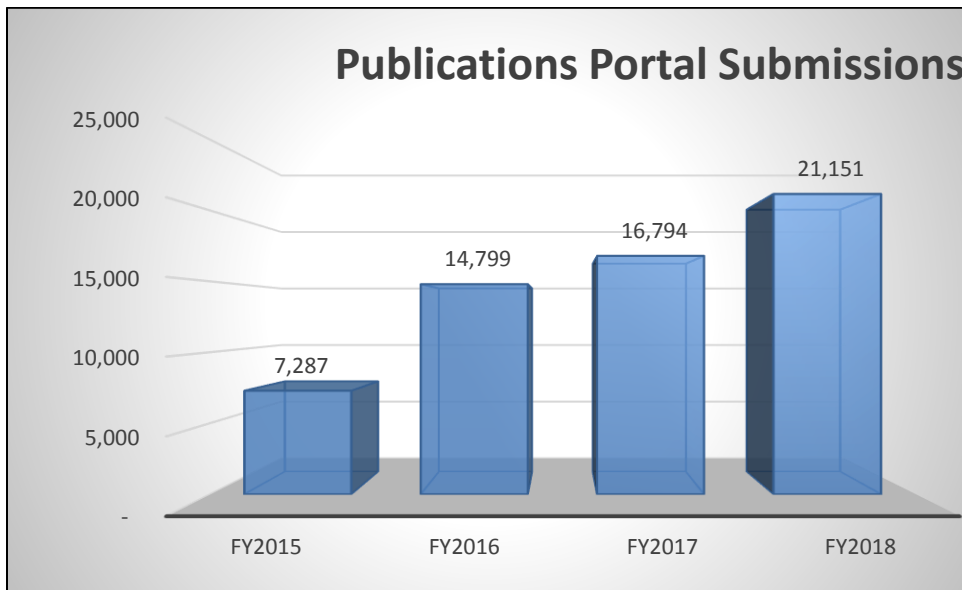
For the past four years, we have focused on building the capacity of DORIS so it can better fulfill its charter -mandated role. The Department has received additional funding and staff lines in each of the past four fiscal years; the 2018 preliminary budget also includes increased staffing. This deliberate strategy of incremental growth has allowed us to expand the number of archivists processing City government's historical records for the first time since the late 1980s, develop online platforms for public access to information, and advance a strategy to manage the digital records created by City agencies while identifying paper records eligible for disposal.

The Preliminary Budget includes \$8,222,616 in operating funds for the Department in FY 2018: \$4,156,790 in PS and \$4,065,826 in OTPS. The plan outlines \$136,841 in financial plan savings, largely achieved through accruals. The plan provides for temporary staff to re-house, inventory and digitize historical building plans. In FY 2019, the proposed funding totals \$9,131,116 which is an increase of \$695,280. This figure includes funding for both the historical building plan project and the continued transformation of agencies records management.

To date, DORIS has received \$334,965 in direct grants during FY 2018. This amount includes \$151,000 to administer the Local Government Records Management Improvement Fund grants for mayoral agencies, plus \$75,000 from that program for a project to inventory the historical map collections in the Municipal Archives. The Archives received \$108,965 from the National Endowment for the Humanities to process historical records of the Commissioners of the Department of Health.

The Municipal Library

The Municipal Library has begun to pivot from a "bricks and mortar" research facility to one that increasingly offers digital content, with a goal of building a robust online library by 2020. The foundation for this online library is the publications portal, mandated by section 1133 of the City Charter. The Charter requires mayoral agencies to provide the Municipal Library with digital versions of all reports required by executive order or law, as well as hard copies of all other material issued. In 2014, we determined that access to these materials was inadequate and built a platform using open source code to improve public access. Conterminously, the library staff developed a list of all required reports and began a program of continuous outreach to agencies in order to obtain the reports. Due to these efforts, the quantity of submissions continues to increase, as shown in the chart below.



In FY 2018, the Library has added all social media postings from 362 valid NYC Government Agency accounts associated with 44 agencies across 15 social media outlets including Facebook, Flickr, Google+, Instagram, LinkedIn, Pinterest, Twitter, Vimeo, and YouTube.

The Municipal Archives and Library are digitizing physical records and acquiring born-digital records at an exponential rate. To date in FY 2018 staff produced 33,324 images, including 12,555 newly digitized images. By the end of the current fiscal year, we will have produced an additional 355,000 images, including 240,000 newly digitized images from the 1940s tax photos and 100,000 newly digitized images from marriage licenses dating to 1908.

The Archives and Library staff are developing an open-source, integrated digital platform that will upgrade the agency’s archival and information management standards and build capacity for the digital age. It will fulfill the agency’s long-term strategic goals to increase agency oversight, accountability, and transparency for all operations; to expand outreach and access to all collections to a diverse range of customers, stakeholders and patrons; to modernize current operations and facilities and execute on innovation through digital assets; and to improve physical and intellectual control of records.

Modern city records are increasingly born-digital only; digitizing physical records increases access to those records while simultaneously preserving them by minimizing regular handling. However, while digital records provide many advantages, they also present many challenges. The life span of digital storage media is short, and the rapid evolution of software can impede future access. The platform will allow the agency to make information broadly available while also maintaining the digital assets.

The Library development team has also continued their work in creating the City’s one stop Freedom of Information Law (FOIL) portal: *Open Records*. Launched as a pilot in 2015 with 5 active agencies, 40 agencies now fully use the portal to receive and respond to FOIL requests.

The active agencies have received 9,310 FOIL inquiries in the current fiscal year. Ten more agencies are scheduled to participate by the end of April, including the NYPD which receives more FOIL requests than all other agencies combined. It's important to note that members of the public can use the portal to submit FOIL requests to all agencies, not just those that are fully on board, and the portal has moved an additional 1,500 requests to agencies.

When agencies are fully onboard, the status of the request can be tracked in the portal, providing the requester with timeframes to receive responses and the tools for a direct dialogue with FOIL officers at each respective agency. The development has been greatly aided by feedback from a February 2017 UX Hackathon to make the request process more intuitive for requesters. Another mini-hackathon to make the site fully ADA accessible will occur in April. We will continue to onboard agencies and expect that all will be using the platform by the end of the current fiscal year. The development team will continue to make enhancements to the portal

Archives:

Over the past four years, the archivists have focused on developing better intellectual control over the City's historical records. We have assembled a collections management group that is responsible for the intellectual and physical control and care of collections. They are implementing an open-source data management tool, and creating the first comprehensive New York City government ontology, which tracks the evolution of city agencies, predecessor agencies, people in city government, places, and assigns controlled subject vocabularies.

We are building capacity to digitize our vast Audio Visual (A/V) collections. An analysis of the equipment necessary to digitize Betacam, VHS, and U-Matic tapes has been completed. We've assessed the common risks to the film and video tape, requirements for proper archival storage and handling guidelines, and options for preservation. We are faced with an ever-shrinking window of time to perform high quality digital migration, because most of these formats have reached the end of their life span.

In addition, staff have been appraising agency records and accessioning those with historical and cultural value which yielded 1036 cubic feet from 9 agencies in the past year. They continue to review records from 30 agencies that haven't yet moved eligible collections to the archives. The staff has developed and is implementing sustainable practices following industry standards to ensure that each historical collection, whether digital or paper, retains contextual information about its creation and custodial history that is essential for establishing its authenticity, and ensuring its preservation and public accessibility. This requires a re-evaluation of existing collections to ensure we are stewarding the historically valuable records and clearing out what isn't useful, thereby guaranteeing that we use the city's resources as efficiently as possible. As part of this work, the archivists completed an inventory and de-accession project of ledger records that were removed from the basement of the Municipal Building decades ago, but never categorized or accessioned.

As noted above, new funding in FY 2018 will support the preservation and digitization of 136,000 historical Manhattan building plans that date from 1866 through the mid-1970s and

cover an area ranging from block no. 1 (the Battery), through block no. 965 (34th Street). The project will generate revenue through the sale of digital copies of plans upon patron request.

Records Management:

The charter defines records as anything created or received in the course of transacting City business. Without guidance for twenty-plus years, agencies printed and stored copies of their records which now total approximately 2.6 million boxes. A large proportion of those records were actually created digitally so the records are stored in two formats. Recognizing this issue, in 2015 Mayor de Blasio directed agencies to transition to electronic records management practices. DORIS has implemented this directive via (i) reducing the quantity of boxes being stored by destroying records when their retention schedules expire, and (ii) implementing electronic records management practices including guidance for digitizing records with long-term retention schedules.

We have identified six agency partners to pilot the implementation of an electronic records management system (ERMS). The initial steps include developing a file plan that identifies the digital records created by agencies, applying retention periods to the records and naming the files in a uniform manner so they can be located by future staff. The plan is to phase-in the ERMS over five years, beginning first with agencies that have not deployed platforms, previously. This effort recognizes that almost all City records are created and stored electronically and should be managed digitally, as well.

Public Access:

DORIS has taken steps to expand public access to, and engagement with, the Library and Archival collections onsite, online and in neighborhoods.

For example, DORIS has extended the public hours of the Municipal Library and Archival Research Center to include Thursday evenings and Saturday mornings. In the current fiscal year, nearly 42,000 patrons used the services of the Library and Archives. We are surveying patrons to learn how this access can be improved. We have reduced the time to service requests for copies of historical birth, death, and marriage records from 24 days at the beginning of the fiscal year, to less than one week currently.

Finally, DORIS is working to create and display interesting and diverse content. Our most successful exhibit to date, “Unlikely Historians” displays items collected or created by the NYPD Surveillance teams between 1960 and 1975. The exhibit received widespread media coverage and a continuous stream of visitors. We participated in the annual Photoville show at Brooklyn Bridge Park, displaying historical images from the Housing Preservation and Development collection. We continue to offer access to images at our www.records@nyc.gov site and have built a strong social media presence with dedicated followers on Facebook, Twitter and Instagram. In addition, we host two .nyc sites: www.WomensActivism.nyc and www.Archives.nyc. Women’s Activism is linked to the five-year celebration of American women winning suffrage. The current focus is to develop an online catalog listing 20,000 inspiring women by 2020. Archives.nyc includes images from our exhibits, digitized collections such as the Almshouse records and a blog that has more than 300 subscribers.

This summarizes the key activities of the department. Thank you for the opportunity to submit written testimony.



Chairperson, Martha Taylor

The City of New York
Borough of Queens

Community Board 8

197-15 Hillside Avenue
Hollis, NY 11423-2126
Telephone: (718) 264-7895
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Qn08@cb.nyc.gov
www.nyc.gov/queenscb8



District Manager, Marie Adam-Ovide

March 19, 2018

Honorable Fernando Cabrera, Chair
Governmental Operations Committee
250 Broadway – 17th Floor
New York, NY 10007

Re: Community Boards' Internal Budgets

Dear Chairman Cabrera:

Our district has about 160,000 residents. Our residents, businesses and community associations recognize the knowledgeable and reliable arm that is our Community Boards. They depend upon the Board's advocacy on their behalf toward the resolution of a myriad of issues regarding the function and delivery of services by our City agencies. To successfully fulfill this City Charter mandate we must have the necessary resources. To this end, we support the increase of the Community Boards' internal budgets.

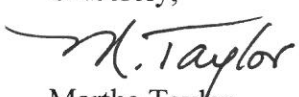
With the added funds our board will be able to:

- Purchase updated office equipment
 - The average life span of business grade computers is 3 – 5 years. Our computers are three years old and we will need funds to replace them soon.
 - Our printers which are much older will need to be replaced soon as well. With time, the printing quality decreases and mechanical problems increase.
- Continue our outreach to community residents
 - While we encourage our residents to sign up for electronic delivery of notice we are still required to send hardcopies of our public hearing notices to the affected residents.
 - We have a monthly newsletter that used to go to only a few hundred residents by hard copy ten years ago. It has more than tripled in recent years. About 14% of our residents are seniors. Many of them do not have computers and are not computer literate. They can only access the information we share by receiving hardcopies. It is also posted on our website and goes out electronically to the residents who provide us with an email address.
- Keep our staff well trained
 - To better serve our residents, our staff must continue to keep up with technology. For this, funds to pay for off-site training is necessary.

- Give staff merit increases
 - This is an extra incentive for staff to give 110% every day knowing that they may be rewarded for their efforts.
 - This will also enable us to give competitive salaries to retain our best employees. After a few years, our best staff members leave for better opportunities. We then have to dedicate time and resources to train new personnel.

We urge you to do your very best to secure the necessary funds to increase the Community Boards' budgets. Thank you for your consideration and continued support of Community Boards.

Sincerely,

Handwritten signature of Martha Taylor in cursive script.Handwritten initials 'mao' enclosed in a circle.

Martha Taylor
Chair

MT/mao

Cc: Honorable Rory Lancman, Council Member - 23rd District
Honorable Barry Grodenchik, Council Member - 24th District



COMMUNITY BOARD NO. 1

435 GRAHAM AVENUE – BROOKLYN, NY 11211

PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: bk01@cb.nyc.gov

Website: www.nyc.gov/brooklyncb1

HON. ERIC L. ADAMS
BROOKLYN BOROUGH PRESIDENT



SIMON WEISER
FIRST VICE-CHAIRMAN

DEL TEAGUE
SECOND VICE-CHAIRPERSON

STEPHEN J. WEIDBERG
THIRD VICE-CHAIRMAN

MARIA VIERA
FINANCIAL SECRETARY

SONIA IGLESIAS
RECORDING SECRETARY

PHILIP A. CAPONEGRO
MEMBER-AT-LARGE

DEALICE FULLER
CHAIRPERSON

GERALD A. ESPOSITO
DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33rd CD

HON. ANTONIO REYNOSO
COUNCILMEMBER, 34th CD

TESTIMONY

MARCH 19, 2018 PRELIMINARY BUDGET HEARING COMMITTEE ON GOVERNMENTAL OPERATIONS NEW YORK CITY COUNCIL CITY HALL

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 restorations were made this fiscal year, we remain

guarded about projected cuts for upcoming fiscal years. Community Boards have not seen an increase in our budget in over 20 years.

Our 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 (2 full-time and 1 part-time) and miniscule operating (OTPS) cost of \$ 10,476.

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 - WEBCASTING REQUIREMENT FOR COMMUNITY BOARDS

City Council's Int. No. 28, was a proposal to amend the City Charter that would have required community boards to webcast their full board meetings. Although we have consistently advocated for increased budgets for community boards, 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 and way beyond our fiscal capability.

Web casting is a high tech area of deployment requiring cameras, software, various hardware, a streaming server, a database server, a web/content management server, a directory management server and a series of "apps", not to

forget additional staff to operate the camera. There are also serious costs included in setting up an infrastructure to carry out webcasting. All of this is something that we cannot both fiscally and physically accomplish "in house".

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). Additionally, since community boards lack their own meeting venues (relying on rented or donated space) any recording set ups must be portable.

Int. 28 was laid over by the City Council's Committee on Technology and the community boards are currently deemed to be exempt. If the City continues to pursue enacting a law requiring community boards to do live broadcasting, then the City should develop a team that would perform this service for each of the 59 community boards.

Last year the City Council had put in place a pilot program to do the broadcasting. For over a year Brooklyn CB #1 received live broadcasting of its regular meetings through this pilot program. We urge that the City consider extending the program and provide these telecommunication services on a permanent basis.

SUSTAINABILITY OF COMMUNITY BOARDS

Community boards provide a vital function for the districts they are designated to serve and consequently stand as valuable assets to the City as well. There is urgent need for increased funding as moneys were lost in previous budget crunches and were projected to be further reduced in the upcoming fiscal years.

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, development scenarios and sting actions – 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 our constituency.

We need your help to keep our budgets safe!

We ask for your aid in ensuring that there are no cuts for the 59 community board budgets and to immediately hold our board's budget harmless from any future proposals to reduce funding.

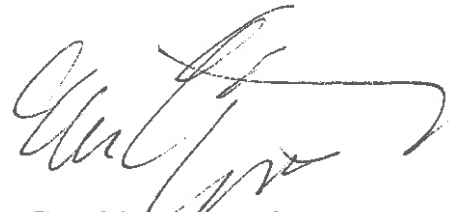
We thank you for seeking additional funds that will allow Brooklyn Community Board #1 to continue our work developing strategies and making recommendations in regards to matters that have an effect on the health, welfare and life of all our residents.

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

Respectfully submitted,



Dealice Fuller
Chairperson



Gerald A. Esposito
District Manager

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Roxanna Delgado
Address: 2341 Matthews Ave, Bx NY 10467

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/19/18

(PLEASE PRINT)

Name: ANGEL MESCAIN
Address: 1664 Park Avenue NY NY

I represent: Manhattan Community Bd. 11

Address: 1664 Park Avenue NY NY

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THE CITY OF NEW YORK**

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lucian Reynolds
Address: 1 Centre Street, 22nd Floor

I represent: Manhattan Community Board 4

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Fidel F. Del Valle

Address: 100 Church Street, 12th fl, NY, NY 10007

I represent: Office of Administrative Trials and Hearings

Address: _____

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THE CITY OF NEW YORK**

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in favor in opposition

Date: _____

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Name: Ronald Sullivan

Address: 16 Beach 213 St Breez/Point NY 1169

I represent: Board of Elections

Address: 37 Broadway

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THE CITY OF NEW YORK**

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Ryan

Address: 42 Bdwy

I represent: NYC Board of Elections

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: LAURA L. Cromley

Address: _____

I represent: LACC DEPARTMENT

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 3/19/18

(PLEASE PRINT)

Name: ELENE KASS

Address: NYC LAW DEPT

I represent: _____

Address: _____

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THE CITY OF NEW YORK**

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Angela Albertus

Address: _____

I represent: Law Department

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: RICHARD BAIZILLO

Address: PCAS, CFO

I represent: _____

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Robert Tabin

Address: 1 CENTRAL ST

I represent: DLR

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/18/14

(PLEASE PRINT)

Name: Kenn Korman

Address: 1 Centre Street

I represent: DRAS Finet

Address: 23rd Floor

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 2/17/18

(PLEASE PRINT)

Name: DAWN M. PINNOCK

Address: 1 CENTRE STREET

I represent: NYC DEPARTMENT OF ADMINISTRATIVE SERVICES

Address: 1 CENTRE STREET, NY NY

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THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/19/18

(PLEASE PRINT)

Name: JOSEPH WAGNER

Address: 1 CENTRE ST NY NY 1003

I represent: DCAS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JERRY TORRES

Address: 1-CENTRE ST.

I represent: DCAS

Address: 1-CENTRE ST.

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Suzanne Lynn

Address: DCAS One Centre St

I represent: DCAS

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 3/19/18

(PLEASE PRINT)

Name: Laura Ringelheim

Address: 1 Centre St

I represent: City of NY DCAS

Address: 1 Centre St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/19/18

(PLEASE PRINT)

Name: Ralph Palledino

Address: 125 Barclay Street NY NY 10007

I represent: 2nd Vice-President, Local 1549, DC37

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lisette Camillo

Address: 1 Center St

I represent: DCAS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Anthony Fiore

Address: DCAS

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/19/18

(PLEASE PRINT)

Name: PHIL VOS

Address: _____

I represent: ENERGY VISION

Address: 138 E. 13th ST. NYC

DCAS