



**NEW YORK CITY DEPARTMENT OF BUILDINGS  
TESTIMONY BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON FINANCE  
COMMITTEE ON HOUSING AND BUILDINGS  
MAY 12, 2023**

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Good afternoon Chair Brannan, Chair Sanchez and members of the Committees on Finance and Housing and Buildings. My name is Kazimir Vilenchik, First Deputy Commissioner for the New York City Department of Buildings (“the Department”). I am joined today by Sharon Neill, Deputy Commissioner for Finance and Administration, and Guillermo Patino, Deputy Commissioner for External Affairs. We are pleased to be here to discuss the Fiscal Year 2024 Executive Budget and the Department’s priorities for the upcoming year.

Construction and real estate are the backbone of New York City, a built environment unlike any other. As the primary regulator of these vital industries, the Department helps facilitate the creation of new residential and commercial space for our growing City, all while promoting safety on tens of thousands of active construction sites and at the City's nearly 1.1 million existing buildings. Through its work, the Department strives to strike the right balance between compliant development and safety. To further its mission, the Department enforces the City's Construction Codes, the Zoning Resolution, and the New York State Multiple Dwelling Law, to protect those who live, work, or visit the City.

The Fiscal Year 2024 Executive Budget allocates approximately \$217 million in expense funds to the Department. Of this funding, approximately \$159 million is for Personal Services, which supports 1,833 budgeted positions, and nearly \$58 million is for Other Than Personal Services, which primarily supports contractual services, equipment, and supplies. This funding is critical to supporting the Department’s mission and priorities. Of note, the most recent program to eliminate the gap, which assigned a 4% target to the Department, did not result in the reduction of headcount as the Department was able to achieve this target by increasing its revenue plan. Proposed increases to the revenue plan will be achieved by assessing penalties where building owners failed to file

required elevator and boiler compliance filings, by implementing a new fee for the review of site safety plans, by updating the Department's cost validation index, which is used to assess permit fees, and by spending less on temporary services contracts. These proposals will not impact the services the Department provides to New Yorkers.

One of the key areas the Department is focusing on is the people who work hard day-in and day-out to support the construction and real estate industry and to keep New Yorkers safe. As of today, there is a 16% vacancy rate at the agency, which primarily includes inspectorial and administrative vacancies. We will pay close attention to recruitment and the employee experience to ensure that we can recruit and retain talented professionals. Along those lines, we also plan on working hard to find efficiencies to ensure that the agency is being as productive as it can to meet the needs of New Yorkers. We will not shy away from supporting innovation, including new technologies, in the construction and real estate industry, particularly where that innovation puts the talented professionals that work at the agency at the forefront of their respective fields.

Despite recent increases in construction activity, the Department continues to review plans for new buildings, major renovations, and minor renovations expeditiously. Last year, we completed initial plan reviews for new buildings and major alterations faster than in the previous year. We are on track to maintain and improve upon these strong service levels this year. We will build on these achievements by implementing recommendations regarding the development and plan examination process that stemmed from the Adams Commission, which was convened late last year. These recommendations, which were developed with input from industry experts, include developing more standardized plan examination objections, enhancing the training offered to our plan examiners, and finding greater efficiencies during the plan examination process. We will soon be announcing a slate of short-term recommendations that the Department will implement over the coming year and look forward to updating you further on these efforts.

While seeing the industry hard at work is encouraging, we remind construction professionals to always keep safety at the top of their minds. The Department will continue to focus on construction safety, with the goal of driving down serious injuries and fatalities on permitted construction sites. This will be accomplished by continuing our proactive, unannounced inspections of larger construction sites, during which we ensure that workers and supervisors have received the

construction safety training they need to work on such sites. In addition, we will continue the construction safety campaign that was launched late last year, which involves enforcement sweeps and educational outreach to all active construction sites, regardless of size. To date, we have already visited over 9,000 sites to inspect for unsafe conditions and to distribute multilingual educational materials to construction workers about avoiding common work site hazards.

Last week was National Construction Safety Week, which the Department used as an additional opportunity to remind the construction industry that safety must always come first on construction sites by holding safety-focused events and connecting directly with workers and contractors at construction sites in all five boroughs. During Construction Safety Week, the Department also launched a new program, the Community-Based Inspector Pilot Program, aimed at better integrating our staff into the communities that they work in to help address community concerns and improve safety. Inspectors and community engagement staff assigned to this program are conducting educational site visits of all actively permitted construction projects in certain Community Boards, with a focus on work sites that do not receive regular Department inspections, such as smaller sites and sites that have not received any recent 311 complaints.

The Department will also continue the important work of implementing the Climate Mobilization Act, which regulates greenhouse gas emissions at large buildings beginning next year. While important milestones have been met, including releasing the Local Law 97 of 2019 Advisory Board report and finalizing the first comprehensive set of rules that support the implementation of this law, a lot more work remains to be done to ensure that this law is implemented successfully. This year, the Department plans to issue additional rules to ensure that building owners have the guidance they need to comply with this law and the Department will continue its efforts, in partnership with NYC Accelerator, to conduct outreach to building owners, design professionals, and other impacted stakeholders. We are committed to providing the Sustainability team with the resources it needs to implement this historic law to help New York City meet its ambitious goal of reaching net zero carbon emissions by 2050.

Finally, the Department will work to diligently to address the quality of life issues created by sidewalk sheds. As the Mayor announced during State of the City earlier this year, we will work to incorporate new designs for sidewalk sheds into the New York City Construction Codes, with

the goal of selecting designs that are more pedestrian friendly. The Fiscal Year 2024 Executive Budget provides the Department with \$1.8 million in additional funding to support this effort. Additionally, the Department will work to ramp up enforcement against building owners who have allowed sidewalk sheds to remain in front of their buildings for far too long, taking away valuable space from the public and negatively impacting businesses. This will be accomplished by introducing new penalties that will be imposed against building owners who allow sidewalk sheds to remain in place without starting repairs to their facades. The Department will also be adding additional inspectors to its ranks, who will be on the lookout for sidewalk sheds that have overstayed their welcome. I look forward to working closely with the Manhattan Borough President and this Committee to push for common sense reforms to address this important issue.

Thank you for the opportunity to testify before you today. We look forward to working closely with you over the coming year to achieve our collective goal of improving safety, both on construction sites and in our built environment. We welcome any questions you may have.