

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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February 25, 2019

Start: 1:07 p.m.

Recess: 3:07 p.m.

HELD AT: 250 Broadway - Committee Rm.  
14<sup>th</sup> Fl.

B E F O R E: FERNANDO CABRERA  
Chairperson

COUNCIL MEMBERS: Ben Kallos  
Alan N. Maisel  
Bill Perkins  
Keith Powers  
Ydanis A. Rodriguez  
Kalman Yeger

## A P P E A R A N C E S (CONTINUED)

Margery Perlmutter, Chair of the New York City Board of Standards and Appeals

Carlo Costanza, Executive Director, Board of Standards and Appeals

Kurt Steinhouse, Deputy General Counsel, Board of Standards and Appeals

Loreal Monroe, General Counsel, Board of Standards and Appeals

Chase Vine, Assistant Counsel, Board of Standards and Appeals

Ken Brown, District Manager, Bronx Community Board 5

Shirley San Andreas-Alonzo, Assistant District Manager, Bronx Community Board 9

Rosemary Ginty, Chair of Community Board 8, Bronx

Angel Mescaín, District Manager of Community Board 11 in East Harlem

Jesse Bodine, District Manager, Manhattan Community Board 4

Shawn Campbell Community Board 14 Brooklyn Appearing for Chairman Alvin Burke and my Board Members

Josephine Beckman, District Manager, Community Board 10, Brooklyn

Darlene Jackson, Community Board 9, Bronx

Noel Hidalgo, BetaNYC

2 [sound check] [pause] [gavel]

3 CHAIRPERSON CABRERA: Good afternoon. I  
4 am the Chair of the Committee on Governmental  
5 Operations, Council Member Fernando Cabrera. Today,  
6 we're conducting an oversight on community boards'  
7 operations and needs. We're also having our first  
8 hearing on my legislation Introduction 1095 of 2018  
9 relating to notification of expiration of special  
10 permits granted by the Board of Standards of Appeal  
11 or BSA, and inclusion in community boards and  
12 notifications for both variances and special permit.  
13 New York City's 59 community boards provide an  
14 invaluable forum for residents to stay informed about  
15 current events in their community, provide feedback  
16 to government agencies on local impacts of state and  
17 local policy, and inform how public services can be  
18 delivered effectively. We are interested in hearing  
19 how some recent changes to our charter approved by  
20 the voters in November have or will impact community  
21 boards. The first change is the establishment of a  
22 civic engagement commission to start in April, which  
23 is intended to provide resources and training to  
24 community boards. The second change is the  
25 imposition of term limits on community board members,

2 a maximum of four consent-consecutive 2-year terms.

3 We are also interested in having a conversation about

4 funding for our community board. In its Fiscal Year

5 2019 Budget the City Council allocated \$42,500 to

6 each community board in supplementary other than

7 personnel services or OTPS funding to be used as each

8 community saw fit. Council staff reach out to

9 community boards to learn more about how this funding

10 was spent, and we would like to hear more from the

11 community boards here today on they may use of this

12 additional funding. In today's hearing, we're also

13 having a first hearing on my legislation,

14 Introduction 1095 of 2018. This bill amends Local

15 Law 84 of 2017, which currently requires for the

16 Board of Standards and Appeals to provide

17 notification to the owner of record when a variance

18 is about to expire to now also require that the BSA

19 provide a notification to the owner of record when a

20 special permit is about to expire. Special permits

21 allow a certain use in a zoning district where that

22 use might not otherwise be allowed such as an out-of-

23 service station in a commercial district or an

24 electric or gas utility. Such station in a

25 residential district. Use of the property after the

2 special permit expiration may be a violation of a  
3 certificate of occupancy. [coughs] Excuse. The BSA  
4 will be required inform the owner that the special  
5 permit cannot be extended until penal for such  
6 violations are paid. The bill would also require the  
7 notification of both variances and special permits to  
8 be sent to the community board in which the property  
9 is located. The notification will be require to go  
10 out six months before the special permit expires. I  
11 would also like to give—I would like to give a  
12 special—very special thanks to our recently promoted  
13 and now former Counsel Brad Reed. Thank you for your  
14 dedication to the work of this committee. We will  
15 certainly miss you. You're an amazing counsel and  
16 I'm now—as you rise in the ranks it's because of your  
17 leadership and the wisdom that you have provided to  
18 this Council and to many other committee chairs and  
19 committees. So I want to thank, personally thank  
20 you. [coughs] You're an amazing person to work with  
21 and, of course, I want to thank the rest of the staff  
22 who made this hearing possible, a new counsel,  
23 committee counsel Daniel Collins. We welcome you.  
24 So glad that [coughs] you were able to join us and be  
25 part of this amazing team, which you are a total

2 pleasure to work with, which includes Elizabeth Cronk  
3 Emily Forgione, Zach Harris, and Charlotte Manning as  
4 well as my own Legislative Director Claire  
5 McLeveighn, and now, we will turn to our first panel.  
6 Margery Perlmutter, Carla Constanza, and Kurt  
7 Steinhouse. If you can come forward and then we will  
8 be swearing you in.

9                   LEGAL COUNSEL: Why don't you all get  
10 set. All two of you. (sic)

11                   CHAIRPERSON CABRERA: You can sit down.  
12 [laughs] That's good. Feel at home, feel at home.

13                   LEGAL COUNSEL: If you can just raise  
14 your right hands. Do you affirm to tell the truth,  
15 the whole truth, and nothing but the truth in your  
16 testimony before this committee, and to respond  
17 honestly to Council Member questions?

18                   MARGERY PERLMUTTER: I do.

19                   CHAIRPERSON CABRERA: You could begin.  
20 Thank you so much. The red button.

21                   The red button. Okay. On now?

22                   CHAIRPERSON CABRERA: Yes.

23                   Good morning Chair Cabrera and Council  
24 Members of the Committee on Governmental Operations.  
25 I am Margery Perlmutter, Chair of the New York City

2 Board of Standards and Appeals. I am also here with  
3 members of the BSA's Executive Office and Counsel's  
4 Office: Carlo Costanza, Executive Director, Kurt  
5 Steinhouse, to my left who's Deputy General Counsel  
6 and in the audience we have General—we should have  
7 coming shortly General Counsel Loreal Monroe,  
8 Assistant Counsel Vine, Antonio Martinez our Director  
9 of—our Deputy Director, and we also have watching one  
10 of our Commissioners Sal Shabetta. I am here to  
11 express the BSA support of the legislative proposal  
12 to require notifications boards and property owners  
13 of the expirations of terms of variance and special  
14 permits granted by the Board. I would also like to  
15 update you on our implementation of legislation  
16 enacted in 2017, and that—that addresses Board  
17 issues, and bring attention to a concern about the  
18 resources necessary to implement this newly proposed  
19 legislation. Let me start with a brief background of  
20 the Board of Standards and Appeals. Since 1916, the  
21 Board has worked to administer zoning, building and  
22 housing regulations in a fair and just manner to  
23 protect the city's interest in safeguarding the  
24 general welfare while balancing private property  
25 interests. In this role, board has frequently been



2 called a "relief valve" a protector of the city's  
3 regulations from constitutional challenge, and a  
4 guardian of the urban fabric. Under Section 659 of  
5 the New York City Charter, the board is an  
6 independent agency that consists—consists of five  
7 full-time commissioners with select skillsets  
8 including experience in architecture, urban planning  
9 and engineering, which are supported by a staff of 19  
10 employees. The Board's commissioners also reside in  
11 different boroughs with no more than two  
12 commissioners residing in the same borough. The  
13 geographic diversity further imbues the board's  
14 commissioners with a diversity of viewpoints beyond  
15 their professional qualifications. Using their  
16 technical expertise and independent judgment, each  
17 commissioner scrutinizes every land use application  
18 with the utmost of care. Commissioners review  
19 frequently—involves analyzing intricate construction  
20 documents, financial statements, testimony from other  
21 government agencies and site conditions leading to  
22 visits to the properties and neighborhoods at issue.  
23 Which feedback.

24 CHAIRPERSON CABRERA: Yeah, you could  
25 shut the other one.

2 MARGERY PERLMUTTER: This one?

3 CHAIRPERSON CABRERA: Yeah. That's why  
4 you're getting feedback. There you go.

5 MARGERY PERLMUTTER: Okay. Yes. I think  
6 I got it. [coughing] The Board's staff of 19  
7 employees currently manages 103 years of archives and  
8 566 pending applications. Since 1998, the board has  
9 had approximately 14,000 applications filed, an  
10 average of about 700 applications per year over the  
11 past two decades. Under the direction of the  
12 board's--[background comments] Okay, under the  
13 direction of the Board's Executive Director and  
14 Deputy Director, these 700 applications are reviewed  
15 by four full-time project managers, one part-time  
16 project manager and one environmental officer just to  
17 underscore how many we review by how few do the work.  
18 Once applications are deemed complete by a project  
19 manager the board's Executive Director schedules them  
20 for a public hearing in accordance with Section 661  
21 of the City Charter. A day before the public hearing  
22 the Board holds a review session, which allows the  
23 board's commissioners to discuss the merits of each  
24 application in a meeting open to the general public  
25 pursuant to Section 1060 of the City Charter. The

1 following day, the board holds a public hearing where  
2 applicants and their team of attorneys, engineers and  
3 design professionals present proposals before the  
4 board and any members of the public in attendance.

5 Other stakeholders including tenants, members of the  
6 community, other agencies and elected officials are  
7 also welcome to present additional information that  
8 the Board should consider before voting on an

9 application. Many applications involved complex  
10 facts and circumstances that warrant continued  
11 hearing. So missing the first public hearing does

12 not mean a stakeholder's chance to weigh in is lost,  
13 and I wanted to introduce our General Counsel Loreal

14 Monroe who just walked in. Each year the Board holds  
15 approximately 70 public hearings and review sessions

16 and consider about 25 to 30 applications in each  
17 hearing. Both public hearings and review sessions

18 are open to the general public in accordance with  
19 Section 653 of the City Charter as well as the New

20 York State Open Meetings Law. In furtherance of the  
21 board's commitments to transparency all of the

22 Board's public hearings and review sessions are  
23 recorded and posted publicly within one day through

24 the Board's website on You Tube. Remote access to  
25

2 the Board's hearings also furthers community  
3 engagement by allowing stakeholders the opportunity  
4 to learn about applications and to listen to the  
5 Board discussing the merits of each case. After  
6 considering the record in its entirety and  
7 deliberating in public, the Board votes on the  
8 application. Under Section 663 of the City Charter,  
9 a majority of the board must vote in the affirmative  
10 to grant an application otherwise the application is  
11 denied. Every one of the Board's decisions is  
12 explained in writing in the form of a written  
13 resolution. These written resolutions drafted by our  
14 staff of three attorneys must be detailed and  
15 described the reasons for the board's decision in  
16 accordance with Section 668 of the City Charter, and  
17 Section 25-206 of the Administrative Code. Decisions  
18 of the board are then subject to judicial review  
19 pursuant to Section 25-207 of the Admin Code and  
20 Article 78 of Civil Practice Law and rules. The  
21 Board's three attorneys support the city's Law  
22 Department, which represents the Board in litigation  
23 in approximately 10 challenges per year, and some of  
24 our challenges take an enormous amount of time for  
25 our attorneys to address. Community Boards are an

2 invaluable participant throughout the Board's current  
3 application processes. For decades community boards  
4 have enhanced neighborhoods participation by allowing  
5 communities a strong voice in shaping important land  
6 use decisions and the Board's application processes  
7 reflect the significant of community boards' vital  
8 role. Consistent with Section 668 of the City  
9 Charter, community boards receive copies of all the  
10 board's application materials, as well as follow-up  
11 submissions because community boards provide a first  
12 level neighborhoods based review of the applications.  
13 After they receive a copy of these application  
14 materials, community boards may then conduct a public  
15 hearing and submit a written recommendation to the  
16 board or they may opt not to do so. These community  
17 level hearing provide an opportunity for concerned  
18 citizens to learn more about an applicant's initial  
19 proposal and express concerns that may then be  
20 incorporated into the community board's official  
21 recommendation to the Board of Standards and Appeals.  
22 The board fosters community board testimony—fosters  
23 further community testimony by requiring that notice  
24 of our hearings be mailed to neighbors 20 days in  
25 advance of the first hearing and encouraging

2 community participation in the hearing process. The  
3 board's commissioners consider every concern  
4 expressed by the community and by community boards in  
5 accordance with section 66 of the City Charter. The  
6 input of community boards is invaluable. At each  
7 hearing I read the community board's recommendation  
8 allowed and the Board then ensures that the applicant  
9 address any—addresses any concerns expressed by the  
10 community board, and also other members of the  
11 community. Frequently, community boards also  
12 recommend specific conditions, which are often  
13 incorporated into the project, and then become part  
14 of the board's approval and written resolution. This  
15 ensures that community boards continue to enhance  
16 neighborhood participation by allow communities a  
17 strong voice in shaping important land use decisions,  
18 and is one way that the board recognizes the  
19 significance of the community boards' role. I would  
20 also not that while many community boards provide  
21 their recommendations to the board in written form,  
22 community boards are always welcome to attend the  
23 boards' public hearings and offer testimony and  
24 recommendations in person. Furthermore, the Board  
25 appreciates community input, which can provide

2 additional information about the history of a site  
3 and how the site has been doing. This allows the  
4 board to address the community's concerns by  
5 requiring an applicant to responsive to them. The  
6 Board often hears applications for renewals of  
7 special permits and variances for automotive uses for  
8 examples. Commissioners visit these sites and may  
9 observe that the site under consideration is in  
10 terrible condition with litter strewn about, cars  
11 crowding onto sidewalks, fences collapsing, covered  
12 in graffiti and paint peeling. In other words, an  
13 eyesore and a nuisance and in violation of the  
14 condition of the Board's prior grant. Without  
15 community testimony, the Board would not know how  
16 long the site has been poorly maintained, nor the  
17 community's efforts to bring it under control. Armed  
18 with this community supplied information, the Board  
19 can require that the applicant clean up the site  
20 before entertaining any request for renewal of the  
21 term of a previous grant. The vast majority of  
22 applicants cooperate with the Board's directions,  
23 which allows the applicant to live-to deliver back to  
24 the community a much improved and even attractive  
25 site that contributes to rather than detracts from

2 the neighborhood. Through these open and productive  
3 communications with the Board, communities learn how  
4 seriously the Board takes their concerns and  
5 understands that applicants can be brought back  
6 before the Board with a compliance hearing should the  
7 site fall into—back into disarray. Accordingly, for  
8 more than 100 years the Board of Standards and  
9 Appeals had been serving New Yorkers by providing  
10 relief from regulations that affect the use of  
11 development of real property to ensure that the sites  
12 will be used and developed safely and respectfully  
13 and for decades community boards have played an  
14 integral role in the Board's decision making process  
15 by providing invaluable recommendations and  
16 information about on-the-ground conditions. Next and  
17 really finally—I hope this goes in—I would like  
18 provide an update on the Board's implementation of  
19 recent legislation, which I understand you wanted to  
20 hear about. In 2017, the City Council passed nine  
21 bills related to Board of Standards and Appeals and  
22 its operations, which were signed into law on May 30,  
23 2017. These bills address concerns relating to the  
24 Board's transparency, consideration of community  
25 comments and the veracity of applicant submissions



1 and testimony. The Board has since undertaken a  
2 number of initiatives to ensure implementation of  
3 these bills as well as measures of its own to further  
4 promote transparency and community engagement. With  
5 respect to presentations before community boards, the  
6 board is issued an administrative notice, which I  
7 think we have copies. We have copies of the  
8 administrative notices that I'll refer to. The board  
9 has issued an administrative notice to ensure that  
10 applicants provide to the Board copies of  
11 presentation materials used before community boards.  
12 These material may include hand-outs, photocopies  
13 poster boards and copies of slideshow presentations,  
14 copies of these materials are due within 10 days of  
15 presentation, and the reason for this was that  
16 community boards were concerned that they were seeing  
17 something different than what the Board was seeing.  
18 So, it was a way for community boards to connect back  
19 with us and us to understand what it was the  
20 applicant was really showing them. Applicants also  
21 much comply with the Board's requirement for proof of  
22 service at every public hearing videos of which are  
23 available through the Board's website. The Board  
24 begins by discussing compliance with the required  
25

2 proof of service and notice of hearing. If an  
3 applicant has failed to comply with these  
4 requirements, the Board postpones the hearing until  
5 they have been met. With respect mapping and open  
6 data, the Board has provided data to the city's Open  
7 Data Portal in the form of a Geocoded dataset as well  
8 as a map of the board's applications. This  
9 transparency measure allows the public to see  
10 information about applications filed and visualizes  
11 decisions the Board has made since 1998. Furthermore,  
12 the Board posts bi-annual reports on the number of  
13 variance and Special Permit applications, decisions  
14 and withdrawals to the front page of its website and  
15 it forwards copies of these reports as required to  
16 the City Council and makes copies available on  
17 request, and I believe we have a sample that's  
18 included in your package of that City Council, that  
19 report to the Council. With respect to the  
20 Department of City Planning, the Board has added a  
21 tab to its website to ensure easy access to any City  
22 Planning testimony, but we don't yet as far as I know  
23 have City Planning liaison. We—we speak to City  
24 Planning regularly about projects. Well, let's say  
25 our staff does. With respect to providing access to

2 the advice of a state certified general real estate  
3 appraiser, the Board has reached out to the  
4 Department of Citywide Administrative Services, which  
5 performs specified administrative functions for the  
6 board under Section 829 of the City Charter regarding  
7 contracting of outside consultants and discussion are  
8 ongoing. However, this is an area where resources  
9 present a challenge. Additionally, I would note that  
10 one of the Board's commissioners has strengths in  
11 real property feasibility analyses. So, to just back  
12 that up a little bit more, we've been trying to hire  
13 and outside consultant appraiser, but the problem is  
14 it must be contracted, and we're not a contracting  
15 agency. DCAS has to do that for us. So, so far we  
16 haven't been able to piggyback on any existing  
17 contracts that DCAS already has with appraisal and  
18 real estate. They have for instance a contract with  
19 CBRE Richard Ellis, but we've been unable to connect  
20 to that. with respect to the testimony and  
21 application materials provided by applicants, the  
22 Board now requires applicants and applicants'  
23 representatives and other fact witnesses to affirm  
24 their testimony under oath live at hearings exactly  
25 as we just did here. The Board also posted an

2 administrative notice on its website about the  
3 Board's expectations for the affirmation process, and  
4 the Board plans to update its rules to incorporate  
5 feedback on this and other administrative notices,  
6 and that notice is also in your package. The Board  
7 is also in the process of revising its application  
8 materials, which will include a more detailed  
9 certification form to ensure that applicants are made  
10 more aware of the consequences of providing false  
11 information to the Board. Actually, I believe that  
12 certification form was mounted Friday on our website.  
13 The Board continues to refer what it perceives as  
14 false statements made by applicants, and their  
15 representatives to the Department of Investigation  
16 for appropriate enforcement. As to minimum required  
17 materials, the Board has issues and administrative  
18 notice about construction cost estimates to  
19 standardize expectations and provide consistency in  
20 the application process, and the Board has recently  
21 released updated guidelines for drawing, which will  
22 be effective March 1, 2019. The Board also instructs  
23 applicants as to best practices for minimum required  
24 materials by providing sample documents. With  
25 respect to written determinations, the Board has

1 hired an additional attorney who is present here,  
2 Chase Fine, bringing its legal staff to three in  
3 order to enhance the responsiveness of the Board's  
4 resolutions to community concerns. Drafting  
5 resolutions is an arduous process that involve the  
6 review and summary of the entire administrative  
7 record including notes taken while attending public  
8 hearings, listening to the videos, and testimony from  
9 elected officials and members of the community to  
10 ensure accuracy and completeness of information.

11 Lastly and most relevant to our discussion today the  
12 existing legislation enacted in 2017 provides that  
13 the Board will ensure that "For any variance granted  
14 by the Board after December 31, 2013, for which the  
15 Board imposed a term, the Board shall notify the  
16 owner of record of the subject property that the term  
17 of such variance will expire under Section 25-209 of  
18 the Admin Code. As a preliminary matter, I would  
19 note that resources were not a concern with this  
20 expiration notice requirement enacted in 2017 because  
21 few variances granted—variances granted since 2013  
22 include a term that will expire. For instance of the  
23 167 variances granted since December 31, 2013, the  
24 Board imposed a term on approximately thee. While  
25

2 the Board has taken steps towards providing notice of  
3 variance expirations, the Board does not expect this  
4 requirement to impose any significant burden on  
5 resources because as I mentioned the universe of  
6 variances granted since 2013 that are subject to a  
7 terms that will expire as miniscule. Thanks to these  
8 nine bills, the Board was also able to hire three  
9 additional staff members, an IT professional, a  
10 Compliance Officer, and our third attorney, all of  
11 whom have been instrument in the above implementation  
12 measures. Lastly, now that I have provided some  
13 background on the board and measures it has taken to  
14 implement recent legislation, I would like touch on  
15 why I support this bill that you're proposing, and  
16 would also like to bring attention to the resources  
17 necessary to implement broader notification  
18 requirements. Expanding the recently enacted  
19 requirement for notifying proper-property owners  
20 about variance expirations to notifying both property  
21 owners and community boards about the expiration of  
22 variances and special permits is a laudable idea. As  
23 I discussed earlier, increasing communication between  
24 community boards and the board is a commendable goal  
25 because community boards are crucial to the board's

2 decision making process, and I just add as an aside  
3 that I think it's very important that property owners  
4 be alerted when these permits expire, but often  
5 they're not aware of it for whatever reason. So, I  
6 will address the resources that would be necessary to  
7 implement this legislation. In contrast to the three  
8 or so variances that have been granted with terms  
9 since 2013, expanding expiration notices to special  
10 permit applications granted with terms since 2013  
11 and--[background comments]--since 2013--sorry--for  
12 which the--sorry. [background comments] Sorry,  
13 sorry, sorry, sorry, and require notification of  
14 community boards as well as property owners would  
15 call for significantly more resources and at least  
16 one new staff member to implement. Unlike the three  
17 variances granted with terms since 2013, the board  
18 has granted 251 special permits with terms since  
19 then. These 251 special permits have terms imposed by  
20 the Zoning Resolution and do not include any special  
21 permits with terms granted at the Board's discretion,  
22 but like the three variances with terms, this number  
23 would be minimal. Almost all of these 251 special  
24 permit applications such as for gyms, drive-throughs  
25 and eating and drinking establishments, and it also

2 for gas stations, but we see fewer of those than we  
3 do for the other things. They allow uses that  
4 require continue vigilance to ensure that the Board's  
5 conditions and safeguards are observed. That is why  
6 expiration notices community boards is a laudable  
7 goal. Community boards provide invaluable insight  
8 into the on-the-ground conditions in the  
9 neighborhoods. However, at a rate of about 250  
10 special permits with terms granted every five years,  
11 it would not take long for the number of notices to  
12 property owners and community boards to grow  
13 exponentially as new special permits are granted and  
14 others are renewed. Even special permits terms vary.  
15 Some like Jim's have maximum terms of 10 years under  
16 Section 7336 of the Zoning Resolution, and  
17 occasionally we grant them for shorter periods when  
18 there is difficulties with the gyms. Others like  
19 drive-throughs have maximum terms of five years under  
20 Section 73243 of the Zoning Resolution. Implementing  
21 an expanded notification requirement for the  
22 expiration of variances and special permits would  
23 require additional resources for the Board's staff of  
24 19 employees. The Board's single IT professional,  
25 who we only hired for the very first time our first



2 IT professional we just hired in the last year, is  
3 already hard at work implementing recent legislation  
4 and pursuing additional initiatives to streamline the  
5 Board's application processes. That ID person would  
6 need to design an entirely new component of the  
7 Board's internal database system to manage and track  
8 expiration dates. Data would need to be entered into  
9 then new component of the Board's database. Staff  
10 would need to monitor expiration dates. Each letter  
11 would need to be drafted and reviewed for accuracy  
12 since the special permits are different and concern  
13 different things. Mailing address for property  
14 owners who may have changed multiple times since the  
15 time of the last Board action at a property would  
16 need to be researched using the Board's records and  
17 other available public sources, and Resolutions would  
18 be retrieved, printed and included with a notice  
19 letter as an attachment. Addresses for community  
20 boards that also change would also need to be  
21 researched and continuously kept up to date.  
22 Normally, a community boards reaches out to us, not  
23 the other way around. Letters would be sent by  
24 certified mail, a cost that would only grow overtime.  
25 Return receipts would need to be logged. Tracking

2 data would need to be logged. Notice letters would  
3 become part of the Board's record and would need to  
4 be filed in a new digital archive, which would be  
5 more efficient than retrieving the paper case file  
6 from the Board's offsite archives. Each letter would  
7 also need to be tracked for compliance purposes and  
8 staff would need to respond to inquiries from  
9 property owners who just realized, Uh-oh, now I have  
10 to renew my special permit, and community boards also  
11 would be asking questions about the notices they've  
12 received regarding the eminent expiration of  
13 variances and Special Permits all of which is to say  
14 that a clerical assistant to support the board's  
15 compliance officer would be necessary to implement  
16 and expanding the notification requirement for the  
17 expiration of variances and special permits. The  
18 Board's single and Compliance Officer, which I'm  
19 proud to report is our first compliance officer ever  
20 who has not yet been assigned the task of tracking  
21 variances with terms granted since 2013 is frequently  
22 in the field on site experience—site inspections,  
23 attending public hearings and coordinating with the  
24 Department of Buildings, Fire Department and other  
25 enforcement agencies. These duties do not at this

2 time allow for the monitoring of hundreds of  
3 expiration dates and drafting and tracking newly  
4 required notices for hundreds of special permit  
5 applicants-applications. With the above  
6 considerations in mind, I fully support this proposal  
7 to ensure that community boards and property owners  
8 receive notice of the expiration of variances and  
9 special permits, and we ask the City Council to be  
10 mindful of the resources necessary to implement this  
11 proposed legislation should it be enacted, and I'm  
12 happy to take any questions, and look forward to  
13 hearing ideas on how to improve the Board's  
14 application process.

15 CHAIRPERSON CABRERA: Thank you so much  
16 for your testimony. Thank you for the details you  
17 provided and--and for the work that you're with only  
18 19 employees is amazing. I want to recognize that  
19 we've been joined by Council Members Maisel, Yeger  
20 and Powers. I have a--I only got a couple of  
21 questions, and I'll turn it over to my colleagues if  
22 they have questions. So, just to be clear, at this  
23 point do you have a tracking system in place for the  
24 expiration of special permits?

25 MARGERY PERLMUTTER: We do not, right?

2 CARLO COSTANZA: It's-it's currently  
3 being developed. We-

4 MARGERY PERLMUTTER: Say, who you are.

5 CARLO COSTANZA: I'm sorry. I'm Carlo  
6 Costanza, Executive Director of the Board. We just  
7 currently in the last month rolled out a new  
8 database, a whole new digital system Cloud based, and  
9 we're working on that component in anticipation of  
10 the expiration of the terms that we were working on,  
11 but that's where we're at this moment.

12 CHAIRPERSON CABRERA: And when do you  
13 foresee that that it will be completed and ready to  
14 be functioning?

15 CARLO COSTANZA: We hope within maybe the  
16 next six months to-to nine months.

17 CHAIRPERSON CABRERA: Okay, great, great,  
18 fantastic. The same question is related to how many  
19 special permits do you expect-do you expect will be  
20 granted annually? You said you had 251 since 2015-

21 MARGERY PERLMUTTER: No.

22 CHAIRPERSON CABRERA: --2013. So, if you  
23 could tell us what are you anticipating. I know it's  
24 hard to forecast, but what are you forecasting?

2 CARLO COSTANZA: Well, as far as special  
3 permit that have a statutory requirement of the term,  
4 like I said, based on that average, it looks  
5 approximately 50 per year. Obviously, the Board has  
6 the discretion to impose terms on non-statutory  
7 requirements as far as terms go, but we didn't  
8 calculate that into the testimony. So, it's hard to  
9 figure that out, bur, you know, it could be 50. It  
10 would depend. I'm sorry--

11 CHAIRPERSON CABRERA: Not a problem.

12 CARLO COSTANZA: --it-it does-it does  
13 depend on the year and the types of filings but, we  
14 roughly stay to about 50 a year at this point.

15 CHAIRPERSON CABRERA: 50.

16 MARGERY PERLMUTTER: And I just want to  
17 add that--oops.

18 CARLO COSTANZA: Sorry.

19 MARGERY PERLMUTTER: Sorry, maybe I  
20 didn't say--

21 CHAIRPERSON CABRERA: [interposing]  
22 Yeah, if you could--no move it that way. Yeah. Keep  
23 them away from each other. There you go.

24 MARGERY PERLMUTTER: I-I just want to add  
25 that [squawking mic] that the number of special

2 permits really is a factor. The number of special  
3 permit we see really is a factor of sort of economic  
4 times. So, for instance imagine 30 years ago, the  
5 number of gyms that we see today. I live in a  
6 neighborhood where there's probably 30 gyms on a two-  
7 block distance, right, and so every single week we  
8 get a filing for a gym, but so those are special  
9 permits that have a 10-year term. Could we think in  
10 the future that we sort of burned out gyms? Maybe.  
11 Or that all the gyms that are ever going to be have  
12 received their special permits. Who knows? Right,  
13 so-or it could a huge increase because they invent  
14 yet another form of walk climbing or something like  
15 that right?

16 CHAIRPERSON CABRERA: Right. I want to  
17 recognize Council Member Kallos. Do we have any  
18 questions? From-well, amazing. Yes, Council Member  
19 Kallos.

20 COUNCIL MEMBER KALLOS: I want to first  
21 allow Committee Chair Cabrera on Introduction 1095 to  
22 provide notices. Last term we had focused just on  
23 the property owners and I think it's also important  
24 to notify the community boards so that they can take  
25 appropriate action. In page 6 of your testimony, you

2 make reference to one of the bills that was  
3 previously passed that mandates a state certified  
4 general real estate appraiser, and it-it appears that  
5 you are indicating that you are-that you have not  
6 succeeded in complying with that legislation.

7 MARGERY PERLMUTTER: Right. I think you  
8 might have missed the testimony on that. So, as you  
9 may know, we are actually sort of administrative  
10 functions are handled for us by DCAS, right. So,  
11 when we need to pursue some kind of a contract, we  
12 have to go to DCAS and see if there's a way for them  
13 to handle letting out a contract. DCAS already has a  
14 relationship with CBRE Richard Ellis. The last I  
15 know that was a-a contract that they-who they work  
16 with, which includes a lot of appraisers. So, we had  
17 asked whether there was some way to join into that  
18 contract and it turns out that for whatever reason,  
19 they do a different kind of thing. The contract  
20 isn't what we need. We have about-I think we  
21 estimated about 10 or 10 or 20 applications per year-  
22 -but we'll check that number-where a financial  
23 analyst is needed. Those are the variance  
24 applications where we have financial analysis done.  
25 [background comments] Okay, so 25 variances file

2 since January '17 for which financials were provided.  
3 Our financial specialist who sits on the commission  
4 is the one that we rely on currently to review these  
5 things but really would love to have someone who—like  
6 an appraiser who could help with that, but  
7 unfortunately, at the moment we haven't been able to  
8 find—get a contract with someone who can look at 25  
9 of these applications a year. Obviously, that would  
10 be like a part-timer person or kind of a per diem as  
11 opposed to a full-time staff member, right or a  
12 contracted person who comes on demand.

13 COUNCIL MEMBER KALLOS: We have an  
14 inherent interest in the City Council and seeing how  
15 the law is followed. How can we support it? Just  
16 follow it up with DCAS or just follow up with the  
17 Mayor's Office of Contract Services? How do we—how  
18 do we get the RFP issued or the contract issued so  
19 that you have—the—the real estate appraiser to which  
20 you are legally entitled? [background comments/  
21 pause]

22 CARLO COSTANZA: So, part of the  
23 difficult we've had is that as Madam Chair stated,  
24 we've been unable to piggyback on an existing  
25 contract, which to the best of our understanding



2 there's only one requiring a new RFP. In our  
3 discussions, it's at least a two-part analyses where  
4 there's an appraiser section and a comparable section  
5 done. It-it seems to be quite expensive more than we  
6 anticipated and monies are allotted for. So, we're  
7 still working with them to see if there's a solute on  
8 we could afford with the funding we have.

9 COUNCIL MEMBER KALLOS: Sounds like you  
10 should be at the budget hearing for Gov Ops-

11 CARLO COSTANZA: [interposing] Nice of  
12 you.

13 COUNCIL MEMBER KALLOS: --requesting  
14 adequate funding for this position. Thank you very  
15 much.

16 CARLO COSTANZA: Thank you.

17 CHAIRPERSON CABRERA: I just have one  
18 last question before [coughs] excuse me, we go to  
19 hearing from community boards, and thank you for all  
20 the community boards for being so patient, but you  
21 gave us an update on Local Law 103 of 2017, which  
22 among other provisions establish a civil penalty for  
23 making false statement to the BSA provided that a  
24 person won't be subject to penalty if they notify the  
25 BSA of a full statement violation prior to receiving

2 notice of the potential violation. So, the question  
3 then is has the BSA issued any notice of violation of  
4 this provision? For example, has the BSA alleged or  
5 done any false statements, have they made to the BSA  
6 since the Local Law's enactment?

7 MARGERY PERLMUTTER: Perhaps will have  
8 the Counsel to respond, but I—I just want to say that  
9 happily it doesn't happen often, but there are times  
10 when we are aware that someone is making. We have  
11 everybody swear in, and we remind the Council who  
12 represent the lawyers. Therefore, who represent our  
13 applicants that they're under oath as fact witnesses  
14 and that they should not be making statements unless  
15 they know that—them to be factually correct, or they  
16 should qualify them, right. There are rare times  
17 when we are aware that there's been a  
18 misrepresentation. We will state that we think that  
19 something doesn't sound right. We will say that at  
20 the hearing, and then our counsel then refers it to  
21 the Department of Investigation. We don't have  
22 enforcement wing in our agency nor the ability to do  
23 those kinds of investigations. So, but whether we  
24 send out a notice, you know, DOI tends to be quite  
25 secretive. You report to them and then that's—they

2 do whatever they do, right? So we have no idea  
3 whether they follow u or what they've done or if  
4 anyone feels reprimanded in the end. I don't know if  
5 there's anything you wanted to add to that.

6 CHAIRPERSON CABRERA: Okay, so DOI has  
7 never gotten back to you or you have never heard of a  
8 case that they pursued and end up being publicly  
9 known, right?

10 MARGERY PERLMUTTER: We're not a—I think  
11 they're not allowed to once we—right? They're—

12 CHAIRPERSON CABRERA: But once they come  
13 to do an investigation and let's say that they wanted  
14 pursue with penalties or whatever course of action,  
15 we have—you haven't heard?

16 MARGERY PERLMUTTER: I—I personally I  
17 don't—we haven't heard of anything--

18 CHAIRPERSON CABRERA: [interposing] Okay.

19 MARGERY PERLMUTTER: --but my impression  
20 is that they're not permitted to discuss cases that  
21 are brought before them. Either they sort of go away  
22 or they pursue and they're in process, but we don't  
23 know.

24 CHAIRPERSON CABRERA: So, I want to thank  
25 you. Thank you for supporting this bill. We will

2 certainly talk to the powers that be so we could have  
3 to fund. We certainly don't want you to have 90-  
4 employees to have more work with less resources, and-  
5 and people to do it with. So, we'll definitely be  
6 pursuing and following up to get you the level of  
7 support that you deserve. Actually, I think you  
8 deserve much more for all the things that Council  
9 Member Ben Kallos just mentioned and other  
10 responsibilities that you have. Thank you so much.

11 MARGERY PERLMUTTER: Thank you for  
12 inviting us to speak.

13 CHAIRPERSON CABRERA: Thank you, and with  
14 that, I'm going to be calling community boards. The  
15 first panel Kim Brown, Community Board No. 5; Vine  
16 Alonzo, Community Board 9, and Rosemary Ginty,  
17 Community Board No. 8. [background comments/pause]  
18 Okay, from Community Board 11 Angel Mescaín. [pause]  
19 We only have two panels so the rest of the Community  
20 Boards we got you. [pause] Okay, when you identify  
21 yourself if you could mention the borough that you're  
22 with because, as you know, Community Board 1 could be  
23 in Manhattan. It could be in the Bronx, Community  
24 Board and so forth. So, yeah, you may begin.

2           LEGAL COUNSEL: I'm sorry, we'll also  
3 swear you in. Could everyone please raise their right  
4 hand. Do you affirm to tell the truth, the whole  
5 truth, and nothing but the truth in your testimony  
6 before this committee, and to respond honestly to  
7 Council Member questions?

8           PANEL MEMBERS: [off mic] [in unison]  
9 Yes. [pause]

10           KEN BROWN: Is this on? Okay, thank you.  
11 Well, [coughs] to begin with, Councilperson Chair  
12 Cabrera, other community board-council Members.  
13 Thank you very much for affording us the opportunity  
14 to testify. I'd like to submit testimony. I'm-I'm  
15 sorry. I am Ken Brown. I am the District Manager of  
16 Bronx Community Board 5. Thank you very much for  
17 allowing us to submit testimony particularly  
18 regarding the allocation of the \$42,500 to supplement  
19 our district office's budget. [coughs] Attention to  
20 the needs of the community boards districts is  
21 greatly appreciated as the-as we are the level of  
22 government that is most intimately connected with the  
23 community, it is most welcome that are receiving  
24 consideration of our needs. Anything that can  
25 improve the operations of the community district

2 offices is a boom to the community members that live  
3 and work in our neighborhoods. The allocation of  
4 \$42,500 to our District Office's operations was the  
5 most welcome boom. We thank you Councilperson  
6 Cabrera, and all the members of the City Council.  
7 These monies will go and have gone a long way towards  
8 improving the operations of the Community Board  
9 offices. We have and intend to use the monies to buy  
10 needed equipment for our office, purchase promotional  
11 items that will be of use to community-at community  
12 events, such as free giveaways and to approve  
13 community events by providing additional resources  
14 such as petting zoos at street fairs for example. And  
15 although the allocation of the \$42,500 as a one-time  
16 application is greatly appreciated, we would like to  
17 respectfully recommend improvements for any future  
18 allocations. These are to institutionalize this  
19 allocation so that it can be incorporated on an  
20 ongoing basis into our district office's budget to  
21 remove the prohibition on using the monies for  
22 capital expenditures. Our office could have greatly  
23 appreciated this money if we had been able to use it  
24 to improvements in our office's telecommunications  
25 and physical infrastructure. We request that the

2 parking permit privileges, chairpersons of community  
3 boards, and the Community Coordinator in the district  
4 offices be reinstated, that the—that Community Board  
5 budgets particularly for personnel be increased on a  
6 permanent basis so that we can hire more staff, due  
7 specifically in our district to the increase in  
8 population and diversity thereof. And finally, we  
9 request that the—that the ULURP privileges that in  
10 hither to—hither to be afforded in Community Boards  
11 be reinstated. Thank you very much for this  
12 opportunity.

13 SHIRLEY SAN ANDREAS-ALONZO: Good

14 afternoon and thank you Chairperson Cabrera and  
15 Council Members on the Committee. My name is Shirley  
16 San Andreas-Alonzo. I'm the Assistant District  
17 Manager on behalf—here on behalf of Bronx Community  
18 Board 9. Community Board 9 is the largest community  
19 Board in the Borough of the Bronx. We have and  
20 estimated 50,000 more residents than the second  
21 largest community board in the borough as per the New  
22 York City Planning Community District Profile. This  
23 means we have nearly four times more residents than  
24 the smallest community board in the Bronx. Yet, we  
25 received the same funding as every other community

2 board. Naturally, we receive more service requests  
3 and are in need of more resources to meet this need.  
4 As a result, we were posed to receive funding  
5 proportionate to our population needs. Much like  
6 City Council Districts, NYPD, DSNY and DOT for  
7 example who are allocated funding based on their  
8 geographical area and needs. Each of the 59  
9 community boards throughout the city are allocated  
10 the same budget of \$233,911 annually. However, as  
11 previously stated, these community boards are not  
12 parallel in size. This means that some community  
13 boards require more resources than others. As a  
14 result, some boards may not max out on their budget.  
15 We are working with the Comptroller's Office to get  
16 an exact figure regarding how much money has been  
17 returned in the last three years. We propose to be  
18 able to reallocate these unused funds to community  
19 boards in need of a larger budget. Thank you.

20 ROSEMARY GINTY: [off mic] Thank you.

21 Well, Good afternoon. I press? Yes? [background  
22 comments] [on mic] It's nor right. There we go and  
23 I'm now on. Well, good afternoon, Mr. Chairman and  
24 members of the Committee. My name is Rosemary Ginty,  
25 and I am Chair of Community Board 8 in the Bronx. I'm



2 here today to testify in favor of the enhanced  
3 funding for our community boards. It is our request  
4 that you continue to support our work at the funding  
5 level approved last year namely in addition to our  
6 base budget, the addition of the \$42,500 for the uses  
7 of technology upgrades, furniture, consultant  
8 contracts and community events. Thanks to the  
9 Speaker this committee and the Council as a whole  
10 especially our Council Member Cabrera, for this extra  
11 funding. We have been underfunded for too many  
12 years, but now can add services in technology so  
13 essential to our work in the community. Our board is  
14 now able to join the 21<sup>st</sup> Century finally with  
15 technology upgrades. Our—after dealing with  
16 constantly broken telephones virtually daily we are  
17 upgrading our phone system and will additionally  
18 upgrade out Internet system. These important systems  
19 help our office do the work needed to help the  
20 community, and this is the truth. I swear the truth.  
21 Our phone system is barely in the middle of the 20<sup>th</sup>  
22 Century. I think the only technological advantage is  
23 it's not a rotary system. Those of you who might have  
24 heard that. We-with push button phones and that's  
25 the only thing modern about our telephone system.

2 So, in addition to the technology upgrades, our  
3 communities have been putting together great events  
4 for the community. We're going to celebrate the  
5 100<sup>th</sup> Anniversary of Women's Suffrage with our  
6 Educational and Cultural Affairs Committee hosting a  
7 lecture series including the role of Bronx women in  
8 efforts towards Women's Suffrage.

9 CHAIRPERSON CABRERA: We are going to  
10 have an intergenerational event that's been by our  
11 Youth Committee and our Aging Committee that the  
12 community is very excited about. So, it will be very  
13 interesting. Our Housing Committee is planning a  
14 forum. Our Transportation Committee is planning a  
15 bike safety forum. With the remaining funding we're  
16 preparing for a long awaited office move, and  
17 hopefully buy some new furniture, desk chairs because  
18 our furniture is truthfully 25 or 30 years old. We  
19 also-it-do use our funding for guides for our  
20 community. We have done a senior guide full of very  
21 good information for the community and we've  
22 translated it into Spanish. We have done a housing  
23 guide for the community. We are now starting to  
24 translate this into Spanish, and we've done a Parks  
25 guide. So, all of these things we-we don't waste the

2 money. We spend it on the community and outreach to  
3 the community. So, again, thank you for this  
4 opportunity. None of this would be possible without  
5 this extra money. It really makes a difference.  
6 Community Board 8 respectfully requests that the  
7 enhanced funding be continued in the next Fiscal  
8 Year. Thank you.

9           ANGEL MESCAIN: Good afternoon. My name  
10 is--good afternoon, Chairman Cabrera and members of  
11 the Governmental Operations Committee. My name is  
12 Angel Mescaín. I'm the District Manager of Community  
13 Board 11 in East Harlem. I testified before this  
14 committee at last year's budget hearing, and I was  
15 very, you know, glad to see that the Chairman and the  
16 Committee and the Council frankly was able to  
17 champion Community Boards to the tune of \$42,000--  
18 \$42,500 for its community board. It was very much  
19 appreciated and useful for--for our board, and for,  
20 you know, from--from the calls that we've got. The  
21 Council Member's Office has organized with all the  
22 community boards across the city. Clearly, useful to  
23 all them now. So, we thank you very much for that.  
24 Before I enter into my written testimony, I just  
25 wanted to add another piece. On a personal note

2 it's-it's-it's a bit frustrating that though we have  
3 these champions, you know, the Council Speaker was on  
4 the call a couple of weeks ago also speaking on our  
5 behalf. Council Member Kallos is very--has been very  
6 supportive of, you know, the community board and as  
7 has been Council Member Ayala and Powers and Perkins  
8 to make sure that I hit all the ones that were in my  
9 district. It-it is very frustrating to see that the-  
10 that, you know, the mayoral administration hasn't yet  
11 jumped on board to understand just what it is that  
12 community boards do, and why it is that we are  
13 important. You know, there's 59 of us all across the  
14 city. I can't pretend to speak for all of them. I  
15 will speak on my own behalf, but I can imagine that  
16 they feel similarly that they work very, very hard,  
17 with, you know, 50 volunteer members to not only what  
18 we're mandated to do by the Charter but also, what  
19 over time we've asked to participate in, and that  
20 has---can at times be overwhelming. We've asked and  
21 we don't have the resources to address that whole  
22 time. So, I'll stop. I was freelancing for a  
23 second. So, community board offices as you know, see  
24 an endless number of applications, constituent  
25 complaints, public hearing notices and community

2 planning exercises while also being responsible for  
3 providing its membership and constituency with the  
4 necessary information they're required to  
5 meaningfully participate in these processes. All of  
6 this is done with that is often just three staff  
7 members including the district manager. We are  
8 again—we are very thankful for Council Member  
9 Cabrera's ongoing advocacy on behalf of supporting  
10 community boards and for the \$42,500 and that the  
11 Council was able to allocate to us as part of the  
12 Fiscal Year 2019 budget. These funds have been and  
13 are being utilized in a variety of useful ways  
14 depending on the needs of individual boards across the  
15 city. However, because these funds were a one-time  
16 allocation from Council initiative funds and could  
17 not be used for personal services, [sniffing] we  
18 could not—excuse me—we could not add professional  
19 which we would benefit—which would benefit many of  
20 our offices. We again ask the Council to consider a  
21 baseline increase to the annual budget of community  
22 boards. Increasing would allow boards to hire  
23 additional professional staff as well as investing in  
24 the necessary technology or to better perform out  
25 duties as staff and board members. For example,

2 having a database to easily catalog and retrieve  
3 resolutions of constituent—a constituent management  
4 system that would allow community boards to improve  
5 recordkeeping, enhance communication with their  
6 constituents and be more transparent in the age of  
7 open data. We respectfully request that the Council  
8 consider these increases to allow us to enhance our  
9 resources so that we may better perform our City  
10 Charter mandated responsibilities. Thank you.

11 CHAIRPERSON CABRERA: Thank you so much.

12 [coughs] I first want to take a moment to thank our  
13 Speaker Corey Johnson because literally had to learn  
14 59 power during budget negotiation when Angel, you  
15 mentioned the administration refused--thank you for  
16 pointing that out--to baseline. I mean we're not  
17 talking about--in the overall budget, we're not  
18 talking about a tremendous amount of money right?  
19 We're about very little money that will go very, very  
20 far in the front lines, and as Shirley Davino, right?  
21 [coughs] As Shirley Davino mentioned, in her  
22 community board, as I recall from the top of my head,  
23 you service about \$200,000 constituents. That's more  
24 than Council Members represent, and yet you have not  
25 received—you only received \$27,000 since 2011 in

2 terms of resources coming your way for all those  
3 years. That was. It was insane when that, you know,  
4 it came to my attention. That's why I want to thank  
5 my colleagues in the committees. We had 100% yes  
6 last year in terms of the Council. So, I salute  
7 them, but we need them baselined because you can't--  
8 you can't use them. You can't use this funding for  
9 salaries, and--and then it has you doing, you know,  
10 you know, it puts you in a situation where it makes  
11 it makes it very difficult to make decisions that you  
12 know you need to make for your door, and it--it just,  
13 you know, it puts you in an unfair position. So, I  
14 did--I did have one question related to [coughs] the  
15 newly created Civic Engagement Commission, which will  
16 be implement either April 1<sup>st</sup> of this year and it's  
17 directed towards providing additional resources and  
18 expertise to community boards citywide. Has our board  
19 been in communication with the Mayor's Office  
20 concerning the Civic Engagement Commission? Anybody.  
21 No. Very interesting. We're talking about--  
22 [background comments] Well, the question--Okay. It  
23 was mainly directed towards them. Have they--they  
24 haven't been in communication with you at all?  
25 Okay, that's good to know and that question we'll

2 follow up. We'll—we'll get to the next panel, but I  
3 assume that the answer will be the same. Council  
4 Member Yeger, do you have any questions?

5 COUNCIL MEMBER YEGER: [off mic] I just  
6 have one.

7 CHAIRPERSON CABRERA: Please.

8 COUNCIL MEMBER YEGER: Thank you, Mr.  
9 Chairman. I appreciate that you all decided to be  
10 here. I had a couple of questions about your  
11 interaction. The main point of or one of the main  
12 points of this oversight hearing is your interactions  
13 with the Board of Standards and Appeals. Do you  
14 have—and you could just, you know, one at a time  
15 indicate the answer. Do you have any variances or  
16 have you had any variance applications or special  
17 permits in the last year or two on your board?

18 ROSEMARY GINTY: We just had one today  
19 before we—well, tomorrow we're going to have one.  
20 Yes, we did.

21 COUNCIL MEMBER YEGER: Okay, and—but you  
22 just had one now, right?

23 ROSEMARY GINTY: One is. I think it's two  
24 or three months now either.



2 COUNCIL MEMBER YEGER: [interposing] It's  
3 happening right now? Any in the past?

4 ROSEMARY GINTY: Yes. For me yes.

5 COUNCIL MEMBER YEGER: and how did your--  
6 how did your board recommend?

7 KEN BROWN: [off mic] We don't. We've had  
8 a few variances request since my tenure. I've been  
9 District Manager about a year and a half or so.  
10 Primarily on the basis of the reputation of the  
11 institutions that were asking for the variance that  
12 carried a lot of weight in the Council Board.

13 COUNCIL MEMBER YEGER: So, your board  
14 right, your board recommended yes in those instances?

15 KEN BROWN: I believe so, yes. That's  
16 right.

17 COUNCIL MEMBER YEGER: Are you aware if  
18 they--if the Board of Standards and Appeals granted  
19 the variance as in the way in which you recommended a  
20 yea vote? In other words you--when you recommend a  
21 yes, you have the ability to recommend the  
22 stipulations, or you have the--or you could recommend  
23 yes straight forward? Do you recall?

24

25

2 KEN BROWN: I don't think that any  
3 stipulations have ever been part of the discussion.  
4 I think that there is---

5 COUNCIL MEMBER YEGER: [interposing] So,  
6 you recommended straight yes votes?

7 KEN BROWN: Okay.

8 COUNCIL MEMBER YEGER: Do—are you aware  
9 if the Board of Standards and Appeals ultimately  
10 approved the application as was submitted to the  
11 board, as was submitted to your board?

12 KEN BROWN: I don't recall.

13 COUNCIL MEMBER YEGER: Okay.

14 KEN BROWN: I think not.

15 COUNCIL MEMBER YEGER: Anyone else?

16 ANGEL MESCAIN: So, we—we—we see quite a  
17 few, well not quite a few, but we just-

18 CHAIRPERSON CABRERA: If you could shut  
19 down the mics. Oh, the other one is down. Thank you  
20 so much.

21 ANGEL MESCAIN: We've—we've seen a few  
22 BSA applications in my time at Community Board 11.  
23 I've been there eight years. We've seen a few—a few  
24 various applications for physical culture  
25 establishments. We just received one for the Reece

2 School on 104<sup>th</sup> that's looking to build a little  
3 higher. One that we did opine on that ultimately was-  
4 was passed, but the project had to change was the  
5 Marymount School on 88<sup>th</sup> Street. (sic)

6 COUNCIL MEMBER YEGER: Your-your  
7 recommendation was a yes vote or a not vote or was it  
8 yes?

9 ANGEL MESCAIN: It was a-it was a yes wit  
10 conditions.

11 COUNCIL MEMBER YEGER: Yes with  
12 stipulations. Okay.

13 ANGEL MESCAIN: And the-that project kind  
14 of was dragged BSA for quite a while. There are a  
15 number of challenges. Council Member Kallos was  
16 against the project. So, there were a number of  
17 project. So, there were a number of changes to the  
18 project ultimate-ultimately before the BSA gave its  
19 yes.

20 COUNCIL MEMBER YEGER: Okay but those-  
21 those challenges tend to happen because the BSA talks  
22 to the -the proponent.

23 ANGEL MESCAIN: Uh-hm.

24 COUNCIL MEMBER YEGER: Are you aware if  
25 your-if your stipulation's recommendations were taken

2 into account. If those—some of the things that you  
3 saw later when the application was ultimately granted  
4 by the board, by the BSA, did they take into account  
5 what the community board had recommended?

6 ANGEL MESCAIN: In that case yes.

7 COUNCIL MEMBER YEGER: Excellent. Okay.

8 ANGEL MESCAIN: Because one of our major  
9 concerns was the height of the building.

10 COUNCIL MEMBER YEGER: Very good.

11 ANGEL MESCAIN: It was a very tall  
12 building in the middle of the block.

13 COUNCIL MEMBER YEGER: Excellent.

14 Anybody else? Ma'am.

15 SHIRLEY SAN ANDREAS-ALONZO: I echo Ken.  
16 We've had—[bell—we've had a few and are without  
17 stipulations or recommendations, but yes, and—and  
18 they were passed.

19 COUNCIL MEMBER YEGER: They were passed  
20 by the board with no changes from the original  
21 project.

22 SHIRLEY SAN ANDREAS-ALONZO: Correct.

23 COUNCIL MEMBER YEGER: Excellent.

24 ROSEMARY GINTY: [off mic] We've had a  
25 series [on mic] of—of application s over the years.

2 It would be—I think it would be unfair of me to tell  
3 you exactly what happened in each one. My board  
4 tends to have split votes and sometimes yes,  
5 sometimes no if it's--

6 COUNCIL MEMBER YEGER: But that's a good  
7 thing.

8 ROSEMARY GINTY: Split votes are good  
9 things. Yes they are. It's—it's a very big community  
10 debate sometimes on issues. The—the one. The one  
11 aspect that does stick out for me is what you were  
12 just having a hearing on. There were a number of  
13 applications that came to us 5, 10. 15 years late.  
14 Their date had passed, and they were coming to us to  
15 legalize something--

16 COUNCIL MEMBER YEGER: [interposing] A  
17 legalization of something that had expired.

18 ROSEMARY GINTY: Exactly. There—I have—I  
19 do have a very vivid memory of a number of those  
20 cases, which are very—very frustrating.

21 COUNCIL MEMBER YEGER: How did your board  
22 tend to rule in—on legalization cases?

23 ROSEMARY GINTY: Well, we, you know,  
24 that--

2 COUNCIL MEMBER YEGER: [interposing]

3 Where's the -where's the no rule? There's--there's,  
4 you know kind of each one is a case on its own.

5 ROSEMARY GINTY: Each one is a case on  
6 its own-

7 COUNCIL MEMBER YEGER: Okay.

8 ROSEMARY GINTY: --and, you know, it's  
9 very frustrating needless to say, and that  
10 frustration gets voices, but we really do act on  
11 what's in front of us

12 COUNCIL MEMBER YEGER: On the merits?

13 ROSEMARY GINTY: Yeah, yeah, yeah.

14 COUNCIL MEMBER YEGER: Alright, thank  
15 you, Madam. Thank you.

16 CHAIRPERSON CABRERA: Thank you so much.

17 Well, I want to thank you all for the great work that  
18 you're doing to--looking forward to this year to see  
19 how we could be of further help, and with that, we'll  
20 go with the next--the final panel. [background  
21 comments] It's going to be five. So, if we could  
22 add an extra chair there. Jesse Bodine (sp?)

23 Community Board 4 in Manhattan; Shawn Campbell, CB

24 14, Brooklyn; Josephine Beckman, CB10 from Brooklyn;

25

2 Darlene Jackson. You don't have a community board. A  
3 number there and Noel Hidalgo from BetaNYC. [pause]

4 LEGAL COUNSEL: --community boards.

5 Certainly Hidalgo doesn't need to be sworn in, but if  
6 the community boards could please raise their right  
7 hands. Okay. Do you affirm to tell the truth, the  
8 whole truth and are you representing a Community  
9 Board?

10 PANEL MEMBER: I'm not.

11 LEGAL COUNSEL: Sorry.

12 PANEL MEMBER: [off mic] We are not.

13 LEGAL COUNSEL: Oh, okay. You're on the  
14 Community Board?

15 PANEL MEMBER: [off mic] I'm not on the  
16 community Board. I'm on nothing.

17 LEGAL COUNSEL: Okay, then you—you don't  
18 need to be sworn in. Just the—just the Community  
19 Board members. Sorry. Okay. Do you affirm to tell  
20 the truth, the whole truth, and nothing but the truth  
21 in your testimony before this committee and to  
22 respond honestly to Council Member questions?

23 PANEL MEMBERS: [off mic] [in unison] I  
24 do.

25 LEGAL COUNSEL: Thank you.

2 CHAIRPERSON CABRERA: Okay, you may  
3 begin.

4 JESSE BODINE: Good afternoon, Chair  
5 Cabrera, Speaker Johnson and the fellow members of  
6 the Committee on Governmental Operations. My name is  
7 Jesse Bodine and I have the privilege to be the  
8 District Manager of Manhattan Community Board 4  
9 representing West Chelsea, Hudson Yards, Clinton and  
10 Hells Kitchen. Firstly, let me state that I'm  
11 grateful that I'm here today advocating for continued  
12 increase in Community Boards' budget rather than  
13 opposing a proposed cut. CB4 thanks Chair Cabrera  
14 and Speaker Johnson for the increase in the OTPS  
15 Budget for the Fiscal Year 2019. Over the last four  
16 years CB4 has had the highest number of land use  
17 actions in all of the 59 community boards. As a  
18 result, CB4 routinely finds itself similar to other  
19 boards in a reactionary position with varying issues  
20 impacting the neighborhoods it represents. The  
21 increase in the OTPS budget allows CB4 to transition  
22 away from simply reacting—reactionary responses to  
23 rezoning proposals and towards proactive repre—I'm  
24 sorry—representation of ongoing challenges such as  
25 gentrification and quality of life issues. For



2 example over-over-for over a decade, community-the  
3 community of Hells Kitchen has advocated for the  
4 creation of a Hells Kitchen Historic District. This  
5 is a district that highlights-this district  
6 highlights the rich immigrants' history of the  
7 neighborhood and preserves the tenement row house  
8 built environment. Over the years CB4 has worked to  
9 organize the material needed for a formal  
10 preservation report, and with the increase of the  
11 OTPS funds, the budget can hire a consultant to  
12 produce a report to review-reviewed by the committee  
13 at large, and eventually submit it to the Landmarks  
14 Preservation Commission to help preserve the vital  
15 history of our community. Additionally, CB4 has four  
16 special zoning districts within its-within its  
17 borders that include anti-harassment and demolition  
18 restrictions for residential buildings. However, CB4  
19 has witnessed over the last three years ten buildings  
20 that were improperly demolished or partially  
21 demolished forever resulting in the loss of over 100  
22 residential units. With an increase I OTPS funding,  
23 CB4 has begun conversations with our local tenant's  
24 rights and housing organizations to conduct a  
25 targeted tenant education outreach to the remaining

2 buildings. Finally, with the additional TPS funds,  
3 CBR has been able to seriously explore ways to use  
4 technology and prove our service response to the  
5 community and collect key data. CB4 is collaborating  
6 with Google headquarter located with CB4, and its  
7 partners to create a series of online tools and  
8 constituent relationship management systems.  
9 Additionally, we also now have a web based 24/7  
10 language translation ASL Interpreter service to  
11 ensure wider accessibility to community business. As  
12 a last thought I would like to strongly urge both the  
13 City Council and the Mayor's Office to baseline these  
14 funds. Only by—only by guaranteeing these funds for  
15 future years will community boards be able to plan  
16 and proactively meet their charter mandated  
17 responsibilities. In closing, I want to thank you  
18 for your attention and look forward to working with  
19 you in the future.

20 SHAWN CAMPBELL: [off mic] Good afternoon  
21 [on mic] I'm Shawn Campbell from Community Board 14  
22 Brooklyn. On behalf of Chairman Alvin Burke and my  
23 Board Members, I want to thank the committee first  
24 for this opportunity to testify, and special thanks  
25 to Council Member Cabrera for your ongoing support

2 and the insight that you bring as a community board  
3 member to work in the City Council like its benefit  
4 from that and I work with Council Yeger as well back  
5 in Brooklyn. For years despite our efforts, appeals  
6 and our data backed budget requests, as well as your  
7 efforts to assist community boards more recently, we  
8 have not a significant budget increase for additional  
9 capacity support tools such as access to CitiNet and  
10 or ongoing technical or analytic support. Yet  
11 additional responsibilities have been foisted upon  
12 boards: Budget responsibilities, privacy functions,  
13 et cetera. At the same time our population is  
14 growing, land use-land applications are expanding,  
15 and community requests for service deliver continue  
16 to increase all putting a strain on the productivity  
17 of our 3-person office. So, the funding provided to  
18 us this year could not have come at a better time. I  
19 was very important to our board that the money be  
20 spent on assisting us in our functions so that we  
21 serve the community in an ever-better way, and-and  
22 have a long lasting impact. So, two items for  
23 example are the funding will help offset the cost of  
24 what will be our 12<sup>th</sup> Annual Youth Conference later  
25 on this month serving over 500 young people preparing

2 for the futures. We will also use the funding to  
3 expand the outreach and the function of an annual  
4 non-profit roundtable. We will use that event to  
5 springboard a—an improvement in our census count,  
6 which will bring us, if we do well, additional  
7 federal resources and representation again having a  
8 long lasting positive impact. But our big ticket  
9 item is going to be the development of the CRM  
10 system, and we have the—the benefit of Noel Hidalgo  
11 here today. We're working with BetaNYC to develop a  
12 New York City Community Board tailored CRM system  
13 that will improve our ability to serve our community,  
14 our ability to community out to the community and our  
15 local elected officials, and will surely increase our  
16 productivity. However, that CRM will hit a point of  
17 diminishing returns if the funding is not baselined  
18 into the budget. As our communities change and grow  
19 we'll have to adapt to the system. As new board  
20 members especially with term limit come on board and  
21 staff eventually changes, training will be necessary.  
22 So, for that reason and to—to continue the  
23 improvement and our ability to serve the community we  
24 hope that this funding gets—gest baselined to help.  
25 This brings me to our support for Intro 1095 because

2 we think that also would improve our ability to serve  
3 the community. We support notification of expiring  
4 and special permits and variances prior to their  
5 expiration would be helpful in ensuring that  
6 stakeholders are advised and that we can better  
7 prepare and take a broader view of the application.  
8 Just recently CB14 considered an application for a  
9 variance extension. This came to us two years after  
10 the variance had expired. It met with a good deal of  
11 community opposition. I feel like if we had been out  
12 in front knowing that that was about to expire, we  
13 could have addressed some of those concerns before  
14 they became community burdens. I think sharing  
15 information with stakeholders who have an impact the-  
16 on the outcome shouldn't even be a question, and for  
17 that reason, I trust this will pass. Again,  
18 Community Board 14 is grateful for this opportunity  
19 to support 1095, and to let you know that the funding  
20 that was provided this year was not just not an  
21 expenditure but an investment in the future of our  
22 community as we all strive to New York City a better  
23 city as a-as a collection of ever better communities.  
24 Thank you. [pause]

2 JOSEPHINE BECKMAN: Okay. Thank you.

3 Good afternoon Council member Cabrera and I, too,  
4 want to thank you and the members of the committee  
5 and the City Council for having us here today and  
6 testifying before you. So my name is Josephine  
7 Beckman and I am the District Manager of community  
8 boards 10 in Brooklyn, which encompasses the  
9 communities of Bay Ridge, Dyker Heights and Fort  
10 Hamilton. I'd like to first offer my comments  
11 regarding Intro 1095 a Local Law to amend the  
12 Administrative Code in relation to the notification  
13 of—the expiration of variances and special permits  
14 granted by the BSA. I support advance notifications  
15 to community boards. If adopted, I asset this Intro  
16 will help to ensure zoning compliance by creating a  
17 formal notice to property owners from the community  
18 board explaining that the application to the extended  
19 term of variance with special permit pending its  
20 expiration may not be automatically supported, and  
21 we, too, had a few that have come in after their  
22 terms have expired. I'd also like to add that  
23 community boards 10 most likely has a smaller number  
24 of variances and special permits than surrounding  
25 boards, and this change as a proactive notification

2 would not burdensome to staff. Currently at CB10 we  
3 proactively notify all of our SLA license owners  
4 three months before their expiration of licenses as a  
5 courtesy. So, we are not overwhelmed that licensees  
6 who forget to renew. So, we found that system to be  
7 very helpful and to be proactive, and—and its benefit  
8 to both the—the property owners, licensees, and to  
9 ourselves. I'd also like to share with the committee  
10 that resident had contacted me about use of driveway  
11 of a commercial establishment and I didn't even  
12 realize that there was a variance ascribed to the  
13 property, and when I, because I didn't have that  
14 institutional knowledge, when I checked the VIS site  
15 [coughs] I realized that I could not really identify  
16 the property had a variance. The VIS is always my  
17 first stop to checking to look at the C of O  
18 certificate of occupancy and to see if there are  
19 active permits. I had to contact BSA and look at my  
20 archives. I would recommend, too, that it all BSA  
21 variances and special permits be hyperlinked to the  
22 BSA on the front page of the BSA. I think that would  
23 be a useful tool. I thought I'd throw that in while  
24 I had the chance. Next, I'd like to speak about  
25 community boards' operations and needs.. FY 2019

2 Council Initiative funding was extremely helpful to  
3 Brooklyn Community Board 10. We voted to use the  
4 funds to improve technology in Office and expand  
5 outreach. CB10 increased the broadband service in  
6 our office to meet our growing needs. Prior to this  
7 upgrade we had fellows and interns in our office that  
8 would use their laptops to walk around the office in  
9 search of a signal so they could find a corner to  
10 complete their work. We also upgraded our technology  
11 computers. We have large screen display instead of  
12 working with a projector and pull-down screen. More  
13 and more agencies of the New York City of New York  
14 are digitizing their filings and we are now ready to  
15 display for community members upon reviews of all  
16 these applications. We've also upgraded our phones  
17 with the help of DOITT to Windstream digital system  
18 that provides us with logs of callers and messages. I  
19 along with many of my board colleagues—Brooklyn  
20 colleagues who tried for many years working with  
21 DOITT to secure a license for a CRM, a Customer  
22 Relationship Management program that would really  
23 help us with our district needs, and as my colleague  
24 said, we really had no avail, but these funds we set  
25 aside working with Noel Hidalgo for from BetaNYC.



2 We're really hoping that this big achievement will be  
3 realized, and I and many other boards currently use  
4 spreadsheets or good old fashion binders. So, its  
5 project that a CRM being constructed may have a  
6 current maintenance cost into the fiscal year, which  
7 many boards are very concerned about. We've also  
8 done public outreach with the funds. We have a new  
9 digitized email newsletter. We've held and plan to  
10 hold future public forums and special events, one  
11 that's upcoming this spring with seniors and  
12 businesses on a senior resource guide. Moving  
13 forward, our ask to the City Council is we continue  
14 the initiative funding to help us keep up with  
15 technology and administrative costs associated with  
16 performing our mandated responsibilities. It is our  
17 hope that the FY19 funds can be baselined so we can  
18 hire much needed staff to handle the growing number  
19 zoning applications. Administrative support involves  
20 ever changing needs of our district and the cost  
21 needed to keep up constantly with advancing  
22 technology. So again, thank you on behalf of CB10.

23 DARLENE JACKSON: How you doing? How you  
24 doing? So, my name is Darlene Jackson. So, I'm  
25 happy to see that my community board is here present

2 from Community Board 9 in the Bronx, but I'm actually  
3 here wholeheartedly in support of a budget increase  
4 for all nine community boards, but I'm also former  
5 employee at Manhattan Community Board 11 in East  
6 Harlem, and I was employed there for two years. The  
7 last oversight hearing that you guys had was in March  
8 of last year, in which members and staff whom—who are  
9 here today for the nine community boards advocated  
10 for a budget increase. As such today for 10 has the  
11 outreach efforts, community engagement, service  
12 Denary (sic) advocacy and capacity building. So, I  
13 guess my question is—my question by me today is to  
14 kind of understand the role of this committee as  
15 oversight to community boards because the two years  
16 that I've been employed at Community Boar—Community  
17 Board 11 there has been absolutely no oversight for  
18 community boards. The budget increase that was  
19 received last of July has not been utilized to date.  
20 Somebody mentioned a district management, and CB11  
21 mentioned that there's a three—a three staff person  
22 currently at CB11, but it's actually now only two,  
23 and last we went there with the advocate of budget  
24 increase. There have vacant full-time positions  
25 since July of 2017, and now a part-time vacant

1 position since the 14<sup>th</sup> of this month. So, I'm here  
2 today because during the two years that I was  
3 working, I spent a lot of idle time basically doing  
4 or not doing much to service the communities that we  
5 was charged to represent and serve—and service, and  
6 we had idle calls from constituents to even visit,  
7 and really as far as our communities from—from even  
8 board members it was very—at bare minimum and you  
9 could probably hope that we even met quorum for—for  
10 those committee meetings. So, my questions is: How  
11 can we ensure that taxpayer dollars and—and then the  
12 monies that are being allocated from the boards are  
13 being adequately used? Because right now I feel like  
14 it's being underutilized, and it's being under-  
15 mismanaged, and prior to my appointment to Community  
16 Board 11, I didn't know that community boards even  
17 existed. To my surprise a lot of New Yorkers don't  
18 even know that community boards are a platform for  
19 them to engage with their peers and their neighbors  
20 to interact with and to address the issues that  
21 impact them on a daily basis. And it was very  
22 frustrating to work there for two years, and the  
23 typical town resident didn't know that we even  
24 existed. And so, I'm—I'm going to leave room for a  
25

2 question as to how moving forward from the public  
3 hearing and there is the third public hearing since  
4 me having knowledge that community boards exist.  
5 What does—what does the oversight actually look like  
6 and to ensure that the capacity building is being—  
7 reaching the—it's—we're ensuring that it's being  
8 reached? And there I have Noel who's—there's been a  
9 lot of great resources that have been available to  
10 community boards, but where do we make—where do we  
11 hold the common goal that is actually being  
12 implemented at the community board level because you  
13 have—you have staff members, you have board members  
14 that actually got to these—these meetings at the PB's  
15 Office, but it never actually translates over to the  
16 staff that's actually employed at community boards to  
17 actually implemented it and to ensure that these  
18 resources that we—that is afforded to us is actually  
19 being—to use effectively.

20 NOEL HIDALGO: Thank you. My name is  
21 Noel or Noel. I'm a Gemini. I have two names so  
22 feel free to use whichever one you want. I've  
23 submitted some written testimony, but I'm going to  
24 summarize it and pretty much start on page 2.  
25 BetaNYC is a non-profit organization that has over

1 5,000 members. We started off as meet up. In 2013,  
2 we wrote this thing called the People's Roadmap where  
3 we organized our community to really figure out what  
4 are the things that we've wanted to see carried  
5 forward from the Bloomberg Administration into the  
6 next administration, and in that we outlined another—  
7 34 different policy proposals and—and ideas that we  
8 wanted to see developed. Some of that led to the  
9 creation of what we call now the Civic Innovation Lab  
10 and Fellows Program, which is incubated out of the  
11 Manhattan Borough President's Office, and some of the  
12 highlights of this particular program is that we've  
13 educated, mentored and employed over 50 CUNY  
14 undergraduate students teaching them open data. This  
15 is the very first open data boot camp that is—exists  
16 in New York City. We've created a suited of  
17 specialize open data tools for community boards.  
18 We've given to DOITT a number of suggestions on how  
19 communications technologies could be better utilized  
20 within community boards. We've done this through a  
21 very intent and ongoing research process actively  
22 engaging community boards to ask them what are their  
23 technology needs. What are their data needs? What  
24 are the things that they would like to see  
25

2 accomplished over the next few years. This had led  
3 to DOITT actually submitting itself to the district  
4 needs process so that way community boards have an  
5 opportunity to directly engage community—with  
6 community boards, which is something that they didn't  
7 have to do because they are not a service mandated  
8 agency, and so, you know, getting DOITT to reform its  
9 practices has been a challenge. It has led to quite  
10 a bit of discovery and understanding exactly how  
11 DOITT works, and realizing that it's kind of  
12 frustrating. I can only imagine what it must be like  
13 to be a district manager for year in, year out trying  
14 to ask the city's IT department to provide IT  
15 services for their agency. And while we love DOITT  
16 and we have great friends at DOITT, I have now come  
17 to realize that DOITT is really just a contracting  
18 vehicle for technology, and not really a city IT  
19 department. It's unbelievable that there is one IT  
20 person for 59 agencies, that there is Joe, the  
21 amazing DOITT staff member who drives around to all  
22 59 community board offices to do desktop tech  
23 support. I started off my world doing tech support.  
24 I can't imagine having a car in the city and more or  
25 less going IT out of a car every single day. Just to

1 continue, so what we've been able to accomplish over  
2 the last few years is to build a very simple easy to  
3 use dashboard that visualizes 311 data. We've worked  
4 with Manhattan Community Boards to build a very  
5 simple template to track attendance. We've unified  
6 state and municipal data through this thing called  
7 SLAM, a State Liquor Authority Map, which brings  
8 together sidewalk cafes, liquor licenses and noise  
9 complaints, which is something that wasn't able to be  
10 easily done beforehand and now community boards have  
11 this tool where they can see bad neighbors. Lastly,  
12 we've been able to build a tool called Tenants Map,  
13 which visualizes buildings that have unusual activity  
14 in regards to service level requests. These are  
15 service level requests that tend to lead to tenant  
16 displacement, and so we presented tools that enables  
17 this information to be easily visualized. We're not  
18 at the point where all—we've done two detailed  
19 reports on the technology needs of community boards,  
20 and I've summarized them here, and I don't need to  
21 repeat the excellent things that they've already  
22 said, but I do want to add—end on the explicit need  
23 for a CRM. Community boards are desperate for a tool  
24 that enables them to do the constituent services that  
25

2 they are doing right now. We are living in the 21<sup>st</sup>  
3 Century, and it's absolutely inconceivable that these  
4 59 agencies don't have someone or somebody that they  
5 can turn to help digitize and keep track of  
6 constituent complaints. My own community board has  
7 used these funds--I live in Brooklyn CB1--apparently  
8 to lease a car to better get around the neighborhood.  
9 I don't think that's a judicious investment in--for  
10 the needs that I have as a constituent, but  
11 apparently for them that's great. I would like to be  
12 working with--right now we have 11 community boards.  
13 We'd love to be able to work with more of them to  
14 really start the process to start digitizing the  
15 workflow and the infrastructure that's needed so that  
16 way community boards can start servicing their  
17 districts in the 21<sup>st</sup> Century--in the 21<sup>st</sup> Century  
18 tools.

19 CHAIRPERSON CABRERA: Thank you so much.

20 I--I have a couple of important questions, but I'm  
21 going to turn it over--and--and that's your reward.  
22 The--the other council members here all the way to the  
23 end always.

24 COUNCIL MEMBER YEGER: That's my reward?

25 CHAIRPERSON CABRERA: Yes.



2 COUNCIL MEMBER YEGER: Alright.

3 CHAIRPERSON CABRERA: Part of your  
4 reward.

5 COUNCIL MEMBER YEGER: Before I begin--  
6 thank you, Mr. Chairman. Before I begin just full  
7 disclosure because you may hear some favoritism in my  
8 questions. I was a member of Brooklyn's Community 14  
9 for 18 years. I joined when I was 5 [laughter] and  
10 Ms. Campbell is the third District Manager that I've  
11 been working with, and she's incredible. So, I'm  
12 just going to say that I am grateful that you're  
13 here, and--and I will say what I didn't say in the  
14 first panel is that last year when we were talking  
15 about the enhancement, Mr. Chair, for the community  
16 boards and we did want it to be baselined and I--and I  
17 do agree with this panel and the previous panel.  
18 Frankly, it's--it's just hard to plan. You know, you  
19 have the \$42,500 now, and what do you do next year,  
20 which I think is why you're seeing, you know, some of  
21 these weird expenditures like, you know, Gogi Secaro  
22 (sp?) I don't know. What are they going to spend it--  
23 I mean how are they going to pay for that lease next  
24 year if they don't get the \$42,500 again, and I  
25 don't' know the answer. The man--the--the one person

2 who is not a district manager and I didn't catch your  
3 name, the—to your question of—of whether or not the  
4 \$42,500 enhancement is being spent right, part of the  
5 conundrum is that bards may simply not be able to  
6 spend it because they can't use it on personnel  
7 services, and it almost means that they have to go  
8 out there and figure out what can we blow this money  
9 on that's going to be useful as opposed to go out and  
10 waste it. I could tell you from my own perspective  
11 I've been on this Council for 13-1/2 months. I turn  
12 back more money to the taxpayers than any other  
13 council member at the end of the last fiscal year,  
14 and I'm on target to do the same this year. It's not  
15 because their offices are worse than mine or—or worse  
16 managed than mine. It's because I find different ways  
17 to do things, and they find different ways to do  
18 thins. So, just, you know, keep that in perspective.  
19 If you are truly concerned, though, about attendance,  
20 you should write your borough president, and that  
21 would be my advice to you. The Council doesn't  
22 oversee attendance on community boards. The—I—I  
23 wanted to, you know, last year I think Mr. Mescaïn  
24 and I we engaged in a dialogue—I don't know if he's  
25 still here unless he's behind—there you are. Okay,

2 about—about this kind of, you know, using Excel  
3 versus using—I think it was with you, the universe is  
4 using a legal pad versus some people keep it in the  
5 binder. Some people on a Word doc and every board  
6 really does have this other—this different way of  
7 doing things, and I—I do agree with you, Mr. Hidalgo  
8 that the city should—maybe we can write something  
9 that requires DOITT to do it, but the city should  
10 create a citywide system that enables community  
11 boards to track constituent requests, complaints,  
12 information in an easily way rather than, you know, a  
13 thousand manila folders in file cabinets, and it  
14 really doesn't make sense, and I often say this. I  
15 do mean it. I've no—I have actually said it in  
16 another hearing this morning. Community Boards of  
17 the Rodney Dangerfield of city government, and, you  
18 know, they—that's really where the ground is met. I—  
19 from my own personal perspective I actually outsource  
20 some of my work to community boards. Shawn will tell  
21 you and other District Managers will say—will tell  
22 you that sometimes I come up for something and I turn  
23 it over to them and I say, you know, can you look  
24 into this, and—and they do. It's not because they're  
25 doing my job, and it's not because I really want to

1 do this because they have the better knowledge and  
2 ear to the ground than a lowly city council member  
3 like I. I wanted to just ask the—and I—I realize  
4 that each of you are doing your constituent tracking  
5 in different ways, and I don't know that we could—we  
6 can give you a tool tomorrow, but I think it's  
7 something that the Council should explore over the  
8 next year, and as we go into the budget to talk about  
9 to— For me the most important things is a baselined  
10 of that \$42,500 so that you can actually plan, and—  
11 and (b) to take this burden off of you of doing that  
12 interacting, and I'm hopeful that we can maybe work  
13 with DOITT to figure out a way to actually create  
14 something that the city could use. Ms. Beckman, you—  
15 you mentioned the—the inability of BIZ or the—or—or  
16 you are not able to find information BIZ that—that  
17 BSA affirms BSA variance and—and my impression and,  
18 you know, the Chair—I'm grateful that the Chair  
19 stayed with her staff. Is that—that is a---that's  
20 more to me I think a DOB failure of not putting all  
21 the information that they have once the BSA grants a  
22 variance. If I'm wrong. You have to come up with  
23 some formula.  
24  
25

2 JERRY BECKMAN: No, I would—I would agree  
3 with that.

4 COUNCIL MEMBER YEGER: I think that—I  
5 think that the problem here is, you know, once—once  
6 BSA has done its job, they're done, and they close  
7 the file, they put it in a file cabinet until the  
8 next time it comes up or—and its done unless  
9 obviously there's an appeal filed, and it then goes  
10 back to the city agency, which is DOB, which I don't  
11 think anybody from a community board who's here is  
12 going to tell you that their experience with DOB is  
13 just yay, excellent, and—and that's been my  
14 impression as community board member, and I think  
15 what we have to do is figure out a way to get  
16 buildings to take the information that they're  
17 getting back from BSA. BSA is a 19-person agency.  
18 Maybe they get that extra administration person to do  
19 the notices that we're going to require you to do,  
20 but they're a tiny agency, and it's not—it's really  
21 not a good use I think of the agency's time and  
22 resources to—to—I don't know—to create some kind of  
23 extra step system where, you know, if you're looking  
24 for something go into BIZ and look at it, and then if  
25 it doesn't work, check out what BSA may or may not

2 have done. You know, go to their website and check  
3 it out. I think it should really all be on DOB's  
4 website in easily locatable fashion, and I think  
5 that's something that's not on BSA to figure out how  
6 do it. It's on DOB. Right, Mr. Chair. We're right  
7 there. [background comments] No, no, it's alright.  
8 You know, it's just not and—and I know you're with me  
9 on it.

10 JERRY BECKMAN: We are.

11 COUNCIL MEMBER YEGER: I—I will ask the  
12 same questions, and Mr. Chair you for your time, and  
13 I'm almost done . I will ask the same questions that  
14 I asked the previous panel because I'm trying to get  
15 a feel for this. How many of you—I kind of know the  
16 answer a little for 14 because I lived through those  
17 fights, but how many have had variances or special  
18 permits in your community boards over say the last  
19 two years? Okay. So, so that's—that's 10 in  
20 Brooklyn and 14 I know, and I forgot.

21 CHAIRPERSON CABRERA: [off mic] Four.

22 COUNCIL MEMBER YEGER: Four in Manhattan.  
23 Okay. So, 4 Manhattan is the biggie because  
24 everybody wants to build there. So, I'm gong to  
25 leave you off because I—because I think your

2 neighborhood is far more complicated than our  
3 simpletons in Brooklyn or at least me. Have--so when  
4 your variances come through, your special permits, I  
5 don't know if 10 has a special permit district. I  
6 don't think you do.

7 JERRY BECKMAN: We had one, but we--

8 COUNCIL MEMBER YEGER: [interposing] You  
9 got rid of it, right.

10 JERRY BECKMAN: --got rid of it.

11 COUNCIL MEMBER YEGER: You got rid of it  
12 under Jimmy

13 JERRY BECKMAN: Councilman--

14 COUNCIL MEMBER YEGER: --or Councilman  
15 Gentile.

16 JERRY BECKMAN: Yeah.

17 COUNCIL MEMBER YEGER: Okay, so for your  
18 variances and your special permits, have you--have you  
19 found that when you grant the yes either with  
20 stipulations and then it goes up to the BSA process  
21 that the result tends to be what the community board  
22 anticipated it would be?

23 JERRY BECKMAN: Yes.

24 COUNCIL MEMBER YEGER: Okay.

2 JERRY BECKMAN: We've used stipulations  
3 very effectively--

4 COUNCIL MEMBER YEGER: And--and the BSA---

5 JERRY BECKMAN: [interposing] --and they  
6 were supportive.

7 COUNCIL MEMBER YEGER: --and the BSA  
8 supports that.

9 JERRY BECKMAN: Yes.

10 COUNCIL MEMBER YEGER: Okay. Board 14 we  
11 have had--we have a very large special permit area.  
12 The chair and--and I know with my predecessor in  
13 office and the Council's predecessor on the Land Use  
14 committee have had--have had conversations of  
15 multitudes about, but have you found--and--and I'm  
16 giving you the question you're going to finally  
17 answer, but have you found that in your--in either in  
18 the special permits that variances--I know there are  
19 more special permits than variances of 14 that the  
20 stipulations process is working, that the BSA is  
21 looking at those and--and giving them the weight that  
22 you would hope that they would.

23 JERRY BECKMAN: [off mic] Basically yes.

24 (sic)

25



2 COUNCIL MEMBER YEGER: Okay, and if the-  
3 if the Board—if the community boards—you got to hit  
4 the button. Make it red. Okay, if the community  
5 board issues a yes with no stipulation, are you  
6 finding that the result from the BSA is exactly as  
7 the application was presented by the board or you  
8 were finding that ultimately it had to be changed  
9 because of BSA, because of BSA changes or because of  
10 BSA requests that it be.

11 JERRY BECKMAN: [interposing] It-it-it  
12 varies, it varies. It all-it's almost always  
13 upholds-

14 COUNCIL MEMBER YEGER: [interposing]  
15 Okay.

16 JERRY BECKMAN: --and--and sometimes  
17 takes additional steps.

18 COUNCIL MEMBER YEGER: Okay. So, one of  
19 the things that the—that the BSA does, which I find  
20 helpful is that it actually requires—if a—if a  
21 community board, which is—you know, we—we are  
22 communities boards, the Reverend—the Chairman as  
23 well. You know, we—we're at the low end of the  
24 government, but then we send up our lofty  
25 recommendations, and we always kind of wonder well,

2 what happens after that? You know, we move onto, you  
3 know, the-the-the crumb cake part of the evening,  
4 and-and then it's kind of no we go to next month, and  
5 what happens, and I-I am very happy that the board,  
6 the Boards says appeals requires applicants to  
7 address community board concerns, and I think that's  
8 a very important part of the process, and obviously  
9 the-the BSA is an adjudicatory body. So, they-they  
10 look at things differently than we do at community  
11 boards, but my-my question I think is-is whether or  
12 not there's some-there are things we can do to help  
13 the BSA hear us more clearly. And-and I'd be  
14 interested to know if you think that there are in  
15 this-you know Board 4 in Manhattan could kick back in  
16 now if there are things, yeah, yeah, come on back in.  
17 [laughter] Especially because you're the Speaker's  
18 Board so, you know, we have to be nice to you--

19 JESSE BODINE: Sure. So, I mean-[laughs]

20 COUNCIL MEMBER YEGER: But--

21 JESSE BODINE: I want to say first off I  
22 think the-the work that BSA does is tremendous and I  
23 think the response when I-when I personally call her  
24 or a staff member calls to get any information about  
25 a specific application, what's going on with it.

2 COUNCIL MEMBER YEGER: By the way, same  
3 here on our side--

4 JESSE BODINE: Right.

5 COUNCIL MEMBER YEGER: --and--and from--  
6 from the community board when I--before I came to the  
7 Council was saying you call the BSA, and you're  
8 pretty confident you're going to get an answer by the  
9 next day.

10 JESSE BODINE: [interposing] Right.

11 COUNCIL MEMBER YEGER: You know, they'll  
12 do the research, they'll do the hard work, and that's  
13 why I--I give them that huge pass on putting stuff on  
14 the website because it's just not that easy to--to put  
15 these--I mean some of these packages are--are huge and--  
16 and they're constantly updating.

17 JESSE BODINE: And--and I find that most  
18 people that work within the BSA world, not the BSA  
19 employees, but the applicants and their attorneys  
20 know this, and so, we have a handful of land use  
21 attorneys that we see on a regular basis will all  
22 come to the physical culture establishments right,  
23 and we know how sort of arcane and sort of silly that  
24 whole thing is, and how it's sort of morphing into a

2 very different set reason for the law then or the-  
3 the--

4 COUNCIL MEMBER YEGER: Yeah.

5 JESSE BODINE: --permit than when it  
6 originally was. So, we can have that conversation  
7 offline, but I-I-I will say I think, you know, with  
8 very rare exceptions, and I'll mention a couple right  
9 now, we find that everything we were--every we write,  
10 everything is a condition. We always usually do it  
11 deny unless with stipulations.

12 COUNCIL MEMBER YEGER: That's deny unless  
13 there are stipulations?

14 JESSE BODINE: No, that's deny unless  
15 with stipulations being like saying we would--we  
16 wouldn't approve this application without these  
17 things and usually the applicant has agreed to them.  
18 I mean that's--that's sort of what the committee--the-  
19 the applicant is happy enough to get our of our  
20 system--out of our committee on that issue to say  
21 okay. They'll agree to the hours or they'll agree to  
22 limiting the number of people in the gym or they'll  
23 increase the--the--the soundproofing for all of these  
24 things. So, I mean like gyms are becoming unique in  
25

2 our district because you get one probably every month  
3 or maybe twice a month sometimes.

4 COUNCIL MEMBER YEGER: Will these healthy  
5 people live in--

6 JESSE BODINE: [interposing] Very healthy  
7 people in Chelsea, and so--and it's--and it's--I will  
8 say the tide has changed a little bit because I think  
9 originally we were seeing a lot of repurposing of the  
10 already existing buildings, and the gyms, and I think  
11 they realize that this is--that's a sort of a--a  
12 nightmare for them because those buildings are not  
13 built for gyms. And so now we're seeing a little bit  
14 of a change. I will say one thing that is difficult  
15 for community boards with--with BSA with the gyms at  
16 least was that there doesn't seem to be any  
17 connection as to, you know, when the gym is going to  
18 actually be starting. So, like we recently just had  
19 an application for a gym, but the building hasn't  
20 been built yet. So, what's the--what is the--from a  
21 layman's standpoint, from a community board's member  
22 standpoint, what are they looking at? You know, what  
23 are they--they can't go see it. They can't go and  
24 understand what the environment is. All they're  
25 hearing is sort of a presentation on DOITT about a

2 concept, and so that is an interesting conundrum for  
3 us.

4 COUNCIL MEMBER YEGER: And the—the  
5 physical culture status for special permits typically  
6 have an expiration date of ten years--

7 JESSE BODINE: [interposing] Ten years.

8 COUNCIL MEMBER YEGER: --from when  
9 granted by BSA.

10 JESSE BODINE: Right. So, and—and we—I  
11 will say there we—we are the home of Brick Gym, which  
12 is I think one of the most notorious PC applications.  
13 It's gone up and down and around and around, and BSA  
14 has been very responsive to our concerns about that,  
15 and to the neighborhood and to the residents of that  
16 building's concerns about that. But we're seeing the  
17 other side of that where an application will come in  
18 and it won't be—it won't be anything we'll go and  
19 see. We won't be able to go and look at, and maybe  
20 not even a representative of the build—they gym, you  
21 know, management there to talk to. So, it's  
22 difficult from that kind of situation. In terms of  
23 the land use stuff, the other sort of building stuff,  
24 I've got to say we've been in predominately very—it's  
25 a very fluid relationship, and we have requested

2 lower heights and BSA has listened to those, and  
3 recognized those, and maybe you don't always mean it,  
4 you don't completely agree, but the--the sentiment is  
5 there, and understanding what we're talking about.  
6 Maybe we're asking for dropping a 14 to 8 stories  
7 instead of 14, and they find it at 10. I mean it's--  
8 it's a compromise. So, I think we generally find  
9 that to be.

10 COUNCIL MEMBER YEGER: [interposing] Do  
11 you have situations where you approve without any  
12 stipulation?

13 JESSE BODINE: I don't think so.

14 COUNCIL MEMBER YEGER: No, that doesn't  
15 happen does it?

16 JESSE BODINE: [interposing] I mean in  
17 real--well, I'll be honest with you. With the most  
18 recent one, which is the one that is a hole a in the  
19 ground was not much. [laughs] We just--I think we just  
20 sort of had to punt, and say yeah. I mean it's fine,  
21 you know. I mean it's a--

22 COUNCIL MEMBER YEGER: [interposing]  
23 That's a physical culture status.

24 JESSE BODINE: It's a physical culture  
25 status, but in--in the--in terms of land use, and any

2 kind of height, you know, and changes or bulk changes  
3 or, you know, you know, that they're trying to find  
4 the five--need the five findings. No, we always come  
5 away with multiple changes. (sic)

6 COUNCIL MEMBER YEGER: Okay, and Board 10.

7 JERRY BECKMAN: [off mic] Oh, you're  
8 saying Board 10. [on mic] Thank you, no. Also, for  
9 our physical cultural establishments [squawking mic]  
10 we have put conditions on them, we--which we found  
11 very helpful, and--and--

12 COUNCIL MEMBER YEGER: [interposing] And--  
13 and the BSA?

14 JESSE BODINE: And the BSA has always  
15 endorsed our recommendations.

16 COUNCIL MEMBER YEGER: What about various  
17 applications?

18 JESSE BODINE: The same.

19 COUNCIL MEMBER YEGER: The same. Okay.

20 JESSE BODINE: Yes.

21 COUNCIL MEMBER YEGER: Do you have any  
22 that you haven't put stipulations on that you find  
23 are later--the--the project that is approved by BSA is  
24 not the same as came before the Board?

25 JESSE BODINE: No.



2 COUNCIL MEMBER YEGER: Okay. Board 14.

3 SHAWN CAMPBELL: [pause]

4 COUNCIL MEMBER YEGER: Red. It's got to  
5 be red.

6 SHAWN CAMPBELL: Thank you.

7 COUNCIL MEMBER YEGER: There you go.

8 SHAWN CAMPBELL: I can't respond to my  
9 finger. [laughter] Can I answer that in a slightly  
10 different direction?

11 COUNCIL MEMBER YEGER: Anyway you want.

12 SHAWN CAMPBELL: Because I want to go  
13 back to the idea of the CRM. It's—the scene might  
14 stand out in your mind as a constituent or a client,  
15 but I want to think of the scene in terms of  
16 community and for permit—for special permit and  
17 various applications. It's something else I want to  
18 start putting into a system because we tend to ask  
19 the attorneys that come before us if there's been for  
20 instance FAR, if that number of FAR that they're  
21 applying for exists in proximity to—to their  
22 application. I'd like to be able to pull this  
23 information out myself. I want to map my  
24 information. I want to know what the—what that area  
25 of the community looks like going in. I want to sort

2 of pull out how many applications have come before  
3 our board in a certain amount of time that—that we  
4 did recommend it with stipulations.

5 COUNCIL MEMBER YEGER: Thus, you have to  
6 do that manually right now--

7 SHAWN CAMPBELL: [interposing] Yes.

8 COUNCIL MEMBER YEGER: --instead of  
9 pulling it out of a file.

10 SHAWN CAMPBELL: Right. You mentioned  
11 having four file cabinets. We have 16. So, it's a  
12 lot of digging to pull the information out when we  
13 want a—a broader view.

14 COUNCIL MEMBER YEGER: Okay. Mr.  
15 Hidalgo.

16 NOEL HIDALGO: I so enjoy your comments  
17 because there's—there's actually several layers that—  
18 that aren't really being addressed within the city's  
19 Government Operations that you have all really  
20 articulated on. The first one is around stipulations  
21 in multiple datasets. So, in our research we've  
22 found that the SLA doesn't publish any of the  
23 stipulations that they get. So the State Liquor  
24 Authority doesn't publish their—the stipulations that  
25 community boards are sending up to the state and

2 then, therefore, community members like myself don't  
3 know what are the stipulations around a certain  
4 liquor license establishment, and what are the-kind  
5 of like the confines that they should be seen in. We  
6 actually have to send—I have to send a FOIL request  
7 up to Albany to find out what are the—the letters or  
8 start asking the bar owner or start rooting around  
9 cabinets. And what—what we've discovered through a  
10 very detailed report that we published earlier this  
11 year is that there are agency by agency you can go  
12 through the different datasets, and you will find  
13 that there are these kind of variances that aren't  
14 digitized anywhere, and I think it's kind of amazing  
15 that—that this small team of 19 has one IT person  
16 that's maintaining their database. And—and I was  
17 looking at their one dataset that's up on the Open  
18 Data Portal, and it really only tells me like whether  
19 or not what's the status of the application, and that  
20 doesn't help me as a constituent think about it when  
21 I'm coming to a public meeting to really understand  
22 what—what's in the details. And that's really  
23 speaking to a much deeper issue, which kind of goes  
24 back to my initial statement around how DOITT is  
25 primarily an IT contracting services, and not an

2 actual IT building organization. We're living in the  
3 21<sup>st</sup> Century. I hope we can all recognize that where  
4 governments have been building software very  
5 efficiently for about 10 years. I did this--

6 COUNCIL MEMBER YEGER: [interposing] Not  
7 ours.

8 NOEL HIDALGO: --Not ours-- COUNCIL  
9 MEMBER YEGER: [interposing] Not ours.

10 NOEL HIDALGO: -- but yes, I did that  
11 just a few floors up as part of the State Senate 10  
12 years ago, and helped build a CRM for the State  
13 Senate, which is still in place, which is significant  
14 which is significantly cheaper than the mainframe  
15 system that was put in place. We actually did a  
16 launch of nysenate.gov in this room using open source  
17 software, and something that has been at logger heads  
18 inside of our city's operations is the fact that  
19 there isn't a very clear adoption of open source.  
20 There isn't building tools inside of the city to very  
21 quickly identify problems or opportunities where we  
22 can make minor modifications to these systems and  
23 help increase the usability. And so something that  
24 BetaNYC has been calling for is the New York City  
25 Government needs to build a Digital Services

2 Department along the lines of the U.S. Federal  
3 Digital Services Agency or 18F, which are essentially  
4 the best and the brightest that live in this nation  
5 who want to build technology for government to make  
6 government more efficient, and to send or be more  
7 efficient about how our tax dollars are spent. And  
8 it is surprising that for the last ten years both  
9 mayoral administrations have not taken up this  
10 particular issue to figure out how to build  
11 technology within city government more effectively.  
12 We have little tiny pin pricks. The Mayor's Office  
13 of Economic Opportunity has a Civic Service Design  
14 Studio. At City Planning, labs is doing a great job  
15 of incorporation open source tools so City Planning  
16 officials have modern 21<sup>st</sup> Century tools. We have  
17 DORIS and they've rolled out and repurposed some tool  
18 that was built in Oakland, but these are mighty-minor  
19 pinpricks, and \$89 billion budget when we should be  
20 instead of sending those-our tax dollars out to, you  
21 know, essentially buy technology from some place  
22 else, we should be building it here and employing our  
23 local technologists to build technology for our city.

24 DARLENE JACKSON: Am I able to add-  
25 respond to your comment? So, this-this pertains to

2 everybody's testimony in regards to the databases  
3 that they advocate for, which I wholeheartedly agree.  
4 Sorry. Again, and this is back to the question about  
5 oversight. So, how are we—what does oversight look  
6 like to ensure that the uses (sic) are available to  
7 community boards to ensure that they're actually  
8 implementing them to provide adequate services to  
9 the—to the communities that they are representing and  
10 they're charged to serve. So, I mean you mentioned  
11 something about the BP's Office in charge of  
12 attendance. I know the BP is almost like an umbrella  
13 of community boards, but I haven't see from my  
14 experience how they provide oversight to ensure that—  
15 that this our capacity building to ensure that  
16 constituents are going to be using service, that  
17 constituent knows that the community board actually  
18 is designating the community. That these resources  
19 that's available to community boards are actually  
20 being like implemented? So, I know you—in the first  
21 panel somebody mentioned about the Mayor's Commission  
22 with the civic engagement task force. Is that going  
23 to be something where oversight can be linked? I'm  
24 just trying to get—I just want to make sure that I  
25 hear you.

2 COUNCIL MEMBER YEGER: Well, I-I, yeah,  
3 I-I mean my district voted no on it and I don't have  
4 a lot of great faith in it if my district voted no on  
5 all three questions because we don't have great faith  
6 in it. So, you're not going to get me to tell you  
7 what the civic commission is going to do or not going  
8 to do, but I will tell you again that--that community  
9 boards are--are independent agencies, and they're  
10 operating--one of the things about their independent  
11 agency--the fact that they're independent agencies is  
12 that they're chairs, and they members of their  
13 boards, the other 49 members together with their  
14 employees, the District Manager and District  
15 Manager's staff make the decisions about how they  
16 function and when it comes to spending, they have the  
17 authority to make those decisions whether or not  
18 they're going to spend or not spend. If the Council  
19 land the Mayor agree to give the community board and  
20 extra \$42,000--\$42,500 and the community board can't  
21 find a way to spend it, or choose not to spend it or  
22 chooses not to for whatever reason, and my guess is,  
23 but the way, if a particular board is not spending,  
24 it is because they can't find a way to do it.  
25 Because remember that is a--that's a very--they have to

2 be very careful that whatever they're spending it on  
3 is a one-shot deal because the Administration and the  
4 Council did not make this a recurring thing, which is  
5 for-for year after year, which is called baselining.  
6 And if we would have done that--maybe it's our  
7 failure--but if we would have done that, then the  
8 community boards would be able to say we're going to  
9 spend \$42,500 on this because we know every year  
10 we're going have it. They don't know that they're  
11 going to have, and again on attendance or anything  
12 else, I would just encourage you to write your  
13 borough president or community board president's  
14 office. Mr. Chair, thank you very much for your  
15 time.

16 CHAIRPERSON CABRERA: No, no problem. I  
17 wanted to just add that [coughs] it really wasn't a  
18 [coughs] Sorry. I'm finding something here, but it  
19 wasn't the fault of the Council. It was really the  
20 administration refused to baseline that. I mean we  
21 waited until the last possible minute, and as I  
22 started earlier in our conversation today, if it  
23 wasn't for the Speaker Corey Johnson, it would have  
24 not happened. So, really we-we-we really try out  
25 best because we knew the challenges that were going



2 to come before you if it was not baselined. So, this  
3 is why I'm calling upon all the community boards to  
4 come--this is our commercial--for next month, and  
5 we're looking at May 11<sup>th</sup>

6 MALE SPEAKER: It's the 12<sup>th</sup>.

7 CHAIRPERSON CABRERA: The 12<sup>th</sup>, May 12<sup>th</sup>.

8 MALE SPEAKER: March--March 12<sup>th</sup>

9 CHAIRPERSON CABRERA: March 12<sup>th</sup>, I'm  
10 sorry. That's for--so March 12<sup>th</sup> for all the  
11 community boards to come, and to--to continue lending  
12 their--and echo together in a concert of voices  
13 together that we need to baseline and again, we're  
14 not talking about an astronomic item of funding. I  
15 just wanted to ask you about what I had asked before.  
16 You just mentioned the Commissions regarding the  
17 Civic Engagement Commission has the Mayor's Office,  
18 anybody Government Operations from their side? Any  
19 kind of little beep in the radar or anything? No, no  
20 ping from that side. Okay. So, Council Member Yeger  
21 did a fantastic job in really addressing some of the  
22 questions that I had, but I want to thank you for the  
23 work that you all are doing in community boards.  
24 Thank you also, community members who was involved in  
25 community boards. I did have one last question

2 regarding if calendar (sic) should go easy like that.  
3 Hidalgo, regarding the—from what I'm understanding it  
4 would cost \$10,000 for community boards to have the  
5 system in place. Is that correct.

6 NOEL HIDALGO: So, we're estimating how  
7 do I—how do I—to get the diversity of community  
8 boards that we have right now, there are multiple  
9 steps that need to happen. Some community boards are  
10 using email and their CRM, and so what we've proposed  
11 is a low-cost method to start and furthering our  
12 existing research to turn around a solution that  
13 immediately meets their needs. It's essentially  
14 going to be a glorified online—a spreadsheet that  
15 helps us identify essentially the types of columns  
16 and the data that goes into those columns that will  
17 then help us better understand how to turn an open  
18 sources CRM. It's something that we would be  
19 downloading from Get Hub or anything like that, and  
20 turn that tool into the future perfect CRM. So, the  
21 \$10,000 is a—it is our most generous estimate with  
22 the \$42,500 that has been offered to figure out how  
23 to essentially fit into the community board's budget  
24 to give them an immediate tool that helps us start  
25 this broader conversation.

2 CHAIRPERSON CABRERA:

3 NOEL HIDALGO: So, here's—here's what I'm  
4 trying to lead at. [coughs] Which is can this be  
5 capital funding? If there was capital allocated,  
6 which for us to be honest with you is easier. If  
7 somebody were to allocate an essential amount of  
8 capital, can this be positioned as infrastructure  
9 type of money so we could give a one-time--? Let's  
10 say if it is \$600 or \$7,000 to do all the community  
11 boards all in one shot, and that way we have a system  
12 that everybody could benefit from. And—and then my  
13 second question if the answer is yes, which I hope is  
14 yes, can—I—it—it—would the be additional fees  
15 required on a yearly basis, and if so, how much?

16 NOEL HIDALGO: So, yes and yes. Okay. I  
17 think one thing that was stated in the previous  
18 testimony is to really understand that when you, to—  
19 to deploy a CRM it is at the underpinning of the  
20 workflows inside of an office. So, yes we can come  
21 up with a—a number that helps walk through all of  
22 these different steps to get and deploy a CRM that  
23 would be universally accessible to all 59 community  
24 boards that they can log in and that the—that they  
25 can start using. There will be ongoing costs to

2 figure out exactly how many features need to be  
3 developed, what type of support and training. Right  
4 now we try to do, BetaNYC tries to do one training  
5 per month to teach community boards how to use boards  
6 that slam and a bunch of other existing tools that  
7 DOB has produced, and other city agencies have  
8 produced, and that's time intensive to do those types  
9 of trainings. It's also time intensive to be  
10 thinking about what are the upgrades and  
11 improvements. So, the quick answer to your questions  
12 are yes and yes, and love to figure out exactly what  
13 those numbers look like. But there will still need  
14 to be dedicated funding for training, support,  
15 improvements because community boards have, as you  
16 know, have a very limited budget for their current  
17 operations and yet the needs of every single  
18 community board that we've talked to is only growing  
19 exponentially. Every single time an agency decides  
20 to go paperless, they put the burden on the community  
21 board to print out the paper to essentially ensure  
22 that the community is informed of-of what's going on.  
23 We had a conversation a few years ago when DOB was  
24 rebuilding their thing or Planning was rebuilding  
25 their thing, and they were like, Oh, community

2 boards, we're going to save you paper, and we started  
3 looking at the numbers for just Manhattan Community  
4 Board 1 and it's just like you guys are going to need  
5 to buy more and more toner cartridges like get a  
6 better printer copier. Like their needs are going up  
7 when agencies, other agencies say that they are  
8 trying to save money. And so, this is an ongoing  
9 conversation that you and your predecessors all need  
10 to understand that community boards need dedicated  
11 technology resources across the board.

12 CHAIRPERSON CABRERA: So, I would like to  
13 meet with you. Just go ahead—

14 JESSIE BODINE: [off mic]

15 CHAIRPERSON CABRERA: If you could turn  
16 that one on and the other one off.

17 JESSE BODINE: This is purely as an  
18 example. So three years ago or three of four years  
19 ago, you know, the city decided that they—they were  
20 tired or overburdened with reviewing each and each of  
21 the board's budget requests, and statements of  
22 district needs, right. Because everybody would do it  
23 differently. Some would be a 2-page letter. Some  
24 would be 34-pages, right, and so they said we're  
25 going to cut that all out and we're going to in-house

2 build something, right. I don't think they spent any  
3 money on it. I think that they charged themselves  
4 what they normally spend on with the—with non-IT  
5 stuff and they built this process—a web based  
6 platform for all of us to every year put into our—put  
7 into all of our budget requests and all of our  
8 district needs. That is the result of into—basically  
9 in my opinion and I cannot say—speak for the  
10 community boards here or in general, but I think most  
11 community boards now find themselves doing double the  
12 work. Because what they do is the platform is simply  
13 built for the—for the agency side. It's—it's a whole  
14 thing was purposely for the agency to see it all in  
15 it's drop-down menu, and it's all very simple. But  
16 it doesn't make it easy for the 50 community boards  
17 to review the document, to understand it and to then—  
18 to—to vote on it. So, what you have is then  
19 community board members or board office staff having  
20 to create a second user-friendly document, right, and  
21 we were going back and forth with—DCP is in charge of  
22 this process and the—the staff have been great. I  
23 want to say that they've been very responsive. They  
24 made the small—some minor changes and very effective  
25 changes to the whole process. But the overall

2 concept was not made from the point of view of  
3 community boards. It was made from how does this  
4 make it easier for Sanitation and Transportation to  
5 answer these questions and give them—give carbon  
6 copied answers back sometimes, right. And so I just  
7 want to voice that as a concern is that we—we—we want  
8 something, but it really does have to come from the  
9 groundswell of community boards' needs and not simply  
10 to say okay we're going to pack in something and give  
11 it to, and this is what you've got. You know,  
12 because it's going to take a while to work itself  
13 out.

14 ROSEMARY GINTY: If I could add to that  
15 Council Member really quick is that the digital  
16 divide is great varying on communities, at  
17 communities. Our communities 30% of residents are 60  
18 or over, and many of our community board members, you  
19 know, are just not as sophisticated with the computer  
20 as some of the younger members or—or even staff. So,  
21 when we have a zoning application that's now sent to  
22 us digitally and on a lot, we have to be able to  
23 present that. Some members don't have a Dropbox, and  
24 even for email they don't have a clue on how to open  
25 it. So, of these small, you know, technology changes,

2 which are great, are really problematic for us board,  
3 and even getting that technology and—and educating  
4 ourselves and then teaching our board members has  
5 become quite challenging for us as well.

6 CHAIRPERSON CABRERA: I think that's to  
7 his—as the point that I was making this is going to  
8 be a requirement really for training to take place.  
9 I would love to sit down with you at some point in  
10 the very early—near future because I think there's a  
11 way to get some capital, and to do all the community  
12 boards, right. You know, just doing 10 here or 20  
13 over there and—and get everybody on—on board. And  
14 then be able to get you the tools. I always tell my  
15 wife. I say, Baby, never ask me to do a job without  
16 giving me the tools. [laughter] Give me the tools.  
17 I'll—I'll go to the highest mountain for you, but  
18 give me the tools, and you need the tools. I—I should  
19 know. I'm a former community board member, and I  
20 used to be very frustrated myself. When we have the  
21 tools it just seems like everybody else—you mentioned  
22 that that everything is for the benefit of other  
23 agencies, and yet those other agencies have their  
24 millions and millions of dollars, you know, in  
25 operations. And so, the community boards are trying



2 to do a whole lot with very little, and this is why  
3 we're going to continue to advocate for you. So, I  
4 want to thank you all for your wonderful work, and  
5 please come March the 12<sup>th</sup>. Let your other  
6 colleagues know we need everybody on board. Some of  
7 this information that came out today we're going to  
8 need it back again. The administration will be  
9 listening. And so this is very, very useful. It's  
10 going to help us also develop better questions for  
11 next time, but as closing here ladies and gentlemen,  
12 I--normally I close with a big yes. (sic) But Brad  
13 Reed deserves that honor and much and much more.  
14 This is his very last hearing as the Counsel for this  
15 committee. I--I need some picture here. Come on. I--  
16 I--this--this is a memorable moment. We cannot let  
17 this moment escape. [laughter] And unto you has been  
18 given the power. He actually looks like Thor.  
19 [laughter ]

20 BRAD REED: A shorter head.

21 CHAIRPERSON CABRERA: Committee on  
22 Governmental Operations--

23 BRAD REED: Committee on Governmental  
24 Operations stands adjourned. [gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 23, 2019