

COMMUNITY BOARD ELEVEN

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Nilsa Orama
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District Manager

Manhattan Community Board 11
Testimony before the New York City Council Committee on Governmental Operations
Regarding the Fiscal Year 2020 Preliminary Budget
March 12, 2019

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

My name is Angel Mescaín and I am the District Manager of Manhattan Community Board 11 which proudly represents East Harlem. I'd like to again thank Chairman Cabrera and the committee for the opportunity to address you today in support of community boards across the city and the work they do to improve the quality of life of New Yorkers.

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

Every year, community boards across the City hold hundreds of public hearings and meetings where community members learn about and comment on applications for sidewalk cafes, liquor licenses, zoning and landmark changes, as well as a variety of other issues and proposals affecting their quality of life such as traffic and transportation, parks and open space, schools and education, health, and human services.

Community board offices see an endless number of applications, constituent complaints, public hearing notices and community planning exercises while also being responsible for providing its membership and constituency with the necessary information they require to meaningfully participate in these processes and respond to project proposals. All of this is done with what are often just three staff members including the District Manager.

We are very thankful for Chairman Cabrera, this committee and Speaker Johnson's ongoing advocacy in support of community boards and for the \$42,500 that the Council was able to allocate to us as part of the Fiscal Year 2019 budget. These funds have been and are being

utilized in a variety of useful ways to address the needs of individual boards across the city. However, because these funds were a one-time allocation from Council Initiative funds and could not be used for personal services, adding professional staff that would greatly benefit operations in our offices was not possible.

We request that the Council consider a baseline increase to the annual budget of community boards. A baseline increase would allow us to hire additional professional staff as well as to invest in necessary technology to better perform our duties as staff and board members. It would allow us to purchase and maintain a constituent management system that would enhance communication with constituents, track service requests, and identify and analyze issue trends to better inform board recommendations and advocacy; as well as a records database to more easily catalogue and retrieve project records and board resolutions while sustaining the institutional knowledge of board staff and members.

Additional funds would also allow us the opportunity to provide regular professional trainings for our members to give them the tools to better navigate the municipal budget, service delivery and land use processes that are fundamental to the work of community boards.

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

Thank you.



BROOKLYN COMMUNITY BOARD 14
FLATBUSH-MIDWOOD COMMUNITY DISTRICT
810 East 16th Street
Brooklyn, New York 11230

ERIC ADAMS
Borough President

ALVIN M. BERK
Chairman

SHAWN CAMPBELL
District Manager

TESTIMONY ON BEHALF OF BROOKLYN COMMUNITY BOARD 14
BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON GOVERNMENT OPERATIONS
Preliminary Budget Hearing for Community Boards
March 12, 2018

Submitted by Edward Powell, Chairman, Brooklyn Community Board 14
Presented by Shawn Alyse Campbell, District Manager, Brooklyn Community Board 14

Thank you to the Committee for this opportunity to present testimony of behalf of Brooklyn Community Board 14 and special thanks to the Committee Chairman, Council Member Cabrera. It's great to be back before you and the committee today.

As was noted at the February 25th Oversight Hearing, funding provided to us in this fiscal year could not have come at a better time! Community Board 14 Members wanted to make sure that this one-time allocation would have long lasting impact and would improve our ability to serve our community. Thus, the funding will help support our 12th Annual Youth Conference in March, which serves over 500 young people between the ages of 13-21, helping prepare them for future endeavors. We will also expand the reach of our annual Non-Profit Roundtable, and coordinate with over 40 local organizations to assist in the 2020 Census Count. As a woefully undercounted community, we trust improvement in our Census numbers will be reflected in improved federal allocations and representation, which will surely have long lasting positive impact.

In addition, for years, we have been asking for technical and analytic support to help organize our service delivery data. Therefore the main portion of the one-time allocation was allotted to a contract with BetaNYC to develop a New York City Community Board tailored Community Relations Management (CRM) tool. This data tool will help us with service delivery by tracking requests and communications, and furnishing analytics that will help us measure community needs more accurately and serve our community more efficiently. However, without ongoing funding, that impact will reach a point of diminishing returns, as our community grows and changes, and land use, permitting and service delivery requests increase. Simultaneously, board members and staff will change, and the need to adapt and expand the CRM system and train users and communicate out to stakeholders will require ongoing support. We therefore ask that funding be baselined into our budgets to continue to improve the efficiency and productivity gains that a CRM system supports.

An increase in our baseline budget is also needed to address personnel needs. Community Board 14 is staffed by only one full time and one part time Community Associate. They are hardworking and dedicated employees, who deserve a raise but we are approaching the limits of the budget that would

allow for that. It's is not an unreasonable concern that one or both have acquired skills that would serve them in higher paying positions elsewhere. Were that to happen, we would sacrifice the skills and knowledge of the community and the high degree of rapport that they have developed with Board and community members. Furthermore, in the past few years new budget functions, time keeping and privacy operations have been added to the requirements and responsibilities of community board offices. This has put a strain on the productivity of our three person office. At the same time, our population is growing, land development is expanding, and community requests for service delivery continue to increase. If staff is being asked to work more, compensation should keep apace. A budget increase could offer the ability to expand the staff who could take on special projects and have the time for research for which we now depend on short-term planning fellows.

Updated equipment, technology, support for events and programs that help serve our youth, our nonprofit organization and our community at large, as well as a fairly compensated staff all necessitate an adequate budget. Without an increase we fear we are currently up against that limit.

Again, Brooklyn Community Board 14 is grateful for this opportunity express the urgent need for an increase our baseline budgets to ensure that we can continue increase our efficiency and capacity to serve our community and contribute to making our neighborhoods, our borough, our city ever better.

Thank you.



Community Board Ten

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Brooklyn Community Board 10 FY 2020 New York City Council Budget Hearing March 12, 2019

My name is Josephine Beckmann and I am the District Manager of Community Board Ten Brooklyn, New York. I am pleased to present the testimony Community Board Ten on behalf of our Chair Doris N. Cruz. Community Board Ten Brooklyn encompasses the Bay Ridge, Dyker Heights and Fort Hamilton sections of Brooklyn.

Next I would like to speak about Community Board Operations and Needs.

Our Community Board has 2 full time staffers and one part time staff member and often struggles to meet the needs of an active and engaged community. In addition to administering the needs of our Board Members who meet as a Board once per month, at least four of our Committees also meet monthly, the District Office is a full time government office open 9 to 5 serving the residents of the District.

FY 2018 Council Initiative funding was extremely helpful. Brooklyn Community Board Ten members voted to use the funds to improve technology in the office and expand outreach. We increased the broadband service, upgraded our technology, computers, large screen display and a new digital phone system. More and more city agencies are digitizing filings – and without tech support we too must prepare for those changes.

Community Boards have not been able to secure a license for a CRM – Customer Relationship Management program similar to that used by the City Council's Council Stat. Thanks to Noel Hidalgo, Beta NYC Director of small not for profit, funds provided by the City Council in our Board will be allocated toward creation of a CRM tailored to Community Boards. This is a big achievement and will help our Board a great deal as technology advances our Boards have lagged behind. Our Board tracks data with spreadsheets and paper binders in a time when the way in which we receive communications has evolved via 311, email and social media.

The CRM being constructed will have recurring maintenance costs into the next Fiscal Year – which has many Boards concerned about funds needed for its maintenance.

Technology Training Needs – Open data is a tool that is underutilized. It offers so much to assist Community Boards to prepare our District Needs Statements– however, training is needed to maximize what Community Boards can learn and share with their Community District.

ERIC L. ADAMS, BOROUGH PRESIDENT

Community Board Ten

Page - 2 -

Did you know that DoItt has one staff member to service all 59 Community Boards? While our liaison is dedicated and hardworking.. additional tech help and guidance is needed.

CB10 Brooklyn also expanded funding to broaden public outreach by utilizing **United States Postal Service (USPS) Every Door Direct Mail (EDDM)** for zoning or other matters impacting a specific geographic area. Recently we mailed to about 400 residential units regarding DOT bicycle workshop and 75 residents attended with the majority coming out as a result of our mailing.

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

Public Forums / Special Events - CB10 will be hosting a Senior Resource Forum this spring as part of its Age Friendly initiative with local seniors and business community. We will also be releasing a Senior Resource Guide at the event. We would not have been able to produce these important guides for our residents without Council funding.

Community Boards are the eyes and ears of our city. They are mini-town halls spread out across the boroughs. Residents reach out to Community Boards for all kinds of help. Historically they reached out by telephone and walk-in. Now that includes email, Facebook ad Twitter. Our staff is usually in the office before 9AM and sometimes residents are waiting for them to open. Additional funding for staff is greatly needed. More and better services can be provided.

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

Thank you for the opportunity to present this testimony today.

ERIC L. ADAMS, BOROUGH PRESIDENT

New York City Council
Committee on Governmental Operations
Council Member Fernando Cabrera, Chair
March 12th, 2019

Re: FY 2020 Community Board Budgets

Good Afternoon Chairman Cabrera and Members of the Committee on Governmental Operations,

Good Afternoon Chair Cabrera and Members of the Committee,

My name is John Sanchez and I am the District Manager of Bronx Community Board 6. On behalf of Bronx Community Board 6, I thank you for the opportunity today to testify on the Preliminary Fiscal Year 2020 Budget and the importance of baselining community board budget increases in FY 2020.

Community Boards are the most local form of government and expected to be responsive to community needs and have the flexibility and autonomy to provide services to residents quickly. With the additional \$42,500 we received, Bronx Community Board 6 has had the opportunity to extend the services we provide in ways both small and large.

After the tragic death of Junior Guzman, we stepped up and worked with the 48th Precinct and Police Athletic League to sponsor free open gym nights in the summer to provide a safe space for more than 100 teens to play sports two nights a week. We then continued in the fall to sponsor volleyball programming for more than 100 youth on Saturdays where college students, members of EMS, FDNY, and NYPD served as mentors and coaches.

Bronx CB 6 is a district, like others throughout our city, that is underbanked and where people live paycheck to paycheck. As a result, we partnered with the non-profit MyMoney Workshops to bring a series of five free financial literacy workshops to our district on Saturday mornings. These workshops ranged in topics from budgeting and expense tracking all the way to home buying and investing basics. More than two dozen community members consistently attended, showing the community's desire to participate in educational programming on weekends. Too often community programming takes place during the week when parents or community members are unavailable. Due to this extra funding, we were able to open our office on Saturdays to provide programming that worked for residents' schedules. This funding also allowed us to expand our successful paid internship program from being available only in the summer to being available year-round.

Paid college internship opportunities in government are rare due to budget constraints. This often precludes underrepresented communities from gaining access and networks to explore future career options. My office's more than two dozen past summer

interns have gone on to work for the NYS Assembly, NYC Council, non-profits, and enroll graduate programs. One of my former interns now works at the community board as she pursues her Masters Degree in Urban Planning. One of our current interns, Anna Sampson, joins me today as she also testifies in front of this committee. The ability to extend our paid internship program year-round gives even more young people the same educational opportunity to explore potential careers and gain real world experience in urban planning, community development, and government.

Looking to the future, Bronx Community Board 6 requests that the \$42,500 all community boards received in FY 2019 be baselined for Fiscal Year 2020 which would total \$2,507,500, a small amount compared to the Mayor's Preliminary \$92 billion budget for FY 2020.

If a budget increase is not baselined for community boards, we will have to cut back or eliminate the supplementary services we've provided this year to cover basic office expenses. We are living in an age where people desire to get more civically involved in their local community and community boards are uniquely suited to serve this need. It would be unfortunate and disappointing not to see the City of New York invest in its most local form of government when people desperately seek to get involved. I urge the Council Delegation to advocate for the 59 community boards to receive a baselined funding increase. The return on investment will include more engaged communities, increased community activities, and most importantly an increased number of people served. Thank you for your time and consideration.

Sincerely,

John Sanchez

District Manager

Bronx Community Board 6



Statement by Deputy Commissioner John Castelli, Deputy Commissioner Marisa Senigo, and Deputy Commissioner Linda May at the NYC Office of Administrative Trials and Hearings, to the City Council in Connection with the Preliminary Budget for Fiscal Year 2020

March 12, 2019

Introduction:

40 Years as the City's Independent Administrative Law Court:

The Office of Administrative Trials and Hearings (“OATH”) is the City’s independent administrative law court. Established 40 years ago, OATH’s mandate is to foster judicial professionalism, fairness, impartiality, equality and a commitment to the integrity of the administrative law judicial decision-making process. As the City’s administrative law court, OATH’s function is to provide due process in cases that originate from the City’s numerous enforcement agencies in a fair and impartial forum that is also convenient and accessible to the public. The past year has given rise to changes at OATH that have resulted in providing the public with a more streamlined, accessible and convenient court that is easier to navigate and understand. In 2016, we restructured OATH into two divisions: the Trials Division and the Hearings Division: (a) The Trials Division conducts adjudications on a wide variety of complex administrative matters. In fiscal year 2018, the Trials Division resolved 1,919 cases. (b) OATH’s Hearings Division

adjudicates a wide variety of summonses. In fiscal year 2018, the Hearings Division held over 330,110 hearings.

I. Greater Transparency

OATH keeps both the public and the enforcement agencies informed of its commitment to provide impartial, fair, and timely trials and hearings to everyone who appears before our administrative law judges and hearing officers. While technically we are a creature of the executive, OATH is an impartial, unbiased, and independent administrative law court where everyone appearing gets a fair shot. OATH regularly provides to issuing agencies statistical data concerning dispositions on summonses returnable to the OATH Hearings Division including dismissal rates. OATH continues to provide the City Council, Public Advocate, and City enforcement agencies with a monthly dismissal report pursuant to Local Law No. 64. OATH also regularly submits a quarterly report on the number of adjudications of specified Criminal Justice Reform Act (CJRA) violations to the City Council and the Mayor pursuant to Local Law 73. To inform the public, OATH posts quarterly reports containing the data for these reports on its website. In addition to these reports, OATH has continued to update its PMMR and MMR metrics to provide information that better defines the work of OATH. While accountability provided by reports such as the MMR and PMMR are useful tools for lawmakers, the Mayor's Office, and the public, OATH continues working towards making its operations even more transparent.

In 2018, OATH's Hearings Division Open Data dataset was expanded from quality of life and public safety summonses issued by agencies including but not limited to the Department of Buildings, Fire Department of New York, Department of

Environmental Protection, Department of Sanitation, and the New York Police Department, to now include information on the status and outcomes of the Taxi and Limousine Commission and Port Authority summonses issued to For Hire Vehicle licensees as well as summonses issued by the Department of Consumer Affairs. Additionally, for the first time ever, OATH now has information from the OATH Trials Division on the City's Open Data Portal. The OATH Trials Division dataset contains information about a diverse range of complex administrative law matters that are filed by city agencies, boards and commissions, and adjudicated by OATH administrative law judges at the New York City Office of Administrative Trials and Hearings, Trials Division. The Trials Division dataset includes those closed cases where litigants have appeared for trial and a decision has been rendered.

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

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

OATH Trials Division

At OATH Trials Division, administrative law judges preside over the more complex trials concerning Article 75 disciplinary proceedings involving civil servants, zoning matters, seizure cases, license revocations, Conflict Of Interest Board violations, vehicle forfeiture, Loft Law and SRO cases, City Human Rights

Law violations, lobbyist registration and other regulatory cases, and city contract disputes. Legal and factual issues presented at these trials can be complex. For instance, a trial concerning a loft board case can involve the participation of 10 - 20 witnesses and voluminous documentary exhibits requiring 5 to 10 days of a judge's time to hear the evidence and afterwards analyze the law and facts and propose a decision. OATH administrative law judges serve for five year terms that ensure absolute independence and impartiality in the judicial decision-making process since judges serve one year more than the Mayor. There are currently 11 active administrative law judges serving the City at OATH's Trials Division. As part of the 1,919 resolved cases for fiscal year 2018, OATH administrative law judges conducted 1,536 settlement conferences, 383 trials (full trials resulting in a decision being issued in fiscal year 2018), and 99.1% of the decisions rendered were adopted by the City agencies as their final determinations.

OATH Hearings Division

OATH Hearings Division, which implemented new uniformed rules and procedures in 2016, ensures a streamlined and simple hearing process for all summonses adjudicated at OATH Hearing Centers in any of the 5 boroughs and hearings that are done remotely. OATH's Hearings Division affords residents and small businesses a level playing field since the rules and procedures provide in the clearest language that one standard of justice applies equally to them and the City enforcement agencies. Since 2016, OATH continues to ensure greater procedural justice by requiring that a hearing officer review whether proper service of a summons occurred prior to determining that an individual or small business is in default for failing to appear at a hearing. In fiscal year 2018, OATH hearing

officers dismissed 16,675 summonses out of 367,684 defaulted summonses for jurisdictional insufficiency.

In June 2016, Mayor Bill de Blasio signed the CJRA package of bills. Certain summonses issued by the New York City Police Department and the Parks Department prior to CJRA would go to NYC Criminal Court where the court could issue an arrest warrant for failing to appear and placed an individual at risk of future incarceration while also resulting in their having a criminal record that could block a person from qualifying for government assistance for housing and college, among other consequences. The CJRA gives the Police Department and the Parks Department the discretion to file summonses at OATH for low-level offenses such as drinking alcohol in public, littering, public urination, offenses in parks, and unreasonable noise. Since going into effect in June of 2017, OATH has received nearly 100,000 summonses, many of which were issued by the Police Department and Parks Department that would have otherwise been filed with NYC Criminal Court¹. The CJRA also gives OATH the authority to provide an option to complete community service rather than pay a monetary fine to resolve a violation. Community service at OATH does not involve any physical activity, cleaning or work outdoors. The community service that most people complete at OATH is an e-learning training that is done on OATH's computers at its Hearings Division². The e-learning is a visual learning experience meant to teach the user about the most common quality of life violations and its impact upon the community, while also encouraging pro-social behavior in the community. It also teaches about the risks and consequences of getting another summons in the future and how a civil administrative law court like OATH is different from criminal court. Later this

¹ [New Local Law Provides Alternative to Criminal Court](#), CityLaw, Vol 24, Number 1

² [New Approach to Low-Level Offenses is Working](#), Gotham Gazette, September 05, 2018

year, the e-learning training will be available to residents off-site by using any computer with internet access.

OATH also established the Office of the Clerk in June 2016 to further encourage greater participation in the administrative justice process and provide more assistance to the public. The Clerk's Office ensures that certain functions unrelated to adjudications and the issuing of legal decisions and orders are separate and apart from the Hearings Division. Clerks in the Clerk's Office are responsible for providing assistance to residents and small businesses, answer questions concerning their cases, and offer them information about available options. Clerks also provide the hearing support necessary to help ensure that OATH Hearing Officers are equipped to conduct hearings in an efficient, fair and orderly manner.

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

III. A More Convenient Hearing Process that Gives Residents and Small Businesses Greater Access to Justice

Hearings by One-Click, Mail, Phone, or Webcam

OATH has made the hearing process more convenient by providing alternative ways to participate in a hearing. OATH's remote hearing methods make it possible to contest summonses without having to appear at a scheduled hearing in person.

These alternative options include One-Click (online) Hearings, Hearings by Mail, Hearings by Phone, and Hearings by Webcam³.

The most commonly issued charges from the New York City Department of Sanitation, Department of Parks & Recreation, Department of Environmental Protection, Fire Department, Department of Buildings, and Department of Transportation are now eligible for some type of remote Hearings Division Hearing; and all summonses issued to restaurants by the Department of Health and Mental Hygiene and filed at OATH for a hearing are eligible for whatever remote hearing method that respondent wants to choose. Last year we conducted 5,236 Hearings by Phone and have conducted more than 20,000 Hearings by Phone since launching that hearing option. In 2018, OATH conducted 16,638 Online Hearings and conducted over 70,000 Online Hearings since that hearing method was launched.

OATH has for the past several years worked on implementing webcam technology to make it easier and more convenient for individuals and small businesses to fight an array of summonses through the use of a desktop computer, tablet, and mobile devices with video capabilities. Webcam technology permits enforcement agencies to have their representatives testify from their location, irrespective of the location of the hearing. Rather than having to wait for the enforcement agent to appear at OATH, using webcam technology enables enforcement agencies to have their representatives appear remotely and then return to the field without any impediments, and just as important, the time an individual or small business has to wait for a hearing is reduced. This cost-saving measure also reduces the number of adjournments necessary to complete each case. This process is available for cases

³ [New Bill Could Spare Undocumented Immigrants a Trip to Court](#), DNA Info, June 12, 2017

involving Department of Health and Mental Hygiene, Taxi and Limousine Commission, or Department of Consumer Affairs inspectors, as well as cases that are eligible for hearings by phone. Finally, the use of webcam technology has been implemented by OATH in all 5 boroughs.

Resources for Residents and Small Businesses

In 2017, OATH established the office of the Ombudsperson/Pro Se Clerk to ensure unrepresented residents and small businesses receive greater access to justice and equitable and fair treatment. The Ombudsperson/Pro Se Clerk is responsible for investigating and resolving complaints made by residents and small businesses who have appeared and participated in either a trial or hearing at OATH. The Ombudsperson/Pro Se Clerk is also responsible for ensuring that residents and small businesses appearing at OATH understand the adjudicatory process prior to their hearing. OATH also established the first ever administrative law court's Help Center in June of 2017 in its hearing centers throughout the 5 boroughs to provide information to any self-represented party appearing before OATH. The Ombudsperson/Pro Se Clerk is responsible for overseeing the Help Center. Of the 99,616 individuals and small businesses connecting with the Help Center from its inception through the end of February 2019, 69,554 were provided help while 30,062 opted not to receive any assistance. The Help Center also provides assistance for individuals receiving summonses issued pursuant to CJRA. Of the 8,510 individuals connected with the Help Center, 8,360 were helped while 150 opted not to receive any assistance. For those individuals who opt to perform Community Service in lieu of paying a fine on the CJRA cases that qualify, the Help Center now helps them complete the mandate as of January 1, 2019.

There are certainly a lot of rules and laws in this city; most City enforcement agencies have hundreds or thousands that they enforce. It's those agencies' mission and job to let people know what their rules are and provide direction on how New Yorkers can be in compliance with those rules and laws. The Help Center at OATH plays an intermediary role in that regard, not by saying whether someone is guilty of the violation charged, but rather by explaining to residents and small businesses what rule or law they have been charged with violating. To the extent that we can, the Help Center aims to educate New Yorkers while also ensuring that OATH hearings remain completely impartial and neutral so that the administration of justice at OATH continues to be fair.

Residents and small businesses are afforded greater opportunities to fight City Hall as a result of the changes made at OATH. It's also important to point out that the way residents and small businesses perceive their experience with the hearings process and how they were treated is a matter that OATH takes seriously. OATH strives to ensure procedural justice, the idea that the hearings process and administration of justice is fair and impartial for residents and small businesses. It is important for residents and small businesses to know they received a fair and impartial hearing no matter what the outcome of the case might be. Self-represented residents and small businesses are also provided information by clerks about OATH's rules and procedures on the day of the hearing. To make the hearing process easier to understand and navigate, OATH employees give out palm cards to residents and small businesses. These palm cards are available in nine languages and include information that plainly describes the hearing process and their rights, making the overall experience of fighting City Hall more convenient and less intimidating.

OATH instantly provides free professional over-the-phone impartial and neutral translation services at hearings in up to 250 different languages, including Urdu, Burmese, Bengali, Haitian Creole, Farsi, Punjabi, Somali, and Tagalog. In 2018, OATH provided 16,581 free interpretations at hearings, which is an increase of nearly 15% from 2017. OATH also publicizes the fact that it will accept and have translated any documents, OATH forms or applications and written defenses that are received in foreign languages at no cost to the resident or small business. This includes providing free document translation for forms and written defenses for self-represented residents and small businesses. This service also ensures that the self-represented can use the language with which they are most comfortable when participating in the administrative adjudicatory process. The types of documents that are submitted to OATH and translated into English by a third-party at no cost to residents and small businesses prior to review at the hearing include written defenses for hearings by mail and One-Click (online) hearings, requests to vacate default decisions, and appeals of OATH hearings decisions.

Uniform Hearing Process for Residents and Small Businesses

The reforms made at OATH reinforce Mayor de Blasio's overall commitment to provide City residents and small businesses with an administrative law process that is impartial and fair. To ensure an even greater level of impartiality and equity in the administrative law process, and to provide City residents and small businesses with the highest quality of convenience, Mayor de Blasio set forth OATH's mission to achieve a uniform hearing process for all New Yorkers: *One Process, One Hearing, & One Summons*.

The first steps toward *One Process, One Hearing, & One Summons* were met by the establishment of the Hearings Division and Hearing Centers in all five boroughs and the ability of all OATH Hearing Officers to adjudicate any type of summons as a result of the cross-training provided to them. OATH's Hearings Division rules, which went into effect in 2016, created a more efficient hearing process for residents and small businesses that no longer subjected them to different rules, forums and forms at OATH depending on the type of summons or issuing agency.

Residents and small businesses can now contest nearly all of their summonses at any of OATH's Hearing Center locations. When OATH began adjudicating DCA cases in 2016 pursuant to Mayor Bill de Blasio's Executive Order 18, those cases could only be heard at OATH's Manhattan hearing office since DCA wanted its inspectors to appear on most cases and they were not accustomed to having to travel to different boroughs to participate in hearings. By using innovative techniques previously employed by OATH for other types of summonses, OATH uses webcam technology and a scheduling matrix to create a way for DCA inspectors to appear at hearings in the outer boroughs without having to leave their offices in Manhattan. OATH has now expanded the accessibility of hearings for summonses issued by the Department of Consumer Affairs from Manhattan to Brooklyn, Bronx, and Queens during 2017 and 2018, providing small businesses with greater convenience and access to justice since they no longer need to travel to Manhattan to have their day in court. In fact, in 2018, OATH held more than 1,000 hearings on DCA summonses at each of its Manhattan, Bronx, Brooklyn and Queens hearing offices. OATH looks forward to expanding DCA hearings to Staten Island in the coming year.

OATH hearing officers can adjudicate any type of summons that is issued from any enforcement agency. OATH continues to cross-train all hearing officers on new rules and laws relevant to summonses issued for violations by all enforcement agencies where OATH has adjudicatory jurisdiction. OATH hopes to see that enforcement agencies provide their own administrative prosecutorial units with necessary resources to ensure that residents and small businesses are able to have their cases adjudicated from Monday through Friday in any of the 5 boroughs. This would require providing enough agency representatives to present their cases at all hearing locations from Monday through Friday. In fact, OATH supports efforts being made by the Department of Buildings to increase the availability of agency representatives at OATH hearings. This increase in the number of agency will increase the number of days per week that hearings will be adjudicated in each borough. OATH will continue to work collaboratively with each of the agencies that appear at hearings to ensure that residents and small businesses always have greater access to justice and are provided a fair and efficient hearing process.

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

OATH continues to work with City enforcement agencies on the final step, *One Summons*, by establishing one uniform summons to be used by all City

enforcement agencies. The uniform summons provides a consistent easy-to-read format that makes it more convenient for residents and small businesses to understand and answer. Additionally, OATH continues to work with the Mayor's Office of Operations and City enforcement agencies to develop and use a summons writing technology that includes hand-held electronic devices that can generate a summons in the field and electronically file the summons shortly thereafter. Currently, each enforcement agency has adopted the universal summons for some if not all of their issuance. Other agencies are updating their technology in order to be able to adopt the universal format. Not all agencies are currently capable of transmitting their summons data electronically to OATH.

IV. Neighborhood Pop-Up Courts: First in the Nation

Implementing Mayor Bill De Blasio's goal for greater access to justice for all New Yorkers and in partnership with elected leaders throughout the City, in 2018, OATH introduced the first in the nation mobile administrative law court⁴. OATH *Neighborhood Pop-Up Courts* give greater accessibility for residents and small business owners by providing them with the opportunity to appear in person at a live hearing to contest civil summonses issued by the Department of Sanitation and Department of Health & Mental Hygiene. Residents and small business owners can travel to a nearby location in their neighborhoods to contest eligible summonses at live hearings conducted by OATH hearing officers on specified dates. OATH identifies residents and small business owners who have received summonses and reside or conduct business near a designated *Neighborhood Pop-Up Court* site. Eligible residents and small businesses are then notified by mail and invited to attend the *Neighborhood Pop-Up Court* during the time it's in their community.

⁴ [Property Owners Can Now Fight City Tickets in Bronx Pop-Up Court](#), NY1, April 25, 2018

Neighborhood Pop-Up Courts have been held in communities throughout the five boroughs and have been co-sponsored by Brooklyn Borough President Eric L. Adams, Manhattan Borough President Gale A. Brewer, Staten Island Borough President James S. Oddo, New York State Assistant Speaker Felix Ortiz, New York City Council Member Fernando Cabrera, New York City Council Member Ritchie Torres⁵, New York City Council Member Robert E. Cornegy, Jr.⁶, New York City Council Member Donovan J. Richards⁷, New York City Council Member Joseph C. Borelli, New York City Council Member Carlina Rivera⁸, New York City Council Member Mark Gjonaj, and New York City Council Member Ruben Diaz, Sr. In response to overwhelming interest and demand, OATH *Neighborhood Pop-Up Courts* are already scheduled with New York City Council co-sponsors into 2020.

V. OATH Outreach

OATH became the first administrative law court in the nation to provide outreach initiatives focused on greater access to justice for communities 4 years ago. The first of these initiatives focused on educating small businesses. In 2016, OATH introduced programs that provide education for young adults, immigrants, and individuals from the many diverse communities on how to respond to a civil summons and navigate the administrative law process. OATH further expanded outreach during 2017 to include new initiatives focused on providing informational seminars for seniors, community leaders, and New York City military veterans. OATH's outreach initiatives have resulted in OATH conducting 31,000 more

⁵ [Bronx Neighborhood Pop Up Court at District Offices of Ritchie Torres](#), BronxNet, May 31, 2018

⁶ [Pop-Up Courtroom Coming To Bed-Stuy, Councilman Says](#), Patch News June 4, 2018

⁷ [City to Bring Pop Up Court to Queens](#), NY1 News, September 19, 2018

⁸ [The Court in your Neighborhood' arrives for the first time in Lower Manhattan](#), El Diario, January 23, 2019

hearings in CY 2018 than in CY 2017. Despite fewer summonses being issued, more residents and small businesses believe they can have a fair opportunity and are increasingly participating in the hearing process. According to the Fiscal 2019 Preliminary Mayor's Management Report (PMMR) which was released late last month, OATH conducted 13,300 more hearings in the first four months of FY19 than in the same time period last year, despite receiving 27,000 less summonses. OATH priority continues to be to make it as easy as possible for people to have their day in court and this increased participation in the hearing process means that OATH's outreach is working. Through our varied outreach initiatives, more and more people in all different constituencies throughout the 5 boroughs are beginning to understand that they will get a fair chance to be heard and a fair result when they choose to answer and provide a defense, rather than ignore the summons. At these outreach events, residents and small businesses are also learning how easy it is to fight a summons when they hear about OATH's remote hearing options such as Hearings Online and Hearings by Phone. Increasingly, more people want and choose to fight summonses at OATH, and it is my belief that all of our work reforming OATH's image from a kangaroo court to a court that is fair, neutral, and balanced, is beginning to show real and positive results.

In 2018, working with New York City Council Members and Borough Presidents, OATH continued to host and participate in a number of events throughout the city that were aimed at helping small businesses learn about the City's administrative law court and how it functions. OATH's *Building Bridges for Small Businesses* Initiative was established to ensure that small businesses throughout the City are aware of the administrative law court's geographical presence and adjudicatory role in each borough. Through *Building Bridges for Small Businesses*, OATH provides educational seminars with a focus on helping small businesses develop a

greater understanding of the administrative law adjudicatory process and to assist them in navigating through this process. In 2018, *Building Bridges for Small Businesses* events took place where OATH partnered with Queens Borough President Melinda Katz, New York City Council Member Peter Koo⁹, *Queens Public Library*, *Queens Chamber of Commerce*, *Staten Island BUCKS Business Network*, and the *Staten Island Business Council*. OATH will continue its mission in 2019 to *build bridges* with small businesses throughout the city.

The *Administrative Law Court Community Education Service (ACCES)* was launched by OATH in 2016 to educate the public about OATH and how OATH is working toward achieving the goal of greater access to justice for all. *ACCES* focuses on educating our diverse communities¹⁰ about OATH since OATH can be the first and in some cases, the only experience a resident has in seeking justice within a court process in the United States. It is OATH's goal through *ACCES*, to ensure that irrespective of the outcome, residents will encounter a fair and impartial hearing process and just as important, they will be satisfied with their experience. A good first and sometimes only impression of an experience in seeking justice through a court process, irrespective of the outcome, is not only important for those residents, but also for the community at large, the City, and the Nation. Nearly all *ACCES* events have foreign language translators to facilitate understanding by audience members and the question and answer sessions¹¹. Additionally, *ACCES* continues to educate diverse communities throughout the City about OATH's role in adjudicating civil summonses issued by the Police Department for violations that have been decriminalized by CJRA. *ACCES* also

⁹ [Queens Ledger - Symposium to offer advice on responding to summonses](#), December 7, 2018

¹⁰ [Queens Examiner - OATH to discuss how to respond to summonses](#), June 5, 2018

¹¹ [Town hall will teach residents what to do if they get a summons](#), NY1, April 3, 2018

[¿Sabes qué hacer en caso de recibir una citación?](#) Noticias NY1, April 3, 2018

involves educating the public about OATH's language support services, OATH's Ombudsperson, and the Neighborhood Pop-Up Courts. In 2018, *ACCES* events took place where OATH partnered with Queens Borough President Melinda Katz, United States Congresswoman Grace Meng, New York City Council Member Daneek Miller, New York State Assembly Member Alicia Hyndman, New York State Assembly Member Clyde Vanel, New York State Senator Leroy Comrie, New York State Senator Toby Stavisky, Community Board 13, Community Board 7, *Asian Americans For Equality*, *Chinese-American Planning Council*, *Flushing BID*, *Flushing Chinese Business Association*, *Forest Hills Asian Association*, *Greater Flushing Chamber of Commerce*, *Korean American Association of Queens*, and the *Queens Public Library*.

OATH launched the ***Court Education for Seniors (CourtESy)*** initiative in 2017. The ***CourtESy*** initiative focuses on assisting elderly residents navigating the hearing process by providing education forums at senior centers and elderly support organizations throughout the 5 boroughs. Attendees at ***CourtESy*** events receive informational material that include postcard-sized magnets with instructions for how to do a hearing remotely. ***CourtESy*** events provide instruction on participating in remote hearing methods, including hearings by phone, by mail, and online, effectively eliminating any inconvenience seniors may experience when physically travelling to an OATH hearings location. In its second year, OATH ***CourtESy*** included co-sponsors New York City Council Member Carlina Rivera¹², New York City Council Member Robert E. Cornegy, Jr., New York State Assembly Member Natalia Fernandez, New York City Council Member Daneek Miller, New York City Council Member Ruben Diaz, Sr., New York State Assembly Member Michael Cusick, New York City Council Member Andy King,

¹² [Seniors warned: Don't ignore summonses](#), Town & Village, August 3, 2018

Sirovich Senior Center, Bronx House Senior Center, Robert Couche Senior Center, Castle Hill Senior Center, Todt Hill Friendship Club, and Bay Eden Senior Center. In partnership with elected officials and the public libraries, OATH *Resource* was launched in 2018 to provide information about OATH and resources to neighborhoods throughout the 5 boroughs. The first OATH *Resource* took place at the Lower East Side of Manhattan's Seward Park Library where OATH partnered with New York State Assembly Member Yuh-Line Niou and *New York Public Library* staff to provide information about OATH and the hearings process in English, Mandarin & Cantonese Chinese, Spanish, and Hebrew. OATH staff assisted residents and small business owners with requests for new hearings for summonses that were in default. OATH staff also facilitated online hearings for summonses with upcoming hearing dates and provided case specific information and post-hearing instructions for constituents that just had hearings prior to seeking help at OATH *Resource*. OATH partnered with the *Brooklyn Public Library* for the second *Resource* at the Midwood Branch, where assistance to constituents included checking for any outstanding summonses, as well as navigating the administrative law process by properly filling out forms and challenging a summons using OATH's online hearing option. OATH looks forward to continuing its partnership with elected officials and the libraries in making *Resource* another source of information that residents and small businesses can find right in their own neighborhoods.

In 2017, OATH introduced the *Veterans Hearing Support (VHS)* initiative to provide Military Veterans who are residents in New York City with important information about what to do when they get a summons issued by an enforcement agency for an alleged violation. *VHS* also provides Military Veterans with valued information on how to navigate the administrative law process and provides access

to resources and assistance when they contest a summons. In 2018, OATH held the second citywide *Symposium for Veterans Hearing Support* and the following VHS partners: Brooklyn Borough President Eric L. Adams, Manhattan Borough President Gail A. Brewer, Bronx Borough President Ruben Diaz, Jr., Queens Borough President Melinda Katz, Staten Island Borough President James S. Oddo, New York State Assembly Member Robert C. Carroll, New York State Assembly Member Michael Cusick, New York State Assembly Member Michael G. DenDekker, New York State Assembly Member Joseph R. Lentol, New York State Assembly Member Michael Miller, New York State Assembly Member Catherine Nolan, New York State Assembly Member Felix W. Ortiz, New York State Assembly Member Nily Rozic, New York State Assembly Member Jo Anne Simon, New York State Assembly Member Matthew Titone, New York State Assembly Member Clyde Vanel, New York State Assembly Member Helen E. Weinstein, New York State Assembly Member David I. Weprin, New York State Assembly Member Tremaine S. Wright, New York State Senator Joseph P. Addabbo, Jr., New York State Senator Leroy G. Comrie, Jr., New York State Senator Simcha Felder, New York State Senator Velmanette Montgomery, New York State Senator Kevin Parker, New York State Senator Toby Ann Stavisky, New York City Council Member Adrienne E. Adams, New York City Council Member Joseph C. Borelli, New York City Council Member Justin Brannan, New York City Council Member Fernando Cabrera, New York City Council Member Margaret Chin, New York City Council Member Andrew Cohen, New York City Council Member Costa Constantinides, New York City Council Member Robert E. Cornegy, Jr., New York City Council Member Chaim M. Deutsch, New York City Council, Member Ruben Diaz, Sr., New York City Council Member Rafael L. Espinal, Jr., New York City Council Member Mathieu Eugene, New York City Council Member Vanessa L. Gibson, New York City Council Member Mark

Gjonaj, New York City Council Member Barry Grodenchik, New York City Council Member Robert Holden, New York City Council Member Ben Kallos, New York City Council Member Andy L. King, New York City Council Member Peter Koo, New York City Council Member Brad Lander, New York City Council Member Stephen T. Levin, New York City Council Member Mark Levine, New York City Council Member Alan N. Maisel, New York City Council Member Steven Matteo, New York City Council Member Carlos Menchaca, New York City Council Member I. Daneek Miller, New York City Council Member Francisco Moya, New York City Council Member Keith Powers, New York City Council Member Antonio Reynoso, New York City Council Member Donovan J. Richards, New York City Council Member Carlina Rivera, New York City Council Member Ydanis Rodriguez, New York City Council Member Helen Rosenthal, New York City Council Member Rafael Salamanca, Jr., New York City Council Member Mark Treyger, New York City Council Member Ritchie J. Torres, New York City Council Member Eric A. Ulrich, New York City Council Member Paul Vallone, New York City Council Member Jimmy Van Bramer, New York City Council Member Jumaane D. Williams, New York City Council Member Kalman Yeger, New York City Department of Veterans Affairs, New York City Department of Health & Mental Hygiene, *VA New York Harbor Health Care System, Military Veterans of America, National Association of Invalids and Veterans of World War II, Black Veterans for Social Justice, New York State Veteran Chamber of Commerce, 715 Veterans Association, and Veterans from World War II from Queens with The New York Association of Jews from Former Soviet Union.*

In 2018, OATH continued providing communities the *Commissioner's Community Roundtable (Roundtable)*, which is a speaking series where the Commissioner and groups of community leaders discuss OATH, what someone can do when they

receive a summons, and the resources that are available to them at OATH. The *Roundtables* were held in each of the 5 boroughs during 2018 and included co-sponsors New York State Assistant Speaker Felix Ortiz, New York State Assembly Member Michael Cusick, New York State Assembly Member David Weprin, New York City Council Member Robert E. Cornegy, Jr., New York City Council Member Helen Rosenthal, Council Member Barry Grodenchik, and New York City Council Member Alan Maisel. OATH looks forward to conducting more *Roundtables* throughout the city during 2019.

Following the successful public response to its inaugural 2017 summer session, OATH kicked off the second season for summer outreach initiatives that included *O outreach At The Beach*^H and *SchoOl At THE Pool*. OATH conducted outreach at locations where large numbers of individuals, especially young adults, congregate for recreation, and distributed information pamphlets in order to educate them on what to do if they receive a summons and what kinds of summonses can be issued by the Police Department pursuant to the CJRA. OATH *O outreach At The Beach*^H events took place at beaches throughout the city including Rockaway Beach in Queens, Orchard Beach in the Bronx¹³, Coney Island Beach in Brooklyn, and South Beach in Staten Island. OATH *SchoOl At THE Pool* events took place at public pools, and were co-sponsored by New York City Council Member Carlina Rivera¹⁴ at Dry Dock Playground Pool in Manhattan, New York State Assistant Speaker Felix Ortiz at Sunset Park Pool in Brooklyn, and New York City Council Member Andy King at Haffen Park Pool in the Bronx. OATH looks forward to continuing its summer outreach initiatives for 2019.

¹³ [Orchard Beach Oath Outreach](#), BronxNet, August 23, 2018

¹⁴ [Swimming Lesson: How to Fight Summertime Summonses](#), The Lo-Down, July 12, 2018

OATH recognizes the significant role faith-based community organizations have in providing assistance and support for the many diverse communities throughout the City. In 2018, OATH launched, *FAirness In Trials & Hearings or FAITH*, a new outreach initiative with a focus on providing education about OATH and how to navigate the administrative law process after a summons is issued by an enforcement agency, and the resources available to the members of these faith-based organizations when seeking to fight a summons. *FAITH* kicked off earlier this year with a presentation made to the *New York Hispanic Clergy Organization*. OATH plans on bringing *FAITH* to faith-based community organizations throughout the 5 boroughs during the upcoming year.

Through *Inforumation*, OATH participated and provided information to the public at external events and forums sponsored by an array of government leaders and agencies as well as community organizations throughout the 5 boroughs. In 2018, OATH shared information and distributed materials at the following events: Small Business Resource Fairs organized by the Department of Small Business Services in all five boroughs; Woodhaven Compliance Workshop for Businesses hosted by US Congresswoman Nydia Velazquez; Food Safety Workshops for Restaurant Owners organized by the Department of Health & Mental Hygiene in all five boroughs; District 35 Community Conversations series organized by New York City Council Member Laurie Cumbo; Annual NYC Agency Forum for Houses of Worship organized by Brooklyn Borough President Eric L. Adams; Small Business Town Hall sponsored by New York State Assembly Member Michael Miller; State Fair sponsored by New York State Assembly Member Catherine Nolan; New York City Department of Health & Mental Hygiene Summit on Faith Based Initiatives; Third Party Transfer (TPT) Town Hall sponsored by New York City Council Member Robert E. Cornegy, Jr.; Queens Expo sponsored by the *Queens Chamber*

of Commerce; SIEDC Expo 2018 sponsored by the *Staten Island Economic Development Corporation*; New York City Council Member Andy King's Out of the Pool Back to School; and *P.A. 'L.A.N.T.E. Harlem's* Demystifying Housing 2018 Conference. OATH will continue to participate and educate the public at upcoming external events and forums throughout the city through *Inforumation*.

VI. Center for Creative Conflict Resolution

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

As of 2018, the *Center* offers the following services: mediation, conflict coaching, conflict consultation, group processes like group facilitation, restorative practices, dispute system design services, and training and education. These services are available for employees of all City agencies at any level. The *Center* has received referrals or requests for assistance from 38 agencies and organizations, including the Administration for Children's Services, *Black Veterans for Social Justice*, Board of Correction, Bronx District Attorney's Office, *Brooklyn Bridge Park Corp.*, City Commission on Human Rights, City University of New York,

Department of Consumer Affairs, Department of Citywide Administrative Services, Department of Cultural Affairs, Department of Environmental Protection, Department for the Aging, Department of Buildings, Department of Correction, Department of Health and Mental Hygiene, Department of Information Technology and Telecommunications, Department of Transportation, Department of Parks and Recreation, Department of Sanitation, Department of Veterans Services, NYC Fire Department, Department of Housing Preservation and Development, Department of Social Services-Human Resources Administration, Kings County Public Administrator, *Lennox Hill Neighborhood House*, Local 371, NYC Mayor's Office, Mayor's Office for Immigrant Affairs, NY County Public Administrator, NYC Criminal Justice Agency, NYC Health + Hospitals, NYC Law Department, NYC Mayor's Office of Housing Recovery Operations, NYC Service, NYC Police Department, Office of Administrative Trials and Hearings, Parks Capital Projects, and the *RiseBoro Community Partnership*.

With regard to mediation, in 2018, the *Center* received 76 mediation referrals from 14 agencies and conducted a total of 49 mediations, 88% of which resulted in a mutual and voluntary agreement. Additionally, the *Center* surveys indicated that 87% of participants agreed or strongly agreed that mediation was a better way of handling their conflict than more formal procedures. And 95% agreed or strongly agreed they were satisfied with the mediation process. City employees interested in participating in the program can request mediation at the *Center* through a number of avenues including contacting their Equal Employment Opportunity officer or Human Resources personnel.

The request for Conflict Coaching services increased dramatically (70%) in 2018. The *Center* provided 78 Conflict Coaching Sessions with individuals from 12 agencies, including executive and managerial level employees. The *Center* has

developed a survey to measure the satisfaction of coaching services. In 2018, 100% of participants expressed satisfaction with coaching services and 95% said they would use coaching again.

Also in 2018, the *Center* provided 68 conflict consultations for key agency personnel responsible for managing conflict and for agency training coordinators from 31 agencies. In the area of Group Work during 2018 the *Center* managed 15 large work unit conflicts, rendered 25 Group Work sessions including the Circle Process and Group Facilitation, referred by 11 different City agencies. The *Center* applies restorative practices that include the Circle Process in its group work. The *Center* also led one major Dispute System Design Project in 2018, working collaboratively over many months with leadership from DOHMH to help it develop and launch an internal dispute resolution system that is closely partnered with the *Center*.

Training for City agencies and employees around conflict resolution topics and skills is always in high demand. In 2018, the *Center* led 25 training sessions for 11 City agencies and entities, training over 650 City employees in conflict resolution skills. Training surveys in 2018 revealed that 99% of participants rated the training overall as good or excellent.

Recognition of the *Center's* value as a City government conflict resource continues to grow, along with its visibility in the community. The *Center* is co-sponsoring a quarterly Citywide Roundtable on Restorative Approaches to foster cooperation, connection, and community throughout the five boroughs. The first Roundtable attracted almost 200 participants from all sectors. The *Center* led a panel on Restorative Practices in the Workplace at the *Annual Conference of the Association for Conflict Resolution of Greater New York at New York Law School*, in June of

2018, and a panel entitled “*Restorative Justice -- What It Is, and What It Means for Our Youth and Communities*” at the *SAJ Synagogue* in Manhattan in May of 2018. The *Center* also led multiple conflict resolution workshops at the *Annual Delegate Conference for DC 37 SEU Local 371* in November 2018. The *Center* regularly hosts high school peer mediation groups from New York City Public High Schools for conflict workshops and discussions. The *Center* has even attracted international attention and inquiries. During 2018, the *Center* hosted visits from academics and government officials from China, South Korea, Spain, Brazil and the Czech Republic.

Finally, the *Center* is providing *Restorative Circles* as a community service option for residents who appear before OATH in response to summonses issuance pursuant the CJRA. The goal for this new initiative is to provide residents the opportunity to develop a greater understanding of their responsibilities as a community member and to change their thinking about their relationship with government.

As the *Center* continues to demonstrate its value as a citywide resource, the demand for its services will continue to increase. The goal is to expand the *Center* to meet that demand, as well as to make its services accessible beyond the government workplace to include City government and its interactions with the public and communities it serves.

VII. Headcount

The agency's headcount remains at 315 employees in Fiscal Year 2020 preliminary budget. This does not include a roster of 361 which comprises (*per diem*) attorneys who function as our hearing officers at the Hearings Division.

VIII. Revenue

OATH adjudicates summonses alleging violations that exclusively carry civil penalties. Cases adjudicated before OATH hearing officers provide the parties the opportunity to present factual evidence supporting their respective positions with regard to the allegations made by enforcement agencies. Summonses issued by enforcement agencies can result in monetary penalties mandated by applicable laws or rules. The rules or governing laws of enforcement agencies that issue the summonses establish the amount of these fines and penalties. OATH's role is restricted to adjudicating cases and providing a fair and impartial adjudication. Moreover, OATH's dismissal rate after a hearing is approximately 47.3%. OATH affords businesses and residents the opportunity to fight *City Hall*. It should be noted that approximately 31.8% of the total number of summonses issued by enforcement agencies are admitted by the respondent and paid without a hearing taking place. Revenue collection and enforcement issues subsequently arise after a decision. OATH has no role to play. The expected revenue for fiscal year 2020 from the payment of these fines post adjudication is \$141.8 million. Certain OATH hearing decisions can be docketed to become a civil court judgment. However, the process for collection of the penalties adjudicated by OATH is conducted and enforced by the Department of Finance and the Law Department.

IX. Budget

OATH's total Preliminary Budget for Fiscal Year 2020 is \$52.4 million which represents an increase of \$1.5 million from the current Fiscal Year's budget for collective bargaining increases. Of the \$52.4 million, \$38.1 million is PS and \$14.3 million is OTPS

Conclusion

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

FY 2020 Preliminary Budget Testimony
New York City Council
Committee on Governmental Operations

Testimony by Lisette Camilo
Commissioner, Department of Citywide Administrative Services
March 12, 2019

Good morning, I'm Lisette Camilo, Commissioner of the New York City Department of Citywide Administrative Services. I am joined by Richard Badillo, Deputy Commissioner for Fiscal and Business Management and other members of my senior team.

Thank you, Chairman Cabrera and distinguished members of the Committee on Governmental Operations, for inviting me to discuss DCAS's preliminary budget for Fiscal Year 2020.

At DCAS, we are customer-focused and service-driven. Our mission is to provide value-added and effective shared services to support the operations of New York City government. This work is animated by three core values: equity, effectiveness, and sustainability.

Equity: Ensuring that City government leads the way on having a diverse and inclusive workplace, and providing all New Yorkers with an opportunity to get ahead.

Effectiveness: Leveraging our expertise to connect customers with the resources and services they need.

Sustainability: Mobilizing our resources to problem-solve at scale to support the New York City of tomorrow.

I'm proud of our agency's work and how it reflects our core values.

- DCAS now has Civil Service testing centers in *all five boroughs*, making Civil Service exams more accessible to *all* New Yorkers. Over the last year and a half alone, we opened *three new centers*. Prior to the opening of these centers, people in the Bronx, for example, had to travel all the way to Lower Manhattan or Downtown Brooklyn to take Civil Service exams. Opening these centers has removed a barrier to stable, long term employment opportunities in City government.
- In DCAS's role managing Citywide procurement, we recognize that City contractors should reflect the talents and diversity of all New Yorkers. That is why, over the last fiscal year, DCAS participated in 34 M/WBE contracting events and hosted bi-monthly sessions with M/WBE vendors to discuss procurement opportunities. This work is yielding real results. Between Fiscal Year 2017 and Fiscal Year 2018, we increased contract awards to M/WBEs by 26 percent.
- In *less than one year*, DCAS has deployed sexual harassment prevention training to over *329,000 City employees*. This was one of the largest and fastest deployments we have ever had for a

training and sends a clear message that the City of New York will not accept *any* form of workplace harassment or discrimination.

- In close partnership with the council and State lawmakers, over the last two years DCAS has reduced the number of provisional employees from 23,296 to 16,420. This is an historic low and it was made possible by administering a record-high number of Civil Service exams. Last fiscal year we administered 274 exams, more than any other year on record.
- Since Mayor Bill de Blasio took office in 2014, DCAS has increased the amount of solar power it generates on City properties *more than ten-fold*. This demonstrates real leadership at a time when Washington is turning its back on climate change.
- During the last fiscal year, the City's light duty vehicle fleet achieved an historic milestone: vehicles we purchased averaged an *over 100 miles per gallon fuel economy equivalent*. You heard that right: 100 miles per gallon. The expansion of our use of electric vehicles and hybrids has resulted in less fuel being used per mile driven. In contrast, the Trump administration is rolling-back federal fuel economy standards that were set at 54 miles per gallon.
- And, since fiscal year 2014, DCAS has completed energy efficiency projects in *over 1,000 locations*, which have avoided what would

have been an additional \$60 million in energy costs. This energy reduction is equivalent to taking over *31,000 cars off of our streets*.

This is just a small snapshot of the work we do and the unprecedented progress our agency has made. It's a testament to the dedication of our over 2,400 employees. They embody our commitment to providing outstanding customer service so that City government can best serve *all* New Yorkers.

I am here today to discuss how we plan to build upon this success. A budget is one of the clearest ways to show your true priorities, and the investments we are proposing will help keep DCAS headed in the right direction. While a budget is built on *numbers*, it's animated by *people* and a mission to improve lives and make New York City the fairest big city in America.

The majority of DCAS's expenses cover utility costs for City agencies. Out of the \$1.2 billion budget, \$725 million is allocated for heat, light, and power. These are fixed costs based on forecasted energy usage and utility rates. The *good news* is that DCAS has helped City agencies become more energy efficient and is generating an all-time-high amount of green energy on City properties.

The second largest expense is the salaries of our over 2,400 employees. These are the highly-skilled and dedicated men and

women who make sure we can adequately provide for government operations.

In the Fiscal Year 20 preliminary budget, DCAS received expense funding to enhance its services through joint efforts with other City agencies. Two of these initiatives relate to our management of the City's vehicle fleet. In total, DCAS received \$887,000 in Fiscal Year 2020 for fleet-related investments.

- This includes \$625,000 for a Vision Zero initiative that helps protect pedestrians and cyclists. By installing sideguards on City trucks, in the event of a side-impact collision, this safety equipment can help prevent pedestrians and vehicles from sliding underneath trucks.
- The other major component of the fleet initiatives funding is \$262,000 to support electric vehicle chargers. The City of New York has the single largest fleet of electric vehicles in the country, with over 1,750 on-road electric vehicles in operation. To support and expand its growth, we need to invest in additional electric vehicle charging capacity.

Next, I'd like to discuss **agency efficiency initiatives**.

As requested by OMB, DCAS has identified savings in areas that will not adversely affect the agency's delivery of core services. These efficiency initiatives include:

- Elimination of Vacant Positions: To help cut costs, DCAS will eliminate 24 vacant positions, generating an annual savings of \$2 million.
- Reimbursement from the New York State Office of Court Administration: The New York State OCA recently opened a Court Officer Training Academy this past December and requested that DCAS to perform the cleaning and maintenance of this facility. OCA is reimbursing DCAS for all cleaning and maintenance of this facility, as well as fringe benefits and overhead expenses. DCAS projects reimbursement of approximately \$660,000 of the expenses to be incurred at the training academy.

This is in addition to the millions of dollars we have helped other agencies save through our partnership with OMB on Citywide savings initiatives. Such savings include Citywide fleet management, office and warehouse space management, and recovering overpayments by agencies to private landlords. The fiscal year 2020 preliminary budget reflects that DCAS will recover \$3 million alone from auditing lease payments issued to landlords by City agencies.

In terms of **revenue**, the Fiscal Year 2020 revenue budget is \$64.3 million, primarily due to three factors:

- One: A projected \$43.1 million in private rentals of City-owned property, DCAS's largest source of recurring revenue.
- Two: \$8.9 million for the sale of surplus vehicles and other City-owned equipment.
- And, three: \$3.8 million from applicant filing fees for Civil Service examinations.

For our **capital plan**, the preliminary budget reflects an updated four-year plan of \$2.6 billion from Fiscal Year 2020 through Fiscal Year 2023. This plan includes maintenance and enhancements to DCAS facilities, obtaining leased spaces, and continuing our energy conservation work. The Executive Capital Budget for Fiscal Year 2020 is \$771.6 million and will allow us to complete three core initiatives:

- One: DCAS's capital construction program for City-owned offices and court buildings totals \$455 million in Fiscal Year 2020. While this includes the routine operations and maintenance of our buildings, it's also part of a broader focus on helping agencies more efficiently use office space in our municipal buildings.

- Two: The capital plan for Fiscal Year 2020 includes \$254.2 million for energy conservation and green energy projects. This includes lighting retrofits, HVAC upgrades, steam distribution improvements, and clean energy projects like solar PV, solar-thermal, and co-generation.
- And, three: \$10.8 million has been allocated to install 100 fast electric vehicle chargers. These chargers will speed up the charging process, keeping vehicles on the streets serving New Yorkers and not docked at an outlet.

DCAS has a clear vision for how it will continue to provide effective shared services to support the operations of City government. Under the leadership of Mayor Bill de Blasio, and with the dedication of our entire DCAS team, we have made enormous strides in advancing our mission and doing so with a clear focus on equity, effectiveness, and sustainability.

But our work is also an extension of our partnership with the City Council. As the elected leaders of communities across our great city, *your* insight, *your* ideas, and *your* support are critical. We want to make sure the work we do supports all City agencies so that they can best serve your constituents and all New Yorkers.

Thank you for the opportunity to testify about DCAS's preliminary budget. I would be happy to answer any questions.

New York City Council

Committee on Governmental Operations

Council Member Fernando Cabrera, Chair

March 12th, 2019

Re: FY 2020 Community Board Budgets

Good Afternoon Chairman Cabrera and Members of the Committee on Governmental Operations,

My name is Anna Sampson and I am a junior at New York University studying Sustainable Urbanism and am an intern at the Bronx Community Board 6. I am here to request that funding be baselined in the City's FY 2020 budget so that students like myself can benefit from local government internships.

This paid internship was made possible due to the board receiving extra funding, and has allowed me to gain real-world experience in local government and make an impact in a community. I have learned about the city budget process by working on the board's Letter of Comment, learned about real estate development by meeting with developers, met with an elected official, and am now testifying before the Governmental Operations Committee of the NYC Council. This opportunity has helped confirm my interest in pursuing urban planning and provides a key foundation for my career path. Thus, this internship has had a large impact on me and more students like myself should be able to have this experience as well.

In addition to career experience, my internship at the board has also provided me with the opportunity to serve a community. I am currently helping to plan the board's first 5k event set to

take place in Tremont Park this May, and proceeds will go directly to a charity for Lupus research. I have gained insight and experience into how the local government serves its residents. Many students are looking for an experience to serve a community without having to sacrifice financial stability.

Local government internships are usually unpaid, depriving students from valuable learning experiences that they often pass up for opportunities in the private sector instead. These internships typically lead to jobs and careers, further redirecting students from the local government field. Paid local government internships allow students to take their first steps in local government which provides the initial experience and confidence needed for students to continue to pursue governmental careers. These paid internships function as an investment because they attract students, teach students, and encourage these students to enter careers in local government, thus strengthening the local government.

I have benefited greatly from my internship experience, and plan on continuing my education in graduate school for urban planning so that I can pursue this career path. I hope to see many more students benefit from this valuable experience as well.

Thank you for your time and consideration.

**Statement by Corporation Counsel Zachary W. Carter to the City Council
in Connection with the Preliminary Budget for Fiscal Year 2020**

March 12, 2019

Good morning, Chair Cabrera and distinguished Members of the Government Operations Committee. It is a pleasure to come before you to discuss the Law Department's fiscal year 2020 Preliminary Budget.

As the Corporation Counsel, I have been engaged with Law Department staff on numerous matters with enormous liability, policy and operational implications for the City and its constituent agencies. Our attorneys work across a variety of areas critical to the City. They advance important City policy initiatives, such as those concerning immigration, homelessness and affordable housing. They work on public safety, quality of life issues, and the City's contractual relationships with various service providers. Still others raise important issues concerning access to services. On every occasion, I have never failed to be impressed by the professionalism, hard work, depth of knowledge, expertise and dedication of our lawyers and the extraordinary staff that supports them.

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

The Corporation Counsel is the attorney for the City and its agencies and has responsibility for all litigation and other legal matters involving the City. The Department currently has on board approximately 946 attorneys and 759 professional support staff. Let me add that of our attorneys, approximately 29% are ethnically diverse and 58% percent are women. Indeed, of the department's sixteen legal divisions, ten are headed by women - which makes the Department a leader in the legal profession.

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

The Law Department's Division of Legal Counsel works collaboratively with the City Council, the Mayor's Office and the City's agencies on crafting local laws to benefit the City and its residents. A total of 223 local laws were adopted in calendar year 2018, and nearly 50 have already been enacted this calendar year.

In March 2018, our Office created the Strategic Advocacy Initiative (the "Initiative") to expand the Law Department's pursuit of impact litigation and strategic advocacy. Impact litigation/strategic advocacy is the strategic process of selecting and pursuing legal actions to achieve far-reaching and lasting effects beyond the particular case involved. Strategic impact advocacy combines legal, political, and non-litigation tactics such as engagement with City

agencies, advocacy organizations, other municipalities, State Attorneys General Offices, law firms and academic institutions to protect the City's interests.

Since the Initiative was announced, we have commenced litigation challenging two Trump Administration initiatives that harm the City: the Department of Justice's new requirement that the City certify compliance with immigration enforcement conditions in order to receive a Byrne/JAG grant that the City has received to fund law enforcement initiatives since the program's inception; and the Secretary of Commerce's decision to add a citizenship question to the 2020 decennial census. In both cases, the City, along with partners in the State Attorney General's office and in other states and cities, was successful at the trial court level.

The work of the Law Department protects the City's fisc by a variety of means. Our Commercial and Real Estate Litigation Division defends the City in a wide range of contractual disputes ranging from contracts with private companies to build or repair the City's infrastructure, to leases of important public properties, to contracts for all types of goods and services. Because the claims largely are based upon pre-existing agreements, the amounts at issue present a particular risk to the City. However, in FY18, the Division resolved \$103 Million Dollars in claims for \$18 Million Dollars, resulting in an \$85 Million Dollar savings. Similarly, our Tax & Bankruptcy Division's defense of real property tax assessments protected \$137 Million in property tax receipts in FY18.

As the presentment agency in all juvenile delinquency cases filed in the City's Family Courts, our Family Court Division endeavors to achieve dispositions that serve the needs of each individual youth brought before the court while at the same time protecting the interests of individual crime victims and ensuring the safety of the community at large. Last year, the Division's Juvenile Delinquency Prosecution Unit handled approximately 2,830 new juvenile delinquency referrals. As you are aware, the first phase of New York State's Raise the Age legislation went into effect on October 1, 2018, which extended jurisdiction of the Family Court in Juvenile Delinquency cases to cover 16 year olds in this initial phase and with 17 year olds to be covered beginning on October 1st of this year. As the policy has been implemented, the volume of Raise the Age cases has steadily increased each month since October 1. As you know, misdemeanor cases come directly to the Family Court and get referred to us by the Department of Probation if they make a determination not to adjust (divert) the case. Felony cases originate in the Youth Part (or in the evenings in Criminal Court arraignment before an Accessible Magistrate) and may get transferred to Family Court. From Oct 1st to Dec 31st, 63% of those cases were transferred to Family Court. Our volume is dependent on many factors, including juvenile delinquency offense rates, arrest decisions, Probation's adjustment rate, and the Youth Part transfer rate.

The percentage of referrals for 16-year-old youth from October 1, 2018 through January 31, 2019 has steadily increased; starting with 30% of all youth in October, 33% in November, 35% in December and 38 % in January 2019. January 2019 showed a marked increase in the number of referrals and exceeds the number of referrals in any month of CY 2018. We are keeping a close eye on these trends as we prepare for the transition of 17-year old youth into the Family Court as of October 1, 2019. From October 1, 2018 through December 3, 2018 the number of arrests for 17 year old youth constitutes 62% of the total arrests for 16 and 17 year-olds, thus we are anticipating a larger number of referrals in phase 2.

The mandate for after-hours processing of youth who are detained upon arrest requires coverage by our staff of attorneys and support professionals 7 days a week, 365 days a year. This night court requirement is new and not fully anticipated, but the Law Department has allocated coverage of these staffing obligations from existing Raise the Age resources.

Finally, attorneys have been designated on a daily rotation to cover the Youth Part. This rotation allows for us to conference the matters with the District Attorneys' Offices to facilitate an efficient removal process. Our participation in the Youth Part permits us to request promptly a temporary order of protection on behalf of the victim in the case.

The volume of civil litigation matters pending against the City presents a substantial challenge. The Tort Division alone defends more than 22,000 cases currently pending against the City, its agencies and employees. With Council's assistance, the Law Department has increased staffing in the Brooklyn and Bronx offices of the Tort Division to improve case handling and case outcomes – staffing sufficient to improve early case assessment, discovery, and strategic judgments, better enabling successful motion and trial outcomes, as well as early settlements on terms favorable to the City. Since the beginning of this initiative in FY17, incoming cases have remained below the prior annual rate of more than 7,500 new tort actions, for an estimated savings of more than \$100 Million Dollars based on historic settlement trends.

This approach to Tort litigation is similar to the program begun to address federal civil rights cases in FY12, which has resulted in a significant decrease in filings as well as a substantial increase of cases concluded at trial. While the City is a party in only seven percent of new federal civil filings, our Special Federal Litigation Division participates in approximately twenty-two percent of all federal civil trials in New York City, with 43 jury trials and a win rate of eighty-eight percent in FY18 alone.

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



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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

**New York City Council Budget and Oversight Hearings on The Fiscal Year 2020 Preliminary Budget
March 12, 2019**

Community Boards are the City's biggest bang for the buck. Our very small offices and 50 volunteers both partner with City agencies to help best navigate community needs and provide a structure for the community to participate in planning for their community.

Our current budget without the one-shot increase are not enough to serve our communities properly. It was easier during the economic downturn when there was little construction or development or new initiatives—but we cannot operate on the same budget in the current climate. The Community Board must outreach and inform communities, we must respond to DEIS's and other technical reports with technical responses. We must do research to protect and to plan. We must have both expertise and electronic tools.

This year we responded to the Two Bridges EIS, The Manhattan Detention Center draft scope and will be responding to the ULURP action, we have two major resiliency projects, the L train Shut down, we are responding to the loss of services in the MSBI "transformation," we are planning a special district in one section of the District to try to support small businesses and prevent increasing vacant storefronts. We are also about to activate a Chinatown Neighborhood Planning Taskforce and we are interviewing planning facilitators as this expertise is not provided by the City. When a staff member was out on medical leave for several months, we were able to hire part time help to cover administrative duties.

The charter provides for urban planning expertise for community boards but does not fund it. I have hired an Urban Planner with a masters as my ADM—His salary is higher than would be for an ADM not a planner—but not enough to keep him for any length of time. Having a planner has added great value to the board but because much time is now spent on planning—we really need more staff for the increased every day operations in the office.

Community Board responsibilities are incredibly important and this all translates into CBs needing an increase over the base lined budget—but it needs to be based lined so that we can hire and pay proper salaries and be able to plan responsibly.



CITY OF NEW YORK

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Burt Lazarin
Chair

Jesse R. Bodine
District Manager

**Testimony before Committee on Government Relations
Tuesday, March 12, 2019
FY20 Preliminary Budget Hearing**

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

First, CB4 would like to thank Chair Cabrera and Speaker Johnson for the increase in the OTPS budget for Fiscal Year 2019. However, the administration's choice not to baseline any portion of the increased OTPS funding the City Council provided in FY19 is concerning and displays the administration's lack of priority when it comes to Community Boards.

Similar to many Community Boards, CB4 finds itself in a reactionary position to the varying issues impacting the neighborhoods it represents. The increase in the OTPS budget allows CB4 to transition away from simple reactionary responses to re-zoning proposals towards a proactive approach to ongoing challenges, such as gentrification and quality of life issues. I will provide two examples.

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

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

To be clear, the decision not to baseline the current OTPS funding will result in Community Boards not being able to plan strategically for the future and limit their ability to be proactive in meeting their Charter Mandated responsibilities.

MANHATTAN COMMUNITY BOARD FIVE

Vikki Barbero, Chair

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Wally Rubin, District Manager

TESTIMONY BEFORE THE CITY COUNCIL BUDGET HEARINGS, MARCH 12, 2019

Good afternoon and thank you for allowing us this opportunity to say a few words about our budget.

I am Wally Rubin, the District Manager of Community Board Five in Manhattan. Manhattan Community Board Five was mapped to represent the city's central business district. Within our boundaries are ten business improvement districts. We have Times Square, Central Park South, East Midtown, Herald Square, both of our city's, and our nation's, greatest transit hubs (Grand Central Station and Penn Station), Bryant Park, Union Square, the Diamond District, the Garment District, and Rockefeller Center, just to name a few.

We have super-tall towers popping up like weeds throughout our district. In just the last few weeks we have had meetings with developers from JP Morgan Chase to Harry Macklowe to TF Cornerstone who have come to us with their freshly-laid plans.

Yet, with our miniscule budget barely enough to pay for three full time employees, we are unable to hire even a single land use or planning expert to help us navigate this difficult terrain.

Our members, as you know, are all volunteers, without the time, skill or background even remotely comparable to that of the big shot corporate lawyers and architects who come and present their ever more extravagant plans to us.

We don't expect a completely level playing field, but we would like, with Spring arriving, to at least be able to have a chance at getting on first base. One hit might be nice.

And that's where you come in. While we are grateful for the one-time allotment that was given to us in the current fiscal year, only if the money is base-lined will we be able to put these resources to best use.

We hope you will consider our plea, and thank you for your time.



ERIC ADAMS
BOROUGH PRESIDENT

THERESA SCAVO
CHAIRPERSON

OFFICERS
RONALD TAWIL
FIRST VICE-CHAIRPERSON
RAISA CHERNINA
SECOND VICE-CHAIRPERSON
JACK ERDOS, ESQ.
TREASURER
ALLEN POPPER, ESQ.
SECRETARY

The City of New York
Brooklyn Community Board 15



BILL DE BLASIO
MAYOR

LAURA SINGER
DISTRICT MANAGER

*Testimony for Preliminary
Budget Hearing for Community Boards
March 12, 2019 at 2:00PM City Hall Committee
Room*

**The Importance of Baseline Funding for
Community Boards**

The CB15 District Office has two primary functions - to process citizen complaints and requests for services, and to share the community's point of view on matters before us, by offering recommendations on new proposals, zoning, land use, permits and policies, along with our Elected Officials.

The District Office is usually the first place the community reaches out towards to address a community issue. In addition, we process Street Activity Permits for block parties / street closures,

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Brooklyn Community Board 15

requests for tree plantings, public trash receptacles and monitor the delivery of municipal services. Overall, we act as a “one stop shopping” point for information and referrals pertaining to all City Government matters.

Just about any complaint that involves a municipal service can be called in to the District Office. We serve as a conduit to enhance the quality of life for our community residents.

Yet we operate on a very low budget, are often understaffed, with many offices working with maybe 2-3 full-time staff members. Our districts are large and our aging infrastructure needs a lot of repairs, so we serve a vital role in alerting the proper agencies as to what areas in our district need immediate attention.

Our office allows our community members to have a voice. We work diligently to make sure their issues are

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addressed, and by the proper agency, and in a timely fashion. To achieve this with limited manpower and on equipment that is not up to today's technical standards doesn't seem fair.

We don't have the proper funding to purchase a system to help us track complaint calls, many of us are still using excel spread sheets and paper complaint forms. Our offices are a throwback to yesteryear---yet we have to perform in a City that functions on high speed internet, email, whiteboard presentations, social media, digital recording, digitized documents, electronic calendaring and live streaming, nearly all of which have far exceeded what our budgets will allow us to do.

It is my understanding Brooklyn Community Boards were the last to tackle and take on their own bookkeeping, effective immediately, a

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task which was previously performed with the aid of our Brooklyn Borough President's office. This very detailed task utilizes a very complicated city computerized accounting system, which requires an individual's undivided attention. So our already overtaxed staff will have to take on the daunting task of bookkeeping, while preparing for public meetings and assisting constituents. We don't have the means to hire a person even part-time to handle bookkeeping.

No other government agency would survive working in the stone ages and with limited resources. It is time to bring our Community Boards into the 21st Century. We serve a vital role in the community and deserve to be recognized as an important partner agency within local government. We respectfully request you hear our plea and give us the funding we need to hire additional staff, bring our technologies up to date and

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Brooklyn Community Board 15

overall allow us to better serve our communities.

Investing in our Community Boards is an investment in our communities. You will be assuring that our Board Offices will be able to perform with quality, accessibility and with the proper tools needed to resolve our resident's problems expeditiously.

We are entrusted to service and protect the welfare of our communities.

Allowing us to achieve this with the proper funding is one of the most important things we can do to ensure a brighter future for New York.

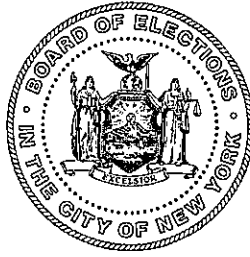
Thank you for your time today.

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OPERATIONS MANAGER

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

Committee on Governmental Operations Council of the City of New York

Fiscal Year 2020 Preliminary Budget

March 12, 2019

Chair Fernando Cabrera and members of the New York City Council's Committee on Governmental Operations, thank you for the opportunity to appear before you on behalf of the Board of Elections in the City of New York (the Board). I am Michael J. Ryan, the Executive Director of the Board.

Joining me here at the table is the Board's Deputy Executive Director, Dawn Sandow.

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

- Pamela Green Perkins, Administrative Manager
- Georgea Kontzamanis, Operations Manager
- General Counsel, Steven H. Richman, Esq.
- Deputy General Counsel, Raphael Savino, Esq.
- Finance Officer, Gerald Sullivan
- Director of Communications and Public Affairs, Valerie Vazquez
- Director of Electronic Voting Systems, John Naudus

Before I begin discussing the Mayor's Preliminary Budget for FY20, I would like to thank the City Council and the Mayor for providing the necessary support to the Board in FY20 to meet its Constitutional and statutory mandates as well as the needs of the voters of the City of New York. I also thank the Mayor for raising pay for all poll workers an additional \$50 per election.

FY20 Overview

In FY20, the Board anticipates conducting three citywide election events including a General Election (November 2019), a Presidential Primary (third or fourth quarter of FY20 depending on the scheduled date) and a Federal and State Office Primary Election (June 2020.)

FY20 Budget Projections

Our projection for FY20 is based upon the Board conducting three city-wide elections, with up-to-date adjustments.

The Board projects an FY20 budget of \$164.5 Million, which is \$66 Million more than the FY20 Departmental Estimate of \$98.5 Million. As is the process with the Mayor's Administration, the Board will work closely with OMB during the intervening weeks. The Board has every expectation that all financial needs will be addressed by the Mayor's Administration and the City Council, upon the completion of the Preliminary Budget Process and as the Executive Budget Process is finalized.

Personal Services

Cyber Security

The issue of cyber security is of paramount importance to the Board as a government agency and as an administrator of elections. The Board works closely with various cyber security professionals from New York City, New York State and the United States governments. In addition, the Board has a cyber security firm that provides 24x7x365 cyber security support. These services are provided under the umbrella of a contract through New York City Cyber Command.

To enhance the efforts already in place, the Board of Elections is requesting a total of twenty-five (25) additional positions for support. Such positions would further fortify the cyber security measures and monitoring of the Management Information Systems (MIS) and the Electronic Voting Systems (EVS) departments. It is of the utmost importance that the Board maintains the most up-to-date physical security of all agency hardware and firewall software at the general office and at each borough office location. The presidential primary elections will occur in New York State during FY20. Additional staff should be in place now to prepare for the anticipated demands of the 2020 presidential election year.

Six (6) positions will be embedded within the EVS and MIS Departments at the General Office operations three (3) Senior Security Analysts/Engineers and three (3) Network Implementation Engineers. Eight (8) EVS positions - one (1) Technical Trainer, 1 (one) Programmer Analyst, and six (6) Computer Operators. The responsibility of the positions will be coordinating with the Board's Senior Management and the agency's EVS/MIS Departments to:

- Identify, support and resolve any and all cyber security issues moving forward.
- Provide assessment support and engineering solutions to ensure the agency's sound network security and design.
- Review, analyze and document the security requirements of applications, systems and networks across their life cycle.
- Research, evaluate, design, test recommend or plan the implementation of new or updated information security hardware and/or software, and analyze its impact on the existing environment.
- Provide technical expertise for the administration of the needed security tools to protect the Agency's internal and external operations and performance in service to its mandate of conducting fair and honest election events.
- Prepare for a system upgrade slated for implementation this year and train staff.
- Ensure the Board meets all deadlines for Early Voting and Election Reform tasks.

Ten (10) positions will be deployed within the five (5) borough offices as supervisors of the newly created Borough Canvassing Units (BCU), dedicated to conducting daily, weekly and routine cyber security checks and recommending necessary upgrades as new technology evolves. All BCU staff will work closely with the EVS team.

A Deputy Director of EVS is required to assist in supporting the EVS Director and additional staff (bringing the total additional required staff to twenty-five (25)).

The Board is requesting annual funding in the amount of \$1,722,740.00 to implement, fortify and maintain the Cyber Security Enhancement initiative.

Election Day Poll Worker Compensation

On October 29, 2018 the Mayor issued an Executive Order increasing the rate of pay for AD/Poll Site Monitors and Election Coordinators from \$300.00/day to \$350.00/day and for Interpreters, Door Clerks, Poll Clerks, Inspectors, Information Clerks and Accessibility Clerks from \$200.00/day to \$250.00/ day. This increase marked the first raise for poll worker compensation since 2001. The feedback from the poll workers has been positive in this regard.

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

The most recent increase in poll worker compensation is a significant step towards adequate poll worker compensation. Given the dramatic changes in the conduct of elections imposed upon the poll workers of the City of New York by federal and state law, the Board has consistently supported an increase of \$100.00/per day to poll workers. As such, the Board requests the Mayor to increase the compensation for all poll workers by an additional \$50.00 for each election event.

The Board asks this Council to work with the Mayor to raise poll worker compensation at an estimated cost of \$5.8 million for FY20.

In addition, the Board respectfully renews its request to implement a municipal workers as poll workers program.

Based on the anticipated three citywide election events, the Board requires \$ 41 million compared to the \$9.9 million FY20 Departmental Estimate. The Board expects to hire 39,000 Election Day workers for each election event.

Other Than Personal Services

The Board's analysis shows that \$75 million is required in the OTPS allocation compared to the \$40.3 million FY20 departmental estimate. With this additional funding, the Board's OTPS budget will be adequately funded to provide for property, equipment, and services such as the mandated Accessibility compliance (all poll site accessibility equipment), necessary support and data service contracts for the Board's voting systems and information technology infrastructure and the Citywide Poll Worker Recruitment Initiative (including website redesign, advertisements and other public information efforts).

Poll Worker Outreach

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

Auditing

The Board is actively exploring the procuring software, equipment and training to allow the Board staff to conduct an automated auditing of DS200 Scanner ballots in compliance with the audit requirements of Section 9-211 (1) of the New York State Election Law. Procuring such an audit tool will expedite the post election certification process and enhance the accurate processing of election results thereby contributing to overall public confidence in the elections process.

Early Voting

Commencing with the General Election to be conducted on November 5, 2019, the Board is required by New York State Law to conduct nine (9) days of early voting for each election event (primary, general and special). There is no exemption for any election event.

The Board is required to maintain one (1) location for early voting for every 50,000 voters. The Board is not required to maintain more than seven (7) early voting locations per county and election; however, the law does not preclude an upward departure from the requirement.

The Board continues to communicate with the New York State Legislature, the New York State Board of Elections and the Administration. Presently, there remain numerous issues that must be resolved prior to a formal request for funding early voting.

The Board is in the process of completing the poll site designation process. The Board was required to complete this process by May 1st annually. A recent change to New York State Election Law (Election Law) mandates the completion of the process by March 15th annually. As such, the timeframe has been reduced by six (6) weeks.

Prior to the passage of early voting designated poll sites were required to be available for voting one (1) day per voting event (with additional time for the delivery and retrieval of equipment). Poll Sites designated for early voting will be required to be available an additional nine (9) days for early voting for each election event. This may result in approximately 20 to 40 days per year depending upon the election schedule.

The Board is in the process of evaluating the needs for additional staffing (full-time and poll worker). The precise costs have not been determined and will be calculated, in part, based upon the number of early voting sites determined appropriate by the Board of Commissioners. The addition of full-time staff will result in increased costs for salary and additional office space. The addition of poll workers will result in additional costs for poll worker salary.

There remain outstanding issues preventing completion of this analysis that require guidance from the New York State Board of elections and/or further action by the New York State Legislature. The Board is in the process of finalizing various plans in accordance what may be permissible by New York State law or rule.

The Board remains awaiting a determination from the New York State Board of Elections whether a ballot on demand system may be used to provide ballots to those casting a ballot at an early voting location. If ballot on demand is not permitted, the Board will be required to purchase and deliver over 4,000 ballot styles to the early voting locations. Such ballots are considered "live" and will require additional security measures at the early voting locations to prevent tampering and maintain the integrity of the election. The use and distribution of paper ballots at the early voting locations will be cumbersome and inefficient and will increase the ballot purchasing cost for each election.

The Board has been advised that certification of a new touch screen system (with a paper record) is not expected to be certified in time for use in the November 2019 General Election. As such, it is not presently an option for the Board. Given the timeline set forth, it remains possible that same may be available for acquisition and use after the November 2019 General Election and during the remainder of FY20.

Presently, the use of electronic poll books is permissible in New York State as a pilot program and must be used in conjunction with paper poll books. This is not a viable option for New York City given voter volume. A bill has passed the New York State Senate, but not the Assembly. Without further legislative action the Board cannot move to implement electronic poll books. The availability of electronic poll books would alter Board plans for early voting. Given the possibility of legislative action, the Board is including electronic poll books among the various contingencies.

The New York State budget process has not been finalized. There have been discussions regarding availability of funding for municipalities to implement plans for early voting. Until the state process is completed and the funding issues resolved, the Board cannot advise the New York City Council as to the anticipated costs of early voting.

The costs for early voting will be substantial. The implementation of the early voting process will result in fundamental changes to the conduct of elections. New York City is unique in size and scope and is the only jurisdiction in the country that conducts a five (5) county administration of elections; all other jurisdictions administer elections under the auspices of a single county. Early voting will require substantial planning and coordination of resources among all levels of New York State and Local Government. The Board remains committed to working together in the best interests of the voters of the City of New York.

Conclusion

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

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

NYC Council Preliminary Budget Hearing for Community Boards – March 12, 2019

Brooklyn Community Board 4 Testimony

Good Afternoon, my name is Celestina Leon and I am the district manager of Brooklyn Community Board 4, which covers the neighborhood of Bushwick. As you may be familiar, Bushwick in the past decade, like similar communities of color across the city, has seen an exponential increase in rents, construction, and population density primarily due to gentrification.

The resulting changes often become pressures as opposed to opportunities for our most vulnerable neighbors, friends, and family.

Our office continues to respond and work to resolve these complaints in partnership with our other city agency colleagues and elected officials however, in doing so we also face unnecessary intra-office challenges due to limited technology and capacity to secure additional resources.

The 20th of this month marks two years that I have been working for the community board. In that time, I have found in partnership with our Chairpersons and the larger board that technology and resources to train staff are greatly needed. Technology is now a given foundational component in most offices however, it appears that community boards have been left behind.

On behalf of the board and our office, I would like to thank Council Member Fernando Cabrera for his support of the boards and the efforts to secure the budget increase for fiscal year 2018. We have used those funds to begin filling the gap in technology, including internet upgrades to accommodate a new VoIP phone system and to invest in the creation of a Customer Relationship Management (CRM) software along with other deeply needed communications upgrades. The above measures will have a profound impact on our efficiency as an agency as a whole and ultimately aid us in better serving the entire district.

As always, we still have plenty of work to do to continue building on our foundation. Just as Bushwick slowly rebuilt itself after the Blackout of 1977 and the difficult years that followed to bring us into the present, we are also responsible for vocalizing the needs to help us better serve the families, individuals, and even businesses now threatened with displacement and related hardships.

We respectfully request that the City Council continue to advocate for additional investment in the community boards for us to have the necessary tools to serve our district, including but not limited to an increase in baseline funding for staff and support for technology upgrades.

Thank you for the opportunity to speak. That concludes our testimony.

Good Afternoon Council Members,

My name is William Rivera, I am the District Manager for Bronx Community Board 9, the largest community board in the Bronx, with nearly 200,000 residents, playing a critical role in service delivery. Since I was the Chairperson of our board and now District Manager, we have undertaken a major re-engineering approach to reform our community board, into the 21st century.

Today I came here to drive 2 points, first our community board services a district 3 times larger than some smaller boards, but we all receive the same funding. Our residents have less resources than other community districts, effecting service delivery. Therefore, Boards such as ours need additional funding and resources.

My second point is that we need to increase funding not only for Boards that require more resources, but base line funding.

We received a one-time increase 42, 500 from the City Council for FY2019 and we thank you. We used this funding for upgrades in equipment, better materials and supplies, some much needed community initiatives, better outreach, staff development and most importantly, we built a custom service tracking & management software called Community Board Management System (CBMS), in conjunction with Bronx DMs. We have been building this system since FEB 2018 and it will launch tonight. We are very excited of this project and believe this will transform community board office operations. We will use all the 42,500 allocated and request this be a permanent increase.

Now, I want to note something important, as per the NYC Comptroller's office, last Fiscal year community boards returned nearly 2,000,000. Again nearly 2,000,000. Dollars, out of a budget of 13.8 million for community board operations.

Hearing this number, a lay person may be reluctant, to give increases. But all boards do not operate the same and are not the same size, some require more resources then others, a cookie cutter approach will not work. At least, it is imperative that near the end of the fiscal year Boards that require additional funding or resources such as mine, can request funding from left over funds. Any unused funds at the end of the fiscal year should re-invested into community board and I have several ideas.

Thank You for your time.



WILLIAM RIVERA
District Manager
Bronx CB9
City of New York

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Name: Camacho CBY

Address: _____

I represent: _____

Address: _____

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Date: 3.12.19

(PLEASE PRINT)

Name: Darlene JACKSON

Address: 1000 10th Avenue #40 Bx NY 10019

I represent: District 18

Address: _____

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Name: William RIVERA - District Manager

Address: Brx Community Board 9

I represent: _____

Address: _____

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(PLEASE PRINT)

Name: Celestine Leon

Address: 1420 Bushwick Ave Rm. 370 Brooklyn, NY 11207

I represent: Brooklyn Community Board 4

Address: " "

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(PLEASE PRINT)

Name: Paul A. Philp

Address: 1650 Selwyn Ave

I represent: Community BD 4

Address: _____

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(PLEASE PRINT)

Name: ANGEL MESCAIN

Address: 1664 PARK AVENUE, NY, NY

I represent: Manhattan Community Board 11

Address: 1664 Park Ave, NY, NY

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Name: Tesse Bodine

Address: _____

I represent: CB4

Address: _____

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(PLEASE PRINT)

Name: DALLY RUBIN

Address: _____

I represent: CB5

Address: _____

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Date: 3/12/19

(PLEASE PRINT)

Name: Anna Sampson

Address: _____

I represent: Broad Community Board 6

Address: _____

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(PLEASE PRINT)

Name: John Sanchez

Address: _____

I represent: Bronx Community Board 6

Address: 1932 Arthur Ave Apt 409

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Date: _____

(PLEASE PRINT)

Name: haka Singer

Address: _____

I represent: Brooklyn Community Board 15

Address: _____

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Date: 3/6/2019

(PLEASE PRINT)

Name: Josephine Beckmann

Address: 8119 5 Ave

I represent: CB10 Brooklyn

Address: _____

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(PLEASE PRINT)

Name: Shawn Campbell

Address: 810 E 16 St

I represent: Brooklyn CB 14

Address: 810 E 16 St

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(PLEASE PRINT)

Name: SUSAN STETZER

Address: 59 E 4 St

I represent: CB 3, M

Address: _____

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Date: 3/12/19

(PLEASE PRINT)

Name: LINDA MAY

Address: 14 KINGSTON DR LIVINGSTON NJ

I represent: 0 A 7 H

Address: 100 CHURCH ST N M 10007

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(PLEASE PRINT)

Name: Marisa Senigo

Address: 264 E. Broadway NY, NY

I represent: OATH

Address: 100 Church Street

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Date: _____

(PLEASE PRINT)

Name: JOHN CASTEL

Address: 100 CHURCH STREET

I represent: NYC OFFICE OF ADMINISTRATIVE FRANCHISES & HEARING

Address: _____

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(PLEASE PRINT)

Name: DAVID SANDOW

Address: Deputy Gracie Dubester

I represent: NYC B17 Election

Address: 32 Bly - NY NY 10004

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(PLEASE PRINT)

Name: MICHAEL J. RYAN

Address: Exec Dir.

I represent: N.Y.C. Bl 7 Elect

Address: 32 Blm, M M 10004

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Date: 3/12/19

(PLEASE PRINT)

Name: Georgia Pestam

Address: 1st Asst Corporation Counsel

I represent: NYC Law Dept

Address: 100 Church St

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Date: 3/12/19

(PLEASE PRINT)

Name: Muriel Goode-Tru fant

Address: Managing Attorney

I represent: NYC Law Dept

Address: 100 Church

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(PLEASE PRINT)

Name: Zachary W. Carter

Address: 100 Church St., New York, NY

I represent: Law Dept.

Address: 100 Church

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Date: 3/12/19

(PLEASE PRINT)

Name: Laura Ringelheim

Address: 1 Centre St 20th Fl

I represent: DCAS

Address: 1 Centre St

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(PLEASE PRINT)

Name: Suzanne Lynn

Address: One Centre St

I represent: DCAS

Address: same

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(PLEASE PRINT)

Name: 3000 Dey Street

Address: 1 Centre St.

I represent: NYC

Address: 1 Centre St.

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(PLEASE PRINT)

Name: Melinda Ibarra

Address: 1 Centre Street NYC 10007

I represent: DEPT

Address: _____

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(PLEASE PRINT)

Name: Dawn M. Pinnock

Address: 1 Centre Street

I represent: NYC Dept.

Address: _____

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Name: Keith Herman

Address: DCAS

I represent: Fleet

Address: _____

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(PLEASE PRINT)

Name: LISETE CAMELLO

Address: 1 CENTRE STREET 17TH FLOOR

I represent: DCAS

Address: 1 CENTRE STREET

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(PLEASE PRINT)

Name: RICHARD BASILLO

Address: _____

I represent: DCAS

Address: 1 CENTRE ST NYC

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Name: Anthony J Fiore

Address: _____

I represent: DCAS

Address: _____

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