



MANHATTAN COMMUNITY BOARD FIVE

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DISTRICT NEEDS STATEMENT FISCAL YEAR 2011

INTRODUCTION

Community Board Five represents the heart of Manhattan. Its boundaries are largely from 3rd to 8th Avenues from 14th Street to 59th Street. We encompass the midtown central business district as well as world-class cultural institutions and tourist destinations, retail flagships, major industries, famed districts, and a growing residential population. Taken together, these diverse interests and populations form 24/7 communities that increasingly compete for services and resources. Our complex growth trends present new challenges to all concerned. It is vital that we protect, develop and serve the three main areas of interest in our District: business and retail, residential and tourism. Balancing these needs is a difficult task.

The city's three largest regional transportation hubs -- Grand Central Terminal, Penn Station, and the Port Authority -- are either contained within, or border, our district. This makes our District even more populated as travelers pass through.

Our District is a vibrant center for business and retail. However, the current economic downturn has caused job losses and commercial vacancies in our area and there is increased pressure on businesses operating in their current locations.

In recent years the residential population within CB #5 has grown substantially. Therefore, the city must provide basic services to all of our population -- additional public school capacity, library access, well maintained parks, recreational centers, primary health care centers, senior centers, affordable housing and family assistance. Homelessness is a growing concern in this economic downturn.

Our District is plagued with vehicular and pedestrian congestion daily. Both pedestrian and automobile traffic exceed sidewalk and street capacity. To maintain a reasonable quality of life for our residents, to maintain businesses and a positive impression on visitors, all relevant city services must focus on minimizing this congestion and related negative effects. We support developing a comprehensive surface transportation plan with specific recommendations for the allocation of all street space for the area between 14th Street and 60th Street. The most effective and immediate solutions are simple and practical: improve traffic control, limit emissions from trucks and buses, improve pedestrian flow, and better enforce laws/regulations regarding parking, and street peddling.

While we welcome our District as a nightlife destination, noise is increasingly a problem about which CB5's office receives complaints. While laws have been passed to deal with these issues has helped, additional funding for enforcement is greatly needed.

In recent years, midtown has seen record construction and despite the current economy, we anticipate even more growth as residential and office towers continue to be built on Sixth, Seventh and

Eighth Avenues. We commend current efforts to improve construction safety but also see the need for improving sanitation and pedestrian and traffic flow when new development is underway.

New York City's tourism industry is centered in our district: Times Square (including the theater district and Off Broadway Theatres), the Empire State Building, MoMA, various smaller museums and cultural institutions, destination libraries (the 42nd Street and Morgan Libraries), and several landmark hotels. Our District plays host to restaurants and nightlife as well. In 2007 about 47 million tourists spent about \$29 billion in New York City, generating \$17 billion in wages (source: www.nycvisit.com) in New York City and close to 80 percent of them visited Times Square (source: www.timessquarenyc.org). Tourism has remained steady during this economic downturn. However, it is our goal to ensure that it continues to develop.

Community Board Five recognizes the need for safety and security within our district. We commend the heroic efforts of the Fire and Police Departments in dealing with the countless challenges they face every day. These departments increasingly depend upon additional security cameras and new technology as effective public safety resources and we support efforts to keep these departments the best equipped in the nation.

Please see our specific issues outlined in the following pages.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Noise Code

Noise pollution in our district is a serious problem, ranging from private commercial trash trucks in the early morning to construction noise and the roars of non-muffled motorcycles. CB5 welcomes the new and stronger code provisions regarding permitted noise levels. We urge the Department to engage other relevant city agencies (like DOB for construction-related noise and NYPD for commercial noise) and civic organizations in discussions regarding enforcement issues in the new regulations regarding noise.

All 311 noise complaints should be routed to DEP. A significant increase in the number of inspectors is needed to ensure compliance with noise code. Inspectors are also needed on weekends and evenings to address complaints.

Air Quality

We applaud the new regulations regarding active vehicle idling. It is important to follow through with enforcement.

Maintenance

Our underground infrastructure is under constant pressure from street activity and construction. Ongoing maintenance is extremely important given the related wear and tear. Water main breaks in particular cause extensive damage often resulting in millions of dollars worth of damage, significant loss of business, and disruptions to daily life.

Safety

Millions drink our water and breathe our air and protecting both is vital. While CB5 is not a center for heavy industry, we are concerned with both incidental and malicious contamination. We

must secure our water source through additional land buffers and security. Air quality monitoring should be constant and throughout the district.

DEPARTMENT OF TRANSPORTATION

Traffic

We support developing a comprehensive surface transportation plan with specific recommendations for the allocation of all street space for the area between 14th Street and 60th Street. The City must continue to develop smaller scale alternative programs to discourage the use of private vehicles in midtown Manhattan. We need to promote and facilitate additional public and human-powered transportation. Despite positive trends in bike commuting, according to the most recent census, more people in New York City drove alone to work than carpooled, walked, or took a bicycle, combined.

There will never be significant improvements to the traffic in midtown without meaningful improvements to our public transportation system. CB5 welcomes the planned expansion of the L subway line west to 11th Avenue and an east side station for the Long Island Rail Road at Grand Central Terminal.

Dedicated bus lanes and wider sidewalks on key streets and avenues could greatly improve traffic flow - particularly for cross-town trips. We support the DOT in being open to new vehicle models that reduce congestion and/or pollution such as hybrid and double-decker buses.

We greatly acknowledge the city's willingness to create pilot programs to experiment with what will be least disruptive traffic patterns, particularly in Times Square. The closing of Broadway to vehicular traffic seems to be a promising program. However, all business and theatres in the area should be given the opportunity to voice their opinions before making it a permanent solution.

There is also still a pressing need for more traffic and parking control agents and police officers.

The City should limit hours of operation and access to certain streets for large trucks in midtown; this would reduce peak hour congestion and air pollution. We support the expansion of commercial metered parking as a means of alleviating congestion.

The muni-meter program has been well received in our district and we support expansion of this program, which has potential to reduce cost, improve enforcement and increase revenue.

Bicycles

Providing safe and convenient bike lanes and bike racks for commuters and shoppers is a vital first step in alleviating some overcrowding. At the same time, unsafe cyclists continue to present serious traffic problems. We need enforcement of traffic laws to protect both the cyclists and pedestrians. A licensing system, training and education should be considered.

Black Cars / Buses

The City should also institute and enforce policies regarding black car services and tourist buses, especially with regard to double parking, idling, and blocking bus stop space.

We encourage experiments with express bus service and dedicated bus lanes, but as we mentioned with regard to noise code, the latter is not much use without proper enforcement.

Street Fairs

While avenue street fairs might be synonymous with summer, we would like to see the traffic impact weighed more heavily when reviewing these events for permits. We would also like to see some correlation between the host group and the vendors when applicable. For example, a street fair to celebrate Brazil should have a least a few vendors selling related items from Brazil.

Late Night Towing

CB5 has a continuing problem of noise and traffic caused by the proliferation of bars and nightclubs. We support nighttime parking regulations that allow nighttime towing and ticketing as a successful strategy to the problems created by the City's nightlife.

Pedestrian Circulation

CB5 has three major transportation hubs, the theater district, a major sports arena, and commercial enterprises that cause a high influx of commuters and patrons. The City must study and develop a long-term strategy to ease pedestrian congestion and related safety issues. Wider sidewalks are desperately needed on many portions of 7th and 8th Avenues as well as some of the more congested streets in the West 40's and throughout east midtown.

Bollards and planters and pedestrian barrier fences often complicate pedestrian and congestion circulation problems and often force pedestrians into dangerous conflicts with vehicles. Planters in front of the Port Authority for instance, force pedestrians onto West 42nd Street and 8th Avenue at the height of rush hour. Pedestrian circulation barriers along 8th Avenue north of 42nd Street force pedestrians to take over a lane of traffic during the evening rush hour virtually every night.

We need a more consistent and rationale approach to pedestrian and vehicular barriers that balances security concerns and the needs of pedestrian safety. CB5 continues to object to over- sized phone booths on midtown streets. DOT should work with the Department of Consumer Affairs to put together a coherent master plan for the locations of the 50 additional newsstands expected within the borough of Manhattan.

Street vendors tend to locate where foot traffic is high and illegal vendors proliferate alongside legal ones. CB5 urges regular and strict police enforcement of vendors and, further, urges a review of the laws licensing vendors.

Street Repairs

Prompt repair of potholes, cracks, replacement of street signs and the painting of lane markings are essential and should not be delayed. For example, 56th Street between 5th and 6th is plagued with severe potholes that mar the surrounding upscale shopping district. All repairs must be complete and flush with existing pavement.

PARKS

CB5 places a high priority on our parks. Our parks are by far the some of the most heavily utilized parks in New York City: Bryant Park, Union Square, or Madison Square Park and Central Park. As these are tourist destinations and showcase for the city, we need them to be clean and well maintained and funds are needed for basic maintenance. They should be treated as a vital City service that should be fully funded by the City.

The Board believes use of our parks requires a strategy that is not focused on commercial, and fund- raising activities. We are particularly concerned about the extensive use of Union Square, Madison Square Park and Bryant Park for commercial activity. The implication is clear: our parks lack adequate baseline funding for staff and maintenance. Likewise, revenue from these activities should be returned to the parks and not lost to the general fund.

CB5 supports efforts to encourage local business and community support to help with park maintenance, but we categorically disagree with allowing them to usurp public authority either formally or through over-dependence. Private funding should not be used as an excuse to reduce public support. New York City was ranked 24th in park spending per capita among major cities according to a 2006 report. (Source: www.tpl.org/ccpe)

Greater collaboration between park enforcement and the Police Department is also desirable to help keep our parks safe.

Maintenance

The events mentioned above, in addition to popular general use, generate excessive trash that heaps around overflowed receptacles and scattered throughout the parks. We need more trash receptacles and more frequent trash pickup. Also, Union Square has a large rodent problem.

POLICE

Despite a great improvement in crime reduction over the past decade, we must continue to strive to keep our streets safe, particularly in this economic environment. In addition to individual crimes against persons and property, we are concerned about terrorism. We support expanded use of security cameras and technology that would aid in any deterrence.

Enforcement/Regulation

The NYPD has enormous baseline responsibilities and must also handle issues such as traffic and vending enforcement. CB5 would like to see the Paid Detail Unit (PDU) program expanded to include nightlife establishments with liquor licenses. We are also concerned with the impact of street vending on pedestrian congestion and on commercial store operators. Recent changes in street vending laws have made enforcement difficult, at best. Strong enforcement is critical to reduce sidewalk congestion and to protect legitimate merchants. We urge aggressive enforcement of laws regarding bicyclists and bike lanes; police bicycle officers should be increased to combat this problem.

There is a pressing need for an increase in the number of traffic control agents and effective training. Direction of traffic and traffic enforcement, with particular emphasis on the problems of double parking and illegal bus lane use and standing, must become a top priority throughout our district. We also urge stricter enforcement of traffic violations, particularly the running of red lights and other violations that endanger pedestrians. Likewise, we encourage towing when doing so will improve safety and/or traffic flow.

FIRE DEPARTMENT

As with the Police Department, communication and logistical systems must be integrated between all emergency responders making essential teamwork possible in the event of another terrorist at-

tack or large scale natural disaster. Likewise, we believe HAZMAT would play a key role in a large scale integrated emergency response and support funding for related equipment and training.

There is also need for improved training for personnel in the emergency (911) system. A media campaign is needed to alert the public to the importance of allowing emergency vehicles the right-of-way on our streets. Existing firehouses are essential to public safety and protecting property. Any firehouse closings would threaten the safety of our densely populated district. Firehouse maintenance and upgrades/renovations are essential and all should have emergency power. We also encourage low cost prevention programs such as distributing fire detectors and CPR kits.

DEPARTMENT OF BUILDINGS

Safety

We encourage DOB to vigorously pursue the collection of fines from violators through increased inspection, additional plan examiners and reduction or elimination of self-certification. Construction safety is paramount, particularly on those sites using cranes and must receive special attention to prevent further accidents and fatalities.

CB5 feels that a comprehensive overhaul of construction regulations is needed to bring the building code concerning construction activity up-to-date. Inspection and enforcement of work sites is critical to reduce collapse and scaffold failures in our district.

Construction-Related Issues

There are numerous construction-related matters that can have a major impact on safety and quality of life. For example, temporary scaffolding and site walls often lend themselves to graffiti and illegal signage. Removal must be enforced and fines levied when appropriate. We do not support the use of oversized signage in mixed-use areas.

Construction sites can also become open “trash cans” filled with both construction debris and household trash. This is blight on the neighborhood and creates unsafe conditions. Hazardous material handling enforcement is needed in our district.

DEPARTMENT OF CITY PLANNING

Traffic

With increased pedestrian usage in our district comes the need for more sidewalk area. At many hours of the day, midtown sidewalks are overcrowded, creating a safety hazard. Coordination with the Department of Transportation and the Department of Buildings is needed to ensure that construction in crowded areas includes increased pedestrian circulation provisions at the street level to allow for more sidewalk space.

Buildings

Despite the recent changes in safety and other code provisions, the zoning and building regulations for new construction remain inadequate for modern building usage, particularly for large commercial projects. Zoning regulations are inadequate for dealing with modern building usage and do not reflect the accommodations necessary for integration of new buildings into the midtown environment.

Current regulations do not provide for any accommodation for the many small and large trucks and vans that clog our streets by double parking. New buildings should include adequate off-street loading and unloading facilities as well as enough room for large trucks to turn around onsite. Vendor carts using garage space for parking also create congestion, which needs to be addressed. Many large tenants employ fleets of car service vehicles, which line the streets waiting for their designated passengers. New buildings should be required to accommodate this usage with on-site facilities and a plan to minimize traffic disruption.

All buildings must be designed to accommodate present-day recycling requirements including on-site accommodation for sorting, separation and storage as well as adequate off-street loading facilities. Delis and other casual eateries should be required to provide patrons with the opportunity to recycle and this should be enforced. This should reduce the sorting effort and thus increase compliance with existing recycling rules. Loading facilities should accommodate trucks with 75-foot trailers and provide ample room to turn around inside the building so that trucks can both head in and head out for deliveries and pick-ups.

Public Plazas

Midtown is crowded with tall skyscrapers that received a zoning bonus in exchange for providing a public plaza. Many of these plazas are treated like private spaces and the public is not welcome in the areas. Others are locked and entirely inaccessible. Still others are left vacant, dark and unwelcome or given over to the homeless and mentally ill. Building owners have a responsibility to provide a useable and welcome public space. We believe several pitfalls could be prevented with better due diligence during the design and approval process. At the least, public plaza rules should be vigorously enforced.

Pedestrian Circulation

Pedestrian circulation requirements should be strengthened and expanded. All new large buildings (including “as-of-right” developments) should undergo a discretionary review process designed to ensure that pedestrian and vehicle traffic will not be adversely affected by the new development. Included in this review should be a greater emphasis on the needs of persons with disabilities. Mid-block pedestrian passageways with appropriate safeguards should be a goal for every standard block in midtown. Regulations to ensure that existing mid-block passageways remain open and visible to the public should be strictly enforced.

Other

The Department should develop zoning regulations pertaining to commercial rooftop “gardens.”

The Department should also work with the Department of Buildings to develop green building standards applicable to new development projects.

Issue: there is a lack of coordinated planning between DCP, SCA and DOE to ensure enough school seats result from residential growth. No single agency takes ultimate responsibility resulting in not enough school seats to accommodate residential growth.

LIBRARIES

The New York Public Library continues to need additional funding to meet the demand for increased materials and hours of service. More user friendly hours should be considered. Funding for capital improvements is critical as many libraries in our district are housed in aging buildings.

We are concerned to discover that the Donnell renovation will result in less library space and will permanently move some of the collections formerly housed at the Donnell Library to other libraries outside of the CB5 boundaries. With the residential population of CB5 growing and demand for library services strong, we request more library space be allocated.

With the closure of the Donnell Library and the strong probability that there will not be a circulating library in its place for several years, we urge that funds be allocated to proper maintenance of the Donnell space and that funding be provided for creative interim use of that space.

We also support the continued expansion of the libraries' websites, additional technology training and on-line access to reference materials. With the increased technology services offered by the library, additional funds are needed for computer equipment, maintenance, support and public training. In addition, sufficient funding levels for library building maintenance and security are essential, particularly the installation of a new book theft detection system.

SANITATION

CB5 requires constant street sweep-up and basket trucks because of its high concentration of commercial activity, public areas, traffic congestion and escalating residential population. Streets in the non-BID sections of midtown are unacceptably dirty. Trash baskets continue to overflow or are missing. More litter baskets will help keep the area cleaner as well. Damaged litter baskets should be replaced throughout the district with rodent-proof receptacles. We believe that additional basket trucks and crews are necessary in the CB5 area.

CB5 continues to support recycling efforts including the new Plastic Carryout Bag Recycling Law. The Department of Sanitation should look for ways to make recycling more economically sound. Strict enforcement of pick-up rules must be imposed to prevent diversion of trash to illegal operators. Waste prevention should be vigorously pursued. The City should look for ways to reduce the proliferation of non-degradable packaging. In addition, we believe all small grocers and delis should have a recycling bin and policy visible to the patrons. The City should study practical uses of waste materials and vigorously pursue utilization of recycled materials by City agencies that will allow the Department of Sanitation to realize significant savings in the cost of waste pick-up and disposal and allow the reinstatement of full recycling. There is a critical need for more frequent and better publicized recycling of electronic and computer equipment.

Additional sanitation enforcement agents and sanitation officers are needed. Since enforcement positions are revenue producing, it is economically advantageous to increase their numbers. The lack of enforcement is a particular problem at our many construction sites. The Board is also concerned that there is a lack of enforcement with respect to the amount of time garbage can be left on the street before it is scheduled to be picked up.

EDUCATION

In view of the anticipated population growth in the CB5 area in the next few years and the absence of any elementary or middle schools within the Board boundaries, we strongly urge the Department of Education to find locations for the creation of new elementary and middle schools within the geographic boundaries of CB5. We welcome the announcement of the new elementary school in our district, but still need more schools since the number of seats planned is insufficient to meet current demand, much less future demand.

Since the city has passed a five-year capital plan which underfunds our public schools, we urge that more school funding be found and allocated.

Supporting evidence:

- CB5 named as 1 of 4 “high-risk” neighborhoods for school seat shortage vs. residential growth in Manhattan Borough President Scott Stringer’s report Crowded Out.
- Between 538 and 762 new students were added to CB5 from 2000-2007 with no new school seats added
- A fair amount of residential growth in CB5 comes from conversion, which was not captured in Mr. Stringer’s report

The overall success of the City’s schools has a great impact on our community and the lives of all New Yorkers. Adequate funds for qualified teachers in all classrooms, after-school enhancement programs, E.S.L. initiatives, and tutoring at the primary level are necessary. Class size should be kept small enough to allow learning

We support an increase in funds for art, music, sports, vocational training and related assistance, nutrition, and sex education.

HUMAN SERVICES (Dept. of Homeless Services, Human Resources Administration and Dept. for the Aging, Dept. of Youth and Community Development and Administration for Children Services)

There is a continuing need for basic services for homeless individuals and families, including housing, career training and placement, mental health services (especially for the elderly), child-care, foster care, drop-in-centers, outreach programs, centralized food courts, and improved shelter programs. Homelessness in particular remains a serious problem citywide and especially in the CB5 area. We are particularly concerned about the reemerging homeless issue in Times Square and around Madison Square Park. Increased funding to serve this population is necessary.

Supporting evidence:

According to the State of the Homeless 2008 from Coalition for the Homeless:

- Last year, 109,000 different New Yorkers slept in homeless shelters.
- Homelessness, over the last decade, is at levels not seen since the Great Depression.
- 2008 was the worst year for family homelessness in modern history, with more than 9,500 families in shelters each night.

We urge the Department to provide additional funding for after school and summer programs.

HEALTH (Health and Hospitals Corporation and Dept. of Health & Mental Hygiene)

We rely on the public hospitals in the City during crises and to provide essential healthcare. These hospitals must be funded appropriately. Specifically, being in the catchment’s area for Bellevue Hospital, CB5’s district depends upon this hospital for a wide range of services including emergency and outpatient care. Bellevue also has specialized programs to deal with health problems associated with an urban demographic, such as asthma. Our immigrant population means health education is also essential. We want to ensure Bellevue maintains adequate funding and equip-

ment. To that end, we ask that the City support Community Board Six's resolution to create a sub-acute facility in the Bellevue corridor.

With the growth of New York's elderly population, we would like to see more funding go to social services that affect the elderly, including home care, assisted living facilities, and programs to enable seniors on limited fixed incomes to remain at home.

Rodents represent a serious health issue in midtown. All our garbage from residential, commercial, and food establishments has caused the rodent population to grow and multiply and our construction displaces them – sometimes forcing them into neighboring residential buildings. This problem is also aggravated by organizations dropping food for the growing homeless population.

CULTURAL AFFAIRS

In this recent city budget this agency has had its budget cut substantially. It is important realize that these cuts negatively affect the economic engine of the arts and cultural organizations but also all of the related businesses that rely on these organizations for support, such as restaurants, bars, nightclubs and shops. Continually cutting funding for this agency causes additional distress to these neighborhoods and its ability to maintain small businesses.

The Garment District is scheduled to be rezoned yet no provision has been made for creating incentives for landlords to rent to arts organizations. Therefore many of the arts groups, who have rent space in the West 30's and have added significantly to the character of the neighborhood, may not be able to afford the rents when their leases are renegotiated. We encourage creating a program to ensure that small arts organizations are considered in this rezoning plan.

DEPARTMENT OF CONSUMER AFFAIRS

DCA must be more selective in licensing and more aggressively inspecting sidewalk cafes, street vendors and cabarets.

Newsstands and Street Furniture

DCA should also work with the Department of Transportation to put together a coherent master plan for the locations of the additional newsstands expected within the borough of Manhattan and other street furniture such as phone booths, kiosks, bollards, lighting poles and planters. This will ensure that pedestrian traffic moves smoothly and safely, particularly in the Times Square area.

DEPARTMENT OF SMALL BUSINESS SERVICES

We are fortunate to have more Business Improvement Districts (BIDs) in our district than any other community board and we feel they have been successful in providing better services within their borders. We endorse the BIDs and the work they have been doing and are encouraged by the Mayor's willingness to allow increases in the BID budgets. However, the City should not reduce service in the BID areas in expectation that the BIDs will cover any shortfalls or basic city services. Instead, BIDs should provide supplemental services to those already provided by the City. Many areas within our district, which are not covered by the BIDs, are poorly maintained and unacceptably dirty. These areas should be provided with additional trash baskets, improved trash basket pickup, more frequent street cleaning and better sanitation enforcement.

LANDMARKS

CB5 is home to many significant landmark buildings and several Historic Districts. We are requesting increased funding for inspections and strict enforcement. We believe all landmark violations should result in significant fines.

We also support increased funding for research staff to review applications for alterations as well as to consider new buildings and districts for landmark status. We believe all staff will be more effective due to City Council bill Int. 542 that prevents building owners from pre-empting the review process through alteration or destruction.

311 COMPLAINT CENTER

The 311 centralized information and complaint center for New York City has become an important tool for servicing our citizens and visitors. The CB #5 Board Office should be provided with information on all complaints concerning CB5's area. This would help with proper enforcement, district needs assessment and to discern patterns. Stronger coordination between City agencies is needed. There should also be improved training of 311 personnel to ensure that complaints are properly recorded and routed to appropriate agencies. Noise complaints should be given to the Department of Environmental Protection.

ECONOMIC DEVELOPMENT

New York needs a marketing plan that will bring technical, service, and professional employment opportunities. A cost/benefit analysis should be conducted before any subsidies or tax breaks are granted to retain or attract corporations to the City. Furthermore, a corporation that is granted a subsidy but fails to fulfill its part of the contract should be penalized. Training programs for welfare recipients moving to work are essential to integrating this group into the work force.

COMMUNITY BOARDS

Community Boards serve a vital, unique and irreplaceable role. They address citizen complaints, mediate community issues, coordinate with city agencies, and provide valuable exchanges of information with elected officials. It would be difficult for this Board to fulfill its responsibilities were funding to be reduced below current levels; therefore, we request that funding be maintained at the 2009 level, at a minimum."

CLOSING

Community Board Five appreciates the opportunity to present this evaluation of our district needs for the fiscal year 2011.

Respectfully submitted,

Vikki Barbero
Chair

Wally Rubin
District Manager