

City of New York

OFFICE OF THE COMPTROLLER

Scott M. Stringer
COMPTROLLER



FINANCIAL AUDIT

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Deputy Comptroller for Audit

Audit Report on the Eighteen Brooklyn Community Boards' Compliance with New York City Charter and New York City Administrative Code Requirements for Public Meetings and Hearings, and for Websites

FK21-071A

December 30, 2021

<http://comptroller.nyc.gov>



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER

December 30, 2021

To the Residents of the City of New York:

My office has audited the Brooklyn Community Boards' compliance with New York City Charter and related requirements for public meetings, public hearings, and websites. We perform audits such as this to increase transparency and accountability and to ensure that the public is afforded the opportunity to participate in local government.

The audit found that the Brooklyn Community Boards generally complied with the City Charter requirement to set aside time to hear from the public at public meetings. However, the audit also found that most of the 18 Brooklyn Community Boards did not consistently conduct monthly public hearings, and that certain boards did not consistently conduct monthly general board meetings, set aside time to hear from the public before the board took actions, provide adequate public notice for meetings and hearings, make meetings and hearings available for broadcasting and cablecasting, and publish past meeting minutes on their websites. Additionally, the audit found that some Brooklyn Community Boards did not maintain a website at all, and that certain boards did not maintain websites that are fully compliant with applicable requirements for translation and the protocols needed to make their websites fully accessible for persons with disabilities. Finally, Brooklyn Community Board #5 and Brooklyn Community #6 consistently failed to respond to our requests for information and records related to their official responsibilities and to our requests for meetings to discuss their relevant operations.

The audit recommends that the Brooklyn Community Boards: (1) conduct public hearings each month in accordance with the City Charter; (2) set aside time to hear from the public prior to taking actions at meetings and hearings; (3) ensure that public notice of all general board meetings is given to news media outlets and posted in public locations; (4) ensure that public notice of all public hearings is published in the official newspaper and posted in public locations; (5) take the necessary steps to ensure that all meetings and hearings are made available for broadcasting and cablecasting; (6) maintain websites and ensure that the websites include verifiable contact information; (7) provide adequate public notice of upcoming meetings on their websites; (8) post minutes from meetings for the required 12-month timeframes on their websites; and (9) contact DoITT and website platform vendors to ensure that their websites include a compliant translation feature and are fully accessible to persons with disabilities. The audit also recommends that Brooklyn Community Boards #5 and #6: (1) ensure that Community Board members and staff comply with City Charter requirements for audits and investigations; and (2) take whatever action they deem appropriate with respect to personnel who violate City Charter requirements for audits and investigations.

The results of the audit have been discussed with Brooklyn Community Board officials and their comments have been considered in preparing this report. The Brooklyn Community Boards' complete written responses are attached to this report.

If you have any questions concerning this report, please e-mail my Audit Bureau at audit@comptroller.nyc.gov.

Sincerely,

Scott M. Stringer

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
Audit Findings and Conclusions	1
Audit Recommendations.....	2
Agency Responses.....	3
AUDIT REPORT	4
Background	4
Objectives.....	9
Scope and Methodology Statement.....	9
Discussion of Audit Results	9
FINDINGS AND RECOMMENDATIONS.....	16
Brooklyn Community Boards Did Not Fully Comply with City Charter Requirements for Public Meetings and Public Hearings	16
Boards Did Not Consistently Conduct Monthly General Board Meetings and Public Hearings.....	16
Some Boards Did Not Set Aside Time for the Public to Speak Before the Boards Took Actions during Meetings.....	21
Most Boards Did Not Provide Adequate Public Notice of Meetings and Hearings	23
Boards Did Not Make Meetings and Hearings Available for Broadcasting and Cablecasting	25
Recommendations	26
Brooklyn Community Boards Did Not Fully Comply with City Charter and NYC Administrative Code Website Requirements	30
Two Boards Did Not Maintain Websites.....	30
Some Boards Did Not Provide Adequate Public Notice of Upcoming Meetings.....	30
Most Boards Did Not Always Post Meeting Minutes on Their Websites.....	31
Two Boards Did Not Provide Verifiable Contact Information.....	33
Some Boards Did Not Maintain Websites with a Translation Feature.....	34
Boards Did Not Maintain Websites Fully Accessible to Persons with Disabilities ..	34
Recommendations	37
Brooklyn Community Board #5 and Brooklyn Community Board #6 Obstructed and Hindered the Comptroller’s Audit.....	38
Recommendations	39

DETAILED SCOPE AND METHODOLOGY.....40
APPENDIX
ADDENDUM

THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER FINANCIAL AUDIT

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FK21-071A

EXECUTIVE SUMMARY

Community Boards are established under the New York City Charter (City Charter) Chapter 70, Section 2800(a), which states that “[f]or each community district . . . there shall be a community board.” The Community Boards are local representative bodies authorized by the City Charter to advocate for the residents and needs of their districts. New York City (the City) is divided into 59 community districts, each served by a Community Board.

Several City agencies are responsible for assisting the Community Boards in fulfilling their overall responsibilities including the respective Borough Presidents, the Civic Engagement Commission, and the Mayor’s Office Community Affairs Unit.

Each Community Board comprises up to 50 non-salaried members, each of whom must reside, work, or have some other significant interest in the district. One of the Community Board members is elected by the other members to serve as the Chairperson. In addition, each Community Board appoints a District Manager and may employ other staff and consultants to fulfill its duties, all of whom are paid by the City. Each Community Board is allocated funds through the City budget to cover staff salaries and non-salary expenses, including rent, utilities, and other miscellaneous expenses.

Brooklyn has 18 Community Boards that collectively cover the entire borough.

Audit Findings and Conclusions

The Brooklyn Community Boards generally complied with the City Charter requirement to set aside time to hear from the public at public meetings.

However, our audit found that not all of the 18 Brooklyn Community Boards complied with the City Charter requirements relating to public meetings and hearings, and to maintaining websites. Specifically, we found that most of the 18 Brooklyn Community Boards did not consistently conduct monthly public hearings, and that certain Brooklyn Community Boards did not

consistently conduct monthly general board meetings, did not set aside time to hear from the public before the board took actions such as votes during meetings, did not provide adequate public notice for meetings and hearings by notifying media outlets and posting notices in physical public locations and on their websites, did not make meetings and hearings available for broadcasting and cablecasting, and did not publish past meeting minutes on their websites.

Additionally, our audit found that not all of the Brooklyn Community Boards fully complied with New York City Administrative Code (NYC Administrative Code) requirements relating to maintaining websites. Specifically, some Brooklyn Community Boards did not maintain a website at all, or did not maintain websites that are translatable into the seven most commonly spoken languages in New York City, and did not maintain websites which were fully accessible for persons with disabilities.

Finally, Brooklyn Community Board #5 and Brooklyn Community Board #6 consistently failed to respond to our requests for information and records related to their official responsibilities and to our requests for meetings to discuss their relevant operations. Through this lack of cooperation, the two community boards obstructed and hindered aspects of the audit.

For the majority of findings discussed in the report, the Brooklyn Community Board officials informed us that the main reasons they are not in compliance are a lack of: (1) guidance, instructions, assistance, and support from the other City agencies who are responsible for assisting the Community Boards, and (2) financial and professional resources necessary to fulfill the requirements.

Audit Recommendations

Based on our findings, we made the following nine recommendations to the Brooklyn Community Boards. The Brooklyn Community Boards should:

- Conduct public hearings each month in accordance with the New York City Charter Chapter 70, Section 2800(h) and, if necessary, seek guidance on how to comply with this requirement by contacting the New York City Law Department as well as the other City agencies tasked with providing assistance to the Community Boards—the Brooklyn Borough President’s Office, the Civic Engagement Commission, and the Mayor’s Office Community Affairs Unit;
- Set aside time to hear from the public prior to taking actions at meetings and hearings;
- Ensure that public notice of all general board meetings is given to news media outlets and posted in public locations;
- Ensure that public notice of all public hearings is published in the official newspaper or in a newspaper having general circulation within the municipality and posted in public locations and includes the date, time, and place of the hearing, and a brief statement of the purpose of the hearing;
- Take the necessary steps to ensure that all meetings and hearings are made available for broadcasting and cablecasting, including but not limited to, determining how to obtain access to channels dedicated for governmental use, identifying the associated costs, and allocating or seeking the necessary resources to comply with the City Charter mandate;

- Maintain websites and ensure that the websites include verifiable contact information for the board;
- Provide adequate public notice of upcoming meetings on their websites and include information such as the date, time, and location of the meeting as well as the internet address of the website streaming such meeting if applicable;
- Post meeting minutes from meetings for the past 12 months on their websites; and
- Contact DoITT and website platform vendors to ensure that their websites include a translation feature that allows the text of their website to be viewed in the seven most commonly spoken languages in the City and are fully accessible to persons with disabilities as per the WCAG 2.0 Level AA standard.

Agency Responses

On December 8, 2021, we submitted a draft report to the Brooklyn Community Boards with a request for comments. We received written responses from Brooklyn Community Boards #1, #2, #4, #7, #8, #9, #10, #11, #12, and #14. In their responses, Brooklyn Community Boards #7, #8, #11, and #12 generally agreed with the report's findings and agreed to implement the report's recommendations. In their responses, Brooklyn Community Boards #1, #2, #4, #9, #10, and #14 addressed only certain report findings and generally did not address the report's recommendations. We considered all comments and documentation the boards submitted and modified the report where warranted. We did not receive written comments in response to the draft report from Brooklyn Community Boards #3, #5, #6, #13, #15, #16, #17, and #18.

AUDIT REPORT

Background

Community Boards are established under the City Charter Chapter 70, Section 2800(a), which states that “[f]or each community district . . . there shall be a community board.” The Community Boards are local representative bodies authorized by the City Charter to advocate for the residents and needs of their districts. The City is divided into 59 community districts, each served by a Community Board.

Under Chapter 70, Section 2800(d) of the City Charter, Community Boards are responsible for, among other things:

- Considering the needs of the district;
- Preparing and submitting to the Mayor an annual statement of community district needs, capital budget priorities, expense budget priorities, and recommendations and priorities on the allocation and use of funds earmarked for community development activities under City, State, or federal programs;
- Preparing comprehensive and special purpose plans for the growth, improvement, and development of the community district;
- Assisting with capital project planning;
- Vetting land use and zoning proposals; and
- Assisting City departments and agencies in communicating with and transmitting information to the people of the district.

Several City offices are responsible for assisting the Community Boards in fulfilling their overall responsibilities. Under the City Charter, the respective Borough President is responsible for appointing Community Board members for two-year terms and providing training and technical assistance to the Community Boards within the borough. The City Charter also states that “[s]ubject to appropriation, the [C]ivic [E]ngagement [C]ommission shall provide assistance and training to community boards . . . which may include but need not be limited to assistance in utilizing technological tools and assistance in developing uniform meeting procedures.” Additionally, the Mayor’s Office Community Affairs Unit is responsible for assisting Community Boards in carrying out their Charter-mandated responsibilities, and coordinating City policies that relate to the Community Boards.

Each Community Board comprises up to 50 non-salaried members, each of whom must reside, work, or have some other significant interest in the district. One of the Community Board members is elected by the other members to serve as the Chairperson. In addition, each Community Board appoints a District Manager and may employ other staff and consultants to fulfill its duties, all of whom are paid by the City and serve at the pleasure of the board pursuant to the City Charter Chapter 70, Section 2800(f).

Community Boards are allocated funds through the City budget to cover staff salaries and non-salary expenses, such as rent, utilities, and other miscellaneous expenses. Table I below provides a breakdown of the total budget allocated for each Brooklyn Community Board for Fiscal Years

2019, 2020, and 2021 and Table II below provides a breakdown of each Community Boards staffing level as of September 30, 2021.

Table I

Total Budget Allocations for Each
Brooklyn Community Board (CB)

Brooklyn Community Board	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Percentage Change in Budget Allocation from FY19 to FY21
CB1	\$ 362,937	\$ 366,933	\$ 357,778	-1.4%
CB2	\$ 358,820	\$ 364,347	\$ 319,283	-12.4%
CB3	\$ 350,357	\$ 343,898	\$ 299,703	-16.9%
CB4	\$ 350,686	\$ 355,330	\$ 302,740	-15.8%
CB5	\$ 288,364	\$ 292,884	\$ 246,795	-16.8%
CB6	\$ 304,288	\$ 305,575	\$ 258,218	-17.8%
CB7	\$ 306,864	\$ 308,884	\$ 248,835	-23.3%
CB8	\$ 363,263	\$ 367,958	\$ 320,831	-13.2%
CB9	\$ 395,259	\$ 402,439	\$ 358,280	-10.3%
CB10	\$ 386,089	\$ 389,418	\$ 342,016	-12.9%
CB11	\$ 357,966	\$ 363,729	\$ 318,672	-12.3%
CB12	\$ 375,679	\$ 393,080	\$ 338,879	-10.9%
CB13	\$ 350,707	\$ 355,570	\$ 321,954	-8.9%
CB14	\$ 372,978	\$ 376,568	\$ 321,723	-15.9%
CB15	\$ 288,364	\$ 292,884	\$ 245,251	-17.6%
CB16	\$ 325,367	\$ 330,887	\$ 280,101	-16.2%
CB17	\$ 389,500	\$ 381,834	\$ 346,397	-12.4%
CB18	\$ 288,366	\$ 292,886	\$ 245,253	-17.6%

Table II

Total Staffing Level for Each
Brooklyn Community Board (CB) as
of September 30, 2021¹

Brooklyn Community Board	District Managers	Assistant District Managers	Community Coordinators	Community Associates/ Assistants/ Aides	Total Board Staff
CB1	1	1	0	1	3
CB2	0	0	1	1	2
CB3	1	0	1	1	3
CB4	1	0	0	1	2
CB5	1	0	1	2	4
CB6	1	0	2	0	3
CB7	1	0	1	1	3
CB8	1	0	1	0	2
CB9	1	0	1	1	3
CB10	1	0	1	1	3
CB11	1	0	1	1	3
CB12	1	0	1	1	3
CB13	1	0	0	2	3
CB14	1	0	1	0	2
CB15	1	0	0	2	3
CB16	1	0	0	2	3
CB17	1	0	0	2	3
CB18	1	0	0	1	2

Brooklyn has 18 Community Boards that collectively cover the entire borough. Table III below lists the neighborhoods served by each of the Brooklyn Community Boards, and the illustration that follows provides a map of the Brooklyn community districts.

¹ Table II includes full-time and part-time staff who were employed by the City and paid with City funds as reported in the City's Payroll Management Systems as of September 30, 2021.

Table III

Neighborhoods Served by Each
Brooklyn Community Board (CB)²

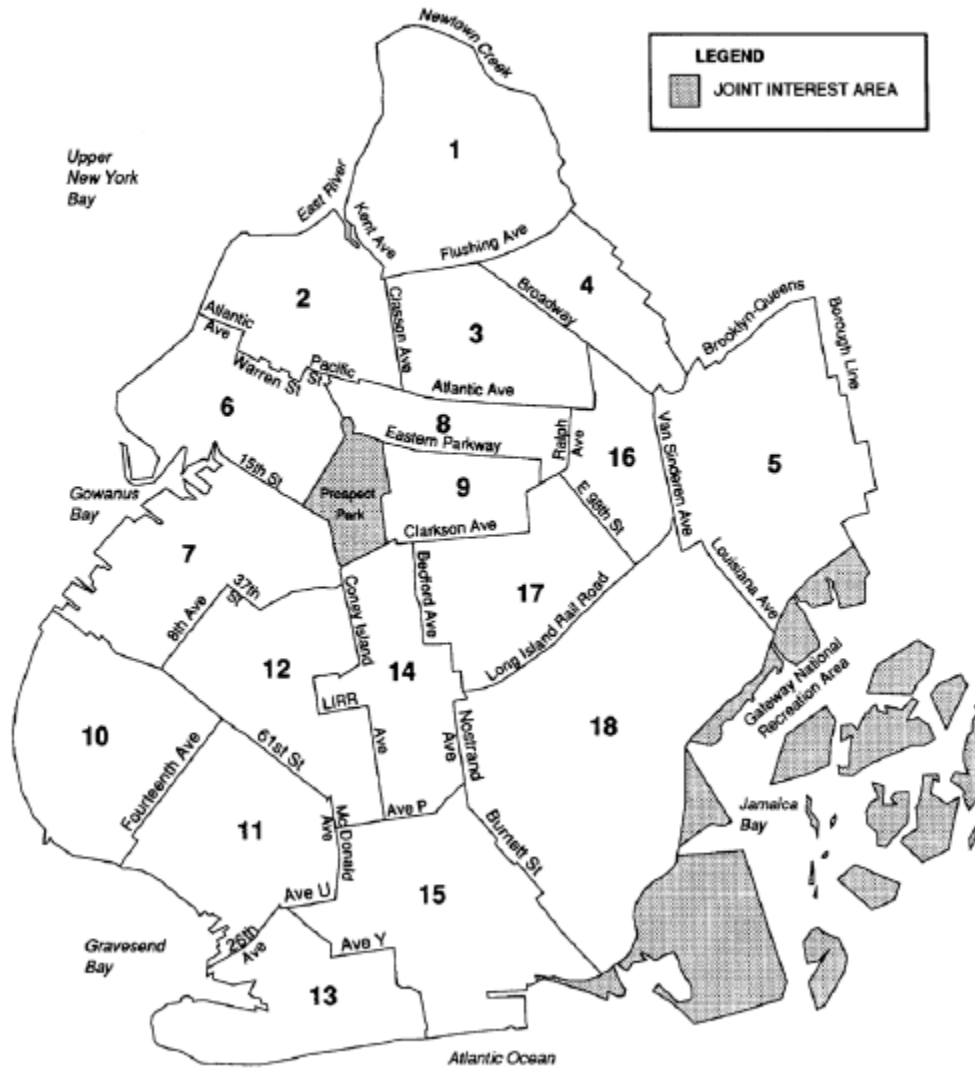
Brooklyn Community Board	Neighborhoods Served
CB1	East Williamsburg, Greenpoint, Northside, Southside, Williamsburg
CB2	Boerum Hill, Brooklyn Heights, Clinton Hill, Downtown Brooklyn, DUMBO, Fort Greene, Fulton Ferry, Navy Yard, Vinegar Hill
CB3	Bedford-Stuyvesant, Stuyvesant Heights, Tompkins Park North
CB4	Bushwick
CB5	Broadway Junction, City Line, Cypress Hills, East New York, Highland Park, New Lots, Spring Creek, Starrett City
CB6	Carroll Gardens, Cobble Hill, Columbia St, Gowanus, Park Slope, Red Hook
CB7	Sunset Park, Windsor Terrace
CB8	Crown Heights, Prospect Heights, Weeksville
CB9	Crown Heights South, Prospect Lefferts Gardens, Wingate
CB10	Bay Ridge, Dyker Heights, Fort Hamilton
CB11	Bath Beach, Bensonhurst, Gravesend, Mapleton
CB12	Borough Park, Kensington, Ocean Parkway
CB13	Brighton Beach, Coney Island, Gravesend, Homecrest, Sea Gate, West Brighton
CB14	Ditmas Park, Flatbush, Manhattan Terrace, Midwood, Ocean Parkway, Prospect Park South
CB15	Gerritsen Beach, Gravesend, Homecrest, Kings Highway, Manhattan Beach, Plumb Beach, Sheepshead Bay
CB16	Broadway Junction, Brownsville, Ocean Hill
CB17	East Flatbush, Farragut, Flatbush, Northeast Flatbush, Remsen Village, Rugby, Erasmus
CB18	Bergen Beach, Canarsie, Flatlands, Georgetown, Marine Park, Mill Basin, Mill Island, Paerdegat Basin

² Source: The New York City Department of City Planning Community District Profiles. Some neighborhoods may be in multiple districts.

Illustration

Map of Brooklyn Community Districts³

COMMUNITY DISTRICT (CD) MAP: BROOKLYN



DCP/CIS 4/94

³ Source: The New York City Community Boards Handbook 2015.

Objectives

The objectives of this audit were to determine whether each of the 18 Brooklyn Community Boards complied with:

(1) The New York City Charter Chapter 70, Section 2800(h), which requires Community Boards to meet and hold public hearings at least once per month (except for the months of July and August), to give adequate public notice for meetings and hearings, to make meetings and hearings available for broadcasting and cablecasting, and to set aside time for the public to speak at meetings;

(2) The New York City Charter Chapter 70, Section 2800(d)(22), which requires Community Boards "[w]ith assistance and support from the department of information technology and telecommunications, [to] maintain a website that provides adequate public notice of upcoming meetings, minutes from past meetings for the past twelve months, and contact information for the board";

(3) The New York City Administrative Code, Section 23-801, which states that "[e]very website maintained by or on behalf of the city or a city agency shall include a translation feature for viewing the text of that website, wherever practicable, in . . . the seven most commonly spoken languages within the city"; and

(4) The New York City Administrative Code, Section 23-802(a), which states that "[t]he mayor or the mayor's designee shall adopt a protocol for websites maintained by or on behalf of the city or a city agency relating to website accessibility for persons with disabilities."

Scope and Methodology Statement

We conducted this performance audit in accordance with generally accepted government auditing standards, except with respect to Brooklyn Community Board #5 and Brooklyn Community Board #6's compliance with requirements for public meetings and public hearings because they did not respond to numerous requests for information and documentation in connection with this audit. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

This audit covered the period of June 1, 2019 through September 30, 2021. Please refer to the Detailed Scope and Methodology at the end of this report for the specific procedures and tests that were conducted.

Discussion of Audit Results

The matters covered in this report were discussed with officials from each of the Brooklyn Community Boards during and at the conclusion of this audit, except for Brooklyn Community Board #5 and Brooklyn Community Board #6 because they did not respond to numerous requests for information and documentation in connection with this audit and did not attend the exit conference. A preliminary draft report was sent to the Brooklyn Community Boards and was discussed at an exit conference on November 8, 2021. On December 8, 2021, we submitted a

draft report to the Brooklyn Community Boards with a request for comments. We received written responses from Brooklyn Community Boards #1, #2, #4, #7, #8, #9, #10, #11, #12, and #14. In their responses, Brooklyn Community Boards #7, #8, #11, and #12 generally agreed with the report's findings and agreed to implement the report's recommendations.

Brooklyn Community Boards #1, #2, #4, #9, #10 and #14 addressed only certain report findings and did not address the report's recommendations. We considered all comments and documentation the boards submitted and modified the report where warranted.

We did not receive written comments in response to the draft report from Brooklyn Community Boards #3, #5, #6, #13, #15, #16, #17, and #18.

The full text of the responses received from Brooklyn Community Boards #1, #2, #4, #7, #8, #9, #10, #11, #12, and #14 are included as an addendum to this report and excerpts are included and discussed below. Several Brooklyn Community Boards referenced a letter the New York City Law Department sent to the Manhattan Community Boards, at the request of those boards, concerning several issues that the draft report covered. The full text of the Law Department's letter is included in the addendum to this report.

Brooklyn Community Board #1

In its response, Brooklyn Community Board #1 stated that the board held public hearings in May and June 2020, Community Boards are not required to broadcast and cablecast meetings and public hearings, and DoITT is responsible for website accessibility.

Specifically, Brooklyn Community Board #1 stated "our board held a joint meeting with the SLA Review Committee & the Public Safety Committee to address the current community's concerns. This public hearing was held in the evening via WEBEX on May 26, 2020. This very hearing was conducted by the board and was a specific informational conference on staying at home; NYPD concerns (community, housing, transit); health & hospital issues; veteran's homeless services; open streets (outdoor sidewalk & street use for restaurants & bars; and specific homeless outreach services. In addition, it is noted that the Law Department has stated that 'the Charter provides little guidance on the conduct of community board meetings. There is no requirement of law that a community board's monthly public hearing be held on a different date from its public meeting.' We consider this public meeting held on May 26, 2020 to constitute that a meeting/hearing was held by Brooklyn CB#1 and therefore we were compliant. . . . On June 25, 2020, CB#1 held a long awaited public hearing of a presentation geared specifically for the public regarding our project with the Hester Street Collaborative. . . . **We contend that this very pointed and comprehensive session establishes that both a board meeting and a public hearing were mutually held on that specific evening on June 25, 2020.**" [Emphases in original.]

With respect to the May 26, 2020 meeting, Brooklyn Community Board #1 provided a meeting notice and minutes for the joint committee meeting of that date, which stated, in part, "The purpose of the meeting was the need to connect with Committee members who had not had a meeting in months and had not seen or spoken to other Committee members." In sum, the materials indicate that Brooklyn Community Board #1 held a joint committee meeting on various topics. Therefore, we did not find any basis to modify the finding concerning the month of May 2020.

Brooklyn Community Board #1 also provided a meeting notice for a June 2020 meeting, which the board maintained was a public hearing. However, based on our review of the meeting notice and other documentation provided, the June 25, 2020 meeting did not constitute a public hearing

because it was a training presentation from an external vendor. Specifically, the meeting notification states “Community Board No. 1 invites you to attend a virtual training session. The Hester Street Collaborative will present in a virtual manner on the materials and zoning training guides that were developed for Brooklyn Community Board No. 1.” Therefore, we did not find any basis to modify the finding.

With regard to broadcasting and cablecasting, Brooklyn Community Board #1 stated that

Community boards are not required to broadcast meetings (page 19), **the auditor's statement is arbitrary and capricious as there is no requirement** (see Law Department's finding). Any reference to this as a Charter Mandated requirement must be removed and not entertained at all. (see below)

Noted in the City Charter:

Community Boards are **not subject** to this mandate. (see email from the NYC Law Department). This statement propagated by the Comptroller's Office is exceedingly false and misconstrued.

[Text - City Charter - Section 1063(d)]

We note here that Section 2800(h) of the City Charter states that “[e]xcept during the months of July and August, each community board shall meet at least once each month . . . and conduct at least one public hearing each month. . . . Each board . . . shall make such meetings and hearings available for broadcasting and cablecasting.” Further, Section 1063(a) of the City Charter states that “[a]ll future cable franchises and franchise renewals shall require (i) that channels be designated for governmental use.” We therefore recommend that Brooklyn Community Board #1 seek assistance from the City agencies that are responsible for assisting community boards and determine how they can obtain access to a designated channel, identify the associated costs, and allocate or seek the necessary resources to comply with the City Charter mandate.

Additionally, Brooklyn Community Board #1 stated that “DoITT is currently the sole proprietor of the website and we are told they are engaged in changes on the website to increase the compliance rate.” Brooklyn Community Board #1 also stated that the audit “intentionally spins this point by highlighting only the numbers of errors” and that “[i]t is unfortunate that the Comptroller's Office has not responded to our two separate emails seeking information on the so-called inconsistencies, so that they can be addressed.”

With respect to the website accessibility issues this report identifies, Section 2800(d)(22) of the City Charter requires Community Boards to maintain websites “[w]ith assistance and support from [DoITT].” Accordingly, we recommend that Brooklyn Community Board #1 contact DoITT to ensure that its website is fully accessible to persons with disabilities. To further assist the boards in this regard, on December 8, 2021, we provided each of the Brooklyn Community Boards with (1) a link to the New York City Mayor's Office Digital Accessibility Resources, (2) a copy of the New York City Mayor's Office Basic Website Accessibility Checklist, and (3) a list of each of the website accessibility errors and contract errors cited in the report for each Community Board.

Brooklyn Community Board #2

Brooklyn Community Board #2 stated that the board “held executive committee meetings in May and June 2020 as it was authorized by the full body in March 2020 to act on behalf of the whole.”

However, since the board conducted committee meetings and did not conduct the required general board meetings in May and June 2020 we did not find any basis to modify the finding.

Brooklyn Community Board #2 also stated that “[t]he minutes for the period in question can be found by accessing the Public Drive on the website.” We reviewed the Brooklyn Community Board #2 website and found that the general board meeting minutes, which were not posted on its website during our initial review in June 2020, have been subsequently posted on its website.

Brooklyn Community Board #4

In its response, Brooklyn Community Board #4 stated that for June 2020 “[d]ue to a server issue the meeting was not recorded. The board’s office provided the meeting attendance sheet and a Webex screenshot as proof that the meeting occurred.” We credited Brooklyn Community Board #4 for conducting a general board meeting in June 2020 based on the meeting attendance sheet and Webex screenshot, but in the absence of meeting minutes or a video recording of the meeting, we do not have reasonable assurance that the public hearing was conducted. Therefore, we did not find any basis to modify the finding in that regard.

Brooklyn Community Board #4 also stated that for November 2020, “both a public hearing and regular meeting was held. The board’s office provided the meeting minutes and a YouTube link for the meeting recording, which clearly indicate a public hearing occurred.” Based on our review of the meeting video recording, we credited Brooklyn Community Board #4 for conducting a public hearing in November 2020 and modified the finding.

In regard to public notice, Brooklyn Community Board #4 stated “[t]he September 2021 agenda is on the board’s website and includes the registration link as usual.” However, when we reviewed the Brooklyn Community Board #4 website prior to its September 2021 general board meeting, the meeting notice did not contain a link to the website streaming the meeting and stated, “For meeting details please join our email list . . . or contact the board’s office for assistance.” Therefore, we did not find a basis to modify the finding.

In regard to website accessibility, Brooklyn Community Board #4 stated, “As previously referenced, the board’s office relies on DOITT for all higher-level city website compliance. To our knowledge, within the timeframe of this audit, the city did not provide additional guidance for the board’s office to be aware of this requirement or a reasonable period of time in which to implement these changes. To date, we are not aware of the specific accessibility errors that need to be corrected and would appreciate assistance to ensure we comply with accessibility law.” As noted above in our comment concerning Brooklyn Community Board #1’s response concerning website accessibility, on December 8, 2021, we provided each of the Brooklyn Community Boards with (1) a link to the New York City Mayor’s Office Digital Accessibility Resources, (2) a copy of the New York City Mayor’s Office Basic Website Accessibility Checklist, and (3) a list of each of the website accessibility errors and contract errors cited in the report for each Community Board. Our intention in doing so was to assist the boards in their joint efforts with DoITT to address these issues.

Brooklyn Community Board #7

In its response, Brooklyn Community Board #7 acknowledged the board’s deficiencies and stated that the board “will endeavor to correct our practices to ensure future compliance.”

Brooklyn Community Board #8

In its response, Brooklyn Community Board #8 acknowledged the board's deficiencies, described the actions the board took to correct deficiencies, and stated that "[w]e will make every effort in the future to be in total compliance with the New York City Charter's mandates on meetings and accessibility."

Brooklyn Community Board #9

Brooklyn Community Board #9 provided a video recording of its May 2020 general board meeting. Therefore, we modified our finding to reflect that Brooklyn Community Board #9 held a general board meeting in May 2020.

Brooklyn Community Board #10

In its response, Brooklyn Community Board #10 stated that the board provided adequate notice of meetings and public hearings in that "ULURP and Capital and Expense Budget Priorities public hearings are published in the City Record," but the board has not provided supporting documentation for that statement. During the audit, Brooklyn Community Board #10 reported that it does not publish notice of its public hearings in the newspaper or news media. Accordingly, in the absence of documentary evidence, we did not find any basis to modify the finding.

Additionally, Brooklyn Community Board #10 stated that Section 1063 of the City Charter Community Boards does not require Community Boards to broadcast and cablecast meetings. However, Section 2800(h) of the City Charter requires Community Boards to "make such meetings and hearings available for broadcasting and cablecasting." Furthermore, cable franchises require that channels be designated for governmental use. Therefore, we recommend that the Community Boards seek assistance from the City agencies that are responsible for assisting them and determine how they can leverage the channels that are supposed to be designated for public use to make their meetings and hearings meaningfully available to the public through broadcasting or cablecasting in accordance with their City Charter mandate.

In that regard, Brooklyn Community Board #10 further stated that it cablecast three meetings during the audit review period (June 2019, January 2020 and February 2020) and that the board "recently met with BRIC Arts Media to learn more about broadcasting Community Board Meetings on BCAT at its December 2021 Borough Service Cabinet meeting. Community Board 10 will set up a meeting with BRIC Arts Media to discuss making our meetings available for broadcasting."

Brooklyn Community Board #11

In its response, Brooklyn Community Board #11 acknowledged that it did not hold public hearings each month but stated that "at every monthly meeting we provide the public an opportunity to speak on any matter" and therefore, "we believe that we have met the spirit of the law." Nevertheless, Brooklyn Community Board #11 stated that "we will internally review the recommendations." However, the City Charter requires the Community Boards to hold both a meeting and a public hearing each month except July and August. Furthermore, the public session portion of a general board meeting, in which the public is invited to share comments and concerns on any matter, does not constitute a public hearing because, "[a] hearing is generally held to provide members of the public with an opportunity to express their views concerning a particular subject, such as a proposed budget, a local law or a matter involving land use" (New York State Department of State, Committee on Open Government, Open Meetings Law, Advisory Opinion #3834).

Additionally, based on Law Department guidance, Brooklyn Community Board #11 stated that it provided adequate notice of public hearings in that the board “submitted the electronic notification of public meetings to media outlets.”

On this point, the applicable New York State Department of State guidance advises, “Legal notice of the hearing should be published in the official newspaper, if there is one, or in a newspaper having general circulation within the municipality, as required by law.” Furthermore, the guidance provided by the Law Department also states that “[w]hen a community board notices one of its hearings, it is also advisable (though not required) that the notice also be published in New York City’s official publication, the City Record, even though this is not considered a newspaper or news outlet.” Accordingly, we recommend that the board further review this matter with a view toward publishing its notices in accordance with that advice.

Brooklyn Community Board #12

In its response, Brooklyn Community Board #12 stated “[w]hereas the Comptroller’s Office advised that a separate Public Session and Public Hearing must be held, The NYC Law Department advised that ‘the public hearing be referred to as such, and not as a ‘public session’...’. CB12 will follow whatever recommendation is required.” We refer here to our response to a similar point raised by Brooklyn Community Board #11.

In regard to public notice, Brooklyn Community Board #12 stated “[p]er the NYC Law Department, ‘the news media notice requirement... is satisfied if a community board electronically transmits its notices to newspapers or other news outlet which are published or issued regularly and are intended to be read, heard or viewed by the general public.’” On this point, we refer to the applicable New York State Department of State guidance advises, “Legal notice of the hearing should be published in the official newspaper, if there is one, or in a newspaper having general circulation within the municipality, as required by law.” Furthermore, the guidance provided by the Law Department also states that “[w]hen a community board notices one of its hearings, it is also advisable (though not required) that the notice also be published in New York City’s official publication, the City Record, even though this is not considered a newspaper or news outlet.”

In regard to broadcasting and cablecasting, Brooklyn Community Board #12 stated “[a]lthough the view of the NYC Law Department is that the law ‘does not require that community boards themselves broadcast... The Charter requirement would be satisfied... if a community board ensured that organizations or individuals likely to be interested in broadcasting or cablecasting its meetings and hearings were informed of them’, we are working with BRIC TV to broadcast our meetings.”

We refer here to our responses to similar points raised by Brooklyn Community Boards #1 and #10.

Brooklyn Community Board #14

Brooklyn Community Board #14 stated that

It appears that either our responses were conflated with those from other Boards or there was a misreading of what we provided as evidence that CB14 has been compliant with all monthly meetings, most public hearings, public notification, and that our monthly meeting agendas do indeed comport with the New York City charter. We acknowledge needed website language improvements and appreciate your office’s acknowledgement of our resource challenges.

With respect to the issue the board raises above, we found that although Brooklyn Community Board #14 did in fact provide evidence that it has been compliant with the City Charter requirement for all mandated monthly meetings, the board did not conduct all of the required monthly public hearings. In that regard, Brooklyn Community Board #14 stated, “We acknowledge that there were no public hearings in December 2019 or February 2020. . . . The lack of public hearings during the months of April and May of 2020 was due to the extraordinary conditions within the pandemic and there being no business before the Board to warrant a public hearing (land use items, for instance, were at a halt much of the year). Brooklyn Borough Hall advised Community Boards on April 22, 2020 of our obligations to continue to meet our regular monthly meeting requirements but did not include public hearings in those instructions. In addition, Brooklyn Community Boards were not provided with Webex access and training until early in May - too late for a duly noticed public hearing in advance of our regular monthly meeting.”

With respect to the board’s point regarding the disruptive effects of the COVID-19 pandemic, we acknowledge the difficulties the boards faced and judgmentally excluded the months of March and April 2020 from compliance testing. Brooklyn Community Board #14 held a general board meeting on May 19, 2020, but did not hold a public hearing that month. We have not found a basis to modify our finding concerning the Charter requirement for such a hearing that month.

With regard to public notice, during the audit, Brooklyn Community Board #14 reported that it does *not* publish notice of its public hearings in the newspaper or news media and that it does *not* provide public notice of its general board meetings to the news media and post the notice in public locations. In the absence of documentary evidence to establish that it took those actions, we did not find a basis to modify the finding.

Brooklyn Community Board #14 also stated that

I am concerned that your December draft misquotes our November response entirely. On page 15, paragraph three, you wrote that, “...CB 14 stated that the Board held public hearings at our committee meetings...” We stated no such thing! We don’t. We hold public hearings (typically) the first week of the month, in advance of our regular monthly meeting, which is (typically) the second Monday of the month. We hold committee meetings (typically) once a week, with the exception of the week of the regular monthly meeting of the Board. We don’t and therefore didn’t state that we hold public hearings at our committee meetings. Please review.

In light of Brooklyn Community Board #14’s assertion that it was misquoted in relation to a statement its representatives made at the exit conference, we modified the report to reflect the practice as stated in its above-quoted written response.

FINDINGS AND RECOMMENDATIONS

The Brooklyn Community Boards generally complied with the City Charter requirement to set aside time to hear from the public at public meetings

However, our audit found that not all of the Brooklyn Community Boards complied with the City Charter requirements relating to public meetings and hearings, and to maintaining websites. Specifically, we found that most of the 18 Brooklyn Community Boards did not consistently conduct monthly public hearings, and that certain Brooklyn Community Boards did not consistently conduct monthly general board meetings, did not set aside time to hear from the public before the board took actions such as votes during meetings, did not provide adequate public notice for meetings and hearings by notifying media outlets and posting notices in physical public locations and on their websites, did not make meetings and hearings available for broadcasting and cablecasting, and did not publish past meeting minutes on their websites.

Additionally, our audit found that not all of the Brooklyn Community Boards fully complied with NYC Administrative Code requirements relating to maintaining websites. Specifically, some Brooklyn Community Boards did not maintain a website at all, or did not maintain websites that are translatable into the seven most commonly spoken languages in New York City, and did not fully adopt the protocols required to make their websites accessible for persons with disabilities.

Finally, Brooklyn Community Board #5 and Brooklyn Community #6 consistently failed to respond to our requests for information and records related to their official responsibilities and to our requests for meetings to discuss their relevant operations and, as a result, obstructed and hindered aspects of the audit.

These findings are discussed in the following sections of the report. For the majority of findings discussed in the report, the Brooklyn Community Board officials informed us that the main reasons they are not in compliance are a lack of: (1) guidance, instructions, assistance, and support from the other City agencies who are responsible for assisting the Community Boards, and (2) financial and professional resources necessary to fulfill the requirements.

Brooklyn Community Boards Did Not Fully Comply with City Charter Requirements for Public Meetings and Public Hearings

Boards Did Not Consistently Conduct Monthly General Board Meetings and Public Hearings

Section 102(1) of the Open Meetings Law defines a meeting as “the official convening of a public body for the purpose of conducting public business.” Furthermore, Section 109 of the Open Meetings Law states that “[t]he committee on open government . . . shall issue advisory opinions from time to time as, in its discretion, may be required to inform public bodies and persons of the interpretations of the provisions of the open meetings law.” The New York State Department of State, Committee on Open Government, Open Meetings Law, Advisory Opinion #3834 defines “meetings” and “hearings” to differentiate the purpose and function of each:

A meeting is different from a hearing. A meeting is generally a gathering of quorum of a public body for the purpose of discussion, deliberation, and potentially taking action within the scope of its powers and duties. A hearing is generally held to provide members of the public with an opportunity to express their views **concerning a particular subject**, such as a proposed budget, a local law or a matter involving land use. [Emphasis added.]

The New York State Division of Local Government Services guidance titled “Conducting Public Meetings and Public Hearings” also states that public hearings are held to allow the public to speak on particular matters as follows:

A public hearing is an official proceeding of a governmental body or officer, during which the public is accorded the right to be heard. . . . Many public hearings are required by law **on particular matters**, such as those that must be held prior to adoption of a local law, or prior to a determination by a planning board Many others need only be held at the option of a public body, because it may desire merely to gauge public opinion **on a matter**. [Emphases added.]

Per Chapter 70, Section 2800(h) of the City Charter, Community Boards are required to hold both a meeting and a public hearing each month except July and August: “Except during the months of July and August, each community board shall meet at least once each month within the community district **and conduct at least one public hearing each month.**” [Emphasis added.] The City Charter states that each Community Board shall hold public hearings on matters affecting the district including: (1) capital needs and departmental estimates; (2) expense budget needs and estimates; (3) the allocation and use of funds earmarked for community development activities under City, State, or federal programs; (4) the Citywide statement of needs which identifies City facilities which the City intends to open, expand, close, or significantly reduce in size or service capacity; and (5) public agencies’ and private entities’ applications and proposals for the use, development, or improvement of land. Further, the City Charter states that each Community Board shall, at its discretion, hold public hearings on any matter relating to the welfare of the district and its residents.

However, based on our review of general board meeting minutes for the period September 2019 through November 2020, certain Brooklyn Community Boards did not consistently conduct monthly general board meetings as required. As previously mentioned, we could not test compliance with City Charter requirements for public meetings and hearings for Brooklyn Community Board #5 and Brooklyn Community Board #6 because they failed to respond to numerous requests for information and documentation in connection with our audit. Of the remaining 16 Brooklyn Community Boards, eight did not consistently hold monthly general board meetings as detailed in Table IV below (Brooklyn Community Boards #1, #2, #3, #7, #8, #13, #17, and #18).

Additionally, based on our review of public hearing minutes for the period September 2019 through November 2020, 15 of the 16 Brooklyn Community Boards that submitted documentation failed to conduct at least one public hearing each month as detailed in Table V below. Furthermore, Brooklyn Community Board #17 did not conduct *any* public hearings.

Table IV

Analysis of Monthly General Board Meetings for the Period September 2019 through November 2020⁴

Month	General Board Meeting Held (Yes/No)																		
	CB1	CB2	CB3	CB4	CB5	CB6	CB7	CB8	CB9	CB10	CB11	CB12	CB13	CB14	CB15	CB16	CB17	CB18	
September 2019	Yes	Yes	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
October 2019	Yes	Yes	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
November 2019	Yes	Yes	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
December 2019	Yes	Yes	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes
January 2020	Yes	Yes	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
February 2020	Yes	Yes	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
March 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
April 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
May 2020	No	No	No	Yes	Unable to Test		No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
June 2020	Yes	No	Yes	Yes	Unable to Test		No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
July 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
August 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
September 2020	Yes	Yes	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
October 2020	Yes	No	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
November 2020	Yes	Yes	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Total Meetings Conducted	10	8	10	11	Unable to Test		9	10	11	11	11	11	10	11	11	11	11	6	8
Total Meetings Not Conducted	1	3	1	0	Unable to Test		2	1	0	0	0	0	1	0	0	0	0	5	3

⁴ As previously stated, Community Boards are not required to hold public meetings and hearings in the months of July and August. Therefore, we excluded the months of July 2020 and August 2020 from our analysis. Additionally, due to the COVID-19 pandemic, we judgmentally excluded the months of March 2020 and April 2020 from our analysis. In total, we reviewed 11 months—September 2019 through February 2020, May 2020, June 2020, and September 2020 through November 2020.

Table V

Analysis of Monthly Public Hearings for the Period September 2019
through November 2020

Month	Public Hearing Held (Yes/No)																	
	CB1	CB2	CB3	CB4	CB5	CB6	CB7	CB8	CB9	CB10	CB11	CB12	CB13	CB14	CB15	CB16	CB17	CB18
September 2019	Yes	No	Yes	Yes	Unable to Test		No	No	No	Yes	Yes	No	No	Yes	Yes	Yes	No	No
October 2019	Yes	No	Yes	Yes	Unable to Test		Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes
November 2019	Yes	Yes	Yes	Yes	Unable to Test		No	No	No	Yes	No	No	No	Yes	No	Yes	No	No
December 2019	Yes	No	Yes	Yes	Unable to Test		No	No	No	Yes	No	No	No	No	Yes	Yes	No	No
January 2020	Yes	Yes	Yes	Yes	Unable to Test		No	No	No	Yes	No	No	No	Yes	Yes	Yes	No	No
February 2020	Yes	Yes	Yes	Yes	Unable to Test		No	Yes	No	Yes	No	No	No	No	Yes	Yes	No	Yes
March 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
April 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
May 2020	No	No	No	Yes	Unable to Test		No	No	No	Yes	No	No	No	No	No	Yes	No	No
June 2020	No	No	Yes	No	Unable to Test		No	No	No	Yes	No	No	No	No	No	No	No	No
July 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
August 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
September 2020	Yes	Yes	Yes	Yes	Unable to Test		No	No	No	Yes	No	No	No	Yes	Yes	No	No	No
October 2020	Yes	No	Yes	Yes	Unable to Test		No	Yes	No	Yes	Yes	No	No	Yes	Yes	Yes	No	Yes
November 2020	Yes	Yes	Yes	Yes	Unable to Test		No	No	No	Yes	No	Yes	No	Yes	Yes	No	No	No
Total Hearings Conducted	9	5	10	10	Unable to Test		1	3	1	11	3	1	1	7	8	8	0	3
Total Hearings Not Conducted	2	6	1	1	Unable to Test		10	8	10	0	8	10	10	4	3	3	11	8

Some Community Board officials maintained that they did not conduct public meetings and hearings from March 2020 through June 2020 due to the COVID-19 pandemic and a lack of access to virtual meeting platforms. After we presented our findings regarding public meetings to the Brooklyn Community Boards, with regard to monthly general board meetings Brooklyn Community Board #2 provided documentation to show that at the March 2020 general board meeting the Chairperson “asked for a motion such the Executive Committee can act on behalf of Community Board 2 for items that require action until a period of further notice if we have to go into some form of contingency” and the motion carried unanimously. Brooklyn Community Board #2 also provided evidence that in lieu of a full general board meeting, the board held Executive Committee meetings in April, May, and June 2020. Furthermore, Brooklyn Community Board #8 stated that the board did not hold a meeting “in the month of May 2020 because we were still working logistics and navigating virtual meetings.” However, on March 12, 2020, New York State Executive Order 202.1 suspended the portion of New York State law requiring meetings to take place in person, and authorized public meetings to be held virtually. As previously mentioned, we considered the COVID-19 pandemic and judgmentally excluded the months of March and April 2020 from compliance testing. We are aware of no facts that would have prevented Community Boards from obtaining access to virtual meeting platforms by May 2020, since Community Boards were continuously required to meet.

In addition, Brooklyn Community Board #1 stated that “[n]o meeting was held in October 2020 as there was no business or requests to present to the board.” However, as previously noted, the City Charter states that, except for the months of July and August, Community Boards are required to “conduct at least one public hearing each month.” Furthermore, Brooklyn Community Board #17 officials stated that the board did conduct monthly meetings, but in some cases minutes were not recorded. However, Brooklyn Community Board #17 did not provide any additional documentation to support the assertion that it conducted monthly general board meetings for the months that this report cites as not having conducted a required general board meeting.

After we presented our findings regarding public hearings to the Brooklyn Community Boards, some Brooklyn Community Board officials stated that the public is afforded the opportunity to speak on any topic during the “public session” at each general board meeting and at committee meetings. Some Brooklyn Community Board officials stated that the boards hold several committee meetings each month and that the committee meetings in some cases could constitute a public hearing because they are discussing particular matters such as liquor license applications and other applications before the board. Furthermore, Brooklyn Community Board #14 stated that “[w]e hold public hearings (typically) the first week of the month, in advance of our regular monthly meeting, which is (typically) the second Monday of the month.” However, Brooklyn Community Board #14 stated that it did not record minutes for those hearings.

Additionally, some Brooklyn Community Board officials stated that they do not hold monthly public hearings unless there is a matter before the board which requires a vote, and that holding monthly public hearings may not be practicable because the boards may not have a specific matter to discuss each month. Lastly, some Brooklyn Community Board officials stated they are not clear as to the City Charter and Open Meetings Law requirements for public hearings and do not receive guidance and instruction from the agencies who are responsible for assisting them.

However, as previously noted, the City Charter states that, except for the months of July and August, Community Boards are required to “conduct at least one public hearing each month” on matters such as capital needs, expense budget needs, the use of community development funds, city facilities, land use, and other matters relating to the welfare of the district and its residents.

Additionally, the public session portion of a general board meeting, in which the public is invited to share comments and concerns on any matter, does not constitute a public hearing because “[a] hearing is generally held to provide members of the public with an opportunity to express their views concerning a particular subject, such as a proposed budget, a local law or a matter involving land use.”

In regard to committee meetings, while some Brooklyn Community Boards held committee meetings concerning a particular subject, the Brooklyn Community Boards that this report cites as not having conducted a required public hearing each month did not provide evidence that they held topic-specific hearings (during a committee meeting or other meeting) in which the public was given an opportunity to express their views on a particular matter.

With regard to Brooklyn Community Board officials’ assertion that they lack guidance and instruction, the New York State Division of Local Government Services guidance titled “Conducting Public Meetings and Public Hearings” notes that “[w]here local officials require guidance on particular public hearing and notice requirements associated with municipal business, they should contact the municipal attorney for advice.” Therefore, the Brooklyn Community Boards should seek advice from the New York City Law Department as well as the other City agencies tasked with providing assistance to the Community Boards to ensure that boards comply with the Charter mandate to hold a meeting and public hearing each month.

Since most of the 18 Brooklyn Community Boards did not comply with the City Charter requirement to conduct public meetings and hearings at least once per month, the public may not have been informed of and allowed to express their views on issues affecting their district including, among other things, land use and zoning proposals, capital projects, capital budget and expense budget priorities, and programs and services.

Some Boards Did Not Set Aside Time for the Public to Speak Before the Boards Took Actions during Meetings

Chapter 70, Section 2800(h) of the City Charter states that “[a]t each public meeting, the board shall set aside time to hear from the public.” Additionally, as previously mentioned, one of the key responsibilities of the Community Boards is to consider the needs of the district. For the September 2020 general board meetings, all 16 of the Brooklyn Community Boards who submitted documentation set aside time to hear from the public. However, we found that six Brooklyn Community Boards set aside time to hear from the public at the end of the meeting (Brooklyn Community Boards #1, #2, #8, #14, #16, and #18).

Furthermore, we also noted that three Brooklyn Community Boards conducted business, such as voting and taking actions, prior to the “public session” and the public was not afforded the opportunity to comment beforehand (Brooklyn Community Boards #8, #14, and #18). During the Brooklyn Community Boards #8, #14, and #18 September 2020 general board meetings, prior to hearing from the public, the board members discussed and voted on liquor and sidewalk café licenses as well as a letter to the Borough President and Mayor’s Office in support of the police precinct commanding officer appointment process. Additionally, Brooklyn Community Boards #8, #14, and #18 did not hold public hearings during September 2020 to discuss those particular matters.

Board #14 Response: “On page 16, sixth paragraph, you wrote, ‘During the September Brooklyn Community Board(s)...14’s... September 2020 general board meeting(s), prior to hearing from the public, the board members discussed and voted on liquor and sidewalk cafe

licenses as well as a letter to the Borough President and Mayor's Office in support of the police precinct commanding officer appointment process.' First, we did not discuss SLA or Cafe permits. There was no such business before the Board, so I believe you have conflated our response with that of other Boards. Second, CB14 held a July Committee of the Whole meeting. It was duly noted and is recorded and posted on our website. As explained above, sometimes a recommendation comes out of a committee meeting and is presented to the full board for approval. There were no members of the public expressing an interest in speaking on the matter. We are not mandated to hold meetings in the months of July and August, but are able to if a committee of the whole has been established at a June meeting. Our July 2020 meeting seems to have not been a subject of this audit. Your December draft reiterated that CB 14 did not hold a September 2020 hearing. As we previously demonstrated, that is inaccurate. We held a hearing with respect to the City's Capital and Expense Budget preceding the regular monthly meeting."

Auditor Comment: With respect to Brooklyn Community Board #14's statements concerning board votes relating to liquor licenses and café permits, the references to those matters in our finding applied to other boards mentioned in the passage in question, not Brooklyn Community Board #14. With respect to the board's reference to a letter concerning an appointment process for a police official, we note that at Brooklyn Community Board #14's September 2020 general board meeting the board voted on a letter to the Borough President and Mayor's Office in support of the police precinct commanding officer appointment process. That vote was taken prior to the public session portion of the meeting. Moreover, Brooklyn Community Board #14 did not hold a public hearing in September 2020 to discuss that particular matter.

To the extent that boards set aside time to hear from the public at the end of their meetings, rather than before voting on matters affecting their districts, those actions pose an increased risk that the people of each district may not have been afforded a meaningful opportunity to comment and express their views to the full board.

After we presented our findings to the Brooklyn Community Boards, Brooklyn Community Board #1 stated that "[w]hen individuals sign up for the 'Public Session', each are screened for what he/she requests to speak about. The board's office separates out these speakers prior to the meeting (hence, the sign up by 2PM deadline) so that they can speak on a specific item which they have identified prior to the board's listening of an item, conducting a subsequent review, formulating a resolution or executing a vote." Additionally, Brooklyn Community Board #8 stated that "the public has an opportunity to comment on every action item/public hearing item prior to the Board's vote." Lastly, Brooklyn Community Board #14 stated that "Community members have ample opportunity to voice points of view, provide input and help shape Board recommendations at committee meetings and public hearings, which are generally well attended and lively." However, as previously stated, based on our observations of the Brooklyn Community Boards #1, #8, and #14 September 2020 general board meetings, and our review of meeting minutes and agendas, the boards set aside time to hear from the public at the end of their meetings.

Since Brooklyn Community Boards #1, #2, #8, #14, #16, and #18 set aside time to hear from the public at the end of their meetings, rather than before voting on matters affecting their districts, those boards increased the risk that the people of each district may not have been afforded a meaningful opportunity to comment and express their views to the full board, that is, an opportunity to do so before to the boards voted and took actions on those matters.

Most Boards Did Not Provide Adequate Public Notice of Meetings and Hearings

Chapter 70, Section 2800(h) of the City Charter states that “[e]ach board shall give adequate public notice of its meetings and hearings.” Further, the New York State Public Officers Law, Article 7, Open Meetings Law, Section 104, states that

1. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given or electronically transmitted to the news media and shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting.
2. Public notice of the time and place of every other meeting shall be given or electronically transmitted, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto. . . .
6. When a public body has the ability to do so, notice of the time and place of a meeting given in accordance with subdivision one or two of this section, shall also be conspicuously posted on the public body's internet website.

In addition, the New York State Department of State, Committee on Open Government, Open Meetings Law, Advisory Opinion #4895 states that “[i]n order to comply with the various provisions of the Open Meetings Law, the Board should . . . designate one or more **physical locations** at which it will post notice of the time and place of its meetings.” [Emphasis added.]

However, of the 18 Brooklyn Community Boards, only 16 responded to the audit survey. Of those 16, our audit found that 10 did not provide adequate public notice of general board meetings as required. Specifically, Brooklyn Community Boards #9, #12, #13, #14, and #17 reported that they do not notify news media outlets; and Brooklyn Community Boards #3, #4, #9, #11, #12, #13, #14, #15, #17, and #18 reported that they do not post notices in public locations.

Our audit also found that certain Brooklyn Community Boards did not provide adequate public notice of public hearings. According to the New York State Department of State guidance titled *Conducting Public Meetings and Public Hearings*, “Legal notice of the hearing should be published in the official newspaper, if there is one, or in a newspaper having general circulation within the municipality, as required by law. A public notice should be posted on the official bulletin board or signboard, and in other places as required by law.” The New York State Division of Local Government Services guidance titled *Conducting Public Meetings and Public Hearings* also details public notice requirements for public hearings and states that “[l]egal notice of the hearing should be published in the official newspaper, if there is one, or in a newspaper having general circulation within the municipality,” and that “all notices of public hearings must, at a minimum, include . . . the date, time and place of the hearing; and . . . a brief statement of its purpose.”

However, of the 16 Brooklyn Community Boards that responded to the audit survey one did not conduct any public hearings during the period September 2019 through November 2020, and of 15 boards that conducted public hearings, 13 did not provide adequate public notice of them as required. Specifically, Brooklyn Community Boards #2, #3, #4, #9, #10, #11, #12, #13, #14, #15, #16, #17, and #18 reported that they do not notify news media outlets; and Brooklyn Community Boards #3, #4, #9, #11, #12, #13, #15, #17, and #18 reported that they do not post notices in public locations.

After we presented our findings to the Brooklyn Community Boards, some Brooklyn Community Board officials stated that they notify the public of meetings and hearings in a number of different ways such as sending notices to the media, posting notices on their social media pages, and distributing notices to the public door-to-door or via direct mailings. Some Brooklyn Community Board officials also stated that their office locations do not have a suitable physical location to post the notice and they had difficulty finding physical public locations to post notices. Additionally, some Brooklyn Community Board officials stated that board offices were closed and staff were not working in the office during the COVID-19 pandemic, and therefore, the board could not post notices.

However, as previously stated, Section 104(2) of the Open Meetings Law states that “[p]ublic notice of the time and place of every other meeting . . . shall be conspicuously posted in one or more designated public locations.” Further, the New York State Department of State, Committee on Open Government, Open Meetings Law, Advisory Opinion #4895, “[t]he requirement that notice of a meeting be ‘posted’ in one or more ‘designated’ locations, in our opinion, mandates that a public body, by resolution or through the adoption of policy or a directive, select one or more specific locations where notice of meetings will consistently and regularly be posted.” Therefore, Community Boards should have selected one or more suitable locations to post meeting notices.

In addition, Brooklyn Community Board #13 and #14 both stated that they send public notice to news media outlets and Brooklyn Community Board #14 stated that they “send our monthly calendar to LinkNYC for additional public posting.” However, Brooklyn Community Boards #13 and #14 did not provide any documentary evidence to support this assertion.

Lastly, some Brooklyn Community Board officials provided evidence of notifying news media of its monthly meetings and public hearings. However, as previously stated, “[l]egal notice of the hearing should be **published** in the official newspaper, if there is one, or in a newspaper having general circulation within the municipality.” [Emphasis added.]

Board #10 Response: “ULURP and Capital and Expense Budget Priorities public hearings are published in the City Record. In addition, it is the policy of Community Board 10 that applications to the New York State Liquor Authority are reviewed in a very open public process. We conduct extensive public outreach including door to door literature drops, mailing to nearby residents, public posting along merchant corridors and on the Community Board 10 Community News Bulletin Board, as well as via social media and e-newsletter.”

Auditor Comment: During the audit, Brooklyn Community Board #10 reported that it does *not* publish notice of its public hearings in the newspaper or news media, and it has not provided documentary evidence to support the above-quoted statement to the contrary in its written response. In the absence of such documentary evidence, we did not find a basis to modify the finding.

Board #14 Response: “In response to notifying news outlets, I corrected our original response and noted that we do inform the press of our monthly calendar; we also send reminders of each meeting. In addition to a general press list, we have members of the press serving on our Board. The editor of Yeshiva World, and the Executive Editor of Dunya International, NY (an Urdu language media outlet) as well as the BKLYNR, receive monthly meeting notices and periodic meeting reminders. Posts from our website are linked to Twitter; many neighborhood associations and civic groups post CB14 meeting notices on their list serves and we now also post our monthly calendar to LinkNYC for additional public posting. Again, please correct our media outreach response and update our public posting response accordingly.”

Auditor Comment: During the audit, Brooklyn Community Board #14 reported that it does not publish notice of its public hearings in the newspaper or news media and that it does not provide public notice of its general board meetings to the news media and post the notice in public locations. The board has not provided documentary evidence to support the above-quoted statement to the contrary in its written response. In the absence of such documentary evidence, we did not find a basis to modify the finding.

Since many of the 18 Brooklyn Community Boards did not consistently provide adequate public notice of meetings and hearings, the public may not have been aware of public meetings and hearings and afforded the opportunity to observe and participate in Community Board discussions, deliberations, and actions, and to express their views concerning issues affecting their district.

Boards Did Not Make Meetings and Hearings Available for Broadcasting and Cablecasting

New York City Charter Chapter 70, Section 2800(h), states that “[e]ach board . . . shall make such meetings and hearings available for broadcasting and cablecasting.” Chapter 47, Section 1063(a) of the City Charter states that “[a]ll future cable franchises and franchise renewals shall require (i) that channels be designated for governmental use.”

However, 8 of the 16 Brooklyn Community Boards that responded to the audit survey reported that they do not make their meetings and hearings available for broadcasting on the radio or on the internet (Brooklyn Community Boards #1, #2, #12, #13, #15, #16, #17, and #18). The remaining eight Brooklyn Community Boards reported that they broadcast their meetings by livestreaming meetings and hearings on their social media platforms including Facebook and YouTube (Brooklyn Community Boards #3, #4, #7, #8, #9, #10, #11, and #14). Additionally, *none* of the 16 Brooklyn Community Boards that responded to the audit survey reported that they make their meetings and hearings available for cablecasting on cable television.

Eight Brooklyn Community Boards reported that they were not aware of the City Charter requirement to make meetings and hearings available for broadcasting and cablecasting (Brooklyn Community Boards #3, #4, #8, #11, #12, #15, #17, and #18). Further, some Community Board officials maintained that they lacked financial resources, professional staff, and support from the City to enable them to broadcast and cablecast meetings and hearings. However, as previously noted, Chapter 47, Section 1063(a) of the City Charter states that “[a]ll future cable franchises and franchise renewals shall require (i) that channels be designated for governmental use.” The boards should therefore seek guidance from the City agencies that are responsible for assisting them and determine how they can obtain such access, identify the associated costs, and allocate or seek the necessary resources to comply with the City Charter mandate.

After we presented our findings to the Brooklyn Community Boards, Brooklyn Community Board #1 stated that “Channel 13 had broadcasted our meetings/public hearings via live streaming” and provided documentation to show that a City Councilmember allocated funding to provide “computer based training and learning, technical skill development, improve internet access, and offer free public streaming services.” Based on the documentation provided, we were unable to determine independently whether those funds were used to broadcast or cablecast Brooklyn Community Board #1 meetings and hearings.

Lastly, Brooklyn Community Board #10 officials provided supporting documentation to show that the board cablecasted 3 of the 11 general board meetings included in our review. Since a

significant number of the Brooklyn Community Boards did not consistently make meetings and hearings available for broadcasting and cablecasting, the public may not have been able to observe Community Board discussions, deliberations, and actions.

Board #1 Response: “Community boards are not required to broadcast meetings . . . the auditor’s statement is arbitrary and capricious as there is no requirement . . . Community Boards are not subject to this mandate.” [Emphasis in original.]

Board #10 Response: “The Law Department provided guidance on a board’s obligations with regard to Chapter 70, section [2800](h) of the Charter, which states: ‘Each board shall give adequate public notice of its meetings and hearings and shall make such meetings and hearings available for broadcasting and cablecasting.’ The Law Department advised that

‘[t]he Charter requirement would be satisfied, in our view, if a community board ensured that organizations or individuals likely to be interested in broadcasting or cablecasting its meetings and hearings were informed of them, perhaps at the same time that any notice of a meeting or hearing is transmitted.’ The Law Department further advised that Section 1063 of the City Charter, noted in the Final Audit does not apply to community boards. Indeed, that section expressly states in subsection d. thereof, that ‘this section shall not apply to community boards.’”

Auditor Comment: We refer here to our previous comments in response to this point based on Section 2800(h) of the City Charter.

Since the Brooklyn Community Boards did not consistently conduct public meetings and hearings, properly notify the public of meetings and hearings, and make meetings and hearings available for broadcasting and cablecasting, the Brooklyn Community Boards that did not meet the applicable City Charter requirements increased the risk that the public may not have been informed of issues affecting their district and thereby limited the public’s ability to participate in local government. As stated in the New York State Department of State, Committee on Open Government, Open Meetings Law, Section 100:

The people must be able to remain informed if they are to retain control over those who are their public servants. It is the only climate under which the commonwealth will prosper and enable the governmental process to operate for the benefit of those who created it.

Recommendations

The Brooklyn Community Boards should:

1. Conduct public meetings and hearings each month in accordance with the New York City Charter Chapter 70, Section 2800(h) and, if necessary, seek guidance on how to comply with this requirement by contacting the New York City Law Department as well as the other City agencies tasked with providing assistance to the Community Boards—the Brooklyn Borough President’s Office, the Civic Engagement Commission, and the Mayor’s Office Community Affairs Unit;

Board #7 Response: “Community Board 7/Brooklyn acknowledges the deficiencies outlined in the Comptroller’s 2021 quadrennial audit of the Community Boards and will endeavor to correct our practices to ensure future compliance. We acknowledge deficiencies in:

- Holding monthly hearings”

Board #8 Response: “We have now clearly identified public hearing items on our agenda at our meetings.”

Board #11 Response: “While we believe that we have met the spirit of the law, we will internally review the recommendations.”

Board #12 Response: “Whereas the Comptroller’s Office advised that a separate Public Session and Public Hearing must be held, The NYC Law Department advised that ‘the public hearing be referred to as such, and not as a ‘public session’ ...’. CB12 will follow whatever recommendation is required.”

Auditor Comment: With regard to Brooklyn Community Board #12’s response, we refer again to the differences between public meetings and public hearings as established by applicable State law and written advice from State agencies, as cited throughout our report.

2. Set aside time to hear from the public prior to taking actions at meetings and hearings;

Board #7 Response: Brooklyn Community Board #7 did not address this recommendation.

Board #8 Response: “Prior to every vote, the community is explicitly invited to comment on the items presented.”

Board #11 Response: “[A]t every monthly meeting we provide the public an opportunity to speak on any matter.”

Board #12 Response: “CB12 agrees with this recommendation and has procedures to allow public comment before voting actions taken by the board.

3. Ensure that public notice of all general board meetings is given to news media outlets and posted in public locations;

Board #1 Response: “Although we are not specifically sited here, we would be negligent if we miss this opportunity to restate this is something we habitually do. Voluminous media outlets routinely receive our notices (including the press, television channels, community groups) including required City Record announcements. We also enter our meetings on the LinkNYC System (a series of uniformed information kiosks located through the community)that provides information access). . . . Additionally, notices are sent out to various entities on our mailing lists and the dates appear on the public kiosks and our website.”

Board #4 Response: “CB4 staff will ensure one or more locations are formally confirmed as per the report recommendation moving forward.”

Board #7 Response: Brooklyn Community Board #7 did not address this recommendation.

Board #8 Response: Brooklyn Community Board #8 did not address this recommendation.

Board #11 Response: “Pursuant to the Comptroller’s recommendations we have implemented procedures to post physical meeting notices in a designated publicly accessible location.”

Board #12 Response: Please see Brooklyn Community Board #12 response to Recommendation 4.

4. Ensure that public notice of all public hearings is published in the official newspaper or in a newspaper having general circulation within the municipality and posted in public locations and includes the date, time, and place of the hearing, and a brief statement of the purpose of the hearing; and

Board #4 Response: “CB4 staff will ensure one or more locations are formally confirmed as per the report recommendation moving forward.”

Board #7 Response: Brooklyn Community Board #7 did not address this recommendation.

Board #8 Response: Brooklyn Community Board #8 did not address this recommendation.

Board #10 Response: “Community Board Ten is in complete compliance with this directive. Our top priority is to ensure adequate and timely notice on all issues reviewed on the monthly Community Board 10 agenda. All Community Board 10 meeting notices are distributed electronically to the news media. Our meeting notices are also physically posted in a public location and e-distributed to over 2,000 residents (a list which continues to grow) as well shared to our social media accounts.”

Auditor Comment: During the audit, Brooklyn Community Board #10 reported that it does *not* publish notice of its public hearings in the newspaper or news media, and it has not provided documentation to support the above-quoted statement to the contrary. In the absence of documentary such evidence, we did not find a basis to modify the finding or our corresponding recommendation, above.

Board #11 Response: Please see Board #11 response to Recommendation 3.

Board #12 Response: “CB12 agrees with these recommendation and provides notice of board meetings to several news outlets and will actively seek to expand list of agencies in the email list. Per the NYC Law Department, ‘the news media notice requirement ... is satisfied if a community board electronically transmits its notices to newspapers or other news outlet which are published or issued regularly and are intended to be read, heard or viewed by the general public’.

CB12 will seek appropriate location for placing a paper notice of the board meetings and hearings.”

Auditor Comment: New York State Department of State guidance titled *Conducting Public Meetings and Public Hearings* states, in part, “Legal notice of the hearing should be published in the official newspaper, if there is one, or in a newspaper having general circulation within the municipality, as required by law.” Our corresponding recommendation stands.

5. Take the necessary steps to ensure that all meetings and hearings are made available for broadcasting and cablecasting, including but not limited to, determining how to obtain access to channels dedicated for governmental use, identifying the associated costs, and allocating or seeking the necessary resources to comply with the City Charter mandate.

Board #1 Response: “Community boards are not required to broadcast meetings . . . the auditor’s statement is arbitrary and capricious as there is no requirement . . . Community Boards are not subject to this mandate.” [Emphasis in original.]

Auditor Comment: We refer again to the previously-cited requirement that applies to Community Boards under Section 2800 of the City Charter and to the recommendation that Community Boards seek assistance from the responsible City agencies in determining how they can leverage the channels that are supposed to be designated for public use to make their meetings and hearings meaningfully available to the public through broadcasting or cablecasting.

Board #4 Response: “CB4 will continue to work with the other Brooklyn community boards and borough hall on securing a cablecasting option.”

Board #7 Response: “Community Board 7/Brooklyn acknowledges the deficiencies outlined in the Comptroller’s 2021 quadrennial audit of the Community Boards and will endeavor to correct our practices to ensure future compliance. We acknowledge deficiencies in: . . .

- Cablecasting”

Board #8 Response: “We are still researching cablecasting, and will contact our incoming City Council members for funding, training, equipment, and casting services. In the meantime, we will continue to make use of free live web streaming services via our YouTube page.”

Board #10 Response: “The Brooklyn Community Board District Managers recently met with BRIC Arts Media to learn more about broadcasting Community Board Meetings on BCAT at its December 2021 Borough Service Cabinet meeting. Community Board 10 will set up a meeting with BRIC Arts Media to discuss making our meetings available for broadcasting.”

Board #11 Response: “Community Board 11 broadcasts our meetings via livestream. Our meeting recording will be made available to BRIC Arts Media for cablecasting.”

Board #12 Response: “Although the view of the NYC Law Department is that the law ‘does not require that community boards themselves broadcast. . . The Charter requirement would be satisfied. . . if a community board ensured that organizations or individuals likely to be interested in broadcasting or cablecasting its meetings and hearings were informed of them’, we are working with BRIC TV to broadcast our meetings.”

Board #1, #2, #3, #4, #5, #6, #9, #10, #13, #14, #15, #16, #17, and #18 Responses to Recommendations #1 through #5: Brooklyn Community Boards #1, #2, #4, #9, #10 and #14 submitted written comments in response to certain draft report findings. However, Brooklyn Community Boards #1, #2, #4, #9, #10 and #14’s written comments generally did not address the report’s recommendations.

Brooklyn Community Boards #3, #5, #6, #13, #15, #16, #17, and #18 did not submit written comments in response to the draft report.

Auditor Comment: With regard to recommendations #1 through #5, we reiterate each recommendation to all of the boards.

Brooklyn Community Boards Did Not Fully Comply with City Charter and NYC Administrative Code Website Requirements

Chapter 70, Section 2800(d)(22) of the City Charter requires Community Boards to maintain a website, "[w]ith assistance and support from the department of information technology and telecommunications . . . that provides adequate public notice of upcoming meetings, minutes from past meetings for the past twelve months, and contact information for the board." However, our audit found that certain Brooklyn Community Boards did not maintain a website at all, and that others maintained websites that did not include all of the required information. We also found that some of the Brooklyn Community Boards that did maintain websites did not comply with NYC Administrative Code website translation and accessibility requirements.

These findings are discussed in detail below.

Two Boards Did Not Maintain Websites

Our review of the 18 Brooklyn Community Board websites in June 2020 found that Brooklyn Community Board #12 and Brooklyn Community Board #18 did not maintain websites. Subsequent to our initial review of websites in June 2020, Brooklyn Community Board #18 implemented a website which launched on October 1, 2020. On November 10, 2020, the Brooklyn Community Board #12 District Manager stated that the board website was under development. However, the City Charter requirement for Community Boards to maintain a website was implemented as part of Local Law 211 of 2018 and has been effective since January 1, 2019. As of the issuance of this report, and roughly one year since Brooklyn Community Board #12 stated that the board website was under development, Brooklyn Community Board #12 still does not maintain a website.

By not maintaining a website, Brooklyn Community Boards #12 and #18 limited the public's ability to be made aware of upcoming meetings, to review discussions and deliberations from and actions taken at prior meetings, and to contact the board.

Some Boards Did Not Provide Adequate Public Notice of Upcoming Meetings

The New York State Public Officers Law, Article 7, Open Meetings Law, Section 104, states that

5. If a meeting will be streamed live over the internet, the public notice for the meeting shall inform the public of the internet address of the website streaming such meeting.
6. When a public body has the ability to do so, notice of the time and place of a meeting given in accordance with subdivision one or two of this section, shall also be conspicuously posted on the public body's internet website.

However, as Brooklyn Community Board #12 does not maintain a website at all, it did not provide adequate public notice of upcoming meetings on the internet. Additionally, 4 of the 17 Brooklyn Community Boards that currently maintain a website did not provide adequate public notice of their September 2021 general board meeting on their websites. Specifically, we found that the website public notices posted by Brooklyn Community Boards #4, #15, and #18 did not provide

the internet address of the website streaming their September 2021 general board meetings, and Brooklyn Community Board #13 did not post public notice of its September 2021 general board meeting on its website at all.

After we presented our findings to the Brooklyn Community Boards, some Brooklyn Community Board officials stated that the boards asked the public to send an email to request a link to the meeting to prevent inappropriate behavior from unwanted guests during their virtual meetings. However, as previously stated, Section 104(5) states that “[i]f a meeting will be streamed live over the internet, the public notice for the meeting shall inform the public of the internet address of the website streaming such meeting.” Furthermore, the Community Boards can use video conferencing platform security features such as meeting passcodes, waiting rooms, and requiring authentication to join, and can control participants audio and video.

Additionally, some Brooklyn Community Board officials stated that the boards lack adequate staffing to comply with website requirements and that it is a complicated process to work with DoITT to update websites. However, the Brooklyn Community Boards did not provide documentation to show that the process of working with DoITT prevented boards from providing adequate public notice of meetings.

Since Brooklyn Community Boards #4, #13, #15, and #18 did not provide adequate public notice of their September 2021 general board meetings on their websites, the public may not have been aware of the meetings and afforded the opportunity to observe Community Board discussions, deliberations, and actions and to express their views concerning issues affecting their district.

Most Boards Did Not Always Post Meeting Minutes on Their Websites

Based on our review of meeting minutes published on Brooklyn Community Board websites for the period June 2019 through May 2020, 13 of the 16 Brooklyn Community Boards that maintained websites did not post all required meeting minutes on their websites, as detailed in Table VI below. Furthermore, seven Brooklyn Community Boards did not post *any* of the required meeting minutes (Brooklyn Community Boards #2, #5, #6, #7, #13, #14, and #17).

Table VI

Analysis of Monthly Meeting Minutes Published for the Period June 2019 through May 2020⁵

Month	Meeting Minutes Published on Brooklyn Community Board Website? (Yes/No)																	
	CB1	CB2	CB3	CB4	CB5	CB6	CB7	CB8	CB9	CB10	CB11	CB12	CB13	CB14	CB15	CB16	CB17	CB18
June 2019	Yes	No	Yes	Yes	No	No	No	Yes	No	Yes	Yes	No Website	No	No	No	Yes	No	No Website
July 2019	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
August 2019	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
September 2019	Yes	No	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	No Website	No	No	Yes	Yes	No	No Website
October 2019	Yes	No	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	No Website	No	No	Yes	Yes	No	No Website
November 2019	Yes	No	Yes	Yes	No	No	No	Yes	No	Yes	Yes	No Website	No	No	Yes	Yes	No	No Website
December 2019	Yes	No	Yes	Yes	No	No	No	Yes	No	Yes	Yes	No Website	No Meeting	No	Yes	Yes	No Meeting	No Website
January 2020	Yes	No	Yes	Yes	No	No	No	Yes	No	Yes	No	No Website	No	No	Yes	No	No	No Website
February 2020	Yes	No	Yes	Yes	No	No	No	Yes	No	Yes	No	No Website	No	No	Yes	No	No Meeting	No Website
March 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
April 2020	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
May 2020	No Meeting	No Meeting	No Meeting	No	No	No	No Meeting	No Meeting	No Meeting	No	No	No Website	No	No	No	No	No Meeting	No Website
Total Meetings Conducted	7	7	7	8	8	8	7	7	7	8	8	No Website	7	8	8	8	5	No Website
Total Minutes Posted	7	0	7	7	0	0	0	7	2	7	5	No Website	0	0	6	5	0	No Website
Total Minutes Not Posted	0	7	0	1	8	8	7	0	5	1	3	No Website	7	8	2	3	5	No Website

⁵As previously stated, Community Boards are not required to hold public meetings and hearings in the months of July and August. Therefore, we excluded the months of July 2019 and August 2019 from our analysis. Additionally, due to the COVID-19 pandemic, we judgmentally excluded the months of March 2020 and April 2020 from our analysis. In total, we reviewed 8 months—June 2019, September 2019 through February 2020, and May 2020.

After we presented our findings to the Brooklyn Community Boards, some Brooklyn Community Board officials stated that the process to update their website through DoITT is difficult and that DoITT has limited resources dedicated to assist the Community Boards. Brooklyn Community Board officials explained that they do not post the minutes on their own websites but rather send the minutes to DoITT who then subsequently posts them on Community Board websites, and that DoITT may not always post the minutes on the website in sufficient time. However, Community Board officials did not cite specific examples or provide us with documentation to show that DoITT has not dedicated adequate resources to Community Boards or that DoITT prevented Community Boards from timely posting meeting minutes on their websites. Some Brooklyn Community Board officials also stated that they do not post meeting minutes on the website until the full board votes on and approves the minutes at the subsequent general board meeting. For example, Brooklyn Community Board #10 stated that “[i]t is the policy of Community Board 10 to post the minutes upon adoption at the following month’s meeting” and provided documentation to show that the minutes that were not posted from May 2020 are currently posted on the board’s website.

In addition, Brooklyn Community Board #2 stated that “[d]ue to the limitations of needing to rely on the Department of Information Technology and Telecommunications (DOITT), the board’s minutes are stored on a Google Drive accessible through the website” and provided a link to the Google drive on the board website which contained meeting minutes and was added to the board’s website subsequent to our initial review in June 2020.

Lastly, Brooklyn Community Boards #2, #4, #10, #11, #13, and #16 provided supporting documentation to show that the general board meeting minutes which were not posted on their websites during our initial review in June 2020, have been subsequently posted on their websites. Brooklyn Community Board #14 provided documentation to show that the general board meeting minutes which were not posted on its website during our initial review in June 2020, have been subsequently posted on its website, with the exception of the June 2019 general board meeting minutes which were not posted on the board’s website as of the issuance of this report.

Board #14 Response: “For instance, all meeting minutes for the period of this audit and beyond are posted on the CB 14 website. Please update your report accordingly.”

Auditor Comment: After we presented our findings to the Brooklyn Community Boards, Brooklyn Community Board #14 provided documentation to show that the general board meeting minutes which were not posted on its website during our initial review in June 2020, have been subsequently posted on its website, with the exception of the June 2019 general board meeting minutes. The June 2019 general board meeting minutes are not posted on the board’s website as of the issuance of this report.

When all meeting minutes are not posted as required, the Brooklyn Community Boards limit the public’s ability to review discussions and deliberations from, and actions taken at, prior meetings.

Two Boards Did Not Provide Verifiable Contact Information

While all 17 Brooklyn Community Boards that currently maintain websites included contact information for the board on their website, we could not contact Brooklyn Community Boards #5 and #6 after multiple attempts via the telephone number and email address provided on the boards’ websites. Additionally, as previously mentioned, both Brooklyn Community Boards #5 and #6 did not respond to multiple requests for information and documentation for our audit.

Since Brooklyn Community Boards #5 and #6 could not be contacted at the contact information provided on their websites, we question the extent to which those two boards are communicating with and serving the needs of the people of the district.

Some Boards Did Not Maintain Websites with a Translation Feature

According to Section 23-801 of the NYC Administrative Code, websites maintained “by or on behalf of the city or a city agency shall include a translation feature for viewing the text of that website, wherever practicable, in languages other than English.” In addition, the translation feature “shall be indicated by a means, other than or in addition to English, that is comprehensible to speakers of the seven most commonly spoken languages within the city as determined by the department of city planning.”

However, our review of the Brooklyn Community Board websites during July 2020 found that 5 of the 16 Brooklyn Community Boards that maintained a website did not include a translation feature (Brooklyn Community Boards #5, #8, #9, #14, and #17). Subsequent to our initial review of the website translation features in July 2020, Brooklyn Community Board #9 added a translation feature to its website. As of the time of this report, Brooklyn Community Boards #5, #8, #14 and #17 each utilize website platforms provided by outside vendors and still do not have a translation feature on their website.

After we presented our findings to the Brooklyn Community Boards, Brooklyn Community Board #8 stated that “we have contacted our web developer, and a translation feature will be added shortly.” In addition, Brooklyn Community Board #14 stated that “about 12-13 years ago CB14 opted out of the City’s website hosting platform because content could not be controlled by the District Office and requests to post announcements were not administered in a timely fashion. One of the limits of this platform is the translation function but CB14 is reviewing options and hopes to make this upgrade with existing resources.”

Since Brooklyn Community Boards #5, #8, #14, and #17 do not have a translation feature on their websites, people of the district who do not speak English may not be informed of issues affecting their community district and may not be able to participate in local government.

Boards Did Not Maintain Websites Fully Accessible to Persons with Disabilities

The New York City Administrative Code, Section 23-802 (a), states that “[t]he mayor or the mayor’s designee shall adopt a protocol for websites maintained by or on behalf of the city or a city agency relating to website accessibility for persons with disabilities.” According to the New York City Mayor’s Office for People with Disabilities, in order to ensure that all City websites were accessible to persons with disabilities, “[t]he Web Content Accessibility Guidelines (WCAG) 2.0 Level AA standard was adopted.”⁶

⁶ The WCAG was developed to provide “a single shared standard for web content accessibility that meets the needs of individuals, organizations, and governments internationally” and to “explain how to make web content more accessible to people with disabilities.” As of July of 2021, the City of New York has adopted the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA standard.

However, based on our review of Brooklyn Community Board websites during October 2021, all of the 17 Brooklyn Community Boards that had a website did not maintain a website that was fully accessible for persons with disabilities. The 17 Brooklyn Community Board websites had a combined 322 errors—171 website accessibility errors and 151 contrast errors—as detailed in Table VII below.

Table VII

Brooklyn Community Boards’
Website Accessibility and Contrast
Errors

Brooklyn Community Board	# of Website Accessibility Errors	# of Contrast Errors	# of Total Errors
CB1	16	0	16
CB2	6	14	20
CB3	1	0	1
CB4	17	0	17
CB5	0	48	48
CB6	10	3	13
CB7	13	0	13
CB8	0	25	25
CB9	3	1	4
CB10	0	1	1
CB11	11	1	12
CB12	No Website	No Website	No Website
CB13	6	8	14
CB14	15	10	25
CB15	21	5	26
CB16	21	0	21
CB17	17	35	52
CB18	14	0	14
Total	171	151	322

The 322 website accessibility and contrast, errors included, among other things, the following:

- Images missing alternative text. Without alternative text, the content of an image will not be available to screen reader users, which read aloud web pages for people who cannot read the text, or when the image is unavailable.
- Empty headers and links. An empty heading will present no information and may introduce confusion. If a link contains no text, the function or purpose of the link will not be presented to the user. This can introduce confusion for screen reader users and users only using the keyboard to navigate through the web content.
- Missing form labels which provide visible descriptions and larger clickable targets.

- Very low contrast between text and background colors, which can make it difficult for screen readers with low vision or color vision deficiency to read text.

Twelve of the 17 Brooklyn Community Boards that had a website utilize websites provided by DoITT, which accounted for 160 of the 322 errors (49.7 percent). The remaining five boards utilize website platforms provided by outside vendors and accounted for 162 of the 322 total accessibility and contrast errors (50.3 percent).

After we presented our findings to the Brooklyn Community Boards, some Brooklyn Community Board officials stated that website accessibility is DoITT's responsibility and that the Community Boards have no control over this aspect of their websites. For example, an official from Brooklyn Community Board #1 stated that "our website was designed by NYC's DoITT. They provide the hosting capabilities and implement changes/postings. If there are errors regarding WCAG, this is a matter to be taken up with the agency to make the appropriate changes, if any are necessary."

In addition, some of the Brooklyn Community Board officials also noted a lack of guidance, staffing, and funding necessary to comply with all of the website requirements and also noted that the Community Board budgets have decreased since the onset of the COVID-19 pandemic. However, the Brooklyn Community Boards should seek guidance from the City agencies tasked with providing assistance to the Community Boards to ensure that boards comply with the City Charter and NYC Administrative Code requirements to maintain websites which are fully accessible to persons with disabilities.

Lastly, Brooklyn Community Board #8 stated that "we have contacted our web developer to correct the contrast issues and errors."

Board #14 Response: "In response to the rubric by which your office measured accessibility, we have never seen those criteria before. We look forward to a day when the city provides adequate resources and support for all mandates. This includes website accessibility. We will work to improve the CB14 website to address the audit's findings. To assist us we request a more specific report. The aggregate numbers do not indicate where the 15 accessibility and 10 contrast errors were found. Did the audit only consider posts during the audit period? Did the audit consider only CB14 content, or was content that other organizations, agencies, and elected officials provided and asked us to share, also subject to this review? Please clarify so that we can determine how to improve our website and update our posting policies for other groups."

Auditor Comment: We evaluated the content of each board's website as of October 2021. Thereafter, on December 8, 2021, to assist the boards in addressing the accessibility issues, we provided each of the Brooklyn Community Boards with a list of the website accessibility and contrast errors that were found on each board's website as of October 2021. We also provided the Brooklyn Community Boards with various resources, such as a link to the Mayor's Office Digital Accessibility Resources and a copy of the Mayor's Office Basic Website Accessibility Checklist which includes a link to the website evaluation tool that was used in conjunction with this audit.

By not fully adopting the protocols required to make their websites accessible for persons with disabilities, the Brooklyn Community Boards increased the risk that people within their districts with disabilities may not be informed of issues affecting their community district and able to fully participate in local government.

Recommendations

The Brooklyn Community Boards should:

6. Maintain websites and ensure that the websites include verifiable contact information for the board;

Board #7, #8, #11, and #12 Responses: Brooklyn Community Board #7, #8, #11, and #12 did not address this recommendation.

7. Provide adequate public notice of upcoming meetings on their websites and include information such as the date, time, and location of the meeting as well as the internet address of the website streaming such meeting if applicable;

Board #7, #8, #11, and #12 Responses: Brooklyn Community Board #7, #8, #11, and #12 did not address this recommendation.

8. Post meeting minutes from meetings for the past twelve months on their websites; and

Board #4 Response: “CB4 will continue to explore ways to improve the board’s website both independently and in partnership with the NYC Department of Information Technology and Telecommunications (DOITT). We hope this report encourages DOITT to make upgrades to the website platform(s) available to all boards. Thereby making it easier for board staff to update their websites.”

Board #7 Response: “Community Board 7/Brooklyn acknowledges the deficiencies outlined in the Comptroller’s 2021 quadrennial audit of the Community Boards and will endeavor to correct our practices to ensure future compliance. We acknowledge deficiencies in: . . .

- Posting minutes”

Board #8 Response: Brooklyn Community Board #8 did not address this recommendation.

Board #11 Response: Brooklyn Community Board #11 did not address this recommendation.

Board #12 Response: Brooklyn Community Board #12 did not address this recommendation.

9. Contact DoITT and website platform vendors to ensure that their website includes a translation feature that allows the text of their website to be viewed in the seven most commonly spoken languages in the City and are fully accessible to persons with disabilities as per the WCAG 2.0 Level AA standard.

Board #4 Response: “CB4 staff will contact DOITT for assistance with correcting all accessibility errors.”

Board #7 Response: “Community Board 7/Brooklyn acknowledges the deficiencies outlined in the Comptroller’s 2021 quadrennial audit of the Community Boards and will endeavor to correct our practices to ensure future compliance. We acknowledge deficiencies in: . . .

- Website accessibility”

Board #8 Response: “This modification has been completed by our web developer.”

Board #11 Response: “Community Board 11 has reviewed the errors on its webpage and has taken steps to ensure that that is accessible to persons with disabilities as per the WCAG 2.0 Level AA standard.”

Board #12 Response: Brooklyn Community Board #12 did not address this recommendation.

Board #14 Response: “In response to translation services on our website, CB14 is reviewing options and hopes to make this upgrade with existing resources. In response to the rubric by which your office measured accessibility, we have never seen those criteria before. We look forward to a day when the city provides adequate resources and support for all mandates. This includes website accessibility. We will work to improve the CB14 website to address the audit’s findings.”

Board #1, #2, #3, #4, #5, #6, #9, #10, #13, #14, #15, #16, #17, and #18 Responses to Recommendations #6 through #9: Brooklyn Community Boards #1, #2, #4, #9, #10 and #14 submitted written comments in response to certain draft report findings. However, Brooklyn Community Boards #1, #2, #4, #9, #10 and #14’s written comments generally did not address the report’s recommendations.

Brooklyn Community Boards #3, #5, #6, #13, #15, #16, #17, and #18 did not submit written comments in response to the draft report.

Auditor Comment: With regard to recommendations #6 through #9, we reiterate each recommendation to all of the boards.

Brooklyn Community Board #5 and Brooklyn Community Board #6 Obstructed and Hindered the Comptroller’s Audit

Chapter 5, Section 93 of the City Charter states that the Comptroller has the authority to, among other things, audit and investigate the City’s finances, operations, and programs, and for such purposes shall have power to require the attendance and examine and take the testimony of such persons as the Comptroller may deem necessary and to obtain access to agency records with certain limited exceptions. Further, Section 1128(a) of the City Charter states,

No person shall prevent, seek to prevent, interfere with, obstruct, or otherwise hinder any study or investigation being conducted pursuant to the charter. Any violation of this section shall constitute cause for suspension or removal from office or employment.

However, Brooklyn Community Boards #5 and #6 consistently failed to respond to our requests for information and records related to their official responsibilities and to our requests for meetings to discuss their relevant operations.

Specifically, with regard to Brooklyn Community Board #5, we sent numerous requests to both the board’s email address and the District Manager’s email address, and we called to follow up on written requests. We also left messages with a Brooklyn Community Board #5 staff member. However, Brooklyn Community Board #5 failed to respond to our requests for basic documentation and information.

With regard to Brooklyn Community Board #6, we sent numerous requests to the board's email address and called to follow up on written requests. However, each time we called, Brooklyn Community Board #6 staff did not answer the phone and, because Brooklyn Community Board #6 does not have voicemail, we were unable to leave a message. Additionally, on August 11, 2021, we visited the Brooklyn Community Board #6 office to follow up on our requests. However, the office was closed to the public, and staff were not working in the office.

By consistently failing to respond to our written and verbal requests for information and documentation and our requests for meetings to discuss their relevant operations, Brooklyn Community Board #5 and Brooklyn Community Board #6 obstructed and hindered our ability to audit their operations and compliance with City Charter and NYC Administrative Code requirements for public meetings and hearings, and for websites.

Moreover, the consistent failure of Brooklyn Community Board #5's and Brooklyn Community Board #6's officials to respond to emails and to answer or respond to telephone calls and Brooklyn Community Board #6's failure to open and staff its office raise concerns as to (1) the extent to which those two boards are communicating with and serving the needs of the people of the district, and (2) staff time and attendance.

Recommendations

Brooklyn Community Boards #5 and #6 should:

10. Ensure that Community Board members and staff comply with City Charter requirements for audits and investigations; and
11. Take whatever action they deem appropriate against Community Board members and staff who violate City Charter requirements for audits and investigations.

Board #5 and #6 Responses: Brooklyn Community Boards #5 and #6 did not submit written comments in response to the draft report.

Auditor Comment: With regard to recommendations #10 and #11, we reiterate each recommendation to Brooklyn Community Boards #5 and #6.

DETAILED SCOPE AND METHODOLOGY

We conducted this performance audit in accordance with generally accepted government auditing standards, except with respect to Brooklyn Community Board #5's and Brooklyn Community Board #6's compliance with requirements for public meetings and public hearings because they did not respond to numerous requests for information and documentation in connection with this audit. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. This audit was conducted in accordance with the audit responsibilities of the City Comptroller as set forth in Chapter 5, §93, of the New York City Charter.

The scope of this audit covered the period of July 1, 2019 through September 30, 2021.

To gain an understanding of the rules, regulations, policies and procedures with which the Brooklyn Community Boards must comply when conducting public meetings and hearings, and maintaining a website, we reviewed the following: the New York City Charter Chapter 70, Sections 2800(d)(22) and 2800(h); the New York City Administrative Code, Sections 23-801 and 23-802(a); the New York City Community Boards Handbook 2015; the New York State Department of State, Committee on Open Government, Open Meetings Law; the New York State Department of State, Committee on Open Government, Open Meetings Law Advisory Opinions #3834 and #4895; the New York State Department of State publication titled "*Conducting Public Meetings and Public Hearings*"; and the Brooklyn Community Board bylaws.

To gain an understanding of the 18 Brooklyn Community Boards' procedures relating to public meetings and hearings, and maintaining a website, we issued and received responses to a questionnaire from each board. The questionnaire included questions regarding conducting public meetings and hearings, public notice, public participation, broadcasting and cablecasting of public meetings, and training, guidance, and support from external parties.

To determine whether the 18 Brooklyn Community Boards conducted required monthly meetings and public hearings, we requested and obtained general board meeting minutes and public hearing minutes from July 2019 through November 2020. We did not include the months of July 2019, August 2019, July 2020, and August 2020 as part of our analysis since boards are not required to meet during the months of July and August. Further, we did not include the months of March 2020 and April 2020 due to the COVID-19 pandemic. Therefore, we reviewed a total of 11 months. We reviewed meeting agendas and minutes to determine whether a meeting and hearing were held each month as required.

To determine whether the 18 Brooklyn Community Boards provided adequate public notice of its September 2021 general board meetings and hearings, we reviewed each board website and other materials to determine where and how the boards were providing public notice of meetings. We also requested and obtained detailed information regarding where, when, and how each board provides public notice of meetings and hearings through the questionnaire.

To determine whether the 18 Brooklyn Community Boards set aside time to hear from the public at public meetings, we conducted unannounced observations of the September 2020 monthly general board meeting for each board who published public notice of the meeting on their website. We observed the September 2020 general board meeting through the remote virtual platform

provided by the board and determined whether the board set aside time to hear from the public during the meeting.

To determine whether the 18 Brooklyn Community Boards made general board meetings and hearings available for broadcasting and cablecasting during Fiscal Year 2020, we requested each board to provide information about whether and how meetings and hearings are broadcasted and cablecasted.

To determine whether the 18 Brooklyn Community Boards maintained websites, we reviewed the Brooklyn Borough President's Office website, the Green Book Online, and conducted internet searches on Google to identify each board website address. For each board that maintained a website, we determined whether the website provided verifiable board contact information.

To determine whether the 18 Brooklyn Community Boards maintained websites which included a translation feature that is comprehensible to speakers of the seven most commonly spoken languages within the City, we reviewed each board website as of July 2020. We determined whether each board website: (1) contained a translation feature and the number of languages which were available to translate; and (2) had the ability to translate to the seven most commonly spoken languages within the City.

We reviewed each board website to determine whether the 18 Brooklyn Community Boards maintained websites which contained meeting minutes from past meetings for the past twelve months. In June 2020, we reviewed each of the 18 Brooklyn Community Board websites to determine whether and to what extent the boards published meeting minutes from past meetings for the past twelve months. We did not include the months of July 2019 and August 2019, as part of our analysis since boards are not required to meet during the months of July and August. Further, we did not include the months of March 2020 and April 2020 due to the COVID-19 pandemic. Therefore, we reviewed meeting minutes for a total of eight months (June 2019, September 2019 through February 2020, and May 2020).

To determine whether the 18 Brooklyn Community Boards maintained websites which were fully accessible for persons with disabilities, we utilized the Web Accessibility Evaluation Tool as recommended by the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA. In January and February 2021, we used the Web Accessibility Evaluation Tool to evaluate each board website and determine whether and to what extent the board websites contained accessibility errors and/or contrast errors.

The above tests, while not projectable to their respective populations wherever a sample was used, provided a reasonable basis for us to evaluate the 18 Brooklyn Community Boards' controls over public meetings and hearings, and maintaining a website.

APPENDIX

Summary of Findings Related to Public Meetings and Hearings and Website Content

Brooklyn Community Board	Complied with Requirements (Yes/No)											
	Meetings and Hearings						Website Content					
	Held Meetings Each Month	Held Hearings Each Month	Made Meetings and Hearings Available for Broadcasting on the Radio or Internet	Made Meetings and Hearings Available for Cablecasting	Provided Adequate Public Notice via Media and Physical Posting	Set Aside Time to Hear from Public	Maintained a Website as of July 2020	Adequate Public Notice of Meetings and Hearings	Meeting Minutes for the Past Twelve Months	Board Contact Information	Translation Feature	Fully Accessible to Persons with Disabilities
CB1	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
CB2	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes	No
CB3	No	No	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	No
CB4	Yes	No	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No
CB5	Unable To Test	Unable To Test	Unable To Test	Unable To Test	Unable To Test	Yes	Yes	Yes	No	No	No	No
CB6	Unable To Test	Unable To Test	Unable To Test	Unable To Test	Unable To Test	Yes	Yes	Yes	No	No	Yes	No
CB7	No	No	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No
CB8	No	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No	No
CB9	Yes	No	Yes	No	No	Yes	Yes	Yes	No	Yes	No	No
CB10	Yes	Yes	Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	No
CB11	Yes	No	Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	No
CB12	Yes	No	No	No	No	Yes	No	No Website	No Website	No Website	No Website	No Website
CB13	No	No	No	No	No	Yes	Yes	No	No	Yes	Yes	No
CB14	Yes	No	Yes	No	No	Yes	Yes	Yes	No	Yes	No	No
CB15	Yes	No	No	No	No	Yes	Yes	No	No	Yes	Yes	No
CB16	Yes	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes	No
CB17	No	No	No	No	No	Yes	Yes	Yes	No	Yes	No	No
CB18	No	No	No	No	No	Yes	No	No	No	Yes	Yes	No



COMMUNITY BOARD No. 1

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HON. ERIC L. ADAMS
BROOKLYN BOROUGH PRESIDENT



SIMON WEISER
FIRST VICE-CHAIRMAN

DEL TEAGUE
SECOND VICE-CHAIRPERSON

GINA BARROS
THIRD VICE-CHAIRPERSON

MARIA VIERA
FINANCIAL SECRETARY

SONIA IGLESIAS
RECORDING SECRETARY

PHILIP A. CAPONEGRO
MEMBER-AT-LARGE

DEALICE FULLER
CHAIRPERSON

GERALD A. ESPOSITO
DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33rd CD

HON. ANTONIO REYNOSO
COUNCILMEMBER, 34th CD

December 20, 2021

Ms. Marjorie Landa
Deputy Comptroller for Audit
and Investigation
NYC Comptroller's Office
Honorable Scott M. Stringer
One Center Street – Room #517
New York, NY 10007

**Re: Audit Report on the Eighteen Brooklyn
Community Boards' Compliance with
New York City Charter and New York City
Administrative Code Requirements
for Public Meetings and Hearings, and for Websites
FK21-071A**

Dear Ms. Landa,

Please find this letter as Brooklyn Community Board No. 1's response to the draft document.

I. Brooklyn Community Boards Did Not Fully Comply with City Charter Requirements for Public Meetings and Public Hearings

Auditor's Statements in the Report: Boards Did Not Consistently Conduct Monthly General Board Meetings and Public Hearings. (Pages 11 & 12)

→**CB#1 Response:** In review of our files a public hearing was held on May 26, 2020. With the COVID-19 Pandemic restrictions, while we were still awaiting guidance from the Mayor and the Administration on use of the WEBEX platform to proceed, we did have a public meeting. As a public hearing could not be physically scheduled, in the interest of the public's safety, our board held a joint meeting with the SLA Review Committee & the Public Safety Committee to address the current community's concerns. This public hearing was held in the evening via WEBEX on May 26, 2020. This very hearing was conducted by the board and was a specific informational conference on staying at home; NYPD concerns (community, housing, transit); health & hospital issues; veteran's homeless services; open streets (outdoor sidewalk & street use for restaurants & bars; and specific

homeless outreach services. In addition, it is noted that the Law Department has stated that "the Charter provides little guidance on the conduct of community board meetings. There is no requirement of law that a community board's monthly public hearing be held on a different date from its public meeting." We consider this public meeting held on May 26, 2020 to constitute that a meeting/hearing was held by Brooklyn CB#1 and therefore we were compliant. (See attached meeting notice for May 26, 2020 and minutes June 24, 2020).

→**CB#1 Response:** Brooklyn Community Board No. 1 **disputes the report's findings and stated conclusions.** On June 25, 2020, CB#1 held a long awaited public hearing of a presentation geared specifically for the public regarding our project with the Hester Street Collaborative, the consultants CB#1 engaged to provide a series of tasks: a zoning guide and three site analysis; zoning curriculum and training; and research and discovery. Initially, prior to the onset of COVID-19, this presentation was to be held in person (for attending board members and the engaged public). The session was intended to be held at a local high school which was deemed sufficiently large enough for an audience comprised of both board members and the public. An open invitation was extended to all who wished to see the presentation and were given the opportunity to provide individual feedback. However, because of the many (NY City, NY State, US government, and CDC) the public presentation was conducted via WEBEX instead. The hearing material is currently retained on our website (via a link): https://docs.google.com/presentation/d/1hEraP-cWlJenwdpVInVhEwFZYNDX-u2yctfMf4cZ5eo/edit#slide=id.g891b53a4a8_1_402.

We contend that this very pointed and comprehensive session establishes that both a board meeting and a public hearing were mutually held on that specific evening on June 25, 2020. A prescreening for committee members and interested board members was made earlier in the month. We were again compliant.

- **Some Boards Did Not Set Aside Time for the Public to Speak Before the Boards Took Actions During Meetings (Page 16).**

→**CB#1 Response:** When individuals sign up for the Public Session, each are screened for what he/she requests to speak about. The board's office separates out these speakers prior to the meeting (hence the sign up by 2PM deadline) so they can speak on a specific item which they have identified prior to the board's listening of an item, conducting a subsequent review formulating a resolution or executing a vote (Pages 16 & 17).

→**CB#1 Response:** It should be noted that any action (such as voting on reports) is not taken during public hearings. These matters are specifically reserved for the board meeting portion. Prior to committee reports being presented/or voted on **the public is allowed to (and does) make comments during the public session portion.** Persons who sign up for speaking are identified on what the subject is. They are called to speak during the specific item if it is on the public hearing agenda portion. Comments are also routinely taken on the listing for the Liquor Licenses. We add that we have contacted the NYC Law Department and the Brooklyn Borough President's Office. We have also engaged with Civic Engagement Commission. [re: Parliamentary Procedures and similar trainings].

- **Auditor's Statement in the Report - "Boards Did Not Fully Comply with the City Charter Requirements for Public Meetings and Public Hearings."**

→**CB#1 Response** We dispute this statement and object to any of its purported allegations. We reiterate that the Law Department stated that "the Charter provides little guidance on the conduct of community board hearings. There is no requirement of law that a community board's monthly public hearing be held on a different date from its public meeting." Furthermore, to hold a community board accountable for a single meeting during the inception of an unprecedented period of time in the midst of a deadly devastating health pandemic is incomprehensible.

- **Statement in the Report: "Ensure that public notice of all general board meetings is given to news media outlets and posted in public locations;"**

→**CB#1 Response:** Although we are not specifically sited here, we would be negligent if we miss this opportunity to restate this is something we habitually do. Voluminous media outlets routinely receive our notices (including the press, television channels, community groups) including required City Record announcements. We also enter our meetings on the LinkNYC System (a series of uniformed information kiosks located throughout the community)that provides information access). (Attachments: LinkNYC locations in CB#1, Visual Presentations. There are 60 locations in the district that have these kiosks installed on the city's streets. Additionally, notices are sent out to various entities on our mailing lists and the dates appear on the public kiosks and our website. There is a comprehensive listing of forecasted meeting dates on the website (see posted Press Release).

II. Brooklyn Community Boards Did Not Fully Comply with City Charter and NYC Administrative Code Website Requirements.

Statement in the Report: Boards Did Not Make Meetings and Hearings Available for Broadcasting and Cablecasting

→**CB#1 Response:** Community boards are not required to broadcast meetings (page 19), the auditor's statement is arbitrary and capricious as there is no requirement (see Law Department's finding). Any reference to this as a Charter Mandated requirement must be removed and not entertained at all. (see below)

Noted in the City Charter:

Community Boards are **not subject** to this mandate. (see email from the NYC Law Department). This statement propagated by the Comptroller's Office is exceedingly false and misconstrued.

Text - City Charter - Section 1063 see D

Section 1063. Cablecasting and broadcasting the public proceedings of city government.

- a. All future cable franchises and franchise renewals shall require (i) that channels be designated for governmental use and (ii) that the franchisee provide the interconnections necessary to allow the cablecasting of the public proceedings of the council and its committees and the city planning commission.
- b. The council and its committees and the city planning commission shall make their public meetings and hearings available for cablecasting and broadcasting. The council, on the recommendation of the commission on public information and communication, may by local law require that other agencies of city government be subject to the requirements of this subdivision.
- c. On or before the thirtieth day of June, nineteen hundred ninety-one, the commission on public information and communication shall submit to the council a proposal for cablecasting the public proceedings

of the council and its committees and the city planning commission. Such proposal shall include the commission's recommendations regarding (i) the organization or organizations to be responsible for obtaining such cablecasting and (ii) funding the start-up and ongoing costs of such cablecasting.

d. Each city agency, committee, commission and task force and the council shall record or cause to be recorded in digital video format its meetings and hearings, or portions thereof, that are required to be public pursuant to article seven of the public officers law, **provided that this section shall not apply to community boards or local school boards**. Such recordings shall be webcast live, where practicable, and shall be archived and made available to the public on the city's website or on the website of such agency, committee, commission, task force, or council, not more than seventy-two hours after adjournment of the meeting or hearing recorded.

→**CB#1 Response: We want to note that Community Board No. 1 has fully complied with submitting in its audit questionnaire timely. This is not clearly related on page 17.**

Some Boards Did Not Maintain Websites with a Translation Feature.

→**CB#1 Response:** Brooklyn Community Board No. 1's website is compliant with the "NYC Administrative Code website translation feature and accessibility requirements." A comprehensive translation feature does plainly appear on the front page. (*) Brooklyn Community Board No. 1's website is designed and maintained by the New York City Department of Information and Technology. They remain our highest authority. We are in constant discussion with them regarding any tweaking of the website to address any changes (i.e.-for achieving compliance). The statements on pages 25-27 in the preliminary draft report shouldn't place the sole onus on the shoulders of the community board.

We checked using the identified survey tool (WCAG 2.0 Level AA standard) for compliance. **The result yielded 95% compliance for Brooklyn Community Board No. 1. We used the same tool for the Comptroller's website and yielded 96% compliance** --- we are not far apart in that respect. The auditor intentionally spins this point by highlighting only the numbers of errors found by the robot-launched tool and not the reflecting how we met an overall high compliance rate. Also, our website contains a comprehensive translation feature appearing on the front page(*).

We take this opportunity to expand on our comments:

- **WEBSITE** - Brooklyn Community Board No. 1's website is compliant with the "NYC Administrative Code website translation feature and accessibility requirements."
(*) A comprehensive translation feature does plainly appear on the front page. It is a user friendly choice of A – Z (108 different languages --- Afrikaans to Zulu). The feature includes the prominent languages generally spoken in the community: (i.e. - English, Spanish, Polish, Yiddish) and some minor languages (i.e.- Arabic, Chinese, Hebrew, Korean, Russian, Slovak, Vietnamese, Ukranian). The accessibility requirements are met with some features currently being tweaked by DoITT's skilled and knowledgeable hands. The features that were problematic are now disabled and slated soon for release when the remedies are properly fitted (see excerpts and attached emails). It is unfortunate that the Comptroller's Office has not responded to our two separate emails seeking information on the so-called inconsistencies, so that they can be addressed. The auditors have maintained silence on the matter. As we stated earlier, DoITT is currently the sole proprietor of the website and we are told they are engaged in changes on the

website to increase the compliance rate.

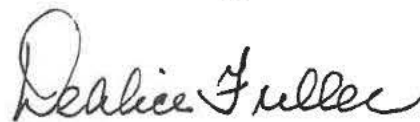
- **OPERATIONS DURING COVID-19** - We would be remiss if we did not address the grievous claims inflicted by the auditor about Brooklyn CB#1's early operations and the onslaught of the COVID-19 Pandemic. It is most unfortunate that the Comptroller's Office chose this most vulnerable period of NYC's history to conduct an audit – at a time when the City is on both knees dealing with the overwhelming gravity of the COVID-19 Pandemic and not concentrate their efforts on the healing of the City.

The "new normal" is anything but normal. Nevertheless, we did not sit idly by like so many in city government has. Our district office remained opened daily, manned at the helm by our most knowledgeable senior staff: District Manager Mr. Esposito. On July 30, 2021, Brooklyn Borough President Eric L. Adams (now NYC's Mayor Elect) recognized Mr. Esposito for his steadfast labors, and on July 30, 2021. The citation relates his "appreciation and heartfelt gratitude for all you have done to keep Brooklyn and its residents safe throughout the duration of this historic health crisis. Despite the challenges, difficulty and peril involved, you placed your fears aside, led with your heart, and selflessly faced the dangers head-on to serve the public and help our neighbors. Your generosity, your kindness and sacrifices will never be forgotten". Additionally, our support staff diligently worked, via both remote access and scheduled socially distanced time in the office. All of CB#1's office contact or meetings were accomplished under the overarching mandates about staying healthy. We also created a public document and published it for all to use: Brooklyn CB# 1 Available Resources During COVID-19 Pandemic.

Harnessing new technology also proved to be quite taxing. We needed to get things right, explore the virtual world, learn how to put our best foot forward to test the waters. Because of our limited funds, CB#1 sailed all this is a wooden rowboat while most of the city floated on a cruise ship. It behooves the Comptroller's Office and its auditing staff to consider the timeframe more carefully to reflect this and shrink its review to further exclude these critical months like they did for March and April 2020.

Working for a Better Greenpoint-Williamsburg.

Sincerely,



Dealice Fuller
Chairperson

DF/mbw
Attachments

ATTACHMENT



COMMUNITY BOARD No. 1

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HON. ERIC L. ADAMS
BROOKLYN BOROUGH PRESIDENT



SIMON WEISER
FIRST VICE-CHAIRMAN

DEL TEAGUE
SECOND VICE-CHAIRPERSON

STEPHEN J. WEIDBERG
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GERALD A. ESPOSITO
DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33rd CD

HON. ANTONIO REYNOSO
COUNCILMEMBER, 34th CD

May 20, 2020

MEETING NOTICE

TO: Members of the SLA Review & DCA Committee and
Members of the Public Safety Committee
(Burrows, Chair; Argento; Bachorowski; Bamonte; Barros; Bruzaitis; Cohen;
Foster; Gangone; Green; Indig; Kaminski; Katz; Landau; Leanza; Low; Rachlin;
Sofer; Solano; Stuart; Torres, Viera)

FROM: Thomas J. Burrows, Committee Chair

RE: Joint Meeting of the Two Committees

WHEN: Tuesday --- May 26, 2020

TIME: 6:30 PM

PLACE: WEBEX

(While we cannot meet in person, we will be meeting virtually. Below are options for you to connect)

Meeting Link:

<https://nyccb.webex.com/nyccb/j.php?MTID=m54a03c5c594af762c7171a137eef7e5>

Password: pwTV9r9gbM2

Join by phone

+1-646-992-2010 United States Toll (New York City)
+1-408-418-9388 United States Toll
Access code: 718 064 380

AGENDA:

- I. Members' status and response to "stay-at-home".
 - II. Status of Committee(s) responsibilities.
 - III. Member observation and input on response to COVID19 pandemic:
 - (A.) NYPD Concerns
 - Community
 - Housing
 - Transit
 - (B.) H&HC Concerns (Woodhull Community Affairs)
 - (C.) DV Services
 - (D.) Homeless Services
 - IV. Committee input on reopening plans.
 - Open Streets (Current & proposed)
 - Outdoor sidewalk & street use for Restaurants/Bars
 - Homeless Outreach & Services
-

Note: For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact Brooklyn Community Board No. 1, Tel. 718-389-0009; at least (5) business days in advance to ensure availability.

TJB/mbw
cc: CB#1 Board Members



COMMUNITY BOARD No. 1

435 GRAHAM AVENUE - BROOKLYN, NY 11211- 8813

PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: bk01@cb.nyc.gov

Website: www.nyc.gov/brooklyn1

HON. ERIC L. ADAMS
BROOKLYN BOROUGH PRESIDENT



SIMON WEISER
FIRST VICE-CHAIRMAN

DEL TEAGUE
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STEPHEN J. WEIDBERG
THIRD VICE-CHAIRMAN

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FINANCIAL SECRETARY

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MEMBER-AT-LARGE

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GERALD A. ESPOSITO
DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33rd CD

HON. ANTONIO REYNOSO
COUNCILMEMBER, 34th CD

June 24, 2020

COMMITTEE REPORT

SLA Review & DCA Committee and Public Safety & Human Services Committee (Joint Committee Meeting)

TO: Chairperson Dealice Fuller and
CB#1 Board Members

FROM: Thomas J. Burrows, Committee Chair
SLA Review & DCA Committee
Public Safety and Human Services Committee

RE: Joint Committee Report

A Joint Meeting of the SLA/DCA Review Committee with the Public Safety/Human Services Committee was held on Tuesday, May 26, 2020, via a WEBEX Virtual Meeting.

ATTENDANCE:

Present – Burrows, Chair; Barros; Bachorowski; Rachlin; Torres; D’Amato; Leanza; Viera; Bruzaitis.
Absent – Argento; Bamonte; Cianciotta; Cohen; Dybanowki; Gangone; Green; Indig; Kaminski; Katz; Landau; Low; Foster; Sofer; Solano; Stuart. (A quorum was not present). Also present were board members (Chesler; Kuonen), agency representatives, and members of the public. *(It is noted that because of the Meeting designation for the session, the number of persons accessing the room was found to be limited.)*

To stay connected and informed on the situation in the Community Board #1 area with regard to COVID-19 and the plan for reopening, the first WebEx meeting of Community Board #1 was a meeting of members of both the SLA/DCA Committee and the Public Safety/Human Services Committee was held on WebEx.

It was hoped that members of both Committees as well as representatives of the Homeless Services Agency; the NYPD 90 Pct., 94 Pct. & PSA 3; Health & Hospital Corporation; the Councilmember's offices; the Mayor's office and Assembly office would all be able to attend. The new Brooklyn Borough Director of the NYC Mayor's Office of Community Affairs, Edward Cerna was able to attend. Also invited was Jessica Arocho, the new Director of Community Affairs for Woodhull. Some of these individuals were in attendance but it was difficult to take accurate attendance.

Notice of the meeting had been sent to the above and public members also had the link. Unfortunately, the choice of meeting size did not match the demand and we reached the maximum number before all could link in.

The purpose of the meeting was the need to connect with Committee members who had not had a meeting in months and had not seen or spoken to other Committee members. The meeting connected the members with City and State agency members to connect and provide support and information in addressing the pandemic. With the loss of life and serious illness contact with others was needed to relief some grief, stress and anxiety.

Since the date of the meeting much has changed in the City and State and the response to the incidents involving police across the country added to the stresses already arising from the COVID-19 crisis and the pressure to reopen.

The SLA/DCA Committee's main responsibility is to review and make recommendations regarding alcohol licenses, sidewalk café permits and other licensing by the DCA. Since the advent of the Stay at Home PAUSE no new or renewed licenses have been brought to the Committee for consideration. The SLA has issued interim regulations which are in effect until June 27, 2020 and it is not clear when review will start again.

Attendees at the combined meeting shared some of their experiences in the two month period of the PAUSE and raised some issues with some street congregating issues they wished to address.

Open Streets: At the time of the meeting, there was community support expressed to the Committee for Open Streets. There were some problem areas particularly some locations on Berry Street. The original understanding was that Open Streets would be parallel, adjacent or contiguous to parks to expand the area available for social distancing for walking, working out, riding bicycles, enjoying the outdoors. Berry Street was not at first recommended but was closed nonetheless and became a party space for bars along its route in violation of the SLA To-Go policy, NYC Open container rules and closing hours. The majority of Berry Street has been enjoyed by residents and families to enjoy being outdoors, riding bikes, walking and just relaxing.

POD Hotel Shelter: Breaking Ground and Yuri Sanchez of Homeless Services were in attendance to be available to address any concerns that may have been raised regarding housing 300 homeless individuals in the POD Hotel. With the advent of the COVID-19 pandemic people that were being sheltered in congregate, dormitory-style housing were moved to hotels. The NYPD reported that there have been no problems and we had no neighborhood complaints.

Southside Neighborhood Concerns: Members of the Public Safety Committee and representatives of the Southside Neighborhood Association brought to the Committee's attention concerns about groups gathering on the sidewalks not observing social distancing, not wearing masks, drinking, smoking etc and concerned about lack of enforcement. At the time of the meeting we had hoped to facilitate a follow up meeting with the Councilmember's office, the 90th Precinct and the Neighborhood Association to address these concerns. Captain Vasquez and PO Melendez of the 90Pct had tried to join the meeting but capacity had been reached.

Parks Concerns: As part of the misunderstanding regarding the SLA To-Go Guidelines it was reported that people are purchasing pizza and alcoholic beverages and heading to Transmitter Park to eat and drink. Not only are the To-Go rules being violated, and the prohibition against alcohol in city parks it seems that No Litter rules are also being ignored and Transmitter Park is loaded with empty pizza boxes and plastic cups. A letter to both the Parks Department and the Department of Sanitation was suggested to request extra attention to this park.

Take Out...Don't Hang Out: The information provided in the Community Affairs flyer provided prior to the meeting of the Committee was offered to the meeting:

Take Out...Don't Hang Out

Social Distancing Guidelines for

Restaurant and Bar Takeout

1. Wear face covering and line up 6 feet away from the person in front of you.
2. Ordering alcoholic beverages with food to-go is okay.
3. DO NOT gather in front of businesses after pick-up
4. DO NOT open or drink alcoholic drinks in public.

Clearly this was not clearly communicated to bars & restaurants and establishments with liquor licenses that sell alcohol without food to-go, and/or allow people to congregate and drink in front of their location are at risk of having the SLA take action against them.

Upcoming Concerns As Reopening Expands: As the State and City move forward to relaxing the restrictions under "PAUSE", a number of concerns remained:

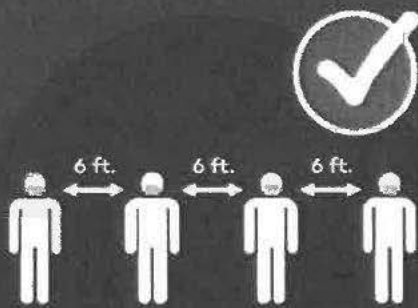
- Open Streets
 - Current streets/hours
 - Proposed
 - Adherence to Open Street guidelines and who will enforce.
- To-Go Rules
 - Pick up/Delivery of Food with Closed Containers only.
 - No lingering, no eating/drinking outside location.
 - Enforcement by DCA, SLA, NYPD?
- Expanded Outdoor Dining Areas
 - Use of public sidewalks and streets for expanded dining areas for restaurants.
 - Use of private property such as parking lots for expanded dining areas for restaurants.
 - Locations
 - Rules for outdoor dining, DOH, DOT etc.
 - Delineating areas of the new dining areas.

The WEBEX meeting was recorded and if interested please contact the Community Board office.

Our next regularly scheduled SLA/DCA meeting was scheduled for Tuesday, June 23, 2020. However, there has not been a Public Hearing for applicants seeking licenses prior to a Committee meeting and there will be no meeting.

TAKE OUT...DON'T HANG OUT

Social Distancing Guidelines for Restaurant and Bar Takeout



Wear face covering and
line up 6 feet away
from the person in
front of you.



Ordering alcoholic
drinks with food
to-go is okay.



DO NOT gather
in front of businesses
after pick-up.



DO NOT open or drink
alcoholic drinks
in public.

Thank you for supporting your local business.

Text COVID to 692-692 for real-time updates or visit nyc.gov/coronavirus

NYC

ATTACHMENT

YOU ARE INVITED!

Community Board No. 1 invites you to attend
a virtual training session.

The Hester Street Collaborative will present in a virtual manner on
the materials and zoning training guides that were developed for
Brooklyn Community Board No. 1.

**On Thursday, June 25, 2020
at 6:30 PM**

**Community Board No. 1 welcomes you to
participate in the training by using
the link found below:**

Event address for attendees:

<https://nyc cb.webex.com/nyc cb/onstage/g.php?MTID=e7317ce74d7825d659a7e35dbf36188e6>

Event number: 129 667 2275
Event password: ZfkMMBWh394
Audio conference: United States Toll
New York +1-646-992-2010
[Show all global call-in numbers](#)

Access code: Access code: 129 667 2275

Dealice Fuller
Chairperson
Brooklyn Community Board No. 1

Maria Viera
Board Budget Committee Chair
and Financial Secretary

ATTACHMENT



COMMUNITY BOARD No. 1

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DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33rd CD

HON. ANTONIO REYNOSO
COUNCILMEMBER, 34th CD

REVISED
May 29, 2020

MEETING NOTICE

TO: Members of the Board Budget Committee
(Viera, Chair; Caponegro; D'Amato; Foster; Peterson; Teague; Torres)

FROM: Maria Viera, Committee Chair

RE: Board Budget Committee Meeting

WHEN: Thursday --- June 4, 2020

TIME: 6:30 PM

PLACE: WEBEX
(While we cannot meet in person, we will be meeting virtually.
Below are options for you to connect)

Event address for attendees: <https://nyccb.webex.com/nyccb/onstage/g.php?MTID=e4e86efa7821b4f1070a3b566a4423add>

Event number: 716 785 858

Event password: cb1642020

Audio conference: United States Toll
+1-646-992-2010
[Show all global call-in numbers](#)
Access code: 716 785 858

AGENDA:

- Hester Street final deliverable coordination.

Note: For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact Brooklyn Community Board No. 1, Tel. (718) 389-0009; at least (5) business days in advance to ensure availability.

MV/mbw

cc: Nisha Baliga, Co-Executive Director, Hester Street
Julia Lindgren, Senior Project Manager, Hester Street
Cesar Mesias, Senior Project Associate, Hester Street
CB#1 Board Members

ATTACHMENT



COMMUNITY BOARD No. 1

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HON. ERIC L. ADAMS
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DISTRICT MANAGER

HON. STEPHEN T. LEVIN
COUNCILMEMBER, 33rd CD

HON. ANTONIO REYNOSO
COUNCILMEMBER, 34th CD

June 18, 2020

MEETING NOTICE

TO: **Members of the Board Budget Committee**
(Viera, Chair; Caponegro; D'Amato; Foster; Peterson; Teague; Torres)
and Members of the Land Use Committee
(Teague, Chair; Viera; McKeever; Barros; Chesler; Indig; Kaminski;
Katz; Rabbi Niederman; Nieves; Sofer; Solano; Weidberg; Weiser;
Berger*; Li* (*Non-Board Member)

FROM: **Maria Viera, Board Budget Committee Chair**

RE: **Board Budget Committee Meeting**

WHEN: **Monday — June 22, 2020**

TIME: **6:30 PM**

PLACE: **WEBEX**

(While we cannot meet in person, we will be meeting virtually. Below are options for you to connect)

Event address for attendees:

<https://nycb.webex.com/nycb/onstage/g.php?MTID=eea5fce16879ea4d3d4f00de244dab54f>

Event number: 129 124 9538

Event password: NVjJy8CrX57

Audio conference: **United States Toll**

New York +1-646-992-2010

Show all [global call-in numbers](#)

Access code: **129 124 9538**

AGENDA:

- Presentation from Hester Street Collaborative

- Zoning 101 Training Run Through (30 mins)
- Zoning 101 Training discussion + feedback (20 mins)
- Research and Discovery / "People's Guide to CB1 Zoning (5 mins)
- Next Steps (5 mins)

Note: For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact Brooklyn Community Board No. 1, Tel. (718) 389-0009; at least (5) business days in advance to ensure availability.

MV/mbw

cc: Nisha Baliga, Co-Executive Director, Hester Street
Julia Lindgren, Senior Project Manager, Hester Street
Cesar Mesias, Senior Project Associate, Hester Street
CB#1 Board Members

ATTACHMENT
EXCERPTED FROM MINUTES 2/11/2020

- Residents surrounding the park have complained about the ballfield's stadium lights remaining on late. These residents successfully advocated to have these bright lights turned off at a more reasonable hour (timers were installed).
- We are greatly concerned about the lack of any real plan to keep alcohol consumption restricted or maintained within a designated smaller space carved into the park house's grounds.
- The two mobile units (trucks/carts) being proposed for the park house's perimeter serve only as clever flanking mechanisms extending the reach of this proposed "eating and drinking" establishment. One only need to reflect on Brooklyn Bazaar's past poor performance in our community to glean an accurate look into the future.

The board members discussed the recommendation made in the Parks & Waterfront Committee's report. The vote was called.

A motion was made by Ms. Teague to support the committee's recommendation to submit a letter to the Department of Parks & Recreation stating CB#1's rejection of this proposal by the Brooklyn Bazaar entity for the McCarren Park Field House and note staunch OPPOSITION. The motion was seconded by Ms. Kaminski. The motion was carried. The vote was as follows: 29 "YES"; 1 "NO" (Solano); 1 "ABSTENTION"(Rachlin); 0 "RECUSALS."

Mr. Burrows announced that the East River State Park was renamed "Marsha P. Johnson State Park". Governor Cuomo renamed the park in memory of o, a transgender woman of color who was a pioneer of the LGBTQ civil rights movement and a prominent figure in the Stonewall Uprising. He encourages the agency to have educational meetings on these matters.

- Board Budget Committee – Ms. Viera, Committee Chair, presented a written report on the Board Budget Committee.

The Board Budget Committee explored the various items that the board members found agreement on and were interested in pursuing. It was learned that other community boards had engaged in very similar type of projects. The "Hester Street" organization came up a few times as being consultants in these areas. Learning the organization was already vetted by the City, "Hester Street" was invited to present to the committee on January 21, 2020 about developing literature for CB#1, as well as consulting on the various projects approved by the full Board, including creating a curriculum and facilitating trainings to board members and community residents on zoning and land use matters, developing a zoning analysis and crafting a general board brochure. Hester Street is an urban planning, design and development team that embraces a mission that neighborhoods are shaped by the people who live in them. Their team is made up of people with backgrounds in architecture and urban planning.

At the committee's meeting held on January 21, 2020, Ms. Baliga and Ms. Lindgren (the two presenters from the organization) shared examples of the kind of work Hester Street has produced working with other community boards, specifically the Harlem Rezoning Plan in Manhattan CB#11 and the Bushwick Community Plan in neighboring Brooklyn CB#4. The respective examples were long term projects involving years of community engagement. Members of the Board Budget Committee were very interested in developing an actionable abbreviated model of their examples for CB#1, given the restricted timeline. Their demonstrated quality of work in communities and their

ATTACHMENT
EXCERPTED FROM MINUTES 2/11/2020

particular style of pedagogy, aligned with the timeliness of the upcoming rezoning requests, involving the Two Trees development site on River Street, the proposed zoning changes on Kent Avenue, and the RFP for MTA site (Quay Street), the committee felt engaging Hester Street could be resourceful and beneficial. The committee inquired if Hester Street could produce similar projects using our focus sites. They were also asked to include informational material for our board members (may need a training session or two). Reports should include the potential impacts these development sites have on open space, transportation, schools, infrastructure, and other important key elements (i.e. waterfront development). The committee stressed that our Board members want to be further educated about rezoning impacts and processes, as well as a clear definition of the role the Board plays in those processes. Deliverables should include resources and tools that will aid the board in making important decisions and maintain leverage. Hester Street mentioned their work in the past has instructed community boards how they can leverage their power over development sites. They stated that what the board wants is for people to recognize that they have the leverage and they can use it. Hester Street also mentioned that they can design materials that can serve as a framework for conversations with developers and others. Armed with the board's approval, the Committee recommended Hester Street proceed in developing a proposal including a scope of work (with quotes/estimates) for the following items:

- (1) Research and Discovery
- (2) Community Board Brochure
- (3) Zoning Guide and 3 Site Analysis
- (4) Zoning Curriculum and Training
- (5) Resource Directory

Upon receipt of the proposal(s), committee members agreed that they would conduct a survey to rank the tasks described in the proposed work scope, per services and their associated costs. The committee decided to tally and review the survey results, at the next meeting scheduled for February 5, 2020. On February 5, 2020, the committee met to review the proposed work scopes, tally the survey results and ranking results of the tasks. The methodology used for the ranking was based on the proposed measurable outcomes and task fees. Per the survey results, the proposed items ranked as follows:

(1) Research and Discovery -	\$ 2,000	Ranked - <i>Third</i> *
(2) Community Board Brochure -	\$10,000	Ranked - <i>Fifth</i>
(3) Zoning Guide and 3 Site Analysis -	\$10,000	Ranked - <i>First</i> *
(4) Zoning Curriculum and Training -	\$ 6,000	Ranked - <i>Second</i> *
(5) Resource Directory -	\$11,000	Ranked - <i>Fourth</i>

(* Recommended top three tasks to pursue)

It was duly noted the cost of Hester Street's full work scope engagement (copy enclosed), including the five items mentioned above, totaled \$41,000. To date, the current balance of the unspent discretionary funds awarded to CB1 is, \$19,996.98. According to the selected three top items, the total expense of Hester Street's contract totals, \$18,000. The unspent balance is \$1,996.98. It is noted that Hester Street had identified an additional cost of \$1,000 for printing and miscellaneous costs in connection to the projects. This would then bring the unspent balance to \$996.98. She spoke about the results of the survey that was sent to the board members. The committee is recommending the top three items be used to engage the Hester Street Collaborative. Mr. D'Amato made a motion to

ATTACHMENT
EXCERPTED FROM MINUTES 3/11/2020

support the committee's recommendation. The motion was seconded by Mr. Solano. The motion was unanimously carried.

- Public Safety & Human Services Committee – Mr. Burrows, Committee Chair, submitted a written report and discussed the items.

Mr. Burrows noted that the committee met with the two captains who are the new Commanding Officers for the NYPD's 90th & 94th Precincts. He urged people to bring their concerns to the Community Council meetings that each precinct has monthly. He related that the "NCOs" also schedule meetings (Neighborhood Coordination Officers are aka "NCOs". They are assigned to, and remain in a sector or neighborhood, for the duration of their tour. Additionally, "NCOs" are given the time and flexibility to make strong bonds with the community they serve). Concerns can be made to the NCOs. Information can be found on the NYPD's website:

<https://www1.nyc.gov/site/nypd/bureaus/patrol/find-your-precinct.page>.

- SLA Review & DCA Committee – Mr. Burrows, Committee Chair, submitted a written report and discussed the items.
- Unenclosed Sidewalk Cafes – Mr. Burrows noted that the items in the report and that the committee was recommending support.

Mr. Bachorowski made a motion to support the committee's recommendation. The motion was seconded by Mr. Solano. The motion was unanimously carried.

- Renewals – Mr. Burrows noted that there were 19 renewals that the committee recommends supporting approvals for.

Mr. Cabrera made a motion to support the recommendations to support the renewals. The motion was seconded by Ms. Rachlin. The motion was unanimously carried.

Postponed/Previously Postponed Applications – Mr. Burrows noted that there were two previously postponed items listed:

- (1.) Momma Meals Inc., dba Savoi Latin Bistro, 318 Grand Street, (New, liquor, wine/beer, cider, rest)

The Committee recommends approval For Moma Meals Inc., dba Savoi Latin Bistro, 318 Grand Street. Mr. Bachorowski made a motion to support the committee's recommendation. The motion was seconded by Mr. Solano. The motion was unanimously carried.

- (2.) Pod Bk F&B LLC & Great Food, Beer & Games LLC as mgr, dba Clinton Hall, 247 Metropolitan Avenue, AKA 626 Driggs Avenue, (Method of Operation Change, liquor, wine/beer, cider, rest)

The Committee recommends approval with stipulations and recommendations.

- It is noted that the NYSLA has previously worked out stipulations (i.e. soundproofing, etc.). The Committee recommends that these stipulations are continued. It is also recommended that they use the standard hours shown in the community board's stipulations.
- Clinton Hall/POD BK1 - This is a hotel liquor license for the entire hotel. He noted that the committee requested stipulations for the license. These stipulations included that there is to be no sound/music on the roof. These are new operators for the space. They are to reach out to the community. They are to work with the guideline concepts of the sidewalk cafe. The DCA

ATTACHMENT

EXCERPTED FROM JUNE 24th, 2021 BOARD MEETING

BOARD BUDGET COMMITTEE REPORTS
AND PUBLIC SESSION

and it took some time. The members continued to discuss the matter. It was noted that the board is waiting for guidance to move forward.

Ms. Viera wished Ms. Foster a speedy recovery. Ms. Rachlin noted that there were other persons who wanted to talk about the by-laws. It was advised that they put the info into the chat. Mr. Solano spoke about assigning a co-chair. Ms. Rachlin asked about moving forward with elections and was concerned about running out of time. Ms. McKeever spoke about the committee's report and felt that there was a discrepancy. She had submitted a letter with a proposal. Mr. Needleman spoke that the process for submitting changes. The members continued to discuss the matter. Ms. Peterson spoke about moving forward. Traditionally, an elections committee conducts the elections by distributing and collecting ballots. The by-laws have to change. The By-Laws committee can reconvene to look at amendments. Ms. McKeever discussed having a special elections. It was noted that a special election is regarding when there is an in-term vacancy. The Law Department said that the Executive Committee stays seated. The members continued to discuss the matter. It was noted that the by-laws would need to be adjusted to reflect changes before the nominations and elections are held. Chairperson Fuller said that the By-Laws Committee is to reconvene for a consensus. The committee is to bring the consensus back to the full board. Chairperson Fuller thanked all for their input and interest. She said that no one is putting off the elections, we just have to do it right and legally. She related that the board is trying to get legal advice. This takes time. She appreciated everyone's time and energy. She moved on to the next item on the agenda.

Board Budget Committee - Ms. Viera wanted to provide a verbal report from the Board Budget Committee. She said that tomorrow night is the final presentation on the deliverables of the work plan that the Hester Street Collaborative has worked on. This is the Zoning Guide and the Zoning Training that everyone agreed on having. This is the final deliverable on the engagement as the board spends down the discretionary allocation. Chairperson Fuller noted that the committee has worked very hard for over six-eight months to put this presentation together. It is something that the board could use. She urged all to attend. The event will be on WEBEX at 6:30 PM tomorrow evening. A second notice will be sent out. She hoped all of the board members attend. Ms. Viera thanked all of the committee members for meeting every every two weeks during the pandemic.

Chairperson Fuller said that they tried to make the meeting as seamless as possible. She urged committee chairs to provide her with information ahead of time that they have a report.

PARKS DEPARTMENT MINUTE - A written report was submitted by Mary Salig, Parks Manager/North Brooklyn Parks. The report was distributed for review.

PUBLIC SESSION

Ms. Marie Priscilla, Southside HOA Group. - She raised concern that the homeowners have. She spoke about the poor service from the post office for the Southside area, noting that they are not getting timely deliveries. She also noted public safety issues and not getting NYPD response or follow through. There is drug dealing happening. She said that they have also reached out to the Mayor's Office. She is seeking support in addressing the Post Office's Administration. They are

ATTACHMENT

EXCERPTED FROM JUNE 24, 2021

BOARD MEETING

not getting responses. Calls have been made to 311. District Manager Mr. Esposito asked her for the information and to contact the board's office. He related that he is in the office daily and provided the board's email address.

Ms. Lauren Comito, Brooklyn Public Library/Manager of the Leonard Branch - Spoke about resuming some services in the branches. At the Bushwick Branch, material will be placed on hold for pick up in the lobby. The books are quarantined for three days. This is how long the virus has shown to live on the Mylar covers. There will be no fines for late fees while books are checked out. Summer reading for children will be offered on-line. She urged people to sign up. Other series for children (i.e. children's dance party, toddler yoga) are also being offered. The Leonard Branch is running a book club where patrons can read a chapter a week and discuss it together. The library is hosting the events on-line. There are other programs that are also offered virtually from the Library System on Zoom. District Manager Mr. Esposito noted that the reconstruction of the streets by the Leonard Branch were completed and looks great.

Ms. Konstancja Maleszyńska, Sustainability Consultant, Two Trees Management, spoke about Domino Park and make an announcement. She related the Food Scrap Collection Program began on June 1st. It was in response to the City stopping their curbside collection. The program is open to the public for receiving the household material (food scraps and garden clippings) for recycling on two days a week (Tuesday and Thursday) free of charge. Larger quantities from community gardens are being considered for collection by pick up/delivery that can be arranged if a need exists. She discussed the materials that could be collected (bread, egg shells, fruit, garden & lawn clippings, leafy greens, spent coffee grounds, vegetables). They have collected 3,000lbs. of scraps. They are also advocating for DSNY to restore its collections. She announced a Green Market operating on South 4th Street between Kent Avenue & River Street, Open Sundays, July 12th to November 22nd, 9:00 AM. - 3:00 PM.

ANNOUNCEMENTS: ELECTED OFFICIALS

Mr. Eric Radezky, from Assemblyman Lentol's Office was acknowledged.

Mr. Edward Cerna, Brooklyn Borough Director, NYC Mayor's Office of Community Affairs was present and spoke to provide an update. He spoke about outdoor dining and that there was criteria that was distributed, that included adhering to regulations. They were also doing enforcement on fireworks. There will be a series of shows for the yearly fireworks. He noted that Cumberland Hospital was doing COVID-19 testing. Ms. Weiser related that there were complaints about fireworks happening nightly at Marcy Houses. Mr. Cerna related that the complaints have to go to NYPD thru 311. The complaints have to go directly to them.

Ms. Venus Galarza-Mullins, from the NYC Comptroller's Office, was present and spoke to provide an update. She is the Brooklyn Borough Director. She spoke about the efforts that they are offering during the COVID-19. They are working with Women's Minority Businesses and offering workshops and assistance. They can contact her. They are also calling on the City (a letter was sent to the Mayor) to consider allowing the release of NYPD records to the public via foil. They are looking at the budget (\$9 Billion) deficit created by the COVID-19 pandemic. They are looking at ways to address the budget shortages. She can be reached at: (646) 689-6817.

ATTACHMENT

HESTER ST

Brooklyn Community Board 1
RE: CB1 Communications and Zoning Technical Assistance

SCOPE OF WORK – 01/27/2020

APPROACH

Our team believes in the value of collaborative work, both within our team, and with our partners and clients. We cultivate robust relationships throughout the project, developing ideas into tangible, successful, implementable projects.

Working together with CB 1 District Manager and the CB 1 Land Use Committee, Hester Street will develop a series of public-facing graphics and print materials that communicate to community members what the CB is and what the CB does; the mission of the CB, and; how community members can get involved in the CB in a graphic, user-friendly way. We will also work to design training materials and tools for Community Board members and residents to engage in conversations and decisions around land use and development in an informed manner.

In addition to a general Research and Discovery phase which is recommended for any new collaboration, the following discrete scope tasks capture our understanding of the needs described in an initial meeting with Community Board members. That said, we'll take a flexible approach, enabling us to respond to project needs as they unfold.

SCOPE OF WORK

TASK 1: RESEARCH + DISCOVERY (1 month)

Tasks

- Meet with District Manager and CB Land Use Committee to define and refine scope goals, parameters and timeline;
- Gather and analyze existing CB1 communications assets (i.e. brochure, website, fliers, etc.);
- Precedent research – check out what other community boards and similar bodies are doing around the city and around the country.

Deliverables

- Deliverable timeline aligned with CB1 meeting calendar + needs

TASK 2: COMMUNITY BOARD GENERAL BROCHURE (3 months)

Tasks

- Develop and conduct brand and communications survey for District Manager, Community Board members and other key stakeholders;
- Develop a brand identify for CB1 'What we do' tri-fold brochure;
- Develop draft text and graphics for CB1 'What we do' trifold brochure and poster;
- Review brochure with District Manager and CB Land Use Committee members at least 2 times; incorporate feedback.

Deliverables

- CB 1 tri-fold Brochure and Poster in English (b/w and color version) in PDF format

TASK 3A: CB 1 – GENERAL ZONING GUIDE (4 months)

Tasks

- Develop a graphic, user-friendly educational "People's Guide to CB 1 Zoning" booklet that includes:
 - A focus on CB1 Zoning context and processes
 - Identification of opportunities for zoning mechanisms to advance community identified needs
 - Explanation of various zoning applications (as-of right, variance, rezoning)
- Review brochure with District Manager and CB Land Use Committee members at least 2 times; incorporate feedback.

Deliverables

- Graphic user friendly 'People's Guide CB1 Zoning" booklet in PDF format

TASK 3B: ZONING ANALYSIS AND IMPACT EVALUATION FRAMEWORK FOR 3 SITES

- a. 307 Kent Street
- b. River Street Plan
- c. 40 Quay Street (former MTA Storage)

Tasks

- Develop a framework for analyzing the impact of a variety of zoning actions by analyzing the types of impacts (views, shadows, number of affordable units, open space, schools, transportation etc.) and identifying potential tools and mechanisms to advance community needs;
- Utilize framework to analyze 3 development sites currently under review;
- Review framework and analysis with District Manager and CB Land Use Committee members at least 2 times; incorporate feedback.

Deliverables

- PowerPoint presentation analyzing impact of 3 development sites
- PowerPoint template with sources + notes for future zoning analysis presentations

TASK 4: CURRICULUM + TRAINING FOR COMMUNITY BOARD MEMBERS (2 months)

Tasks

- Develop interactive and engaging Zoning 101 training for Community Board members
- Review draft training materials with District Manager and CB Land Use Committee members prior to training; incorporate feedback;
- Conduct up to two (2) trainings for CB members.

Deliverables

- (2) two trainings for CB Members
- PowerPoint presentation of training materials for future use by CB members

TASK 5: COMMUNITY BOARD RESOURCE DIRECTORY (3 months)

Tasks

- Identify and align on needs and parameters for updates CB 1 Resource Directory;
- Work with CB1 staff to update Resource Directory entries;
- Create map of all Resource Director entries;
- Design and layout completed Resource Directory;
 - Review Resource Directory with District Manager and CB Land Use Committee members at least 2 times; incorporate feedback.

Deliverables

- CB1 Resource Directory with Map in PDF Format

HESTER ST

FEE

Task	Fee
TASK 1: RESEARCH + DISCOVERY	\$2,000
TASK 2: COMMUNITY BOARD BROCHURE	\$10,000
TASK 3: ZONING GUIDE + 3 SITE ANALYSIS	\$10,000
TASK 4: ZONING CURRICULUM + TRAINING	\$8,000
TASK 5: CB RESOURCE DIRECTORY	\$11,000

Misc. hard costs approx. \$1,000
(Interim Printing for drafts, training materials, refreshments for trainings)

Notes

1. Assumes general timeline of Feb 15, 2020 - June 30, 2020 with tasks being undertaken concurrently.
2. A more detailed timeline can be created based on tasks selected by CB 1.

Exclusions

1. Presentations to public Community Board meetings
2. Translation costs for materials and layout of translated materials
3. Printing of brochure, poster and zoning guides
4. Identification and coordination with printer for brochure or booklet printing

Payment Schedule

- 25% - Contract Signing
- 25% - Completion of first trench of deliverables
- 25% - Completion of second trench of deliverables
- 25% - Completion of final deliverable

Hester Street is a mission-based, 5-1(c)3 organization, committed to working with our partners to develop a scope of work and fee that meets your organizational and budgetary needs. Thank you for the opportunity!

BUSHWICK COMMUNITY PLAN

HESTER ST



Bushwick Community Plan Zoning and Housing Summit.

PARTNERS:

BCP Steering Committee,
Councilmember Antonio
Reynoso, Councilmember
Rafael Espinal, Community
Board 4, NYC DCP, NYC
HPD

SCOPE:

Asset Mapping, Workshop
Facilitation, Community
Engagement, Project
Planning Tools, Train-
The-Trainer Workshops,
Equitable Economic
Development, Evaluation
Tools, Neighborhood
Planning, Planning +
Engagement Toolkits,
Popular Education

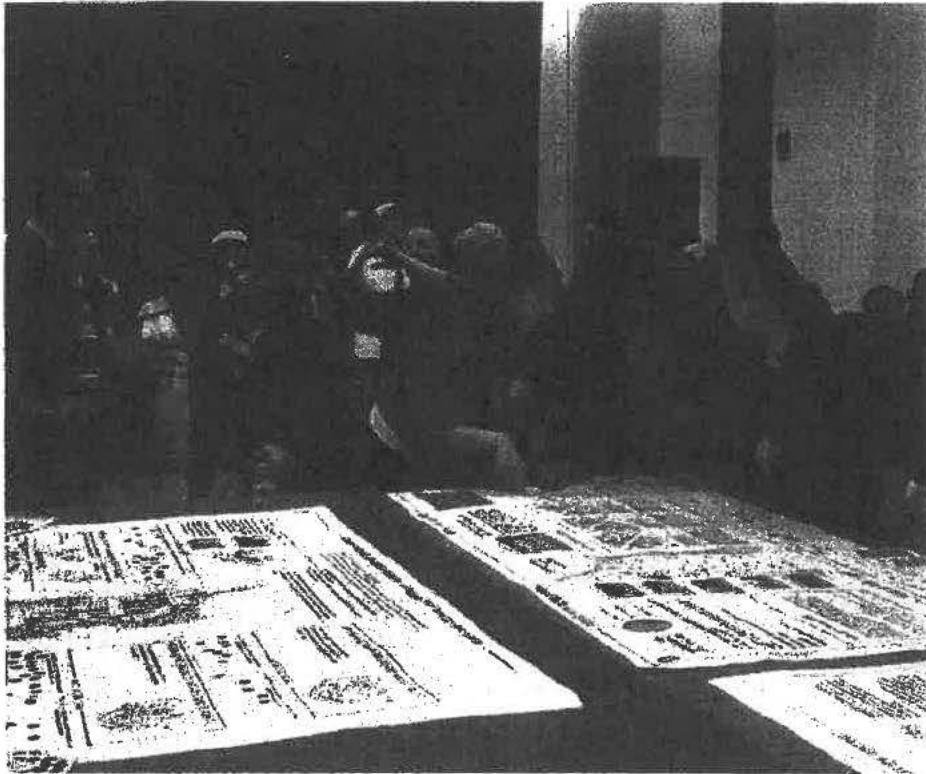
Hester Street has been providing critical technical and capacity-building assistance to residents and community-based organizations for the Bushwick Community Plan (BCP) which was released in the fall of 2018 in anticipation of a wider neighborhood rezoning. Our team has produced zoning analyses, conducted neighborhood mapping and provided facilitation and strategy support to the resident-led Executive and Steering Committees of the BCP, making sure that residents are equipped with the tools necessary to develop a community plan that addresses local needs and ensures long-term benefit.

The plan release event in September 2018 brought out over 200 Bushwick residents and other stakeholders to review and prioritize community objectives across the 6 topic areas that form the plan: Economic Development; Open Space; Transportation/Infrastructure; Land Use/Zoning; Housing; and Community Health. Bushwick community members - with technical tools in hand - are leading the process to determine the look and feel of their neighborhood. The BCP further outlines 195 key recommendations to preserve and develop affordable housing; increase access to critical health, cultural, transportation and economic resources; and improve and develop new green and public space. Hester Street supports the BCP Executive and Steering Committees and facilitates collaboration with local City Councilmembers Antonio Reynoso and Rafael Espinal and with the NYC Departments of City Planning and Housing, Preservation, and Development.

HESTER STREET PROJECTS

EAST HARLEM NEIGHBORHOOD PLAN

HESTER ST



PROCESS & CALENDAR *Proceso y Calendario*



NEIGHBORHOOD PLANNING TOPICS

WORKSHOP DATES

★	Open Space & Recreation	June 4	✓
★	Arts & Culture		
★	Schools & Education, After-School, Daycare & Pre-K	July 1	✓
★	Housing Preservation & NYCHA	July 29	✓
★	Small Businesses, Economic & Workforce Development	September 10	
★	Zoning / Land Use & Affordable Housing	October 22	
★	Transportation & Safety, Environment, Health & Seniors	November 19	

PLAN
East Harlem
EL HARLEM

For more information, please contact:
Special Projects Section 312-360-6000
Manhattan Community Board 11 312-360-5000
Community Voices Heard 312-360-6000
Distribution through Project Public Review 312-360-6000

EAST HARLEM
NEIGHBORHOOD
PLAN

EAST HARLEM
NEIGHBORHOOD
PLAN

EHNP final community forum (left) and process calendar (right).

PARTNERS:

City Council Speaker's Office, Manhattan Borough President's Office, Manhattan Community Board 11, Community Voices Heard

SCOPE:

Project management, Asset mapping, Workshop facilitation, Community engagement, Equitable economic development, Neighborhood planning, Planning + engagement toolkits, Popular education

In East Harlem, Hester Street worked closely with NYC City Council Speaker Melissa Mark-Viverito's Office, Community Board 11, the Manhattan Borough President's Office, and Community Voices Heard, to develop a community-based process and, ultimately, a Neighborhood Plan that would inform the City's re-zoning and related policy, program and project initiatives. HST provided technical planning, design and development assistance, workshop facilitation and project management to allow East Harlem to navigate the complex waters of re-zoning for additional density.

Anti-displacement, affordability based on local resident incomes, protection of local jobs and small businesses, long-term resiliency and planning for key community resources like schools, transportation, parks and grocery stores are some of the issues that have come up in each of the communities. The plan resulted in \$222 million of new city investment being brought into the neighborhood.

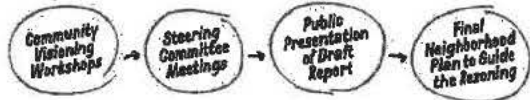
EAST HARLEM Neighborhood PLAN

PLAN Comunitario PARA EL BARRIO

STUDY AREA / ÁREA DE ESTUDIO



Proceso



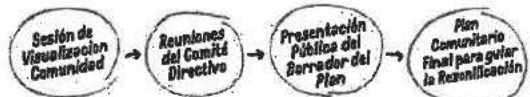
Community Visioning Workshops
Community workshops are held to discuss the plan. They are your chance to be heard.

Steering Committee Meetings
The Steering Committee is made up of East Harlem community representatives. They will meet regularly to discuss the plan and provide input.

Public Presentation of Draft Report
This is your chance to weigh in on the plan, hear concerns and offer ideas, and let us know if we got it right.

Final Neighborhood Plan to Guide the Rezoning
The Steering Committee will incorporate feedback from the Public Presentation into the Final Plan. The Plan will be presented to the Department of City Planning and will inform the rezoning process.

DATE TBD



Sesión de Visualización Comunitaria
Se realizarán talleres comunitarios para discutir el plan. Es tu oportunidad de ser escuchado.

Reuniones del Comité Directivo
El Comité Directivo está formado por representantes de la comunidad de East Harlem. Se reunirán regularmente para discutir el plan y proporcionar retroalimentación.

Presentación Pública del Borrador del Plan
Este es tu momento para expresar tus opiniones sobre el plan, escuchar preocupaciones y ofrecer ideas, y darnos a conocer si lo hicimos bien.

Plan Comunitario Final para guiar la Rezonificación
El Comité Directivo incorporará los comentarios de la presentación pública en el Plan Final. El Plan Final será presentado al Departamento de Planeación Urbana de la Ciudad de Nueva York y servirá de guía para el proceso de re zonificación.

DATE TBD

TRADE-OFFS: AFFORDABILITY, HEIGHT + DENSITY

Privately-Owned Land

INTRO: The City has limited power to mandate the amount of affordable housing that can be built on private land. It typically takes a mix of affordable and market rate units to make building projects work. In general, the lower the rents, the more market rate units will be built. Within these limitations, we want to know what levels of affordability, height and density are most important to you.

You must build some of THIS to build THESE

MARKET RATE APARTMENT
\$3,500/month (by 2015)
\$4,500/month (today)

- Each post-it represents 3 building stories, and 15 apartments.
- The AMI included here are rounded off and for a family of four.



1. Use post-it notes to "build" a building in these rectangles. Choose the mix of post-its that best reflects your preferences regarding rent levels/affordability. Follow the rules marked on each post-it. You do not have to use the whole rectangle - remember that you are also weighing in on height.

2. Now, forget the rules. In this rectangle, build your dream building. Use whatever combination of post-its you think is best. Remember, height matters!

1st CHOICE

2nd CHOICE

AFFORDABLE FOR WHOM?

Of the total East Harlem households,

- 25% earn 100% of AMI and above
- 10% earn 80% of AMI
- 10% earn 60% of AMI
- 55% earn 50% of AMI and below

DREAM BUILDING!

ELEVATOR BUILDING:
Avg. 10 Stories

WALK UP BUILDING:
Avg. 3 Stories

NYCHA BUILDING:
Avg. 15 Stories

*The housing rules are structured by NYC zoning standards based on an average lot of 6,124 square feet in an 8-story building.

EAST HARLEM: PUBLIC SITES FOR PUBLIC GOOD

HESTER ST

PUBLIC SITES FOR PUBLIC GOOD

POST
NO
BILLS

POST
NO
BILLS

POST
NO
BILLS

PARTNERS:

Ascendant Neighborhood
Development Corporation,
Northern Manhattan
Collaborative

SCOPE:

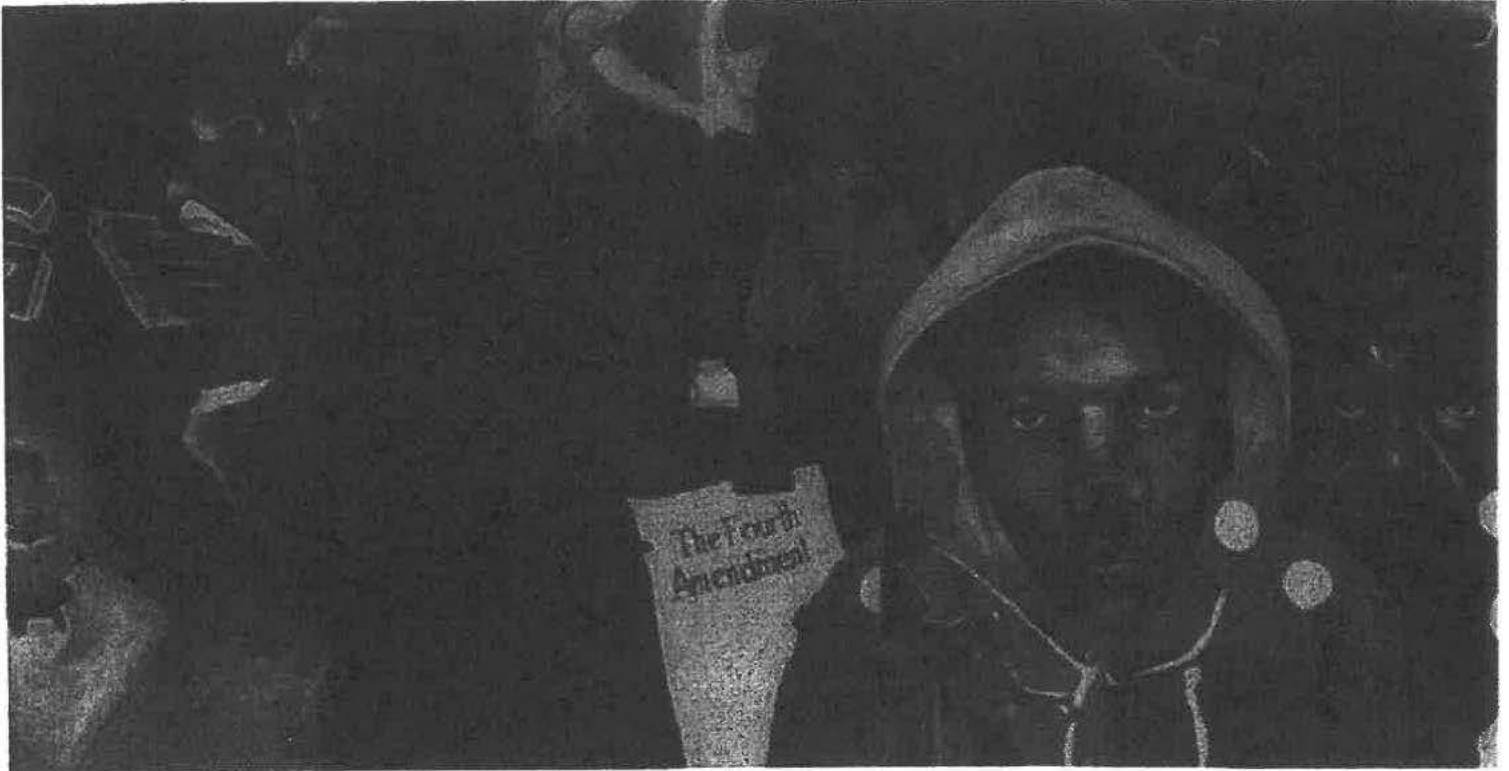
Project management,
Cultural planning,
Evaluation tools

Hester Street conducted an in-depth analyses of three sites identified for development in East Harlem as opportunities to advance the goals of the East Harlem Neighborhood Plan (EHNP). We developed budgets and pro formas, conducted environmental assessments and secure appraisals for the development of Park Avenue corridor sites as well as New York City Housing Authority housing development sites.

We worked with Ascendant Neighborhood Development Corporation and the Northern Manhattan Collaborative to engage residents in defining goals and parameters for potential development, as well as survey and synthesize the goals and priorities of past planning efforts and of the EHNP subgroups. We conducted site-specific zoning, architectural and feasibility analyses to ensure development plans meet the resident-driven, transit-oriented, public health and other goals of the EHNP process and partners. The final plan will make policy and program proposals for equitable, community-driven development in East Harlem.

EAST NEW YORK COMMUNITY PLAN

HESTER ST



PARTNER:

Cypress Hills Local
Development Corporation

SCOPE:

Asset mapping, Workshop
facilitation, Community
engagement, Project
planning tools, Equitable
economic development,
Neighborhood planning,
Planning + engagement
toolkits, Popular education

In East New York, we worked closely with the Coalition for Community Advancement: Progress for East New York/Cypress Hills Community Plan, which is staffed by Cypress Hills Local Development Corporation and includes a broad array of local community-based groups including: Arts East New York, Muhammad Mosque 7c, North Brooklyn YMCA, Sabaath Group, United Community Centers, COFAITH Church, Linden Plaza Tenants Association and other local houses of worship, residents, and business owners.

As the first neighborhood targeted in Mayor de Blasio's Affordable Housing Plan, the Coalition organized quickly and, with support from Hester Street and their fellow technical assistance providers, was able to organize a series of public meetings, conduct a variety of analyses and research on existing conditions and needs, and develop recommendations. The result of these activities was the release of their alternative community plan in August 2015.

ATTACHMENT



OFFICE OF THE PRESIDENT

BOROUGH OF BROOKLYN

CITY OF NEW YORK

Citation

Whereas, being a hero is not something you do to acquire friends or popularity — it's the good that you do for others, oftentimes at great peril, while nobody else is looking, and with no expectation of anything in return; and

Whereas, what it means to be hero has taken on new meaning during the COVID-19 pandemic, when extraordinary individuals immediately recognized what this public health crisis would mean for others — those with disabilities, who are food- and housing-insecure, and who struggle to support themselves or their families; and without any thought to your own personal safety and well-being, and with a full understanding of the perilous risks involved, you sprang into action to help as many people as you were able, because you knew it was the right thing to do; and

Whereas, the "Brooklyn's COVID Heroes" commemoration highlights what it means to be a Hero Brooklynite during the pandemic; To be tough, tenacious, and dogged in your determination to do what needed to be done, whether it was to distribute food to the hungry and poor, acquire store-bought or homemade masks and PPE for whomever needed them, or shuttle our brave medical first responders on buses and trains to get them to their various health care facilities so they could tend to the ailing and afflicted; and

Whereas, at the height of the pandemic, in many instances, you making a phone call, offering words of encouragement, providing musical entertainment, or engaging in a friendly video conference call, among other acts of kindness, proved to be just the right amount of positive energy needed by those in distress to alleviate the heightened sense of alienation, hopelessness, and social isolation that so many of us felt during the darkest days of COVID-19; and

Whereas, because many of our heroes are unsung, many will never receive the recognition they deserve, although they are all appreciated and worthy of recognition for their generous efforts, which directly contributed to the safety and well-being of Brooklyn's residents and institutions throughout the COVID-19 pandemic; and

Therefore I, Eric Adams, President of the Borough of Brooklyn, on behalf of this borough's 2.5 million residents, offer my deepest appreciation and heartfelt gratitude for all you have done to keep Brooklyn and its residents safe throughout the duration of this historic health crisis. Despite the challenges, difficulty, and peril involved, you placed your fears aside, led with your heart, and selflessly faced the dangers head-on, to serve the public and help your neighbors. Your generosity, your kindness, and your sacrifices will never be forgotten

Now, therefore, I, Eric L. Adams, President of the Borough of Brooklyn, do hereby confer this citation on

Gerald A. Esposito

In witness whereof, I have hereunto set my hand and caused the seal of the Borough of Brooklyn to be affixed this 30th day of July 2021

Eric L. Adams

President of the Borough of Brooklyn



12/16/21, 8:33 PM

Mail - Wallin, Marie Bueno (CB) - Outlook

- When individuals sign up for the "Public Session", (links are in the meeting notice and also appears on the website) each is screened for what he/she requests to speak about. The board's office separates out these speakers prior to the meeting (hence, the sign up by 2PM deadline) so that they can speak on a specific item which they have identified prior to the board's listening of an item, conducting a subsequent review, formulating a resolution or executing a vote.
- The customary protocol for items heard at the public hearing is that items are referred to the respective committee for further review, are then reported out to the board, and then voted upon. As the CB#1's chairperson I am empowered to advance the agenda and suitably calling on individuals at the appropriate time to be entertained.

(B.) Additionally, if there are no Public Hearing items (i.e. land use matters, etc.) the Board Meeting still specifies a "Public Session". This can be seen in the Board Meeting (virtually held on June 24, 2020) where this is clearly indicated in the minutes and agenda.

(C.) I want to also note that June 25, 2020, CB#1 held a virtual session for board members and the public regarding the deliverables prepared by the Hester Street Collaborative. The notice was distributed. There were no Land Use items to hear or vote on, and this training was our "Public Hearing" allowing the public to attend and provide comments. See attached. (Link to YouTube posting: https://youtu.be/ulln1fcEO_o)

(D.) Also, any liquor license that is reviewed is subject to announcement and is shown on the public hearing & meeting notice. Comments are requested. Applicants must also post the date and times of the committee meetings/public hearing announcements.

(E.) Live Streaming services were provided by NYC Council Funding. These funds have ended. Attached is information from NYC Council Expense Funding indicating the services with the agency WNET and DYCD (EIN 262810489). We are currently live streaming via WEBEX. We continue to post the videos on YouTube when they are written to the WEBEX system (usually 24 hours).

(F.) In terms of the finding about the website's accessibility, our website was designed by NYC's DoITT. They provide the hosting capabilities and implement changes/postings. If there are errors regarding WCAG, this is a matter to be taken up with the agency to make the appropriate changes, if any are necessary. We respectfully request that you identify and define the alleged "16 # of Website Accessibility" deficiencies denoted in your draft audit so that we can begin a conversation with DoITT to remedy same.

Thank you.

Sincerely,

Dealice Fuller
Chairperson
Community Board No. 1
Brooklyn

(Attachments)

cc: [REDACTED]

WEB accessibility by Level Access

<https://www.webaccessibility.com/>

Home

Is your website accessible to people with disabilities?

All technology, including websites, must grant barrier-free access to people with disabilities. For websites, that means meeting the Web Content Accessibility Guidelines (WCAG) 2.1 standards.

Enter your URL below to see how close you are to being compliant.



Need to test an app or secure site? We have tools for that.

ATTACHMENT

How will this support my digital accessibility goals?



A Free Way to Start

The perfect way for organizations to begin their accessibility journey: get scan results and helpful, educational resources in one convenient place.



Find and Fix Issues

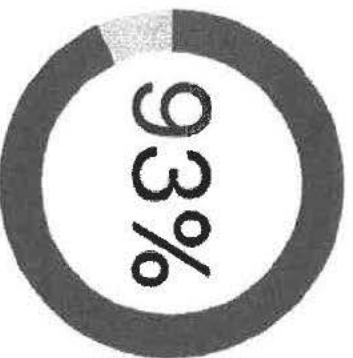
Monitor your web property and plan more organized efforts around accessibility. Elevation Community Edition automatically identifies the most critical pages or components to focus on.



Get Notifications

You'll even receive alerts to sudden changes in your Health Score, so you can act quickly. Monthly scans check for common and noticeable issues which affect your UX and present risk to your business.

♥ Average Health



1. Register for Free Monitoring

Once you receive your health score, register for free site monitoring via Level Access' Elevation Community Edition. Elevation is an intuitive and easy-to-use dashboard where you can find your latest results, view progress over time, and so much more. You can get simple summaries of your most common issues and where they reside, as well as helpful guidance and learning resources.

[Get started!](#)

The following apply to the entire page:



NYC Brooklyn 1 Community Board

Brooklyn Community Board 1

Search



h1 Brooklyn Community Board 1



From: [BK02_Communityboard](#)
To: [REDACTED]
Cc: [Singletary Lenu \(Lenny\)](#); [Church Carol-Ann \(CB\)](#)
Subject: Re: Draft Audit Report on the Eighteen Brooklyn Community Boards
Date: Wednesday, December 22, 2021 2:01:07 PM
Attachments: [image001.png](#)

Hello:

I am writing in response to the draft audit which does not take into account:

1. Brooklyn Community Board 2 held executive committee meetings in May and June 2020 as it was authorized by the full body in March 2020 to act on behalf of the whole.
2. The minutes for the period in question can be found by accessing the [Public Drive](#) on the [website](#).

Regards,
Carol-Ann Church
Asst. District Manager

**District Office Team Account
Brooklyn Community Board 2**

bk02@cb.nyc.gov
718-596-5410

* [Live Calendar](#)

* [Newsletters](#)

* [Public Drive](#)

* Follow: [FB](#) | [Twitter](#) | [IG](#) | [YouTube](#)

THE CITY OF
NEW YORK



Brooklyn Community Board No. 4

1420 Bushwick Avenue, Rm. 370
Brooklyn, NY 11207
(718) 628-8400
Bk04@cb.nyc.gov
www.nyc.gov/brooklyncb4

Robert Camacho – Chairperson
Celestina León – District Manager

BUSHWICK

ELECTED OFFICIALS

HON. ERIC L. ADAMS
Brooklyn Borough
President

HON. ANTONIO REYNOSO
34th Council District

HON. DARMA DIAZ
37th Council District

**2021-22 EXECUTIVE
BOARD OFFICERS**

ROBERT CAMACHO
Chairperson

JOSHUA BROWN
1st Vice Chairperson

RAUL RUBIO
2nd Vice Chairperson

JAMES FITZGERALD
Recording Secretary

ELISEO RUIZ
Financial Secretary

GARDEA CAPHART
Treasurer

ELVENA DAVIS
Correspondence Secretary
JO-ENA BENNETT
Parliamentarian

December 21, 2021

██████████
Audit Supervisor, Financial Audit Bureau
Office of New York City Comptroller Scott M. Stringer
1 Centre Street, 13th Floor North
New York, NY 10007

**RE: Audit Report on the Eighteen Brooklyn Community Boards' Compliance with New York City Charter and New York City Administrative Code Requirements for Public Meetings and Hearings, and for Websites
FK21-071A**

Dear ██████████,

Please see the draft report comments below.

Public Meetings and Public Hearings

CB4 continues to hold joint public hearings and regular meetings. Agendas that included both the public hearing and regular meeting items were also provided for the following meetings:

June 2020 – Due to a server issue the meeting was not recorded. The board's office provided the meeting attendance sheet and a Webex screenshot as proof that the meeting occurred.

November 2020 – similar to the above both a public hearing and regular meeting was held. The board's office provided the meeting minutes and a YouTube link for the meeting recording, which clearly indicate a public hearing occurred.

Adequate Notice of Public Meetings

- Prior to the COVID-19 pandemic, CB4 posted meeting information on a bulletin board outside of the office in a publicly accessible area. During the pandemic, the building (city-owned) was closed to the public until November 2020. The building is currently open to the public, although CB4 continues to encourage the public to contact the office by phone or email while the city's vaccination campaign continues.
- Additionally, prior to the pandemic, the board's monthly paper newsletters with the public meeting information on the front page could be seen in various community facilities. (Ex. LIFE Audrey Johnson Daycare Center and the Bushwick Multi-Service Center). *CB4 staff will ensure one or more locations are formally confirmed as per the report recommendation moving forward.*

Page 2 of 2
BK CB4 Audit Response
FK21-071A

- In reference to news/media, as of September 2020, various news/media representatives joined the board's email list and to-date receive notices for all meetings. The board's office is able to provide a screenshot of the email list as proof.

Meetings and Hearings Available for Broadcasting

CB4 will continue to work with the other Brooklyn community boards and borough hall on securing a cablecasting option.

Adequate Public Notice of Upcoming Meetings

- Meeting information for all meetings is available via the 'Calendar' menu item of the board's website. The 'Agendas' item on the left column menu includes all meeting agendas and their registration link.
- The September 2021 agenda is on the board's website and includes the registration link as usual.
- As of summer 2021, the registration link is also available on the home page of the website to make it as easy as possible for those with internet access to participate in the public hearings and regular meetings. This is in addition to the monthly e-newsletters and social media (Instagram, Twitter, and Facebook).

Note the board's office relies heavily on DOITT to update the Agendas and Minutes sections, as the Team Site platform is notoriously difficult to use—requiring basic coding knowledge to upload a pdf document. For the most part, DOITT is responsive and quick to upload information however, there have been delays on occasion in the past affecting the board's ability to provide up to date information on schedule.

Meeting Minutes on Websites

CB4 will continue to explore ways to improve the board's website both independently and in partnership with the NYC Department of Information Technology and Telecommunications (DOITT). We hope this report encourages DOITT to make upgrades to the website platform(s) available to all boards. Thereby making it easier for board staff to update their websites.

Websites Fully Accessible to Persons with Disabilities

- As previously referenced, the board's office relies on DOITT for all higher-level city website compliance. To our knowledge, within the timeframe of this audit, the city did not provide additional guidance for the board's office to be aware of this requirement or a reasonable period of time in which to implement these changes. To date, we are not aware of the specific accessibility errors that need to be corrected and would appreciate assistance to ensure we comply with accessibility law. *CB4 staff will contact DOITT for assistance with correcting all accessibility errors.*

Sincerely,



Celestina León
District Manager



THE CITY OF NEW YORK
BOROUGH OF BROOKLYN
COMMUNITY BOARD #7

Cesar Zuniga
Chairperson

Jeremy Laufer
District Manager

Eric Adams
Borough President

December 20, 2021

Marjorie Landa
Deputy Comptroller for Audit
Office of the Comptroller
1 Centre Street, Room 1100
New York, New York 10007

Dear Marjorie Landa-

Community Board 7/Brooklyn acknowledges the deficiencies outlined in the Comptroller's 2021 quadrennial audit of Community Boards and will endeavor to correct our practices to ensure future compliance. We acknowledge deficiencies in:

- Holding monthly meetings
- Posting minutes
- Cablecasting
- Website accessibility

Thank you for the opportunity to respond.

Sincerely,

Jeremy Laufer
District Manager



COMMUNITY BOARD NO. 8

1291 ST. MARKS AVENUE • BROOKLYN, NEW YORK 11213
(718) 467-5620/5574 • BROOKLYNCB8.ORG • BROOKLYNCB8@GMAIL.COM

Eric Adams
Borough President

Irsa Weatherspoon
Chairperson

Michelle T. George
District Manager

December 21, 2021

Ms. Marjorie Landa
Deputy Comptroller for Audit
NYC Comptroller's Office
David N. Dinkins Municipal Building
1 Center Street, Room 1100
New York, NY 10007

Re: Audit Report on the Eighteen Brooklyn Community Boards' Compliance with New York City Charter and New York City Administrative Code Requirements for Public Meetings and Hearings, and for Websites FK21-071A

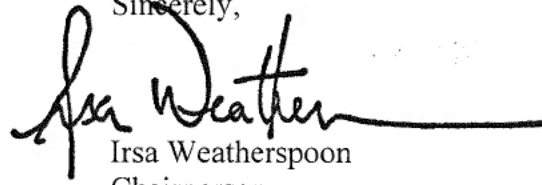
Dear Deputy Comptroller Landa,

In response to the Draft Report on the Eighteen Brooklyn Community Boards' Compliance with New York City Charter and New York City Administrative Code Requirements for Public Meetings and Hearings, and for Websites (FK21-071A), please note our response to the following:

- **In Table 3, Analysis of Monthly Public Hearings for the Period September 2019 through November 2020:** We have now clearly identified public hearing items on our agenda at our meetings. Prior to every vote, the community is explicitly invited to comment on the items presented.
- **Regarding the lack of cablecasting:** We are still researching cablecasting, and will contact our incoming City Council members for funding for training, equipment, and casting services. In the meantime, we will continue to make use of free live web streaming services via our YouTube page.
- **Regarding translation features for the BKCB8 website:** This modification has been completed by our web developer.
- **Regarding website accessibility to persons with disabilities and contrast issues:** This modification has been completed by our web developer.

Thank you for bringing these issues to our attention. We will make every effort in the future to be in total compliance with the New York City Charter's mandates on meetings and accessibility.

Sincerely,


Irsa Weatherspoon
Chairperson

cc:



From: [Dante B. Arnwine \(CB\)](#)
To: [REDACTED]
Subject: FW: Brooklyn Community Board 9 Audit Response
Date: Thursday, December 9, 2021 1:41:41 PM
Attachments: [image001.png](#)

Hi [REDACTED],

Please see the general board meeting minutes for May 2020. The report stated CB9 did not hold a general board meeting in May 2020.

May 2020 General Board Meeting Recording: https://www.youtube.com/watch?v=s_E729av3Ng&list=PL8KRNx4GNQcpG50Rt4ZMTOr6y1nK2WWv4&index=15

Sincerely,
Dante

Dante B. Arnwine, MPA [He, Him, His]

District Manager

Brooklyn Community Board 9

890 Nostrand Ave,

Brooklyn, NY 11225

(Serving the neighborhoods of Crown Heights,
Prospect Lefferts Gardens, Wingate,
and portions of North Flatbush)



“Dominate an era. Inspire a generation.”-Kobe Bryant

Please consider the environment before printing this email.



Community Board Ten

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www1.nyc.gov/site/brooklyncb10/index.page

JAYNEMARIE CAPETANAKIS
Vice Chairperson
SANDY VALLAS
Secretary
SHIRLEY CHIN
Treasurer

LORI WILLIS
Chair
JOSEPHINE BECKMANN
District Manager

December 20, 2021

Marjorie Landa
Deputy Comptroller for Audit
Office of the Comptroller Scott Stringer
David N. Dinkins Municipal Building
1 Centre Street Room 1100
New York, NY 10007

Dear Deputy Comptroller Landa:

We are writing today to provide comments to be included as part of the final Audit Report on the Eighteen Brooklyn Community Boards Compliance with New York City Charter and New York City Administrative Code Requirements for Public Meetings and Hearings, and for Websites.

Adequate Public Notice of Community Board Meetings and Hearings

The Law Department issued advice to Manhattan Community Boards regarding public notice of their meetings and hearings, which was provided to our office by the Comptroller's office, via email on December 16, 2021. The said correspondence states "the Charter provides limited guidance as to the noticing of Community Board meetings and hearings", and goes on to reference the Open Meetings Law for guidance. According to that statute, "community board notices must be (1) transmitted (electronically or otherwise) to news media outlets, and (2) posted in a public location. The posting of a notice is commonly understood, refers to its placement in a physical location."

Community Board Ten is in complete compliance with this directive. Our top priority is to ensure adequate and timely notice on all issues reviewed on the monthly Community Board 10 agenda. All Community Board 10 meeting notices are distributed electronically to the news media. Our meeting notices are also physically posted in a public location and e-distributed to over 2,000 residents (a list which continues to grow) as well shared to our social media accounts.

ULURP and Capital and Expense Budget Priorities public hearings are published in the City Record. In addition, it is the policy of Community Board 10 that applications to the New York State Liquor Authority are reviewed in a very open public process. We conduct extensive public outreach including door to door literature drops, mailing to nearby residents, public posting along merchant corridors and on the Community Board 10 Community News Bulletin Board, as well as via social media and e-newsletter.

ERIC L. ADAMS, BOROUGH PRESIDENT

Community Board Ten

Page - 2 -

Broadcasting and Cablecasting of Community Board Meetings and Hearings

The Law Department provided guidance on a board's obligations with regard to Chapter 70, section 2008(h) of the Charter, which states: "Each board shall give adequate public notice of its meetings and hearings and shall make such meetings and hearings available for broadcasting and cablecasting." The Law Department advised that

"[t]he Charter requirement would be satisfied, in our view, if a community board ensured that organizations or individuals likely to be interested in broadcasting or cablecasting its meetings and hearings were informed of them, perhaps at the same time that any notice of a meeting or hearing is transmitted." The Law Department further advised that Section 1063 of the City Charter, noted in the Final Audit does not apply to community boards. Indeed, that section expressly states in subsection d. thereof, that "this section shall not apply to community boards".

Community Board Ten remote meetings are conducted on Zoom and livestreamed to its YouTube Channel and available for public viewing. Council Member Justin Brannan provided a grant to Community Board 10 with WNET to livestream and cablecast six of ten in-person meetings per calendar year in 2019 and 2020. Community Board 10 held three in person meetings that were cablecast as part of this grant during the review period. (June 2019, January 2020 and February 2020)

The Brooklyn Community Board District Managers recently met with BRIC Arts Media to learn more about broadcasting Community Board Meetings on BCAT at its December 2021 Borough Service Cabinet meeting. Community Board 10 will set up a meeting with BRIC Arts Media to discuss making our meetings available for broadcasting.

Summary

Community Board 10 Brooklyn fully participated in the audit and reviewed audit findings and conclusions.

We appreciate your guidance and assistance throughout the audit process.

Sincerely,



Lori Willis
Chairperson



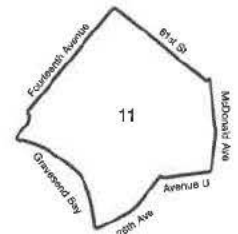
Josephine Beckmann
District Manager

Tel. (718) 266-8800
Fax (718) 266-8821



WILLIAM R. GUARINELLO
Chairman

**THE CITY OF NEW YORK
COMMUNITY BOARD No. 11**
2214 BATH AVENUE
BROOKLYN, NEW YORK 11214



December 20, 2021

MARNEE ELIAS-PAVIA
District Manager

By Electronic Mail

Marjorie Landa
Deputy Comptroller for Audit
Office of the Comptroller
1 Centre Street, Room 1100
New York, NY 10007

**Re: Audit Report on the Eighteen Brooklyn Community Boards' Compliance with New York City Charter and NYC Administrative Code Requirements for Public Meetings and Hearings, and for Websites
FK21-071A**

Dear Ms. Landa:

Upon review of the above-mentioned draft report, I would like to take this opportunity to comment on the below findings:

I. Brooklyn Community Boards did not fully comply with City Charter Requirements for public meetings and public hearings

Community Board 11 conducts public hearings on specific subjects to allow the public to speak on particular matters. While we do not hold monthly public hearings in the absence of a particular subject matter, at every monthly meeting we provide the public an opportunity to speak on any matter.

While we believe that we have met the spirit of the law, we will internally review the recommendations.

II. Most Boards did not provide adequate public notice of meetings and hearings

According to the advice sought by Manhattan Community Boards, the Law Department noted that "Community Boards are responsible only for notifying a newspaper or news outlet of its meetings/hearings. It is not responsible for ensuring that the notice is published or aired".

e-mail: bk11@cb.nyc.gov
www.brooklyncb11.org

Community Board 11 submitted the electronic notification of public meetings to media outlets and believe we comply with the mandate.

Pursuant to the Comptroller's recommendations we have implemented procedures to post physical meeting notices in a designated publicly accessible location.

III. Boards did not make meetings and hearings available for broadcasting and cablecasting

Community Board 11 broadcasts our meetings via livestream. Our meeting recordings will be made available to BRIC Arts Media for cablecasting.

IV. Boards did not maintain websites fully accessible to persons with disabilities

Community Board 11 has reviewed the errors on its webpage and has taken steps to ensure that that is accessible to persons with disabilities as per the WCAG 2.0 Level AA standard.

Respectfully Submitted,



Marnee Elias-Pavia
District Manager



Eric Adams
Borough President

THE CITY OF NEW YORK COMMUNITY BOARD 12

5910 13th Avenue
Brooklyn, N.Y. 11219
Phone: (718) 851-0800 • Fax: (718) 851-4140
Email: bk12@cb.nyc.gov

Yidel Perlstein
Chairperson



Barry Spitzer
District Manager

December 21, 2021

Ms. Marjorie Landa
Deputy Comptroller for Audit
Office of the New York City Comptroller
1 Centre Street, Room 1100
New York, NY 10007

RE: Audit Report on the Eighteen Brooklyn Community Board's Compliance with New York City Charter and New York Administrative Code Requirements for Public Meetings and Hearings, and for Websites

Dear Deputy Comptroller Landa,

Community Board 12 received and reviewed the draft and recommendations supplied to us. We agreed with the recommendations and have or will update procedures accordingly.

We appreciate the understanding of the budgetary limitations we are faced with. As well as the opaque language in the Open Meetings Law that have been interpreted differently by different agencies. To that end, we add these comments to particular recommendations:

The Brooklyn Community Boards should:

Set aside time to hear from the public prior to taking actions at meetings and hearings;

CB12 agrees with this recommendation and has procedures to allow public comment before voting actions taken by the board. Whereas the Comptroller's Office advised that a separate Public Session and Public Hearing must be held, The NYC Law Department advised that 'the public hearing be referred to as such, and not as a "public session"...'. CB12 will follow whatever recommendation is required.

Ensure that public notice of all general board meetings is given to news media outlets and posted in public locations;

Ensure that public notice of all public hearings is published in the official newspaper or in a newspaper having general circulation within the municipality and posted in public locations and

includes the date, time, and place of the hearing, and a brief statement of the purpose of the hearing; and

CB12 agrees with these recommendation and provides notice of board meetings to several news outlets and will actively seek to expand list of agencies in the email list. Per the NYC Law Department, 'the news media notice requirement... is satisfied if a community board electronically transmits its notices to newspapers or other news outlet which are published or issued regularly and are intended to be read, heard or viewed by the general public'.


CB12 will seek appropriate location for placing a paper notice of the board meetings and hearings.

Take the necessary steps to ensure that all meetings and hearings are made available for broadcasting and cablecasting, including but not limited to, determining how to obtain access to channels dedicated for governmental use, identifying the associated costs, and allocating or seeking the necessary resources to comply with the City Charter mandate.

Although the view of the NYC Law Department is that the law 'does not require that community boards themselves broadcast... The Charter requirement would be satisfied... if a community board ensured that organizations or individuals likely to be interested in broadcasting or cablecasting its meetings and hearings were informed of them', we are working with BRIC TV to broadcast our meetings.

Thank you for your assistance throughout the audit and for the guidance to allow us to better serve our constituency.

Sincerely,



Barry Spitzer
District Manager

Cc: Yidel Perlstein, Chairman

December 21, 2021

BILL DE BLASIO
Mayor

ERIC L. ADAMS
Borough President

JO ANN BROWN
Chair

SHAWN CAMPBELL
District Manager

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KARL-HENRY CESAR
Member-at-Large

ALVIN M. BERK
Chairman Emeritus

Marjorie Landa
Deputy Comptroller for Audit
City of New York
Office of the Comptroller
1 Center Street, Rom 1100
New York, NY 10007

Dear Ms. Landa,

Thank you for this opportunity to respond to the December 8th draft audit report of the eighteen Brooklyn Community Boards' compliance with New York City Charter and New York City Administrative Code requirements for public meetings, hearings, and for websites, FK21-071A, which followed the preliminary draft issued by the Office of the New York City Comptroller on October 29, 2021.

I am concerned that you might have confused Brooklyn CB14's November 15th response with that of another Board given the number of updates and corrections that were missed and assertions that CB14 responded in ways that were not contained in our response to the preliminary draft.

For instance, all meeting minutes for the period of this audit and beyond are posted on the CB 14 website. Please update your report accordingly.

Thank you for updating your records regarding monthly public hearings. We acknowledge that there were no public hearings in December 2019 or February 2020. We typically schedule land use applications for public hearing and there were none before us during these months. CB14 will endeavor to call public hearings on other matters in order to meet the public hearing charter mandate going forward. The lack of public hearings during the months of April and May of 2020 was due to the extraordinary conditions within the pandemic and there being no business before the Board to warrant a public hearing (land use items, for instance, were at a halt much of the year). Brooklyn Borough Hall advised Community Boards on April 22, 2020 of our obligations to continue to meet our regular monthly meeting requirements but did not include public hearings in those instructions. In addition, Brooklyn Community Boards were not provided with Webex access and training until early in May - too late for a duly noticed public hearing in advance of our regular monthly meeting. That said, as stated above, CB14 will endeavor to ensure that monthly public hearings are scheduled regardless of circumstances (where practicable) going forward.

I am concerned that your December draft misquotes our November response entirely. On page 15, paragraph three, you wrote that, "...CB 14 stated that the Board held public hearings at our committee meetings..." We stated no such thing! We don't. We hold public hearings (typically) the first week of the month, in advance of our regular monthly meeting, which is (typically) the second Monday of the month. We hold committee meetings (typically) once a week, with the exception of the week of the regular monthly meeting of the Board. We don't and therefore didn't state that we hold public hearings at our committee meetings. Please review.

In response to the public session of CB14 monthly board meetings, we reiterate our request that your office review the language of Chapter 70, Section 2800 (h) for interpretation. There is no mandate as to the order of the agenda. The New York City Law Department seems to have opined and upheld the Community Board's understanding. We understand (and welcome) our obligation to hear from the public at our monthly meetings and we meet it. This board takes very seriously the responsibility to consider the needs of the district and does so by encouraging direct communication and participation in all meetings. All matters that come to a vote before the Board at the regular monthly meeting have been heard usually at a public hearing (usually the week before). In some instances, a recommendation will come out of a committee meeting and will be brought before the full board for a vote in the same manner. The recommendation from that hearing (and from time to time from a committee meeting) is then formalized by a vote of the full Board. Community members have ample opportunity to voice points of view, provide input and help shape Board recommendations at the public hearings and at committee meetings. When additional discussion is warranted, the Chair can allot additional time to the public before the vote takes place. Since the public registers to speak, we know if there is a request in regard to a matter that is up for a vote. CB14 continues to encourage participation at public hearings and less formally at committee meetings, which are reported out on at the full Board meetings for even broader transparency. Service delivery items are brought to the direct attention of the District Office. The public session at CB14 meetings is primarily a time for civic interest announcements and it plays a valuable function at monthly meetings.

Thank you for sharing the New York City Law Department's response to inquiries from Manhattan Boards. It seems to uphold our understanding that the order of our regular monthly board meetings comports with the New York City Charter. Unless the Comptroller's office has specific language or rules that direct the Board to reorder our agenda, we intend to continue this practice and ask that the Comptroller's office's imposed interpretation be edited accordingly. (We're happy to entertain a suggestion, but the report should not reflect a lack of compliance.)

On page 16, sixth paragraph, you wrote, "During the September Brooklyn Community Board(s)...14's... September 2020 general board meeting(s), prior to hearing from the public, the board members discussed and voted on liquor and sidewalk cafe licenses as well as a letter to the Borough President and Mayor's Office in support of the police precinct commanding officer appointment process." First, we did not discuss SLA or Cafe permits. There was no such business before the Board, so I believe you have conflated our response with that of other Boards. Second, CB14 held a July Committee of the Whole meeting. It was duly noted and is recorded and posted on our website. As explained above, sometimes a recommendation comes out of a committee meeting and is presented to the full board for approval. There were no members of the public expressing an interest in speaking on the matter. We are not mandated to hold meetings in the months of July and August, but are able to if a committee of the whole has been established at a June meeting. Our July 2020 meeting seems to have

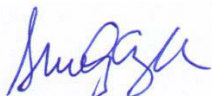
not been a subject of this audit. Your December draft reiterated that CB 14 did not hold a September 2020 hearing. As we previously demonstrated, that is inaccurate. We held a hearing with respect to the City's Capital and Expense Budget preceding the regular monthly meeting.

In response to notifying news outlets, I corrected our original response and noted that we do inform the press of our monthly calendar; we also send reminders of each meeting. In addition to a general press list, we have members of the press serving on our Board. The editor of Yeshiva World, and the Executive Editor of Dunya International, NY (an Urdu language media outlet) as well as the BKLYNR, receive monthly meeting notices and periodic meeting reminders. Posts from our website are linked to Twitter; many neighborhood associations and civic groups post CB14 meeting notices on their list serves and we now also post our monthly calendar to LinkNYC for additional public posting. Again, please correct our media outreach response and update our public posting response accordingly.

In response to translation services on our website, CB14 is reviewing options and hopes to make this upgrade with existing resources. In response to the rubric by which your office measured accessibility, we have never seen those criteria before. We look forward to a day when the city provides adequate resources and support for all mandates. This includes website accessibility. We will work to improve the CB14 website to address the audit's findings. To assist us we request a more specific report. The aggregate numbers do not indicate where the 15 accessibility and 10 contrast errors were found. Did the audit only consider posts during the audit period? Did the audit consider only CB14 content, or was content that other organizations, agencies, and elected officials provided and asked us to share, also subject to this review? Please clarify so that we can determine how to improve our website and update our posting policies for other groups.

Please ensure that Brooklyn CB14's responses are added to the final report. It appears that either our responses were conflated with those from other Boards or there was a misreading of what we provided as evidence that CB14 has been compliant with all monthly meetings, most public hearings, public notification, and that our monthly meeting agendas do indeed comport with the New York City charter. We acknowledge needed website language improvements and appreciate your office's acknowledgement of our resource challenges.

Thank you,



Shawn Campbell
District Manager
Brooklyn CB 14

cc:

[REDACTED]



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

GEORGIA M. PESTANA
Corporation Counsel

STEPHEN LOUIS
Chief
Division of Legal Counsel
Room 6-238
Tel: (212) 356-4020
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slouis@law.nyc.gov

To the District Managers of Manhattan Community Boards 1-12:

You have written to this office seeking advice regarding the conclusions of a draft report issued by the New York City Comptroller's office, dated December 6, 2021, entitled "Audit Report on the Twelve Manhattan Community Boards' Compliance with New York City Charter and New York City Administrative Code Requirements for Public Meetings and Hearings, and for Websites" (hereinafter "Draft Report"). The portions of the report with which you express concern relate to (a) the conduct of monthly public hearings by community boards, (b) the noticing of community board meetings and hearings, and (c) the broadcasting and cablecasting of community board meetings and hearings.

A. Monthly Public Hearings of Community Boards

Section 2800(h) of the New York City Charter (hereinafter "Charter") provides that "[e]xcept during the months of July and August, each community board shall meet at least once each month within the community district and conduct at least one public hearing each month." That subdivision further provides that, "[a]t each public meeting, the [community] board shall set aside time to hear from the public." In addition, Charter sec. 2800(d)(3) provides that each community board shall "[a]t its discretion, hold public or private hearings or investigations with respect to any matter relating to the welfare of the district and its residents[.]" The Draft Report states, at pages 9-10, that the public hearings of community boards must be separate and distinct from their public meetings, and that they must be devoted to one or more specific subjects.

The Charter provides little guidance on the conduct of community board hearings. There is no requirement of law that a community board's monthly public hearing be held on a different date from its public meeting, or that it be devoted to a specific subject or subjects. However, many public hearings conducted by City agencies, such as rulemaking hearings, ULURP hearings or revocable consent hearings, are by their nature limited to a single subject or set of related subjects. In addition, it is highly desirable that community boards follow substantially similar practices in conducting their public hearings, so that members of the public are afforded as

uniform opportunity to be heard in all community districts. Therefore, it is recommended that community boards take into account the following when conducting their public hearings:

1. If a community board holds its public hearing on the same day as its public meeting, the public hearing be held before rather than after the public meeting, so that community board members can be informed of the interests and concerns of residents of the community district and take them into account in their deliberations during the public meeting.
2. The public hearing be referred to as such, and not as a “public session”, in the agenda, notice and other materials issued by the community board.
3. In the portion of the agenda devoted to the public hearing, the community board list certain discrete subjects with regard to which it would be interested the hear the views of members of the public, making clear that those in attendance may speak on other subjects as well, to the extent they relate to the affairs of the community district. The subjects listed in the agenda may vary from month to month, depending on events.

Finally, it is our view that meetings of community board committees, at which members of the public are allowed to speak, do not qualify as community board hearings. The Charter provisions cited above intend that the public hearings of a community board be conducted by the entire body and not by a subset of members whose concerns and jurisdiction are limited.

B. Noticing of Community Board Meetings and Hearings

Charter sec. 2800(h) provides that [e]ach [community] board shall give adequate public notice of its meetings and hearings.]” Further, the New York State Open Meetings Law, to which all community boards are subject, requires that:

1. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given or electronically transmitted to the news media and shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting.
2. Public notice of the time and place of every other meeting shall be given or electronically transmitted, to the extent practicable, to the news media and shall be conspicuously posted inn one or more designated public locations at a reasonable time prior thereto.

New York State Public Officers Law (“POL”) sec. 104. The Draft Report states at page 13 that certain Manhattan community boards do not provide notice to the news media as required by these provisions, while others do not post their notices in a public location.

The Charter provides limited guidance as to the noticing of community board meetings and hearings. Instead, we can look to the requirements of the Open Meetings Law. According to that statute, community board notices must be (1) transmitted (electronically or otherwise) to news media outlets, and (2) posted in a public location. The “posting” of a notice, as commonly understood, refers to its placement in a physical location. Since community board meetings and

hearings, to our knowledge, are normally scheduled at least a week in advance, these requirements must be met at least 72 hours before the meeting/hearing.

In our view, the news media notice requirement of the Open Meetings Law is satisfied if a community board electronically transmits its notices to newspapers or other news outlets which are published or issued regularly and are intended to be read, heard or viewed by the general public. Their publication may be partly or entirely electronic. Community newspapers or borough-wide news outlets are ideal for this purpose. It is important to note that a community board is responsible only for notifying a newspaper or news outlet of its meetings/hearings. It is not responsible for ensuring that the notice is published or aired. See POL sec. 104(3) (“[t]he public notice provided for by this section shall not be construed to require publication as a legal notice”). When a community board notices one of its hearings, it is also advisable (though not required) that the notice also be published in New York City’s official publication, the City Record, even though this is not considered a newspaper or news outlet.

With regard to the public posting requirement, a community board need only place a paper notice of its meeting/hearing in a place that is accessible to the general public. It is advisable that the location be chosen so that the notice will be seen and attended to by those passing it.

It may be noted that the notice requirements of the Charter and Open Meetings Law are very basic. They do not require explicitly that the notice provide the agenda of a meeting or hearing. However, in view of the purpose and function of community boards, the Charter’s requirement that a community board provide “adequate notice” of its meetings and hearings should be read to include a reasonably detailed agenda.

C. Broadcasting and Cablecasting of Community Board Meetings and Hearings

Charter sec. 2800(h) requires that each community board “shall make [its] meetings and hearings available for broadcasting and cablecasting.” The Draft Report states, at page 14, that community boards should obtain access to a cable channel designated for government use pursuant to Charter sec. 1063(a), indicating that, at least with regard to cablecasting, community boards must act directly to satisfy the requirement.

In our view, the Charter requirement under discussion does not require that community boards themselves broadcast and/or cablecast all of their meetings and hearings. However, we believe that the Charter contemplates that a community board do more than passively allow reporters or anyone else in attendance to broadcast and/or cablecast those events. The Charter requirement would be satisfied, in our view, if a community board ensured that organizations or individuals likely to be interested in broadcasting or cablecasting its meetings and hearings were informed of them, perhaps at the same time that any notice of a meeting or hearing is transmitted.

If you would like to discuss further any of the matters presented in the Draft Report, please let me know. In addition, you may seek advice and assistance on any matter concerning

community boards from the Mayor's Community Assistance Unit and from Adele Bartlett, general counsel to the Manhattan Borough President.

Sincerely,

STEPHEN LOUIS
Chief
Division of Legal Counsel

cc: