



CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
BRAD LANDER

MAURA HAYES-CHAFFE
DEPUTY COMPTROLLER FOR AUDIT

BUREAU OF AUDIT

March 18, 2025

By Electronic Mail

Andrea Gordillo
Chairperson (mn03.cb.nyc.gov)
Manhattan Community Board 3
59 East 4th Street
New York, NY 10003

**Re: Audit of the Financial and Operating Practices of the 12 Manhattan Community
 Boards
 FL24-090A**

Dear Chairperson Gordillo:

We are writing to inform you that the Audit of the Financial and Operating Practices of Manhattan Community Boards (Audit #FL24-090A) has been terminated. This decision was made based on recent changes to the New York City Charter which allows the Comptroller to treat all Community Boards as a single combined agency. Beginning in 2024, auditing a program, activity, or aspect of operations of a single Community Board in a four-year audit cycle fulfills the mandate to audit Community Boards under the Charter. Prior to this change, the office was required to audit all 59 Community Boards every four years.

While the previously noted audit (FL24-090A) will not proceed, I would like to call your attention to excess annual leave accruals that potentially represent a risk to your operation. Auditors reviewed all District Managers' leave balances and determined that the District Manager of Manhattan Community Board 3, had an annual leave balance of 1,624 hours, as of November 25, 2024. This amount exceeds the two-year maximum accrual rate established in Personnel Order 88/5, *Leave Regulations for Management Employees*, by 1,246 hours (178 days).

Personnel Order 88/5 allows City managers to receive lump sum payments for current annual leave, sick leave, and vested annual and sick leave accruals upon retirement or separation from service, subject to certain requirements and limitations. Staff are only entitled to accrue up to two years of annual leave, unless a waiver to accrue more is provided by the agency head. If a waiver is provided, the manager is entitled to a lump sum payment for all accrued annual leave. If a waiver is not provided, excess leave is automatically converted to sick leave, which is paid at one-third the balance when calculating lump sum payments. In either instance, a Community Board's budget and fiscal health can be crippled if leave accruals are not effectively managed.

Auditors estimated the lump sum payment for the District Manager both with and without waivers that permit the carryover of excess annual leave. These amounts were determined to be \$58,642.62 and \$49,067.76, respectively. The total estimated leave payment, with and without a waiver, represents 57% and 48% of the District Manager's annual salary, and 20% and 17% of the Community Board's Fiscal Year 2025 adopted Personal Services budget.

Limits on annual leave accruals help maintain operational efficiency by preventing excessive accumulation of unused time, which could disrupt operations if key or numerous employees were to take extended leave. Special care should be taken when considering whether to grant authorization to a District Manager to carry over excess leave, as greater leave balances will increase lump sum payments at the time of separation and could significantly impact a Community Board's financial position.

I urge you to (1) encourage the District Manager to use their annual leave and reduce the amount of annual leave accruals to manage the potential impact on lump sum payments upon separation from City service; (2) limit authorizations for carry over of excess annual leave, where practicable; and (3) establish protocols for monitoring future leave accruals and ensure compliance with Personnel Order 85/5.

Thank you for considering these recommendations. If you have questions concerning this information, please email the Audit Bureau at audit@comptroller.nyc.gov.

Sincerely,



Maura Hayes-Chaffe

c: Borough President

Peter Torre, General Counsel, Manhattan Borough President's Office



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MAURA HAYES-CHAFFE
DEPUTY COMPTROLLER FOR AUDIT

BUREAU OF AUDIT

March 18, 2025

By Electronic Mail

Valerie S. Mason
Chairperson (info@cb8.com)
Manhattan Community Board 8
505 Park Avenue, Suite 620
New York, NY 10022

**Re: Audit of the Financial and Operating Practices of the 12 Manhattan Community Boards
FL24-090A**

Dear Chairperson Mason:

We are writing to inform you that the Audit of the Financial and Operating Practices of Manhattan Community Boards (Audit #FL24-090A) has been terminated. This decision was made based on recent changes to the New York City Charter which allows the Comptroller to treat all Community Boards as a single combined agency. Beginning in 2024, auditing a program, activity, or aspect of operations of a single Community Board in a four-year audit cycle fulfills the mandate to audit Community Boards under the Charter. Prior to this change, the office was required to audit all 59 Community Boards every four years.

While the previously noted audit (FL24-090A) will not proceed, I would like to call your attention to excess annual leave accruals that potentially represent a risk to your operation. Auditors reviewed all District Managers' leave balances and determined that the District Manager of Manhattan Community Board 8 had an annual leave balance of 599.75 hours, as of November 25, 2024. This amount exceeds the two-year maximum accrual rate established in Personnel Order 88/5, *Leave Regulations for Management Employees*, by 291.75 hours (41.7 days).

Personnel Order 88/5 allows City managers to receive lump sum payments for current annual leave, sick leave, and vested annual and sick leave accruals upon retirement or separation from service, subject to certain requirements and limitations. Staff are only entitled to accrue up to two years of annual leave, unless a waiver to accrue more is provided by the agency head. If a waiver is provided, the manager is entitled to a lump sum payment for all accrued annual leave. If a waiver is not provided, excess leave is automatically converted to sick leave, which is paid at one-third the balance when calculating lump sum payments. In either instance, a Community Board's budget and fiscal health can be crippled if leave accruals are not effectively managed.

Auditors estimated the lump sum payment for the District Manager both with and without waivers that permit the carryover of excess annual leave. These amounts were determined to be \$34,213.51 and \$25,475.03, respectively. The total estimated leave payment, with and without a waiver, represents 30% and 22% of the District Manager's annual salary, and 12% and 9% of the Community Board's Fiscal Year 2025 adopted Personal Services budget.

Limits on annual leave accruals help maintain operational efficiency by preventing excessive accumulation of unused time, which could disrupt operations if key or numerous employees were to take extended leave. Special care should be taken when considering whether to grant authorization to a District Manager to carry over excess leave, as greater leave balances will increase lump sum payments at the time of separation and could significantly impact a Community Board's financial position.

I urge you to (1) encourage the District Manager to use their annual leave and reduce the amount of annual leave accruals to manage the potential impact on lump sum payments upon separation from City service; (2) limit authorizations for carry over of excess annual leave, where practicable; and (3) establish protocols for monitoring future leave accruals and ensure compliance with Personnel Order 85/5.

Thank you for considering these recommendations. If you have questions concerning this information, please email the Audit Bureau at audit@comptroller.nyc.gov.

Sincerely,



Maura Hayes-Chaffe

c: Borough President

Susan Stetzer, District Manager, Manhattan Community Board 3