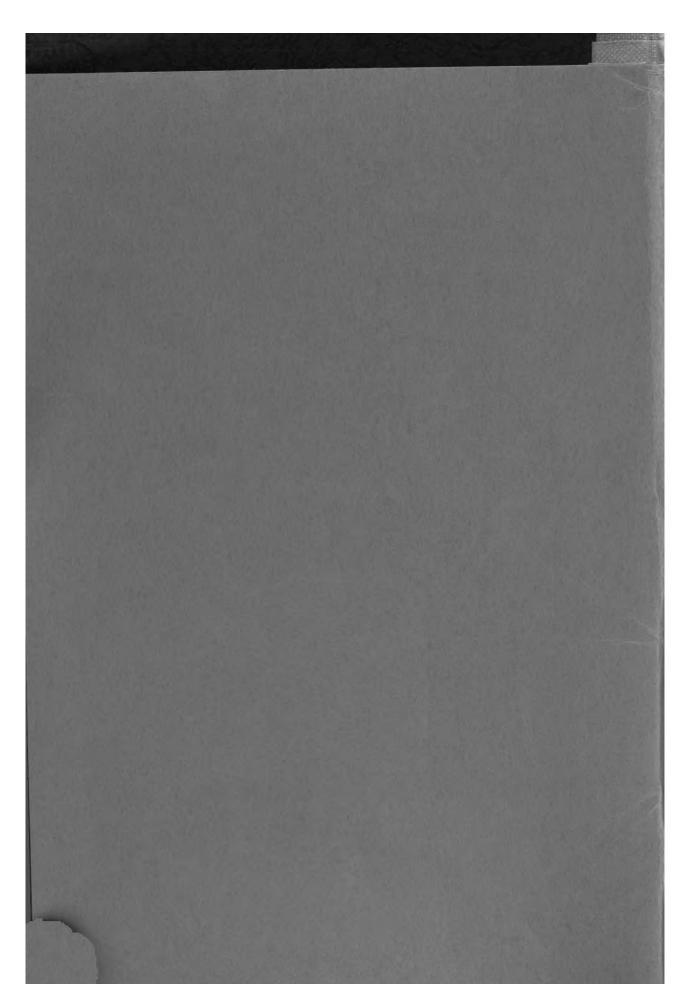
# GOVERNMENTAL ORGANIZATION WITHIN THE CITY OF NEW YORK

Sixth Edition
February 1, 1960

INSTITUTE OF PUBLIC ADMINISTRATION

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# Governmental Organization Within the City of New York

by

Robert H. Connery

LOAN STACK

**G**IFT

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# Foreword

This pamphlet and its accompanying charts are intended to provide a brief description of governmental organizations of the city of New York proper. Some mention also is made of county, state, and federal agencies as well as of public authorities which operate within the boundaries of the city. Limitations of space prevent any detailed account of their activities but note should be made that they have greatly increased in scope since the last edition of this pamphlet and their impact on the political, economic, and social life of the city is extensive.

This brief account is not intended to give a complete picture of the political life of New York City. It is concerned entirely with organization—the bone structure of government—and not with the nervous system which may be said to constitute politics per se. What is set forth here is the formal legal organization of government. But understanding the organization of government and particularly one so complicated as that of one of the world's largest cities is important in itself. Knowledge of the organization is essential to understanding how government in fact operates for organization sets the metes and bounds within which the political life takes place.

First published by the Institute of Public Administration in 1926, this pamphlet with its charts constitutes the sixth edition. In view of the numerous changes that have taken place in government within the city since the last edition a decade ago, it has been necessary to revise the text and charts completely. All materials in both pamphlet and charts have been drawn from official sources—the city charter, the administrative code, official directory, annual budget, and personal interviews with responsible officials.

This material also has been published as an appendix to Wallace Sayre and Herbert Kaufman, *Governing New York City*, New York (1960) and is reprinted with the permission of the Russell Sage Foundation.

The text and the charts have been prepared by Robert H. Connery with the assistance of Pearl H. Hack and Edward Mueller.

LUTHER GULICK

President

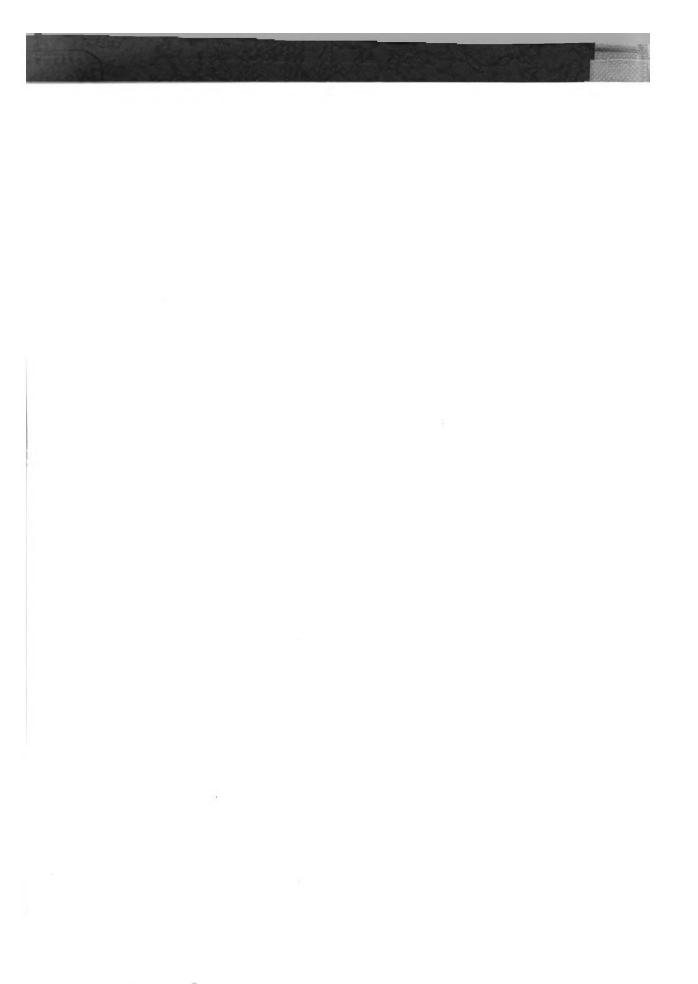
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# The City of New York

The most striking aspect of governmental organization in New York City is the fact that "metropolitan New York" extends far beyond the boundaries of the City of New York. We are here concerned, however, almost exclusively with that part of the metropolitan area included within the City of New York. Created in 1898, the present city was brought about by the consolidation of the cities of New York and Brooklyn with neighboring portions of lower Westchester, Long Island, together with Staten Island. The boundaries fixed in 1898 have not changed, although the city charter has been amended from time to time and the governmental structure has been changed greatly over the past sixty years.

Included within the city are five counties and five boroughs with coterminous boundaries. These are the county of New York, which is also the borough of Manhattan; Kings County, which is also the borough of Brooklyn; and the three counties and boroughs that have the same names, The Bronx, Queens, and Richmond (Staten Island). In the past half-century there has been a gradual "withering away" of the separate county and borough governments and a transfer of functions to the City of New York. Today these units are so integrated with the city government that they may be considered parts of the city rather than independent political units. The only exceptions are found, at the county level, in the court system, the office of district attorney, and the county clerks and, at the borough level, in the borough public works office which handles the building and maintenance of streets and local sewers.

The City of New York is a municipal corporation—that is, a public corporation with broad but specified governmental powers within fixed geographical boundaries. The general plan of the government is set forth in the city charter. The last complete revision of the charter occurred in 1936 when a new charter was approved by the legislature and accepted by the voters in the November election. It went into effect in 1938, but there have been many amendments since that time.

The charter now provides for (1) a single, elected executive, the Mayor, (2) a small Board of Estimate made up of persons elected to fill other posts in the city government—the Mayor, the Comptroller, the President of the City Council, and the five Borough Presidents, and (3) a larger City Council elected from 25 single member districts and exercising no other functions besides the legislative one. This is the formal organization of the city government. Extensive as are the legal powers of the Mayor, his informal political power is even more impressive. Elected by the people of the entire city rather

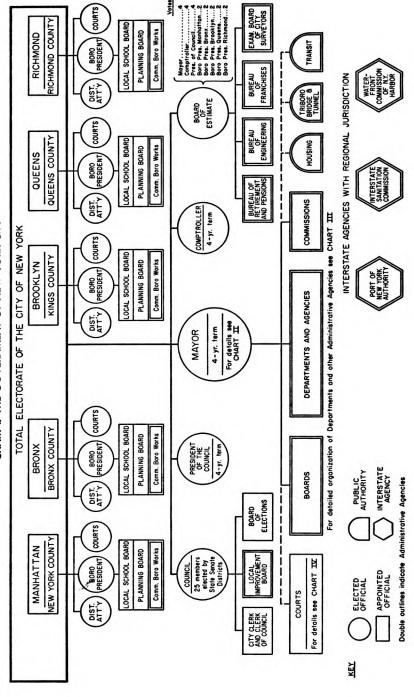
than a single district or borough, and with media of mass communication at his command, he is in a unique position to exercise wide leadership in all aspects of the city's government.

The charter is intended to provide only the structural framework and major powers of the city and its officials. The details of laws relating to the city are left to the New York City Administrative Code, which derived from a variety of legal sources. The code was enacted in 1938 after an exhaustive two-and-a-half-years study of all the laws relating to the government of the City of New York, including previous charters, state laws, and municipal ordinances as interpreted by the courts. Since that date, the code has been amended frequently. Not included in either the charter or the code are the rules and regulations of the various city agencies incidental to the performance of their respective functions, as well as many state laws affecting local administration. The charter, the code, and the departmental regulations have all been subjected over the years to numerous court tests. The most recent (1957) annotated edition of the charter and the code fills six substantial volumes, of which the four relating to the code alone average over 800 pages apiece.

A description of the organization of the present governmental organization within New York City in chart form will be found on page 9. It should be noted that Chart I presents in summary form the whole governmental structure and the remaining three charts describe in greater detail the organization of particular parts of the government. Chart II outlines the organization of the Mayor's administrative staff, Chart III presents the administrative organization of the City of New York, and Chart IV shows the judicial structure.

State and federal activities within the City of New York have increased rapidly, particularly since 1932, and today play an important part in the life of the city. Moreover, public authorities such as the Transit Authority, the Triborough Bridge and Tunnel Authority, and the Housing Authority as well as the older Port of New York Authority—have had an impressive development during the decade 1949-1959. These public authorities are semiautonomous bodies. Indeed the expansion of governmental activities within the boundaries of, but not operated by, the City of New York has been one of the most remarkable aspects of the past decade. This development seems to have been brought about by several factors. Some of the most difficult city problems, such as transportation and traffic, involve much more than the city itself. Consequently a governmental agency with wider powers, like the Port of New York Authority, which could operate in the New Jersey-New York portion of the metropolitan area, seemed necessary. But, in addition, the fact that the city's powers to incur debts and to levy taxes are limited by the state, and that urban residents are demanding more and better

CHART I. THE GOVERNMENT OF NEW YORK CITY



governmental services, led to the creation of public authorities that could operate outside these limitations. Thus the decade of 1949–1959 has been marked not only by a steady increase in the amount of city services, the size of city budgets, and the number of city personnel, but also by a tremendous expansion in governmental activities within the city which are not part of the city government of New York.

Probably the best single measure of this growth of city services is found in these figures: In 1900 the city hired 1 employee for every 100 inhabitants; in 1949, there were 1.9 city employees for every 100 inhabitants; and in 1959 there are 2.5 employees for every 100 inhabitants. In this growth of city activities, one development has been spectacular and indicative. It was the transfer of the major burden of welfare functions from churches, private charities, and the family to the city, with the vast extension of the social security, welfare, housing, health, and hospital programs under city administration with much of the financing coming from the state and the federal governments. As the result of these developments, the city now has greatly expanded its human welfare functions. These developments may be traced in the changing structure of the government.

#### LEGISLATIVE AGENCIES

The charter vests "the legislative power of the city" in the Council, but it should be remembered that this power is subject to the veto of the Mayor and the approval by the Board of Estimate of all local laws amending the charter or affecting the administration or finances of the city. In addition, local improvement boards exercise a limited legislative power as regards local assessable improvements and many city departments may establish codes and regulations which have the effect of law. Although the Commission that framed the 1936 charter no doubt intended the Council to be the principal legislative body in the city government, this is not what, in fact, has happened.

The Mayor is not only the chief executive but also plays an important part in the legislative process. As political leader of the city he frequently proposes legislation and guides its progress through legislative channels. He not only makes an annual report to the Council, but can send it special messages recommending legislation he considers necessary. All local laws and resolutions must come to him for approval. He is required to hold a public hearing, after five days' notice, before approving or vetoing a law. He does not have a pocket veto. Legally the Council may override a veto within thirty days by a two-thirds majority vote, but has not done so in twenty years. The Mayor has an item veto on the expense budget which can be overridden only by a three-fourths vote of the Council.

In the referendum held in 1947, the proportional representation system of electing councilmen was abolished and a new system adopted whereby

councilmen are elected from state senate districts, one councilman from each district. Under the new system, which took effect in 1949, there are six councilmen from Manhattan, five from The Bronx, nine from Brooklyn, four from Queens, and one from Richmond. Councilmen are elected for four-year terms.

The *President of the Council* is elected at large for a four-year term. He presides at meetings of the Council and votes only when there is a tie. He also serves on the Board of Estimate where he has four votes. In the event of the death or resignation of the Mayor, the President of the Council serves as Acting Mayor until the next regular election. With some restrictions he also acts as Mayor when the chief executive is absent from the city.

The Council is authorized by the charter to appoint a clerk who is also the City Clerk as well as Clerk of the Council. He not only keeps a record of the proceedings of the Council but also is custodian of all city records not by law confided to other officials. He keeps a public record of all local laws, ordinances, and franchises passed by the Council and the Board of Estimate. His term is six years.

The *Board of Elections* enforces the state Election Law and administers all public elections held in the city. The four members of the Board represent the parties that cast the highest and the next highest vote for Governor in the preceding election. The members are appointed for four-year terms by the council and are subject to removal by the Governor.

The Board of Estimate is both a legislative and an administrative agency. It is authorized to exercise, subject to the charter, "all power vested in the city except as otherwise provided by law." Composed of the Mayor, with four votes, the Comptroller, four votes, the President of the Council, four votes, the Presidents of each of the five boroughs with two votes apiece, the Board frequently plays a decisive role in determining and carrying out administrative policy as well as legislation.

The Board of Estimate serves as a second legislative chamber on a wide variety of local laws. These include laws amending or repealing charter provisions; conferring, transferring, or changing the powers and duties, or prescribing the qualification, number, mode of selection or removal, term of office, or compensation of any officer, employee, or agency of the city; and laws reducing or repealing any taxes, fees, or charges receivable by the city. Since there are very few local laws that do not concern either personnel or taxes, the Board participates in most major legislation.

Another important aspect of the Board of Estimate's work concerns the city budget, which is prepared by the Bureau of the Budget under the direction of the Mayor and submitted by him to the Board of Estimate for approval or modification. Once passed by the Board, after extensive public hearings, it is then submitted to the City Council, which may reduce or omit but not powers of a magistrate. As presiding officer of the Board of Estimate with four votes and as Mayor, he has extensive budgetary and legislative powers. The breadth of his powers as executive, legislative, and administrative chief executive are indicated repeatedly throughout these pages. Whether or not all incumbents exercise the full potentialities of their position is, of course, a matter of personality, ability, and desire.

The Mayor is elected at large by the voters of the city for a four-year term. He may be suspended from office by the Governor for thirty days or removed from office by the Governor for cause after charges have been preferred and an opportunity given for a hearing with due advance notice.

The Mayor's administrative cabinet, used for the first time in 1954, brings together the Mayor, the Deputy Mayor, the City Administrator and his deputies, the Corporation Counsel, the Director of the Budget, the Director of Personnel, the Chairman of the City Planning Commission, and the executive assistants to the Mayor for the discussion of administrative problems. Meeting with prepared agenda, the cabinet has proved to be a useful tool for the Mayor and his chief policy planning and coordinating officers. These meetings have afforded an opportunity for the exchange of information concerning the city's business and in many instances have laid the groundwork for major policy decisions.

# The Mayor's Principal Administrative Assistants

One of the major recommendations of the Mayor's Committee on Management Survey of the City of New York in 1953 was that the Mayor be provided with the management tools and the personnel needed to make the office of the chief executive function properly. In implementing this recommendation the posts of City Administrator and Director of Personnel were established and the personal staff of the Mayor somewhat enlarged.

Unfortunately some confusion has crept into the nomenclature of the city's administration, particularly concerning the term "Office of the Mayor." Apparently without much reason some agencies are designated in some official documents, but not necessarily in others, as part of the Office of the Mayor. The city charter, the city budget, and the Administrative Code are not in agreement in the use of this designation. Some important top administrative units are not part of the Office of the Mayor, while others performing ordinary line functions are. For this reason no attempt is made here to describe the Office of the Mayor but rather to set forth the work of the principal administrative assistants to the Mayor.

The Deputy Mayor is appointed and is subject to removal by the Mayor. The purpose of this office is to relieve the Mayor of time-consuming tasks and of some of his administrative and ceremonial responsibilities. Upon written authorization of the Mayor, the Deputy Mayor may act for the Mayor except

increase or add items. The Mayor has veto power over the Council's action which may be overridden only by a two-thirds majority. Under these restrictions the Council rarely changes the budget. Changes in the budget once it has been passed that involve either reducing or increasing salaries or transferring funds between items must have the approval of the Board of Estimate as well as the Mayor. The Board's calendar during the year is filled with proposals concerning such budgetary transfers. Thus the Board is heavily involved in day-to-day administrative decisions. Usually these decisions are made in executive session where the Mayor is simply first among equals. A great deal, consequently, depends upon a Mayor's skill in using his recognized position as chief executive to carry a majority of the Board's votes along with him in support of his program.

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Although the former Bureau of Real Estate was made an executive department responsible to the Mayor in 1959, five other administrative agencies continue to operate directly under the control of the Board of Estimate.

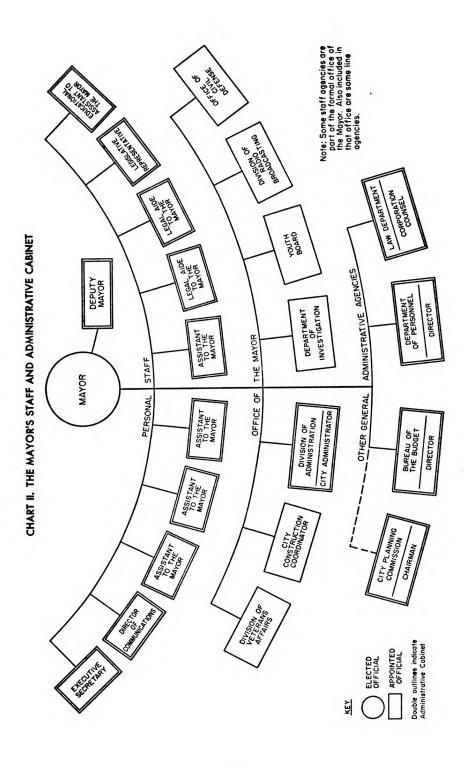
The Bureau of Engineering reports to the Board on local improvements and on proposals for new parks and sewage disposal plants. The Chief Engineer of the Bureau of Engineering is a member of the City Planning Commission and serves as consultant on engineering problems of other commissions and agencies. The Examining Board of City Surveyors conducts oral and written examinations for surveyors who wish to have the title and status of "City Surveyor." The Board of Estimate has the power to grant franchises and revocable consents for the use of public streets and property; the Bureau of Franchises is the agent for this power and reports to the Board of Estimate.

The Board of Estimate is trustee for the funds of the New York City Employees Retirement System. The system is administered by the *Bureau of Retirement and Pensions*. It provides for retirement allowances, loans, and death benefits for about half of the city employees. Teachers, other employees of the Board of Education, policemen, and firemen have separate retirement systems. All systems now open for membership are on an actuarial basis.

The *Health Insurance Board* was established under the Board of Estimate in 1946 to act as agent and to set up rules and procedures for all city employees who wish to participate in the Health Insurance Plan. The plan is a non-profit organization operating throughout the metropolitan area.

## **EXECUTIVE AND ADMINISTRATIVE AGENCIES**

The Mayor is the chief executive of the city. The bare language of the charter gives an incomplete picture of the extent of his authority. In actual practice he is responsible for the administration and the proper conduct of the business of the city departments and commissions. He has powers to appoint and remove commissioners, heads of departments, and numerous other officers. As a matter of long-standing tradition, the Mayor is vested with the



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for the exercise of the powers of appointing and removing officers, service as magistrate, or the conduct of hearings which the Mayor is required by law to conduct personally. The Deputy Mayor attends the meetings of the Board of Estimate and casts the Mayor's vote in his absence. He also attends meetings of other official boards and commissions as the Mayor's representative but may not act as chairman. The main thing to note is that the specific duties of the Deputy Mayor change in accordance with the wishes of each Mayor.

The post of City Administrator, who is chief of the Division of Administration, was created in 1954. He is charged with the responsibility of supervising and coordinating the work of city agencies under the jurisdiction of the Mayor with certain exceptions. Among the most important of the exempted offices is the Budget Bureau. The Budget Director of the city continues to report directly to the Mayor. Although fiscal controls have long been regarded as a principal tool of management, the City Administrator has only a consultative role in budget-making and no part at all in budget administration. Furthermore, agency heads cannot fill positions even when they are in the budget without the approval in each case of the Budget Director. Also excepted from the City Administrator's control are the Youth Commission, the Department of Veterans' Affairs, the Office of Civil Defense, and city boards, commissions, and authorities.

The City Administrator, however, does have broad powers under the city charter over the regular line departments of the city government, which spend three fourths of the city's budget and include approximately three fourths of the city's employees. He may convene heads of agencies for conference, discussion, and report. He is empowered to conduct a continuous study of the work of these agencies, establish management standards, and analyze and report to the Mayor impending policy decisions affecting the management of the city. He maintains liaison with civic and community groups on matters of governmental management. The City Administrator appoints and may remove three Deputy City Administrators who serve as his principal assistants and who, like the City Administrator himself, are members of the Mayor's cabinet.

In practice the City Administrator frequently acts as a "friend at court" for department heads to expedite departmental business, forestall errors, and remedy defects. All departments report from time to time on their activities to the Mayor via the City Administrator and increasingly seek his advice on their management problems. Furthermore, the City Administrator has acted as a trouble shooter in behalf of the Mayor in a whole series of emergencies. Important as are these emergency assignments, the City Administrator's major contribution appears to be the advance analysis of future administrative problems and of major questions of interdepartmental action, to give the Mayor a basis upon which to make decisions. This function of program

operations, research, and program development resembles the similar function recently emphasized in large private corporations.

Each year the Mayor is required by the city charter to report to the Council upon "the state of the City" in somewhat the same way that the President of the United States reports to the Congress upon "the state of the Union." Since 1954 the Mayor's annual report has been compiled by the City Administrator's office. The report is largely factual and is accompanied by a message from the Mayor dealing with major policies of the administration. The annual report has become a useful management device through comparison of statistical data from year to year and through the inclusion of a list of management goals for the coming year in each report. These data offer a standard of measurement not only to city officials but also to the general public in determining the progress being made in the city's government.

The Bureau of the Budget annually prepares the executive budget for the Mayor, which provides for the current running expenses of the city. Equally important is the Bureau's work in carrying the budget into effect after the budget has been passed by the Board of Estimate and the City Council. The Budget Director's jurisdiction in overseeing expenditures includes both the expense and the capital budgets. Once the budgets have been passed by the Board of Estimate and the City Council and signed by the Mayor they are binding on all city agencies. Transfers of funds are permitted between items only upon recommendation of the Director of the Budget and approval by the Mayor and the Board of Estimate. As customary in normal budget practices, lump sum appropriations are provided for new activities and these too are administered by the Budget Bureau in conjunction with the city agency responsible until sufficient time has elapsed to develop accurate cost data.

The City Planning Commission is composed of the Chief Engineer of the Board of Estimate and six members appointed by the Mayor for eight-year overlapping terms. The Chairman of the Commission is the Director of the Department of City Planning, which is the administrative agent for the Commission. After hearings, the Commission is responsible for the development and adoption and continuous modification of a "master plan" of the city. The master plan is a forward-looking map of desirable streets, parks, water and sewer developments, traffic and harbor improvements, building zones, public and private utilities, and school and other buildings designed to provide for the growth and welfare of the city. The Commission is also custodian of the "city map" which establishes streets and grades, and must register all changes authorized by law. Changes in the city map or in the zoning regulations, or the filing of a map or plot for the subdivision of land, in general may be effected by the approval of the Commission and a majority vote of the Board of Estimate or by a three-fourths vote of the Board of Estimate without the approval of the Commission.

The City Planning Commission annually prepares the capital budget for capital projects to be undertaken during the following six years. This is done on the basis of departmental recommendations and reports from the Comptroller, the Director of the Budget, and the Mayor. The capital budget is submitted to the Board of Estimate and to the Council. The Council may not increase the amount of any authorization but either approve or strike out an item. The capital budget is not subject to the Mayor's veto. There are citizen Advisory Planning Boards in each borough, appointed by the Borough Presidents for six-year overlapping terms on a nonsalaried basis to advise the Planning Commission.

The Department of Personnel and the City Civil Service Commission, reorganized in 1954, are composed of a Personnel Director (also Chairman of the Civil Service Commission) and two other members, not more than one of whom may be of the same political party as the Chairman. They are appointed by the Mayor: the Chairman for a term coterminous with that of the Mayor, the others for six-year terms. Members of the Commission, except for the Chairman, may not be removed without cause and a hearing. Members may also be removed by the state Civil Service Commission on charges after a hearing. The Department recruits personnel and schedules and conducts examinations for civil service positions and for the issuance of city licenses; establishes, promulgates, and certifies lists of eligible candidates; determines which eligible lists are appropriate to fill positions; regulates appointments and promotions; investigates applicants for positions; certifies payrolls for 230,000 employees in 1,100 job titles; administers incentive, safety, training, and other personnel programs; makes studies and recommends changes in grade or classification of 187,000 civil service positions. The number of personnel and the agencies they serve are shown in Tables A, B, and C and the number of persons examined by the Department of Personnel in 1958 in Table D. Salaries of the principal political and administrative officers of the city are shown in Table E.

The Career and Salary Board of Appeals was established by the Board of Estimate in 1954 to hear protests and appeals on salary allocations and salary reallocations with respect to classes of positions under the Career and Salary Plan. It is composed of five unpaid members appointed by the Mayor, including at least two members representing employees. After hearings, the Board makes recommendations to the Board of Estimate for salary changes.

The Career and Salary Plan Classification Appeals Board was established by the city Civil Service Commission in 1954 to hear protests and appeals on position classification and reclassification with respect to classes of positions under the Career and Salary Plan. The membership is the same as the Board mentioned above.

TABLE A. NUMBER OF CITY EMPLOYEES UNDER THE JURISDICTION OF THE DEPARTMENT OF PERSONNEL AS OF DECEMBER 31, 1959

Agency	Un- classified*	Exemptb	Com- petitive	Labord	Noncom- petitive	On military leave <sup>f</sup>	Total
Air Pollution Control, Dept. of	8	8	94	1	1	1	100
Art Commission	1		I	1	1	1	CI
Assessors, Board of	80	1	23	1	1	1	56
borougn Fresident:			,				
Bronx	1	12	832	1	1	CI	846
Brooklyn	-	6	1,189	1	1	9	1,199
Manhattan	-	12	1,133	1	1	5	1,146
Queens	-	12	1,707	1	1	. 65	1,720
Richmond	-	11	469	1	1	1	481
Bronx Community College	1	1	17	r.	I	1	23
Budget, Bureau of	1	CI	151	1	1	1	153
	I	4	1,227	64	1	1	1,234
	1	1	8	1	4	1	8
	20	64	33	1	• 1	1	04
City Planning Commission	9 40	a	169	1	9	-	182
City Record	1	-	6	1	I	1	01
Colleges:			,				
City	1	1	383	124	10	1	517
Brooklyn	1	1	218	103	9	1	327
Hunter	1	1	236	118	9	1	360
Queens	1	1	123	4	9	1	173
Commerce and Public Events, Dept. of	•	65	42	1	13	1	200
Commission on Intergroup Relations	1	-	43	ı	1	1	4
Comptroller	-	12	1,728	1	87	4	1,745
Correction, Dept. of	-	က	2,222	1	84	1	2,310
Courts:							
City	24	56	212	1	7	1	569
Domestic Relations	23	က	539	1	CI	1	267
Magistrates,	54	CI	723	1	1	ı	779
Municipal	49	89	376	1	cı	-	513
Special Sessions	24	cı	228	ı	1	1	254
Education, Board of: (Nonteaching)	1	6	3,683	13	5,949	4	9,652
Elections, Board of	254	ı	a	1	1	1	256

TABLE A. NUMBER OF CITY EMPLOYEES UNDER THE JURISDICTION OF THE DEPARTMENT OF PERSONNEL AS OF DECEMBER 31, 1959 (Continued)

Estimate, Board of: Employees' Retirement Engineering Franchise Secretary	classified	classified*	petitive.	Labor	petitive	leave	
Employees' Retirement Engineering Franchise Secretary							
Engineering Franchise Secretary	1	1	192	1	1	a	192
Franchise Secretary	1	1	31	1	1	1	31
Secretary	1		91	1	1	1	17
	1	н	32	1	1	ı	33
Finance, Dept. of	64	4	1,205	1	1	a	1,211
Fire, Dept. of	1	œ	11,849	I	4	25	11,863
Health, Dept. of	1	c	3,717	275	1,226	50	5,222
Higher Education, Board of: (Nonteaching)	1	н	165	7	CI	1	175
	-	2	8,551	1,181	27,759	126	37,497
Investigation, Dept. of	1	41	41	1	1	1	83
Labor, Dept. of	-	4	56	1	2	1	36
Law, Dept. of		66	535	1	S	CI	638
Licenses, Dept. of	I	5	901	1	1	1	112
Marine and Aviation, Dept. o	1	, rc	1,313	43	4	87	1,366
Markets, Dept. of	1	∞	318	1	a	1	329
Mayor's Office	н	12	45	1	1	1	28
Civil Defense	-	1	191	ı	1	65	168
Division of Administration	1	9	55	1	9	1	49
Division of Veterans' Affairs	1	1	50	1	4	1	24
Mayor's Advisory Council	1	1	1	1	1	1	1
Municipal Broadcasting	1		72	1	1	1	73
Youth Board	1	-	267	I	24	1	293
	1	1	27	1	CI	1	30
New York City Community College	1	ì	62	17	25		104
	-	1	5,562	4	322	1	5,930
Parole Commission	82	1	42	1	1	1	45
Personnel, Dept. of	er.	1	332	1	4	ı	340
Police, Dept. of	-	10	24,501	162	1,303	101	26,106
Public Works, Dept. of	-	က	3,900	1,024	1	7	4,928
Purchase, Dept. of	1	9	615	က	61		627
Queens Community College	1	1	က	1	1	1	4
Real Estate, Dept. of	ı	87	251	1	33	1	288
Register	1	ı	234	ı	C4	1	236

Sanitation, Dept. of	-	ĸ	13,422	1	14	20	13,442
	1	-	113	က	85	1	120
Standards and Appeals, Board of	2	-	30	1	-	1	37
mmunity	ı	1	11	က	<b>H</b>	1	15
	7	2	431	1	1	1	443
Teachers' Retirement	1	1	123	1	1	1	124
Traffic, Dept. of		4	435	1	CI	က	442
	60	10	909	1	48	7	899
Water Supply, Gas and Electricity, Dept. of	ı	4	2,625	1	13	7	2,643
Welfare, Dept. of	1	2	7,367	180	764	35	8,317
Total	268	465	107,288	3,488	37,693	385°	149,501

• Unclassified service: The unclassified service includes elective officers, judges, heads of departments or commissions, legislative personnel and teaching personnel. Classified service: The classified service comprises four classes: exempt, noncompetitive, competitive and labor.

b Exempt class: Appointments in the exempt class are made by heads of departments without regard to civil service procedures or qualifications. Typical exempt class positions are: deputy commissioners, secretary to a department, and clerks to judicial officers.

° Competitive class: The competitive class includes all positions for which it is practicable to recruit through competitive examinations.

<sup>d</sup> Labor Class: Labor Class positions encompass laboring jobs where the Civil Service Commission prescribes experience and age require-• Noncompetitive Class: Appointments in the noncompetitive class are made by department heads without competition, but the appointee must meet minimum qualifications established by the Civil Service Commission. ments and may hold certain rudimentary tests.

f Employees on military leave are not included in total figures.

SOURCE: Annual Report of the Mayor of New York City, 1959.

TABLE B. NUMBER OF EMPLOYEES OF PUBLIC AUTHORITIES AS OF DECEMBER 31, 1959

Agency	Un- classified	Exempt	Com- petitive	Labor	Non- competitive	On military leave*	Total
New York City Transit Authority	3	22	35,586	1	48	39	35,660
Triborough Bridge and Tunnel Authority	1	CI	782	20	-	1	805
New York City Housing Authority	က	5	7,372	CI	397	17	7,779
Total	9	62	43,740	23	446	26	44,244

\* Employees on military leave are not included in total figures. Source: Annual Report of the Mayor of New York City, 1959.

TABLE C. ADDITIONAL EMPLOYEES PAID BY CITY BUT NOT UNDER JURISDICTION OF DEPARTMENT OF PERSONNEL

888	County Courts' offices	642
3,706	District Attorneys' offices	574
176	Public Administrators' offices	34
2,568		325
42,883	Supreme Court	912
358	Total	53,066
	3,706 176 2,568 42,883	3,706 District Attorneys' offices 176 Public Administrators' offices 2,568 Surrogates' Courts 42,883 Supreme Court

Source: Annual Report of the Mayor of New York City, 1959.

TABLE D. NUMBER OF PERSONS APPLYING, EXAMINED, AND CERTIFIED BY THE DEPARTMENT OF PERSONNEL DURING 1959

		,826 ,394
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Includes persons certified from lists established prior to 1959.SOURCE: Annual Report of the Mayor of New York City, 1959.

The Department of Investigation acts as additional eyes and ears for the Mayor. It is headed by a Commissioner who holds office at the pleasure of the Mayor. The Commissioner is required to be a member in good standing of the New York State bar. He has broad powers under the charter to make any investigation directed by the Mayor or the Council, or any study or investigation "which in his opinion may be in the best interests of the city, including but not limited to investigations of the affairs, function, accounts, methods, personnel, or efficiency of any agency."

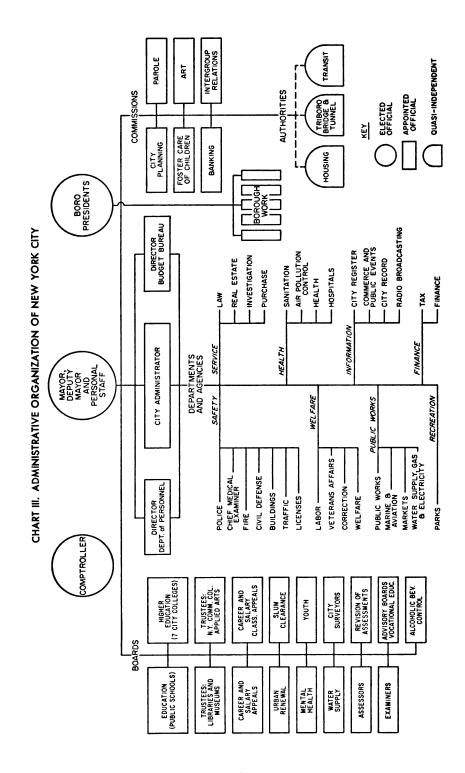
The office of City Construction Coordinator was established by law in 1946 to expedite the construction of city public works projects which were being delayed because of shortages of labor and materials. Continued ever since, the duties of the Coordinator are to "schedule and, upon approval of the projects by the Mayor and the governing bodies of the city, to expedite the work of all agencies of the city and to represent the city in its relations with cooperating state and federal agencies engaged in the postwar public works program." The Coordinator is appointed for an indefinite term by the Mayor and uses the staff of other city agencies.

#### **OPERATING AGENCIES**

The administrative departments and agencies within the government of New York City are briefly described in the pages that follow. For the convenience of the reader the agencies are somewhat arbitrarily grouped under the functional headings of city finances, service agencies, safety, general welfare, information and recording, health, education, and recreation, public works, utilities, and transportation. Some attention is given to public authori-

TABLE E. SALARIES OF PRINCIPAL POLITICAL AND ADMINISTRATIVE OFFICERS, CITY OF NEW YORK, 1959-1960 BUDGET

	Salary
Mayor	\$40,000
Deputy Mayor	25,000
Executive Secretary	20,000
Assistant to the Mayor	17,500
Principal Attorney	17,500
Assistant to the Mayor	15,000
Assistant to the Mayor	13,000
Comptroller	30,000
First Deputy Comptroller	25,000
Second Deputy Comptroller	22,500
City Council	
President of the City Council	25,000
Majority Leader	16,500
Minority Leader	12,500
Council Member	7,000
City Administrator	30,000
First Deputy City Administrator	25,000
Second Deputy City Administrator	20,000
Third Deputy City Administrator	20,000
Director of the Budget	25,000
Assistant Director of the Budget	20,000
Corporation Counsel	25,000
First Assistant Corporation Counsel	20,000
Personnel Director	25,000
Deputy Director of Personnel	16,000
Five Borough Presidents, each	25,000
4 Commissioners of Borough Works, each	15,000
I Commissioner of Borough Works (Richmond)	10,500
Treasurer (Finance Department)	20,000
President of the Tax Commission	20,000
Commissioner of Licenses	20,000
Commissioner of Purchase	20,000
City Register	16,000
Chairman of the City Planning Commission	22,500
Commissioner of Labor	20,000
Commissioner of Investigation	20,000
Commissioner of Public Works	25,000
Director of Radio Communication	10,500
Commissioner of Commerce and Public Events	I
First Deputy Commissioner	20,000
Superintendent of Schools	37,500
Deputy Superintendent	25,000
8 Associate Superintendents, each	18,750
39 Assistant Superintendents, each	16,000
Commissioner of Parks	25,000
Commissioner of Welfare	22,500
Police Commissioner	25,000
Fire Commissioner	25,000
Commissioner of Traffic	22,500
Commissioner of Health	22,500
Commissioner of Hospitals	25,000
Commissioner of Sanitation	25,000
Commissioner of Correction	20,000
Commissioner of Marine and Aviation	20,000
Commissioner of Water Supply, Gas, and Electricity	20,000
Commissioner of Markets	20,000
Commissioner of Buildings	22,500
Chairman, Board of Standards and Appeals	17,500
Director of Civil Defense	17,500
Commissioner of Air Pollution	20,000
Director of Community Mental Health	22,500
Board of Water Supply	
1 Commissioner	20,000
2 Commissioners, each	15,000



ties, the court system, borough offices, state and interstate agencies with local jurisdiction, and federal activities. It should be noted that four new line departments were created by charter amendment since 1949—Labor, Air Pollution Control, Traffic, and Commerce and Public Events. Furthermore, the Bureau of Real Estate, formerly directly responsible to the Board of Estimate, was made a regular city department under the Mayor.

## **City Finances**

Major responsibility for initiating the fiscal and budget policy of the city rests with the Mayor, working through the Bureau of the Budget and the Planning Commission, as explained above.

A number of highly important financial responsibilities are, however, assigned to the *Comptroller*. He is elected by the people at large and serves for a four-year term. He has four votes as a member of the Board of Estimate. It is his duty to advise the Board of Estimate on the financial condition and policies of the city, to settle and adjust claims, to manage trust funds, to prescribe accounting methods, to audit the accounts of the city, to approve the disbursement of funds, and to manage the sale and retirement of the city's financial obligations. He is a member of the Board of Revision of Assessments and the Banking Commission, as well as of a number of city retirement and pension agencies. The following bureaus are in his office: Accounting, Audit, Engineering, Law and Adjustment, Municipal Investigation and Statistics, and Excise Taxes.

The Banking Commission determines in which banks the city money shall be deposited and under what conditions. The Mayor is chairman of this Commission; other members are the Treasurer and the Comptroller.

The Department of Finance collects all taxes and assessments and pays all money on warrants drawn by the Comptroller. It provides for the safekeeping of all money paid into the city including trust funds and sinking funds. The Department is headed by the Treasurer who is appointed by the Mayor. The Department includes two bureaus, the Bureau of City Collections, headed by the City Collector, and the Bureau of Receipts and Disbursement.

The Tax Department is headed by the President of the Tax Commission. The Department has a staff of assessors who appraise the value of real property and prepare the annual assessment rolls. The Tax Commission is appointed by the Mayor and consists of the President and six Commissioners among whom there must be at least one resident of each borough. The Commission has the duty of reviewing and correcting all assessments of real property for taxation. Its action is subject to review only by the courts.

The Board of Assessors advises the Board of Estimate on assessments for public improvements and makes all assessments for such improvements except those required by law to be confirmed by a court of record. The three mem-

bers of this Board are appointed by the Mayor for indefinite terms. The Board settles claims for damages caused by public improvements.

The Board of Revision of Assessments consists of the Comptroller, the Corporation Counsel, and the President of the Tax Commission. It reviews appeals from the decisions of the Board of Assessors.

## Agencies Serving the City Government

In addition to the agencies concerned with finance, there are other agencies whose major function is to keep the wheels of government rolling. These agencies serve the public indirectly.

The Law Department is headed by the Corporation Counsel. It conducts the legal business of the city, has charge of litigation in which the city is interested, prepares bonds, leases, bids, other documents, assists with preparation of legislation, and is the legal adviser to the Mayor and other city officials. The Corporation Counsel is appointed by the Mayor and is a member of his cabinet. Associated with this Department is the Board of Statutory Consolidation consisting of the Mayor, the Comptroller, the Corporation Counsel, and the President of the Council ex officiis. The Board supervised the codification of all the laws of the city into one administrative code. The work of keeping the code up to date is now carried on by the Law Department.

The Department of Purchase serves all agencies of the government with the exception of the educational system. It purchases stores and distributes all supplies, materials, or equipment needed by the city agencies. Within the Department of Purchase is the Board of Standardization, which prepares specifications and classifies equipment and materials subject to the action of the Board of Estimate. The Board of Standardization consists of the Commissioner of Purchase or a representative, as chairman, an engineer from the Board of Estimate, an engineer and another subordinate of the Comptroller's office, a representative of the Budget Director, an engineer and another subordinate of the Department of Purchase. All serve ex officiis without additional pay.

The Department of Real Estate was created in 1959. It took over the responsibilities of the Bureau of Real Estate which were to manage affairs concerning the use, lease, sale, or purchase of city real property. The Department is headed by a Commissioner appointed by the Mayor. Among its other duties it supervises the relocation of persons who have to find new living quarters because of urban renewal projects.

# Safety

The *Police Department* has the duty of preserving the public peace and of law enforcement. Among its functions are patrolling streets, regulating traffic, preventing, investigating, and detecting crime, criminal identification,

the issuance of certain licenses, the recovery of lost property, and the location of missing persons. The Commissioner of Police is appointed by the Mayor for a five-year term. He is removable in the public interest before that time either by the Governor or the Mayor, and if so removed, is ineligible for reappointment to the same position. The Police Pension Fund, with a separate Board of Trustees, provides pensions for members of the police force.

The *Chief Medical Examiner* performs the duties historically discharged by coroners. He investigates sudden, suspicious, and violent deaths and reports to the District Attorney, a county officer. He is required by the charter to be a doctor of medicine, and a skilled pathologist and microscopist. He is appointed by the Mayor from the classified civil service.

The *Fire Department* has the task of extinguishing fires within the city. In addition, it investigates the origin of fires, enforces laws concerning fire precautions, maintains a training school for members of the force, and conducts an extensive program of fire prevention. The Fire Department Pension Fund and Life Insurance Fund with a separate Board of Trustees administers pensions, funds, and life insurance plans for members of the Fire Department.

The Department of Buildings has jurisdiction over approximately 786,000 buildings. Its responsibility is to protect the lives and safety of the city's residents in their homes and their places of work. The Department administers the state Multiple Dwelling Code, the Building Code, the zoning regulations, certain sections of the state Labor Law affecting factory buildings, and numerous city ordinances pertaining to buildings. This Department has the right of inspection and issues building permits and certificates of occupancy.

The Board of Standards and Appeals consists of five Commissioners appointed by the Mayor for six-year terms; two of these must be experienced and qualified architects, one an experienced and qualified structural engineer, one a mechanical engineer, and one a layman. As part of the city's management improvement program a full-time professional director was provided for the Board in 1957. The new Director, who must be a qualified architect or engineer, is appointed by and removable at the pleasure of the Board. The Board has the sole right to permit deviations in the zoning laws and building codes. It enacts rules concerning building construction and alterations, plumbing and drainage, elevators and fire precautions. It hears appeals from the administrative decisions made by the borough superintendents of the Department of Buildings and by officials of the Fire Department or any other agency.

There are two city committees concerned with better housing whose work deserves notice. The Mayor's Committee on Slum Clearance, as its title indicates, is an agency whose purpose is to advance slum clearance and promote redevelopment under the provisions of Title 1 of the National Housing Act. It is composed of six members appointed and removable by the Mayor. The

Urban Renewal Board, created by the Mayor in 1958, tries to preserve basically sound existing structures through a combination of conservation and rehabilitation and thus prevent the growth of slums. The Board is composed of the Chairman of the City Planning Commission, the Budget Director, the Chief Engineer, the Corporation Counsel, the heads of the Real Estate and Buildings Departments, and the Chairman of the City Housing Authority.

The Department of Licenses is the principal agency through which the city acts to protect consumers against illegal or unfair merchandising practices or conditions. The Department licenses 77 different occupations or activities, including many types of business dealing with the general public—holding sales, practicing specified trades and professions, operating bowling alleys, and so on. In recent years the Department has emphasized control over illegal business and advertising practices. Other city departments also have jurisdiction in granting certain licenses, but generally of a specialized nature closely connected with their work. The Department of Health, for example, issues licenses for various food handling establishments; the Department of Buildings for the construction and alteration of buildings; the Fire Department for the storage and use of dangerous chemicals; and the Department of Marine and Aviation for use of waterfront property.

The New York City\*Office of Civil Defense is part of the Mayor's office. It is headed by a Director who holds office at the Mayor's pleasure. Its duty is to cooperate with federal and state civil defense agencies in coordinating the city's planning for this function.

The Department of Traffic, headed by a single Commissioner appointed by the Mayor, supplanted the multihead Traffic Commission in 1950. The Commissioner appoints two deputies who assist him in his duties of making rules and regulations for the conduct of vehicular traffic and pedestrian traffic; establishing the design, type, size, and location of traffic signals and signs; making recommendations regarding parking meters, the location of highway lights and the intensity of street illumination; and making over-all plans for the amelioration of traffic conditions. The municipally owned off-street parking facilities are managed through this Department.

## General Welfare

All agencies of the city government have direct or indirect concern for the general welfare of the citizens, but those whose principal duties are in the broad field of social work are described in this section.

The Department of Welfare is a huge organization with many responsibilities. It gives financial assistance to people in need, provides shelter for homeless men and women, and has the care, custody, and disposition of the feeble-minded, the sick, infirm, and the blind. It provides medical, nursing, and visiting housekeeper service for those unable to afford private care. In 1941

the Board of Child Welfare was discontinued and its duties in the administration of federal Aid to Dependent Children under the Social Security Act were transferred to the Department of Welfare. The Department has an extensive program for the care of neglected, dependent, and delinquent children, in their own homes, in foster homes, and in city and subsidized private institutions.

The Department of Labor, created in 1954, is headed by a Commissioner appointed by the Mayor. It was originally established as a division in the Mayor's office by executive order in 1946. It studies labor relations in the public service, develops negotiation procedures in the municipal civil service, and provides collective bargaining for private industry. Recently, it has entered the area of employee organizing activity involving voluntary hospitals, private educational institutions, and the city's cultural and charitable agencies.

The New York City Commission for the Foster Care of Children was established by law in 1946. It consists of the Commissioner of Welfare as chairman, the Commissioner of Health, the Presiding Justice of the Domestic Relations Court, and 12 public members appointed by the Mayor for six-year terms. Its purpose is to study and make recommendations to the Mayor on needs for temporary facilities for the care of dependent, neglected, and delinquent children, and as to standards and policies in the administration and operation of children's shelters.

The purpose of the New York City Youth Board is to promote the welfare of children and youths under twenty-one years by subsidizing the expansion of the recreational programs and guidance services of both public and private agencies. It aims at the prevention of juvenile delinquency. Fifty per cent of the cost of the program is paid by the city and 50 per cent by the State of New York. Presently the Board is composed of 28 members, 18 of whom are laymen appointed by the Mayor; the remainder serve because of other offices they hold and include, among others, the Presiding Justice of the Domestic Relations Court, the Superintendent of Schools, the Commissioner of Health, the Commissioner of Parks, the Commissioner of Welfare, the Police Commissioner, the Chairman of the Housing Authority. A Commissioner of Youth Services conducts its work. The Board was established by law in 1947 as part of the Mayor's office.

The Commission on Intergroup Relations replaced the Mayor's Committee on Unity. The Commission is charged with promoting mutual understanding among racial and religious groups. The new enlarged agency is devoted to eliminating discrimination and segregation in every aspect of city life. It has the special responsibility of administering the Fair Housing Practices Law of 1958. The Commission is composed of 15 nonsalaried members appointed by the Mayor.

New York City Division of Veterans' Affairs was organized in the Mayor's office in 1945 to give information and assistance to returning servicemen. Its purpose is to provide veterans with counseling and vocational guidance. This includes information on veterans' rights under federal, state, and local programs, especially with regard to home loans, educational benefits, and employment opportunities.

The Department of Correction has both a safety and a welfare function. It has charge of institutions for the care and custody of felons, misdemeanants, violators of ordinances and local laws, and for the detention of witnesses. In cooperation with the Department of Welfare, it has charge of interments in Potter's Field on Hart's Island. The Parole Commission works in conjunction with the Department of Correction. The Parole Commission makes investigations of applicants who are eligible for parole and has supervision of parolees. The Commission consists of the Commissioner of Correction, the Police Commissioner, and three others appointed by the Mayor for ten-year terms, one of whom is designated as Chairman by the Mayor.

## Information and Recording

The Division of Radio Broadcasting (Municipal Broadcasting System) is a city-owned and -operated radio station. Its purposes include "the instruction, recreation, and welfare of the inhabitants of the city."

The Supervisor of the City Record has charge of printing the official journal of the government, the City Record. In addition, this agency prints departmental reports, pamphlets, and the Official Directory or "Green Book."

The heads of both agencies are appointed by the Mayor.

In 1955 the *Department of Commerce and Public Events* was reorganized and its work expanded. Today it has the duty of promoting programs designed to encourage and stimulate the well-being, development, and expansion of business, industry, and commerce in the city. This Department is headed by a nonsalaried Commissioner.

An important part of the Department's work is to arrange for the entertainment of distinguished visitors to the city. Heads of foreign states, foreign ministers, and other distinguished statesmen as well as national conventions of fraternal and business groups all have a claim on the services of this agency to make their visit to the city more enjoyable and thus to promote good will and cooperation.

In 1942 the first City Register took office. He replaced the five county registers whose offices were abolished by law. The City Register is appointed by the Mayor from a list of those who qualify under a competitive civil service examination. He is removable only for cause. The functions of the office are to record deeds, mortgages, contracts of sale, leases, and other

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instruments affecting title to realty. The office files conditional sales, makes searches, and furnishes certified copies of documents.

## Health

The Department of Health has jurisdiction over all matters affecting the general health of the city's inhabitants although there are a number of other city agencies concerned with special aspects of health as indicated below. Through its many bureaus and, in particular, through the 27 health centers and 78 child health stations located in all parts of the city, it brings its services to the people. Within the Department is the Board of Health, which has powers to enforce, amend, or repeal any part of the Health Code, issue emergency health orders, grant permits for conducting activities that affect the public health, and record vital statistics. The Board of Health is composed of the Commissioner of Health as chairman and four others. Professional qualifications are prescribed in the charter for all Board members. They are appointed by the Mayor for eight-year overlapping terms and receive no salary.

The New York City Community Mental Health Board, created as a charter agency in 1954, is composed of the Commissioners of Health and Welfare, two physicians, and five other members all appointed by the Mayor. The Chairman is designated by the Mayor and all members are nonsalaried. The work of the Board is conducted by a Director, whose chief responsibility is to review and evaluate community mental health services and facilities in the city and to submit to the Mayor and Council a program of community mental health services. He also exercises general supervision over the treatment of patients in services which are maintained by the Community Mental Health Board. The Board was created in accordance with the provisions of the New York State Community Mental Health Services Act of 1954, which provides for state funds to match expenditures by local governments for mental health services.

The Department of Hospitals has charge of the 28 city hospitals and numerous other institutions for the care of the sick and infirm. These institutions are for people who cannot pay for private care as well as for the protection of public health. The Department issues licenses for private hospitals and convalescent homes unless otherwise provided by law. The Commissioner of Hospitals, who is head of the Department, is aided by an Advisory Council. This Council consists of one representative of the Medical Board of each hospital and seven members appointed by the Mayor. There is a Medical Board in each hospital elected by the staff of the hospital. The Medical Boards consult with the Commissioner on staff appointments and removals and, with the approval of the head of each institution, make proposals for new regulations for hospital medical practice and procedure.

The Department of Sanitation cleans over 10,000 curb miles of streets, removes waste and refuse, clears away snow and ice, and operates incinerators. In cooperation with the Department of Parks, it fills waste land for use as parks and playgrounds. It carries on an educational program for a clean city.

Since 1952 air pollution control, formerly the responsibility of the Bureau of Smoke Control in the Department of Buildings, has been administered by the separate *Department of Air Pollution Control*. It is charged to prevent the emission into the open air of harmful or objectionable substances including, but not limited to, smoke, soot, ashes, dust, fumes, gas, vapors, odors, and any products of combustion or incomplete combustion resulting from the use of fuel-burning equipment or the burning of refuse.

## **Education and Recreation**

The Board of Education has general control of the public school system. It is composed of 9 nonsalaried members appointed by the Mayor for seven-year overlapping terms. The Board of Education elects the Superintendent of Schools, who is responsible for the administration of the school system. The Deputy, 8 Associate, and 39 Assistant Superintendents are nominated by the Superintendent and appointed by the Board of Education. The Board of Superintendents directs the work of a number of bureaus and programs with specialized functions in carrying out the administration of the public school system.

There are other boards that supplement the work of these two principal Boards in the educational system. Each of the 54 school districts in the city has its own advisory Local School Board for the purpose of considering local school needs. The five members of each Local School Board are appointed by the President of the borough in which the Board is located; members serve without salary for five-year terms. There is also an Advisory Board for Vocational and Extension Education, composed of seven members who are representatives of local trades, industries, and occupations.

The Board of Examiners conducts examinations of teachers for placement on eligible lists. All appointments of teachers are made from these lists. The Board of Examiners consists of nine members appointed by the Board of Education, including the Superintendent of Schools. The examiners have permanent tenure after successfully completing a six-month probation period.

There are two retirement systems for employees of the Board of Education. The *Teachers' Retirement Board* administers the Teachers' Retirement System. Of the seven members of the Board, two are appointed by the Mayor for an indefinite term, one of whom must be a member of the Board of Education. Three are teachers elected by the Teachers' Retirement Association for three-year terms. The President of the Board of Education and the Comptroller are also members. The Administrative Employees' Retirement System is under the direction of the Board of Education.

Among the many educational institutions of the city are the seven public colleges maintained by New York City for its residents. They are: the College of the City of New York, Brooklyn College, Hunter College, Queens College, and Queens Borough, Staten Island, and Bronx Community Colleges. These colleges are administered by the *Board of Higher Education*. This Board has 21 nonsalaried members appointed by the Mayor, plus the President of the Board of Education (which operates the city's primary and secondary schools). Each of the colleges has its own president as its chief executive.

Among the newer educational institutions is the New York City Community College of Applied Arts and Science. It operates under the direction of a separate Board of nine trustees—five appointed by the Mayor and four city residents appointed by the Governor.

New York's many cultural institutions provide education and recreation to the people of the city and to visitors from all over the world. Among these are the Metropolitan Museum of Art, the Museum of the City of New York, the American Museum of Natural History, the Planetarium Authority of the American Museum of Natural History, the New York Botanical Garden, the New York Zoological Society, the Staten Island Zoological Society, the Brooklyn Institute of Arts and Sciences, the Staten Island Institute of Arts and Sciences, the New York Public Library, the Brooklyn Public Library, and the Queens Borough Public Library. The libraries are city institutions and the Mayor appoints the Boards of the Brooklyn and Queens Borough Libraries with the exception of ex officio members. The museums, institutes, and zoological societies all have governing boards on which municipal officials serve as ex officio members. Some of these institutions are wholly financed by the city; others have private funds and are partially subsidized by the city. These cultural institutions serve not only residents of the city but also suburbanites.

The Department of Parks has jurisdiction over the parks and parkways of the city. It selects sites, maintains and beautifies parks, and provides recreational programs. In addition, the Department has the authority to plan and establish a unified parkway system which combines playground space with highways. The Department's program is administered within each borough by a Borough Director. The Commissioner of Parks, appointed by the Mayor, is a member ex officio of the governing boards of many civic agencies and institutions including the City Planning Commission.

# Public Works, Utilities, Transportation

The Department of Public Works is responsible for the development of plans and the construction, alteration, repair, and maintenance of many city buildings, bridges, intercepting sewers, sewage disposal plants, and other structures. It does not maintain buildings of the Departments of Correction and Hospitals, the Board of Education, and some other departmental and borough

buildings. Street construction and maintenance is the responsibility of the five borough public works offices and not of the Department. However, it acts in an advisory capacity for these departments. The Commissioner, who is head of the Department, is appointed and subject to removal by the Mayor.

The Art Commission has supervision of the design of works of art and buildings to be erected in public places. Works of art, buildings, and other structures must be approved by the Commission before being purchased or accepted as a gift. Existing works of art cannot be moved or altered without its permission. The Commission consists of the Mayor, three members ex officiis, and seven other members appointed by the Mayor. The appointed members must include a painter, a sculptor, an architect, a landscape architect, and three members not actively engaged in the fine arts. They are selected from a list of nominees submitted to the Mayor by the Fine Arts Federation of New York.

The *Department of Markets* is concerned with the distribution of food. It enforces the state Agriculture and Markets Law and laws on standard weights and measures. It operates the city's terminal markets and supervises open-air markets and issues licenses to pushcart and other peddlers.

The Department of Marine and Aviation, formerly the Department of Docks, has control of wharf property, ferries, helicopter landing ports, and seaplane bases owned by the city. The municipal airports were leased for fifty years to the Port of New York Authority in 1947.

The Department of Water Supply, Gas, and Electricity has charge of water supply, purification, and distribution. Water rates are fixed by the Department subject to the approval of the Board of Estimate. In addition, it is responsible for the lighting of streets, parks, and public buildings; it supervises and regulates the distribution of gas, electricity, and steam, inspects electrical wiring and appliances, and carries on such other activities as are necessary to its major purposes. Attached to the Department is an Electrical License Board of seven members appointed by the Commissioner to issue licenses to electricians and motion-picture operators.

The Board of Water Supply, composed of three Commissioners appointed by the Mayor for life, is responsible for the development of future sources of water supply. It studies future needs and constructs systems when authorized by the Mayor and the Board of Estimate. Once a facility has been completed it is turned over to the Department of Water Supply, Gas, and Electricity.

#### **ADVISORY COMMITTEES**

There has been a phenomenal growth in the use of the nonstatutory advisory committees in the past few years. The effect has been widespread and of great significance. The Mayor's Committee on Management Survey advised in one of its general recommendations that the huge reservoir of men and women of ability and civic responsibility who reside in New York City should be tapped to aid the city government. To be sure, various committees, boards, and commissions, with memberships partly drawn from the public, have long been a part of the formal machinery of government. These are established, however, by law and should be distinguished from the committees that operate without specific legislative authorization or mandate.

A survey of committees in city activities undertaken by the City Administrator's office reveals that there are at least a hundred citywide committees operating within the framework of the city government. Committee functions are as wide as the city government itself. For example, to name only a few, the Mayor has advisory committees covering such subjects as pedestrian safety, commuter services, living music, the aged, athletic activities, the World's Fair, pensions, probation, television policy, and welfare and relief. There also are many specialized committees attached to various city agencies such as Corrections, Police, Hospitals, Education, Labor, and the various staff agencies; and finally, a number of interdepartmental committees such as Interdepartmental Rodent Control Committee, Interdepartmental Traffic Council, Interdepartmental Board of Sanitary Protection of the Public Water Supply, and Interdepartmental Committee for a Clean City. All in all, advisory committees are coming to play an increasingly vital role in government in the City of New York.

#### **PUBLIC AUTHORITIES**

The New York City Housing Authority is concerned with the clearance of slum areas and the erection and maintenance of adequate housing for families of low and middle income. Its work is directed by a Board of five Commissioners appointed by the Mayor. Four Commissioners serve without salary for five years with overlapping terms; the Chairman receives a salary and serves for an indefinite term.

The New York City Transit Authority operates the City Transit System which consists of all the subways and elevated lines in the city and city-owned bus lines. The Authority is also responsible for the planning and construction of all new transit lines. One member is appointed by the Governor and one by the Mayor. These two select the third member who is the Chairman. Terms are for six years.

The Triborough Bridge and Tunnel Authority composed of three members appointed by the Mayor has jurisdiction over six bridges, the Queens Midtown Tunnel, the Brooklyn-Battery Tunnel, and the New York Coliseum. The former New York City Parkway Authority and the Tunnel Authority are now merged with the Triborough Bridge and Tunnel Authority.

#### THE COURT SYSTEM

Like all its government the city's court system is a maze of federal, state, county, and municipal jurisdictions. Moreover, the nomenclature is confusing for the layman. Consequently, no attempt is made here to present a full account of the court system within New York City and particularly of the route appeals may take. Chart IV shows the various kinds of courts, indicating whether they are city, county, or state, and the number of their judges and the manner of their selection. Note should be made that some judges are elected and others appointed either by the Mayor or the Governor, and that terms are uniformly long compared to most city or state officials. Furthermore, vacancies are filled either until the next election or for the remainder of the term in some instances by the Mayor and in others by the Governor. There is considerable difference in this regard between courts, but much of this information can be found on Chart IV showing the judicial organization within the City of New York.

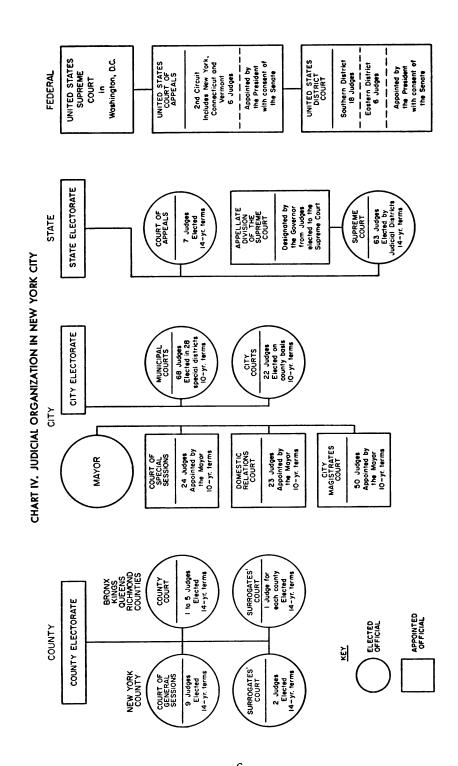
The principal law enforcement officer, apart from the Police Department, in each of the five counties within the City of New York is the *District Attorney*. There are five District Attorneys, each elected by the voters of their respective counties for a four-year term. District Attorneys are removable by the Governor after a hearing. Vacancies are filled by the Governor for the remainder of the year in which they occur. Each District Attorney appoints such Assistant District Attorneys as the needs of his county dictate. Usually the actual trial of cases is in the hands of these Assistant District Attorneys.

The Mayor appoints 83 City Marshals each for a term of six years who are attached to the courts for the purpose of serving orders and processes. They are not paid a regular salary but allowed fees for each action.

# Local Courts in New York City

The City Magistrates' Courts are the first courts to hear criminal complaints. They try persons accused of minor offenses and lesser misdemeanors and provide a hearing for persons accused of more serious crimes. In the event that they determine that sufficient evidence exists to warrant holding persons accused of more serious offenses for trial in the higher courts, they admit to bail and fix the amount of the bail bond in accordance with the statutes.

There are 50 magistrates appointed by the Mayor for a ten-year term. One of their number is named Chief Magistrate and exercises considerable administrative authority over the assignment of judges to various courts. Magistrates hold court in various parts of the city and there are also a number of special Magistrates' Courts, such as the Adolescent, Gamblers, Traffic, Weekend, Night, and Narcotics, among others.



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The Court of Special Sessions has general jurisdiction of all misdemeanors. It is made up of 24 justices each appointed by the Mayor for a ten-year term. Three justices sit as a bench of judges in each court without a jury.

The Municipal Courts have jurisdiction over civil actions involving not more than \$3,000. The Small Claims part, where a simplified procedure is used, covers actions involving \$100 or less. There are 68 judges elected from 28 special judicial districts for a ten-year term. When vacancies occur the Mayor is required to fill them for the remainder of the year within twenty days after they occur. At the next general election vacancies are filled for full terms.

Civil actions involving not more than \$6,000 fall within the jurisdiction of the *City Courts*. These courts are staffed by 22 judges. They are elected on a county basis for ten-year terms. Vacancies are filled by the Governor until the next general election.

The *Domestic Relations Court* has two divisions: the Children's Division with exclusive responsibility for all cases involving children under sixteen years of age (except for children accused of first degree murder); and the Family Division which hears disputes involving nonsupport of wives, children, or dependent relatives. There are 23 judges in the Domestic Relations Court each appointed by the Mayor for a ten-year term. Vacancies are filled by the Mayor for the unexpired portion of the term.

## The County Court System

With increasing urbanization, many of the earlier functions of the counties have been transferred to the municipal government. Those functions that remain are principally concerned with the administration of justice. In each county there are two courts presided over by elective judges. The Surrogates' Courts have jurisdiction over the probating of wills and the administration of the estates of deceased persons. A Public Administrator is appointed by each Surrogate Court to administer, subject to the supervision of the Court, the estates of persons who died intestate or without relatives competent to administer the estate. The Surrogates' Courts in New York and Bronx Counties each have a Commissioner of Records whose duty it is to examine the arrangement of records and to make copies of documents no longer legible.

The remaining court in each county is called a *County Court* in all counties except New York County, where it is called the *Court of General Sessions*. These five courts have original criminal jurisdiction over all persons indicted by a county grand jury, as well as civil jurisdiction in cases appealed from the Magistrates' Courts. The judges are elected for a fourteen-year term and vacancies are filled by the Governor until the next general election.

In 1941 the office of Sheriff in each of the five counties was abolished and the functions were transferred to a single *City Sheriff* appointed by the Mayor from three names submitted by the Civil Service Commission on competitive examination. The City Sheriff has permanent tenure under the Civil Service Law. The City Sheriff, with his undersheriffs in the five counties, is the agent for executing the civil processes of the courts.

There is a *County Clerk* in each county who is appointed by the Appellate Division of the Supreme Court. County Clerks are custodians of the records and papers of the county and also act as Clerks in each of the five counties.

## **Higher Courts**

While state agencies are not within the scope of this discussion, the New York State Supreme Court and its Appellate Divisions are an integral part of the administration of justice in the city. Some of the expenses of these courts which serve the city are paid by the city. The Supreme Court in New York State is not the final appellate court unlike most states. Indeed the reverse is true. The Supreme Court is the first state court of unlimited original jurisdiction for more important civil and criminal cases and controversies. Appeal, where allowed, lies to the Appellate Divisions of the Supreme Court and thence to the Court of Appeals, which is the highest court in the state.

Cases which do not come within the jurisdiction of the municipal, the county, or the federal court systems are handled by the Supreme Court and the Appellate Division. The Supreme Court First Judicial District and the Appellate Division First Department serve New York County and Bronx County. The Supreme Court Second Judicial District serves Kings County and Richmond County. Supreme Court Tenth Judicial District serves Queens and two other counties on Long Island. The Appellate Division Second Department serves Kings, Queens, Richmond, and several other counties outside the city. Judges are elected for a fourteen-year term and vacancies are filled by the Governor until the next general election.

Mention should be made of the probable simplification of this complex court structure in the near future. In 1953, pursuant to state statute, a Temporary Commission on the Courts was established, consisting of 11 nonsalaried members, of whom there are 7 nonlegislative members appointed by the Governor, and 4 legislative members equally divided between the two houses of the legislature and the two political parties. This Commission submitted proposals for the reorganization of the state court structure to the 1957 and 1958 legislatures. Other proposals were made by the State Judicial Conference; suggestions also came from interested organizations throughout the state. A compromise plan was finally approved by the state legislature, on March 24, 1959, known as the Erwin-Lownsberry Concurrent Resolution. To become effective it must be approved again at the legislative session in 1961 and by the voters at the general election in the fall of 1961. It provides (1) a unified state court system; (2) consolidation of family court matters in one court; (3) effective administration for the business of the courts; and (4)

adequately supervised fiscal procedures. Changes in the organization of the lower courts, both civil and criminal, apply primarily to New York City leaving the upstate system as it is at present.

The Federal Courts of the United States also operate in New York State. They have criminal jurisdiction in cases involving violations of federal laws and civil jurisdiction as provided by the United States Constitution and Laws. There are three levels of Federal Courts: the District Court, the Court of Appeals, and the Supreme Court.

New York and Bronx Counties are part of the Southern District of New York State. There are 18 Federal District Judges serving in the Southern District. Each judge is nominated by the President and confirmed by the Senate and holds office for life. The Eastern District embraces Kings, Queens, and Richmond Counties as well as some counties outside the city. There are six Federal District Court Judges serving in this area.

Appeals lie to the United States Court of Appeals, a body composed of six Judges nominated by the President and confirmed by the Senate. New York City is in the Second Circuit which includes all of New York State as well as Connecticut and Vermont. The Court of Appeals for this circuit sits part of each year in New York City.

The Supreme Court of the United States is the highest court in the United States. Composed of the Chief Justice of the United States and eight Associate Justices, this Court sits in Washington, D.C. Appeals upon matters involving the Constitution of the United States come to it in various ways from both State and Federal Courts. The ordinary route for appeals lies from the Federal Circuit Courts of Appeals or from the highest state court—in the case of New York State, the Court of Appeals.

#### **BOROUGH OFFICERS**

Each borough elects a President, who is a member of the Board of Estimate and is executive officer of the borough. In general, the Borough President has control over the design, construction, and repair of streets and crosswalks, public roads, surface railroads in public streets, sewers, public comfort stations, grading and excavation of land, removal of incumbrances, use and opening of streets, and highway bridges and tunnels except those across navigable streams. He may appoint and remove at pleasure a Commissioner of Borough Works, not under civil service, to whom he may delegate any of his powers. In addition, he may appoint, subject to the Civil Service Law, a secretary and various assistants and clerks.

In each borough there is one or more *Local Improvement Boards*, each having authority over a special district, and composed of the President of the borough and the Council members elected from the borough. The Boards initiate proceedings and hear petitions on assessable improvements. There is one such

board in Manhattan, one in The Bronx, eight in Brooklyn, one in Queens, and one in Richmond.

The President of each borough also appoints a varying number of Local School Boards and an Advisory Planning Board, mentioned previously.

#### STATE AND INTERSTATE AGENCIES WITH SPECIAL LOCAL JURISDICTION

Aside from the departments of the state government which have local offices in the city, there are five independent agencies organized under state law each with special local jurisdiction in New York City.

The Port of New York Authority, established in 1922, under an interstate compact between New York and New Jersey, supervises, controls, and develops projects designed to facilitate interstate traffic and improve the Port of New York. It operates the city-owned airports under a lease from the city. It maintains and operates the George Washington Bridge, the Bayonne Bridge, Goethals Bridge, Outerbridge Crossing, the Lincoln Tunnel, the Holland Tunnel, and four freight terminals. Its work is governed by 12 Commissioners, six appointed by the Governor of New York and six by the Governor of New Jersey. Each Governor has veto power over the Commissioners' action. The Board of Commissioners handles all executive duties through an appointed Executive Director.

The New York City Alcoholic Beverage Control Board investigates and controls the issuance of licenses for the operation of barrooms and package liquor stores, investigates applicants for licenses, and inspects places where liquor is sold within New York City. The Board is composed of four Commissioners, two of whom are appointed by the State Liquor Authority and two by the Mayor. The Mayor makes his appointments from a list made up of two nominees selected by the Academy of Medicine of New York City, two by the Commerce and Industry Association, and two by the Central Trades and Labor Council of New York City.

The Waterfront Commission of New York Harbor is composed of two members, one of whom is appointed by the Governor of New York State, with the consent of the New York State Senate, and the other by the Governor of New Jersey, with the consent of the New Jersey State Senate. This agency, created in 1953, licenses stevedoring contractors, pier superintendents, hiring agents, and port watchmen, and registers longshoremen.

The Interstate Sanitation Commission is composed of 15 Commissioners, five from each of the states of New York, New Jersey, and Connecticut. This agency was created by interstate compact for the abatement of existing pollution and the control of future pollution in the tidal waters of the New York metropolitan area. This Commission operates primarily through cooperation and persuasion with occasional orders issued to local units of government.

The Temporary State Housing Rent Commission is composed of one member known as the State Rent Administrator, who is appointed by the Governor. Its purpose is to enforce the residential rent control laws under state legislation. Established as a temporary body in 1950, the Commission has been continued by successive acts of the legislature for two-year periods. Business, commercial, and residential rentals in New York City are analyzed by the Temporary State Commission to Study Rents and Rental Conditions, which makes recommendations to the state legislature with regard to extent and character of rent controls.

#### FEDERAL ACTIVITIES IN NEW YORK CITY

Federal government activities in New York City are too numerous to catalog in detail, but several facts are worth noting. New York does not have so many federal regional headquarters as, for example, San Francisco, probably because it is geographically nearer to Washington, D.C. Thus the range of federal activities would seem to be less extensive. In part this is illusory because federal agencies send their personnel into New York City from Washington as needed, in place of maintaining permanent regional headquarters as they do in the more distant cities.

In the long-established federal activities such as post office, customs and immigration, internal revenue, security and exchange regulation, and the armed services, New York City has a heavy concentration of federal personnel. In point of number of persons employed by the federal government, New York City ranks high among the nation's cities.

Finally, and perhaps most important of all, the newer federal programs such as housing and urban renewal, and health, education, and welfare have not only involved the expenditure of large sums of money and required many employees but have had a major impact on the city's life. Federal grants-in-aid for public housing, urban renewal, public welfare of all types and, more recently, highways are playing a major role in remaking the face of the city. Some federal funds come to the city directly and some through the state. They have been the means of stimulating a more intensive attack on the city's slums and other housing problems. Without federal assistance in welfare activities, the city's fiscal problems would be much more difficult. Federal grants for the school lunch program, airport expansion, veteran aid, public health, and port maintenance all contribute to meeting the costs of government within New York City.

### MANAGEMENT IMPROVEMENT

Substantial as have been the management improvements in the government of the City of New York during the past decade, the continued growth of the city and the changing living patterns of its inhabitants foretell the need

for continued attention to this problem in the years ahead. Older solutions of assigning a function to a single level of government may no longer prove adequate since neither the City of New York, nor the five counties, and to some extent not even the State of New York alone can solve the problems of transportation, water supply, sanitation, air pollution, or urban renewal and housing. Emerging, instead, are new types of intergovernmental cooperation between cities and other local or regional units, and between city, state, and national government. While this movement holds great promise in meeting some of the most important problems of modern living, it also demands efficient and effective government organization. Far from diminishing in importance, sound governmental organization will be even more vital to good metropolitan living in the future.