

**BOX  
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FOLDER  
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**Estimate and  
Apportionment, Board of**

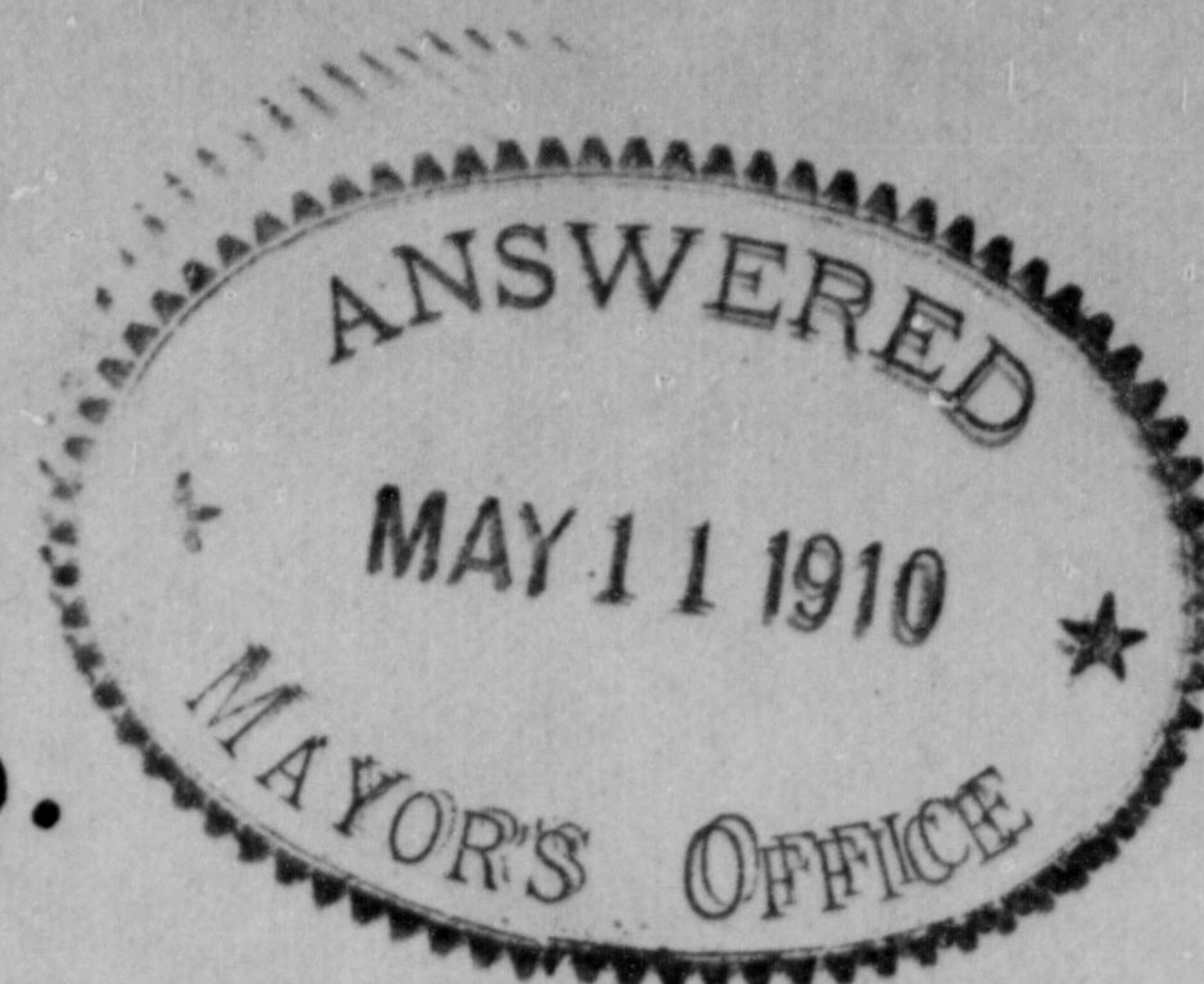
**1910-1911, 1913; ud**



BOARD OF  
ESTIMATE AND APPORTIONMENT  
CITY OF NEW YORK

OFFICE OF THE  
CHIEF ENGINEER  
277 BROADWAY

May 10, 1910.



Honorable William J. Gaynor,  
Mayor of The City of New York.

Sir:-

The bill introduced in the United States Senate by Mr. Root giving to The City of New York the right to close certain streams which are technically navigable in order to permit the carrying out of important improvements is being opposed in the House of Representatives, and I have been advised by several members of the House that it would be desirable for someone representing the City of New York to appear before the Committee to which the bill has been referred and explain its object.

I have conferred with the Comptroller, who is of the opinion that it would be well for me to appear before the Committee for this purpose. The Board of Estimate and Apportionment has already adopted resolutions urging passage of the bill, and individual members of the Board have taken similar action.

If the suggestion meets with your approval, I should be glad to go to Washington and offer such explanation as may be needed in the hope that the bill may receive favorable consideration.

Awaiting your instructions in the matter, I am,

Respectfully,

*Nelson D. Lewis*

Chief Engineer.



May 10/1910

N. to Bill introduced  
by Senator Root

N. to Certain Friends  
"Closing"



- STATE OF NEW YORK -  
- Public Service Commission  
For the First District.

New York, May 10, 1910.

Joseph Haag, Esq.,  
Secretary, Board of Estimate and Apportionment,  
277 Broadway, New York City.

Dear Sir:

Your communication of April 29th, transmitting the report of the Committee of Engineers of the Board of Estimate and Apportionment upon the advisability of building pipe galleries in connection with the Broadway-Lexington avenue subway, has been received and considered by the Commission. The Commission understands that the Board of Estimate and Apportionment has taken no action upon this report or upon the advisability of building pipe galleries but has referred the whole matter back to the Public Service Commission "for further study along the lines indicated in said report both as to the engineering and legal questions which are involved."

Although the Committee of Engineers makes no recommendation as to the proper plan for pipe galleries, the Committee does express an opinion that the present plans should not be carried out, and recommends that further consideration and study be given to certain questions which they have raised.

The Public Service Commission is about to advertise for bids for the Tri-Borough Route, including the Broadway-Lexington Avenue system, the Broadway-Lafayette system, and the Fourth avenue system. If the recommendations of the Committee of Engineers are to be followed, only two courses are open:-

1. To advertise the plans without any immediate preparation for pipe galleries.
2. To delay the advertising of contracts until the thorough investigation recommended shall have been made, until plans have been prepared for pipe galleries in accordance with the result of such investigation, and possibly until legislation shall have been had.

If the second is to be adopted, it is probable that contracts could not be advertised for six months, and perhaps a whole year would intervene for your Committee raises certain points to remedy which further legislation will be necessary.

The Commission does not believe that the construction of the Tri-Borough Route should be indefinitely postponed or even delayed the several months that would be necessary to carry out the recommendations of your Committee of Engineers. The Commission believes further that contracts should be advertised without immediate provision for pipe galleries or that the present plans should be followed with such modifications as may be found desirable and feasible while the shop drawings are being prepared. The practical



question, in the opinion of this Commission, is, therefore, whether the present plans for pipe galleries shall be included in the request for bids, or all provision for pipe galleries omitted.

Your Board has not expressed an opinion upon the report of the Engineers, and this Commission does not know whether in case bids were asked for upon pipe galleries the recommendations of your Engineers would be followed and none of these bids considered. Of course, if such should be the case, it is useless for the Public Service Commission to finish the drawings and go to the trouble and expense of asking for bids. However, the Commission has directed that the present plans for pipe galleries be omitted from the contracts, that the subway be so constructed that pipe galleries may be added at some future time if the City so desires, and that all plans and contracts be pushed to completion so that immediate advertisement may be had.

If this action does not meet with your approval, the Commission should be immediately informed, so that there may be no further delay. If, however, your Board is of the opinion that provision should be made for pipe galleries in the present contracts, the Commission will proceed with the investigation recommended by your Committee of Engineers and the modification of the plans as soon as possible.

Very respectfully yours,

(signed) Travis H. Whitney,

Secretary.

*[Handwritten signatures and initials, including "J. H. Whitney" and "Travis H. Whitney"]*



May 11/1910

Copy of Letter from  
P.S. Comm. re. to the  
construction of  
Pipe Galleries in  
connection with  
R.I. Subways

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M.V.M.

BOARD OF  
ESTIMATE AND APPORTIONMENT

14

CITY OF NEW YORK  
OFFICE OF THE SECRETARY

TELEPHONE  
2280 WORTH

277 BROADWAY

May 11th, 1910.

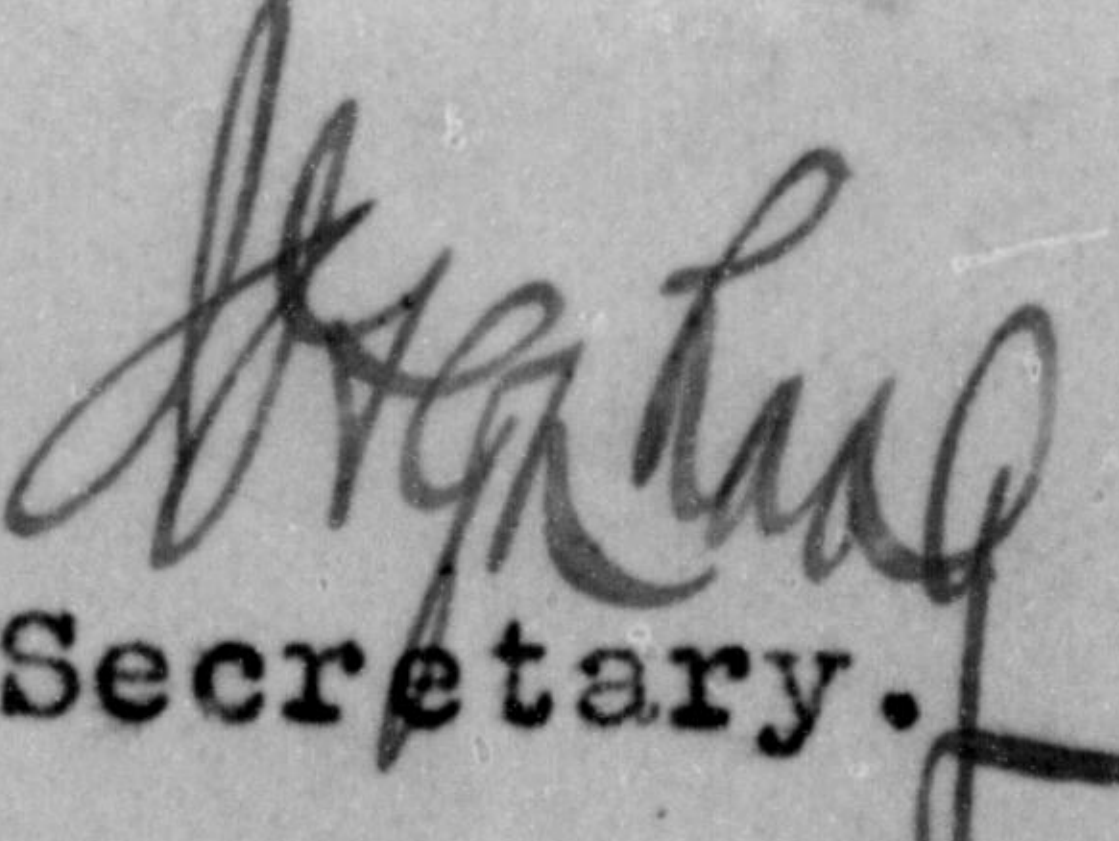
Hon. William J. Gaynor,  
M a y o r.

Dear Sir:

I transmit herewith for your information copy of a communication from the Public Service Commission for the First District, dated May 10th, 1910, relative to the question of constructing pipe galleries in connection with new rapid transit subways.

This communication is in reply to the request made by the Board of Estimate and Apportionment at the meeting of April 29, 1910, for further study etc. of the subject along the lines indicated in the report of the Committee of Engineers appointed at the meeting of April 8, 1910, and will appear as item No. 14 on the financial calendar of the Board for the meeting of May 13, 1910.

Yours very truly,

  
Secretary.

Enc.



23.

8264.

BOARD OF  
ESTIMATE AND APPORTIONMENT.  
THE CITY OF NEW YORK. ✓

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████████████████████  
DIVISION OF FRANCHISES  
ROOM 801, 277 BROADWAY

February 1, 1911.

Hon. William J. Gaynor,  
Mayor.

S i r :-

I beg to acknowledge receipt of your favor of January 31, 1911, enclosing communication from Martin W. Littleton, Esq., in relation to the application of the Atlantic Telephone Company for a franchise, and more particularly dealing with my correspondence with Mr. John M. Shaw, the President of that Company.

I note that you ask for a report and, second, if there is any rule of the Board requiring the verification which I requested of Mr. Shaw. Answering your second question first, I would state that there is no rule of the Board requiring such action on my part, all applications being simply referred to the Division of Franchises for investigation, and such recommendations as we may feel warranted to make to the Board. However, as we are responsible for such recommendations, it is necessary for us to use all means in our power to obtain the absolute truth insofar as possible, and for reasons hereinafter stated, it seemed most necessary in this instance to have verified answers to our questions in order that we might be fully protected in our recommendations.

The application of the Atlantic Telephone Company was for the right to construct and operate an independent telephone system in the



City of New York in competition with the existing system of the Bell Companies. It is one of the matters left undetermined by the previous administration, and was under consideration since June 2, 1905, almost six years. During that time this Division has made four reports upon the subject, one of which covered investigations made by members of my own staff in thirty-six cities of the United States, at a cost to the City of about one thousand dollars for traveling expenses.

The question of a second telephone system in the City seemed so important to us, involving as it did the cost of duplication of plant (an outlay running into the millions) and the trouble and expenses to many people in having to subscribe to both systems if a second company was permitted to enter the field, that I felt warranted in making most exhaustive investigations.

The interest of the public in the matter was very strong and the rivalry between the Bell Company operating the monopoly in the City and the applicant was intense. The matter was before the Board of Estimate and Apportionment no less than thirty times between June, 1905, and March 6, 1908, when it was left in Committee without further action, and since that time, up to July, 1910, no move was made upon the part of the Atlantic Company, insofar as I am aware, to take the matter up. When the new Board came into office, all undetermined franchise matters were referred back to this Division for investigation and report, and among them the application of the Atlantic Telephone Company. We communicated with Mr. Shaw, the President, and asked to be informed of his present intentions in regard to the application, and were informed that he desired to take up the negotiations anew. After one or two adjourn-



ments by the present Board, a proposition in the form of a proposed form of contract was received from the Company on December 9, 1910, and referred to this office.

In view of the fact that such a long time has elapsed between this offer and the time when we last negotiated with the Company, which was some time in June, 1907, and the many changes which have taken place in telephone conditions, more particularly with the independent companies, since that time, I deemed it necessary to make the closest investigation in regard to the present status of the Atlantic Company, its ownership and whether controlled by any interests which were affiliated with the Bell Companies, and the responsibility of the present people behind the Atlantic Company. In 1905, up to 1909, the independents were very strong in many districts throughout the United States. Since that time, the situation has materially changed and current reports from time to time during the past eighteen months have been that the house of J. P. Morgan & Company has acquired many of the independent companies; such acquisition being in the interest of the Bell Companies. Two points, therefore, stood out strongly; the first, Have Bell interests any interest in the present application of the Atlantic? and second, Do the interests behind the Atlantic Company intend to construct and operate an independent company in the City of New York, should they receive a franchise, or only hold such franchise for the purpose of selling it to the Bell Company?

On December 16, 1910, I wrote to Mr. Shaw and asked for a verified statement covering questions which would as far as possible give me information as to the people at present interested in the Atlantic



Company and of their affiliations, if any, with Bell interests. To this I received a reply on December 20 from Mr. Shaw, answering only in part my questions, the statement not being verified, and the letter concluding as follows:

"It is my understanding that this amended application was referred by the Board of Estimate to Mr. Lewis, the Chief Engineer, and that he has taken up the matter with the engineer for our Company, Dr. Duncan.

You understand of course that the financial information I have given you and that which will be required by the Board is confidential. If more information is required on this subject we should be glad to furnish it to the Comptroller or a Committee of the Board themselves."

Upon receipt of this letter I immediately conferred with Mr. Lewis, the Chief Engineer, in regard to the statement that he was handling the matter with Dr. Duncan, as I understood that the matter had been, as was usual in franchise cases, referred by him to this Division. Mr. Lewis said that Dr. Duncan had been to see him, but that he told him he did not care to take up the details of the matter.

Mr. Littleton in his letter does not quote the entire paragraph of my letter which explains what is quoted. It should read as follows:

"I would say that the application has been referred by the Chief Engineer to this office for investigation and report and all papers in relation to the matter are here".

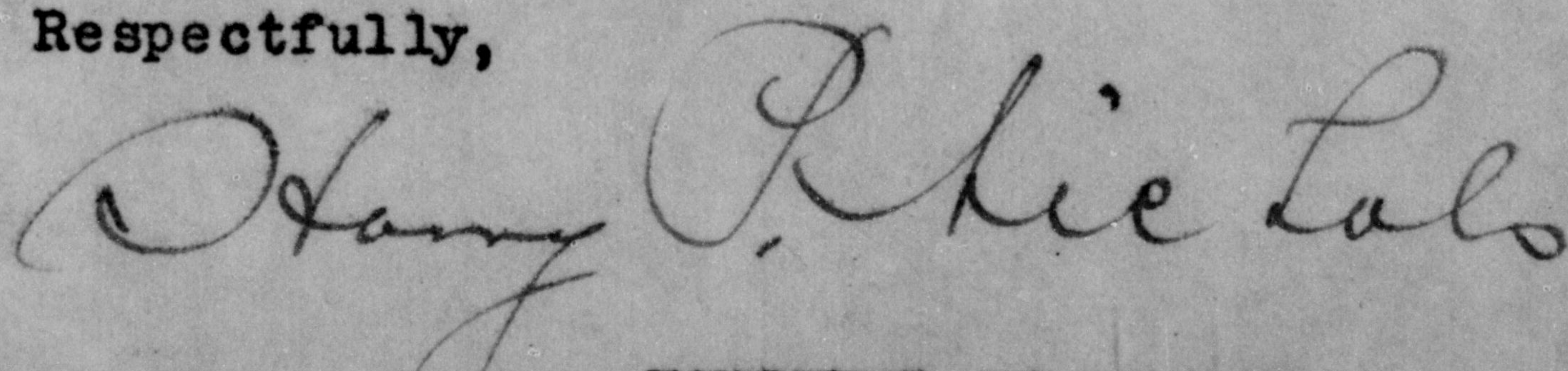
Then follows the part quoted in Mr. Littleton's letter. I cannot see that this was in any manner in the nature of a threat, as had he declined to make further reply, I should have simply stated the fact to the Board of Estimate and Apportionment and that owing to insufficient and authoritative and reliable information not having been furnished, I could not report upon the merits of the application.



On January 4, 1911, I had a call from Mr. John A. L. Campbell of Counsel for the Company, stating that he was willing to give me verbal information along the lines asked for in my letter and not covered in the reply of Mr. Shaw, to which I replied that when Mr. Shaw had furnished a statement so that I could make investigations in regard thereto, I would be pleased to confer with Counsel. Nothing further having been heard from Mr. Shaw or his Counsel, I wrote him again on January 21, 1911, renewing my request for a verified statement and stating that unless such a reply was in this office on January 26, I should assume that no such statement was forthcoming, and should make my report to the Board accordingly. Owing to the press of other matters, I have not deemed this of sufficient importance to attempt to get it on the calendar for this week, but it will be prepared and a statement of this office submitted to the Board at an early date.

I regret that this communication has reached the length which it has, but I felt you should be in position to know exactly what is being done in this office and the reasons therefor, for as you will remember, you asked me only yesterday, how it was that such a man as Mr. Joseph G. Robbin had secured valuable franchises from the City of New York, and as I replied, I had used my best efforts in this case to secure reliable information as to the responsibilities of the applicant.

Respectfully,

A handwritten signature in cursive script, reading "Harry R. Lalo". The signature is written in dark ink and is positioned to the right of the word "Respectfully,".

The communication from Mr. Littleton is herewith returned.

ENGINEER IN CHARGE.



Feb 11/1911

Re. to Jan 31/11.

From H. P. Nichols  
re. on Letter of  
Martin Littleton  
Re. to application  
of Atlantic Tel Co

Received

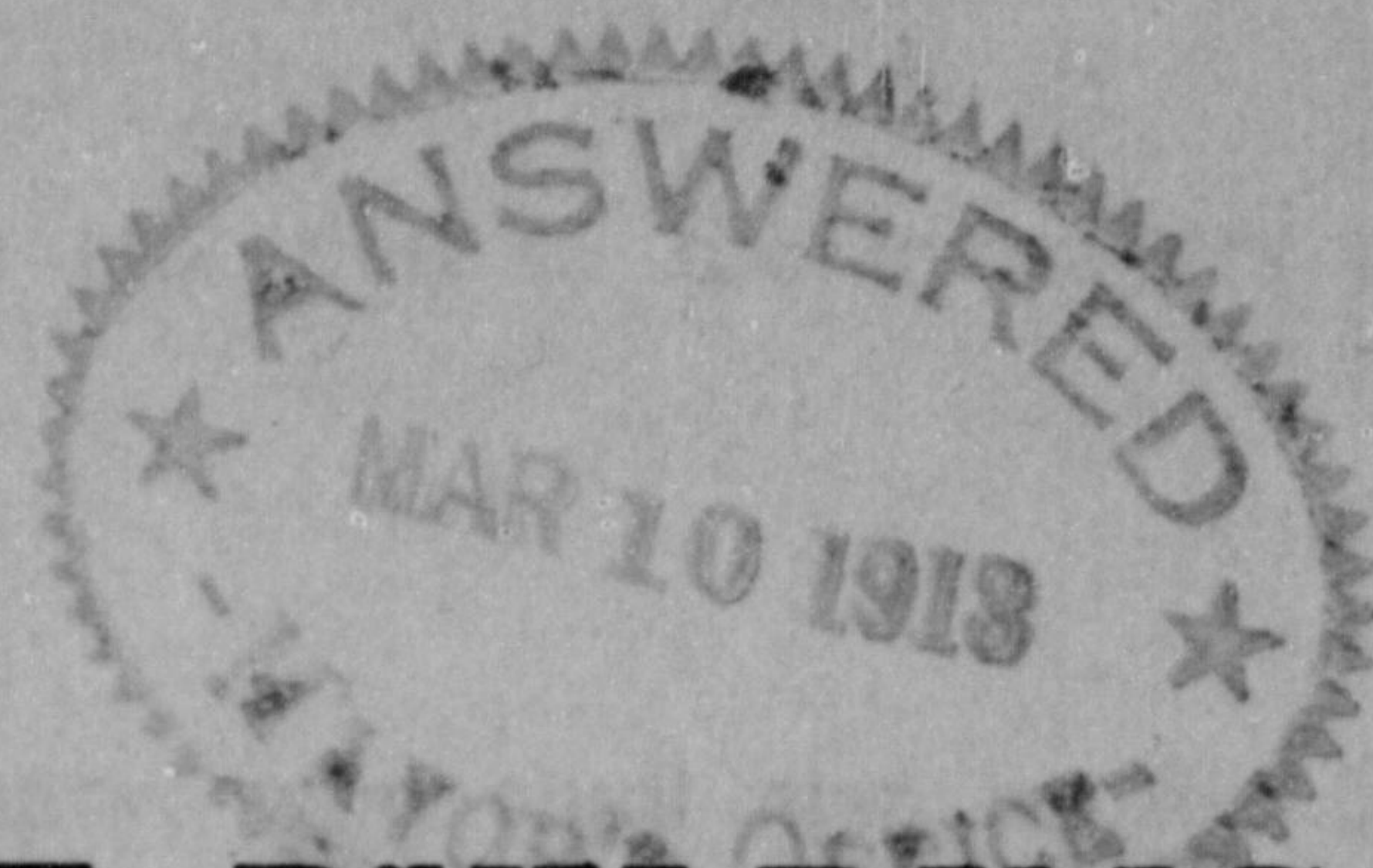
Littleton is

EXHIBIT IN CHARGE.

1. No. 10 1111



*Cal. No. 127, March 6, 1913.*



## RESOLUTION *RE* HEIGHTS OF BUILDINGS

Introduced in the Board of Estimate and Apportionment by  
Borough President McAneny, February 27, 1913

WHEREAS, There is a growing sentiment in the community to the effect that the time has come when effort should be made to regulate the height, size and arrangement of buildings erected within the limits of the City of New York; in order to arrest the seriously increasing evil of the shutting off of light and air from other buildings and from the public streets, to prevent unwholesome and dangerous congestion both in living conditions and in street and transit traffic, and to reduce the hazards of fire and peril to life; and

WHEREAS, Under the provisions of section 407 of the Charter, the height and size of buildings may be regulated by city ordinance, but such ordinance must first have the approval of the Board of Estimate and Apportionment; therefore, be it

RESOLVED, That the Chairman be authorized to appoint a Committee of three members of the Board of Estimate and Apportionment, to take this general subject under consideration, to inquire into and investigate conditions actually existing, and to ascertain and report whether, in their judgment, it is desirable to regulate the height, size and arrangement of buildings hereafter to be erected or altered within the City limits, with due regard to their location, character or uses, to examine into the practice and the comparative experience of other cities either here or abroad, and to consider and report upon the question of the legal right of the City of New York to regulate building construction in the manner proposed; and be it further

RESOLVED, That such Committee may also investigate and report whether, in their judgment, it would be lawful and desirable for the purpose of such regulation to divide the City into districts or into zones, and to prescribe the regulation of the height, size and arrangement of buildings upon different bases in such different districts or zones; and be it further

RESOLVED, That the Committee, when appointed, may in turn appoint an advisory commission to aid it in its work, such commission to consist of as many members as the Committee may determine, serving without pay, if not already in the employment of the City, but including representatives of each of the several boroughs, and that either the Committee or its advisory commission may hold public hearings in each of



the boroughs and may use all appropriate means to bring the subject to the attention of the taxpayers and to other persons who may be interested; and be it further

RESOLVED, That the Committee be empowered to employ a Secretary, who shall also be the Secretary of the advisory commission, to secure such expert or technical advice as it may require for its proper guidance, and to incur such other incidental expenses as it may from time to time find necessary, such disbursements to be made from the Contingent Fund of this Board, but not to exceed in the aggregate the sum of \$15,000; and be it further

RESOLVED, That the said Committee be instructed to submit, if practicable, in advance of any general report that it may make, suggestions or recommendations with relation to the proposed limitation of the height of buildings upon Fifth avenue, between One Hundred and Tenth street and Washington square, in the Borough of Manhattan, and within certain prescribed areas on either side of the said avenue, as proposed in the resolution presented to this Board on May 9, 1912, and now pending; and be it further

RESOLVED, That such Committee shall submit its final report and recommendations to the Board not later than six months from the date of its appointment, and shall thereupon cease to exist.

*I Hereby Certify that the foregoing  
is a true copy of a resolution adopted  
by the Board of Estimate and Appor-  
tionment at a meeting of said Board  
held on March 6, 1913.*

*W. H. King*  
Secretary



O W

Cal. No. 127

3680-12(B) 10000

BOARD OF  
ESTIMATE AND APPORTIONMENT.

CITY OF NEW YORK.

OFFICE OF THE SECRETARY

TELEPHONE  
2280 WORTH

277 BROADWAY

March 6, 1913

Hon. William J. Gaynor,  
Mayor.

Dear Sir:

Transmitted herewith is a certified copy of a resolution adopted by the Board of Estimate and Apportionment on March 6, 1913, providing for the appointment of a Committee to examine into the general matter of the regulation of the height, size and arrangement of buildings within the City limits.

This resolution provides for the appointment by the Chairman of a Committee of three members of the Board to take the general subject under consideration, and for the appointment by this Committee of an advisory commission to aid it in its work, to consist of as many members as the Committee may determine, serving without pay. The resolution also provides for the employment of a secretary by the Committee and for the payment of expenses, not to exceed \$15,000., from the Contingent Fund of the Board.

Particular reference is made to the proposed limitation of the height of buildings upon Fifth Avenue, between Washington Square and 110th Street, which matter was, on May 9, 1912, referred to a Committee consisting of the President of the Board of Aldermen, the President of the Borough of Manhattan and the President of the Borough of The Bronx.

It is also provided that the Committee shall submit its final report and recommendations to the Board not later than six months from the date of its appointment, and shall thereupon cease to exist.

Kindly advise me of your selection of the Committee in this mat-

Respectfully,

*W. J. Gaynor*  
Secretary



*As to Salary of  
President*

BOARD OF

*City Council*

ESTIMATE AND APPORTIONMENT.

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HON. WILLIAM J. GAYNOR,

Mayor of the

City of New York.

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*As to Salary of*  
*Assessors*  
*City Council*  
BOARD OF

ESTIMATE AND APPORTIONMENT.

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HON. WILLIAM J. GAYNOR,

Mayor of the

City of New York.

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R E S O L V E D, That the BOARD OF  
ESTIMATE AND APPORTIONMENT, be and hereby is requested  
to fix the salary of the position of Attendant in the  
City Court of New York at the rate of Eighteen Hundred  
(\$1800.) Dollars per annum, thereby equalizing said  
salary with that paid to Attendants in all the Courts  
of Record of the Greater New York.

Edward F. O'Dwyer, Chief Justice

Francis B. Delehanty

Joseph I. Green

Peter Schmuck

John V. McAvoy

Thomas F. Donnelly

Alexander Finelite

Richard T. Lynch

Edward B. LaFetra

Richard H. Smith



Petition re. to  
increase of Captains  
& Lieut Salary in  
Fire Dept



Howe William C. Mayor  
Mayor - City of New York



To The Honorable:

The Board of Estimate and Apportionment  
of the City of New York.

Gentlemen:-

The undersigned respectfully petition your Honorable Body on behalf of 618 officers of the Fire Department of the City of New York, of the rank of foremen (captains) of companies and assistant foremen (Lieutenants) and with the permission of the Chief and the Commissioner of the Department, and hereby submit to your Honorable Body a request for an increase of salary for these two positions, that is foreman (Captain) and assistant foreman (Lieutenant), so as to place the respective salaries of such foremen and assistant foremen of the Fire Department on a salary basis, equal to that paid the Captains and Lieutenants of Police in this City: viz--Captains of Fire Companies from \$2160.00 per year to \$2750.00, and Lieutenants of Fire Companies from \$1800.00 to \$2250.00. Your predecessors having raised the salaries of Police Lieutenants to the sum of \$2250.00 and the Captains of Police now receiving the sum \$2750.00, it will be readily seen by you that not only the Captains of the Police Department, but also the Lieutenants receive greater amounts than are paid to the Captains of the Fire Companies, who now receive only \$2160.00 per year, whereas Police Lieutenants now receive \$2250.00.

Your petitioners place this request before your Honorable Body for its consideration for the following reasons:

The duties of foremen (Captains) and assistant foremen (Lieutenants) of the Fire Department are greater than those of relative rank in the Police Department, they being charged with the protection of life and property, and with the prevention and extinguishment of fire, with the least possible injury to life or limb, and are responsible for all buildings within their respective company districts, being compelled to inspect and report on all buildings semi-annually, embracing in such reports all violations of the law, and to co-operate with the Police, Building, Health, Tenement House, Public Works, Highway and Water Departments.

They are charged by the rules and regulations of the Fire Department, with the inspection of all fire hydrants within their company districts; reporting all found out of order, and thawing out those found frozen in the winter, being also charged with the inspection of all moving picture houses, and theatres and amusement halls and with the inspection of blasting operations within their respective districts, and inspection of fire alarm boxes, and the foremen (Captains) and assistant foremen (Lieutenants) are required to make



reports in writing monthly to the Chief of the Department of all such work and inspection, and are held responsible for the proper execution of such work and inspection, and proper report of same, and are responsible also for all the property belonging to the City in their respective company fire houses, which property consists of the Fire Apparatus, Horses and the Buildings containing the same, which amount to millions of dollars.

Furthermore the duties in connection with the Fire Duty Work are not alone more laborious and trying than those imposed upon the relative ranks in the Police Department but are more dangerous, as the Fire Force is at all times, when engaged in extinguishing fires combating an unknown danger, which at any minute is liable to cripple, maim or send them without a minute's preparation before their Creator, which has frequently happened.

In the fighting of fires, in cellars and sub-cellars, commanders (foremen) can relieve members of their company, who for any reason become incapacitated or overcome, but cannot relieve themselves, being compelled to remain in cellars overcharged with gases and smoke, until the Chief or other proper authority orders him out, and still they do not falter or hesitate in the execution of their duties for as public servants, we consider, we owe the City of New York, its taxpayers and freeholders and citizens, a service which we are always ready and willing to perform, and yet while always ready and willing to perform any duty that may be assigned to us, we are often called upon to perform the duties of Chiefs of Battalions for months and sometimes a year, at a time, while we receive the salary of foremen, which is \$1140.00 less a year than that of Chief of Battalion, all of which time the assistant foreman (Lieutenant) in the absence of the foreman (Captain) is called upon to perform the duties of foreman, while said foremen are acting in capacity of Chief of Battalion, and for which higher grade of duties, neither foremen acting as Chiefs of Battalions or assistant foremen, acting as foremen, receive no extra compensation, but are both held responsible for any errors or omissions they may make while acting in the grade above their own, as was held by the Court of Appeals in the case of one Churchill in which case the Court decided that he was responsible for his errors made while assigned to act in a capacity which was above his own rank.

The present grading of salaries of the Fire Department makes too much distinction between the rank of Battalion Chief and that of Foreman (Captain) and not enough between the rank of Foreman (Captain) and that of assistant foreman (Lieutenant) and a still more less distinction between that of assistant foreman (Lieutenant) and the engineers of steamers; that is, Chiefs of Battalions receive \$3300.00 per annum, while foremen



(Captains) receive \$2160.00 or \$1140.00 less than Chiefs of Battalions; and assistant foremen (Lieutenants) receiving \$1800.00 per year, which is but a difference of \$360.00 less than that paid to foremen and but \$200.00 more a year, than that paid to engineers of steamers.

These fire officers have not received an increase in salary within the past sixteen years, while their duties and responsibilities are ever increasing by reason of the great growth in the population and business of the City of New York, and by reason of the growth of said business, the erecting of great buildings and skyscrapers, which require for their foundation, such depths below the surface of the street, as necessitate the officers of the Fire Department to more increased work, danger, labor and responsibility and liability to accident in the prevention and extinguishment of fires and casualties attended thereto, than was required sixteen years ago, and further the cost of living as shown by statistics has increased 56% in that period, and while other departments of the City of New York, have increased salaries, no attention has been paid to the officers of these ranks of the Fire Department in the way of increasing their salaries to meet the demands of the increased cost of living.

Public records show that foremen (Captains) and assistant foremen (Lieutenants) have met death, while acting in the capacity of Chiefs of Battalions and foremen, as were the cases of the late Captains Grady and Wieland, both of whom were killed recently at fires while acting as Chiefs of Battalions and the cases of Lieutenants Rooney and Sheenan, while acting in the capacity as foreman (Captain).

The uniforms that we pay for out of our salaries are very often ruined while we are performing fire duty, to such an extent, that we are compelled to procure new ones and these also have to be bought with our own money, whereas in the Police Department any member ruining his uniform or part thereof in the exercise of his duty is reimbursed for any loss he sustains. The captains and lieutenants of the Fire Department ruin more uniforms in the course of a year than the entire Police Department would in twenty years; further their hours of duty are longer than any other servants of the City of New York, they being constantly on duty for twenty-one out of each twenty-four hours; they are awakened from sleep at all hours of the night which is a great strain on their systems, and detrimental to their health in general.

The increase asked for foremen is \$590.00 per annum and for assistant foremen (Lieutenants) \$450.00 and there being at the present time 257 foremen (Captains), this would entail an amount of about \$151,630.00 and for assistant foremen (Lieutenants) there being 361 members of that rank about \$162,450.00 or a total of about \$314,080.00 which is but a small amount considering the services rendered the City of New York, its



vast business enterprises, its taxpayers, freeholders and citizens, by the members of these ranks of the New York Fire Department, which is acknowledged everywhere to be the greatest and bravest Fire Fighting Organization in the world, and which sentiment has always been voiced by the public at large, which is still clamoring over the erection of a Monument to Our Martyred Dead, while we, the petitioners are simply asking for such suitable remuneration commensurate with the arduousness and responsibility of our calling and the increased cost of living.

All of which is very respectfully submitted for your kind consideration.