

**Testimony of Taxi & Limousine Commission
Assistant Commissioner, Samara Epstein**

**City Council Transportation Committee
October 8, 2009, 10:00 am**

Commuter Van Passenger Bill of Rights

Good morning, Chairman Liu and members of the City Council Transportation Committee. My name is Samara Epstein and I am the Assistant Commissioner of Constituent Affairs at the New York City Taxi and Limousine Commission (TLC). Thank you for the opportunity to appear before you today to speak about Intro. 1023 regarding the Commuter Van Bill of Rights.

As you know, Local Law already requires a Taxicab Passenger Bill of Rights and a Livery Passenger Bill of Rights. The new Livery Passenger Bill of Rights has been well received by the public and we appreciate your working to make sure passengers riding in TLC regulated vehicles know their rights and how to make a complaint, compliment or comment through 311. We support your Introduction of a Commuter Van Bill of Rights. However, we suggest one minor change to the language as proposed. #4 specifies "a knowledgeable driver who is familiar with city geography." Commuter vans are authorized to operate to and from particular areas; they are not permitted to operate for-hire outside of these zones. Because of this, we propose changing #4 to state "a driver familiar with the areas where the van is authorized to provide service."

Thank you for your time. I would be happy to answer any questions you may have.

**STATEMENT OF
SUSAN R. PETITO
ASSISTANT COMMISSIONER, INTERGOVERNMENTAL AFFAIRS
NEW YORK CITY POLICE DEPARTMENT**

**BEFORE THE NEW YORK CITY COUNCIL
TRANSPORTATION COMMITTEE**

OCTOBER 8, 2009

Good morning, Mr. Chairman and members of the Council. I am Susan Petito, Assistant Commissioner of Intergovernmental Affairs of the New York City Police Department, and I am pleased to discuss with you two bills before you today, Intro. Nos. 624 and 947.

Intro. 624 would amend Administrative Code Section 10-157, which governs the operation of bicycles used for commercial purposes. This section currently requires businesses to provide various forms of identification of their businesses for their bicycle delivery people. They must also provide such bicycle deliverymen and women with protective headgear, as well as various types of safety equipment for the bicycle.

This bill would amend section 10-157 in two major ways. First, the bill would add three new concepts to the universe of businesses intended to be covered by the law: those that are "similar entities," those that "arrang[e] for the provision of" a service, and those with whom the bicycle operator is "affiliated." We are concerned that these terms are vague in nature and susceptible to differing interpretations, and thus we cannot predict the ultimate impact of the proposal because these terms are not defined in the bill. For example, a person who calls for an order of takeout food or messenger service could fall within the scope of the bill, by being deemed the one who "arranges" for the provision of the delivery service. Because there are criminal penalties arising from violation of this law, we are concerned that the lack of clarity regarding the intended scope of the bill could render the bill susceptible to constitutional challenge on due process grounds.

Further, in some parts of the bill the concept of "employment" would be deleted from the existing section. This may have the unintended consequence of allowing the business entity to limit its liability, if the bicycle operator is not considered its "employee" for the purpose of attributing responsibility for the operator's negligence. We should note that depending on the factual circumstances, in general employers are held vicariously liable for the negligent conduct of their employees, but not conduct which is reckless or criminal in nature. By introducing some doubt as to whether the people involved in these circumstances are employees, the bill might unintentionally represent an effort to change, by local law, a subject that is essentially a matter of State law, beyond the purview of local law.

The second major aspect of the bill removes the penalty for a bicycle operator's failing to carry or produce the required identification and failing to wear the required bicycle helmet, while seeking to hold the business entity solely liable for these violations. We respectfully suggest that without holding the operator accountable for these violations, the ultimate purpose of the bill would be frustrated in many instances; there would be no

basis for police officers to stop or give a summons to a bicycle operator who is committing one of these violations, and therefore no way to determine who is in fact employing him or her to make deliveries. We note the Administration's strong support for the Council's action in 2007, when the Council enacted Local Law No. 9, which required commercial bicycle operators to wear helmets. We would recommend focusing on and enhancing this requirement, rather than eliminating it.

Turning to the other bill before you, Intro. 947 amends Administrative Code Section 10-111 which prohibits leaving a motor vehicle unattended for more than three minutes, without first stopping the engine, locking the ignition and removing the key. We understand and support the Council's intent to strengthen this prohibition by making the violation immediate, rather than effective after a three-minute period. We note that some small language changes may be needed to ensure that any vehicle left unattended but with the key in the vehicle, whether idling or not, continues to fall within the scope of the law, so that the separate public safety interest in preventing vehicle theft continues to be addressed. However, we also have concerns about the elimination of the exemption for buses, which exists in the current law. There may be particular situations in which a bus driver leaves the bus in order to help passengers or unload luggage, and it is unclear whether a driver in that circumstance would be leaving the bus "unattended."

Thank you for the opportunity to provide our comments on Intro. Nos. 624 and 947, and as always, we remain available to discuss in detail the ways in which we may address the concerns we have raised.

Thank you, and we welcome your questions.

**TESTIMONY ON INTRO NO. 624
A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF THE CIOTY OF
NEW YORK, IN RELATION TO THE USE OF BICYCLES FOR COMMERCIAL
PURPOSES.**

October 7, 2009

Dear Speaker Quinn and Council Members:

I regret that I cannot attend the October 8th hearing on Intro. No. 624, but thank you for taking my written testimony today and adding it to the record.

I am a member of many community organizations on the upper east side of Manhattan, but am testifying on my own behalf today.

Unsafe bicycle riding has become a serious issue in our community and in all parts of the city, and while many contend that there is an appropriate place for bicycling in our list of transportation and recreational choices, education, regulation and law has not kept up with the increased use of bicycles for the delivery of goods and services.

Messenger and food delivery establishments put a premium on time and advertise their speed and efficiency while guaranteeing business papers and documents a timely arrival and food stuffs arriving quickly, hot and delicious.

Unfortunately, while quick service is always well regarded, when it involves safe transport, it can't be the only consideration. Messengers who remove their bike breaks and circle in intersections waiting for clearance without stopping, and bicyclists that ignore traffic laws, ride on sidewalks, don't have bells or illumination, have raised havoc with our safety concerns.

I have frequently witnessed bicycles going against traffic on one way streets and avenues, passing red lights, riding in bus lanes and on sidewalks and make right and left turns from right and left turn lanes from a position between a turning car and the sidewalk. All non-compliant bicyclists threaten themselves and others.

Intro No. 624 is but a beginning in an attempt to make bicycle use safer for everybody and should be passed towards that end.

The amendments to the administrative code which will require every individual and entity to carry an identification card is a good start in having participants accountable for their behavior, and it makes good sense to require businesses to keep a log and daily trip record which could be examined by law enforcement as a matter of routine or of necessity.

Providing protective head gear and a bicycle equipped with lights, a bell and other safety equipment protects the employee and shows the responsibility of the business owner.

I would like to see a form of this bill in effect for all bicycle riders where the individual and his bike would each be licensed and that license not be granted until the rider passes a safety test and has been educated in traffic law and bicycle maintenance and responsibility.

Sincerely,

Michele Birnbaum

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FOR THE RECORD

Testimony of Consolidated Edison Company of New York, Inc. at the
New York City Council Transportation Committee Hearing
October 8, 2009

Thank you for the opportunity to comment on Intro. 947, which seeks to amend Section 10-111 of the administrative code in relation to unattended idling vehicles.

Con Edison takes the safety of the public and our responsibility to protect the environment seriously. We have made a significant effort to have the greenest fleet vehicles possible through the use of biodiesel fuels, the testing of various hybrid vehicles and other green technology. We recognize that with more than 4,000 fleet vehicles on the road, we have an obligation to reduce emissions and this is an important component of our environmental strategy.

Employees are expected to comply with company policies and applicable local, state and federal regulations. Furthermore, all employees are responsible for ensuring the safety of the public and security of company property. If the driver of a vehicle needs to leave the immediate vicinity of a work site (defined as no longer within the work zone) the driver must ensure that the vehicle is properly secured.

However, there are instances where our employees will need to idle the vehicle engines in order to perform work that is vital to ensuring the safe and reliable delivery of electric, gas or steam to the more than 9 million people we serve every day. This work may require the crew to operate equipment outside of the vehicle, but be dependent on the vehicle's engine for power. These employees would remain within the work zone, and therefore, we respectfully request that any utility employee operating within such a zone be excluded from the proposed application of the code.

DAVID WOLOCH
DEPUTY COMMISSIONER
NEW YORK CITY DEPARTMENT OF TRANSPORTATION
HEARING BEFORE THE CITY COUNCIL
COMMITTEE ON TRANSPORTATION
October 8, 2009

Good morning, I am David Woloch, Deputy Commissioner for External Affairs at the New York City Department of Transportation. Thank you for inviting me here today to testify on Intros 1076, 1077 and 1063.

Intro 1076, requires DOT to notify the affected Community Board and Councilmember 60 days before changes to parking meters go into effect. We appreciate the goal of this bill and would like to work with the Council on an iteration that requires the kind of notice we believe the bill is designed to capture without unnecessary impacts. A 30 day timeframe would be more appropriate and the bill should be clarified so that it applies to changes in meter rates. We don't believe the intent is to require this kind of notice for example if DOT moves a single meter. Finally, as the Council has been made aware at previous hearings, often when we make changes on our streets, our crews bundle work for optimal efficiency, and we cannot always say precisely when work will take place so far in advance. Therefore, rather than providing notice with a precise date, we request to issue notification of the earliest possible date meter rates will be changed. This small modification will ensure that the spirit of the legislation is met, without unnecessary cost to the agency, and the taxpayer.

Now let me turn to Intros 1063 and 1077 which require DOT to provide notification in advance of major construction and pilot projects respectively. Intro 1063 requires notification of major construction projects be issued to affected Community Boards and Councilmembers 30 days prior to proposed implementation, gives them an additional 30 days to respond, then mandates that DOT considers comments and forwards a final plan back to the Community Boards and Councilmembers, another 30 days before implementation. Intro 1077 requires DOT to present plans 60 days prior to implementation of a pilot program to affected community boards- at their regularly scheduled meeting. It gives the Community Board an indeterminate amount of time to make recommendations, then once received; DOT must review and forward the amended plan back to the Board, or provide notice it will proceed as planned, 30 days before implementation.

As I will discuss, we are not entirely clear what projects these bills would cover, but I would like at the outset to describe the outreach work that DOT currently undertakes. There is no question that in recent years DOT has been making many changes on our streets – implementing new treatments and designs aimed

towards improving safety, better providing for many modes of travel, and better serving our neighborhoods. At the same time, we have ramped up an aggressive outreach program that goes well beyond what had taken place in years past and what these pieces of legislation seem to contemplate. We are committed to the integrity of the work we do and as such our projects are monitored and reevaluated as needed, with ample consideration for communities.

Public input is integral to our work, and we will continue to pursue ways to best reach communities, soliciting their advice and keeping them apprised of our efforts. We take a customized approach, guided by the specific needs of each community, conducting extensive outreach on projects large and small, staffing six separate borough offices (including one for Lower Manhattan) to facilitate closer communication with communities and elected officials. I think we all can agree DOT's Borough Commissioners and their staffs are extremely responsive to community inquiries, needs and requests. On average, these DOT Borough Office staffers attend literally hundreds of meetings of elected officials, community boards and civic organizations every month. As a general rule for projects, we not only go to Community Boards, and often appear multiple times before the Boards. We also meet informally with the offices of elected officials and do extensive flyering of communities before projects. Over the past two years we have begun to supplement community board meetings with a variety of other forms of outreach including, workshops, charrettes, open houses, and regularly convened Citizen Advisory Committee meetings for larger projects. One clear lesson is that a cookie cutter approach is just not appropriate for the variety of work we conduct. Every project takes on a life of its own and requires a customized strategy. For example, months prior to implementing one of our Safe Streets for Seniors initiatives, the University Heights project on Fordham Road and Sedgwick Avenue in the Bronx, this past July, we presented to, and obtained support from the local Community Boards 5 and 7, sent notice to the Fordham Road BID, Borough President, Councilmember and other local elected officials, offered briefings to elected officials and conducted a presentation at the Borough President's district cabinet meeting. Additionally, our Bronx Borough office distributed flyers, by hand, to every local store owner and to local apartment buildings notifying them of this project.

Our Green Light for Midtown initiative required a different strategy, given the unparalleled nature of the project, the type of area, and the many stakeholders involved. DOT presented its project formally at two public community board meetings: Community Board 4 on March 16th and Community Board 5 on March 18th. Two

Open Houses were also held on March 11th and 12th, so that businesses, stakeholders, residents and other interested parties could drop in and have the project explained to them. The Open Houses consisted of one-on-one interactions between Department staff and members of the public. In this way, individual questions or concerns were directly addressed. In addition, many other stakeholders including offices of all the impacted elected officials were provided with briefings. Additionally, we conducted a wide distribution of targeted brochures and flyers to inform as many people as possible of the project and solicit feedback prior to its implementation. Following the project's completion in August, the public was encouraged to provide feedback through a survey hosted on DOT's website and at two open public forums that took place just this past week.

Both the University Heights and Midtown cases in some ways are typical for DOT – we went to the public with plans for a specific area, took feedback and have, and will continue to make adjustments where appropriate. For other initiatives that provide an opportunity to make improvements in many different neighborhoods, we've used different outreach efforts. For example, our Plaza Program revolves around a community opt-in program where requests are generated by individual communities. Our Parksmart program also utilizes an opt-in approach -- while we have presented a project proposal to a number of communities around the City, we only implement by request. As part of this program, meter rates are raised in commercial areas to facilitate turnover, helping local businesses to serve more customers. We hope to conduct a number of pilot programs, and have already begun in the West Village in Manhattan and Park Slope in Brooklyn. In both cases pilots commenced following formal requests from the Community Boards and local civic councils, and plans were modified based on their recommendations, as well as feedback from local businesses and BIDs. For example, in Brooklyn DOT initially proposed rates be raised from \$.75 per hour to \$2. The community felt the amount was too high, and we agreed to begin testing the program at \$1.50. In Manhattan, after the pilot period concluded, having raised rates from \$1 to \$2, the Community Board asked us to raise the rates again, which will be in effect sometime this fall. The boundaries of the program in both boroughs were also a result of a discussion between the Department and local stakeholders. As we receive more requests for Park Smart in other neighborhoods throughout the City, we will continue to work as closely with communities to develop programs tailored to meet their needs.

The outreach programs I've described are of course works in progress. We continue to want to work with the Council and other stakeholders to develop new outreach tools, broaden our reach and solicit more

input. And we certainly appreciate the importance of dialogue on this topic. However, we do have concerns about 1063 and 1077, are not convinced they are necessary and believe they could be counterproductive. We also are not entirely clear what work is captured by the legislation. Both bills lack definitive descriptions for the projects they apply. "Major construction" as defined in Intro 1063 refers to projects that "alter motor vehicle volumes along affected streets by ten percent or more". It is unclear whether the legislation is referring to projects that alter vehicle volumes during construction, or after. Most projects will have some impact, during construction- is this bill intended to capture regular roadway paving or streetlighting construction projects? If the 10% refers to the impact post-construction, you should realize many of our projects could have significant community impacts without causing an actual 10% variation in traffic. Intro 1077 is similarly ambiguous offering no definition of "pilot project". Given the absence of a legal definition, it is important to make clear that, in some sense; every project DOT undertakes may be considered a pilot. The bills also have the potential to delay necessary work – including safety improvements. Intro 1077's lack of a deadline for Community Board responses could delay projects indefinitely.

Of most concern to us is the narrow approach to notification the Council seems to be suggesting. Crucial to our outreach process is the ability to customize our efforts to fit the particular project and community affected. Intros 1063 and 1077, while aimed at bolstering outreach to involving communities, actually dictates a more narrow approach. At present, DOT is fully committed to more aggressive efforts in communicating with the public; however, we do not want to discourage DOT in the future from similarly dedicated and creative outreach to New Yorkers. Codifying the way outreach should be conducted, over time, will simply create another bureaucratic check, eluding the greater goal of more comprehensive community involvement in DOT projects.

We are confident the Council seeks to make our outreach efforts more comprehensive and responsive, not more rigid and parochial. We do not believe codifying DOT procedure is the appropriate way to address concerns over outreach, but as we are always looking to do better, we would like to continue discussions with concerned councilmembers on how to better inform our approach.

Thank you for the opportunity to testify before you today. Following the testimony of Assistant Commissioner Petito, we would be happy to answer any questions you may have.

FOR THE RECORD FOR CITY HALL MEETING, THURSDAY, OCTOBER 8, 2009
"INPUT IN DOT CAPITAL PROJECTS"
TESTIMONY OF DARCEL KENNEDY

Thank you for the opportunity to express the concerns regarding DOT and the way they handled the street plans and changes imposed on Rutgers Street between Madison and Cherry Streets on the Lower East Side of Manhattan. From what I've seen in my limited attending and participation of the board meetings that involve DOT is that while they present a lot of information in the form of slides, photos and graphs with plenty of obvious research, it's a self-contained project. Meaning, all the early research appears to be done exclusively by themselves, surveying the streets, without aid of knowledgeable opinions from those of the chosen area they want to change.

Certain areas such as busy intersections on heavily populated streets, such as Delancey and Allen, should be of priority and address where accidents are more prone to occur, so they may not need such "input" on public/commercial thoroughfares. However, when it comes to residential blocks such as Rutgers Street, I never saw a flyer about how DOT needs our input posted anywhere, nor heard a word from those involved in community such as block associations or community boards.

After I got involved upon seeing the fiasco that's intended to be "safety for seniors" my first step was to speak to those who were there at the beginning of DOT's proposals and ideas. I was told the illustrations/discussions DOT presented at earlier community board meetings included the two islands (which by the way are huge: 10'x20') but also, *there was never any mention of the two lanes of parking* that would take up a third of the leftover space. For the strong argument that the people that complain don't attend the meetings, well, what difference will it make if a city agency withholds information from the people who DO attend? Not keeping a community in the loop of any plans/added changes is deceitful particularly when you take time to present the so-called plans to the community board and residents. It's a violation of public trust and transparency with the community.

At one Board Meeting I witnessed the anger of numerous residents — the elderly residents that lived on Grand Street — who expressed frustration of the DOT changes in their block that they didn't expect or were not notified of. One of elders speaking on the microphone even paid for a city report to find DOT's justification that the change was made because an accident occurred on Grand St. He said it was not listed. I would find it hard to believe not one of the elderly demographic from that area wasn't attending any board meetings in the draft phase of these plans. It seemed DOT was not forthcoming to them as well. One reason it's important for DOT to maintain transparency with the community is they could miss out on a great idea that still serves their purpose. If DOT could come to the table from the beginning to get INPUT on the early stages of a plan, much of this conflict and disappointment would be avoided and A WHOLE LOT OF MONEY AND TIME SAVED.

Respectfully,
Darcel Kennedy
LES Resident



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October 7, 2009

Hon. John C. Liu
NYC Council
250 Broadway
New York, NY 10007-2594

Re: Intro # 1076

Dear Councilman Liu,

AAA New York, which serves more than 1.5 million members, supports this proposed legislation requiring notification of changes in parking meter regulations.

Motorists in New York City have an ingrained duty to look for regulations prior to parking their vehicles. However, when these signs are changed without notice, there is often an upswing in violations as motorists are unaware of the changes.

Cash strapped municipalities across the country, including New York City, have turned to ticket revenue to shore up budget sheets. Indeed, the City of New York, in recent years, has increased ticket fines and hired hundreds of additional agents to issue tickets. Given those facts, our association does believe that it is eminently reasonable to ask Department of Transportation officials to notify the public of changes in meter regulations. This legislation, by requiring a sixty day notice period, allows community boards and council members ample time to alert their residents.

Accordingly, AAA New York supports enactment of this legislation.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Antoanela Vaccaro'.

Antoanela Vaccaro, Manager
Government Affairs

AV:dc

**Testimony on Mandatory Community Meetings Prior to
Public Hearing on Construction Project**

To: Honorable John C. Liu, Chair and Honorable Members,
Transportation Committee, NYC City Council
From: Edward Ma, Member of Community Board 2, Manhattan /
Vice Chair, Chinatown and Neighbors Committee
Former Human Rights Commissioner, NYC
Date: October 8th, 2009, Thursday

May I have the privilege in the request of your help to support the legislation mandating that when City agencies plan a public hearing on community construction, the community should be notified 4 months ahead with 6 follow-up community meetings.

My testimony for this legislative proposal is designed to enhance partnership between city agencies and community through public education and the participation of residents and business for dialogue and mutual understanding. All of these activities could be conducted systematically prior to the public hearing in order to make the construction successfully meeting the community needs in a democratic process.

However, problems have occurred in various ways of poor communication and casual preparation for public hearing, such as notifying the community in a short notice, distributing flyers only in a few neighborhoods, news release not reaching to the core population of the community, etc. Therefore, many residents are unaware of the prospective public hearing. Very often the project presentation carries many professional jargons, hardly understood even by educated people, let alone for those poor English language residents.

Consequently, this would lead to either poor participation or lack of grasping what the project is all about. A haphazard, bureaucratic presentation would result in disconnected, rejected or unconcerned feelings from the residents and community. Instead of winning community support, this kind of hearing would provoke resentment, even angry protest against the projects. "It is a City project, but not for the community."

In the past 15 years, in Chinatown, there seems to have no community input when public hearing is conducted before community construction started. And these public hearings have been always notifying Chinatown with a short notice in less than a weeks or two without consideration of community needs. Why Chinatown is not given a chance to participate during the planning process since the construction is aimed for community development. Especially after 9/11 disaster, "business remains as usual", despite the devastated impact on Chinatown residents, business, and traffic congestion, etc. Why Chinatown is always deprived of the right to speak up in the decision making process for what they want for their own community in a democratic process.

1. In 1994, MTA failed to notify Chinatown for the closing of D train Grand Street subway station in order to repair Manhattan Bridge, let alone a public hearing.
2. On August 13, 2008, City Planning held a public hearing on Lower East Side Rezoning with reportedly spending \$2 millions for research of three years. However, Chinatown was informed only in less than a month before the public hearing given.
3. On December 2, 2008, when a public hearing on Chatham Square reconfiguration was presented by DOT, the project's flyers and maps were made available in less than a week.

As a community activist involving all the above three projects, may I make the following recommendations:

1. A mandate should be instituted at least four months ahead and six community meetings prior to public hearing could begin.
2. Each public hearing should be mandated to last two hours including Q/A time to assure participants' understanding of the project content and its impact on local residents, business and traffic congestion, etc.
3. Publicity should be conducted as follows:
 - a. Flyers and pamphlets should be printed in bilingual languages for local residents with quality graphic design and pictures, readable with no professional jargons. And these flyers and pamphlets could be printed at least 5,000 copies each and distributed to all the neighborhoods in the community.
 - b. Press release should be given in bilingual languages prior to each meeting.
 - c. Press conference should be held three times by inviting local ethnic and mainstream media in addition to local community agencies and local leaders.
 - d. City projects should invite qualified community agencies, at least two of them, as partners for consultation.

I would appreciate if you could add more legal and technical points in order to strengthen this legislation.

Hopefully, after all the above efforts, the City would receive more support from the community for public hearing and construction projects. When partnership is established between City and community, we hope that **justice, equality, democracy and quality of living would be assured.**

Community democracy could be better accomplished through the process of building community construction in partnership between government and people.

Thank you.

FOR THE RECORD

Testimony of National Grid on City Council Bill 947 to Amend the Administrative Code of the City of New York in Relation to Idling of Unattended Vehicles

October 8, 2009

National Grid appreciates the opportunity to take part in the public hearing on this very important issue pertaining to vehicles idling unattended (Intro 947). National Grid is fully supportive of the committee's concern for the safety of all residents of New York City. However, we wish to provide some comments with our concerns as the bill is currently proposed.

National Grid is the largest distributor of natural gas in New York City. We distribute natural gas to over 1.2 million customers within the boroughs of Brooklyn, Queens and Staten Island. The Gas Business Unit Field Operations Area is responsible for constructing and maintaining the company's underground gas distribution system which consist of approximately 4,000 miles of various size mains and over 550,000 gas services within our New York City service area. National Grid employees are well trained to perform the work involved in delivering natural gas as well as the applicable rules and regulations, particularly with regard to safety and vehicle operation.

The corporation as with many other city businesses and residents alike places great value on ensuring safety and reducing vehicle emissions. While the company always places safety and our environment first, we must also weigh our concerns with the public need for essential services to ensure the quality of life we all seek and enjoy. The company actively and aggressively monitors vehicle operations by various means including new technology to ensure compliance with the New York City vehicle idling regulations as well as insuring that vehicles are not left unattended for any period of time.

Company policy dictates that an operator must be within the work area, adjacent to the vehicle whenever the engine is idling as necessary to process work in accordance with the New York City Department of Environmental Protection Rules and Regulations. However, if the vehicle is to be left unattended for any period or not needed to process work, the operator must stop the engine and remove the key.

In conclusion, given the nature of our work, the fact that all utility vehicles are easily identified and that the vehicle operators must be within the work area, immediately adjacent to the vehicle, we respectfully request that utility vehicles idling for the purpose of processing necessary equipment be excluded from the proposed amendment to the administrative code.

National Grid continues to be committed to improving the quality of life and safety of all New York City residents.

Thank you for your consideration of our comments.

**LIZ KRUEGER
SENATOR, 26TH DISTRICT**

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Testimony of State Senator Liz Krueger
Before the New York City Council Committee on Transportation
Regarding Intro 624 on the Use of Bicycles for Commercial Purposes
October 8, 2009

My name is Liz Krueger and I am the State Senator representing New York's 26th Senate district, which includes the East Side and Midtown neighborhoods of Manhattan. I am here to express my strong support for Intro 624 by Councilmember Jessica Lappin which works to increase necessary safety protections for pedestrians, bicyclists, and drivers.

Some people mistakenly argue that trying to rationalize and enforce safe biking laws means you are somehow opposed to bike riding in our City. This is, of course, untrue. In our densely-populated City, we need common sense laws, which are enforceable, which recognize the oft-competing needs of pedestrians, bike riders, and motor vehicle operators (buses, cabs, autos, trucks and emergency vehicles) for limited sidewalk and street space. A very real dilemma throughout my district is that of delivery bikes operating in violation of New York City bicycle laws; this puts pedestrians, other bike riders and even swerving motorists into harm's way.

In 2002, I introduced similar legislation in the Senate to address the significant concerns voiced by large numbers of residents in my district regarding the practices and conduct of many delivery bicyclists. Over the years I have received countless reports from residents of all ages, senior advocacy groups, neighborhood associations, and police officers, of delivery bicyclists going against the flow of traffic, illegally utilizing the sidewalks as a roadway, and knocking over slow walkers. Sidewalks were created for use by pedestrians, not for speeding delivery bicycles attempting to shave minutes from their delivery times. The safety of pedestrians utilizing sidewalks must be ensured and protected, and in like, so must be protected the safety of other, non-commercial bicyclists in the streets.

The inherent problem with regulating the practices of commercial bicyclists lies in the practicalities of enforcement. Additionally, the inequity of placing fines solely upon the bicyclists, and not upon the operators of the businesses by whom the bicyclists are employed, must be addressed. The truth is that the current system does not work. Penalizing bicycle delivery persons through ticketing has not changed behavior. Their employers rarely even learn that their delivery people are being ticketed. Under this bill, the business will face the penalty,

and hence have economic incentive to require their bicycle-operating employees to follow that law.

Placing fines and strict regulatory practices upon businesses, which Councilmember Lappin's bill will do, provides an alternative conduit to enforcement of proper bicycle safety. Without monetarily placing responsibility on businesses which fail to enforce proper bicycling safety protocol, there is little which can be done to put a stop to the race-to-the-finish-line mentality of delivering food and goods.

While there have been great strides forward in securing bicyclists' safety by the City Department of Transportation's creation of 200 miles of new bike lanes along city streets, many of these lanes do not reach the East Side of Manhattan, creating an environment rife with hazards for non-commercial bicyclists. The current scarcity of these lanes forces non-commercial bicyclists into perilous situations with delivery persons who do not heed proper safety.

The proposed regulations in Intro 624 would create a safer environment for all bicyclists as well the millions of pedestrians on sidewalks and entering crosswalks each day. By clarifying who is responsible for violations, and enabling pedestrians to identify a reckless cyclist and associate the cyclist with the business with which they are affiliated, the City Council will facilitate enforcement by the authorities, and improve safety for pedestrians, bicyclists, and motorists, and our communities across New York City.

Thank you for your consideration of my views.

FOR THE RECORD

Testimony on Mandatory Community Meetings Prior to Public Hearing on Construction Project

To: Honorable John C. Liu, Chair and Honorable Members,
Transportation Committee, NYC City Council
From: Edward Ma, Member of Community Board 2, Manhattan /
Vice Chair, Chinatown and Neighbors Committee
Former Human Rights Commissioner, NYC
Date: October 8th, 2009, Thursday

May I have the privilege in the request of your help to support the legislation mandating that when City agencies plan a public hearing on community construction, the community should be notified 4 months ahead with 6 follow-up community meetings.

My testimony for this legislative proposal is designed to enhance partnership between city agencies and community through public education and the participation of residents and business for dialogue and mutual understanding. All of these activities could be conducted systematically prior to the public hearing in order to make the construction successfully meeting the community needs in a democratic process.

However, problems have occurred in various ways of poor communication and casual preparation for public hearing, such as notifying the community in a short notice, distributing flyers only in a few neighborhoods, news release not reaching to the core population of the community, etc. Therefore, many residents are unaware of the prospective public hearing. Very often the project presentation carries many professional jargons, hardly understood even by educated people, let alone for those poor English language residents.

Consequently, this would lead to either poor participation or lack of grasping what the project is all about. A haphazard, bureaucratic presentation would result in disconnected, rejected or unconcerned feelings from the residents and community. Instead of winning community support, this kind of hearing would provoke resentment, even angry protest against the projects. "It is a City project, but not for the community."

In the past 15 years, in Chinatown, there seems to have no community input when public hearing is conducted before community construction started. And these public hearings have been always notifying Chinatown with a short notice in less than a weeks or two without consideration of community needs. Why Chinatown is not given a chance to participate during the planning process since the construction is aimed for community development. Especially after 9/11 disaster, "business remains as usual", despite the devastated impact on Chinatown residents, business, and traffic congestion, etc. Why Chinatown is always deprived of the right to speak up in the decision making process for what they want for their own community in a democratic process.

1. In 1994, MTA failed to notify Chinatown for the closing of D train Grand Street subway station in order to repair Manhattan Bridge, let alone a public hearing.

2. On August 13, 2008, City Planning held a public hearing on Lower East Side Rezoning with reportedly spending \$2 millions for research of three years. However, Chinatown was informed only in less than a month before the public hearing given.
3. On December 2, 2008, when a public hearing on Chatham Square reconfiguration was presented by DOT, the project's flyers and maps were made available in less than a week.

As a community activist involving all the above three projects, may I make the following recommendations:

1. A mandate should be instituted at least four months and six community meetings prior to public hearing could begin.
2. Each public hearing should be mandated to last two hours including Q/A time to assure participants' understanding of the project content and its impact on local residents, business and traffic congestion, etc.
3. Publicity should be conducted as follows:
 - a. Flyers and pamphlets should be printed in bilingual languages for local residents with quality graphic design and pictures, readable with no professional jargons. And these flyers and pamphlets could be printed at least 5,000 copies each and distributed to all the neighborhoods in the community.
 - b. Press release should be given in bilingual languages prior to each meeting.
 - c. Press conference should be held three times by inviting local ethnic and mainstream media in addition to local community agencies and local leaders.
 - d. City projects should invite qualified community agencies, at least two of them, as partners for consultation.

I would appreciate if you could add more legal and technical points in order to strengthen this legislation.

Hopefully, after all the above efforts, the City would receive more support from the community for public hearing and construction projects. When partnership is established between City and community, we hope that **justice, equality, democracy and quality of living would be assured.**

Community democracy could be better accomplished through the process of building community construction in partnership between government and people.

Thank you.

為維護華人在重慶社區權益，經常在市議會公職席出
 面作証的第三社區委員馬士珍又將于星期四十月八日上午
 十時作証，這此是為他第一次自行起草的法案，有如何
 硬性規定市府工程開工前的條件，希望踴躍參加。
 鑒于交通局、計劃局及捷運局常常忽視華民意，而
 逕自自片而決定一切工程，譬如去年的交通局周顧華華居
 民及商人的生活及生意而草草舉行公聽，甚至採納北區意
 見誠意，為此一年前開始研究調查并獲市議員郭亞倫贊助
 ，才得順利將法案列入議程
 如獲通過，市府工程及社區特專用所有資源合力發展
 華埠的繁榮，馬士珍特別強調為爭取權益我們不只要選民
 登記，還要參加公聽會，更要起草維護權益的法案，迫使市

府單位來遵守我們社區的文化生活習慣及權益。

~~Madame Council Speaker,~~

My name is Jan Lee, I am a resident, a business owner, and a property owner on Mott st. in Chinatown.

I am a stakeholder in this community and I vote.

I applaud my fellow community advocate Ed Ma, and the councilmembers, particularly Alan Gerson, for authoring this bill and bringing it before you today.

The New York City dept. of transportation, under commissioner Sadik Kahn, and Mayor Michael Bloomberg, has used every tactic in the book to ensure that its agenda moves forward without any meaningful input from the Chinatown community, including but not limited to:

- lying,
- not providing translated materials,
- pressuring community boards to adhere to deadlines that are arbitrary,
- and completely disregarding the safety of my community as evidenced by the numerous deaths at the foot of the Manhattan Bridge, a known death trap.

The Mayor's office has been equally guilty of turning a deaf ear to requests for translated materials and bilingual outreach. This is unacceptable, especially for a project of this scope.

Plans that were reviewed by the public at large were made available only a week before the first public hearing on Chatham Square because myself and the Civic Center Residents Coalition blew the whistle and alerted our community and the media that no where were the DOT plans for Chatham square accessible. As if by magic, plans, diagrams, schedules, and charts appeared on the DOT website and Community Board 3's website simultaneously, after we complained that it would be impossible to inform the community without access to the material in advance of any hearing. The community had little time to understand and formulate opinions on

- volumes of complex diagrams,
- time tables,
- overlapping project schedules
- and water main shut downs
- recovery funds,
- and bridge construction schedules

The DOT power point presentations were two hours long, either you absorbed the information in one sitting or you didn't . They don't care. Their obligation to the community is done with the last slide of the evening.

The tactics of

- planning meetings around holidays with hopes of low turnout
- withholding plans from the public,
- denying bilingual communities translated materials,
- not providing outreach
- secret meetings with Bloomberg supporters

have succeeded in fostering a healthy distrust of the Dept. of Transportation, its commissioner, and the Mayor by communities throughout the City.

The department of Transportation's lack of transparency is evidenced by a recent meeting coordinated by Bloomberg supporters in Chinatown, and the commissioner of the DOT, Jannette Sadik Kahn. At a closed door meeting in early June, the supposed start date for the \$50 million tear down of Chatham Square, she dropped a bombshell that should have been shared in a public forum and not in a campaign rally disguised as community outreach.

The Commissioner, in very rare visit to Chinatown, told less than ten people in a room, all Bloomberg supporters, that Chatham Square was to be delayed for one year. The reason given was that bids did NOT go out in January as they said initially, rather they were sitting on them all the time fearing protests during the Mayor's campaign. Chatham Square, you see, became either a bargaining tool or a threat - inextricably tied to Bloomberg's campaign.

She left the news to be disseminated further, if they so chose to do so, by this small group in a small room in a small part of a very large area that is affected by Chatham Square.

Even today, the Community board has not received any written document expressing a definite change of schedule, which leads me to believe this was just a ploy to garner support during an election year. The bulldozers may still roll in after November, there are no commitments, and we have no faith in anything she said. One only has to look at the method in which she said it if you question my suspicion.

Intro 1063 begins to set forth a process that FOR ONCE favors the interests of communities over municipalities and politics, for without the interests of communities considered the City as a whole be less interesting, more expensive, and very undemocratic.

Jan Lee

212-587-2393

Civic Center Residents Coalition, director

Hamilton Madison House, Exec. Board of Dir.

Chinatown Community Young Lions, Director

Sinotique, Founder / Pres.

jancrc@gmail.com

www.ccrenyc.com

City Council Testimony re: Intro #1063, Thursday, October 8, 2009

I live at Chatham Towers. I am a stakeholder in Chinatown and I vote. Here is my experience with the DOT's proposed reconstruction of Chatham Square.

In October 2008, our community was shocked to learn that the DOT would be holding a public hearing on December 2 for the reconstruction of Chatham Square. The national economy had just been thrust into a major recession. All over the city, businesses hoped to survive as they prepared for the critical holiday season.

Chinatown businesses were forced to organize for a public hearing regarding a plan that would dig up and reconstruct the largest intersection in our community – Chatham Square. It is one of the most complex intersections in the entire city, where 7 streets merged, and where narrow Worth Street is the rare street that provides crosstown access in the downtown area.

Although Community Board #3 had budgeted Red Cross funds for a community traffic engineer to analyze the DOT's redesign, the date barely allowed time for our traffic engineer to do a thorough analysis. To make matters worse, he had to repeatedly ask for the information that he needed to do a proper analysis. DOT gave him incomplete information and delayed giving it to him.

Pleading letters from businesses, local organizations and residential developments all fell on deaf ears as we were told the hearing would proceed as stated.

At the December 2 public hearing on the redesign of Chatham Square, the DOT revealed that it was not a public hearing at all. As reported in the December 5, 2008 Downtown Express newspaper, Luis Sanchez, the Lower Manhattan borough commissioner for the DOT, said "We're moving ahead with the Chatham Square project right now." People in the audience were outraged and shouted that "This is a fait accompli" and "This is a sham!"

We were also told at that meeting that the \$50 million Chatham Square reconstruction would take two to three years, and it would be combined with the reconstruction of the Brooklyn Bridge and the Water Tunnel project. As we now know, the Brooklyn Bridge part of the project alone will take 2-3 years.

The Chinatown and Civic Center community was forced to organize without any information, diagrams or maps. There was NO posting of information anywhere on the websites of the DOT, CB#3 or DCP. It was only after Jan Lee of the Civic Center Residents Coalition complained, that this information was finally posted in January 2009. It was not (and has still NOT been) made available in the public library, even though it was stipulated in the LMDC's requirements for funding.

The other bomb dropped on us at that so-called "public hearing" was that the contracts were going out for bids almost immediately, and that the most input the community had was possibly to help select the trees! Furthermore construction was to start summer of 2009.

This reconstruction would permanently prevent the future opening of Park Row. The closure of Park Row and other street shutdowns already devastated Chinatown after 9/11. Within the following 2 years, there were 29 businesses that shut down or changed hands.

We ask the City Council to pass Intro#1063 to prevent any other community from going through the hellish ordeal that the DOT has inflicted on the Chinatown community.

Thank you.

Anna Goldstein
170 Park Row
New York, NY 10038

John Ost Testimony 10/8/09

My name is John Ost and I serve on the Board of Directors of Southbridge Towers, a 1600 unit housing cooperative four blocks east of City Hall. I support this legislation calling for mandatory community input of Department of Transportation Capital Construction Projects. The DOT, under the present Bloomberg administration has demonstrated a lack of sensitivity to those who live in the neighborhoods it serves.

DOT plans a major reconstruction of the Brooklyn Bridge which will result in significant traffic problems on the lower East Side of Manhattan. Initially a presentation was made to CB1, but not to CB3, which will also be impacted. It was only upon CB3's making a request that a presentation was made.

At a joint hearing in February of the Council's Lower Manhattan Redevelopment and Transportation Committees, it was proposed to DOT, that free transit through the Brooklyn Battery Tunnel be arranged during closure times to mitigate the impact on our neighborhoods. Deputy Commissioner, Luis Sanchez stated that he would consider that idea, but indicated that no request had gone to the MTA to make those arrangements. At a recent CB1 hearing last month, a DOT representative stated that those arrangements had still not been made.

There are numerous occasions where the DOT has ridden roughshod over neighborhoods, whether by installing bike lanes in Brooklyn's Williamsburg, or on Manhattan's Grand Street; planning to begin a reconstruction of Chatham Square, when both CB1 and CB3 opposed the City's plan; installing "Bus bulbs" over numerous objections; and now, the reconstruction of the Brooklyn Bridge. I only mention a few issues to indicate that this legislation is sorely needed. Please pass it.

NANCY L. LINDAY
170 Park Row, Suite 18E
New York, New York 10038
(212) 962-5354

October 7, 2009

Transportation Committee
New York City Council
250 Broadway
New York, NY 10007

FOR THE RECORD

Re: Rogue Cyclists

Dear Members:

I live a few blocks northeast of City Hall, on Worth Street, at the edge of Chatham Square. In both 2007 and 2008, I had major surgery. When rehabilitation was finally officially "over," I jubilantly began walking throughout lower Manhattan again.

Sad to say, my jubilation did not last for long. In fact, it didn't last longer than the few steps it took me to walk from the entrance of my building to the sidewalk. Cyclists were riding on my sidewalk in both directions!! I was in danger of being hit by a bicycle before every setting foot in the street.

Consistent observation yielded patterns: Carefully helmeted cyclists, with expensive bicycles, rode from the west toward the east. Delivery cyclists, their handlebars laden with large plastic bags or topped with insulated pizza bags, rode from the east towards the west.

Not one person walked a bicycle on the sidewalk.

In desperation one day, I yelled after one of the carefully helmeted cyclists, "Not on the sidewalk!" To my surprise, he got off the bicycle and came back to speak with me. This cyclist courteously explained to me that a New York State law allowed cyclists to ride on the sidewalk when it was not safe to ride in the street. It was only a New York City law that forbade riding on sidewalks, and it doesn't hold up in court. He said that all of the tickets given to cyclists for riding on the sidewalk had been thrown out of court because of the state law. And then he got back on his bicycle and rode off...on my sidewalk! Worth Street, he had explained, was too dangerous for cyclists, so they were legally entitled to ride on the sidewalk there.

To date, my efforts to track down this state law have been in vain.

Cyclists are extraordinarily well organized...and know the law inside out. We pedestrians, who want only to enjoy the great pleasure of strolling on the sidewalks of New York City, are woefully ill-equipped to deal with them.

I respectfully request that you investigate this matter. Kindly let me know what state laws regulate bicycle traffic on the sidewalks, and what the case law reveals. Acquiring this information will be a vital first step in making our sidewalks safe once again.

Thank you for your consideration.

Yours truly,

Nancy Linday

Ms. Nancy Gruskin
234 Twin Oaks Terrace
Westfield, NJ 07090
908-591-6434 or 908-789-8985

To: Members of the New York City Council
Transportation Committee/Intro-624 10/8/09

It is with mixed emotions that I stand here before you today. While I am happy that I am doing something in speaking out against a very big problem I see in our city, I am very sad that it has taken my husband's death by a bicyclist going the wrong way down the street to put a human face on this horrific problem. OUR FACE.....But, I hope my words, will give everyone pause to think about this city and all the things we can do to help make it safer...

My husband could have been any one of you. He was young, he was healthy, energetic, had an unstoppable work ethic and was a very successful and extremely well-loved Vice President of his firm. He was a beloved father of twelve year-old twins who were three weeks away from celebrating their B'Nai Mitzvah when he was killed by a bicyclist last April. He was struck on April 28 and died from his massive brain injuries on May 1.

While I applaud the efforts of this Council to bring this vicarious liability bill to the floor, this bill in its current form really does nothing to protect the citizens of the city....

There is something very important missing from this business bill. It could be made stronger by adding an education and training component for the cyclist. It would be a win-win situation for everybody as it could be revenue producing for the city as well as protect our citizens. The idea would be to mandate that if an employer is to employ bicyclists, then each cyclist must complete 5 hours worth of education and training. This mandate makes logical sense. If we ask drivers of a car to take road tests to make sure they know the rules of the road

then it follows logically that bicyclists should have training as well because they, too, are following the same rules of the road. The city's DMV would provide the training and the employer would pay the cost. At the educational training, the cyclist would receive an ID card that they would carry at all times to prove that the employee has had the training. For non-compliance, there would be a sliding scale of fines. I truly believe that this would positively affect the sanity of our city streets. Because Hunter College's Professor Peter Tuckel's study this past May has identified with hard data the delivery rider as the one most likely to break the laws, if the employer is educationally and financially responsible for his employees' actions in the aforeways mentioned, it would go a long way to make our streets safer.

Another problem that has received much press lately is Police officers not enforcing existing traffic laws. While it is rare what happened to my husband, it is NOT rare that people are getting hit and hurt.. One fatality and hundreds of serious injuries per year is egregious when it is caused by such a small number of road users and we SHOULD NOT tolerate it regardless of whether or not we want to encourage cycling. As the number of cyclists grows, this number will surely increase. Why should a cyclist bother abiding by the law if he knows nothing is going to happen to him anyway?

Please let me make myself perfectly clear... I am not against law-abiding bicyclists in the city.. I am not anti-bike .. I am pro-responsibility. I am against bicyclists that continue to break the law and get away with it and I think the business owners are in a wonderful position to lead with regard to this crusade. The Mayor and Police Commissioner MUST see this issue as a real priority and put pressure on the precincts to enforce the laws or we wont get anywhere.

In conclusion, I have started a Foundation in memory of my late husband and through the Foundation, I hope to work hand in hand with our elected officials on a couple of ideas to help make the streets safer for everyone. Thank you for giving me the

opportunity to speak to you on behalf of my family and my late husband, Stuart.

Greenwich Village Block Associations

20 Bank Street, New York, NY 10014

Bedford, Barrow &
Commerce
Bedford Downing
Bleecker Area Merchants &
Residents
Carmine Street
Central Village
Charlton Street
Christopher Street Block &
Merchants
Christopher Street East
East 8th/9th Street
East 10th Street
East 11th Street
East 12th/13th Street
Far West Bank Street
Far West 10th Street
Grove Street
Horatio Street
Jane Street
MacDougal Alley Assoc.
MacDougal Street North
Mercer Street
Minetta
Morton Street
Mulry Angle/W. 11th Street
Perry Street
St. Luke's Place
Upper West 13th Street
Washington Place
Waverly
Waverly-Bank 11 Neighbors
West Houston Street
West Eighth Street
West 9th Street
West 10th Street
West 12th Street
West 13th Street -100 Block

October 8, 2009

To Whom It May Concern:

The Greenwich Village Block Associations is a community wide coalition dedicated to preserving and improving the quality of life for residents of our historic neighborhood. We support the passage of Intro #1063 to require mandatory community input on all transportation capital construction projects.

Recent history provides us with examples of projects that have been completed by the Department of Transportation despite the objections of a large part of the communities that they impact. We believe that slowing down the process and making it more democratic will foster a more satisfactory result.

Thank you,

Marilyn Dorato
Executive Director

Greenwich Village Block Associations

20 Bank Street, New York, NY 10014

Bedford, Barrow & Commerce
Bedford Downing
Bleecker Area Merchants & Residents
Carmine Street
Central Village
Charlton Street
Christopher Street Block & Merchants
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Washington Place
Waverly
Waverly-Bank 11 Neighbors
West Houston Street
West Eighth Street
West 9th Street
West 10th Street
West 12th Street
West 13th Street -100 Block

October 8, 2009

To Whom It May Concern:

The Greenwich Village Block Associations is a community wide coalition dedicated to preserving and improving the quality of life for residents of our historic neighborhood. We are deeply concerned about the danger posed by cyclists who disregard traffic regulations.

The current administration appears to be engaged in a policy of "build it and they will come" towards cyclists as part of an effort to decrease the number of cars that travel our city streets. This may be a good thing if coupled with consistent traffic enforcement on all street vehicles. This, however, is not presently the case. The evidence of our own eyes daily informs us that cyclists routinely ignore traffic regulations.

Indeed, the media seems complicit in this behavior. The current issue of *New York Magazine* encourages cyclists to use their own judgment as they go through red lights rationalizing this behavior because "we all jaywalk anyway."

Although Intro #624 is well intended, the result may be merely additional paperwork for employers with no appreciable improvement in the safety of our streets. If passed in its current form, it may actually serve to undermine the enforcement of previous laws. We believe that the emphasis should be on enforcement of existing law regarding moving violations. Cyclists are not unredeemable miscreants; they disobey traffic laws because they can.

Thank you.

Sincerely yours,


Marilyn Dorato
Executive Director

City Council Testimony

Re: Intro #1063, Thursday, October 8, 2009

My name is Triple Edwards, and I am a stakeholder and board member of Chatham Green in Chinatown and I fully support Intro #1063. I don't feel it is necessary to testify further about any of the neighborhood street construction projects that came to be without community input because the negative community backlash is evident to everyone involved. So much energy is wasted on opposition and red tape from both sides, when at the heart of the matter, don't we all want to do what's best for our communities and the city we live in?

So instead, I would like to focus on how we can learn from the mistake of not including the community in order to avoid future conflicts. It is offensive that NYC agencies are arrogant to think that they know the flow and patterns of a neighborhood better than the community who lives there. This attitude goes against the very democracy on which our nation and great city is built upon.

I would like to publically state to the city agencies that this Intro is aimed at, that if they took the time to consult the community and actually respected the City Council and community board systems that are in place, they would discover that there is a wealth of knowledge and great ideas that could help facilitate their projects instead of hindering them. Working together would also go a long way in rebuilding trust because from your previous actions you must realize that the collective community minds see you as the enemy. It is madness to think that you would rather fight a community instead of just listening, but by your repeated exclusions you only continue to foster animosity.

It is not naïve to imagine that we should all be working together to better our communities, because we should be doing what's right, and not succumbing to politics and agendas. What is right is considering the impact and taking responsibility for your actions.

What is right is partnership and communication. What is right is taking the time to understand, respect, and share power, not abuse it. What is right is passing intro #1063 and enforcing it. New York City was created through the ideals of it's communities, and community is what will allow our city to thrive as it grows to meet the needs of the future.

Triple Edwards
Chatham Green @ 215 Park Row, Board Member
212-242-8870

City Council Hearing, Intro #1063
October 8, 2009

My name is Sanford Goldstein. I live in Chatham Towers in the Chinatown community.

The DOT is an example of what's wrong with government today. We don't trust them to work in the taxpayer's best interests.

Isn't the purpose of a DOT to keep people, businesses and the economy moving by operating and improving transportation?

For Chinatown, the DOT has taken an obstructionist approach since the 9/11 "temporary" closure of Park Row. As time passed, the rest of NYC went back to normal, but the DOT and NYPD did not honor the word temporary.

So much did the Park Row closure seem endless, that it was necessary for the City Council to pass the Park Row bill in 2005, sponsored by Council member Gerson. The bill prevents the city from closing any streets in the future **without due process**. It requires the city to conduct an environmental study for any street that is closed for more than 180 days.

Unfortunately, it could not be applied to Park Row.

The Park Row closure seems to have empowered the DOT to continue to take more emboldened and obstructionist actions all over the city. The DOT has narrowed streets, reduced lanes, cut off thoroughfare on streets, bumped out sidewalks, placed planters and other items to block traffic -all with the effect of increasing congestion on the city streets. The DOT has continually done this without working with the communities it has arbitrarily impacted. It seems to be blatantly ignoring a DOT's purpose "to keep people, businesses and the economy moving by operating and improving transportation".

Chinatown was still holding out hope that the word temporary did not morph into the word "permanent". Then the DOT almost succeeded in thrusting the Chatham Square Reconfiguration down the community's throat, closing Park Row as a major artery for good. The public hearing for the Chatham Square Reconfiguration plans, in December 2008, turned out to be DOT's way of informing the community of a "fait accompli".

So when the DOT arbitrarily draws lines, removes lanes, pours cement bump-outs and islands, then says it is temporary, communities, BEWARE, because the DOT's actions have not been to ensure that people and goods move safely and efficiently.

Must communities struggle while the DOT arbitrarily experiments and spends our tax dollars?

Would you think it's a good idea if someone reconfigured your home first without your input, using **your** money? Oh yes, then **your money** will be used to fix it if that someone, **not you**, thinks it's not working out.

The DOT is arbitrarily making major changes without community outreach and input. We need Intro #1063 to require mandatory ^{wide} community ^{outreach and} input on all transportation capital construction projects. ^{from residents + businesses}

Thank you,

Sanford Goldstein
170 Park Row
New York, NY 10038

MEMBERS OF THE CITY COUNCIL, MEMBERS OF THE PUBLIC.
MY NAME IS JACK BROWN, TODAY I APPEAR AS A SPOKESMAN (HOW DO I
INTENDED) FOR THE COALITION AGAINST ROBOE RIDING. I AM ALSO
THE FORMER OWNER OF THE U. H. C. CYCLERY LOCATED AT 165 AVE A
AT THE NORTHWEST CORNER OF TOPEKA'S SQUARE PARK IN
NEW YORK'S ~~WEST~~ HOWEVER EAST SIDE. I KNOW THE INTOXICATION
OF THE UNMISTAKABLE AROMA OF RUBBER AND GREASE.

WE COME TODAY TO CONSIDER PROPOSED LEGISLATION INTRO #624,
ALSO CALLED THE VICARIOUS LIABILITY BILL, THE PURPOSE OF
THIS BILL IS HOPEFULLY TO PLACE THE FINANCIAL BURDEN
APPROPRIATELY - THE LIABILITY - FOR VIOLATIONS INCURRED
BY DELIVERY AGENTS USING BICYCLES ON THE OWNER OF THE
BUSINESS ENTITY FOR WHICH THEY RIDE IN THE OPINION
OF CAROL SOOZE OF INTRO #624 HAS MERIT. BIKE RIDERS SHOULD
WEAR HELMETS, SHOULD USE BELLS, LIGHTS AND CLOTHING THAT
IDENTIFIES THEM. A BUSINESS MIGHT WELL KEEP A DELIVERY LOG
TO BETTER MONITOR BUSINESS AND BEHAVIOR.

HOWEVER IF THE INTENTION OF 624 IS TO REMEDY THE
SCOFFLAW PRACTICES COMMONLY EMPLOYED BY WORKING CYCLISTS
RUNNING RED LIGHTS, RIDING AGAINST TRAFFIC AND ON SIDEWALKS
TO SPEED DELIVERY - THEREBY CREATING A TRAFFIC ENVIRONMENT
OF THE FIRST WILDCARD AND JEOPARDY - THEN 624 NEEDS TO
DIRECT ITS ATTENTION TO WHERE THE DANGER AND DAMAGE LIES;
THE MOVING VIOLATORS. LACKING THIS FOCUS IS WHERE THE
FATAL FLAW IN 624 IS FOUND.

IN MAY A STUDY "BIKING BEHAVIOR IN MIDTOWN" WAS
ISSUED BY THE DEPARTMENTS OF SOCIOLOGY AND
URBAN AFFAIRS AT HUNTER COLLEGE. PROF. PETER TUCKER
PRINCIPAL INVESTIGATOR, THIS RIGOROUS STUDY WAS CONDUCTED
DURING THE MONTH OF APRIL. IT OBSERVED 5,275 CYCLISTS
AT 45 INTERSECTIONS FROM 14TH ST TO 59TH ST, FROM 10TH TO FIRST
AVENUE. OF THE THREE CATEGORIES OF CYCLISTS WORKING,
COMMUTER AND RECREATIONAL THE WORKING CYCLISTS
WERE CITED AS MOST OFTEN LAWLESS. THE HOURS OF DUSK AND
DARK THE MOST DANGEROUS.

AS A PEDESTRIAN AND FELLOW CYCLIST I CAN AND DO
ATTEST TO THE ACUTE SENSE OF JEOPARDY THESE ENCOUNTERS
PROVOKE, THE FREQUENCY OF THESE HIT AND NEAR MISS
BIKE EVENTS FAR EXCEEDS THE CLOSE CALLS OR ACCIDENTS
ONE EXPERIENCES WITH VEHICLES OR PEDESTRIANS.
~~THESE~~ CAROL ADVOCATES AN EVEN HANDED ENFORCEMENT
OF THE (REGULAR) LAWS, TO ENCOURAGE A BIKING CULTURE
IN NEW YORK CITY THAT PROMOTES SHARING THE
STREET RESPONSIBLY.

CARR WOULD LIKE TO THANK COUNCILMAN DAN
CARODINICK FOR TAKING THE INITIATIVE TO MEET WITH
MANHATTAN SOUTH CHIEF DIAZ TO REFOCUS
ENFORCEMENT IN THE COBORO.

SO AS TO AVOID FURTHER UNNECESSARY DELAY
LEGISLATION #624 LAY IN THE ^{IN THE} BACKROOM OF THE TRANSPORTATION
COMMITTEE FOR MORE THAN TWO YEARS BEFORE BEING
BROUGHT TO THE FLOOR - CARR ENDORSES A PROPOSAL
MADE ~~TO~~ BY SHAWN KAHN-DELO OF COMMUNITY AFFAIRS
FOR THE OFFICE OF THE BOROUGH PRESIDENT.

FOR THE RECORD

A TASK FORCE SHOULD BE ASSEMBLED TO DELIBERATE AND COORDINATE A PLAN TO WORK THROUGH THIS QUALITY OF LIFE ISSUE. MEMBERS SHOULD INCLUDE REPRESENTATIVES OF THE NYPD, ^{AND DEATH} ELECTED PUBLIC OFFICIALS WORKING ON LEGISLATION, DOT, COMMUNITY BOARDS AND SELECT ADVOCACY ORGANIZATIONS. CARR SUGGESTS THAT AS CHIEF SPONSOR OF INTRO 624 COUNCIL MEMBER JESSIE LEPPIN AND AS AN ACTIVE MEMBER OF THE TRANSPORTATION COMMITTEE DAN GARO WOULD BE RECRUITED AS ADVISORS.

CARR BELIEVES THAT THIS IS AN OPPORTUNITY FOR NEW YORK TO SET AN EXAMPLE THAT GREENING MUNICIPALITIES THROUGHOUT THE UNITED STATES OF AMERICA CAN EMULATE. THIS IS AN OPPORTUNITY FOR THE BIG APPLE TO SHINE.

FOR THE RECORD

Biking Behavior in Mid-Manhattan

A Study Conducted by Students at Hunter College,
The City University of New York
May, 2009.

Principal Investigators:

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FOR THE RECORD

Mess Media

Start with the facts:

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[Messengers reckless?](#)

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Dangerous Bike Riders Run Wild With Impunity in NYC

New York Post – May 23, 2009

By Kyle Smith

One Saturday afternoon in the fall of 2007, I lay picking pebbles and asphalt from my epidermis on the jogging path in front of the U.S.S. Intrepid. The top layer of skin on my entire right side, from wrist to foot, looked like it'd been removed by a sushi chef. My right foot was useless (and still hurts as I write this). The bicyclist who had just hit me at approximately the speed of a proton accelerator stood over me screaming that I had gotten in his way. The guy was encased in body armor from head to toe. If he'd had a mohawk and an Australian accent he could have been one of the bad guys in "The Road Warrior." I was in his way in the same sense that a nail is in the way of a hammer.

My editor Mackenzie Dawson, who was sent flying into the middle of an Upper West Side street by a biker going the wrong way a couple of weeks ago, will be on crutches for three months. Post photographer Lizzy Sullivan broke a rib and needed months of treatment after she was mowed down by a delivery biker. Our features writer Reed Tucker was crossing Broadway and Bleecker with the light when he was knocked down and scraped up by a bike messenger trying to slalom through a thick crowd of pedestrians. How many people in your office have similar stories?

Imagine if cab drivers behaved like bicyclists - with total disregard for red lights, the direction of traffic, and the presence of 8.3 million other people. The matter would be looked into. The occasional arrest might even be made. Yet the bike Blitzkrieg rolls unchecked. A Hunter College study this week found 37% of bikers didn't stop at a red light and 13% were going the wrong way - and that's just during the few seconds it took for the bikers to pass stationary observers. What would the numbers be like if someone actually followed bikers around?

Cycle Messenger World Championships

Alleycats

Videos

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[TV/Movies](#)

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Messenger Bag Guide

Messenger Industry Handbook

Bikers fall into three categories:

* Messengers of Mayhem. These are young, aggressively fit men, often clad in futuristic outfits complete with face-obscuring visors that make them look like Boba Fett. They're professional bike messengers who primarily operate in Midtown during business hours. They won't stop or even slow down for red lights or for pedestrian-heavy intersections, so to warn you they're coming they've developed terrifying bird call-like whistles that make them the pterodactyls in the prehistoric fight for survival that is life in Manhattan. When you hear the whistle, though, you don't know if you're supposed to stop or keep going on a predictable trajectory. Cops watch them barrel through red lights while discussing the relative merits of French roast vs. house blend.

* Szechuan Psychos. Working for tips and of questionable immigration status, they serve in the mechanized infantry of General Tso's army. Rusted rides and dumpling physiques generally prevent these wonton warriors from building up much speed - but they prowl residential neighborhoods at night. You'll never see the one that gets you. Nor will you be able to sue him for all he's worth, unless you don't mind being paid in moo shu pork.

* Lance-a-Louts. You can tell by their high-performance bikes, their high-performance yellow-spandex racing jerseys, the high-performance dorkiness of their wee caps with precious little upturned visors: These weekenders think they're l'il Lance Armstrongs as they pedal furiously down your street on the way to the park.

And what is making the fast so furious? Here's a guess. The urologist Dr. Irwin Goldstein once said, "There are only two kinds of male cyclists - those who are impotent and those who will be impotent." Even bike seats designed to be friendly to man-parts were linked to impotence in a 2005 Journal of Sexual Science study. Guys, we know why you love your bikes. All those gleaming titanium shafts.

Question for the Bloomberg administration, which, in the interest of "going green," is encouraging the use of bikes: Are your cops, who squeezed out the squeegee men and once gave a guy in the Bronx a ticket for sitting on a milk crate, so mindful of the "broken windows theory" of cracking down on small offenses that they've forgotten about scofflaws who are actually dangerous? How about some renewed emphasis on the broken bones theory?

FOR THE RECORD

Greenwich Village Block Associations
20 Bank Street, New York, NY 10014

Bedford, Barrow &
Commerce

Bedford Downing

Bleecker Area Merchants &
Residents

Carmine Street

Central Village

Charlton Street

Christopher Street Block &
Merchants

Christopher Street East

East 8th/9th Street

East 10th Street

East 11th Street

East 12th/13th Street

Far West Bank Street

Far West 10th Street

Grove Street

Horatio Street

Jane Street

MacDougal Alley Assoc.

MacDougal Street North

Mercer Street

Minetta

Morton Street

Mulry Angle/W. 11th Street

Perry Street

St. Luke's Place

Upper West 13th Street

Washington Place

Waverly

Waverly-Bank 11 Neighbors

West Houston Street

West Eighth Street

West 9th Street

West 10th Street

West 12th Street

West 13th Street -100 Block

October 8, 2009

To Whom It May Concern:

The Greenwich Village Block Associations is a community wide coalition dedicated to preserving and improving the quality of life for residents of our historic neighborhood. We are deeply concerned about the danger posed by cyclists who disregard traffic regulations.

The current administration appears to be engaged in a policy of "build it and they will come" towards cyclists as part of an effort to decrease the number of cars that travel our city streets. This may be a good thing if coupled with consistent traffic enforcement on all street vehicles. This, however, is not presently the case. The evidence of our own eyes daily informs us that cyclists routinely ignore traffic regulations.

Indeed, the media seems complicit in this behavior. The current issue of *New York Magazine* encourages cyclists to use their own judgment as they go through red lights rationalizing this behavior because "we all jaywalk anyway."

Although Intro #624 is well intended, the result may be merely additional paperwork for employers with no appreciable improvement in the safety of our streets. If passed in its current form, it may actually serve to undermine the enforcement of previous laws. We believe that the emphasis should be on enforcement of existing law regarding moving violations. Cyclists are not unredeemable miscreants; they disobey traffic laws because they can.

Thank you.

Sincerely yours,

Marilyn Dorato
Executive Director

April 17, 2009

**CONSUMER & BUSINESS SERVICES/GAMING,
LODGING & LEISURE**

The Gaming and Lodging Daily Digest

SUMMARY

- Indiana Legislators Discuss Changes to Casino Licenses in Gary
- Baltimore Approves Proposed Casino Plan
- HOT Sues Hilton for Allegedly Stealing 100,000 Computer Files Related to Its W and Luxury Brands

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See "Important Disclosures and Certifications" section at the end of this report for important disclosures, including potential conflicts of interest.

See "Price Target Calculation" and "Key Risks to Price Target" sections at the end of this report, where applicable.

Introduction

FOR THE RECORD

Across the country the number of cyclists is rising markedly. In New York City, for example, between 2007 and 2008 (the most recent year for which data are available) the number of commuter cyclists jumped 35 percent (Chan, 2008). Several factors working in combination are contributing to this trend: the high price of gasoline, the health benefits associated with biking, a growing environmental consciousness, and the promotion of cycling on the part of municipalities as a way of both reducing pollution and alleviating traffic congestion.

With this upsurge in the number of those riding a bike, it is ever-more important for those who share the same city streets – motorists, pedestrians, and cyclists alike – to accommodate themselves to the presence of others. Motorists need to maintain a safe driving distance between themselves and cyclists, not open a door that would impede the passage of cyclists or park in designated bike lanes. For their part, pedestrians should not jaywalk or cross the street when the sign reads “Don’t Walk.” Cyclists, too, must obey the traffic laws: stopping at a red light, going in the same direction as traffic, and not riding on sidewalks.

Abundant research has been carried out on obedience to traffic laws by city drivers. Surprisingly, though, few systematic studies have been conducted on the behavior of urban cyclists. The scant attention that has been paid to cyclists has tended to focus exclusively on the use of helmets. Little, if any, inquiry has been directed at the extent to which cyclists adhere to traffic laws. Nor has any research (of which the authors of this study are aware) examined the degree to which cyclists use electronic devices (e.g., cell phones, Ipods, etc.) which might reduce their concentration.

The present study is aimed at filling this void. It has three primary objectives. The first objective is to gauge the use of helmets by cyclists in mid-Manhattan. According to a New York State law enacted in 1994, all riders under the age of 14 are required to wear a bicycle helmet. In addition, a City ordinance passed in 2007 mandates that bicycle delivery workers wear helmets (Rivera, 2007). The second objective of this study is to measure the adherence to a number of traffic laws by cyclists in the central business district of Manhattan. Specifically, these laws include: stopping at a red light, riding with traffic, and not riding on a sidewalk. For commercial cyclists, two additional laws are investigated: whether these cyclists properly identify their business name and whether they use both headlights and taillights after dusk.¹ The third objective of this study is to examine the use of electronic devices such as cell phones and music players by cyclists in the midtown area.

The geographic setting of this study is the mid-Manhattan area. This area was chosen as the site for this study for a number of reasons. First, according to survey results, 81 percent of cyclists who commute within the City have Manhattan as their destination (City of New York, 2007). Second, a major focus of this study is to examine the riding behavior of commercial cyclists. It is likely that both of these groups – commuter and commercial cyclists – have a large numerical representation in the central business area.

Methodology

The results of this study are based upon observations of 5,275 bicyclists at 45 different intersections in New York City. The intersections were randomly selected from all intersections spanning the area from 1st to 10th Avenues (east to west) and from 14th Street to 59th Street (south to north). This area constitutes a

broad swath of Manhattan and comprises a large portion of what can be thought of as the central business district.

All observations were carried out by Hunter College students currently enrolled in either two sections of an undergraduate Introduction to Research Methods course in the Department of Sociology or a graduate course entitled, “Urban Data Analysis” in the Department of Urban Affairs and Planning. Prior to carrying out the field work, the students were trained in observational research techniques.

Students were given strict methodological guidelines in carrying out their observations. Importantly, students had to choose cyclists they observed at a given location on a random basis without employing subjective criteria and they had to remain as inconspicuous as possible.

All students carried out observations at three distinct time periods – each period being exactly one and one-half hours in duration. For undergraduate students, the three time periods were staggered so as to fall within the following intervals: 1) a weekday between 9:00 am and 1:00 pm, 2) a weekday between 1:01 pm and 6:00 pm, and 3) a Saturday or Sunday between 9:00 am and 6:00 pm. For graduate students, the three periods consisted of two distinct weekdays and either a Saturday or Sunday with the hours ranging from 6:01 pm to 10:00 pm.^{2,3}

Students were instructed to record observations for *every* cyclist who passed them by within each distinct time period with a few exceptions. The exceptions were as follows: First, no more than one observation could be recorded by a student within the same minute of time.⁴ Second, for cyclists riding in parallel fashion, observations were to be carried out on the cyclist in closest physical proximity to the student. Third, no information was to be gathered on the same cyclist more than once. And fourth, no

information was to be gathered on any cyclist who had an “intimidating presence.”

The above methodology was designed so that intersections that had more cyclists traversing them would have greater representation in the sample. Thus, the study is based upon a self-weighted sample of observations.

With respect to biking behavior, students gathered data on the following variables: (1) use of a helmet, (2) stopping/pausing at a red light, (3) going in the same direction as traffic, (4) riding on the sidewalk, (4) using the designated bike lane (if applicable), and (5) using a cell phone or MP3 player while cycling. For commercial cyclists, information was also gathered on whether they had proper identification and whether they used headlights and taillights after dark.

In addition to these variables, students collected the following demographic information on each rider: (1) his/her sex, (2) whether the rider was under 14 years of age, and (3) for adult riders (14 years of age or older), whether they were commercial cyclists (e.g., messengers, food delivery workers) or non-commercial cyclists.

Finally, a number of contextual variables at both the street and the census-tract level were appended to each record. The street-level attributes included whether the street/avenue was one or two-way. Census data at the census-tract level consisted of the following: the percent white, the percent African-American, the percent Asian, the percent Hispanic, and the median household income.

All observations were carried out between April 2-28, 2009.

Findings

Overall Profile of Riders

One-half of the riders observed in this study were “general” (e.g., non-commercial) cyclists (49.8%), followed by “delivery riders” (44.4%). As might be expected, children under the age of 14 constituted only a minuscule segment of the riders in mid-Manhattan (0.5%). For a small portion of the cases (5.3%), commercial vs. non-commercial status could not be determined.

In the hours after dusk (after 7:30 pm), the proportion of commercial riders exceeded that of “general” riders with the former group now comprising about 57.3 percent of the riders and the latter group comprising 34.8 percent of the riders.

Also coinciding with expectations, a noticeable sex disparity in ridership was evident. **Fully ninety-one percent of the riders observed were male.** Not surprisingly, this demographic imbalance was even more pronounced among commercial cyclists of whom 99 percent were males.

Use of Helmets

Less than a third of the riders (29.8%) were observed wearing helmets. This figure varied considerably by type of rider. The usage rate for children under the age of 14 was 48 percent.⁵

Combining the sex of the cyclist with the type of cyclist (general vs. commercial) also produces a noticeable variability in usage rates.⁶ **Female general cyclists are far more likely to wear a helmet (50.8%) than either male general cyclists (32.2%) or**

male commercial cyclists (23.6%). Thus, there is both a sizable gender and type-of-rider gap in terms of helmet usage (See Table 1).

Stopping at Red Lights

More than one-third of cyclists (37%) did not stop at all at red lights. In addition, another 28.7 percent paused at a red light but then went through the light while it was still red.

As was the case with helmet use, both gender and type of rider exert an influence on the likelihood of going through a red light without stopping. Male commercial riders are the most likely to “run a red light” (40%), followed by male general riders (37.4%), and then female general riders (22.5%) (See Table 2).

Importantly, the tendency to “run a red light” without stopping is even more pronounced during the evening hours than during daylight hours (49.5% vs. 35.1%). This finding persists for the three major subgroups in this study: male commercial riders, male general riders, and female general riders.

Moreover, the data show that helmet usage is related to stopping fully at a red light. For both male general cyclists and female general cyclists, those who wear helmets are more likely to stop or pause at a red light.

Riding Against Traffic

Overall, 13.2 percent of cyclists were observed riding against traffic and an additional 4.1 percent were observed riding both with and against the flow of traffic.⁷ Conforming to the pattern described above with respect to helmet use and stopping at a red

light, male commercial cyclists showed the greatest tendency to ride against traffic (16.1%), followed by male general cyclists (10.8%), and then female general cyclists (7.7%) (See Table 3). The tendency to ride against traffic was also more evident in the evening hours.

Rides On Sidewalk

Only a small proportion of cyclists (3.7%) were observed riding on sidewalks. An additional 3.5 percent were observed riding on both the street and the sidewalk. No marked differences were recorded in the incidence of riding on the sidewalk by the three major subgroups of riders in this study.

Riding In The Designated Bike Lane

Among the cyclists observed at a street with a bike lane, 29.3 percent did not use the designated lane and an additional 4.5 percent used both the designated lane and another street lane. **Noteworthy is that 10 percent of the cyclists were not able to use the bike lane even if they were disposed to do so because it was obstructed.**

Use of the bike lane was correlated with type of rider. Among male commercial riders, 58.2 percent used the designated bike lane; among male general riders, the corresponding figure was 64.5 percent and among female general riders, the figure jumped to 69.9 percent (see Table 4). Cyclists also used the designated bike lane more during the daylight hours than in the evening hours (64.9% vs. 50.5%).

Displaying Business Name

Among commercial cyclists, only a minority (27.3%) displayed the name of a company on their apparel or on their bikes. In an additional 12 percent of the cases, a firm determination could not be made.⁸

Uses Headlights and Taillights During the Evening

Altogether, roughly three-quarters of the cyclists (73.7%) used neither a headlight or taillight during the evening hours. Among male commercial cyclists, the figure is even higher – 80.9 percent.⁹

Cycling with Distractions

While only a small segment of cyclists were observed holding a cell phone to their ear when riding their bikes (1.6%), 6.7 percent were observed using a hands-free electronic device (e.g., cell phone, music player, Bluetooth, etc.). Both male and female general riders were far more disposed towards riding with a hands-free electronic device (10% and 12.7%, respectively) than male commercial cyclists (3.2%) (see Table 5).

Conclusions

The findings that have emerged in this study raise serious concerns . First, the results show that less than a third of all cyclists observed in this study (29.8%) were wearing a helmet. Another disturbing finding is that the incidence of helmet usage among delivery cyclists – who are required by law to wear a helmet – was even lower – 23.6%.

Statistics for the country as a whole show that in 2006 there were 773 bicycle fatalities (98 of whom were children under the age of 14) and an additional 44,000 injuries sustained in traffic accidents (National Highway Traffic Safety Administration, 2008).

Noteworthy too are statistics from New York City showing that “nearly all bicyclists who died (97%) were not wearing a helmet” (Bicycle Helmet Safety Institute, 2008) and also that “helmet use among bicyclists with serious injuries was low (13%)” (*Ibid.*).

That the vast majority of cyclists in the mid-Manhattan area (where both vehicular and pedestrian traffic is one of the densest in the country) are not wearing helmets argues strongly that the existing helmet law should be more rigorously enforced. Furthermore, consideration might be given to extending this law to all cyclists. To the authors of this study, it makes little sense to require a 13 year old cyclist to wear a helmet but not a 14 year old cyclist or, for that matter, any adult.

This study has also demonstrated that a large number of cyclists routinely disobey many traffic laws. Among the cyclists observed, the proportions who ignored certain traffic laws were as follows: (1) 37 percent did not stop at a red light at all, (2) 13.2 percent rode against traffic, and (3) 29.3 percent did not use a designated bike lane. Importantly, the tendency to violate these laws was much greater in the evening hours. Even confining the analysis to males (who were more likely to be riding in the evening hours), this pattern is upheld.

Among commercial cyclists, only a minority (27.3%) showed proper identification on their apparel or bikes as is required by law. Based on this finding, one possible recommendation might be to have commercial cyclists display license plates. This might be more practical (and more enforceable) than wearing apparel with a business name or showing an ID card when requested to do so by the appropriate authorities.¹⁰ Also, having a license plate affixed

to a bike might serve as a greater inducement to comply with traffic laws.¹¹

This study also found that approximately three-quarters of all cyclists (and 80 percent of commercial cyclists) used neither a headlight nor a taillight during evening hours which is mandated by New York State law. Businesses which employ commercial cyclists need to actively promote the use of headlights and taillights after dark on the part of their workers and there should be more rigorous enforcement of the existing law for all cyclists by the appropriate authorities.

Finally, this study has revealed that a significant proportion of riders (8.3%) use electronic devices (e.g., cell phones, music players, etc.) while pedaling in the mid-town area. Among general riders, this figure was even higher. Though the dangers of driving a car while distracted have aroused considerable public interest and concern, little attention has been given to “distracted cyclists.” Yet, just like motorists, cyclists, especially in an urban environment, need to be fully focused on the task of riding a bike safely. Only when both motorists and cyclists conscientiously follow the rules of the road and devote their full attention to the road will fatalities and injuries be significantly reduced.

Notes

1. City regulations require that a commercial cyclist “wear upper body apparel with business’ name and operator’s number on the back” (New York City Department of Transportation). The rules for a commercial cyclist also stipulate that “White headlight and red taillight must be used from dusk to dawn” (*ibid.*)
2. Because of their particular study and work schedules, a few students were not able to adhere to this regimen and, therefore, they conducted their observations at hours that did not coincide with the prescribed schedule of times. All told, 160 observations by undergraduate students were carried out after 6:00 pm and 443 of the observations by graduate students were carried out before 6:00 pm.
3. We could have randomized the times as well as the locations at which the observational data were gathered. Given the study and work schedules of the students, it would have been difficult to implement this strategy. We, therefore, imposed the specific time intervals for data-gathering as discussed above.
4. To comply with this guideline, students were told to record observations for every *first* cyclist who passed them by after the beginning of a “new” minute on their watches.
5. This figure has to be treated with considerable caution as there were only 25 cases in the entire sample of children under the age of 14.
6. As the number of female commercial cyclists was so small, we created a three-group typology: (1) general cyclists who

were male, (2) general cyclists who were female, and (3) male commercial cyclists.

7. Some cyclists were riding with the flow of traffic on one street and against the flow on the intersecting street during the time they were observed.
8. In the evening hours it was particularly difficult to record whether a commercial cyclist was showing proper identification.
9. For male commercial cyclists, the distribution on this variable was as follows: using both headlight and taillight (5.3%), using a headlight but not a taillight (6.2%), using a taillight but not a headlight (6.2%), using neither lighting fixtures (80.9%), and indeterminate status (1.4%).
10. A city ordinance stipulates that a commercial cyclist “must carry and produce on demand a numbered ID card with operator’s photo, name, home address and business’ name, address and phone number” (New York City Department of Transportation).
11. The suggestion to have cyclists display license plates was made to the authors by Ms. Bunny Abraham of New York City.

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Table 1. Helmet Use by Type of Cyclist

	Type of Cyclist			Total
	Male commercial	Male general	Female general	
Helmet use yes	23.6%	32.2%	50.8%	29.9%
no	76.4%	67.8%	49.2%	70.1%
Total	100.0%	100.0%	100.0%	100.0%

Table 2. Stops at Red Light by Type of Cyclist

	Type of Cyclist			Total
	Male commercial	Male general	Female general	
Stops at red light yes	24.2%	22.6%	34.8%	24.5%
pauses at red light	25.0%	32.2%	35.3%	29.1%
does not stop at red light at all	40.0%	37.4%	22.5%	37.3%
not sure	10.8%	7.8%	7.5%	9.2%
Total	100.0%	100.0%	100.0%	100.0%

Table 3. Rides Against Traffic by Type of Cyclist

		Type of Cyclist			Total
		Male commercial	Male general	Female general	
Rides with traffic	rides with traffic	78.3%	85.6%	89.8%	82.5%
	rides against traffic	16.0%	10.8%	7.7%	13.0%
	both	5.5%	3.5%	2.5%	4.3%
	not sure	.2%	.1%		.1%
Total		100.0%	100.0%	100.0%	100.0%

Table 4. Use of Designated Bike Lane by Type of Cyclist *

		Type of Cyclist			Total
		Male commercial	Male general	Female general	
Rides on bike lane	yes	58.2%	64.5%	69.9%	62.5%
	no	36.4%	29.9%	26.0%	32.1%
	both	4.8%	4.9%	2.4%	4.6%
	not sure	.7%	.8%	1.6%	.8%
Total		100.0%	100.0%	100.0%	100.0%

*Based on observations in which the bike lane was not obstructed

Table 5. Use of Electronic Devices by Type of Cyclist

		Type of Cyclist			Total
		male commercial	male general	female general	
Rider's use of electronic devices	hand-held cell phone	1.5%	2.3%	1.1%	1.8%
	hands-free electronic device	3.2%	10.0%	12.7%	7.1%
	other	.3%	.4%		.3%
	not sure	4.0%	3.5%	3.1%	3.7%
	no device	91.0%	83.9%	83.1%	87.1%
Total		100.0%	100.0%	100.0%	100.0%

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CIVIC CENTER RESIDENTS COALITION NYC

THE CIVIC CENTER RESIDENTS COALITION WAS FORMED SHORTLY AFTER THE ATTACKS ON THE WORLD TRADE CENTER IN 2001 TO ADDRESS STREET SHUTDOWNS INCLUDING PARK ROW, REROUTING OF MTA BUS ROUTES AND RAMPANT GOVERNMENT PERMIT PLACARD ABUSE. C.C.R.C. IS COMPRISED OF RESIDENTIAL COMPLEXES CHATHAM GREEN, CHATHAM TOWERS, SOUTHBRIDGE TOWERS AND CHINATOWN AREA LOCAL BUSINESSES AND RESIDENTS.

CONGRATULATIONS JOHN LIU



FOR THE RECORD

Civic Center Residents Coalition Congratulates John Liu

SATURDAY, SEPTEMBER 19, 2009

Coalition Against Rogue Riding gains momentum throughout the City

CCRC SUGGESTED WEBSITES

- recommended New York City Walking Tours
- Lost City New York
- East Village history Project
- Government accountability
- See Through NY - fiscal transparency website
- Community Board 3
- Commuter Outrage
- Curbed
- New York City

the March quarter was an anomaly with respect to units or ASPs. Moskowitz.

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LLTC - Linear Technology: Linear Refusing to Take Inventory Medicine, More Downside to Margins Likely, Reiterate Neutral; Adjusting Ests. We are lowering our F09 revenue estimate from \$969.5 million to \$965.5 million but raising our EPS estimate from \$1.14 to \$1.24 due to higher margins and maintaining our F10 revenue estimate of \$840.0 million but raising our EPS estimate from \$0.80 to \$0.83 due to higher margins. We are lowering our F11 revenue and EPS estimates from \$890.0 million and \$0.98 to \$885.0 million and \$0.97. Consensus C10 EPS is \$1.12, 25% above our estimate. Maintaining Price Target of \$14.00 which is 15.5X our C10E EPS estimate, a 30% premium to the S&P. Due to the downside risk to estimates we reiterate our Neutral rating on the stock. Danelly.
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282487-0>

ADTN - ADTRAN, Inc: Q1 Wrap: The Very Definition of an In-Line Quarter, Not That There Is Anything Wrong with That; Q1 results were almost exactly in line with our estimates. Broadband Access and HDSL revenues were solid due to fairly healthy Tier 1 carrier spending offset by weak Optical and Internetworking/ NetVanta results which suffered from low spending by Tier 2/3 carriers and SMBs, respectively. ADTN gave what we view as very respectable mid- to high-single-digit Q2'09 revenue growth guidance, and we are not changing our modestly above-guidance 10% q/q growth forecast given ADTN experienced ramping orders exiting Q1. Hence, we believe the earnings outlook appears stable despite overall bleak wireline capex trends and are raising our price target to \$19.50, 15x our unchanged FY'09 EPS of \$1.30. Longer term, we remain concerned that HDSL, still 39% of revs, returns to its regularly scheduled secular decline, offsetting the high growth products regardless of macro. Remain Neutral. Ehud A. Gelblum, PhD
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282525-0>

MVSN - Macrovision Solutions Corp.: Makes Small, Strategic, Accretive Acquisition; PT raised to \$21; reit OW; Macrovision is acquiring Muze, a provider of media metadata for \$16.5M. Acquisition is small, accretive, and continues to bolster its media metadata and infrastructure solutions portfolio that it built through acquiring AMG and Gemstar. Deal is expected to be accretive to 2009, and \$0.10 accretive to 2010. Based on current valuation and estimated accretion, we could see stock trade up ~\$1 on the deal. S Auty.
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282496-0>

Industrial Electronics: Renesas Technology and NEC Electronics Working Out Final Details of Business Integration; NEC Electronics and Renesas Technology to integrate: The Nikkei reported on April 16 that Renesas Technology and NEC Electronics are in final negotiations to integrate their businesses. Neither company nor Renesas' parents Hitachi (55% stake) and Mitsubishi Electric (45%) and NEC Electronics' parent NEC (65%) have yet to confirm the report, but if true, the combined operations would have annual sales of more than ¥1.2 trillion, making it the largest semiconductor manufacturer in Japan and third largest worldwide. A positive if true: If the report is based on fact, we think it could be a positive in several respects: (1) by reducing the number of non-memory semiconductor makers in Japan, it should ease the excess competition resulting from too many companies in the field; (2) the two companies' combined share of the global microcontroller market would exceed 30%, dwarfing the next-closest competitors Freescale Semiconductor (11% global market share) and Infineon (7%) and becoming the world's top manufacturer; and (3) NEC, Hitachi, and Mitsubishi Electric may reduce their stakes, enabling them to better pursue select and concentrate strategies. The merger of the two companies comes as a surprise to us, as their microcontroller businesses have been fierce competitors. Yoshiharu Izumi
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282577-0>



This op ed appeared in this week's Villager newspaper, gaining the attention of Transportation commish J. Sadik Kahn.

Talking Point

It's time to put the brakes on rogue bicycle riding

By Jack Brown

Residents are increasingly concerned about the epidemic of scofflaw cycling plaguing the city's streets and sidewalks. The prevailing anarchy creates an ongoing sense of jeopardy for many that deprives us of peace of mind and jacks up the stress level in an already high-stress environment.

The Coalition Against Rogue Riding (CARR) was formed by a number of neighborhood organizations — including the Greenwich Village Block Associations and Soho Alliance — to focus on calming the streets and sidewalks through better traffic management. CARR advocates an increase of an evenhanded enforcement of the vehicular laws.

In May the results a rigorous study conducted in April by the departments of sociology and urban affairs of Hunter College was issued. "Biking Behavior in Midtown" observed 5,275 cyclists at 45 intersections between 14th St. and 59th Sts. and First and Tenth Aves. It was found that nearly 38 percent of observed cyclists did not stop at red lights. Nearly a third did not use a designated bike lane.

Save The Lower East Side
The SoHo Alliance

BLOG ARCHIVE

- ▼ 2009 (97)
 - ▶ October 2009 (1)
 - ▼ September 2009 (8)
 - "Let Them Eat Dim Sum!!"
Mayor Tries to buy votes...
From City Hall
News "Chinatown pushes
back against..."
 - Daily News on Thompson's
visit to Chinatown - Bike...
 - Sino Vision T.V. - eight years
after 9/11 - China...
 - Coalition Against Rogue
Riding gains momentum
thro...
 - NY1 Covers Thompson's new
TV Ads and Chinatown vis...
 - Mayoral Candidate Bill
Thompson comes to
Chinatown...
 - Senator Squadron on Retail
Diversity in our distri...
- ▶ August 2009 (6)
- ▶ July 2009 (10)
- ▶ June 2009 (21)
- ▶ May 2009 (12)
- ▶ April 2009 (4)
- ▶ March 2009 (6)
- ▶ February 2009 (16)
- ▶ January 2009 (13)
- ▶ 2008 (49)

NCTY - The9 Limited: NetEase to take WoW license from The9 - Earnings upside to NetEase. If we use our existing WoW revenue forecast (as if it were operated under The9), and use a 15% net margin assumption, upside to EPS would be US\$0.16/US\$0.32 for FY09/10E. If we use 20% net margin assumption, upside to EPS would be US\$0.21/US\$0.42 for FY09/10E. Assuming FY10E earnings of 10-15x for WoW-related earnings, WoW license could add ~US\$3-US\$6 to our Dec-09 PT of US\$25, which implies 11.8x FY09E and 10.4x FY10E GAAP P/E is based on 1x PEG. Risks to our PT: delays in game launches, acceptance of new games, macro impact on online ad and game revenues. We would review our NetEase forecast with the impact from additional capex (US\$70M cost to NCTY), potentially higher revenue sharing ratio, minimum guarantees, etc. Shanda is our top pick in the online game sector. We believe with: (i) delays in Wrath of the Lich King launch, and (ii) The9 unlikely to launch new contents for WoW, Shanda's Aion (a 3-D game, targeting top-tier city users) would benefit, at least temporarily, if not permanently, as we would expect WoW users to try out Aion. We maintain our view that Shanda's Aion would benefit from this transition. Dick Wei.
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282625-0>

Carphone Warehouse: Cashflow in focus ahead of analyst day: CPW will report its 4Q trading update/analyst day on Weds 22 April. Overall we do not expect any step changes in operational performance despite macro fears, with a continued focus on cashflow for FY10. Slowing broadband should be compensated by recent price rises, and evolving commission structures should enable continued market share gains in a declining handset market. SIM-only and declining handset sales gives 1.2% 4Q09E connection growth broadly inline with consensus. (Analyst: Maurice Patrick)
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282603-0>

ASML - ASML: Dominant immersion share leads to order improvement - With ASML's indication, it is likely that semi equipment vendors will indicate revenue upside of high single digit to low double digit QoQ for 2Q09. However indications are that foundry orders are picking up far faster and thus an inventory build is likely. We reduce 09 EPS loss from €0.73 to €0.53. We also raise '10 EPS by 20% to €0.30. We would take profits on all semi names post the results. ASML's market share gains and strong balance sheet means we remain OW on a relative basis. We maintain our Overweight rating and €18 target equivalent to ~5x book value (traded in past mid-cycle).
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282432-0>

Health Care

US Pharma 1Q09 EPS Preview: M&A, Healthcare Reform Upstage 1Q Results - Given the recent large-scale M&A transactions and healthcare reform facing the US Major Pharma group, we expect 1Q/09 results to take a back seat to these larger issues. Against the backdrop of an overall market rally, we have seen the group unsurprisingly lagging (-2% in last month vs. +13% S&P500). Nonetheless, we are maintaining our longer-term positive stance on the US Major Pharma group as we see the benefits of consolidation more than offsetting HC reform headlines. Although healthcare reform headlines may persist in the near term (and the group may lag in broad market rallies), we believe that current valuations coupled with aggressive moves to shift the overall pharma business model position the group for longer-term upside. Schott.
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282526-0>

US Pharmaceuticals: Generics 1Q Preview: Insurance Against Healthcare Reform; Generics 1Q EPS: We remain buyers. Despite strong performance year-to-date, we continue to view the generics as the best positioned sub-sector in our coverage universe, with the potential for NT EPS upside and with minimal economic or political risk. We will be closely watching 1Q/09 results for upside to base US generic pricing trends following manufacturing challenges for several competitors in the space, an

More than 17 percent were either riding the wrong way, or at various times both with and against traffic.

This hard data gives a representative portrait of what causes the sense of anarchy. However, it does not portray the multitude of hits and nears misses that have gone unreported over the years and that activate the adrenalin of the fight-or-flight mechanism and challenge peace of mind. It does not indicate the deaths. Professor Peter Tuckel is the principle investigator. To locate the study, go to the blog site "Commuter Outrage" and find "Academic Study," where a direct link can be found.

On June 18, after addressing the Village Alliance (Eighth St.) business improvement district, featured speaker Janette Sadik-Khan, commissioner of the Department of Transportation, was given a copy of the study. Despite a D.O.T. representative's assurance that the department would have a response to the study by the next day, none was forthcoming. Previously, in a phone message, an agency representative said that "enforcement" was the responsibility of the Police Department.

On July 19, the New York Daily News ran a piece about the death of Stuart Gruskin. Gruskin was a well-liked senior V.P. of Valuation Research. He grew up in New York and was a graduate of N.Y.U. Stern School of Business. On April 28 he was knocked down by a delivery rider cycling the wrong way on W. 43rd St. Three days later he died in Weill Cornell Hospital of head trauma. The bike had no brakes. The rider wore no helmet. The bike was without horn or bell. Rogue rider Alfredo Geraldo was hit with three violations. No criminal charges were filed. Geraldo has disappeared.

A \$20 million lawsuit has been filed against the Call Cuisine Catering Company. Gruskin's widow says that businesses that offer incentives for rush delivery bear a big responsibility. She says that the lawsuit is filed to draw attention to the need for regulation, responsibility and bicycle safety. The Gruskin family is also establishing a foundation to address this problem. Ironically, the suit was filed on July 8. This was the day that Commissioner Sadik-Khan declared that New York was the "bike capital of the world" after completing 200 miles of bike lanes.

The traffic safety department of the Manhattan South police

L A B E L S

- Chatham Square reconfiguration construction (14)
- Bloomberg (11)
- Chatham square reconstruction DOT cb3 (5)
- Chinatown (5)
- sadik kahn (5)
- Squadron (4)
- Stringer (4)
- Thompson (4)
- campaign (4)
- delay (4)
- AAFE (3)
- BID (3)
- Bill Thompson (3)
- Brooklyn (3)
- CCBA (3)
- DOT (3)
- Justin Yu (3)
- LMDC (3)
- NYC Parks Dept. columbus Park (3)
- Park Row (3)
- Traffic engineer (3)
- Transportation Alternatives (3)
- chatham Square (3)
- government (3)
- john liu (3)
- sidewalk (3)
- tribeca tribune (3)
- Borough President (2)
- Brian Ketchum (2)
- Broadway (2)
- CB1 (2)
- CPLDC (2)
- City Council (2)
- City hall steps (2)

ongoing slowdown in non-first to market ANDA approval times, and industry consolidation, all of which should on balance benefit names such as TEVA, MYL, and WPI. We continue to rate Teva and Mylan Overweight, though note that Neutral-rated Watson could also benefit from these industry dynamics heading into 1Q/09 EPS results. Schott.

<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282502-0>

European Pharmaceuticals: Large-Cap 1Q Previews: Valuations appealing but Healthcare still source of cash for sector rotation; with few positive Q1 surprises likely, we fear even minor negative news an excuse to sell (Alexandra Hauber) - Among large caps, we see only AZN with scope for +ve earn. surprise, & Novartis as having greatest risk for signif. cons downward revisions; but this cld be in price. FX mostly stabilized, we expect modest (1-3%) EPS FX downgrades. JPMe Novartis to be most affected by Eastern European ccy (not yet reflected in Feb guidance) with 4% d/side to EPS. Signif. newsflow may be more import. than 1Q earn., with h/line nos for C-08 for Avastin prob. late Apr (Roche), PDUFA's for Saxagliptin (AZN) & Multaq (SASY) both late Apr, & FTY 720 data & compet cladribine at AAN on 04/29 (Novartis). Roche (OW), SASY (N) best performers 1Q (-7%/-8% vs -17% large caps overall): Roche on the Genentech acqn/SASY on hopes of change from new outside CEO. Both likely to continue to o/perf near-term, particularly if sector rotation continues. http://pull.jpmorgan-research.com/cgi-bin/pull/DocPull/1528-5BA4/47653732/EMEAFTM0416_Final.pdf

Roche: 1Q'09 Sales - In Line - Solid, in-line performance supported by a positive pipeline update should result in a positive share price reaction today. Sales bang in line with consensus for group (+8% in LC) and divisions (Pharma +8% in LC and Diagnostics +8% in LC). Pharma sales benefited from government Tamiflu orders but 1Q'09 shipment was smaller than we had expected (SFr200 vs JPMe SFr450m), implying additional government sales of SFr250m in 2Q'09. Diagnostics sales were solid, ahead of market growth, with a respectable performance from Diabetes (+4%) - ahead of competitors that reported this week. No change in the guidance, but guidance update at 2Q'09 results confirmed. A Hauber. <https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282593-0>

MDRX - Allscripts-Misys Healthcare Solutions: Takeaways from Meetings with Management - We hosted meetings with Allscripts' CFO, Bill Davis, in San Francisco yesterday. Discussions in the meetings focused primarily on opportunities around the Stimulus and the integration with Misys. We highlight our key takeaways below. Market activity has improved slightly following the lull experienced in Jan- Feb 09 as a result of customers' "wait and see" approach around the stimulus bill. The company was pleasantly surprised by customer interest and new sales leads generated at the HIMSS conference last week. The current level of activity is similar to what was observed in late 2008, and the company believes the bulk of new deals generated by stimulus-driven activity will occur in the late 09/early 10 timeframe. The company has made measurable progress with Touchworks v.11, with about 1/3 of the v.10 customer base converted to v.11. Implementation times in some cases are trending below the 1,800 hours they had shot up to originally (compared to 1200 hrs for v10), which should be beneficial from a cost of deployment standpoint going forward. Atif Rahim
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282509-0>

Financials

AXP - American Express: Charge-off % Throws a Head Fake, Cutting Ests. on Lower Billed Business Outlook - Retierate UW; We are lowering estimates on AXP following monthly trust data as we expect the 9.5% decline in managed cardmember lending balances is indicative of substantially lower billed business volumes during 1Q. We expect a return to higher billed business levels will take

command, which encompasses the area of the study, was informed of the findings. A plan was developed with Manhattan South precinct chiefs for a “sustained step-up in an evenhanded enforcement” of the vehicular laws. After two weeks, there were no measurable results.

Chief James Tuller was recently promoted from Manhattan South to head Transportation at One Police Plaza headquarters. CARR provided a copy of the Hunter College study. A request was communicated to Chief Tuller that he take the Gruskin tragedy into account and declare rogue riding a “quality of life” issue and “refocus” enforcement of the vehicular laws throughout the five boroughs. The response from Chief Tuller’s office was a suggestion that CARR work through Manhattan South.

The offices of state Senator Liz Krueger, Assemblymember Brian Kavanagh and Councilmember Jessica Lappin responded to CARR’s request for action. Kavanagh and Krueger undertook the revision of S7851, which had been introduced in 2002 by Krueger. The Vicarious Liability Bill makes a business owner financially responsible for the actions of a delivery agent. Councilmember Lappin is the chief sponsor of Intro No. 624, a similar bill that has been in limbo in the Transportation Committee, headed by Councilmember John Liu. Liu and Speaker Christine Quinn are responsible for bringing it to the floor for a hearing. If a version of this bill had been law and enforced, the tragic death of Stuart Gruskin might have been avoided.

There are places, such as Denmark and Berlin, where cycling is a well-established, lawful way of life. Transportation Alternatives — the pedestrian and bicycle advocacy organization that has promoted bike lanes, bike racks, indoor parking and other amenities — says it wants to double the number of commuter cyclists, currently 185,000, according to T.A., in the next two years. D.O.T.’s focus is on the establishment of bike lanes, which are causing controversy, and encouraging people to lounge in lawn chairs in Times Square. The neglect of enforcement toward a standard of traffic safety seriously calls the priorities of this administration into question.

The elderly are virtually housebound. Parents of young children are deeply concerned for their safety. Animal companions are in peril. The atmosphere of the sidewalks and streets resembles the Coney Island boardwalk carnival live-target paintball game “Shoot The

- Habib (2)
- Lin Sing (2)
- MTA (2)
- Manhattan Bridge (2)
- Margaret Chin (2)
- Mayor (2)
- Sheldon Silver (2)
- Thomas Yu (2)
- alan gerson (2)
- business (2)
- candidate (2)
- flatbush (2)
- green (2)
- homeland security (2)
- meeting (2)
- mulberry (2)
- norman siegel (2)
- pedestrian safety (2)
- placard (2)
- redesign (2)
- resolution (2)
- van (2)
- wedding mill (2)
- zip car (2)
- 501 3c (1)
- Accidents (1)
- Arthur Gregory (1)
- Atlantic yards (1)
- Bill Clinton (1)
- Brian Lehrer (1)
- Bridge (1)
- Brooklyn Bridge (1)
- Buying Votes (1)
- CARR (1)
- CCRC (1)
- CURBED (1)
- Canal Street (1)
- Chatham square reconstruction (1)

an extended period of time as the consumer faces a deep retrenchment amid lower business T&E spending. Although managed charge-offs increased just 20bps MoM to 8.8% in March, the fact that the company sold previously charged-off loans and recorded the recovery in this month's metric makes that number significantly less meaningful. Regardless, we expect a significant revision of management's previous 8.5% peak unemployment forecast will likely lead to significantly higher provisions starting in 1Q09. Andrew Wessel

<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282480-0>

J.P. Morgan Life Insurance: Market Recovery a Plus, but Fundamentals Still Poor; Our outlook for the life insurance sector remains cautious. We foresee considerable upside potential over time if the improvement in the credit and equity markets sustains, but expect stocks to pull back following 1Q09 results. In our view, RGA and AIZ (both Overweight) offer the best risk/reward going into earnings. We see the most downside risk in PFG (Underweight) and PL (Neutral) given poor operating trends and their high exposure to commercial real estate. We expect 1Q09 results to be marked by poor earnings, weak sales and flows, and high investment losses. Earnings should be pressured by the equity market decline (S&P 500 down 11.7% in 1Q09), low variable investment income, and high VA hedging costs. Also, insurers are likely to report higher DAC costs, but we do not expect significant charges given the market rebound in March. Besides poor earnings, we anticipate sales and flows across most products to be weak due to the unfavorable macro environment, series of ratings downgrades, and capital constraints. Jimmy S. Bhullar, CFA

<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282494-0>

NYX - NYSE Euronext: Lowering Estimates, New Pricing Policy in the US and Interest Rate Derivative RPC in Europe Hurt EPS; We lower estimates to reflect the increased liquidity rebates following the new U.S. equities pricing plan implemented on March 1st, and the fall in estimated RPC in Liffe interest rate derivatives products. We remain on the sidelines with a Neutral rating and see deleveraging hurting futures volume growth, competition hurting market share in the US and European cash equities, as well as NYX working through the dilutive effects of ongoing initiatives in 2009. Maintain Neutral rating. We lower our 2009 estimate to \$1.73 from \$1.85 and 2010 estimate to \$2.26 from \$2.33 to reflect lower trading volume due to deleveraging, rate degradation in cash markets due to competition, and increased spending on new initiatives. Kenneth B. Worthington, CFA

<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282475-0>

CEEMEA Financials - Despite the likelihood of further downgrades to consensus EPS ('09-10 still 30% above our estimates), given signs of much lower global systemic risk, investors will likely start to focus on the long-term attractiveness of Turkish financials, which we (almost solely) expect to not only emerge from the crisis with stronger balance sheets but also with most of their existing capital structure intact. Shareholders should benefit from a recovery supported by the lowest interest rates in the recent memory (10%-11%) with normalized ROEs likely to remain in the 20s. Key changes in this report: Bank Asya is now our top pick with our upgrade to OW (N); we add stock to our Analyst Focus List. Also, we move YKB up to OW (N) but lower Akbank to UW (N). http://pull.jpmorgan-research.com/cgi-bin/pull/DocPull/1528-5BA4/47653732/EMEAFTM0416_Final.pdf

Zurich Financial Services: Bloomberg reports in detail that Zurich may be about to buy 21st Century from AIG for up to \$2bn mainly in cash; We believe this potentially represents deal risk. Assuming Zurich replicates the deal structure of Bristol & West, half would be paid by Farmers, Zurich's off balance sheet unit, half by Zurich. The half paid by Farmers would be equivalent to 1X book for what is effectively regulated insurance assets. The half paid by Zurich would be goodwill for the fee generation – Zurich charges around 6% gross fees, around 4% net of tax. We believe that Zurich will seek to rebuild the shortfall over 24 months. Assuming the deal absorbs \$0.9bn, then the shortfall rises to \$1.9bn. But Zurich has said that over the next 12 months it would seek to derisk, reducing required

Freak” — and we, the people, are the freak. It is a version of homegrown terrorism.

In a recent paper, “A Mayoral Directive,” Transportation Alternatives calls for the establishment of an “Office of Traffic Safety” by December 2010. Given the ongoing crisis, such an office would be appropriate. However, CARR recommends, in the near term, that the “moving violations unit” be restarted. This would not require legislation. The resulting enforcement would require will, commitment and common decency.

Brown is a founder of Coalition Against Rogue Riding and a former owner of The Hi Ho Cyclery bike shop, at 165 Avenue A.

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- Chiu (1)
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- D.O.T. (1)
- D.O.T. Bloomberg (1)
- DEP (1)
- DUMBO (1)
- David Hu (1)
- Dump bloomberg (1)
- EIS (1)
- Eddie Chiu (1)
- Empire center (1)
- Frank Modica (1)
- Fulton (1)
- Greenwich village (1)
- Gruskin (1)
- Harlem (1)
- IRS (1)
- John Fratta (1)
- Las Vegas (1)
- Link (1)
- Luis Sanchez (1)
- Marly (1)
- Millionaires tax (1)
- NY (1)
- NY Post (1)
- Nobel (1)
- Omissions (1)
- Opposed (1)
- PJ Kim (1)
- Pauline Yu (1)
- Pedestrian saftey study (1)
- Protest (1)
- Red hook (1)
- Reject (1)
- Rob hollander (1)

capital by \$1bn by measures including less investment exposure and we believe some run off reductions. Also Zurich we estimate factors in growth of required capital of \$1.5bn due to funding of organic growth, which we estimate would be just \$0.5bn due to the low economic growth environment. So Zurich's capital would be +\$0.1bn after all these measures (\$1bn reported shortfall now plus \$0.9bn from potential deal less \$1bn derisking less \$1bn for lower growth). We believe this leaves some funding risk for the group as we believe it will seek to rebuild its capital buffer. M Huttner.
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282589-0>

Bank mastertrust review from JPMorgan's C Flanagan - Credit Card ABS performance continued to deteriorate as expected for the March period. Charge-offs on our Bankcard Index rose to 8.82% from 8.40% in February, in line with the increase in unemployment rate to 8.5% from 8.1%. Capital One saw a big 107bp jump in net losses to 7.96% that was partially attributed to day count.
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=MMRC-502504-1>

MSW reported 1Q FFO of \$0.11, which was \$0.02 below the \$0.13 estimated by both us and the Street. The reported results included \$0.03 of unrealized losses on marketable securities (likely from its investment in other REITs as discussed on last quarter's conference call). Adding back the loss (this wasn't in people's numbers), comparable FFO of \$0.14 actually beat estimates by \$0.01. The apples-to-apples beat relative to our estimate was driven by lower property operating expenses (\$0.02) offset by less dividend/interest income (\$0.01). Anthony Paolone, CFA
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282490-0>

Basic Industry/Materials/Transports/Energy

Electrical Equipment & Multi Industry – F1Q earnings preview - Our cautious fundamental view is unchanged, and we still believe that 2010 will be worse than 2009, a dynamic that we expect to get a better read on from 1Q reports. When all is said and done, we see reduced guidance leading to lower Street estimates and lower stock prices. Bottom line, we think we have not seen the capitulation to get more constructive on selective names, and we are less eager to jump following the most recent run. We see the biggest potential misses (1Q or guidance) at DHR, DOV, GE Industrial, ROK and HON.
Stephen Tusa

<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282527-0>

GE – F1Q earnings preview - Our estimate for Friday's 1Q result is \$0.20, versus a Street consensus of \$0.21 which has moved down \$0.10 since January. We remain Neutral, as our estimates of \$0.85 in 2009 and \$0.70 in 2010, both with a downside bias, do not support upside from current levels. Stephen Tusa
<https://mm.jpmorgan.com/servlet/UserDocsHelperServlet?action=openpdf&docId=GPS-282473-0>

Homebuilders - April NAHB Survey Rises Solidly, But Likely Temporary, in Our View; Maintain Neg. Sector Stance - While the April NAHB Housing Market Index rose solidly, up 5 points to 14, above the Street consensus of 10, we believe this rise will likely prove temporary, as we continue to believe demand trends should remain weak well into 2009, driven by rising unemployment, weak consumer confidence, tight credit conditions and rising foreclosure trends, which should continue to rise solidly through 2009 given many lenders and servicers recent lift of foreclosure moratoriums. Moreover, while the Future Sales component rose strongly, up 10 points, we believe this was more driven by the recent seasonal improvement some builders have seen, rather than a fundamental improvement in market conditions. Michael Rehaut

City Council Hearing re: Intro 1063, Thursday, October 8, 2009

My name is Jeanie Chin. I am a board member of Chatham Towers, a 239 family co-operative on Park Row at Chatham Square and a member of the Civic Center Residents Coalition formed after 9/11 to deal with street shutdowns. As a stakeholder in the community, I was also a member of Community Board #3's Chatham Square Transportation Task Force and a Public Member of CB#3's Community Outreach Task Force on Transportation.

I wish to reconfirm the experience as stated in the excellent testimony of Anna Goldstein, Jan Lee and others by adding that the DOT deliberately and unnecessarily fostered a hostile atmosphere in the Chinatown community. They met separately with different community organizations and groups - yet there was no public forum where we could see the completed design and hear each others concerns until the December 2 Public Meeting when we were told the Chatham Square Reconstruction Plans were FINAL. The attempt to "divide and conquer" the community failed.

Instead this tyrannical behavior fostered a similar outcry at CB#1's Seaport/Civic Center Committee which initially refused to even allow the DOT to present its plan. John Fratta, the chairperson of the committee stated, "We don't need a presentation. We're sick and tired of the D.O.T. ramming plans down our throat and the hell with the community."

The Chatham Square Reconstruction is only a microcosm of what is occurring throughout this city whether at Chatham Square, Grand Street Bike Lanes or Times Square, the DOT is imposing the vision of Commissioner Sadik Khan and group of supporters -- disregarding the legitimate community concerns of the rest of the city.

Do we want more open space, trees, efficient transportation routes and clean air. Yes and that is what we have been fighting for in our community (filing a lawsuit so the city would return a neighborhood park taken over and turned into an NYPD parking lot next to Chatham Square). If the commissioner's ideas are so great then why is she afraid to present them except under the shroud of secrecy? Under Sadik Khan's leadership, the Department of Transportation has been turned into the Department of Tyranny. This is no way to run an agency that severely impacts our local economy, speediness of emergency service access and quality of life.

Please council members, today we ask you to pass the desperately needed Intro #1063 to restore sanity and the people's ability to have a say about our own streets.

Thank you.

Jeanie Chin

180 Park Row, New York, NY 10038;

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 901-A Res. No. _____

in favor in opposition

Date: 10-08-09

(PLEASE PRINT)

Name: Chris Ficalora, Zipcar

Address: _____

I represent: Zipcar

Address: 1265 Broadway, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1063

(PLEASE PRINT)

Name: Glow Solution

Address: 16 ARCADIA

I represent: Parking ticket com

Address: 16 ARCADIA

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 947 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ROBERT HOLDEN

Address: 74-19 CALOVEN AVE

I represent: JUNIPER PARK CIVIC ASSOC.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 947 Res. No. _____

in favor in opposition

Date: Oct 8, 2009

(PLEASE PRINT)

Name: BRENDAN OGLE

Address: 83-43 62nd Ave Mdl 1/g

I represent: SELF

Address: SAME

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Bette Deering

Address: 33 E 2nd 100

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: 10/8/09

(PLEASE PRINT)

Name: Jennifer Krivsky

Address: 211 E 43rd St, Suite 401

I represent: Senator Liz Krueger

Address: "

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 6024 Res. No. _____

in favor in opposition

Date: 10/6/09

(PLEASE PRINT)

Name: Hon. Amanda Brodsky

Address: 220 Broadway Twin Oaks Terr

I represent: N.Y. Planned Parenthood

Address: 32 Rte. 1 Street, NJ 07090

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: Oct 8, 2009

(PLEASE PRINT)

Name: Jack Brown

Address: 335 E. 6th St.

I represent: Coalition Against Rogue Riding

Address: 5 Ave

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: October 8/09

(PLEASE PRINT)

Name: Sally Bolhower

Address: 404 East 55th St #11F

I represent: Citizen Pedestrian

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: Oct 8, 2009

(PLEASE PRINT)

Name: SEAN SWEENEY

Address: _____

I represent: SOHO ALLIANCE

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Eric Shepcaro

Address: 60 FAIR HILL DR,

I represent: myself

Address: Westfield, NJ 07090

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: 10/8/09

(PLEASE PRINT)

Name: Jonathan Horn

Address: 401 East 80th St, NY 10075

I represent: Community Board 8M

Address: 605 Park Ave NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

624

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Margorie Levine

Address: 140 7th Avenue

I represent: pedestrian safety individual

Address: my address

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

Split

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: SEAN Sweeney

Address: 125 Green St NYC

I represent: So Ho Alliance

Address: PO Box 429, NYC 10012

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: M DOCAJO

Address: 20 BANK

I represent: GREENWICH VILLAGE BLACK ASS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: 10/8/09

(PLEASE PRINT)

Name: RALPH PERFETTO

Address: 7119 SHORE ROAD 11209

I represent: (SELF) STATE COMMITTEEMAN

Address: DEMOCRATIC LEADER, 60TH AD

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Resolution # 1063 Date: 9/8/09

(PLEASE PRINT)

Name: Sean Brillo

Address: 116 Duane ST

I represent: myself as District Leader

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 1063

in favor in opposition

Date: 10/8/09

(PLEASE PRINT)

Name: Sanford Goldstein (to be read by wife Anna)

Address: 170 Park Row

I represent: a community resident

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1023

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: Oct-8.

(PLEASE PRINT)

Name: Mc Henry / White Sands TRAM.

Address: LLC

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK VANS**

Appearance Card

1023

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ANIETA MORRISON

Address: 140-18 1170th Street

I represent: Port more Express

Address: Queen N.Y.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Bike Law Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jeanie Chin

Address: 180 Park Row, NY NY

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DAVID J. LOUIS

Address: 202 CENTER STREET NY NY

I represent: CHINESE CHAMBER OF COMMERCE NY

Address: 33 BOWLING NY NY 10002

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1063 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: TRIPLE EDWARDS

Address: 215 PARK ROW, #10A

I represent: CHATHAM GREEN

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1063 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JAN LEE

Address: 19-A MOTT ST.

I represent: CIVIC CENTER RESIDENTS

Address: CHATHAM GREEN

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

(2)

Appearance Card

[]

I intend to appear and speak on Int. No. 1063 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jeanie Chen

(1)

Address: 180 Park Row

I represent: Chatham Towers CCRC

Address: 180 Park Row

**THE COUNCIL
THE CITY OF NEW YORK**

(1)

Appearance Card

[]

I intend to appear and speak on Int. No. 1063 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Anna Goldstein

Address: 170 Park Row

I represent: Chatham Towers

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/8/09

(PLEASE PRINT)

Name: HEILNG S TAM

Address: 171 Canal ST

I represent: my self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1077 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lucy Garnett

Address: 180 Park Row 10038

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1063 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Josephine Coe

Address: 55 Chrystie St #201

I represent: Coalition to Protect Christchurch LES

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Dorothea THOMAS

Address: 125 PARK ROW

I represent: Myself

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

1063

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Mei Pang Song

Address: 88 East Broadway

I represent: Chinatown Small Business Alliance

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1023 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: GLADSTONE BARRETT

Address: 146-28 Guy R Brewer Blvd

I represent: YOURS N MINE TRANSPORTATION SERVICES

Address: 146-28 Guy R Brewer Blvd

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 Res. No. _____

in favor in opposition

Date: 7/2/09

(PLEASE PRINT)

Name: Lew Bryskin

Address: 30 Acorn Pk Dr Bishopton

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1063 Res. No. _____

in favor in opposition

Date: 10/8/09

Name: John Osi (PLEASE PRINT)

Address: 333 Pearl ST

I represent: CCRC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/8/09

Name: Fatai Lasisi (PLEASE PRINT)

Address: 144-50 177 street

I represent: City Link Corporation

Address: 138-01 Springfield Blvd, Springfield

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10-08-09

Name: Wateet Ajala (PLEASE PRINT)

Address: 351 Adelphi St, Bklyn NY

I represent: City Engineers Corp

Address: 152-32 Rockaway Blvd, Jamaica

Please complete this card and return to the Sergeant-at-Arms

NY 11424

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1063 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MARILYN DOLATO

Address: 20 BANK ST

I represent: GREENWICH VILLAGE BLOCK

Address: ASS

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 11063 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: EDWARD YING DOLATO

Address: 333 BRAD ST NYC

I represent: GREENWICH VILLAGE BLOCK

Address: ASS

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 624

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Leonard Fazioli

Address: 91-48 220th Street

I represent: Issues Council

Address: 91-48 220th Street

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 624 + 947 Res. No. _____

in favor in opposition

Date: 10/8/09

(PLEASE PRINT)

Name: Assistant Commissioner Susan Petito

Address: One Police Plaza

I represent: NYPD

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/8/09

(PLEASE PRINT)

Name: Paul Steely White

Address: _____

I represent: Transportation Alternatives

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: SAMARA EPSTEIN, ASST. COMMISSIONER

Address: _____

I represent: TLC

Address: _____

◆ *Please complete this card and return to the Sergeant-at-Arms* ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DAVID WOLCOT, Deputy Commissioner

Address: _____

I represent: DOT

Address: _____

◆ *Please complete this card and return to the Sergeant-at-Arms* ◆