

**DAVID WOLOCH  
DEPUTY COMMISSIONER  
NEW YORK CITY DEPARTMENT OF TRANSPORTATION**

**HEARING BEFORE THE CITY COUNCIL  
COMMITTEE ON TRANSPORTATION  
MAY 21, 2009**

Good morning, I am David Woloch, Deputy Commissioner for External Affairs at the New York City Department of Transportation and with me here today is Victor Rosen, Assistant Commissioner in DOT's Traffic Operations Bureau. Thank you for inviting us here today to testify on Intro 662-A.

This bill expands eligibility and parking privileges afforded to members of the Clergy in order to better accommodate them in fulfilling their official duties. Current requirements mandate that Clergy members who derive their principal income from any other occupation or profession are ineligible to receive permits, that permitted vehicles be owned by the Clergy members themselves and they be registered in New York State. Permit holders have the privilege of parking for up to four hours in No Parking Zones adjacent to their House of Worship and for up to three hours at No Parking Zones adjacent to hospitals. Intro 662-A extends eligibility for permits to part-time Clergy members; to include vehicles used by Clergy, while acting in their official capacity, but owned by the religious institution; and to vehicles registered outside New York. Additionally, the legislation allows permits to be used for up to three hours when the vehicle is parked on the roadway adjacent to a funeral home.

As many of you know, DOT recently met with a number of Councilmembers and Council staff, along with representatives from local houses of worship on issues related to Clergy parking permits. Generally, the Department has been hesitant to take steps that would expand the number of ANY of our parking permits. And in fact, as you know, the Administration has been taking significant steps to reduce the number of placards issued and placard abuse. Curbside space is a commodity in the City; and to ensure it is used as efficiently as possible, we need to facilitate a reasonable rate of turnover to accommodate all the competing uses of the space. As the amount of permit holders and locations where they can park increases, curbside availability decreases. This not only puts non-permit holders at a disadvantage, but it reduces available space sought by permit holders as well. However, our meeting did alert us to certain concerns that we believed were significant, and upon further consultation

within the Department, we are amenable to many of the group's suggestions. Accordingly, we support moving forward with legislation to amend the Administrative Code and improve the Clergy parking provisions.

Most significant of all the issues brought to our attention, is that the ability of certain religious institutions to compensate their Clergy members varies widely. As written, the Administrative Code requires that members of the Clergy, in order to be eligible for permits, must derive their "principle income" from presiding over services on behalf of a religious corporation or association of any denomination. We agree that houses of worship should not be penalized based on their financial capacity and this law should not shut out these smaller congregations. We thus suggest that as an alternative to the principle income requirement, Clergy have the opportunity to show they are employees of the institution. In furtherance of this, we would require an affidavit by the Clergy member attesting to certain hours worked or a percentage of the Clergy member's time devoted to the institution. We think this is a sensible process to ensure applicants are indeed eligible for the permit, irrespective of the size or budget of the organization.

Similar to the issue of "principle income", addressed in Intro 662-A, we are also in agreement that houses of worship, that provide vehicles to their Clergy members, should be eligible for permits. Clergy permits are currently only granted to the house of worship on behalf of up to three Clergy members, to ensure the Clergy members are the ones actually using the permit. However, as we discussed there are houses of worship that own the vehicles used by their Clergy members and that in certain cases compensation includes the use of the vehicle. In these instances Clergy members are utilizing these vehicles to perform their ministerial duties at their house of worship or at a hospital. Therefore, issuing permits to the house of worship for its own vehicles is consistent with the purpose of this law —and as suggested, the Administrative Code should be amended to provide for these situations

Finally, with respect to the component of the bill that would require DOT to grant permits for vehicles registered outside of New York State, we are also willing to consider this change, one that does not in fact require a change to the Administrative Code. Given the relatively small universe of

Clergy we believe to own vehicles registered outside of New York State, we do not think this will compromise our program to any significant degree. We do suggest that this change be made by rule, as it does not require amending the Administrative Code, and will more easily allow for future adjustments, should they be necessary.

In addition to expanding eligibility for Clergy permits, Intro 662-A also increases the locations where permit holders may park. At present Clergy may use their permits at their house of worship and at hospitals where they are performing official duties. This legislation allows Clergy to also use permits at funeral homes where they are officiating. Parking restrictions at funeral homes are designated to provide space to carry caskets and transport family to and from the facility. Allowing parking at these locations may interfere with businesses carrying out their function. Should we extend No Parking Zones to provide additional space, we would be removing spaces used by local residents. Accordingly, we have concerns about this proposed change.

We are happy to work with the Council to address the majority of issues addressed in Intro 662-A. While we remain committed to protecting the integrity of our permit program, and do not support expanding the number of locations where permits may be used, we do recognize the need to modify the system as it exists today. By amending our requirements to include all Clergy members regardless of the financial capacity of their house of worship, vehicles owned by houses of worship, and vehicles registered outside of New York State, we will be able to provide a more equitable system to assist the many Clergy-members citywide.

Thank you for the opportunity to testify before you today. We would be happy to answer any questions you may have at this time.

Testimony before the Transportation Committee  
May 21, 2009

Good afternoon.

My name is Elizabeth Lorris Ritter, and I am a member of the Hebrew Tabernacle Congregation of Washington Heights.

I have come to speak in support of Intro 662-A.

Two-and-a-half years ago, I was employed by my synagogue as an interim office manager following the retirement of the previous incumbent and a search for her replacement.

At that time, our Rabbi, Scott Weiner, who had lived with his wife in Queens, purchased a home in New Jersey, to be closer to the congregation. We all thought it was funny that he had to move out of state to get closer to us, but really the commute to Washington Heights just over the GWB from Bergen County is much shorter than shlepping out to Forest Hills. When he re-registered his car in New Jersey, he needed to change his DOT clergy parking permit to reflect the new tags.

DOT refused to do this, on the grounds that the vehicle had to be registered in New York State. We talked with many people at DOT. We combed the website. We read the regulations. Nowhere in the regulations does it stipulate anything about where or to whom the car is registered. I spoke personally with the Manhattan Borough Commissioner; her solution was to have the car registered in the synagogue's name, in which case the permit would be granted. Except it's not the synagogue's car. We do not wish – nor can we afford – to pay for the car, be responsible for its upkeep, or bear the liability of its operation. It is the Rabbi's car which he and his wife use in their daily lives, but which the Rabbi sometimes uses for our benefit: the benefit of New York City residents and taxpayers. It is this loss of this benefit that Intro 662-A seeks to redress.

We appealed to the Commissioner, arguing not for an exception, but for the reasonable application of existing law. We hoped that she could clarify the matter via administrative directive. A review of the relevant statute (Local Law 73 of 1996 [http://www.nycouncil.info/pdf\\_files/bills/int060a.htm](http://www.nycouncil.info/pdf_files/bills/int060a.htm)) makes no mention whatsoever of any requirement that the vehicle be registered in New York State.

*"It is the intent of this local law to alleviate a burden on members of the clergy who perform a vital and invaluable public service in the city of New York."*

While the pastoral duties (e.g., ministering to the sick or dying) must be performed in the City, there is no residency requirement imposed on the clergy. The law clearly states that only clergy who are actively employed as pulpit clergy serving a congregation with a known place of worship are covered by the statute; that the permit is given to *the congregation*, not to the clergy him/herself, and that "*up to three vehicles owned, registered or leased by members of the clergy*" may be named on the permit; that only a passenger car (i.e., a non-commercial vehicle able to hold no more than 15 people) be permitted; that the permit permits parking only in spaces near hospitals, nursing homes or other in-patient facilities, and then only in spaces where parking is prohibited by sign, not by rule and where standing/stopping are not prohibited at all; that the permit may only be used while the clergy is performing the duties of his/her office; and that the congregation submit supporting documentation as may be required by the commissioner. Certainly requiring that *congregation* be located within the five boroughs makes a great deal of sense – this is implied, if not explicitly stated in the statute – but there is no reason to penalize a congregation for hiring a pastor who resides out-of-state. In theory DOT's current reading of this

statue would grant a clergy permit to a pastor residing in Plattsburgh -- just short of the Canadian border, more than 300 miles north of the City -- but denies one to a local pastor residing a few miles west of his congregation, just across the Hudson River.

Our congregation consists largely of elderly people who are either shut-into their own homes, or are in hospitals or long-term care facilities. They cannot come to services on a regular basis or even at all, nor can they attend any of the other programs that the synagogue offers. At this point, their primary membership benefit is that the Rabbi makes periodic visits, usually lasting 30-45 minutes or more. Having a parking permit permits him to make several of these lengthy visits on his visiting days; without it he must make fewer or shorter visits.

Rabbi Weiner was unable to make it here this morning, but asked that I share with you the following:

*"Without the permit, paying for parking near Hebrew Tabernacle costs \$250 a month, plus every time I go to the hospital. Since I have not been able to use the permit I have been doing less pastoral work because it takes way more time to take mass transit to the area hospitals (to get to NY Hospital and Montefiore takes half a day) or if I drive it takes forever to find a space near a hospital. There really has been a precipitous drop in how many visits I can make in any given week. The cost to park near the local hospitals, or to take cabs there and back, has likely cost the congregation several thousand dollars over the last few years.*

*I personally know three other rabbis or cantors who are in this situation right now, but when you add in all clergy of all faiths and denominations, there must be hundreds in this position."*

As Chair of our Cantor Search Committee, I can tell you that this is a potential issue for our new Cantor as well, depending on who we hire.

Surely this is not DOT's intent.

Intro 662-A would serve to add the words "registered in any state" to the definition of a qualifying vehicles covered by the legislation governing clergy parking permits. It also allows clergy to park at or near funeral homes while performing official duties there, and to park a car which may be owned by the religious corporation which employs him or her if (s)he used that, rather than a private vehicle, to get to the funeral home.

I will close with the saddest example of DOT's misguided policy, or rather, their misguided interpretation of existing law: a couple of years ago, I joined Rabbi Weiner on a pastoral visit to a member recovering from major surgery at Presbyterian Hospital. Alas, it was a short visit: too short because the Rabbi was parked at a one-hour meter on Broadway in the 170's. By the time he drove around to find parking, walked to the Milstein Pavilion, and wandered around looking for the right room after having been told the wrong place by the people at the "information" desk, a planned one-hour visit was reduced to about 20 minutes. Can you imagine anything more inappropriate in the line of pastoral care than a Rabbi having to interrupt a patient to say, "I'm sorry I can't stay longer, but my car is in a meter and I have to go now..."?!

Please, this is just wrong, and it does not serve the interests of New York City residents and taxpayers. I urge you to support Intro 662-A.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 667-A Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5-21-69

(PLEASE PRINT)

Name: Rev. Dr. Demetrius S. Carolina, sr

Address: 117 Wright Street Staten Island NY 10304

I represent: First Central Baptist Church

Address: \_\_\_\_\_

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 662A Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Elizabeth Corris Ritter

Address: 140 Cabrini Blvd #79 NYC 10033

I represent: Hebrew Tabernacle Congregation

Address: 551 ft. Washington Ave. NYC 10033

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 667-A Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/2/70

(PLEASE PRINT)

Name: Rev. John L. Scott

Address: 448 W. 152<sup>nd</sup> St. 3353 FISH AVE, BX

I represent: St. John's Bapt. Ch.

Address: 448 W. 152<sup>nd</sup> St

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: DAVID WOLOCH, D/C

Address: \_\_\_\_\_

I represent: DOT

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: VICTOR ROSEN A/C

Address: \_\_\_\_\_

I represent: DOT

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

I intend to appear and speak on Int. No. 662A Res. No. \_\_\_\_\_

in favor  in opposition

Date: May 21, 2009

(PLEASE PRINT)

Name: Pastor Sylvia Dummett

Address: ~~750 EAST 169 ST~~ 75 Barr Lane, Morris NY

I represent: Cathedral of Hope seventh-day worship

Address: 750 EAST 169 ST, Bronx, N.Y. 10456

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

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 662A Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 5/21/09

(PLEASE PRINT)

Name: Rev. Sharon T. Adkins

Address: 575 West 125 St. NYC 10027

I represent: Clergy

Address: \_\_\_\_\_

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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: Michael Grattan

Address: 541 W 125th St NY 10027

I represent: Manhattan Pentecostal Church

Address: 541 W 125th St NY 10027

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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: Rev. Hector Crespo

Address: 800 Greenwood Ave

I represent: The City of N.Y. Clergy Association for Justice

Address: 800 Greenwood Ave, Suite 1K Brooklyn, N.Y.

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



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Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5-21-09

(PLEASE PRINT)

Name: PWIGHT SIBBLIES

Address: 3950 De Reimer Ave BX, NY

I represent: EBENEZER UNITED PENTECOSTAL CHURCH

Address: 1284 CROTONA Ave BX, NY 10457

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/21/09

(PLEASE PRINT)

Name: Rev. Dr. Cheryl Anthony

Address: 141 Rogers Avenue, Bklyn NY 11216

I represent: Judah International Christian Chr.  
+ African American Clergy + Elected officials

Address: \_\_\_\_\_

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Appearance Card

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in favor  in opposition

Date: 5-21-09

(PLEASE PRINT)

Name: Rev. Dr. Joseph Z Bragg (BRAGG)

Address: 95 West 95th St. Apt. 33E

I represent: Friendship Baptist Church

Address: 144 W 131st St. NYC 10027

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

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THE CITY OF NEW YORK**

Appearance Card

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in favor  in opposition

Date: May 21, 2009

(PLEASE PRINT)

Name: Rev. Princes Monk

Address: 145-01 116 Ave Jamaica NY 11436

I represent: The Church

Address: S.A.A

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Appearance Card

I intend to appear and speak on Int. No. 662-A Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Rev. Melvin Wilson

Address: \_\_\_\_\_

I represent: St. Luke AME

Address: 1872 Amsterdam Ave

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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: Rev. Vernon Wilson

Address: 201 W 117th St NYC

I represent: Perfect Peace Ministry

Address: 180 W 135th St

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

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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: REV. LORENZO ATO

Address: 185 AV. D

I represent: NY NY 10009

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 662-A Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: May 21 2009

(PLEASE PRINT)

Name: REV DR CHARLES CURTIS

Address: MT OLIVET BAPTIST CHURCH

I represent: 201 LEEWOOD AVE  
Harlem Congregation for Community

Address: Improvement 4580 Frederick Douglass Blvd

**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: Rev. Dr. Mark V.C. Taylor

Address: 201 Gold St

I represent: THE CHURCH OF THE OPEN DOOR

Address: \_\_\_\_\_