

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON TRANSPORTATION

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January 25, 2012
Start: 11:06 a.m.
Recess: 1:13 p.m.

HELD AT: Committee Room - 14th Floor
250 Broadway

B E F O R E:

JAMES VACCA
Chairperson

COUNCIL MEMBERS:

Gale A. Brewer
Daniel R. Garodnick
David G. Greenfield
Vincent M. Ignizio
Peter A. Koo
G. Oliver Koppell
Jessica S. Lappin
Darlene Mealy
Ydanis A. Rodriguez
Eric A. Ulrich
James G. Van Bramer

A P P E A R A N C E S

David Woloch
Deputy Commissioner for External Affairs
NYC Department of Transportation

Jason Mischel
Acting Commissioner & General Counsel
The Mayor's Office of People with Disabilities

Margaret Newman
Chief of Staff
NYC Department of Transportation

Steve Galgano
Executive Director of Engineering
NYC Department of Transportation

Karen Gourgey
Chairperson
PASS Coalition

Ken Stewart
President
Metropolitan Council of Low Vision Individuals

Annalynne Courtney-Barbier
Representative
Visions Services for the Blind

Elsie Mae Smith
Member
PASS Coalition

Diana Gray
Member
PASS Coalition

Debbie Haynes
Member
PASS Coalition

A P P E A R A N C E S (CONTINUED)

Matthew Shotkin

Member

Disabilities Network of New York City

Maria Hansen

Representative

Guide Dog Users of New York

Michael Godino

Director of Advocacy

Brooklyn Center for Independence of the Disabled

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2 CHAIRPERSON VACCA: I want to thank
3 everyone for coming today, my name is James Vacca
4 and I'm Chairman of the Committee on
5 Transportation, and today we're going to be
6 discussing important pedestrian safety issues that
7 impact our blind and hard-of-seeing individuals.
8 I want to thank the staff for the fantastic job
9 they did in preparing the hearing, our
10 Transportation staff, as always, Gufa Velap
11 (phonetic) and Nivardo Lopez and our counsel, Lyle
12 Frank, my staff, Andrea Bender in particular, and
13 I want to thank Jenn Wilcox for her assistance on
14 the Council staff. I see people are coming. Last
15 October ... excuse me, can we get quiet outside?
16 I'm just ... I'd like to give a minute for the
17 visually-impaired representatives we have here
18 today to be seated. Okay, are we ready again?
19 I'm going to start the hearing over. Don't worry,
20 you didn't miss much. Okay, let's start our
21 hearing. If you could please turn off any of your
22 phones that may make audible sounds, we appreciate
23 it. Good morning, I'm City Councilman James
24 Vacca, and I'm Chairman of the Committee on
25 Transportation, and I want to thank everyone for

1 joining us here this morning as we discuss a topic
2 critical to our city, pedestrian safety for blind
3 and hard-of-seeing individuals. Last October,
4 this Committee held a hearing regarding major
5 transportation projects, and requiring the
6 Department of Transportation to give notice to
7 affected community boards when it is considering
8 such a project. At that time we heard testimony
9 concern the difficulties members of the blind and
10 visually-impaired community have with respect to
11 projects undertaken by DOT. Members of the PASS
12 Coalition, many of whom are here with us today,
13 stated that visually-impaired street users often
14 have tremendous difficulty navigating our city
15 streets. Under this administration, DOT has
16 redesigned many of our city streets to calm
17 traffic, make street crossings easier and safer,
18 install bike lanes and pedestrian plazas, and to
19 modify the existing overall streetscape. New
20 Yorkers have taken note of these changes, and our
21 city streets now are modified in very significant
22 ways. But many of the visually-impaired have been
23 left behind. Members of the blind community have
24 often found all of this street re-engineering has
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2 made it harder for them to get around. I speak
3 from personal experience, as my own father was
4 blind. When he would go out to the store, he
5 always took the same tried-and-true route. He
6 knew the curb cuts and the contour of the streets
7 he traveled regularly, and he knew he could travel
8 them safely. Should the contour of the street
9 have been changed, my father and many others would
10 have had to re-educate themselves, insomuch as
11 performing basic daily chores, and going to the
12 store, doing the most basic of chores. Now, this
13 is common for many people in the visually-impaired
14 community. When we re-engineer the streets, the
15 blind can no longer be sure that what was there,
16 is still what's there. It makes their daily trips
17 more difficult. Pedestrian plazas pose a special
18 challenge for these individuals. Just last week I
19 was walking along Broadway near 41st Street and I
20 noticed a bike lane running along the curb, and
21 then a pedestrian plaza built into the roadbed
22 adjacent to the bike lane. On the other side of
23 the pedestrian plaza were busy lanes of oncoming
24 traffic. There was no curb or other contextual
25 marker of a major change in street use that would

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2 have been helpful to a blind pedestrian. The only
3 indicator was a brightly-striped white lane, which
4 serves as a warning only for those who can see it.
5 For those who can't, good luck getting out of the
6 pedestrian island safely. Where pedestrian plazas
7 take up the entire roadbed and there are no cars,
8 like the one in Times Square, this is less of an
9 issue. But all along Broadway you will find
10 strips of road given over to pedestrian plazas.
11 These pedestrian plazas are, like the one on
12 Broadway in the 40's, usually between a bike lane
13 and active lanes of traffic. For blind and
14 visually-impaired street users, it can be a major
15 impediment to safely using our city streets, not
16 to mention using the plazas themselves. And it's
17 not just the blind community that is impacted.
18 The elderly, many of whom don't see as well as
19 they used to, also have been known to have
20 problems with these new street configurations, and
21 in addition, as studies continue to show that
22 people are less attentive while walking, the
23 public at large is at risk without proper safety
24 measures. Intro 487, introduced by Council Member
25 Gale Brewer, sitting to my left, would change

1 that. This bill would require much-needed
2 detectable warning surfaces to alert pedestrians
3 to a change in street use, that they might be
4 about to enter an active roadway. We already see
5 these detectable surfaces on subway platforms.
6 Those are those areas right before you enter the
7 subway car, they're painted yellow and they have
8 these very significant dots that you feel and you
9 can see as you enter the train. Now, since the
10 MTA has been installing these strips, more
11 straphangers are waiting behind them for the train
12 than there were before. The yellow and orange
13 paint on the edge of the platform wasn't enough to
14 convince busy riders to wait behind that yellow
15 line. Those yellow dots are doing a better job of
16 keeping people, both sighted and visually-
17 impaired, from the platform edge. DOT is already
18 installing these warning dots on curb cuts, where
19 sidewalks meet the street. The pedestrian plazas
20 are more like an extension of the sidewalk than
21 anything else. It only makes sense that they have
22 similar contextual markers as curb cuts. This
23 bill would make absolutely sure that pedestrians,
24 any pedestrians, would know when they are entering
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2 and leaving a pedestrian plaza, because their feet
3 will tell them so. The second bill we're hearing
4 this morning is Intro 183, sponsored by Council
5 Member Brewer. This bill would require the
6 Department of Transportation to establish an
7 accessible pedestrian signal program, and provide
8 an annual report to the Council identifying
9 locations in need of such a signal. Accessible
10 pedestrian signals beep to alert blind and
11 visually-impaired pedestrians when it is safe to
12 cross the street. Clearly, they cannot see the
13 new countdown clocks and other crosswalk
14 technology that DOT is installing in other areas
15 of the city, so this improvement would be life-
16 changing. Ideally, as we replace traffic lights
17 at the end of their expected useful times, we
18 would outfit every intersection in the city with
19 these signals. DOT is currently in the process of
20 identifying intersections across the city that
21 might be particularly well-suited for accessible
22 signals, that's a good first step. But when the
23 city started installing curb cuts for wheelchair
24 users, we did not identify locations near
25 hospitals or other places that wheelchair users

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2 might go to. We did it citywide. Members of the
3 blind community should have access to the same
4 mobility rights as wheelchair users. Nobody is
5 saying that you should retrofit every light in the
6 city overnight, that's not going to happen and we
7 understand that. But over time, we should be
8 taking a hard look at replacing the regular
9 traffic lights with accessible ones. No, that's
10 okay. As long as you're applauding and not
11 booing, it's good. DOT has begun installing these
12 accessible signals at various locations throughout
13 the city, and I hope to hear about the progress
14 they've made to date as they testify today. I
15 believe we must pass Intro 183 to codify the
16 program into law. And finally, we're hearing my
17 bill, Intro 745, which is another piece of
18 legislation that came directly from our October
19 hearing. Members of the blind and visually-
20 impaired community testified that even with
21 textured warning strips to identify where
22 pedestrian plazas begin and end, it will still be
23 difficult to navigate the city. Right now, seeing
24 individuals can online to the DOT website and look
25 up the map of the entire cycling network. Blind

1 individuals have no such access to that
2 information, even though it would drastically
3 improve their ability to cross streets. Sighted
4 pedestrians see the bike lane, and we know to be
5 alert for cyclists. But not every intersection
6 has a bike lane, so blind individuals have no idea
7 when to be alert for cyclists in the bike lane and
8 when not to. This is a problem. There is also no
9 accessible map of pedestrian plazas or pedestrian
10 islands or any other major street redesign. Most
11 of DOT's presentations and proposed projects are
12 posted online in pdf form, and are therefore
13 inaccessible to members of the visually-impaired
14 community who rely on text-based documents for
15 transcription. My bill, Intro 745, would require
16 DOT to post online in an accessible format a list
17 of all major street redesigns in general. This
18 will insure that blind and hard-of-seeing
19 individuals, as well as hard-of-hearing
20 individuals, will have access to this critical
21 information that affects their ability to move
22 around the city. It's worth noting that the MTA
23 has something like a text-based option on their
24 website for visually-impaired users right now.
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2 And blind and hard-of-seeing individuals can also
3 use the MTA's dedicated 511 line and get mass
4 transit travel directions to and from anywhere in
5 our city. Imagine calling 311 and asking if there
6 is a bike lane or a pedestrian plaza. There is no
7 comparable service right now, or any type of
8 necessary information here at 311. We've got to
9 get our act together. This legislation is based
10 on standards that Federal agencies must adhere to
11 in order to be in compliance with the Americans
12 with Disabilities Act. When we talk about the
13 Americans with Disabilities Act, we talk about the
14 letter of the law, as well as the intent of the
15 law. You might all be saying to yourselves, why
16 just DOT? Why not all city websites? Well, I
17 support that too. I think all city websites
18 should have a programmatic feature that makes
19 itself accessible for use by the blind and
20 visually-disabled. I've singled out DOT in my
21 legislation because the ability of people to move
22 about our city is a mobility issue, and is
23 therefore a transportation issue. People cannot
24 get around our city safely if they lack the
25 information they need to do it. It's as simple as

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2 that. DOT and the Bloomberg administration have
3 worked hard on many transportation issues, we
4 realize that their goal is to improve street
5 safety, all of us have that as a goal. Making
6 changes for our most vulnerable users must go to
7 the top of the priority list, this is all about
8 equal access information, and very honestly, it's
9 not a matter of fairness, it's a matter of rights.
10 We must do more to make our streets safer and more
11 accessible for people with disabilities. New
12 Yorkers find it hard enough to get around now,
13 visually-impaired New Yorkers find it especially
14 difficult. So again, I want to thank all of you
15 for being here today, and I do want to introduce
16 my colleagues. First, our co-sponsor of two of
17 our bills, who I will call upon in a minute,
18 Council Member Gale Brewer, to my left, Council
19 Member Peter Koo from Queens, Council Member Jimmy
20 Van Bramer from Queens, Council Member Dan
21 Garodnick from Manhattan, Council Member Vincent
22 Ignizio from Staten Island, Council Member Oliver
23 Koppell from the Bronx. Okay, I've spoken on my
24 bill, I'm now going to introduce my colleague,
25 Gale Brewer, to speak on her two introductions.

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2 COUNCIL MEMBER BREWER: Thank you
3 very much, Mr. Chair, and I want to say, for like
4 ten years, I think, we've been working on the
5 accessible pedestrian signals, and it's you who
6 have brought this issue to the public's ear, and I
7 want to thank you from the bottom of my heart,
8 because for a long time definitely new efforts by
9 DOT, but I think actually before you were in the
10 Council, with all due respect to DOT, I got
11 nowhere, so I'm very excited to have this hearing
12 today, both on Intro 183 and 487, I think they
13 both make the streets safer for the blind and
14 visually-impaired, but as I say over and over
15 again, anything that is supportive of the
16 pedestrian rights or just rights in general, of
17 people who are disabled, helps everyone, and I
18 can't think of an instance when that is not true.
19 And so this community is always fighting for all
20 New Yorkers. 183, which is the Acceptable
21 Pedestrian Signal Bill, it provides information to
22 the visually-impaired about pedestrian timing in
23 non-visual format, such as audible tones, verbal
24 messages and vibrating surfaces. It can provide
25 the information to pedestrians about the existence

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2 and the location just be a pushbutton, and then at
3 the beginning of the walk interval, the direction
4 of the crosswalk and the location of the
5 destination curb, and since we initially
6 introduced this bill, oh, some years ago, but more
7 recently, we re-introduced it in 2010, DOT has
8 announced plans to bring audible pedestrian
9 signals, known as APS, to 25 new intersections in
10 the city. This push for new APS intersections was
11 led by the advocates here in this room, as well as
12 DOT, and I want to thank everybody for their
13 commitment on this issue, as well as many, many
14 others. It is really important that we codify,
15 however, the need for a consistent examination of
16 the APS program into the future, and of course,
17 that's what this bill does by requiring an annual
18 report on the progress of the program, bringing a
19 new level of transparency to the administration's
20 efforts, and any administration into the future.
21 And it's in the right direction, I just want to
22 echo what you said, Mr. Chair, which is important
23 to recognize that this should not be seen as the
24 end of the discussion, this is the beginning of
25 the discussion. And it is my sincere hope that

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2 APS-enabled intersections become the norm for the
3 city, not a rarity. They are as essential to the
4 visually-impaired community as walk signals are to
5 everyone, and I hope this bill will serve as the
6 beginning of the conversation about all
7 accessibility in our city, and I want to say that
8 for those of us who know where there are already
9 APS's, they are an asset to everyone, they are
10 quiet, they are easy to find, and they make
11 crossing the street extremely easy. So we just
12 need them everywhere. This other bill, 487, as
13 the Chair indicated, would require the
14 installation of detectable warning surfaces around
15 the perimeters of bike lanes and pedestrian
16 plazas. These are raised, they're truncated domes
17 that are currently seen in many places, the Chair
18 mentioned the subway platforms,, and I hope that
19 just like we're having a discussion about the
20 APS's, that this will be the beginning of a
21 discussion about detectable warning surfaces,
22 because they're invaluable to communicating
23 information to the visually-impaired, as people
24 navigate city streets they act as a stop sign,
25 they warn people that they're leaving the sidewalk

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2 and entering traffic, and obviously they warn
3 people about the edge of a platform. Guess what?
4 They warn everyone, they're good for everyone, and
5 they make us all safer. And I think what I want
6 to add about that is that I hope this is the
7 beginning of a discussion, not just about bike
8 lanes and pedestrian plazas, but those companies
9 that have renovated or restored sidewalk space on
10 new construction or new buildings, is DOT
11 monitoring what they put in in terms of their
12 surfacing, and in general where there are mid-
13 block driveways or access to parking garages,
14 parking areas, is this a place where there is
15 oversight so there's a detectable warning for
16 those who are visually-impaired? The discussion
17 goes on and on. So without further ado, I look
18 forward to hearing the testimony from the
19 administration and the advocates on both of these
20 issues. I obviously want to thank the staff, but
21 from the bottom of my heart, I thank Chairman
22 Vacca and all of you in the audience today. Thank
23 you.

24 CHAIRPERSON VACCA: Thank you.

25 Thank you, Council Member Brewer. I want to

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2 introduce to my extreme left, Council Member
3 Rodriguez from Manhattan who has joined us, okay,
4 there being no other members, I'd like to call
5 upon our witnesses to testify, and I'd like to
6 say, if there are any other representatives of the
7 visually-impaired community who would like to
8 speak, who have not yet filled out a speaker's
9 card, please raise their hand now, and I can have
10 somebody come from the staff to give you a
11 speaker's card. Ms. Gouragey, okay, sir, thank
12 you. Okay, the lady here would like to speak as
13 well. We will bring you over a speaker's card,
14 okay, and then we will get to those witnesses
15 after the administration testifies. I'd like to
16 introduce now to my extreme right Council Member
17 Jessica Lappin, who has just arrived. Okay, if I
18 can have your attention, I'd now like to call upon
19 Deputy Commissioner for External Affairs, David
20 Woloch, from the New York City Department of
21 Transportation, if you could introduce those who
22 have joined you, and we appreciate your testimony.

23 MR. WOLOCH: Good morning, Chairman
24 Vacca and members of the Transportation Committee,
25 my name is David Woloch, I'm the Deputy

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2 Commissioner for External Affairs at New York City
3 DOT. I'm joined by Acting Commissioner and
4 General Counsel, Jason Mischel of the Mayor's
5 Office of People with Disabilities to my left, and
6 Margaret Newman, DOT's Chief of Staff, who's been
7 helping to lead DOT's efforts to improve access
8 for people with disabilities to my right, and to
9 her right Steve Galgano, DOT's Executive Director
10 of Engineering. Thank you for having us here
11 today to testify on this important topic and on
12 Intro numbers 183, 487 and 745. Before I comment
13 on the bills, I'd like to take a moment to discuss
14 what DOT has recently done to enhance
15 accessibility on our city streets. As you know,
16 over the past four years the Department has
17 implemented a variety of programs to help make New
18 York City's public space safer, more accessible
19 and vibrant. We understand that these projects
20 often change the design and geometry of the right
21 of way, and the results can be initially confusing
22 to some, especially in the disability community.
23 That is why DOT is committed to working hand-in-
24 hand with MOPD on our streetscape projects. We
25 collaborated and consulted with former MOPD

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2 Commissioner Matthew Sapolin, and we look forward
3 to continuing this practice with new Acting
4 Commissioner Jason Mischel on incorporating the
5 concerns of the disability community. Some
6 examples of recent collaboration between our two
7 agencies are MOPD's participation in the
8 streetscape task force that led to DOT's first-
9 ever street design manual, DOT's contribution to
10 MOPD's inclusive design guideline publication, and
11 the 2011 workshop that we hosted along with the
12 advocacy group Pedestrians for Accessible and Safe
13 Streets, PASS, for DOT engineers and designers to
14 discuss accessibility in street design. We're
15 proud of the relationship we've established with
16 MOPD and the disability community, and look
17 forward to strengthening it in the future.

18 Turning to the proposed legislation, Intro 183
19 would codify another DOT initiative to enhance
20 accessibility, our accessible pedestrian signal
21 program. These devices are affixed to pedestrian
22 signal poles, emitting both audible and vibro-
23 tactile walk indicators, as well as pushbutton
24 locators. To function, APS's are wired to a
25 pedestrian signal and can send audible and vibro-

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2 tactile indications when pedestrians push a button
3 installed at the crosswalk. Before installing APS
4 technology at an intersection, DOT analyzes off-
5 peak traffic presence, the current traffic signal
6 patterns and the complexity of the intersection's
7 geometry, including crossing distance. We use the
8 national cooperative highway research program
9 criteria and the manual on uniform traffic control
10 devices to evaluate and then rank each
11 intersection under consideration, including new
12 traffic signal installations. Our list of
13 locations to be considered and evaluated for APS
14 is predominantly provided by PASS and other
15 advocacy groups. As you know, Chairman Vacca, we
16 included APS as part of our safety initiative, the
17 7th Avenue and West 23rd Street improvement project,
18 DOT worked closely with PASS and the residents of
19 Selis Manor to develop this project, and made
20 several changes to the design, based on their
21 concerns. I'm glad that you and other members of
22 the Council, including Speaker Quinn, were able to
23 join us at the announcement of this project this
24 past September. As DOT currently has a robust APS
25 program, both DOT and MOPD are in support of

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2 codifying the installation of APS, as Intro 183
3 seeks to do. In addition to the 23 signals we've
4 installed so far, DOT is already planning another
5 24 signal installations this year, and we're
6 considering all new signal installations for APS,
7 in addition to the suggestions provided by PASS,
8 other advocacy groups and from the disability
9 community. We certainly welcome their input, and
10 will continue to work with MOPD and the disability
11 community on this program. While we have
12 suggestions in the language of Intro 183 as
13 written, we're generally in support of this bill.
14 DOT and MOPD also support Intro 745, which would
15 require the agency to post online a list of our
16 major street redesign projects, including those
17 that involve a major re-alignment of the roadway,
18 as well as the construction and removal of bike
19 lanes or pedestrian plazas in a format accessible
20 to people with disabilities. As you know, the
21 agency is committed to providing the public with
22 information about our projects and initiatives
23 through our website and other means, from the
24 newly-introduced street rating map to the daily
25 pothole and online portals that gather community

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2 input on major projects. DOT has been a leader in
3 using the internet to engage the public on city
4 programs. We believe we should, and we will, take
5 the additional step of creating a page on our
6 website that lists upcoming redesigns in an
7 accessible format. We have some technical
8 suggestions about the bill's language that I'm
9 confident we can work through. Intro 487 also
10 addresses an area where we can do more, however we
11 have concerns about the bill which we don't
12 believe we can support at this time. Current
13 Federal draft guidelines for accessible pedestrian
14 facilities in the public right-of-way provide that
15 detectable warning surfaces should be installed to
16 indicate the boundary between pedestrian and
17 vehicular routes where there's a flush rather than
18 a curb connection. DOT installs detectable
19 warning surfaces on all newly-constructed
20 pedestrian ramps to indicate this change,
21 including approaches to streets with bike lanes
22 along the curb. To add another type of detectable
23 warning surface between a bike lane and the rest
24 of the roadway would provide a person who is blind
25 or who has low vision a false sense of security,

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2 as it implies a transition back into a pedestrian
3 area. Instead, such a strip would direct the
4 pedestrian who is blind or who has low vision into
5 the vehicular roadway. We certainly want to hear
6 the feedback from the disability community on this
7 bill, however, to require a treatment to
8 implemented for hundreds of miles of bike lanes at
9 a great cost to the city that would in fact
10 detract from safety is not something we believe we
11 can support at this time. At the same time,
12 however, we share the Council's interest in making
13 our pedestrian plazas more accessible. Our
14 pedestrian plaza program transforms under-utilized
15 street space to create more public open space for
16 our residents and visitors, including those who
17 are blind or of low vision. Accordingly, all
18 capitally-reconstructed plazas follow the same
19 accessibility guidelines I previously mentioned.
20 Of the 50 plazas that are in some phase of
21 planning, design, construction or have been
22 recently completed, over 70% of funding is in
23 place to be capitally-reconstructed.
24 Reconstruction will insure the grade separation
25 between pedestrian space and roadway. For those

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2 plazas that are not yet capitally-constructed, DOT
3 has been physically demarcating the boundary of
4 plazas with planters, bollards, granite blocks,
5 and textured surface treatments. In addition,
6 also plazas have two additional non-tactile lanes
7 of graphic thermo-plastic material to outline the
8 boundary. However, we also recognize that there
9 are plazas where we could enhance the tactile
10 demarcation between the plaza's reclaimed space
11 and the roadway still used by vehicles, and in
12 some cases bike lanes, to assist those who are
13 blind or of low vision. We're actively looking at
14 solutions to improve tactile demarcation along
15 plazas, and will work closely with MOPD and the
16 disability community as we move forward with this
17 effort. As said earlier, DOT applauds the Council
18 for your interest in this issue, and we're eager
19 to continue to work with the Council, MOPD and the
20 disability community to enhance our streetscape
21 and to make our streets accessible. Thank you,
22 and we'll be happy to answer your questions at
23 this time.

24 CHAIRPERSON VACCA: Thank you,
25 Commissioner. Several questions. Right now, are

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2 you concerned that visually-impaired people are
3 not safe as they look to navigate crossing a bike
4 lane or pedestrian plaza? Is that something that
5 you're concerned about? Is that something you see
6 your agency doing something about imminently?

7 MR. WOLOCH: So let's just separate
8 the two pieces of that. I think in terms of bike
9 lanes generally, leaving aside there are a number
10 of bike lanes in the plazas which I'll get to, but
11 bike lanes generally, nobody should be crossing a
12 bike lane into the roadway, what we want everybody
13 to do is to cross at the crosswalk, and
14 particularly as we've increased the number of ped
15 ramps that have the truncated domes, we're up to
16 93% around the city our crossings are safer for
17 everybody. It's just important to emphasize that
18 the bike lanes generally, leaving aside the bike
19 lanes in the plazas, are essentially road space
20 that are occupied by something that's moving very
21 quickly. We don't want anybody in that space
22 who's walking. So that's on the bike lanes. In
23 terms of the plazas, as I said in the testimony, I
24 think we do have some work to do, to address this
25 particular issue. I think generally where we've

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2 put plazas, as part of larger initiatives with a
3 number of different components, we've made
4 incredible improvements for safety for everybody.
5 With that said, the point that you've made we
6 agree with, that there's still work for us to do
7 to address the issue where you have a plaza space
8 that's not grade-separated from road space or from
9 a bike lane, and we're working on that.

10 CHAIRPERSON VACCA: I did notice
11 you mentioned the cost issue, and I wanted to
12 know, are we talking about significant cost, or
13 can't the cost for making pedestrian plazas
14 accessible to the blind be part of the overall
15 project? I would think it would be a very small
16 part of a pedestrian project, a pedestrian plaza
17 capital project. I would think that this is
18 something very insignificant from a cost point of
19 view.

20 MR. WOLOCH: Right. In terms of
21 the capital projects, which often are part of
22 larger capital initiatives, we're talking much
23 larger dollar figures, but what the capital
24 projects do is, they're going to address this
25 grade separation issue. So where we have plaza

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2 space that's temporary and is currently at the
3 same level as the road space, when we do that
4 capital work, we're going to solve that problem,
5 because that plaza space, like sidewalks, is going
6 to be raised, which is the best way to
7 differentiate between the road space and the
8 pedestrian space. The issue is prior to that work
9 where we have temporary plazas that are eventually
10 going to get into construction, we still need to
11 address the issue, and one of the things we're
12 looking into is we've tried to figure out the best
13 way to do that, is what the cost will be.

14 CHAIRPERSON VACCA: Am I right in
15 saying that New York City DOT is actively pursuing
16 constructing additional pedestrian plazas at this
17 point? You let out an RFP for agencies or
18 community groups to apply and suggest locations.
19 Now, how many plazas are you looking to construct?
20 How many groups responded? And will you be
21 requiring that accommodations for the blind be
22 made as we proceed on a larger scale to institute
23 a larger pedestrian plaza program?

24 MR. WOLOCH: We have about 30
25 plazas now, and I'd have to get you the number of

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2 what's ... everything that's along the different
3 stages of the pipeline. I think the first order
4 of business for us is to figure out how to solve
5 the problem, how to address this issue, and then
6 we would then take it to the next step and figure
7 out how to incorporate that into future plazas.

8 CHAIRPERSON VACCA: That's good. I
9 want to make clear that from my perspective I
10 would like this to be resolved in the legislation
11 that's before us, I would like it to include
12 current plazas, and I would like whatever we
13 resolve to do concerning the blind to be
14 incorporated in any expansion of that program.

15 MR. WOLOCH: Yes, I think whatever
16 we can figure out here is a solution, both for
17 what's out there now and- -

18 CHAIRPERSON VACCA: (Interposing)
19 Prospectively.

20 MR. WOLOCH: ... going forward.

21 CHAIRPERSON VACCA: Okay. Let me
22 go on to the signal program. The audible
23 pedestrian signals, now I know that they are being
24 installed throughout the city, there's a small
25 amount of them right now. In my opening statement

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2 I spoke about the need, in my opinion, to have all
3 new traffic lights equipped with an audible
4 provision, and I wanted to know where your agency
5 stood on that going forward?

6 MR. WOLOCH: We're essentially in
7 agreement. I mean, if we had, if we could snap
8 our fingers right now and implement the APS's
9 everywhere, we would. As you, and I think you
10 described this well, it's going to take a while to
11 get there, and right now we're on a pace of doing
12 25 a year, which is a much faster clip than what
13 we had been doing previously. And the important
14 thing for us now is to work with the advocates,
15 like PASS in particular, because there's only so
16 much we can implement a year, to make sure that
17 we're being smart about it, because we're putting
18 them where they're most wanted, and where they're
19 most needed.

20 CHAIRPERSON VACCA: But I wanted
21 you to respond to that question. Are we looking
22 at doing this as all new lights are being
23 installed in the city?

24 MR. WOLOCH: So here's the ... it's a
25 good question, and here's the issue with the new

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2 lights. Every new signal that's going to get
3 implemented we will evaluate, in the same way that
4 we evaluate the suggestions that are made to us by
5 PASS and by others. And some of those will go to
6 the top of the list. We want to make sure ... so
7 we're looking at all of them, every new signal
8 we're looking at, but we want to make sure that
9 the 25 a year that we're doing, we're putting in
10 strategically the best places.

11 CHAIRPERSON VACCA: Where does the
12 money come from to install the audible pedestrian
13 signals? Is that something you take from a
14 capital budget allocation, or is this something
15 you get from the Federal government, or is this a
16 tax levy allocation? Can you describe that to me,
17 please?

18 MR. GALGANO: What we agreed to do
19 is take it from our existing funding for new
20 signal construction.

21 CHAIRPERSON VACCA: Just state your
22 name, please. I'm sorry.

23 MR. GALGANO: Steve Galgano.

24 CHAIRPERSON VACCA: Oh Steve, how
25 are you?

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2 MR. GALGANO: Okay. The 25 that
3 we're doing per year is based on what we can do
4 with the existing funding that we have.

5 CHAIRPERSON VACCA: The funding
6 from where?

7 MR. GALGANO: It's the same funding
8 that we use to install new signals.

9 CHAIRPERSON VACCA: Is that capital
10 or expense budget money?

11 MR. GALGANO: It is Chip's money- -

12 MR. WOLOCH: (Interposing) Federal.

13 MR. GALGANO: ... which is state
14 capital, I believe.

15 CHAIRPERSON VACCA: State capital
16 money?

17 MR. GALGANO: Yes.

18 CHAIRPERSON VACCA: But what I'm
19 hearing today is not a commitment to do all new
20 lights going forward. You said you would look at
21 locations, and you would consult with stakeholders
22 as they are put in.

23 MR. GALGANO: No, we are committed
24 ... I'm sorry.

25 CHAIRPERSON VACCA: No, go ahead.

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2 MR. GALGANO: No, we're committed,
3 all signals will have ... be accessible, I can't do
4 them all at once, so what we're doing is, we're
5 evaluating every new signal and any requests we
6 get from the public, and rate them and rank them.
7 we're doing the top 25 every year. If more
8 funding comes in and we can do the top 50, we'll
9 do the top 50. But we are ranking every one that
10 we get.

11 CHAIRPERSON VACCA: Twenty five.
12 You are doing 25 audible traffic signals a year?

13 MR. GALGANO: Yes.

14 CHAIRPERSON VACCA: How many new
15 traffic lights do you install a year?

16 MR. GALGANO: About 150.

17 CHAIRPERSON VACCA: So if you're
18 doing 25, you're basically not doing any of the
19 existing lights, but 25 of the new 150.

20 MR. GALGANO: Most of the new
21 signals we're putting in are in very residential
22 areas, so what we're doing is we're ranking them,
23 and of the new signals we've done so far this
24 year, four or five went up to the top 25 of being
25 installed, will be installed over the next couple

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2 of months. If we talk all new signals, we would
3 use all the funding that we have for accessible
4 signals, and putting them in places where they may
5 not be needed as much as others.

6 CHAIRPERSON VACCA: All right, we
7 can talk about a commercial area and we can talk
8 about a residential area, and there are
9 differences, and I understand that. But I do
10 think that it is a, that's a basic right for
11 people to have these signals, that's been
12 overlooked for a long, long time. I just want you
13 to know that I'm going to prepare legislation that
14 would require their installation on commercial
15 strips, and that whenever a traffic light is
16 installed as a new traffic light in a
17 commercially-zoned area, that those lights have
18 the audible pedestrian signal. And we will work
19 on that legislation together, I'm sure. But I
20 think it's time that we move, and we can work on
21 Federal funding, capital budget funding, I just
22 think it's a basic human right. But I do
23 appreciate that you've installed 25 a year, but
24 when you look at how many traffic lights we have
25 in New York City, just the new ones, Mr. Galgano,

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2 you said, how many traffic lights do we have in
3 New York City right now? Approximately?

4 MR. GALGANO: Twelve thousand.

5 CHAIRPERSON VACCA: Twelve
6 thousand, and you're installing 25 a year that are
7 audible. It really means that ... we appreciate
8 what you've done, and I don't want to be negative,
9 but it does leave us, it does leave the visually-
10 impaired, way behind the eight ball insomuch as
11 getting a basic right they have. Most of our
12 visually-impaired people are pedestrians. Of
13 course they don't drive, I mean, they're on mass
14 transit, but to get to mass transit they're a
15 pedestrian to get to the bus or to get to the
16 train. So they depend on crossing safely. So I
17 just want to, you know, I've identified the need,
18 I'm willing to work with you, but that's what I'm
19 going to do. Now, there are twelve locations that
20 were given to DOT to receive the APS signals for
21 2011, but only two locations have been finished?
22 Is that true?

23 MR. WOLOCH: We have 23 locations
24 that exist, we recently completed four, and we
25 have eight that are in construction right now.

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2 CHAIRPERSON VACCA: So we were told
3 12 would be installed by 2011, but you're running
4 a little bit behind schedule.

5 MR. WOLOCH: Correct.

6 CHAIRPERSON VACCA: You are
7 committed to all 12?

8 MR. WOLOCH: They're in ... yes,
9 those eight, those additional eight are in
10 construction right now.

11 CHAIRPERSON VACCA: When will they
12 be finished?

13 MR. WOLOCH: Some will probably be
14 finished within the next couple of weeks, and some
15 may take a month or two.

16 CHAIRPERSON VACCA: For these
17 limited APS signals you have, what is your
18 criteria for saying a location merits it or not?
19 What is your criteria? You only have 25 a year
20 you're installing, so when you get a request, what
21 is your criteria? Excuse me, let me introduce my
22 colleague to my right, Darlene Mealy, who has
23 arrived. Oh, and David Greenfield from Brooklyn,
24 at the very end.

25 MR. GALGANO: We follow a national

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2 standard for accessible pedestrian signals, which
3 has various ratings for the geometry of the
4 roadway, the special timing, and then we work with
5 PASS to have them review it, and make suggestions
6 to tailor it more for New York City, and that is
7 the basis that we use, all our inspectors go out
8 and follow this and give it a ranking and a
9 number, and that's how we rank them in order.

10 CHAIRPERSON VACCA: The numbers are
11 what, highest priority, medium priority and low
12 priority?

13 MR. GALGANO: The higher the
14 number, the higher the priority.

15 CHAIRPERSON VACCA: Numbers running
16 from one to five? Or one to ten?

17 MR. WOLOCH: There's a ranked list.

18 CHAIRPERSON VACCA: Okay. People
19 can suggest these locations how? You're working
20 with the PASS coalition, but a community board can
21 suggest a location? Could you write in- -

22 MR. GALGANO: (Interposing) A
23 community board or an individual, there's also a
24 page on our website, where you can request us to
25 study for an accessible signal.

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CHAIRPERSON VACCA: Yes.

MS. NEWMAN: I would just add that many of the locations and the suggestions are coming through the Mayor's Office of People with Disabilities. So we communicate with Jason and his team to coordinate that list, and then they get passed along to our engineering for review.

CHAIRPERSON VACCA: And can you say your name for the record? I'm sorry.

MS. NEWMAN: Yes, I'm Margaret Newman, and I'm Chief of Staff of the Department of Transportation.

CHAIRPERSON VACCA: Okay, thank you. We'll now go on to questions, okay? First we have Council Member Brewer.

COUNCIL MEMBER BREWER: Thank you very much. I have a question about the signals, picking up on what the Chair indicated. How much do they cost? Because my understanding from the wonderful advocate and long-time knowledgeable person on this issue, from Ken Stewart, it's about \$500 per signal, is that correct? Per APF.

MR. WOLOCH: Right, so there's two important numbers, one is the signal device

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2 itself, which is \$500. The tricky part for us is
3 that many of the installations require poles being
4 moved and underground work, and that cost can be
5 as much as \$20,000. So the cost- -

6 COUNCIL MEMBER BREWER:

7 (Interposing) Per signal it could be \$20,000? Per
8 APF?

9 MR. WOLOCH: Per intersection, per
10 location.

11 COUNCIL MEMBER BREWER: Okay.

12 MR. WOLOCH: And that's really, if
13 it was just the device, the cost would be much
14 less and our capacity would be much more. The
15 challenge is the work that has to be done with the
16 poles and the associated construction. And this
17 really gets at the heart of the issue, the 25 we
18 can do is because of the funds we have available,
19 I think a collective challenge for us is to think
20 through, are there other sources of funding, both
21 from us, but also from elected officials.

22 COUNCIL MEMBER BREWER: Well, let's
23 ... elected officials is one thing, how about the
24 Federal government? In the past, a large
25 percentage, like 80% of some of this work, has

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been Federally-paid-for. Are there no Federal opportunities to pay for this?

MR. WOLOCH: Well, there's this programmatic money for all our signal work.

COUNCIL MEMBER BREWER: Well, that's the state money you just described, right?

MR. WOLOCH: Yeah, and I think that Federal money that flows through- -

COUNCIL MEMBER BREWER:
(Interposing) Is it a pass-through?

MR. GALGANO: We are exploring the other areas to fund, we were looking at that the first year of the program, right?

COUNCIL MEMBER BREWER: Okay, I'm just saying that Boston has done this, San Francisco has done this, LA has done this. I'm just wondering how did they pay for it? Do we know?

MR. WOLOCH: I don't, but I think that's a good- -

COUNCIL MEMBER BREWER:
(Interposing) I mean, how do other cities ... how have other cities paid for it? That's my question. And then the countdowns, which I like,

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2 I know there are issues and the community will
3 talk about them, is that paid for with the same
4 funding?

5 MR. GALGANO: It was in the
6 beginning, we've since gotten Federal funding.

7 COUNCIL MEMBER BREWER: Aha. So
8 why can't we get Federal funding for the APS's?

9 MR. GALGANO: We are looking at it.

10 COUNCIL MEMBER BREWER: I'm just
11 saying, this can be moved very quickly on trying
12 to get the Federal money, and can the City Council
13 help, can we advocate, can we help? It seems to
14 me that with all due respect, this is extremely
15 fundable with Federal money. I just want to put
16 that out there. All right, because I'm just
17 sharing the Chair's concern, I mean, I have been
18 talking about this for ten years, and the fact of
19 the matter is, 25 per year will be a long time to
20 get all of your intersections done, even if you
21 don't do them all, wherever there is shopping and
22 commercial activity, pedestrian activity,
23 obviously those to me would be a focus. And it's
24 not just where there are people who may or may not
25 be visually challenged, everybody who gets older

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2 needs these signals. It's not just those who are
3 currently blind. So I would ... all right, so I'm
4 just saying this, hurry it up. The other question
5 I have is regarding the pedestrian plazas. We
6 were at a location today -- I just want to
7 understand what your focus is for the future -- on
8 17th Street in Union Square and Broadway. So you
9 have a plaza, I don't know if it's an old plaza or
10 a new plaza. And there ... you need to work with
11 PASS, because the merger of the plaza, and I guess
12 it's either another bike lane or a plaza, and then
13 the street is all one. You cannot possibly tell
14 where one ends and one begins. In addition, the
15 planters, according to the experts who are here in
16 the room today, are of the wrong size, they're
17 round as opposed to square, and they're too far
18 apart. So there are so many issues that impact
19 those who are blind or visually-impaired, and I'm
20 just wondering, how often do you meet with PASS,
21 how much input they've had, etc.? Because it does
22 seem to me that things like planters as an example
23 could have been purchased correctly, in order to
24 address this concern. So how often do you meet
25 with PASS and how seriously do you take their

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input?

MR. WOLOCH: I think it's fair to say that the dialogue that we've had with PASS over the past year is much more robust than it had been in the past.

COUNCIL MEMBER BREWER: And after the hearing today, it will be even more.

MR. WOLOCH: But I hope so. I mean, I think, look, this is, that's the direction we want to go in, a lot of our dialogue over the past year has been about the APS issue. Our Manhattan borough Commissioner, Margaret Forgione, has worked very closely with the Doctor and their colleagues at PASS, I think in a way that we had not done before. I think that kind ... and this is I think the point that you alluded to, I think that kind of collaboration that we've seen with the APS program and that will continue, is something we need to bring to this other issue.

COUNCIL MEMBER BREWER: Are there other agencies like DBC or DOB that would be, design and construction and buildings, do they get involved with this issue of roadway differences and challenges? Or is it just DOT in terms of the

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agencies involved?

MR. WOLOCH: I think for accessibility issues, generally that's something we work with DBC on it. I think in terms of this particular challenge of not having a grade difference between plaza space and then bike lanes and road space, is not an issue for the capital projects that DBC is involved in, because we inherently, when we construct that space, we address the issue by raising the grade of the plaza, so the challenge here is with the temporary plazas.

COUNCIL MEMBER BREWER: Okay, so the one we were at today might have been a temporary plaza? Obviously you would have to look at it to see, but it was very challenging in terms of any pedestrian, not to mention somebody who is visually-challenged. You mentioned the Federal guidelines, if not mandates, I guess, in terms of some of these issues, as to why you think you don't need the pedestrian plaza bill. Can you just elaborate as to how you monitor what the Federal guidelines ... I don't know if I used the word mandate, but recommend that the city do,

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2 etc., etc., etc.?

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MR. WOLOCH: Right, I mean, it's an important distinction, because they're guidelines and not standards. The Federal government has been going through sort of a long process of taking them to the next level, to make them standards. This particular issue is not really addressed, I imagine over time it will be, not just because we're facing this, but other parts of the country as well, as more space like this gets created. So I don't think we want to wait for the Federal government to formulate a guideline on this particular issue, I think we need to, as you suggested, we need to forge ahead, and we're ready to do that.

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COUNCIL MEMBER BREWER: Okay. What kind of triggers the determination that a location requires a sidewalk build-out or whatever would make it more accessible? Is it only a new capital project? I mean, I'm familiar with the curb cut issue, where apparently it is a new capital project, or reconstruction of a road or whatever, that then gets new sidewalk curb cut, and then you end up with hopefully the correct grade and the

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2 appropriate surfacing. But in general, is that
3 the only time that you have an appropriate build-
4 out? In other words, there are many places in the
5 city, there are, we heard today again from Ken
6 Stewart that there is a mid-block parking garage.
7 It would be my impression that there should be
8 some kind of surfacing there that would indicate
9 there are cars coming and going, but there isn't.
10 So you could actually get hit, because you don't
11 know that you're going right by a parking garage
12 that has cars coming and going. So what
13 determines when you put in this surfacing in
14 general? I know it's larger than the bills that
15 we're looking at today, but it is hopefully part
16 of this ongoing discussion.

17 MR. WOLOCH: Right.

18 COUNCIL MEMBER BREWER: Can you
19 answer what the trigger is, so to speak?

20 MR. WOLOCH: Yes, I mean, again
21 this is, you know, this is new terrain for us. I
22 think there is a long ... there have been curb cuts
23 to garages for many years, and I think that's
24 something we have to look into. There's a
25 particular problem with this universe of plazas

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2 that we've been working on, which have made
3 dramatic improvements, including safety
4 improvements for everybody who uses them, but
5 poses this other challenge. And you know, the
6 universe of plazas is not that big, but they're
7 inherently in places that get a lot of pedestrian
8 traffic and they're important areas, so these are,
9 you know, number-wise there aren't that many of
10 them relative to the whole scope of the city, but
11 they're important areas and a lot of people walk
12 through them and that's why we put the focus on
13 them.

14 COUNCIL MEMBER BREWER: Okay, I
15 don't want to take time on all the different
16 questions, I could go on and on, but I hope we can
17 work out something on the plaza bill, as the
18 Chairman indicated, that would maybe codify what
19 you're already doing, but certainly make sure that
20 the plazas that we do have are safe. I know that
21 in the bike lanes, which is right near my district
22 office, we do have the appropriate surfaces where
23 the crosswalk is, but I don't think that's true in
24 all the pedestrian plazas, and I think that's a
25 place that needs to be looked at and some kind of

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2 legislation to mandate it, so thank you very much,
3 Mr. Chair.

4 CHAIRPERSON VACCA: Thank you.
5 Council Member Darlene Mealy.

6 COUNCIL MEMBER MEALY: I want to
7 congratulate my colleague on these proposals
8 designated to make the streets and intersection of
9 New York City safer for the visually-impaired and
10 for all of us. I just have a ... and I want to
11 commend you on the curb cuts, those are great in
12 our community. And one thing I have to ask, with
13 the plaza, the new plazas that are being built,
14 have you put in something where people will know
15 that they're going into traffic after they're
16 leaving the plaza strip? Is there anything to let
17 them know they're going into traffic?

18 MR. WOLOCH: Right. We talked
19 about this earlier in the testimony. The plazas
20 have these two lines around that space, but I
21 think the challenge for people who are blind or
22 who have low vision is they can be seen but not
23 felt. We have in some places a different surface,
24 and we have planters and granite blocks, but we
25 don't have something around the entire perimeter

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2 of the plazas that separate it from the road
3 space, and that's something that we're looking
4 into and working on addressing.

5 COUNCIL MEMBER MEALY: Are you
6 going to be addressing that really soon? Because
7 the plazas are here, and people are using them, so
8 therefore by the summer, something should be in
9 place.

10 MR. WOLOCH: They are- -

11 COUNCIL MEMBER MEALY:
12 (Interposing) Safety is first.

13 MR. WOLOCH: Right, they are here,
14 the plazas have very generally helped to improve
15 safety dramatically in the locations that they're
16 at, but your point is well-taken, and this is what
17 we said earlier, it's something that we are
18 working on now, and we're going to try to figure
19 out what the best set of solutions are, and move
20 as quickly as we can.

21 COUNCIL MEMBER MEALY: And, Chair,
22 I just want to go back from last year, the
23 snowstorm. It was a big issue on the curb cuts,
24 who would clean the curb cuts, would it be
25 Sanitation or would it be DOT, when the curb cuts

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2 were done? And it was a big toss-up, everyone,
3 Transportation said it would be DOT, DOT said it
4 would be Transportation. So has anyone come out
5 with who is in charge of those curb cuts when it
6 snows?

7 MR. WOLOCH: Yeah, I think the only
8 issue for us was the bus stops, which get taken
9 care of by our franchisee, SIMUSA (phonetic). So
10 other than that, we're not in the snow removal
11 business.

12 COUNCIL MEMBER MEALY: So you all
13 do clean the bus stops.

14 MR. WOLOCH: Our franchisee cleans
15 the bus stops.

16 COUNCIL MEMBER MEALY: Thank you, I
17 didn't know that. Okay, one more question, the
18 city has already installed audio signals at a
19 dozen intersections citywide, how has this system
20 held up thus far? Has DOT noted the problems
21 created by weather, vandalism, theft, accidents,
22 or replacements for scheduling ... do you anticipate
23 how that will budget into your funds?

24 MR. GALGANO: We found no problems
25 on maintenance, they are working well and we

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2 anticipate it just being the normal maintenance
3 that we have on the regular signals.

4 COUNCIL MEMBER MEALY: So how often
5 do you upgrade the strips? Because like
6 Transportation, the strips on the side of the
7 platform, they wear out sometime, how often would
8 you replace them?

9 MR. GALGANO: I was talking about
10 the signals, I don't know about the parking- -

11 COUNCIL MEMBER MEALY:
12 (Interposing) They come- -

13 MR. WOLOCH: (Interposing) Are you
14 talking about the pedestrian ramps?

15 COUNCIL MEMBER MEALY: Yes.

16 MR. WOLOCH: I'd have to get back
17 to you on that.

18 COUNCIL MEMBER MEALY: Okay,
19 talking about Intro 745, accessible online posting
20 by DOT, we've seen that installing detectable
21 warning surfaces benefit all pedestrians, will the
22 changes required by this bill improve the
23 visibility and the hearing-impaired of DOT's
24 website for all?

25 MR. WOLOCH: Yeah, I mean, we

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2 support this bill, we think it's worth pursuing,
3 and we're going to get started on that.

4 COUNCIL MEMBER MEALY: Okay, thank
5 you.

6 CHAIRPERSON VACCA: Thank you.

7 COUNCIL MEMBER MEALY: Thank you.

8 CHAIRPERSON VACCA: Thank you,
9 Council Member Mealy. Council Member Rodriguez.

10 COUNCIL MEMBER RODRIGUEZ: Thank
11 you, Mr. Chairman. I have two questions, one is
12 about the ... and I heard your answer about how you
13 make the decision on the accessible pedestrian
14 signals, you said that 25 signals get replaced, or
15 is it new signals and requests?

16 MR. GALGANO: The 25 we install can
17 be new or existing.

18 COUNCIL MEMBER RODRIGUEZ: Okay.

19 MR. GALGANO: It's the top 25 for
20 the intersections that we do. It can be an
21 existing intersection or a new one.

22 COUNCIL MEMBER RODRIGUEZ: And how
23 do you make the decision on where to install those
24 signals?

25 MR. GALGANO: We use the

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2 guidelines, the national guidelines that have been
3 reviewed by PASS, and we rate each intersection,
4 we have a request on existing intersections at
5 certain locations and all the new ones, we go out
6 and we actually go through a checklist that's in
7 this thing, rating each aspect of the
8 intersection, whether it be the width of the
9 roadway and whether it's a commercial area,
10 whether it's a transportation hub, and whether
11 each of those things get rating points, and the
12 higher the rating is where we go first.

13 COUNCIL MEMBER RODRIGUEZ: And how
14 do you reach to get the people's feedback on this?

15 MR. GALGANO: We get from the
16 Mayor's Office of Disabilities requests, we get
17 them from PASS, and there's also a website, on our
18 website there's a request form that you can
19 request us to look at any intersection for an
20 accessible signal.

21 COUNCIL MEMBER RODRIGUEZ: Okay. I
22 just suggest that you would also reach our
23 offices, our Council also, as you know like we
24 hear so many concerns every day from our
25 constituents and I think that this is the first

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2 time that I heard that you go out and try to get
3 the outreach of the residents, and I would be more
4 than happy to ... at least I know that we have a
5 great Manhattan Commissioner, Margaret, who is
6 always there working with us, so I think that in
7 any new efforts also to try to get feedback from
8 our residents, I would be more than happy also to
9 work with your agency to see how we also get our
10 people's feedback. As you know, in New York City
11 we also have 25% of our residents who does not
12 speak English, and I think that it is important to
13 do outreach and try to get feedback, outreach to
14 our knowledge, doing it online, but also we have
15 to remember that there's communities, especially
16 just like the one that I represent, that are
17 limited in English. So I think it's important
18 also to coordinate some initiative to get the
19 feedback from them.

20 MR. WOLOCH: We're happy to work
21 with you and the Chair on that, and we can pull
22 information together about the program in
23 different languages and get it out to all the
24 members.

25 COUNCIL MEMBER RODRIGUEZ: What

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2 about like, I mean, the signals and all the other
3 initiatives have as a purpose also to increase the
4 level of safety in our streets, right? Especially
5 for people with disabilities. Do we know how many
6 people with disabilities get hit by cars every
7 year?

8 MR. WOLOCH: I don't have those
9 figures with me, we can check with our folks if
10 that's something we could get our arms around.
11 But you know, I think part of the ... you know, even
12 if that number is low, I think there's still an
13 imperative for us to make sure that our streets
14 are as safe as possible for the blind and other
15 folks with low vision.

16 COUNCIL MEMBER RODRIGUEZ: I think
17 it's important. Yesterday at another hearing we
18 heard that the number one cause of death for
19 children in the city by accidents, under 13, is
20 being hit by a car. And I think that we even were
21 surprised about that, it was not gun-related, it
22 was children under 13, the first cause of death is
23 being hit by a car, so I think that getting that
24 number can be also important.

25 MR. WOLOCH: Right, and I should

1
2 point out, I think historically that's true, those
3 numbers have come down very dramatically over the
4 past few years. In the city last year the number
5 of child pedestrians that were killed was three,
6 which is, for the past 30 years, as long as we
7 have data like this, it's ... that's the lowest that
8 figure has been, so we've made great strides in
9 improving safety generally on our streets, and,
10 you know, one fatality is one too many, but that
11 number is much less than it had been before.\

12 COUNCIL MEMBER RODRIGUEZ: I think
13 that we should look at it, because in 2005 people
14 also who died after being hit by a car in 2005 was
15 lower than the one last year. So I think that we
16 should look at the number, as we're saying that I
17 think that we have made progress, if we compare
18 2010 with 2011, but still the number is something
19 that we can try to reduce.

20 MR. WOLOCH: We have to keep
21 reducing these numbers. This past year was both
22 in terms of pedestrian fatalities and total
23 traffic fatalities our lowest numbers ever in the
24 history since the city has tracked that data from
25 1910, but I think your point is well-taken, we

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have to keep doing whatever we can to drive those numbers down further.

COUNCIL MEMBER RODRIGUEZ: Well, the data that will suggest that in 2005 the number was lower.

MR. WOLOCH: Last year was the lowest number of traffic fatalities ever.

COUNCIL MEMBER RODRIGUEZ: Thanks.

CHAIRPERSON VACCA: Thank you.

Council Member Koo.

COUNCIL MEMBER KOO: Thank you, Chairman Vacca, and thank you, Commissioner and your wonderful staff for coming here. On this new APS system, how many have you installed so far, in total? How many?

MR. WOLOCH: Right now there are 23.

COUNCIL MEMBER KOO: Only 23?

MR. WOLOCH: Right.

COUNCIL MEMBER KOO: And so you just started. So how many are there in different boroughs? Are they all in Manhattan?

MR. WOLOCH: No, they're spread throughout the city. There are seven in

1
2 Manhattan, four in Queens, four in Staten Island,
3 four in the Bronx and four in Brooklyn.

4 COUNCIL MEMBER KOO: So forgive me,
5 I'm from the other borough in Queens, so I haven't
6 seen one myself. So can you tell me more or less
7 how does it work? How does it help the visibly-
8 impaired?

9 MR. WOLOCH: Sure. Steve, if you
10 want to do it.

11 MR. GALGANO: There is a pushbutton
12 mounted on the signal that gives a tone to let the
13 visually-impaired know that it's there, and then
14 it also vibrates to let one know which direction
15 the crosswalk is. And then when you push the
16 button, if it's "don't walk", it will say "wait",
17 and then it will change to a percussive sound, to
18 let them know that it's time to cross the street.
19 Now that can also be a voice that says, you know,
20 cross whatever intersection it is. We have it set
21 now, I think after discussing it with people, that
22 the percussive sound that lets them know if
23 they're able to cross, they have the walk.

24 COUNCIL MEMBER KOO: Does it give
25 them a time, how many seconds to cross?

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MR. GALGANO: At this time it does not.

COUNCIL MEMBER KOO: No? So does it help the elderly people, if they want to use it? And other people with difficulty walking?

MR. WOLOCH: I think what Council Member Brewer suggested earlier, that for older adults who may not be blind, but their vision wasn't ... isn't what it used to be, it can also, the APS's can also be helpful.

COUNCIL MEMBER KOO: If you tell them how many seconds, they can determine how fast they can walk across the street. There's no indication of how many seconds on the voice, no?

MR. GALGANO: Not at this time, no.

COUNCIL MEMBER KOO: On the countdown signals, with how many seconds, those are very good for pedestrians. A lot of people told me they really help them a lot. But I'm thinking on the line of that, how come we don't have a countdown signal on the driver's side, for drivers to see how many seconds they have left before you cross, a person can cross this intersection?

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2 MR. WOLOCH: I think the concern ...
3 I'll give this a try, Steve, you tell me if I get
4 this right. I think the concern is that motorists
5 would see that number coming down, and then they'd
6 speed, which is a problem now anyway, but that
7 would, I think, exacerbate that tendency for
8 motorists to try to speed through.

9 COUNCIL MEMBER KOO: If they know
10 how many seconds before it's green again, so they
11 don't ... I know people are impatient, they are
12 trying ... so if you have a countdown there, they
13 know exactly how many seconds they have to stop,
14 or they can drive again. So that's just a
15 thought. One more question. Since there are only
16 so many APS systems available right now, how do
17 you determine where do you install it? Do you
18 have a database of how many visibly-impaired
19 people live in different boroughs or different
20 counties?

21 MR. WOLOCH: This is a very
22 important question. If we're only going to do
23 what's now at a level of 25, we have to put them
24 at the places where they're most needed. So what
25 Steve described earlier, we work with PASS and the

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2 disability community to get their suggestions
3 where it's needed and where there are locations
4 next to facilities, for example, and then we also
5 look at other criteria, like the geometry of the
6 intersections and crash rates, and rank the
7 locations that have been suggested to us, as well
8 as new locations.

9 CHAIRPERSON VACCA: If I could say
10 ... I'm sorry, Council Member, the Council Member is
11 bringing up an issue, and Gale Brewer and I are
12 talking, Gale is looking on the internet and
13 there's not anywhere on the internet that she can
14 find a list of where the audible pedestrian
15 signals are. So I think Darlene mentioned it too,
16 we need to have a list posted. I'm thinking of
17 the MTA, if you're a physically-disabled person
18 that needs an elevator-escalator, not all of the
19 MTA train stations have elevators and escalators.
20 But if you go online, they'll tell you where they
21 are, so as you navigate, you run around, you'll
22 know where you can access. So I think something
23 similar like that for the blind, posting on your
24 website where are the audible signals would be
25 helpful.

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2 COUNCIL MEMBER BREWER: If it's
3 here, then it's not clear, I'm just saying,
4 because nowhere when you open the site is it
5 clear. So all I'm saying- -

6 MR. WOLOCH: (Interposing) I don't
7 think it's there, and I think it's a good
8 suggestion and something we can do pretty easily.

9 COUNCIL MEMBER BREWER: She's
10 saying it is there.

11 MR. WOLOCH: It is there? Is it
12 there?

13 COUNCIL MEMBER BREWER: I know, but
14 it's not on a site. Is it on the site? All I'm
15 saying is, can you make it clearer if it's there,
16 because APS does not exist, I just tried a search,
17 everything.

18 MR. WOLOCH: We will confirm what's
19 there, I think what's been alluded to is the press
20 release from the announcement at 23rd and 7th. We
21 at that point had a list of the existing ones, and
22 described the number that were coming, but I think
23 the full list of everything that's been
24 implemented that we keep updating is a good
25 suggestion, and something we can easily do that.

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2 COUNCIL MEMBER BREWER: It's on the
3 APS, you're right, it's on the press release, but
4 it's not on the site per se, you know, you'd have
5 to know to look for it, it would make it clearer.

6 CHAIRPERSON VACCA: And that list
7 would be more relevant once we have a website that
8 is verbal, so that blind people can access it in
9 that way too. That's the other law that we have
10 pending, as you know. So I'm just thinking that
11 this would be a good thing for us to do.

12 MR. MISCHEL: Right, and we'll link
13 to the site off the MOPD website as well. Thank
14 you.

15 CHAIRPERSON VACCA: And just state
16 your name, sir, I'm sorry.

17 MR. MISCHEL: I'm sorry, I'm Jason
18 Mischel, Acting Commissioner and General Counsel
19 of MOPD.

20 CHAIRPERSON VACCA: Okay. I'm
21 sorry.

22 MR. WOLOCH: No, I just think when
23 we pull together the list of projects, it will be
24 ... of major transportation projects that the bill
25 requires, it will be easy enough to also have the

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list of the APS's on that same site, so.

CHAIRPERSON VACCA: Right, I'm sorry, Council Member Koo, can you ... I'm sorry to interrupt you.

COUNCIL MEMBER KOO: No, I have no further questions.

CHAIRPERSON VACCA: Okay, thank you. There being no further questions ... oh, I'm sorry, Council Member Greenfield. I'm sorry.

COUNCIL MEMBER GREENFIELD: Thank you, Mr. Chairman, and thank you, folks from the DOT and MOPD for being here today. Just a couple of basic questions, because most of my questions were already answered, that's the nice thing about waiting till the end. So the bottom line is that the issue here is cost? I mean, right, because these numbers are pretty small, we're talking about, you know, a couple of dozen throughout the city. Is that pretty much what is sort of slowing us down from expanding it?

MR. WOLOCH: Yeah, I mean, I think like so much of what we do, the constraint is essentially time and money. If we can get more funding, we can do more.

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COUNCIL MEMBER GREENFIELD: And what did we say the cost would be? Is it around \$500?

MR. WOLOCH: The cost for the device is \$500, the challenge for us and what makes this more costly than just the \$500 is that often we need to move poles, which in turn creates underground utility work, and that can go as high as \$20,000 an intersection. So that- -

COUNCIL MEMBER GREENFIELD:
(Interposing) Got it, so there's really- -

MR. WOLOCH: (Interposing) It raises the ante.

COUNCIL MEMBER GREENFIELD: Is there no way, Deputy Commissioner, to sort of incorporate it with changes that are happening anyway? Like when you change those new signals, for example, have you looked at that and studied that, and sort of see if that is more cost-efficient or if that's more doable?

MR. WOLOCH: I guess what we're trying to do, we have to balance cost efficiency with getting the limited number of APS's at the best locations. So what Steve talked about

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2 earlier is, we could just put in the 25 at the new
3 locations, where we're putting in new signals,
4 which tend not to be in the busy commercial areas,
5 but outlying areas, and my guess would be, if we
6 did that we could probably up the 25 to a slightly
7 higher number, because there's some efficiency,
8 because we're already going out to put a signal,
9 but we wouldn't necessarily be putting them in the
10 best locations.

11 COUNCIL MEMBER GREENFIELD: I guess
12 my question is -- no, I appreciate that, that
13 wasn't exactly what I was looking for. I guess my
14 question is, if we were to take a step back and
15 say, okay, it costs \$20,000 to install these
16 things from scratch, right, versus we do upgrades,
17 I'm not saying just the 25, right, if we want to
18 actually take the approach and say, hey, let's be
19 a little bit more proactive, right, you know, what
20 are our top 500 areas, for example. What would
21 that cost, and have you folks studied, or would
22 you be willing to study, if whether some of these
23 locations are going to be having upgrades coming
24 down the pike anyway? All right, I mean, I
25 understand that when you're doing something brand

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2 new it costs \$20,000 to do it, but if you're
3 already doing the work.

4 MR. WOLOCH: The \$20,000, it's not
5 a question of brand new, in fact, you know, it can
6 almost work the other way. For instance, where we
7 have all the intersections signalized already in
8 Manhattan, there often is going to be more
9 underground issues that have to be dealt with and
10 the cost is going to be even higher.

11 COUNCIL MEMBER GREENFIELD: Okay,
12 the ... we've already discussed the issue in terms
13 of trying to figure out how many folks are ... how
14 many visually-impaired folks are injured at
15 intersections. Do you have, while you're looking
16 at that information, will you get us as well,
17 perhaps from the Comptroller, from DOF, the number
18 in terms of potential payouts, as far as things
19 like lawsuits, related things like that, in terms
20 of these kinds of injuries, that the city may be
21 responsible for? Is that doable?

22 MR. WOLOCH: Sure.

23 COUNCIL MEMBER GREENFIELD: Okay,
24 and finally, you know, I'm always a little bit
25 biased, but you know, the borough of Brooklyn is

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2 the largest borough in the City of New York, and
3 Marty Markowitz keeps on reminding me we'd be the
4 fourth-largest city in the country. Four seems
5 like a very small amount of signals, how do you
6 decide in terms of the borough breakdowns and
7 other plans to sort of beef it up, in terms of
8 Brooklyn in particular?

9 MR. WOLOCH: I mean, I have to say
10 just looking at the list, you know, seven, four,
11 four, four and four, it's pretty equitably- -

12 COUNCIL MEMBER GREENFIELD:
13 (Interposing) David, you're not about to- -

14 MR. WOLOCH: (Interposing) ... spread
15 out.

16 COUNCIL MEMBER GREENFIELD: You're
17 not comparing Brooklyn to Staten Island, are you?
18 I mean, that, that would be bad.

19 MR. WOLOCH: As a resident of
20 Brooklyn, there's a soft spot in my heart for your
21 borough, but- -

22 COUNCIL MEMBER GREENFIELD:
23 (Interposing) We have ten times as many people. I
24 mean, so- -

25 MR. WOLOCH: (Interposing) I ...

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2 look, I think as we go forward with this program,
3 there will continue to be locations in all five
4 boroughs.

5 COUNCIL MEMBER GREENFIELD: All
6 right, I just think it would be worthwhile, if I
7 may recommend, to sort of look at it in terms of
8 where the need is, rather than just sort of the
9 scatter-shot approach, as you say, just sort of
10 check the box. I would imagine that the need in
11 Brooklyn is probably greater than Staten Island.

12 MR. WOLOCH: Absolutely. And you
13 know, that's why this entire program is revolving
14 around us getting feedback and working with MOPD
15 and working with PASS and others, and getting
16 their suggestions. If there are more locations in
17 Brooklyn where this is needed, they're going to
18 let us know.

19 COUNCIL MEMBER GREENFIELD: And I
20 would, once again, if possible, I would like to
21 see, if we're doing the, say, top 100, let's not
22 even go the top 500, the top 100, you know, where
23 would that be and what would it cost? I think
24 it's important to know, I mean, just to sort of
25 have a sense, right? On our end as well, we have

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2 some small part in the budgetary process, right,
3 so if you come back to us and say, you know, this
4 is a \$3 million project, then perhaps it is
5 worthwhile for us to sort of find those resources
6 to go out and do it. So I think it would be
7 helpful if we could look at this as sort of a
8 bigger picture, rather than just sort of scatter-
9 shot, right now it sort of seems like -- and I
10 just want to qualify this with I concur and I
11 applaud the Department of Transportation for
12 really doing some terrific work in terms of
13 lowering the number of injuries and fatalities in
14 New York, and I think you should be applauded for
15 that. But it seems like on this particular issue
16 it's sort of looking at the lowest common
17 denominator, and I really would think we should
18 just try to get a little step higher if we can,
19 maybe top 100, or top 250, and sort of scope it
20 out and see, you know, what would it cost us if we
21 did that, and then you can come back and say, hey
22 listen, here's the cost, and we've had this
23 conversation, it will cost us \$5 million to do
24 this, and then we can look on our end and see if
25 we can find the resources to sort of get that done

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as well.

MR. WOLOCH: I'd be happy to work with you on that.

COUNCIL MEMBER GREENFIELD: Thanks David.

MR. MISCHEL: And can I just add to that?

COUNCIL MEMBER GREENFIELD: Please, please, have your say.

MR. MISCHEL: At MOPD we're very active these days in trying to track down Federal grant money. For instance, we were able to secure a pretty significant grant last year working with DFTA and the Department of Transportation for an outer borough taxiing voucher program, which we hope to launch sometime later this year. So because unfortunately the Americans with Disabilities Act is not a funded act, and my agency happens to be very small, we're constantly looking for these kinds of sources for financial gain and as soon as we find something like that, that we think we can plug into this program, I'll certainly let you know, and solicit your help.

COUNCIL MEMBER GREENFIELD: I

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2 appreciate it, I'm happy to do what we can to help
3 as well. Thank you very much.

4 CHAIRPERSON VACCA: Thank you. I'd
5 like to thank our panel, and we'll now call up our
6 next panel. Our next panel is Karen Gourgey, PASS
7 Coalition, Ken Stewart, Annalynne Courtney-Barbier
8 of Visions Services for the Blind. Ms. Gourgey,
9 can I call upon you first? Ms. Gourgey?

10 MS. GOURGEY: I was going to try to
11 go last.

12 CHAIRPERSON VACCA: Is that okay
13 with you? Do you want to go last?

14 MS. GOURGEY: I would sort of like
15 to go last, if that's okay.

16 CHAIRPERSON VACCA: Okay.

17 MR. STEWART: I second the motion.

18 MS. GOURGEY: Thank you, sir.
19 Maybe Ken wants to go first.

20 MS. COURTNEY-BARBIER: Ken, you go
21 first.

22 MS. GOURGEY: So Ken and Annalynne.

23 CHAIRPERSON VACCA: Ken, do you
24 want to go first, Ken?

25 MR. STEWART: I'm willing.

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2 CHAIRPERSON VACCA: Okay. Please
3 introduce yourself for the record.

4 MR. STEWART: Okay, is there a
5 microphone? Okay. Sitting is okay. I'm Ken
6 Stewart, I'm President of the Metropolitan Council
7 of Low Vision Individuals, and my organization,
8 the Metropolitan Council of Low Vision
9 Individuals, proud to be a founding organization,
10 one of the founding organizations, and one of the
11 more than two dozen organizations now that are
12 very active in the Coalition, the PASS Coalition.
13 I have to say that I am ... well, first of all,
14 thank you very much to the attention that we're
15 getting on these serious issues from Council
16 Members Vacca, Brewer and other City Council
17 members, it's really gratifying to see that this
18 is recognized, this is a very, very serious area,
19 and not only for us blind and vision-impaired
20 people, but for the aging population generally,
21 which we all know is getting bigger and bigger.
22 The Mayor is talking about a lot wanting this to
23 be an age-friendly city, this is right on the
24 money on that. The PASS Coalition was in fact
25 generated by the Mayor's Office announcing

1 pedestrian improvements, 14,000 countdown signals.
2 Now compare that number, 14,000 countdown signals,
3 to the Department of Transportation today feeling
4 good about telling us they put in 23 APS's so far,
5 and they're working on 24 more, and they're going
6 to do 25 a year, that is very, very distressing,
7 frankly. And the discussion about the costs of
8 them and the difficulties of them, many times two
9 employees working a half-day to a whole day, can
10 wire an entire intersection with APS's, that's
11 what I was told just yesterday by the head of the
12 Polara Engineering Company, which is the primary
13 provider of the HS's for New York City. That's
14 not a heck of a lot, and in terms of particular
15 crosswalks, back in January of 2004, I sent a
16 request to Iris Weinshall, who was then the
17 Commissioner, for accessible pedestrian signals on
18 an intersection I use almost daily, 55th Street and
19 8th Avenue, and the pinheads are in exactly the
20 right spot already, so it doesn't take a lot of
21 infrastructure change, it would have been so
22 simple, and in those days the Manhattan
23 Commissioner bragged to me that he could get the
24 units for \$195 each. So compare those costs with
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2 50,000 or 100,000 or 150,000 for the work that's
3 being done to re-signalize an intersection. It's
4 really a pathetically-small cost, and what does a
5 life cost?

6 FEMALE VOICE: Thank you, yes.

7 MR. STEWART: And you know, I have
8 them with me today, one of my canes, you can see
9 it's bent, it's had a lot of conflicts with motor
10 vehicles in New York City, at this particular
11 intersection, 55th Street and 8th Avenue. I've had
12 more than a half dozen serious incidents, one I
13 was actually hit by a vehicle. I was hit by a
14 turning vehicle, and probably he miscalculated
15 what that pedestrian standing there was going to
16 do, because I was pausing and waiting and
17 listening to traffic to figure out when it was ...
18 when I had the walk sign. And so I hesitated.
19 Motorists, and probably most of the people in this
20 room are motorists, you know when you're turning
21 your vehicle, that's the most dangerous time,
22 dealing with pedestrians, pedestrians have a right
23 to cross, you have a right to make your turn. You
24 have to take a guess, should I go just in front of
25 that pedestrian or just behind that pedestrian?

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2 If the blind pedestrian is hesitating, it's hard
3 to figure out, should I go in front of him or in
4 back of him? And that's probably why I got hit by
5 that motor vehicle. So I'm also uneasy when I
6 hear the Department of Transportation saying that
7 one of the things they're going to consider is the
8 volume of pedestrians at a crosswalk. I am safest
9 in a pedestrian crosswalk that has a lot of other
10 people around me. If that truck is going to hit
11 me, it's going to hit three other people too,
12 there's strength in numbers. But if I'm the only
13 one crossing, not only am I more vulnerable, but
14 I'm not getting help from anybody else either.
15 New Yorkers, contrary to our reputation of being
16 unfriendly, strangers are wonderfully helpful to
17 me, every day that I'm crossing, they're offering
18 help. Often I don't need it, but they're there to
19 help me. So if I'm crossing alone, I'm at most
20 danger, and when there's a lot of other people
21 crossing, I'm in the least danger. So I'm
22 uncomfortable with that criterion also. In terms
23 of marking the differentiation between pedestrian
24 plazas and streets, the detectable warning
25 surfaces have been mentioned, and there's a lot of

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2 support in the Department of Transportation too,
3 but bollards are mentioned as one of the devices
4 that are being used. I'd like to take one of the
5 Department of Transportation people outside,
6 blindfold them and walk them up to a bollard, let
7 them feel that bollard and tell me, okay, now,
8 what does that tell you about which side is
9 pedestrian and which side is not? It's a round
10 bollard, what do you learn from that? So we have
11 to be more sophisticated in the non-visual
12 information things that are being installed, and
13 so I am encouraged by hearing the Department of
14 Transportation indicate they're going to continue
15 to work closely with PASS Coalition, because we
16 have a lot of expertise that we can help making
17 these important decisions. Thank you.

18 CHAIRPERSON VACCA: I thank you
19 very much for your testimony, and I think you did
20 put it in context. I think we have to do much,
21 much better than what we're doing. I think the
22 number of audible signals that's installed to date
23 is paltry in comparison to the need and in
24 comparison to the right that people have, it's the
25 right. I did not state that each person would be

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2 limited to three minutes during this section, so I
3 do apologize. So would you like to go next and
4 introduce yourself, please?

5 MS. COURTNEY-BARBIER: Yes.

6 CHAIRPERSON VACCA: I'm sorry.

7 MS. COURTNEY-BARBIER: I'm

8 Annalynne Courtney-Barbier, I'm an orientation and
9 mobility specialist with Visions Services for the
10 Blind and Visually Impaired, and I'm a member of
11 the PASS Coalition. And when I'm teaching people
12 how to travel independently, one of the things I
13 teach is intersection analysis. DOT has started
14 to use different signalization techniques to limit
15 how often a pedestrian is entering an
16 intersection, a crosswalk at the same time that a
17 car is turning. They use things like protected
18 turn lanes and split phasing. When I'm out
19 teaching and I see a sign, I'm holding up a
20 picture of a sign that says "Wait for Walk
21 Signal", I know that DOT has done something to the
22 signaling to give everybody their turn. And I
23 have to teach very specifically to that
24 intersection. When DOT hangs a sign like this at
25 an intersection, they're telling people, just

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2 because the cars on your street have stopped,
3 doesn't mean it's your time to go. Sometimes
4 people see that they want to cross Broadway, and
5 they start across Broadway, but they get to the
6 middle and that middle lane has actually got a
7 green turn signal. So both sighted and blind
8 people need to know that the walk sign is going to
9 go on at a very specific time. So when this sign
10 is hung up, that should be a sign that an APS
11 needs to go for that same crosswalk. I'd also
12 just very quickly like to state that there's been
13 a lot of reference to curb cuts. I remember when
14 there was no such thing as the ADA and there was
15 no such thing as curb cuts, and I remember the
16 conversations about the costs, the change of
17 design, how difficult it would be. But now
18 they're everywhere, but if we woke up tomorrow
19 morning and there were no more curb cuts, they'd
20 all disappeared, it wouldn't be just wheelchair
21 users who were complaining about the lack of
22 ramps. There would be a lot of other populations
23 who now use them and expect them, and I think the
24 same thing is going to happen for APS's at
25 intersections like where these signs are located.

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That's it, thank you.

CHAIRPERSON VACCA: Thank you. You know, I have to add to your statement that I was a district manager of a community board for 26 years before I came here, and I remember in the 1980's when those curb cuts were installed, and the people would call and say, "But Mr. Vacca, no one with a wheelchair ever goes at that corner. We've lived here for 30 years and we've never seen any." And I would say, "But they have the right to go there."

MS. COURTNEY-BARBIER: Change is hard.

CHAIRPERSON VACCA: Change is hard, it was not an understanding of the curb cut issue, you are so right, and the analogy is very relevant to the discussion today.

MS. COURTNEY-BARBIER: Thank you.

CHAIRPERSON VACCA: Thank you.
Karen Gouragey.

MS. GOURGEY: Hello all, can you hear me fine?\

CHAIRPERSON VACCA: Yes, very good, just state your name please, I'm sorry.

1
2 MS. GOURGEY: I will. My name is
3 Karen Gouragey, and I am the Chair of the PASS
4 Coalition. I'm also with the American Council of
5 the Blind, New York City Chapter, and I direct the
6 computer center for visually impaired people at
7 Baruch College. I want to start off by saying
8 that it's thrilling that we've finally reached
9 this point where people are really talking
10 programmatically about accessible pedestrian
11 signals and plazas, and doing the kind of work
12 that would really help to make our city accessible
13 for all. So it's thrilling, and it's also
14 thrilling to hear DOT talking about being willing
15 to work with us in terms of the temporary plazas,
16 so that we can work together. I seriously hope to
17 figure out what will be the best solutions, and I
18 get that as I understand it in the new plazas
19 you'll ... the grade will be raised, so that will be
20 a very important thing. So these are all
21 encouraging things. I want to make a comment
22 about the prioritization system that DOT is using.
23 That prioritization system, it's true it was
24 prepared by the Federal Cooperative Research
25 Board. That system was prepared for use with

1 existing situations, so it was prepared for use
2 with existing locations. It doesn't have anything
3 to do with new installations. So the idea that I
4 think we've heard Councilman Vacca and Council
5 Member Brewer espouse, that when any new signal is
6 installed, an APS is appropriate, is very
7 relevant, and just to take that wheelchair
8 analogy, and to complete it, that you wouldn't ask
9 somebody who's using a chair, well, do you know,
10 do you just need a chair by where ICD is or where
11 UCP is, something like that. No one would, no
12 wheelchair user would expect that. All of us need
13 access to the city, so we're very hopeful that we
14 can have a change of outlook, in the sense that
15 when new signals are installed, and as a start I
16 love the walk sign that Annalynne referred to,
17 when those things come up, that's an APS. The APS
18 is our walk sign, that's all we want, man, we want
19 walk signs.
20

21 FEMALE VOICE: Thank you.

22 MS. GOURGEY: I want to make a
23 comment, I probably have like 40 seconds left.
24 Ten seconds? A quick comment about the bikes
25 issue. We would like to ... oh.

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CHAIRPERSON VACCA: Please proceed.

MS. GOURGEY: Thank you. We had ...
PASS had a very interesting meeting yesterday with the folks for Transportation Alternatives, and we talked about the issue of our knowing where bike lanes are. We know that if we actually use a regular detectable warning strip as they are now, they're supposed to be 24 inches wide, well, you know, that could take up a whole bike lane, right, if you had 24 inches when you go up and 24 inches when you come down, there wouldn't be much bike lane. So I would propose, and I would wonder if maybe DOT would be open to it, perhaps it could be in our legislation, that we form a working group with a timeframe so that DOT and MOPD and PASS and stakeholders who have to do with bike issues can work together to come up with a solution that will really work for us as far as our knowing where those bike lanes are. Lastly I want to say I'm thrilled that DOT is in support of Bill #745, that is already a lot that's accessible on the DOT site, but of course a map is not, because a map is a picture. We need a map with words, and this bill has all the Federal standards in it, which is

1
2 thrilling, and we really look forward to the City
3 Council and DOT, MOPD, PASS and all who have an
4 interest in this really working together, so we
5 can make a quiet but fabulous revolution in our
6 city. Thank you.

7 CHAIRPERSON VACCA: Thank you. Let
8 me thank you all, let me clarify a couple of
9 things. What we're seeking to do with pedestrian
10 plazas is going forth and going back. I want the
11 existing pedestrian plazas in the city to be
12 accessible to those who are visually impaired.

13 MS. GOURGEY: Absolutely.

14 CHAIRPERSON VACCA: And I expect it
15 to be done. I tell you that this should have been
16 done all along, and that we are legislating it now
17 means that going forward but also going back I
18 expect it to be done. The other thing is, I do
19 want to talk about your comment regarding a work
20 group. I'm all for work groups, but I want you to
21 know that this hearing gives you and others an
22 opportunity to testify and give input. I would
23 rather not have a work group, I would rather that
24 my staff and our attorney, Lyle Frank, be involved
25 with you in conversations, and I would involve

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2 Transportation alternatives, if that is their
3 desire, but I want this legislated, I want this
4 now. work groups can go on and on and on, I feel
5 now is the time to move, and I appreciate- -

6 MS. GOURGEY: (Interposing) That's
7 wonderful, we just want a solution that will
8 really, really work for everybody, and we want to
9 make sure we do it right.

10 CHAIRPERSON VACCA: But my concern-

11 -

12 MS. GOURGEY: (Interposing) We
13 would be thrilled to work with you.

14 CHAIRPERSON VACCA: My concern with
15 the bike paths when it comes to people who are
16 visually-impaired, you can hear a car, you cannot
17 hear a bike. And part of what a blind person goes
18 through is that they cannot hear something that
19 makes no noise.

20 FEMALE VOICE: Thank you, yes.

21 CHAIRPERSON VACCA: So I go back to
22 my own experiences here. A blind person can hear
23 a car, you listen. However, where there are a lot
24 of pedestrians, where there are bikes that make no
25 noise, you don't hear what you should hear that

1
2 will help you. So that's why we have to arrive at
3 a solution.

4 MS. GOURGEY: Absolutely right.

5 CHAIRPERSON VACCA: Thank you all.
6 I'm sorry, Gale Brewer? Gale Brewer.

7 COUNCIL MEMBER BREWER: I have a
8 question. Thank you very much, and I want to just
9 ... the Chair is correct, of course, our new hybrid
10 taxis you can't hear anything, that's been pointed
11 out to me. So there are challenges in every
12 respect. My question is, in other cities do you
13 have any experience with other cities through your
14 contacts, that have already put in the APS's, paid
15 for them, etc.? I was just wondering how were
16 they able to do it, if you have any sense of it,
17 because it doesn't seem like DOT had done that
18 research.

19 MS. GOURGEY: Are you asking us?

20 COUNCIL MEMBER BREWER: Yes I am.

21 MS. GOURGEY: Well, we know that ...
22 and we can certainly get more information, Ken may
23 have more information. We know that San Francisco
24 did it as a settlement to avoid legal action, but
25 they did come up with an agreement and they did

1
2 work through it, and do you know how they secured
3 their funding? Ken?

4 COUNCIL MEMBER BREWER: Ken?

5 MR. STEWART: I can research it.

6 COUNCIL MEMBER BREWER: Okay.

7 MS. GOURGEY: All right.

8 COUNCIL MEMBER BREWER: And then my
9 other question is, I think what you're trying to
10 say, and I've been trying to say, and the Chair is
11 stating, is that it's not where individuals go who
12 may or may not be visually challenged, it's that
13 every single place everybody who is visually
14 challenged goes normally, and so we need APS's
15 everywhere. I think we should just make that very
16 clear.

17 MS. COURTNEY-BARBIER: Can I say
18 just one quick thing about that?

19 COUNCIL MEMBER BREWER: Yes.

20 MS. COURTNEY-BARBIER: I keep
21 thinking of places in, you talked about Brooklyn,
22 where there might be a blind person who lives, and
23 it's a very quiet street, and as Ken was saying,
24 there's no traffic, but that person has to get
25 across that street. We really need them, we can't

1
2 even make the ... we can't say just commercial, we
3 really need them where it's quiet as well.

4 COUNCIL MEMBER BREWER: Yes, I
5 totally agree.

6 MR. STEWART: The block crossing
7 outside your building.

8 COUNCIL MEMBER BREWER: And the
9 other ... I mean, just to piggyback, is that the
10 fact of the matter is, more people would be out
11 using the pedestrian opportunities, maybe taking
12 less Access-a-Ride, which is expensive.

13 MS. GOURGEY: Absolutely.

14 COUNCIL MEMBER BREWER: Even if
15 there was the opportunity to cross safely.

16 MR. STEWART: Yes.

17 COUNCIL MEMBER BREWER: So I just
18 want to make that point.

19 MS. GOURGEY: Absolutely.

20 COUNCIL MEMBER BREWER: Even though
21 you made it over and over again.

22 MR. STEWART: Thank you.

23 COUNCIL MEMBER BREWER: Thank you
24 very much.

25 CHAIRPERSON VACCA: Thank you all.

1
2 Our next panel, Elsa Mae Smith, Diana Gray, Debbie
3 Haynes.

4 MS. GRAY: Hi, my name is Diana
5 Gray.

6 CHAIRPERSON VACCA: Yes.

7 MS. GRAY: I've been visually
8 impaired all my life, and my sister lives in
9 Harlem, there are no audible, talking traffic
10 lights there, and it's really hard to cross that.
11 It is a huge street, there is no way, there is no
12 audible traffic lights over there at all. And
13 I've been visually impaired all my life, as I
14 said, this is not fair. I mean, we've only got it
15 in certain areas, but we don't have it everywhere,
16 so I think it's just unfair, it really is, and we
17 need to access more of them all over the city, not
18 just in Manhattan, not just in certain areas, not
19 just near the Lighthouse, not just near Visions.

20 MS. SMITH: Or the Guild.

21 MS. GRAY: Not just by the Guild.
22 I mean, we go everywhere else, I mean, we do
23 travel.

24 MS. SMITH: Yes we do.

25 MS. GRAY: I mean, we do live in

1
2 New York. But as we call it, this kind city,
3 well, unfortunately we don't have that
4 accessibility in most areas where we go. The
5 Bronx doesn't have it, Co-op City doesn't have it,
6 Harlem doesn't have it. We have families out
7 there, which I do, and I find it incredible that
8 there's no audible traffic lights, and I'm
9 visually impaired and it's not good at all, for a
10 person like me or anyone else who's totally blind.
11 I think it's just not fair, we need to have these
12 things all over, everywhere in New York City, the
13 whole metropolitan area needs it, not just in
14 certain areas. I just think it's not fair. We
15 really need these things. It's really good for
16 the fully-sighted, but it's not good for the
17 legally-blind, the totally-blind, the partially-
18 sighted, where do we fit in? So where's the
19 justice for us? So that's my say, and I am really
20 sick of it, it's just not fair. And that's my
21 name, Diana Gray.

22 CHAIRPERSON VACCA: Thank you.

23 MS. GRAY: That's my speech.

24 CHAIRPERSON VACCA: Thank you,
25 thank you. Introduce yourself, please.

1
2 MS. SMITH: Sure, I'm Elsie Mae
3 Smith. Yes, I've been visually ... I've been
4 visually impaired from birth, and I travel, yes I
5 do, I travel, I have family who live in Queens.
6 Sometimes, yes I do take Access-a-Ride, but half
7 the time, if I'm going to take like public
8 transportation, like the buses or the trains,
9 stuff like that, where my sister lives, this is a
10 very busy street, I have to call for family to
11 meet me and it's very difficult, half the time my
12 family cannot meet me, and I would like sometimes
13 to try to maneuver, but it's hard to maneuver when
14 the cars are going both ways and I cannot see
15 which way are they going. It's so very difficult.

16 CHAIRPERSON VACCA: Okay, thank
17 you.

18 MS. GOURGEY: Debbie.

19 CHAIRPERSON VACCA: Young lady,
20 take the mic. Thank you.

21 MS. HAYNES: Should I stand up?

22 MS. GRAY: You can sit down.

23 MS. HAYNES: Oh, okay. Okay, thank
24 you. Thank you for having us here and listening
25 to us. Thank you, PASS and Analyne and everybody

1
2 who's advocating for us, Mr. Vacca and Ms. Brewer
3 and everyone else. I would like to say, I'm
4 Debbie Haynes, and for me it is very unsafe to not
5 have, or for any of us, to not have these talking
6 traffic lights installed. They should be
7 installed everywhere, you shouldn't be thinking
8 about the cost, what about lives? Lives are
9 valuable, much more than money. I agree, you need
10 to have a certain amount of money to buy these
11 things, true. But think of a life, think of our
12 lives, think of how blessed people who have full
13 vision are, okay. They don't have to wait on
14 someone to help them across the street, when
15 people don't want to bother to answer. New York
16 is so kind, they don't answer us, they mock us. I
17 was told one time, when I was stuck between two
18 parked cars going to a grocery store one time, I
19 was asking for assistance, someone said, "I'll
20 help you", and they said there were people there,
21 they were just waiting to see what you would do,
22 waiting for us to get hit? Our lives matter to
23 us, why don't it matter to you? Be a kind New
24 York, don't say you are kind, act kind and be
25 kind, be real human beings for a change, sit in

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2 our shoes for a while, know what it's like to be
3 visually-impaired, when everyone thinks you have
4 full vision and they do not want to assist. Don't
5 wait till a totally-blind person or a visually-
6 impaired person gets killed or injured in the
7 street. Give a damn for a change, care, start
8 caring, have compassion, be a real human being.
9 Thank you.

10 CHAIRPERSON VACCA: Thank you.

11 Thank you. I'm sorry, would the last speaker just
12 state her name for the record again? Or did you?
13 I'm sorry.

14 MS. GOURGEY: Debbie Haynes.

15 CHAIRPERSON VACCA: Debbie?

16 MS. HAYNES: My name is Debbie
17 Haynes.

18 CHAIRPERSON VACCA: Debbie Haynes.

19 MS. HAYNES: Thank you.

20 CHAIRPERSON VACCA: Thank you.

21 MS. SMITH: I want to say something
22 again.

23 CHAIRPERSON VACCA: Yes, just state
24 your name again, okay?

25 MS. SMITH: Okay, Elsie Mae Smith.

1
2 Okay, two years ago, I had a family member got hit
3 by a car, okay, when she walked me downstairs
4 because I was visiting her. She would make sure
5 that I got on my transportation to go where I was
6 going. When I went back to her house, I was
7 calling her up, I couldn't reach her, and come to
8 find out, when I finally reached her, I found out
9 she was in the hospital. She got hit by a car
10 trying to come from the grocery store to get back
11 home to make sure that I got home safe. So if she
12 could have gotten hit, that could have been me.
13 That's what we're saying, you know, we need
14 protection, everybody needs protection. That
15 could have been me who was in the hospital,
16 instead of her.

17 CHAIRPERSON VACCA: Okay, thank
18 you.

19 MS. SMITH: And I'm Elsie Mae
20 Smith.

21 CHAIRPERSON VACCA: Thank you.
22 Thank you, ladies, thank you so much.

23 MS. HAYNES: Thank you.

24 MS. SMITH: Thank you.

25 CHAIRPERSON VACCA: Our last panel,

1 Matt Shotkin, Maria Hansen, and Michael Godino.

2 Mr. Godino, do you wish to go first, please?

3 MR. GODINO: I can go first.

4 CHAIRPERSON VACCA: Okay.

5 MR. GODINO: Thank you, thank you
6 very much.

7 CHAIRPERSON VACCA: Are we ready?

8 MR. GODINO: Okay, thank you, my
9 name is Mike Godino, I'm the Director of Advocacy
10 for the Brooklyn Center for Independence of the
11 Disabled, I'm also a very active member with the
12 American Council of the Blind, and I've been one
13 of the founding members of PASS since the
14 beginning, and it's really a wonderful thing. And
15 I did ... I do have prepared testimony, I'm not
16 going to read the testimony, you have it, you can
17 put it on the record. There were a couple of
18 things that came up throughout this hearing that
19 I'd really like to address maybe a little bit
20 more, based on what I've heard. Council Member
21 Koo asked about the countdown signals, there is
22 quite a bit of controversy and research being done
23 regarding audible accessible countdown signals,
24 based on the fact that for many years we've been
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2 counting down "three, two, one, go". So we don't
3 want the confusion on the streets, people
4 listening to the countdown, thinking, "Well, I
5 have to wait another three seconds, and then I can
6 go". We want people to, you know, be sure that
7 the countdown is signaling whatever it's going to
8 signal. So as far as accessible countdown
9 signals, we're not exactly, you know, all on the
10 same page with that yet. The other issue comes in
11 with the pedestrian plazas, and how to address the
12 issue of putting up barriers between the
13 pedestrian plaza and the walkway. People may
14 think when they feel that accessible tactile
15 warning, that they're stepping into a safe street,
16 rather than out of a safe area, so there can be
17 some confusion there. And, you know, I in my
18 testimony state that I would like to be able to
19 work with the departments within New York City to
20 try and address that issue, to find something
21 that's going to work for everybody, and not just
22 start installing perimeters of accessible ... I
23 mean, tactile warnings, so that we have this
24 perimeter and we're not sure whether or not we're
25 stepping ... because we've already stepped off a

1 curb, so we believe we're in a dangerous area
2 already, unless we know very distinctly that we
3 are in a pedestrian plaza, so there are a lot of
4 questions that come up with that. The other issue
5 came with the cost. The cost with rebuilding an
6 intersection and installing new lights of \$500
7 relative to the new installation is relatively
8 nothing and negatable. So I believe every new
9 intersection, wherever they're going to install a
10 pedestrian head, should be including an accessible
11 pedestrian signal, and those 25 additional that
12 they're going to do per year should be just that,
13 additional upgrades rather than the new
14 installations that are being done, because when we
15 talk about that \$20,000, it's relatively nothing
16 when we're talking about \$150,000 to rebuild an
17 intersection. So we can look at it that way. And
18 finally, the accessibility to the internet and
19 according to section 508, the internet should be
20 fully-accessible by whomever is providing the
21 website and, you know, the city is basically out
22 of compliance and should come into compliance as
23 soon as possible, but we need to address that, and
24 the city departments should work together. I was
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1
2 at a presentation just the other day from ... it was
3 Planning, the Planning Department, who just put up
4 a new report that they had done on accessibility
5 for seniors, and upgrading transportation issues
6 for seniors, and in that whole report, not once do
7 they address the accessibility as far as audio is
8 concerned. They talk about lights, flashing
9 lights and all kinds of stuff, but DOT is not
10 talking to Planning, it's not talking to MOPD, and
11 we need to get all of the city departments talking
12 to each other, so that the left hand and the right
13 hand are actually working in conjunction to eat
14 the meal on the plate. Thank you.

15 CHAIRPERSON VACCA: Thank you.

16 Sir?

17 MR. SHOTKIN: Good morning, ladies
18 ... or good afternoon now, Council Member Brewer,
19 ladies and gentlemen. I'm in favor of all three
20 intros, Intro 183-2010, Intro 0487-2011, and Intro
21 0745-2011. I'm in favor of Intro 0183-2010
22 because it allows less accidents to occur when
23 people are crossing the street, and also less
24 subway accidents to occur less frequently, because
25 when a train is oncoming with this new local law,

1
2 a warning light would flash or blink. Also when a
3 disabled person is crossing the street, it has to
4 be safe-friendly. Secondly, Intro 0487-2011
5 allows detectable warning surfaces, in the Council
6 Member's words this morning at the press
7 conference, with strips to be installed in case of
8 an emergency. I don't care about the actual cost,
9 \$125,000 to \$20 million, \$500, they say that
10 there's no money in the Mayor's budget, baloney
11 beeswax.

12 CHAIRPERSON VACCA: That's a good
13 one.

14 MR. SHOTKIN: And finally, Intro
15 0745-2011 would allow for major street redesign to
16 take place so that vehicles such as a bus or a car
17 which a person with a disability coming so that a
18 motorist would avoid them. Also, hybrid cabs are
19 so quiet because of the electric motors, blind
20 people can't hear them. And per Council Member
21 Brewer's earlier question, there are parking
22 garages in my neighborhood on 46th Street, and
23 throughout the city, which have the problem for a
24 blind person that Council Member Brewer stated
25 before. I sincerely hope that all three of these

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2 intros get passed, because the city could sure use
3 some improvements in the Transportation
4 Department. Thanks for your time today.

5 CHAIRPERSON VACCA: Our next
6 speaker, please. Thank you.

7 MS. HANSEN: Hello, my name is
8 Maria Hansen, and I represent Guide Dog Users of
9 New York, and I'm a founding member of PASS. We
10 want to insure that New York City's street are
11 accessible to everyone. The city has embarked on
12 a zealous safety campaign, including such things
13 as changes in street geometry, signalization,
14 especially leading pedestrian intervals, exclusive
15 pedestrian phases and phased changes such as
16 leading and lagging dedicated turn lanes. This
17 has resulted in a reduction in traffic injuries or
18 pedestrian injuries and fatalities. However,
19 since these safety alterations are not
20 communicated in an accessible format to blind
21 pedestrians, crossing intersections where such
22 modifications have been made makes those crossings
23 more and more perilous for us. We would like to
24 see accessible pedestrian signals installed
25 whenever these modifications occur, safety is a

1
2 priority. The installation of accessible
3 pedestrian signals is occurring at a snail's pace,
4 when compared to all these other safety
5 modifications. Let's be honest here, there were
6 four accessible pedestrian signals installed last
7 year, 25 is a goal, that is yet to be seen.

8 However, since the other safety modifications that
9 benefit most New Yorkers are occurring at a very
10 fast clip, and accessible pedestrian signals and
11 detectable warning strips and accommodations that
12 benefit us are occurring at a very slow pace,
13 there is an accelerating gap in the safety
14 benefits to sighted New Yorkers when compared to
15 blind New Yorkers. I'd like to see a change there.

16 I do want to correct one statistic that Mr.
17 Stewart made, it's 1,500 countdown timers, not
18 15,000, that were being installed. Other funds
19 that I think are available to help with these
20 changes are the T21, Transportation Act of the 21st
21 Century, I think you might find some money there.
22 PASS has submitted written testimony that we'd
23 like you to look at, it goes in much further depth
24 explaining what these problems are that are posed
25 to us. We want to see a lot more than four

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2 accessible pedestrian signals installed per year,
3 and the priority should be the challenging nature,
4 the safety concerns of that intersection, as
5 opposed to proximity to blind agencies. I only
6 spend, perhaps, two hours a week near a blind
7 agency. That leaves 166 that I spend in the West
8 Village, the Upper West Side, the Theater
9 District, shopping, going to the gym, walking my
10 dog, etc., and that's where I need these
11 accommodations. Thank you very, very much.

12 CHAIRPERSON VACCA: You know, the
13 Department of Transportation tells us that 80% of
14 their money for bike lanes comes from the Federal
15 government.

16 MS. HANSEN: T21.

17 CHAIRPERSON VACCA: Yes.

18 MR. SHOTKIN: Mr. Chairman, may I
19 just say one more thing?

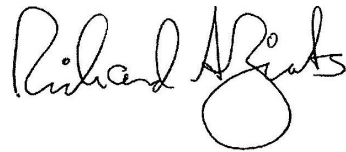
20 CHAIRPERSON VACCA: No, no, no. I
21 can't. I appreciate it, but I want to finish my
22 thought. I know that the city receives \$177
23 million from the Federal government for New York
24 City DOT every year. So I can think of no greater
25 funding opportunity that the Federal government

1
2 has but to fund the audible signals. And I also
3 want to make clear that I will think about, you
4 know, I had mentioned before commercial strips,
5 but I think that many of you are correct, that we
6 should be looking for all future lights to have.
7 So I will be working with Council Member Brewer on
8 this, we will take your thoughts concerning the
9 three pieces of legislation, because we want to
10 make the legislation the best possible legislation
11 that we can, and that's our intent, and we are
12 serious about proceeding. So, there are no
13 further speakers, I thank you all for coming.
14 This meeting is hereby adjourned, five after 1:00.

15 FEMALE VOICE: Thank you for
16 advocating for us.

C E R T I F I C A T E

I, Richard A. Ziats, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature _____

Date _____ February 15, 2012 _____