

**NYC DEPARTMENT OF TRANSPORTATION
TESTIMONY ON INT. 1109-A
BEFORE THE COMMITTEE ON TRANSPORTATION
MARCH 30, 2016**

Good morning Chairman Rodriguez and members of the Transportation Committee. I am Polly Trottenberg, the Commissioner for the Department of Transportation (DOT) and I am joined by Captain Robert O'Hare, the Commanding Officer of the Times Square Unit for the New York City Police Department (NYPD), Michael Paul Carey, Executive Director of Citywide Event Coordination Management, and Jeff Lynch, Assistant Commissioner for Intergovernmental and Community Affairs at DOT.

I am here on behalf of Mayor de Blasio, both to give an overview of our Plaza Program and to offer our support for Intro 1109-A, which seeks to provide a regulatory framework to ensure all of our plazas function as safe, enjoyable public spaces. Intro 1109-A will also allow us to tackle the unique challenges of Times Square in a manner that fairly balances the needs of all users – commuters, tourists, local businesses, performers, ticket sellers, and everyday New Yorkers.

Since 2008, the Plaza Program has created high-quality public spaces in underutilized roadways throughout the City, especially in neighborhoods that lack open space. The growth of public plazas is one of New York City's great success stories in recent years. I want to thank the Council for their partnership on the program, including investing over \$8 million in capital funding, which has helped these plazas thrive.

Right now, New York City has 53 plazas open to the public and another 20 in planning or construction. These range from major plazas like Times Square and Flatiron which attract millions of visitors every year, to more local plazas like Diversity Plaza in Jackson Heights and Zion Triangle in Brownsville that function as neighborhood gathering places.

And the Plaza Program continues to grow. DOT regularly considers new plaza sites when potential partner organizations submit proposals through our competitive application process. Applications are reviewed for neighborhood support and impact, safety benefits, and partner

capacity. DOT then works with the selected organizations to create plazas that best serve the needs of their neighborhoods.

These organizations, typically Business Improvement Districts or Local Development Corporations, commit to operate, maintain, and manage these spaces. It is a system that has worked well by promoting local leadership and accountability, community buy-in, and an ability to respond quickly to neighborhood needs.

However, about half of these organizations, typically outside the City's main business core, have limited financial resources and public space management expertise, and therefore often struggle to meet the demands of maintaining and programming a high-quality plaza.

To address this issue, Mayor de Blasio and DOT created the OneNYC Plaza Equity Program with \$70 million to be allocated to lower-capacity plaza partners over the next five years. The funds will help maintain plaza spaces as well as provide technical assistance and management expertise, enabling many more communities in the City to have successful public space.

Last November, I stood with Chairman Rodriguez to announce the opening of Plaza de Las Americas, a beautiful new plaza and cultural center in Washington Heights. Then in January, we opened Fordham Plaza in Council Member Torres' district. I am happy to say that Fordham Plaza, a vital transit hub connecting 15 bus lines and the City's third busiest Metro North station, has become a popular local destination.

This summer, we will start the permanent construction of Corona Plaza in Queens. With our partners, the Queens Economic Development Corporation, the Queens Museum, and Councilmember Ferreras-Copeland, we have transformed a low-volume space into a lively neighborhood gathering place featuring the best of the community's food, art, and dance.

Now, on to Times Square—an icon for over a century and the heart of New York City—its bright signs, 40 theaters and other attractions, and thronging crowds are recognized across the

world. It is no surprise that the Times Square Plaza has gotten the lion's share of the public's attention.

An incredibly diverse and busy destination, it is hard to overstate the importance of Times Square: approximately 82 million annual subway riders travel through the system's busiest station—42nd Street—and, approximately 39 million tourists from all over the globe visited last year, with 300-400,000 people walking through daily. Times Square also contributes tens of billions of dollars to the City's economy each year.

Times Square has only grown more popular with the installation of the five plaza spaces in 2009. The roadway on Broadway between 42nd and 47th Streets was closed to vehicular traffic and almost 112,000 square feet was opened to pedestrians—nearly the size of two football fields.

At any given moment, pedestrians make up 90 percent of Times Square's users, but until 2009, they had been given only about ten percent of the space. That made for a dangerous environment for pedestrians, cyclists and motorists. As James Traub writes in his 2004 history, *The Devil's Playground*, Times Square was "not safe to cross on foot," and was the "least serene place in the Western Hemisphere."

Opening the Times Square Plaza addressed these challenges on many levels with improved roadway safety for pedestrians, cyclists, and motorists while helping to bring record business to neighborhood theaters, hotels and restaurants.

But even with the success of the Times Square Plaza, new challenges have arisen, most notably aggressive or unwanted solicitation from entertainers and ticket sellers as well as severe pedestrian congestion. The ongoing construction of the plazas has unfortunately also exacerbated traffic congestion in the area.

In addressing these challenges, we and our colleagues at the NYPD have faced a lack of an explicit regulatory framework for plazas, which are still a relatively new construct, including rules that would help govern both pedestrian circulation and other activities.

Last year, the de Blasio Administration, local elected officials and stakeholders strongly committed to making Times Square a safer, more enjoyable space with the creation of a task force, co-chaired by Police Commissioner Bill Bratton and City Planning Chair Carl Weisbrod. The task force has met with Times Square business owners, elected officials, and other stakeholders to create a series of comprehensive recommendations which the City has been aggressively implementing.

Starting in October, NYPD has deployed a new dedicated unit of 100 officers to patrol and help solve the unique enforcement issues in Times Square. The Administration also took steps to improve traffic flow during construction by adding Traffic Enforcement Agents, limiting street fairs, and allowing DOT to remove unnecessary obstructions in the area such as unneeded equipment and duplicate signs. DOT and DDC are also working closely to accelerate the plaza construction and plan to see its completion by year's end.

We believe these steps have helped, but share the Council's belief that more action is needed.

So now I would like to turn to Intro 1109-A. First, I want to thank Council Members Johnson and Garodnick for introducing this bill and for their leadership, along with Manhattan Borough President Gale Brewer, the Times Square Alliance, and other stakeholders. This bill authorizes DOT to make rules regulating plazas to be enforced by NYPD.

Rulemaking will allow us to work with interested parties through the City Administrative Procedure Act (CAPA) process to design a system to better manage the plaza for commuters, tourists, entertainers, and others passing through the space. The CAPA process requires DOT to publish our draft rules for a 30-day public comment period and then we will hold a public hearing where all are invited to testify. DOT will then consider all this public input as we prepare our final rules.

Under the bill, DOT will be authorized to promulgate general rules for all plazas, which will cover conduct, litter, and quality of life issues, complementing our signage currently posted in plazas, as well as codifying the Plaza Program application process.

The bill also authorizes DOT to create plaza-specific rules as needed. At this time we are developing specific rules for Times Square Plaza, but stand ready to work with other plazas to address any specific challenges they face.

When creating plaza-specific rules, the bill directs us to consider the individual needs of each space, pedestrian traffic, public safety, tourism, and maintaining the special character of a plaza. During rulemaking, we can also consider the need to regulate commercial activity, solicitation, entertainment, or expressive matter vending in a given pedestrian plaza.

Should the Council pass the bill and Mayor sign it into law, DOT will be ready to act quickly.

In order to fully understand the conditions in Times Square, DOT has analyzed pedestrian flow and activity in the plaza to develop an organizational layout for the spaces. This data will allow us to create a two-pronged approach in our proposed rules.

First, we expect to propose “flow zones” to establish a clear path for the safe and continuous movement of pedestrian traffic. The flow zones will be marked initially with reflective white tape (as shown in the rendering behind me) and basically follow the paths of the former sidewalks. We will also install signs to demarcate the flow zones.

Secondly, in addition to the flow zones, we are working with NYPD to propose “Designated Activity Zones” (DAZs) in our forthcoming rules that will be defined, highly-visible areas providing ample space for commercial activity, entertainment, expressive matter vending and solicitation without impeding those passing through or who simply wish to enjoy Times Square.

The proposed size and placement of the DAZs (also shown in the rendering behind me) will be based on volumes and behaviors DOT and NYPD have observed in the plazas. Using temporary

materials to distinguish the DAZs from the other parts of the plaza will allow us to work with NYPD to observe the use and make adjustments as needed. We anticipate some trial and error as the seasons change and special events occur, and with construction starts and stops.

The remaining space, the heart of the plazas, now surrounded by these flow zones, is intended to be fully available for all to use: to take in the billboards and crowds, to sit and talk with friends, to snap photographs, and to view artwork installations and events.

Lastly, the bill as introduced today creates a new plaza event permit and authorizes DOT to be the issuing agency. We strongly agree with our plaza partners that there should be a distinct plaza event permit that addresses the particular challenges plazas face and their unique needs and characteristics.

However, the Administration believes that this type of permitting is better suited for the Street Activity Permit Office (SAPO). SAPO already has the experience, expertise, and resources, and the ability to coordinate multiple agencies to manage permits and logistics for all types of events, while DOT does not.

We have been in active discussions with the Council, community boards and the BID Association about the most effective way to permit events within the plazas and look forward to continuing that dialogue.

We also look forward to continuing to work with NYPD, the Times Square Alliance and other stakeholders to maintain a lively, safe and enjoyable public space for all visitors while ensuring that performers and others can exercise their right to express themselves or pursue their livelihoods.

Thank you for the opportunity to testify today and I look forward to your questions.



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Gale A. Brewer, Borough President

**Testimony of Manhattan Borough President Gale A. Brewer
New York City Council Committee on Transportation
Proposed Int. No. 1109-A
March 30, 2016**

My name is Gale Brewer and I am the Manhattan Borough President. Thank you Chair Rodriguez and members of the Transportation Committee for holding this hearing on Int. 1109-A, a proposed local law on pedestrian plazas. This legislation would provide a mechanism for designating and de-commissioning pedestrian plazas throughout the City and give the Department of Transportation (DOT) rulemaking authority over the use of, and activities in, pedestrian plazas.

It appears Manhattan currently has the largest number of pedestrian plazas, although a single comprehensive list of plazas with the status of each would greatly improve transparency. We love our plazas and the opportunities they give us to sit, relax, people watch and get away from vehicular traffic. Many of them function just fine the way they are. Others, like Times Square are in need of some assistance. Int. 1109-A would essentially establish a plaza program by law, and give DOT the power to create both City-wide plaza regulations and plaza-specific regulations for those public spaces, such as Times Square, that need extra attention.

Now, no one likes the edginess, eccentricities and grit of Manhattan more than I do. I'm the last person who wants to see everything sanitized and polished. But there's a fine line between quirky and edgy and the more recent series of incidents that are both disturbing and dangerous. From costumed characters intimidating families and stealing money, to ticket sellers committing fraud, my office receives regular complaints of concern and annoyance over what they fear Times Square is becoming. We have heard stories in meetings at the Times Square Alliance of workers avoiding the plaza on their way to work and actors asking that rehearsals take place outside of the neighborhood. These problems affect tourism and the quality of life of residents as well. Therefore over the last year or more, my office has been working collaboratively with the Alliance, Council Members Johnson and Garodnick, and many stakeholders on bringing order to the chaos to make sure we stay on the right side of the line between fun and frightening.

Int. 1109-A is a critical product of this dialogue. In response to the hard work of the Times Square Alliance and local elected officials, the Mayor formed his task force which adopted most of their recommendations. The special enforcement unit is already up and running and this legislation is the next critical step in the plan. While the legislation would give DOT the authority to regulate commercial activity, solicitation and entertainment in the plazas, it would not ban any of these activities, and the rulemaking process will ensure ample opportunity for these various activities to continue to occur, while protecting the primary purpose of the plazas – pedestrian access and movement. It will balance the critical interests of pedestrians with the

protected interests of expression. The only suggestion I would like to offer is that the bill be amended so that public hearings are required for both proposed plaza designations and the rescinding of established plaza designations instead of simply providing an opportunity for comments. I understand that currently DOT does not move forward on plaza designations without community board approval but some provision for codifying a hearing would be best. More importantly, DOT should not be able to rescind a plaza designation without a public hearing because the wider public should be given a chance to weigh in on the loss of important public space.

Thank you to Chair Rodriguez for holding this hearing so quickly, and I urge the Committee and Council to pass it so that rules can be promulgated before this summer.

**Testimony of Robert J. Kafin
Intro No. 1109 In Relation To Pedestrian Plazas
March 30, 2016**

My name is Robert J. Kafin. I reside in Council Member Kallos' District. I work at Eleven Times Square in Council Member Johnson's District. Among my other positions and responsibilities, I serve as the Chair of the Times Square Alliance.

I strongly support legislation authorizing the City's Department of Transportation to adopt regulations for the management of pedestrian plazas and adjacent sidewalks. While I am mostly interested in the Broadway Plazas in Times Square, what I have to say is also applicable to pedestrian plazas throughout the City, all of which should be managed to support public uses in a fair manner.

The pedestrian plazas are public property open for the enjoyment of all citizens of and visitors to our City. As such, they should be managed to be

- Safe and free of criminal and predatory behavior and hazardous activities.
- Healthy and clean places.
- Shared spaces not monopolized or dominated by who gets there first or acts most aggressively.
- Accessible for diverse uses appropriate to the surrounding neighborhood with time, place and manner rules to reduce conflicts between incompatible activities.

While one would think the City would already have all the power it needs to manage its own property, this City Administration has claimed that its DOT needs more specific legislative authority to promulgate rules applicable to the use of, and activities within, pedestrian plazas. Intro. 1109 will provide that authority, and I urge its approval.

The most important principle is that the pedestrian plazas and adjacent sidewalks belong to us all. But such spaces are limited in size. There are many, many more activities that people want to conduct in them than can be comfortably accommodated. Therefore, there needs to be some way in which these spaces can be fairly allocated among all the various competing uses

and such uses distributed within the spaces in some accommodating way. And, because of their danger to participants and others, or their spill over potential to cause nuisance injuries to nearby people and properties, or their potential of harm to public facilities, some activities must be limited or prohibited – just the way they are in public parks and on public streets. In fact, all this legislation does is give DOT the ability to manage non-vehicular places within its jurisdiction the same way it manage roads by designating lanes for motor vehicle passage, parking places, bus stops, pedestrian crossings, turning lanes, and the like. There is no reason why DOT should not have the ability to manage pedestrian plazas to the same degree that the Parks Department manages parks and playgrounds or to the same degree it manages streets.

The primary beneficiaries of good management of pedestrian plazas are the ordinary people of New York – the worker coming out of the subway and walking to employment, the family enjoying sights or entertainment opportunities, the small business owner creating a welcoming environment for customers, the busker or other street entertainer needing order and a location to perform, and the resident seeking unimpeded access to local services. And, yes, tourists, owners of large businesses, the theater industry, hotels, restaurants, and even banks will benefit from sensible rules for activities within the plazas. But, the benefit will come from reasonable sharing of these public spaces and not – as some have contended – from elitism or a desire to exclude the valid interests of the “little guy” in using and enjoying open public property.

Pedestrian plazas provide a wonderful adaptation of areas previously given over to exclusive motor vehicle use to multi-use purposes providing walking opportunities, open space enjoyment, exhibition areas, and various forms of relatively passive recreation. But they are subject to degradation if overwhelmed with aggressive uses that crowd out other uses. As with parks, pedestrian plazas require good management and some entity holding the public trust to set some rules and see to their enforcement. Intro No. 1109 is a good first step in that direction and should be enacted.

INTRO 1109-A – PLAZA LEGISLATION

Testimony – Jennifer Brown, Executive Director, Flatiron/23rd Street Partnership

First, I'd like to thank Councilmember Rodriguez and the Transportation Committee for conducting a hearing on this important legislation. I would also like to acknowledge the leadership of Councilmembers Johnson and Garodnick on this legislation.

While much of the talk about this bill has focused on Times Square, it is critically important to understand that there are dozens of pedestrian plazas citywide with local partners that have lovingly maintained and programmed them for years. The plaza program is a shining example of the positive impact that public-private partnerships can have in neighborhoods throughout the city.

The plazas in the Flatiron District were created during the earliest stages of the program. In 2008, as part of a larger traffic reconfiguration and pedestrian safety project, more than 35,000 square feet of new public space was created at the iconic intersection of Broadway, Fifth Avenue, and 23rd Street. These plazas were not created in an area that was starved for public space – in fact; they were created adjacent to one of the most beautiful public parks in Manhattan. Even we, as champions of streetscape improvements and the public realm, were somewhat skeptical at first. In spite of that, locals and visitors alike immediately embraced them. Over the years, the community has come to know them as our neighborhood's town squares and piazzas - a place to meet up, have lunch, and watch the world go by. The plazas have received an average of a 90% approval rating over the years in our annual community survey.

Upon their creation, the BID immediately began to implement core services, including Clean Streets, Public Safety, and Horticulture, but our care of the plazas has gone way beyond that. We provide free WiFi, a solar-powered phone charging station, solar-powered recycling units, two food kiosks operated by local small businesses, and a visitor information cart, which provides directional information and materials to promote our local businesses and attractions.

We also provide free community events for our stakeholders. The mantra of our programming is "for the community, by the community" meaning that we work solely with local partners to produce fitness classes, tech education classes, live performances, and more. Our full-scale holiday program includes a festive holiday installation, selected through a design competition in partnership with locally-based Van Alen Institute, and a series of programs aimed at promoting the area's shopping, dining, and cultural attractions during the busy holiday season.

All-in, my organization has invested more than \$2 million in the Flatiron Plazas over the past 8 years.

The challenge has been this – the framework for the plaza program has been one under which the rules of streets and roadbed apply. Thus, the rules regulating the plazas have not been consistent with the actual use and promise of these spaces. Plaza partners have been opining about the challenges associated with the framework for many years. In our area, the biggest complaint has been the increasing attraction of the plazas for outside commercial events, permitted through the Street Activity Permit Office. Our inability as partners to manage a more balanced approach to the public space and its many competing needs has become an issue for us and for the surrounding community. This does not mean that we want to cease all commercial events in the plazas, it means that we as the organization that is maintaining and programming the spaces, along with our partner agency the Department of Transportation, should have better tools in the tool box to manage these competing uses.

Whereas parks are identified as places of respite and recreational use, our plazas are critical to the pedestrian flow of a busy neighborhood, and also serve as places of passive use and community-based activities. The framework governing the plazas needs to be more nimble, and truly needs to be flexible enough to address the unique, individual needs of the plazas, plaza partners, and their surrounding neighborhoods citywide.

This bill would create a new legal framework for the plaza program and provide for the promulgation of rules to govern conduct and commercial activities. The adoption of uniform rules for plazas citywide, as well as rules that can be created specific to individual plazas – in conjunction with the local plaza partner - is critically important to the long-term success of these spaces.

For us, the promulgation of rules regarding event permitting – both outside commercial events and our own programming – is key. With respect to that issue, the following language is very important to us, as is meaningful community consultation and review:

Such rules shall allow for the evaluation of the unique characteristics of the area and the plaza for which the permit is sought, the customary or everyday use of the plaza for which the permit is sought, the nature of the neighborhood adjacent to the plaza, the impact of the proposed event on the plaza and the neighborhood adjacent to the plaza, and the community or economic development impact of the event, taking into account, among any other relevant factors, any positive or negative effects on

pedestrian and vehicular traffic in the area presented by the proposed event and the impact of cumulative demands on the plaza and adjacent streets and public spaces.

We are also very concerned with the last sentence in the language about regulating commercial activity, as follows: *for the purposes of this paragraph, commercial activity shall not include vendors who are licensed pursuant to sections 17-307 or 20-453*. Our understanding is that this sentence was included specifically to address any concerns about maintaining status quo regarding legally-sited, licensed vendors operating on sidewalks immediately adjacent to the pedestrian plazas. Over the course of the last few weeks, DOT, administration, and Council officials have assured us that the existing legal framework by which there is no general and food vending allowed on the pedestrian plazas, which are still mapped roadbed, would continue. Having said that, we feel that the language could be more nuanced in the actual legislation to make it clear that the commercial exemption regarding general and food vendors pertains specifically to adjacent sidewalks, and that DOT would continue to be able to regulate general and food vending on the plazas themselves.

It's important to note that there is no "one size fits all" solution to these challenges. Many of the nuanced details that are important to plaza partners do not appear directly in the legislation; therefore a comprehensive, effective rulemaking process is critical. If we do not believe that there will be expeditious rulemaking and meaningful consultation with partners to address these unique challenges, we would not be able to fully support the legislation. This applies to rulemaking related to the general rules of conduct, plaza-specific rules, and event permitting rules.

To put it even more bluntly - please solve Times Square's challenges - but do not seek to solve only Times Square's challenges and leave the other dozens of plazas that are so critical to neighborhoods in all corners of the city behind.

For those of us in the midtown/midtown south area of Manhattan, this particularly important, because solving only Times Square's challenges could potentially lead to unintended, negative consequences for other plazas, thus solving the issues for one neighborhood, while creating more for another.

Please don't let that happen.



FOR THE RECORD

TESTIMONY of AARON FRIEDMAN
President and Founder, Make Music New York
Before the New York City Council
on Intro. 1109 – Pedestrian Plaza Legislation
March 30, 2016

My name is Aaron Friedman and I am the President and Founder of Make Music New York. Make Music New York is a not-for-profit organization that brings thousands of New Yorkers of all ages, abilities, and backgrounds together to make music on June 21st, uniting the city in a daylong musical holiday. Since 2007, Make Music New York has organized over 9,000 free, non-commercial outdoor concerts, many of them in pedestrian plazas. We appreciate the chance to testify.

Most of the media coverage of the Pedestrian Plaza Legislation has focused on Times Square. There's something about costumed characters – and uncostumed characters – that obviously attracts attention. But Intro. 1109 would affect plazas throughout the city, not just Times Square. We believe this legislation would encourage more rich cultural programming in all five boroughs, simply by eliminating the current ambiguity with permitting.

Every year, hundreds of musicians and community arts organizations approach us about bringing a concert to a local plaza, something they've often tried – and failed – to figure out on their own. We then go about trying to secure their permits. Even after doing this work for nine years, it is not an easy task.

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For instance, in Queens, we have had concerts at a plaza that the Department of Transportation thinks is permitted by the Parks Department, but Parks thinks is permitted by the DOT. Even the local Business Improvement District that keeps the plaza clean doesn't know for sure who is in charge.

In Manhattan one year we applied to a local BID that claimed to manage a pedestrian plaza. After making significant changes to our event plan, they submitted it to the Street Activity Permit Office, but SAPO told us that a different organization was in charge of the plaza's maintenance and that we shouldn't work with the first one.

In Brooklyn, we've come across plaza partners that ask for proof of insurance coverage beyond anything the city requires, even when all we are proposing is to put a string quartet on a few folding chairs.

In short, the current situation is hard to navigate and unpredictable. Last year we presented concerts in 19 pedestrian plazas; with consistent and clear permitting rules, we could have easily doubled that number, bringing joy and vibrancy to gathering spaces in even more of the city.

As the Council considers this Pedestrian Plaza Legislation, we urge you to look beyond Times Square and consider the cultural advantages of creating a clear and streamlined permitting process for plazas throughout the city, as this legislation promises to do.

Thank you for the opportunity to present Make Music New York's thoughts and recommendations on this important topic.



TRANSPORTATION
ALTERNATIVES

Committee on Transportation Hearing

Testimony by Paul Steely White, Executive Director, Transportation Alternatives
Wednesday, March 30th, 2016

Thank you, Chair Rodriguez and members of the Committee on Transportation, for convening this hearing on the preliminary budget. I am Paul Steely White, Executive Director of Transportation Alternatives. We are a 43-year old non-profit with more than 150,000 activists in our network, dedicated to improving the safety of New York City's streets.

Int. No. 1109-A - Pedestrian Plazas - SUPPORT WITH AMENDMENT

We see the Department of Transportation's Plaza Program as a stunning success. Despite the fact that Times Square has more annual visitors than Disney World, ten years ago few New Yorkers would have imagined it possible to sit on a chair in the middle of Broadway and watch the world go by. Fewer would have expected this to be a boon to nearby businesses. A survey by the Times Square Alliance showed that 74% of New Yorkers believe that the plaza has improved the area. More than 50 plazas have been built in New York City since 2008, and many more are under construction or in the planning stage, creating valuable public space for communities across the five boroughs. But plazas are more than just pleasant places to relax or gather. They also contribute to road safety, and are part of New York City's Vision Zero toolkit. According to the DOT, pedestrian injuries in Times Square fell by 35 percent after the plaza was created there, and across the city they have reclaimed safe space for the public. We commend Council Members Johnson, Garodnick, Lander, Rodriguez, and Torres for moving forward with this legislation. We support giving the DOT rule-making authority for plazas, because reasonable regulation will protect plazas as public space for all, as well as enhance the benefits they bring to quality of life and pedestrian safety.

We were deeply troubled by rumors last summer, arising from the controversy over costumed characters and "desnudas," that the Times Square Pedestrian Plaza might be demolished and the streets returned to traffic use. We argued that this would be a disaster for pedestrian safety and contrary to the aims of Vision Zero. This legislation will help avoid future such controversies from threatening the existence of much-loved plazas.

- Allowing the DOT to set rules for plazas would **address the quality of life issues** that frustrate current plaza partners and dissuade potential partners from wanting to take part in this program.
- Plazas thrive because they are community institutions, and a standard set of rules helps to **support local advocates and managers**.
- Making plazas more manageable under DOT oversight makes them **more sustainable** in the long run.

While the regulations on plaza activity stipulated in this legislation would protect plazas like Times Square - as well as smaller neighborhood plazas - by focusing on ending nuisance behavior rather than

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throwing the safety baby out with the bathwater, we believe **stronger protections of the plaza space itself need to be codified.**

- Intro 1109-A currently states that if a plaza's designation is to be rescinded, the department shall give 90 days public notice and "consider any comments submitted to the department before rescinding such designation."
- However, **there is no language in this legislation to explain what are acceptable reasons for removing a plaza.**
- As pedestrian safety advocates, we want to **ensure that plazas cannot be ripped up at whim, without a very compelling rationale.**
- We suggest adding language to this bill requiring that the department must study and publicly state the likely **impact on pedestrian safety that would come from rescinding the designation of a pedestrian plaza.**

With this strengthening, the legislation will go further in protecting the hard work that goes into creating and maintaining plazas, and ensuring that no community will see a popular public space taken away.



**Michael Lambert, MBA
Executive Director for
Bedford-Stuyvesant Gateway Business Improvement District**

March 30, 2016

Before the New York City Council

Re: Int. 1109-2016B - A Local Law to amend the administrative code of the city of New York, in relation to pedestrian plazas.

Good morning Chair Rodriguez, Council Member Johnson, Council Member Garodnick, and members of the Committee on Transportation. My name is Michael Lambert, and I serve as the Executive Director of the Bedford-Stuyvesant Gateway Business Improvement District which is the home to almost 400 small businesses along Fulton Street between Troy and Classon Avenues, and along Nostrand Avenue from Atlantic Avenue to Halsey Street in the Central Brooklyn neighborhood of Bedford-Stuyvesant, Brooklyn. I also serve as the Co-Chair of the New York City BID Association, a member organization of the City's BID Directors, created to collectively address issues faced by the City's 72 Business Improvement Districts.

Thank you for your leadership and for giving me the opportunity to testify this today regarding Intro. 1109 which would create a new legal framework for NYC's public plaza program.

The Bedford Stuyvesant Gateway BID is the 64th of the City's 72 Business Improvement Districts and was fortunate to have been selected to participate in the first round of the City's Public Plaza Program in 2008. Marcy Plaza, the BID's public gathering space, is an 8,000 square foot space that has provided Bedford Stuyvesant's main commercial corridor with a place of respite from the surrounding urban environment. Since it's opening in 2013, Marcy Plaza has provided the area with a place to take a break from a busy day of shopping, running errands, or scurrying to that next appointment, a green space with plantings and flowers, and a space where community programming has included plays, musical performances, farmers markets, clothing drives, and other community building activities.

As one of the City's smaller and newer public plazas, we do not have some of the issues faced by some of our larger plaza partner colleagues. However, as our young plaza continues to evolve with increased programming and activities that will further support and enhance the area's economic development activities and create a vibrant public space, the need for rules specific to our public space will be an important factor in the appropriate and effective continued management of the plaza.

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FOR THE RECORD

**Downtown Alliance
New York City Council Testimony on Int. No. 1109-A
Transportation Committee
March 30th, 2016**

Good morning Chairperson Rodriguez and members of the Council. I am Jessica Lappin, President of the Downtown Alliance, the business improvement district, serving an area roughly from City Hall to the Battery, from the East River to West Street.

In 2010, the Alliance became a plaza partner with the New York City Department of Transportation (DOT). We currently manage three pedestrian plazas. We clean, maintain, landscape them with flowers and greenery. On occasion, we also program the plazas with greenmarkets, games, or other public amenities.

The Downtown Alliance is a strong supporter of pedestrian plazas. And in general, we believe Int. No 1109-A is a big step in the right direction towards making them more vibrant public spaces. It defines "pedestrian plazas" as a distinct category of space, and provides DOT with clear rule-making authority that should help solve some of the problems that have plagued the current plaza program. Furthermore, it would grant DOT the flexibility to craft a thoughtful plan for each plaza, based on the unique character of its neighborhood with the respective plaza partners.

I do want to raise one related issue today. Like Times Square, Lower Manhattan is facing major challenges related to unlicensed commercial activity – in our parks, plazas, and on our sidewalks. Aggressive and unregulated ticket sellers have been assaulting tourists and each other. They have slashed each other over turf and sent one man to Bellevue Hospital. This is a very real public safety concern for the city and must be addressed.

A recent effort by the New York Police Department and the Parks Department, to tackle this and push sellers out of The Battery has helped. But it has not eliminated these sellers, just relocated them. Pushing them out of the park isn't a long term solution. This bill before you today, along with companion legislation that is scheduled for a hearing on April 12th, must address this issue and regulate these sellers in plazas, sidewalks, and other locations in a meaningful and holistic manner.

Thank you, to the Council and the administration, for working collaboratively with the Business Improvement Districts to improve on our public plazas.

Cultivating The Discipline of Team Learning:

Reflection, Inquiry, Dialogue & Discussion

by Peter Senge

Excerpt from *The Fifth Discipline*

In a remarkable book, *Physics and Beyond: Encounters and Conversations*, Werner Heisenberg (formulator of the famous "Uncertainty Principle" in modern physics) argues that "Science is rooted in conversations. The cooperation of different people may culminate in scientific results of the utmost importance." Heisenberg then recalls a lifetime of conversations with Pauli, Einstein, Bohr, and the other great figures who uprooted and reshaped traditional physics in the first half of this century. These conversations, which Heisenberg says "had a lasting effect on my thinking," literally gave birth to many of the theories for which these men eventually became famous. Heisenberg's conversations, recalled in vivid detail and emotion, illustrate the staggering potential of collaborative learning - that collectively, we can be more insightful, more intelligent than we can possibly be individually. The IQ of the team can, potentially, be much greater than the IQ of the individuals.

Given Heisenberg's reflections, it is perhaps not surprising that a significant contributor to the emerging discipline of team learning is a contemporary physicist, David Bohm. Bohm, a leading quantum theorist, is developing a theory and method of "dialogue," when a group "becomes open to the flow of a larger intelligence." Dialogue, it turns out, is a very old idea revered by the ancient Greeks and practiced by many "primitive" societies such as the American Indians. Yet, it is all but lost to the modern world. All of us have had some taste of dialogue - in special conversations that begin to have a "life of their own," taking us in directions we could never have imagined nor planned in advance. But these experiences come rarely, a product of circumstance rather than systematic effort and disciplined practice.

Bohm's recent work on the theory and practice of dialogue represents a unique synthesis of the two major intellectual currents underlying the disciplines discussed in the preceding chapters: the systems or holistic view of nature, and the interactions between our thinking and internal "models" and our perceptions and actions. "Quantum theory," says Bohm, "implies that the universe is basically an indivisible whole, even though on the larger scale level it may be represented approximately as divisible into separately existing parts. In particular, this means that, at a quantum theoretical level of accuracy, the observing instrument and the observed object participate in each other in an irreducible way. At this level perception and action therefore cannot be separated."

This is reminiscent of some of the key features of systems thinking, which calls attention to how what is happening is often the consequence of our own actions as guided by our

perceptions. Similar questions are raised by the theory of relativity, as Bohm suggested in a 1965 book, *The Special Theory of Relativity*. In this book, Bohm started to connect the systems perspective and mental models more explicitly. In particular, he argued that the purpose of science was not the "accumulation of knowledge" (since, after all, all scientific theories are eventually proved false) but rather the creation of "mental maps" that guide and shape our perception and action, bringing about a constant "mutual participation between nature and consciousness."

However, Bohm's most distinctive contribution, one which leads to unique insights into team learning, stems from seeing thought as "largely a collective phenomenon." Bohm became interested fairly early in the analogy between the collective properties of particles (for example, the system wide movements of an "electron sea") and the way in which our thought works. Later, he saw that this sort of analogy could throw an important light on the general "counter-productiveness of thought, as can be observed in almost every phase of life. "Our thought is incoherent," Bohm asserts, "and the resulting counter-productiveness lies at the root of the world's problems.: But, Bohm asserts, since thought is to a large degree collective, we cannot improve thought individually. "As with electrons, we must look on thought as a systemic phenomena arising from how we interact and discourse with one another."

There are two primary types of discourse, dialogue and discussion. Both are important to a team capable of continual generative learning, but their power lies in their synergy, which is not likely to be present when the distinctions between them are not appreciated.

Bohm points out that the word "discussion" has the same root as percussion and concussion. It suggests something like a "Ping-Pong game where are hitting the ball back and forth between us." In such a game the subject of common interest may be analyzed and dissected from many points of view provided by those who take part. Clearly this can be useful. Yet, the purpose of a game is normally "to win" and in this case winning means to have one's views accepted by the group. You might occasionally accept part of another person's view in order to strengthen your own, but you fundamentally want your view to prevail." A sustained emphasis on winning is not compatible, however, with giving first priority to coherence and truth. Bohm suggests that what is need is "dialogue," which is a different mode of communication.

By contrast with discussion, the word "dialogue" comes from the Greek *dialogos*. *Dia* means through. *Logos* means the word, or more broadly, the meaning. Bohm suggests that the original meaning of dialogue was the "meaning, passing or moving though ... a free flow of meaning between people, in the sense of a stream that flows between two banks." In dialogue, Bohm contends, a group accesses a larger "pool of common meaning," which cannot be accessed individually. "The whole organizes the parts," rather than trying to pull the parts into a whole.

The purpose of a dialogue is to go beyond any one individual's understanding. "We are not trying to win in a dialogue. We all win if we are doing it right." In dialogue, individuals gain insights that simply could not be achieved individually. "A new kind of mind begins to come into being which is based on the development of a common meaning . . . People are no longer primarily in opposition, nor can they said to be interacting, rather they are participating in this pool of common meaning, which is capable of constant development and change."

In dialogue, a group explores complex difficult issues from many points of view. Individuals suspend their assumptions but they communicate their assumptions freely. The result is a free exploration that brings to the surface the full depth of people's experience and thought, and yet can move beyond their individual views.

"The purpose of dialogue," Bohm suggests, "is to reveal the incoherence in our thought." There are three types of incoherence. "Thought denies that it is participative." Thought stops tracking reality and "just goes, like a program." And thought establishes its own standard of reference for fixing problems, problems which it contributed to creating in the first place.

To illustrate, consider prejudice. Once a person begins to accept a stereotype of a particular group, that "thought" becomes an active agent, "participating" in shaping how he or she interacts with another person who falls into that stereotyped class. In turn, the tone of their interaction influences the other person's behavior. The prejudiced person can't see how his prejudice shapes what he "sees" and how he acts. In some sense, if he did, he would no longer be prejudiced. To operate, the "thought" of prejudice must remain hidden to its holder.

"Thought *presents* itself (stands in front) of us and pretends that it does not *represent*." We are like actors who forget they are playing a role. We become trapped in the theater of our thoughts (the words "theater" and "theory" have the same root - *theoria* - "to look at"). This is when thought starts, in Bohm's words, to become "incoherent." "Reality may change but the theater continues." We operate in the theater, defining problems, taking actions, "solving problems," losing touch with the larger reality from which the theater is generated.

Dialogue is a way of helping people to "see the representative and participatory nature of thought [and] . . . to become more sensitive to and make it safe to acknowledge the incoherence in our thought." *In dialogue people become observers of their own thinking.*

What they observe is that their thinking is active. For example, when a conflict surfaces in a dialogue people are likely to realize that there is a tension, but the tension arises, literally, from our thoughts. People will say, "It is our thoughts and the way we hold on to them that are in conflict, not us." Once people see the participatory nature of their

thought, they begin to separate themselves from their thought. They begin to take a more creative, less reactive, stance toward their thought.

People in dialogue also begin to observe the collective nature of thought. Bohm says that "Most thought is collective in origin. Each individual does something with it," but originates collectively by and large. "Language, for example, is entirely collective," says Bohm. "And without language, thought as we know it couldn't be there." Most of the assumptions we hold were acquired from the pool of culturally acceptable assumptions. Few of us learn truly to "think for ourselves." He or she who does is sure, as Emerson said long ago, "to be misunderstood."

They also begin to observe the difference between "thinking" as an ongoing process as distinct from "thoughts," the results of that process. This is very important, according to Bohm, to begin correcting the incoherence in our thinking.

If collective thinking is an ongoing stream, "thoughts" are like leaves floating on the surface that wash up on the banks. We gather in the leaves, which we experience as "thoughts." We misperceive the thoughts as our own, because we fail to see the stream of thinking from which they arise.

In dialogue, people begin to see the stream that flows between the banks. They begin to "participate in this pool of common meaning, which is capable of constant development and change." Bohm believes that our normal processes of thought are like a "coarse net that gathers in only the coarsest elements of the stream. In dialogue, a "kind of sensitivity" develops that goes beyond what we normally recognize as thinking. This sensitivity is "a fine net" capable of gathering in the subtle meanings in the flow of thinking. Bohm believes this sensitivity lies at the root of real intelligence.

So, according to Bohm, collective learning is not only possible but vital to realize the potentials of human intelligence. "Through dialogue people can help each other to become aware of the incoherence in each other's thoughts, and in this way the collective thought becomes more and more coherent [from the Latin *cohaerere* "hanging together"]. It is difficult to give a simple definition of coherence, beyond saying that one may sense it as order, consistency, beauty, or harmony.

The main point, however, is not to strive for some abstract ideal of coherence. It is rather for all the participants to work together to become sensitive to all the possible forms of *incoherence*. Incoherence may be indicated by contradictions and confusion but more basically it is seen by the fact that our thinking is producing consequences that we don't really want.

Bohm identifies three basic conditions that are necessary for dialogue:

1. all participants must "suspend" their assumptions, literally to hold them "as if suspended before us";
2. all participants must regard one another as colleagues;
3. there must be a "facilitator" who "holds the context" of dialogue.

These conditions contribute to allowing the "free flow of meaning" to pass through a group, by diminishing resistance to the flow. Just as resistance in an electrical circuit causes the flow of current to generate heat (wasted energy), so does the normal functioning of a group dissipate energy. In dialogue there is "cool energy, like a superconductor." "Hot topics," subjects that would otherwise become sources of emotional discord and fractiousness become discussible. Even more, they become windows to deeper insights.

Suspending Assumptions. To "suspend" one's assumptions means to hold them, "as it were, 'hanging in front of you,' constantly accessible to questioning and observation." This does not mean throwing out our assumptions, suppressing them, or avoiding their expression. Nor, in any way, does it say that having opinions is "bad," or that we should eliminate subjectivism. Rather, it means being aware of our assumptions and holding them up for examination. This cannot be done if we are defending our opinions. Nor, can it be done if we are unaware of our assumptions, or unaware that our views are based on *assumptions*, rather than incontrovertible fact.

Bohm argues that once an individual "digs in his or her heels" and decides "this is the way it is," the flow of dialogue is blocked. This requires operating on the "knife edge," as Bohm puts it, because "the mind wants to keep moving away from suspending assumptions . . . to adopting non-negotiable and rigid opinions which we then feel compelled to defend."

For example, in a recent dialogue session involving a top management team of a highly successful technology company (reported in detail below), people perceived a deep "split" in the organization between R&D and everyone else, a split due to R&D's exalted role at the company. This split had its roots in the firm's history of a string of dramatic product innovations over the past thirty years, literally pioneering several dramatic new products that in turn became industry standards. Product innovation was the cornerstone of the firm's reputation in the marketplace. Thus, no one felt able to talk about the "split," even though it was creating many problems. To do so might have challenged the long-cherished value of technology leadership and of giving highly creative engineers the autonomy to pursue their product visions. Moreover, the number-two person in R&D was in the meeting.

When the condition of "suspending all assumptions" was discussed, the head of marketing asked, "All assumptions?" When he received an affirmative answer, he looked perplexed. Later, as the session continued, he acknowledged that he held the assumption

that R&D saw itself as the "keeper of the flame" for the organization, and that he further assumed that this made them unapproachable regarding market information that might influence product development. This led to the R&D manager responding that he too assumed that others saw him in this light, and that, to everyone's surprise, he felt that this assumption limited his and the R&D organization's effectiveness. Both shared these assumptions *as assumptions*, not proven fact. As a result, the ensuing dialogue opened up into a dramatic exploration of views that was unprecedented in its candor and its strategy implications.

"Suspending assumptions" is a lot like seeing "leaps of abstraction" and "inquiring into the reasoning behind the abstraction," basic reflection and inquiry skills developed in Chapter 10, "Mental Models." But in dialogue, suspending assumptions must be done collectively. The team's discipline of holding assumptions "suspended" allowed the team members to see their own assumptions more clearly because they could be held up and contrasted with each others' assumptions. Suspending assumptions is difficult, Bohm maintains, because of "the very nature of thought. Thought continually deludes us into a view that 'this is the way it is.' " The team discipline of suspending assumptions is an antidote to that delusion.

Seeing Each Other as Colleagues. Dialogue can occur only when a group of people see each other as colleagues in mutual quest for deeper insight and clarity. Thinking of each other as colleagues is important because thought is participative. The conscious act of thinking of each other as colleagues contributes toward interacting as colleagues. This may sound simple, but it can make a profound difference.

Seeing each other as colleagues is critical to establish a positive tone and to offset the vulnerability that dialogue brings. In dialogue people actually feel as if they are building something, a new deeper understanding. Seeing each other as colleagues and friends, while it may sound simple, proves to be extremely important. We talk differently with friends from the way we do with people who are not friends. Interestingly, as dialogue develops, team members will find this feeling of friendship developing even towards others with whom they do not have much in common. What is necessary going in is the *willingness* to consider each other as colleagues. In addition, there is a certain vulnerability to holding assumptions in suspension. Treating each other as colleagues acknowledges the mutual risk and establishes the sense of safety in facing the risk.

Collegueship does not mean that you need to agree or share the same views. On the contrary, the real power of seeing each other as colleagues comes into play when there are differences of view. It is easy to feel collegial when everyone agrees. When there are significant disagreements, it is more difficult. But the payoff is also much greater. Choosing to view "adversaries" as "colleagues with different views" has the greatest benefits.

Bohm has expressed doubts about the possibility of dialogue in organizations because of the condition of Colleagueship: "Hierarchy is antithetical to dialogue, and it is difficult to escape hierarchy in organizations." He asks: "Can those in authority really 'level' with those in subordinate positions?" Such questions have several operational implications for organizational teams. First, everyone involved must truly want the benefits of dialogue more than he wants to hold onto his privileges of rank. If one person is used to having his view prevail because he is the most senior person, then that privilege must be surrendered in dialogue. If one person is used to withholding his views because he is more junior, then that security of nondisclosure must also be surrendered. Fear and judgment must give way. Dialogue is "playful"; it requires the willingness to play with new ideas, to examine them and test them. As soon as we become overly concerned with "who said what," or "not saying something stupid," the playfulness will evaporate.

These conditions cannot be taken lightly, but we have found many organizational teams consistently up to the challenge if everyone knows what will be expected of him in advance. Deep down, there is a longing for dialogue, especially when focused on issues of the utmost importance to us. But that doesn't mean dialogue is always possible in organizations. If all participants are not willing to live by the conditions of suspending assumptions and Colleagueship, dialogue will not be possible.

A Facilitator Who "Holds the Context" of Dialogue. In the absence of a skilled facilitator, our habits of thought continually pull us toward discussion and away from dialogue. This is especially true in the early stages of developing dialogue as a team discipline. We take what "presents itself" in our thoughts as literal, rather than as a representation. We believe in our own views and want them to prevail. We are worried about suspending our assumptions publicly. We may even be uncertain if it is psychologically safe to suspend "all assumptions" - "After all, aren't there some assumptions that I must hold on to or lose my sense of identity?"

The facilitator of a dialogue session carries out many of the basic duties of a good "process facilitator." These functions include helping people maintain ownership of the process and the outcomes - we are responsible for what is happening. If people start to harbor reservations that "so and so" won't let us talk about this, that constitutes an assumption not held in suspension. The facilitator also must keep the dialogue moving. If any one individual should start to divert the process to a discussion when a discussion is not actually what is called for, this needs to be identified, and the group asked whether the conditions for dialogue are continuing to be met. The facilitator always walks a careful line between being knowledgeable and helpful in the process at hand, and yet not taking on the "expert" or "doctor" mantle that would shift attention away from the members of the team, and their own ideas and responsibility.

But, in dialogue the facilitator also does something more. His understanding of dialogue allows him to influence the flow of development simply through participating. For

example, after someone has made an observation, the facilitator may say, "But the opposite may also be true." Beyond such reminders of the conditions for dialogue, the facilitator's participation demonstrates dialogue. The artistry of dialogue lies in experiencing the flow of meaning and seeing the one thing that needs to be said now. Like the Quakers, who enjoin members to say not simply whatever pops into their heads but only those thoughts that are compelling (and which cause the speaker to quake from the need to speak them), the facilitator says only what is needed at each point in time. This deepens others' appreciation of dialogue more than any abstract explanation can ever do.

As teams develop experience and skill in dialogue, the role of the facilitator becomes less crucial and he or she can gradually become just one of the participants. Dialogue emerges from the "leaderless" group once the team members have developed their skill and understanding. In societies where dialogue is an ongoing discipline, there usually are no appointed facilitators. For example, many American Indian tribes cultivated dialogue to a high art without formal facilitators. Shamen and other wise men had special roles, but the group was capable of entering a dialogue on its own.

Balancing Dialogue and Discussion. In team learning, discussion is the necessary counterpart of dialogue. In a discussion, different views are presented and defended, and as explained earlier this may provide a useful analysis of the whole situation. In dialogue, different views are presented as a means toward discovering a new view. In a discussion, decisions are made. In a dialogue, complex issues are explored. When a team must reach agreement and decisions must be taken, some discussion is needed. On the basis of a commonly agreed analysis, alternative views need to be weighed and a preferred view selected (which may be one of the original alternatives or a new view that emerges from the discussion). When they are productive, discussions converge on a conclusion or course of action. On the other hand, dialogues are diverging; they do not seek agreement, but a richer grasp of complex issues. Both dialogue and discussion can lead to new courses of action; but actions are often the focus of discussion, whereas new actions emerge as a byproduct of dialogue.

A learning team masters movement back and forth between dialogue and discussion. The ground rules are different. The goals are different. Failing to distinguish them, teams usually have neither dialogue nor productive discussions.

A unique relationship develops among team members who enter into dialogue regularly. They develop a deep trust that cannot help but carry over to discussions. They develop a richer understanding of the uniqueness of each person's point of view. Moreover, they experience how larger understandings emerge by holding one's own point of view "gently." They learn to master the art of holding a position, rather than being "held by their positions." When it is appropriate to defend a point of view, they do it more gracefully and with less rigidity, that is without putting "winning" as a first priority.

Moreover, to a large degree, the skills that allow dialogue are identical to the skills that can make discussions productive rather than destructive. These are the skills of inquiry and reflection, originally discussed in Chapter 10, "Mental Models." In fact, one of the reasons that dialogue is so important is that it offers a safe environment for honing these skills and for discovering the profound group learning that they can lead to.

Reflection, Inquiry, and Dialogue. In David Bohm's thinking we hear deep echoes of the "action science" approach discussed in Chapter 10 - the importance of making one's views open to influence; and the problem of confusing our mental models with reality. What makes Bohm's work distinctive is that he is articulating a "new" vision of what can happen in a group that transcends the disabilities identified by the action scientists. Moreover, Bohm's dialogue is a *team discipline*. It cannot be achieved individually.

Part of the vision of dialogue is the assumption of a "larger pool of meaning" accessible only to a group. This idea, while it may appear radical at first, has deep intuitive appeal to managers who have long cultivated the subtler aspects of collective inquiry and consensus building.

Such managers learn early on to distinguish two types of consensus: a "focusing down" type of consensus that seeks the common denominator in multiple individual views, and an "opening up" type of consensus that seeks a picture larger than any one person's point of view. The first type of consensus builds from the "content" of our individual views - discovering what part of my view is shared by you and the others. This is our "common ground," upon which we can all agree.

The second type of consensus builds more from the idea that we each have a "view," a way of looking at reality. Each person's view is a unique perspective on a larger reality. If I can "look out" through your view and you through mine, we will each see something we might not have seen alone.

If dialogue articulates a unique vision of team learning, reflection and inquiry skills may prove essential to realizing that vision. Just as personal vision provides a foundation for building shared vision, so too do reflection and inquiry skills provide a foundation for dialogue and discussion. Dialogue that is grounded in reflection and inquiry skills is likely to be more reliable and less dependent on particulars of circumstance, such as the chemistry among team members.

**Council of the City of New York
Council Committee on Transportation
Intro 1109**

Wednesday, March 30, 2016

**Testimony: Dan Biederman, President
34th Street Partnership
1065 Avenue of the Americas, Suite 2400, New York, NY 10110
Tel: 212-719-3434**

Members of the Council Committee on Transportation, I am Dan Biederman, President of the 34th Street Partnership. Thank you for allowing me to testify today about this important Intro 1109.

Under a license agreement with the Department of Transportation, the Partnership manages and maintains the pedestrian plaza on Broadway, in Midtown Manhattan, between West 33rd and West 36th Streets.

We support proposed Intro 1109, but we need to work closely with the DOT to create appropriate site-specific rules for the Broadway Plaza before they are adopted.

The Partnership spends about \$600,000 a year on services and programs for the Broadway plaza, including security, sanitation, horticulture, events, and furniture for the benefit of the public.

Currently, we receive only one-third of revenue from SAPO-permitted events held on the plaza. Site fees do not cover our cost of operating the plaza. As a Plaza Partner, we should be allowed to manage plaza events directly, modeled after the Dept. of Parks arrangement with their partners. There would be no rate card. Pricing would be based on our understanding of the event. We should be able to shape events with the event producer and SAPO, including the fee, site plan, and impact on the public.

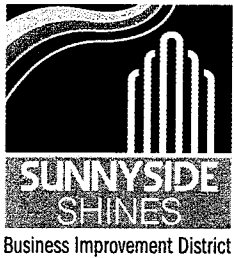
We host community-oriented programs on the plaza, which are free and open to the public. It should be made easier for us to do so, including modified permit requirements and no application fees. Please trust your Plaza Partners.

This legislation should also eliminate vendors on adjacent sidewalks. Please strengthen vending restrictions. Currently, on the adjacent Broadway sidewalk, vendors are prohibited until 7pm, Monday through Saturday. That restriction should be extended until midnight...and should also include Sunday.

We have been providing services in the Partnership district since January 1, 1992. We understand our community, and we're focused on improving the vitality and well-being of the Broadway Plaza and of our district, both today and in the future.

Thank you.





**Testimony to the City Council's Transportation Committee
Re: Intro 1109, Pedestrian Plaza Legislation
March 30, 2016**

45-56 43rd Street

P.O. Box 4477

Sunnyside, NY 11104

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Thank you for the opportunity to testify today. My name is Rachel Thieme, and I am the executive director of the Sunnyside Shines Business Improvement District in Sunnyside, Queens. Sunnyside is a vibrant and diverse neighborhood along the 7 line in Western Queens, with some of the best restaurants in New York City and a strong local business community. One area in which our neighborhood is lacking is in available open space for residents. The parks advocacy group New Yorkers for Parks ranked the 26th Council District 43rd out of 51 districts for park and playground acreage.

In 2014, we proudly opened Bliss and Lowery Plazas with the support of our local Council Member Jimmy Van Bramer. Bliss and Lowery Plazas were formerly underutilized areas underneath the elevated 7 train that now provide tables, chairs, colorful planters and community activities. These plazas provide much-needed open space in the middle of the busy Sunnyside commercial district. During all seasons, but especially the warmer months, it is now tough to get a seat in the plazas – they are extremely popular with seniors, families, office workers and young people.

Sunnyside Shines maintains the plazas by setting up the furniture, breaking it down at night, servicing the trash cans and adding and maintaining new plantings with each season. Our crew visits the plazas throughout the day to sweep, and we power wash the spaces each quarter.

The plazas are true public spaces and so important in our community. Last year we started a free concert series on Thursday nights in Bliss Plaza, featuring local musicians. The series was a hit – we surveyed people at the events and found that most people who attended hadn't heard about the concerts in advance – they saw musicians in the plaza after coming off the train or walking down Queens Boulevard and came by to check it out. This year we have started a new event series every Friday featuring giant games like chess and connect 4, workshops and performances, which have also proven to be extremely well-attended, even for the middle of the day.

I am here today to express my organization's support of Intro 1109 that will define plazas and plaza partners, and create rules for our plazas. These rules aren't just important for Times Square – they matter for our Sunnyside plazas as well. We are newer to the plaza program, but we want to be sure that rules developed for our plazas are made in consideration of our local context and include our input as the plaza partner. As our neighborhood



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continues to grow, and these spaces are sought for other events, including commercial events, we want to make sure that as the plaza partner we have a voice in the process.

However, I urge the Council to refine the legislation to incorporate a timeframe by which rules will be developed for individual plazas, and to recognize plaza partners as true partners in the development of rules and the event permitting process. The plaza program is so important in Sunnyside, and I appreciate your partnership to make it even more successful. Thank you.

Rapid T. Rabbit *& friends*

www.rapidtrabbit.com

Richard J. Concepcion, Producer

As seen on cable TV in New York City over
Manhattan Neighborhood Network (MNN2 Lifestyle Channel)
and
Queens Public TV
as carried by
Time Warner Cable, RCN & Verizon FiOS

Attached is the script from our show #692 which originally cablecast in January 2015, and featured a report on the proliferation of “fake” cartoon characters in Times Square, and their damage to the celebrity and star image of the genuine personalities.

TEXT COPY FOLLOWS

Hi everybody, Rapid T Rabbit here coming to you from Times Square in the heart of Midtown Manhattan. For over a century, this famous intersection of Broadway and 7th Avenue has been known as the crossroads of the world, where we ring in every New Year, attracting visitors from all over to the bright lights, theater, movies, dining, and shopping. Throughout its history, Times Square has undergone continuous change, its fortunes waving through downturns and upswings, right up to today with the ongoing redevelopment that has since removed vehicular traffic from Broadway through here and opened up pedestrian plazas.

In recent years, Times Square has drawn a more animated crowd to its pedestrian plazas, made up of actual people masquerading as popular Disney and Sesame Street characters, who walk up to the throngs of often unsuspecting tourists strolling the square and offer to pose for pictures with them or their kids, in exchange for hefty cash tips. Many visitors who may be more accustomed to seeing the real characters at their official amusement parks are often misled to believe that being photographed with these lookalike characters is totally free without monetary obligation. But then they find themselves in for a rude shock when the fuzzy character then starts demanding money from them if they feel they are being undertipped or not tipped at all.

Such has been the scenario here at Times Square of late, with occasional news reports of tourists getting harassed by these phoney cartoon characters over tips or even characters fighting among themselves over territory and competitive issues. This unprofessional behavior in public only harms the wholesome reputation the real TV characters are supposed to have especially in the presence of kids. Even in the absence of any situation of

conflict, these fake characters still appear in unbecoming ways, such as multiple Elmos congregating in the same spot or any one of them lifting their heads in full view of passersby. Some have even been accused of worse inappropriate or even illegal conduct. In other words, those who perform in this manner and location have no affinity or respect for the characters they dress up as, and are only using them to wrestle wads of cash from the naive.

The City has been responding to the public complaints about these fake characters. The police have posted signs around Times Square informing people that tipping these characters is purely optional, and as part of their routine area patrols, keeping a lid on any hustling activity. At the same time, the New York City Council is putting together a law to liscense character activity, that will likely require background checks and wearing photo identification, along with time and location restrictions.

While these pending laws hopefully will put a brake on characters hustling in Times Square, as always the bad actors wind up ruining things for everybody else. What effect would these new laws have on folks like yours truly who never solicit or accept tips for sharing smiles, hugs or pictures? As you all know, I've been making public appearances in the Easter Parade on 5th Avenue for many years...would I be required to obtain a character liscense now for that even if I don't take money from anybody? Would I even be allowed to show up on 5th Avenue at all if characters are restricted only to Times Square?

And what about my other friends who appear around town? Tenderheart Bear of the Care Bears has appeared in Times Square as part of the Macy's Thanksgiving Day Parade, as well as strolling on the sidewalk, offering absolutely free hugs and sometimes

Valentines. Quiky, the Nesquik Bunny is often seen around town giving away free bottles of his brand of chocolate milk. Remember, Tenderheart is a real Care Bear and Quiky is the real Nesquik Bunny, just like I am the real Rapid T. Rabbit. Real characters like us or the real Mickey Mouse in Walt Disney World...or any genuine mascots of any kind, never solicit money from any audience.

As part of the City's and Times Square's efforts to regulate character activity, they reportedly have reached out to the media companys that own all the rights to the real characters that the pretenders are trying to look like for the tourists, but at this point there hasn't been any official public response from them nor any legal crackdown either.

This brings up a significant point. Does anybody remember 20 years ago that you were able to meet the real cartoon characters here in Manhattan for absolutely free? That's right. Bugs Bunny himself alluded to this when he appeared as a guest on my show a couple of years ago, back when you could meet him daily at the flagship Warner Brothers Studio Store on 5th Avenue. Similarly a few blocks away, you could meet Donald Duck, Goofy and other Disney stars at the World of Disney Store. At either place, all guests could take pictures with the real cartoon characters without any hassles at all. But unfortunately it was too good to last, as both stores were only open for a decade and then closed down due to business or realty issues. Even as a new Disney Store later opened up right in the heart of Times Square, the stars usually do not appear there, and even if so, not for a public meet and greet. So naturally, that's when all the fake characters rushed in to fill that void, in direct sight of the Store. Yes it would be nice if those movie studios brought back their flagship retail outlets to New York, but then again maybe they're concerned that would take away traffic that would otherwise go to

their theme parks.

So my advice to everybody is...if you do in fact want to meet the real TV and cartoon stars, only look for them in the official places you can trust to keep them real and offer you a good experience. If you want to meet Elmo, go to Sesame Place in Langhorne PA, if you want to meet Mickey Mouse or any of his pals, go to Walt Disney World in FL or Disneyland in CA. If you want to meet Bugs Bunny, go to Six Flags Great Adventure in Jackson NJ, the real Snoopy, Dorney Park in Allentown PA, the real Chuck E. Cheese, go to any Chuck E. Cheese's restaurant.

And if you want to meet the real Rapid T. Rabbit...well just send me an email and I'll see what I can do!

*** END ***



March 30, 2016

**TESTIMONY - INTRO 1109
PLAZA LEGISLATION
NY City Council**

**Phillip Kellogg
Executive Director
Fulton Area Business Alliance (FAB)**

Good morning Chair Rodriguez, and members of the Committee.

My name is Phillip Kellogg and I am Executive Director of the Fulton Area Business Alliance (FAB), a Business Improvement District along Fulton Street in Brooklyn's neighborhoods of Fort Greene and Clinton Hill.

FAB manages two separate pedestrian plazas within its boundaries: Fowler Square and the Putnam Triangle. These two Plazas have become valued community amenities and are an essential part of the fabric of our neighborhoods. In fact, the Plaza Program is key component of FAB's economic development strategies for making Fulton Street more walkable and welcoming... increasing foot traffic for local businesses... providing opportunities for residents to interact... showcasing cultural and arts programming... spurring development of vacant lots and bringing positive uses and activities to long-troubled corners of the district.

Just as Times Square is different from Fowler Square... Fowler Square is different from the Putnam Triangle. These two plazas in the FAB Alliance are distinct from each other... with different challenges, needs and opportunities. That's why the current situation — which is "one size fits all" — needs to be changed.

This bill has the potential to address this issue by defining plazas for what they are and allow the DOT to create rules for all 69 plazas... but it will only work if Plaza Partners and other key city agencies are included in discussions before the rules are adopted. This input is critical as the plaza partners are the people most familiar with the plazas in their districts and the surrounding environments.

Despite the headlines, this bill should not be considered a solution for just Times Square, but rather meaningful change benefiting all 69 pedestrian plazas and the communities where they are located.

The FAB Alliance and its partners in the New York City BID Association supports the framework and intent of this legislation but urges the Council to amend it to ensure expeditious rulemaking and meaningful consultation with plaza partners all across the City.

It is essential that there be a timeline for creating the rules AND... that consultation with the plaza partners be an integral part of that process.

Thank you.

Phillip Kellogg

Executive Director

Fulton Area Business Alliance (FAB)

Business Improvement District

###

Chairman Ydanis Rodriguez and members of the Committee on Transportation:

I write to you in support of Intro. 1109.

Since 1968, I have been involved with the business, civic, cultural and philanthropic life of Times Square. During that period I have been witness to the descent - - - and renaissance of the area, as the mayhem, crime and the menacing environment of the 1960's to the 1990's gave way to a new sense of community that emanated from the area's distinct connection to the performing arts, bright lights, transportation assets and magnet for tourists (80% of all NYC visitors make their way to Times Square).

As you are aware, the Times Square Alliance has done a superb job in coalescing the interests of the entire community into a productive force for positive and progressive change. Times Square's businesses: theaters, hotels, restaurants, world-famous spectacular signs and advertising businesses and the hundreds of small businesses that support those industries are a vital economic asset for our entire city, with the well-paying jobs (mostly union) that they provide and the tax revenue that feed the tax coffers.

The passage of Intro 1109- - - without further delay or dilution- - - will be an important step forward in maintaining and improving the safety and enjoyment of Times Square for our citizens, business residents, visitors, employees and investors. In addition, this legislation is absolutely necessary for the other new plazas in NYC.

I wish you well in your deliberations on this matter and urge you to pass this legislation and help to keep Times Square and our City's other plaza safe and enjoyable for all.

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FOR THE RECORD

Chairman Rodriguez and members of the Committee on Transportation,
Thank you for taking action on this important issue. My name is Terry Lewis and I am the
General Manager at the Sheraton New York Times Square.

Times Square is a very vibrant area and is one the most significant stops of many visitors to New York City. It is critically important that the Times Square neighborhood receives good press and is perceived as safe for domestic and global travelers (especially families). Over the past few years, Times Square has changed as costumed characters, desnudas and unregulated vendors aggressively solicit our hotel guests. It is imperative that Intro 1109 be passed to ensure regulation of the pedestrian plazas by the DOT and to establish base rules for these areas. If the status quo is allowed to continue, the impression of our neighborhood may deteriorate which could have a negative effect on travelers coming to New York City.

I ask your support to pass Intro 1109, which I believe will alleviate many of the problems our guests are currently experiencing as they travel through the Times Square area.

Terry Lewis

General Manager

Sheraton New York Times Square

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FOR THE RECORD

March 30, 2016

Dear Chairman Rodriguez and members of the Committee on Transportation:

My name is Jeffrey Bank, and I have had 2 restaurants in Times Square for over 20 years. I have noticed the transformation of Times Square through the years, especially in the most recent years with the amount of costumed "characters" roaming the area.

I am very concerned about the costumed characters, which are seemingly cute at first glance but as I (and my staff) walk back and forth across 44th street all day long we witness the constant harassment towards tourists who are unaware of what is about to hit them after taking a harmless photo.

The characters linger and aggressively approach people all day. They took a beautiful plaza and turned it into an area of harassment and chaos. Our waiters hear about it all the time. The tourists share their stories mostly everyday about the characters with our staff. I see it every day when I cross the street and while I respect people's rights, I also feel that this harassment is the first step of a slippery slope and losing all the progress that was meant to clean up Times Square.

I support the proposal to move the characters to a designated activity zone.

Sincerely,

Jeffrey Bank



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Testimony of David Rabin, The Lambs Club, before the New York City Council on Intro 1109: Local Law to amend the administrative code of the City of New York, in relation to pedestrian plazas

**March 30, 2016
10:00AM**

Thank you Chairman Rodriguez and Committee Members. My name is David Rabin, and I am a partner in The Lambs Club and a Board Member of the Times Square Alliance.

We thank the City Council for taking action on such a critical issue. Whereas once, not so long ago, New Yorkers and tourists were drawn to the cultural attractions and nightlife in a revitalized Times Square, today people go out of their way to avoid the area. Our Times Square location has become a deterrent for both customers and our employees, who must travel to the area daily for work. Many of my friends (and clientele) whom I see at other venues in which I'm involved quite literally apologize to me and say, "Sorry I haven't come by Lambs in a long time... I just can't stand going to Times Square."

The aggressive hawking and solicitation in Times Square cannot be avoided, and the crowds of pedestrians are both frustrating and not conducive to a pleasant evening out. Many upscale restaurants in the area clear out after pre-theater dining because people who have an option choose to avoid the area altogether.

Traffic conditions in the area have been exacerbated by the inability to make left turns onto 44th Street and the fundamental business need for customers and vendors to be able to access their blocks. Furthermore, constant street closures for street fairs and events make it difficult for people to get to our front door. As Yogi Berra famously said, "...you can't get there from here." Nothing could be truer of someone taking a taxi from somewhere north of us on the East side, trying to get to 44th between Broadway and 6th Avenue.

Fine dining establishments like The Lambs Club embody the character and spirit of New York City. Our restaurant serves as a refuge from the hustle and bustle of Times Square, where diners can enjoy the unique and historic ambiance, have a fantastic meal, and revel in the experience. However, if conditions outside our doors continue to deteriorate, or rather if they do not measurably improve – it will become impossible to continue operating from our current location. Venues like ours are created at great expense, take many years to recoup that investment, and employ hundreds of people, many of whom go on to build careers in hospitality after gaining experience, and enhancing their skills and resume at The Lambs Club.

And the many obstacles to generating *actual customer traffic*, as opposed to people racing through the area in a mad rush to escape the crush of costumed characters and CD-hawkers, are not unique to The Lambs Club. This is true for many businesses in the area, including offices that go un-rented for long periods of time because companies no longer see Times Square as an attractive choice, which in turn deprives hospitality venues of a pool of local/regular customers.

Once again, thank you for your attention to this issue. The time is now. The legislation before you will allow the Administration to finally manage the space and put an end to the chaos and dysfunction that is driving our customers away at an accelerating speed. We strongly urge your support in passing Intro 1109, for The Lambs Club, other businesses, visitors and all New Yorkers. Thank you.

Testimony on behalf of Jamestown LP, before the New York City Council on

Intro 1109-A: Local Law to amend the administrative code of the city of New York, in relation to pedestrian plazas

March 30, 2016 10:00AM

Chairman Rodriguez and members of the Committee on Transportation:

On behalf of Jamestown LP, we voice our strong support for Intro 1109-A, regulating pedestrian plazas. As the owners of One Times Square, we recognize the importance of the plaza to the life of the city and to the health and vibrancy of Times Square. The plaza serves as both a public open space for rest and recreation and as a vital corridor for pedestrians to navigate through Times Square safely. However, in the past few years, the plaza has faced a number of challenges due in part to the multiplicity of activities that the plaza accommodates and the lack of clear regulation of such uses.

We believe the proposed legislation provides a balanced approach to managing these activities within the plaza in order to achieve the best quality of life for the users, pedestrians, visitors, and business in Times Square. Under the legislation, the New York City Department of Transportation, in consultation with local plaza partners, will be able to promulgate rules to effectively regulate conduct and commercial activity in plazas—ensuring the best quality of life and amenities for the many users of the space. As we quickly approach the warm weather months, when even more visitors flock to Times Square, it is essential that the rules be put in place expeditiously to ensure that plazas and adjacent sidewalk areas continue to be safe, open spaces for all to enjoy.

FOR THE RECORD

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Victoria Bailey
Executive Director

**STATEMENT OF THEATRE DEVELOPMENT FUND
IN SUPPORT OF INTRODUCTORY BILL 1109-A
March 30, 2016**

I am the Executive Director of Theatre Development Fund. Theatre Development Fund is a not for profit performing arts service organization with a wide variety programs which cultivate and educate broad and diverse audiences for theatre and dance. Our most visible program is our TKTS Discount Booth. Our flagship booth has operated on Duffy Square in the middle of Times Square since 1973. One of the original impetuses for the TKTS booth was to help bring legitimate business to Times Square. When we opened, Times Square was a crime-ridden neighborhood which frightened potential audiences and as a result Broadway had difficulty keeping its theatres open. TKTS played an early part in turning Times Square around. Over the past twenty five years we have witnessed the renaissance of Times Square and most recently played a significant part in its development through our role in the design and construction of the now iconic red steps. Sales at the TKTS booths represent anywhere from 12 to 15 percent of annual Broadway attendance. In addition to the TKTS booths, we have a membership program, serving close to 100,000 New Yorkers of modest means who qualify for the program by making it possible for them to attend theatre and dance at prices they can afford. Between these two programs alone we have over two million ticket buyers in Times Square every year.

Over the past several years, Times Square has become a victim of its success. It has become an increasingly chaotic district, with an atmosphere that can tip from "bright lights, big city" to intimidating and uncomfortable for visitors. We strongly support Introductory Bill 1109-A and want to thank Council Member Corey Johnson for sponsoring this legislation and to Council Member Daniel Garodnick for his continued leadership on issues affecting Times Square and the business community. The legislation will help ameliorate the current host of problems which are widespread in Times Square. On a daily basis visitors to Times Square are subject to aggressive solicitation from

walk through the area without some form of attempted vendor solicitation. We hear from our TKTS customers, approximately 70 percent of whom are tourists, that they find Times Square to be intimidating. And our members, who are predominantly New Yorkers, tell us that they are attending Broadway less as they want to avoid Times Square all together. In addition, the negative press coverage prompted by incidents in Times Square increases the unwillingness of theatre patrons to frequent Times Square.

TDF believes it is essential that the City Council and the Administration collaborate to manage the activities in what is one of the premiere tourist destinations in the world. The proposed legislation will allow for the creation of a sensible set of regulations that will create a blueprint for managing all the activity currently taking place in Times Square as well as making it easier for folks to navigate through it. Over the four decades we have operated the TKTS booth at Duffy Square we have seen how sensible, carefully thought out procedures can make it possible for all the varied interest groups in Times Square to co-exist in way that guarantees public safety and comfort and supports the continued well-being of the Broadway theatre which is vital to the economy of New York City. I thank Chairman Rodriguez and the other distinguished members of the Transportation Committee for considering this proposal today and I wholeheartedly urge you to support Introductory Bill 1109-A.

Sincerely,



Victoria B. Bailey

Testimony on behalf of the Hyatt Times Square in re: Intro. 1109 – Pedestrian Plaza Legislation

March 30, 2016 10:00AM

Thank you Chairman Rodriguez and members of the Committee on Transportation for taking action on this important issue. My name is Philip Stamm and I am the General Manager of the Hyatt Times Square.

I am writing on behalf of the Hyatt Family who thrive and work in this busy and well-known section of New York City. I also represent thousands of guests who travel to this fun and quirky area of Manhattan either for the first time or for business.

The entire team and I encourage repeat visits and we constantly promote safety in our community which is inaccurately portrayed by the 2.7 billion negative press impressions received in 2015 per the Times Square Alliance survey 8 months ago. It's a shame that few are having such a large impact on so many.

With your support on Intro.1109, we believe that NYC DOT will be successful in bringing order to pedestrian and vehicular traffic and ultimately protect people who do not want to interact with the costumed characters and desnudas. It will also eliminate negative press to the most visited city of the world and alleviate many of the security problems we currently experience as a hotel operator in Times Square.

We thank all who are collaborating to make our Times Square the best it can be and inviting to all.

Philip Stamm
General Manager

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DESIGN TRUST FOR PUBLIC SPACE

FOR THE RECORD

UNLOCKING THE
POTENTIAL OF
NYC'S PUBLIC SPACES
SINCE 1995

Testimony in support of Intro. 1109 Pedestrian Plaza Legislation
March 30, 2016

Dear Speaker Mark-Viverito and Members of the City Council:

Thank you for this opportunity for the Design Trust for Public Space to submit testimony in support of Intro. 1109 Pedestrian Plaza Legislation, concerning Times Square and plazas citywide. The Design Trust is a nonprofit that has unlocked the potential of NYC's public space since 1995. We helped save the High Line structure from demolition; jumpstarted TLC's *Taxi of Tomorrow* with our research and guidelines; and developed a suite of sustainability guidelines for NYC's buildings, infrastructure and landscape. In 2004, the Design Trust released a study, *Problems and Possibilities: Re-imagining the Pedestrian Environment in Times Square*, to relieve congestion and make it safer.

The proposed bill is effective because it provides a democratic, creative and flexible approach for designating areas as 'pedestrian plazas', not only in Times Square, but in all five boroughs, especially in underserved neighborhoods with little open space. This legislation fills the regulatory and enforcement gap by defining the code of conduct and assigns clear roles for NYC DOT and plaza partners to manage, maintain and program these plazas. It will restore order without banning any category of activity to uphold the highest standards of human rights and freedom. It would be regrettable for these shared spaces to return to over-crowded and accident-prone vehicular streets. Times Square demonstrates how popular public space in our city can function more safely and more enjoyably, not just on New Year's Eve.

The Design Trust for Public Space greatly appreciates and supports the City's commitment to public safety in NYC. NYC DOT's dedication to safer streets through Vision Zero and better plazas has proven there are effective tools to make NYC's neighborhoods and districts throughout the city more livable and economically successful. The proposed rulemaking responsibility for NYC DOT can be similarly viable. NYC DOT would be able to establish constitutional rules for where activities like taking photos with costumed characters for tips can take place and where they cannot.

Your leadership on this legislation will help ensure that this network of new public spaces remain as true community assets for all New Yorkers and visitors alike to pass through, gather, find the unexpected or rest to watch the world go by. We urge your enthusiastic support of Intro. 1109.

Sincerely,



Susan Chin, FAIA, Hon. ASLA
Executive Director

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Regional Plan Association

FOR THE RECORD

Testimony of Regional Plan Association regarding Intro 1109

New York City Council Transportation Committee

March 30, 2016

Regional Plan Association supports Intro 1109 and believes the legislation is the appropriate first step to help make pedestrian plazas citywide more successful and welcoming places. The bill gives the NYC Department of Transportation the power to designate pedestrian plazas and promulgate rules to regulate uses in plazas, and is consistent with the recommendations developed by the Times Square Task Force last fall, of which Regional Plan Association was a member.

Public plazas play a crucial role in our city. They make our city more livable, more socially integrated, and provide much-needed open space in line with the goals laid out in New York City's sustainability plan. RPA believes public plazas will play an even more important role as our city continues to grow.

The legislation lays out sensible criteria for determining public plazas, including the "availability and need for open space in the surrounding area," ability of a partner to maintain a plaza, and relationship to traffic, land use and public safety. This will ensure that neighborhoods lacking in open space are prioritized for new public spaces, and once public spaces are created, they are appropriately maintained by partners. The notification requirements will help engage the community and will codify DOT's existing public outreach process for plazas.

We look forward to working with the city as it implements the other recommendations of the Times Square Task Force to better regulate and manage these vital public spaces across the city.



LINCOLN SQUARE
BUSINESS IMPROVEMENT DISTRICT

MONICA BLUM
President

FOR THE RECORD

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March 30, 2016

Testimony submitted by Monica Blum, President of the Lincoln Square Business Improvement District, to the New York City Council Committee on Transportation regarding Intro 1109-2016 in relation to pedestrian plazas.

Thank you Council Member Johnson and members of the New York City Council Committee on Transportation for the opportunity to submit testimony regarding pedestrian plazas, Intro 1109-2016. I am President of the Lincoln Square Business Improvement District (BID) and am offering this testimony on behalf of the Lincoln Square BID pertaining to pedestrian plazas. It is my understanding that this bill creates a new legal framework for New York's public plaza program and would allow the New York City Department of Transportation (DOT) to promulgate rules to regulate the use of and activities within individual pedestrian plazas and adjacent sidewalks, which would effectively govern conduct and commercial activity within these spaces. I commend the City Council for its efforts, but would urge expeditious rulemaking and consultation with community partners, including property owners and business improvement districts, to ensure that public plazas reflect the unique characteristics of their neighborhoods.

Although the Lincoln Square BID is not an official plaza partner, we have a large public pedestrian plaza under the jurisdiction of the City located in Council Member Corey Johnson's district, which could greatly benefit from this legal framework. Calabrese and Keegan Plaza located at 60th Street and Broadway and Central Park West is a large space directly across from Merchants' Gate at Central Park and just north of Columbus Circle. NYC's seventh largest subway station at 59th Street/Columbus Circle opens directly onto this plaza, which is also across from Time Warner Center, which alone welcomes some 16 million visitors and shoppers annually.

Although we are not an official plaza partner, we provide our core supplemental services of clean and safe to Calabrese and Keegan Plaza as part of our mission as this plaza is located within our BID: our Clean Team removes litter and debris from the entire plaza and empties BID branded trash receptacles daily. Our Neighborhood Information Carousel, stocked with useful maps and visitor information, is located at Calabrese and Keegan Plaza and in the spring and summer it is staffed by retirees from ReServe and high school and college students we hire. Our public safety officers patrol the plaza regularly and at busy times we often station a public safety officer at our Information Carousel to assist visitors. The Mayor's Street Activity Permit Office (SAPO) regularly issues permits for this plaza for commercial purposes, which contributes to the chaos and congestion at this plaza, which also attracts pick-up musicians often operating without an amplified sound permit. We also apply for a SAPO permit to use the plaza on Winter's Eve, an annual neighborhood celebration and New York's largest holiday festival, and would hope to do so again. As stewards of this neighborhood, our biggest concern at this public space, however, is the aggressive solicitation by unregulated bicycle hawkers, competing directly with the licensed Parks department concessionaire at Merchants' Gate and the CitiBike Share location at Broadway and 60th Street. Frequently, these bicycle hawkers also solicit people to use Pedicabs. Regrettably, the target audience is tourists who are barraged by unwanted, aggressive solicitation.

We support this proposed legislation because we believe that uniform rules would provide a framework for addressing quality of life issues, but we would hope that spaces such as Calabrese and Keegan plaza would fall within the purview of this legislation and that as community partners we would be part of the discussion regarding rules of conduct. As our colleagues state, we would like to see event permitting take into account the specific characteristics of neighborhoods and communities and made in consultation with local stakeholders.

Again, we strongly support expeditious rulemaking and believe the inclusion of plaza partners in the discussion is critical. And, our hope, even though we are not a plaza partner, is that these rules will apply to public spaces like Calabrese and Keegan Plaza. We applaud Council Member Johnson and the Transportation Committee's efforts to address the challenges that plazas have created throughout the City, and look forward to working with the City and DOT to ensure that these public plazas are truly a benefit to the communities in which they are located.

FOR THE RECORD

Rudin Management Company, Inc.

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WILLIAM C. RUDIN
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March 29, 2016

Councilmember Ydanis Rodriguez, Chair
Committee on Transportation
City Council
250 Broadway
New York, NY 10007

Dear Councilmember Rodriguez:

On behalf of Rudin Management Company, I would like to express my support of the proposed 1109-A bill regulating the use and activities of pedestrian public plazas.

Times Square is a world renowned, iconic crossroads and a vital attraction in New York City. As a property owner in Times Square, we are acutely aware that the orderly operation of the pedestrian public plazas is of critical importance to our buildings and to our tenants. Investing in welfare, safety and security of these plazas would benefit New York City's growth, viability and our economy.

Thank you for sharing my concern for the wellbeing of Times Square.

Sincerely yours,





Chairman Rodriguez and fellow committee members,

My name is Ryan Grew and I'm the Director of Operations for the Downtown Brooklyn Partnership, a Local Development Corporation that manages three business improvement districts, MetroTech BID, Court-Livingston-Schermhorn BID and the Fulton Mall. All told, we maintain over ONE MILLION square feet of public space in Brooklyn's busiest neighborhood. This responsibility currently includes two DOT Pedestrian Plazas, Willoughby Plaza and Albee Square Plaza. Both see thousands of pedestrians daily and have quickly become major convening and focus points within the community. Once the expansion of the MetroTech BID is complete our organization will inherit four additional public plazas, two managed by DOT (Fox Square and Times Plaza) and two currently operated by the Department of Cultural Affairs. Given the area's density, every square inch of public space is vital to the health of the neighborhood.

Suffice to say we know a thing or two about pedestrian plazas. We have an innate understanding of how the community interacts with them, what specific types of maintenance is required and most importantly how best to activate them to bring further benefit to our residents, workers and visitors. We've learned over the years that each space is different, serves a different group of individuals and is used in very different ways.

That is why we support this proposed legislation.

The current governance scheme was appropriate for when pedestrian plazas were a test, but as they've blossomed into beloved public spaces with their own individual identities

and use cases, a one-size-fits-all governance structure no longer fits the bill. This legislation, through its reclassification of the plazas and their tailoring of rules specific to the location, is the type of progressive legislation that will ensure these vital spaces continue to serve their communities well into the future.

Thank you for this opportunity today.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a long, sweeping horizontal line that ends in a small upward flick.

Ryan Grew
Director of Operations
Downtown Brooklyn Partnership



FOR THE RECORD

FIND Aid for the Aged, Inc.

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Testimony in Favor of Intro. 1109

By David Gillcrist, Executive Director, Project FIND.

I would like to thank Chairman Rodriguez and the members of the Transportation Committee for permitting me the opportunity to speak on behalf of Intro. 1109. I am the Executive Director of Project FIND, which for the past 45 years has provided housing and services to older adults in community district boards 4, 5 and 7. Our Woodstock Hotel located at 127 West 43rd Street is home to over 280 seniors as well as a vibrant senior center that attracts over 300 persons daily from the surrounding community, six-days-a-week. We also operate the Coffeehouse Senior Center at 330 West 42nd Street, which serves another 150 people daily.

From these seniors we hear constantly what will come as no surprise to anyone; the Times Square Plazas have become an anarchistic scrum, difficult and unpleasant to navigate at any age, but particularly brutal for an older person. The creation of the plazas has created the opportunity for an amazing public space of the highest order, but in the absence of regulatory mechanisms, the plazas have become inundated with costumed characters, desnudas, barkers, and hucksters.

Intro. 1109 is a thoughtful bill that will create a framework for regulating the usage of space in ways that support legitimate commerce, the flow of pedestrian traffic, and free speech. And it will do so in a flexible manner that empowers the Department of Transportation to adopt rules specific to specific plazas.

The City of New York has invested enormous sums of money and energy on the Times Square Plazas -- diverting streets, closing streets, and turning the area into an active construction zone for what seems like an eternity. Now that the construction phase is nearing its conclusion, now is the perfect time to reap the benefits of these investments.

It would be more than tragic to miss this opportunity to call a plaza a plaza and regulate it like one.

On behalf of the seniors who live in our buildings and use our centers, I encourage the City Council to vote in favor of Intro. 1109.

My name is Yamil Morales. I live in Corona, Queens and I have been working as an artist in New York City for 3 years. Approximately 2 years ago I found myself with the need to ask for legal help in order to go through all the tribulations happening in Times Square. The police and the news cannot think of what else to publish in order to undermine us and humiliate us. I, personally, have been abused and intimidated by the Times Square police.

I belong to an association that goes by the name Artists United by a Smile. We are a group of over 200 people of all different ages, sons, parents and even grandparents. During 2015, I have seen how the police and the Times Square authorities have not treated this problem with respect and diligence, they have opted to hurt and discredit our image to the entire world. They have called us criminals and robbers.

In last years meeting with Times Square authorities, we agreed to work towards the protection of the people and children who navigate Times Square and the artists who entertain them, but ever since they have not come close to an agreement with us. After almost one year of silence the Major of the city and all authorities involved are proposing to pass a new legislation to enclose all artist in a one-block section of Times Square, like caged animals.

I believe the passing of this law will violate our constitutional rights. I firmly opposed any authority who is trying to criminalize my actions and my work when I am doing nothing wrong. Millions of people come to this wonderful country because is the land of the free and where dreams are made possible. According to NYC statistics there are more than 60,305 beggars in New York. What have the Major and the city council done about them? Many of them have no shelter and live under extreme conditions. Furthermore, in NYC there is an average of 13,000 incarcerated criminals at any given time which cost the city \$168,000 annually. That is where the problem lies ahead.

We have understood that the actions of some people working as artists are not ethical, that is why we support a regulation of the people who work here, but not a restriction of our freedom to work and earn a living. Artists United by a Smile wants to work with the police for the protection of all people and businesses

involved. We want to improve our presentation and our services as an attraction to all people walking through Times Square, but violating our freedom and right to work is not the right way to proceed. What the Major's office is trying to do is to make illegal our presence in Times Square and to take away our means to make a living and this is unconstitutional. God bless America.



www.NYCBIDAssociation.nyc

New York City BID Association Testimony Regarding Intro 1109 – Wednesday, March 30, 2016

Good morning Chair Rodriguez, Council Member Johnson, Council Member Garodnick, and members of the Committee on Transportation. My name is Ellen Baer, President of the Hudson Square Business Improvement District. Along with my Co-Chair, Michael Lambert, Executive Director of the Bed-Stuy Gateway BID, and the City's 72 Business Improvement Districts, thank you for the opportunity to testify on behalf of the New York City Business Improvement District Association regarding Intro. 1109 which would create a new legal framework for NYC's public plaza program.

The New York City BID Association was formed in 1995 by the managers of the city's Business Improvement Districts, and its membership consists of the managers of all of the City's 72 BIDs. As you know, New York City is home to the nation's largest, most comprehensive network of Business Improvement Districts in the country. The City's BIDs annually contribute over \$100 million worth of services to more than 70,000 businesses in neighborhoods across the five boroughs. BIDs deliver supplemental services such as sanitation and maintenance, public safety and visitor services, marketing and promotional programs, capital improvements, and beautification for the area - all funded by a special assessment paid by property owners within the district. Since its inception over twenty years ago, the City's BID program has contributed nearly \$1 Billion in supplemental services to invigorate our neighborhoods, including managing many of the City's pedestrian plazas.

BIDs have been plaza partners with the City since the program's inception and the BIDs that serve as partners are as diverse as the plazas and the communities themselves. As partners, BIDs dedicate substantial resources to ensuring that these open spaces function as neighborhood spaces and the program is a wonderful example of a thriving public-private partnership. This program, along with our members, improve and enliven the streetscape in various ways, and this legislation ensures the health and longevity of the program. The current framework has been cobbled together from one temporary decision to another. It's time to bring the plaza program from infancy into adulthood by finally properly defining plazas and addressing the needs of the program as a whole; something our membership has been requesting and working on for the better part of a decade.

The BID Association supports the framework and intent of this legislation, but urges the Council to amend it to ensure prompt rulemaking and meaningful consultation with community partners, in the following ways:

First, we ask that DOT convene a meaningful working group to review the substance of the citywide plaza rules and consider plaza partners' feedback. We are hopeful that such general rules will satisfy many of our comments, concerns, and recommendations for an overwhelming majority of the plazas. Ideally, however, plaza specific rules must be available to all plazas that require them within a reasonable period of time. We cannot stress enough our desire that these rules be developed in consultation with the plaza partners and that the rules provide for an appropriate amount of flexibility. Rules pertaining to each plaza should ideally reflect the unique circumstances of each plaza and neighborhood.

Second, Int. 1109 must ensure that the plazas continue to function as successful community amenities and are managed in the context of each specific neighborhood. As local partners, BIDs are committed to their communities and are therefore uniquely qualified to reflect distinctive programming for their neighborhoods. The BID Association believes that events that take place on public plazas should reflect the distinctive character of the plaza and community. When it comes to programming, there is no "one size fits all" solution.

The BID Association and the Administration have engaged in extensive discussions about whether DOT or CECM is best suited to issue event permits. The BID Association membership currently works hand-in-hand with both agencies on a daily basis and is therefore agnostic as to where permitting should live. We do

however believe that the legislation and ensuing rulemaking should ensure that permitting rules take into account the unique characteristics of the area and the plaza for which the permit is sought. Such guidelines may include criteria such as daily usage of the plaza, the nature of the neighborhood, the impact of the proposed event, and the community or economic development impact of the event. We urge the Council to include additional language ensuring that the City's rules for event permitting take this into account.

Finally, in numerous conversations with both the Administration and the City Council, the BID Association has been assured that Int. 1109 continues current policies regarding vending on both plazas and adjacent sidewalks. We have been assured that formally designating these areas as plazas does not change the fact they remain mapped roadways subject to all existing restrictions on food and general vending.

Thank you for the opportunity to testify before you today. I am happy to answer any questions.
Sincerely,



Ellen Baer
Co-Chair, NYC BID Association
President & CEO, Hudson Square Connection



Michael Lambert
Co-Chair, NYC BID Association
Executive Director, Bed-Stuy Gateway BID



In re File #: Int No. 1109

A Local Law to amend the administrative code of the city of New York, in relation to pedestrian plazas

Testimony of Thomas R. Carpenter on behalf of Actors' Equity Association.

March 30, 2016

Thank you for the opportunity to speak to you today about this important legislation. My name is Thomas Carpenter, and I am Assistant Executive Director, Eastern Regional Director and General Counsel of Actors' Equity Association.

Actors' Equity Association is a national labor union, directly affiliated with the AFL-CIO, representing over 50,000 professional stage actors and stage managers across the United States. More than 20,000 of those members live and work in New York City, where they perform on Broadway, as well as at many of the off-Broadway theatres near Times Square.

Additionally, Actors' Equity is an employer in the Times Square neighborhood. Equity employs more than 105 full-time and part-time staff in our offices and our Audition Center on West 46th Street, less than half a block from Times Square. On behalf of the union's staff and membership, we are here to express our support for legislation that would regulate the robust activity on pedestrian plazas in the City, particularly in the area of Times Square.

As a national labor organization, we are firmly committed to the right of every individual to earn a decent living. We would not support a bill to ban, outright, costumed characters or other commercial activity from the plazas. As a union that represents performers in live theatre, we also value tremendously the right to freedom of expression. However, sensible regulation of activity on the pedestrian plazas doesn't have to mean that rights are constrained, nor does it mean that commercial activity, such as taking photographs for tips, has to be eliminated.

Employers from around the country come to Times Square in order to hire and employ New York City residents. At the Actors' Equity Audition Center on West 46th Street members don't just audition for work on Broadway or in New York City. Theatrical employers come from regional theatres across the country—from Florida, from California and from many other regions of the country--to audition Equity's members right here in New York City. In calendar year 2015, there were 895 Equity audition calls across New York City, with more than 83,000 actors seen by producers in those calls. Nearly all of those auditions were in or near Times Square, and most of the auditioning Equity members are New York City residents. In many cases, regional

employers have the option under Equity's rules to audition locally, rather than come to our audition facility. We think employers know that the talent is here in New York. But if the current environment in Times Square remains unregulated, it may mean that those theatres will decide not to come to New York City, and many of our New York members won't be seen for those jobs. We are concerned that the current environment in Times Square, with increasing numbers of incidents reported about racist or anti-Semitic rants by costumed characters, inappropriate physical contact, or aggressive solicitation, provides a disincentive for employers to come to this neighborhood to hire our members, who are also your constituents, to work in their theatres.

We're also concerned that our members have to navigate their way through all sorts of completely unregulated activity in order to try to get a job. The thousands of actors who audition in the neighborhood every day, also take dance classes, vocal lessons and acting lessons in and around the neighborhood. They're often shuttling from one audition in the neighborhood, to a class, a rehearsal or another audition. But when they're trying to book their next job, they need to be able to compose themselves so that they can perform at their best when auditioning. Imagine if you were going to two, three or four job interviews a day, and shortly before walking into each of those interviews, you experienced aggressive harassment from someone on the street. It'd be hard to feel like you nailed that interview, wouldn't it?

The Times Square neighborhood where our members live and work is not just the crossroads of the world, it's also the crossroads of two industries that drive our local economy—tourism and entertainment. This is not merely about the annoyance or inconvenience of working in a neighborhood where the environment can sometimes be chaotic. For the members of Actors' Equity, this is an issue of the health of the industry that provides them employment.

For our members who are working in theatres in the neighborhood, they understand that in order to be successful as actors, the producers they work for also need to be successful. Although tourism accounts for a substantial portion of ticket sales in area theatres, there are also times of the year when theatrical employers rely on local audiences to come from the outer boroughs, or from Long Island, Westchester or New Jersey, in order to see a show. When those local audiences are making decisions about how to spend their entertainment dollar, will they buy a ticket to a show if they know that it might mean an unpleasant interaction on the way to the theatre? The decision that that potential theater-goer makes has a direct impact on the livelihoods of the union members that Equity represents, and on our local economy, as a result.

We recognize that there still may need to be adjustments in this particular legislation but for our membership, for our staff, and for the industry that employs our members, a common-sense regulatory approach to manage activity in the most exciting, vibrant parts our city would go a long way to protect union members who work in live theatre in New York City, and across the country.



**NEIGHBORHOOD
PLAZA
PARTNERSHIP**

a program of The Horticultural Society of New York

Hearing before the New York City Council

Re: Int. No. 1109-A

To amend the administrative code of the city of New York, in relation to pedestrian plazas

March 30, 2016

Testimony of Neighborhood Plaza Partnership,
a program of The Horticultural Society of New York
and
17 community-based plaza partners

Good morning, I am Laura Hansen, Managing Director of Neighborhood Plaza Partnership, a program of The Horticultural Society. Our work helps sustain a robust network of community-based plaza partners, by providing maintenance, horticulture, and capacity-building services in neighborhoods with limited access to funding and other resources.

The 17 community-based partners co-signing this testimony include merchant associations, local development corporations, youth development groups, all-volunteer civic associations, and immigrant service organizations.

Thank you for this opportunity to testify.

We are all here today because the DOT Plaza Program has created nearly 30 acres of vibrant public space from city streets, and in doing so have improved public safety and public health, increased cultural and social capital, and stimulated economic activity all across the city. On behalf of the tens of thousands of New Yorkers using their local plaza right now, thank you Council Members Johnson, Garodnick, Lander, Rodriquez, and Torres for your leadership in formally recognizing the pedestrian plaza as an important public amenity, worthy of a new regulatory framework.

We are grateful to Mayor de Blasio and his administration for leading a thoughtful process via the Times Square Task Force, and for working toward a resolution that will improve conditions at Times Square and strengthen the DOT Plaza Program as a whole – which continues to be one of the most effective vehicles for advancing the Mayor's and the Council's agenda for a more equitable city.

We thank DOT Commissioner Trottenberg and her staff for their vision, and for investing in all kinds of neighborhoods. One of the best aspects of this bill is that it institutionalizes the collaborative framework of the Plaza Program, in which community-based organizations working in high-need neighborhoods are trusted partners.

This bill is a great step forward. We ask that you consider the following recommendations for making it even stronger for the community-based plaza partners.

1. Re: Plaza Designation

The plazas are successful because they are *neighborhood* plazas, and that is the result of a conscious effort by the DOT to give communities a meaningful role. The Plaza Program's annual application process provides: transparency on selection criteria; clarity on responsibilities once a plaza is awarded; and sufficient time for the applicant to solicit and demonstrate support from the Community Board, elected officials, and other local stakeholders. The effort to prepare the application gives communities a sense of ownership, which translates into better management.

The Plaza Program's long-term sustainability will depend on partners who can actively manage and fully program the space. Some of those partners may need public resources to grow into the role, but this has been resolved for the time being by the allocation of public funding via the OneNYC Plaza Equity Program.

Recommendation for amendment: Any plaza proposal from a community board, council member or borough president should meet the same selection criteria as a formal application and be assigned a local partner for management. In these cases, the DOT should base designation decisions on careful consideration of partner capacity and/or commit resources to strengthening those partners.

2. Re: Plaza Rules

We wholly support giving the DOT rule-making authority, and are pleased that a set of uniform rules will be issued. First and foremost, those rules should address the persistent "quality of life" issues that plaza partners face on a daily basis – such as illegal dumping, excessive littering, vandalism and theft, drug solicitation, and potentially dangerous people who appear emotionally disturbed.

With few to no staff, and rarely any money for public safety officers, community-based plaza partners respond as best they can to these challenges, while being sensitive to the wide range of people the plazas serve -- from a child doing homework to a homeless woman who needs a place to sit. For many community-based partners, "quality of life" is about finding the right balance of tough, yet compassionate management approaches. Whether the incident is a

pile of mattresses left at the curb or the erratic behavior of an emotionally disturbed individual, the hyper-local community oversight happening on the ground needs to be supported by better coordination and communication among city agencies.

This bill has created an important opportunity for consensus on plaza rules among the agencies charged with enforcing them. Most plaza partners have developed relationships with the local arms of those agencies, but without support from the top, that has limited value.

Recommendations for amendment: 1. Define general rules of conduct to include other issues such as illegal dumping, littering, exhibiting dangerous behavior, and/or vandalism of plaza amenities. 2. Promulgation of general rules of conduct should be made in consultation with senior officials at the relevant enforcement agencies -- such as DSNY, NYPD, DHS, DOHMH, DCA, etc. In addition to creating a broad enforcement framework for plazas, this could advance the work these agencies are already doing to address these problems.

3. Plaza Events

There have been some positive changes in the way the event permitting process works for plaza partners via the Street Activity Permit Office (SAPO). Those changes are the result of DOT and SAPO consulting with a range of stakeholders to understand what's working and what's not working on the ground. However, the process still lacks clarity and is overly complicated. A SAPO process customized for plazas is needed, in which the partners' local knowledge informs the city's permitting decisions.

Recommendation for amendment: 1. Promulgation of event permitting rules should have a clear timeline, and should prioritize local context and concerns regarding how events are classified, and regarding their impacts on the neighborhood and the partner. 2. The permit structure should consider ways to encourage commercial events spread more evenly across the five boroughs. 3. The city's rule-making consultation should include all plaza partners -- community-based partners and Business Improvement Districts.

Co-signing with The Horticultural Society:

SoBRO, *Roberto Clemente Plaza*, the Bronx
Youth Ministries for Peace & Justice, *Morrison Plaza*, the Bronx
Brownsville Community Justice Center, *Osborn Plaza*, Brooklyn
Kensington Stewards, *Avenue C and Kensington Plazas*, Brooklyn
New Lots Triangle Merchants Association, *New Lots Triangle Plaza*, Brooklyn

Parkside Empire - Flatbush Avenue Merchants Association, *Parkside Plaza*, Brooklyn
Friends of Bogardus Plaza, *Bogardus Plaza*, Manhattan
New Harlem East Merchants Association, *East 125th Street Plaza*, Manhattan
Renaissance Economic Development Corporation/Asian Americans for Equality,
Forsyth Street Plaza, Manhattan
Washington Heights Inwood Development Corporation,
Plaza de las Americas, Manhattan
Bangladeshi American Community Development & Youth Service (BACDYS),
Ozone Park Plaza, Queens
Douglaston LDC, *Douglaston Plaza*, Queens
Friends of Diversity Plaza, *Diversity Plaza*, Queens
Jackson Heights Green Alliance, *78th Street Plaza*, Queens
Queens Economic Development Corporation, *Corona Plaza*, Queens
Queens Museum, *Corona Plaza*, Queens
Ridgewood Local Development Corporation, *71st Avenue Plaza*, Queens
Association of Community Employment Programs for the Homeless (ACE), citywide



FOR THE RECORD

**TESTIMONY FROM THE ASSOCIATION FOR A BETTER NEW YORK BEFORE
THE NEW YORK CITY COUNCIL COMMITTEE ON TRANSPORTATION**

March 30, 2016

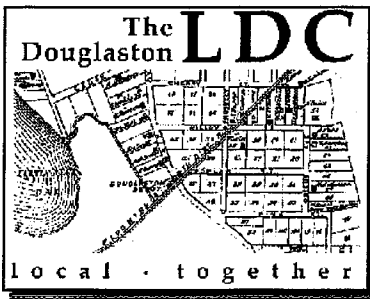
Good morning. The Association for a Better New York (ABNY) is a 45-year old civic organization that promotes the effective cooperation of public and private sectors to improve the quality of life for all New Yorkers, and is here today in support of proposed Intro 1109-A regulating the use and activities of pedestrian public plazas.

ABNY is made up of more than 300 member organizations across the business, labor, nonprofit and public sectors, and together we are dedicated to the constant growth and renewal of New York City for those who live, work and visit. Many of our members are located in the Times Square area and both contribute and depend on its continued success.

After the Broadway Plazas were created in 2009, Times Square became an internationally recognized premier destination and the level of satisfaction among New Yorkers skyrocketed. But today, conditions in Times Square are deteriorating. Quality of life is down, congestion is up, and New Yorkers have noticed. The economic impacts, should negative trends in the area fail to reverse, cannot be underestimated. The neighborhood's expanding tourism sector diversifies the NYC economy and drives higher growth than the rest of the city. Additionally, though it only comprises .1% of New York City's total land area, Times Square generates 11% of the city's economic output and 10% of the city's jobs; it also contributes \$5 billion per year in city and state taxes. With figures like these, we simply cannot afford to ignore the problem. What's bad for Times Square is bad for New York and for New Yorkers.

To continue drawing tourists, businesses and New Yorkers to the area, we need to preserve and enhance this world-class public space and restore an environment where people feel safe and are able to truly enjoy the one-of-a-kind experience Times Square offers. To do this we need a legal framework appropriate to address the unique challenges we face. We thus strongly urge the Committees and the entire New York City Council to approve Intro 1109-A to put this framework in place as soon as possible. We urge you to give the mayoral administration the tools it needs to address the changed conditions and burgeoning quality of life issues now plaguing the area and to reshape our public spaces in Times Square.

Thank you for convening this hearing and for prioritizing this very important bill today.



Scott Grimm-Lyon, AICP
Executive Director
scott@doughdc.org

The Douglaston Local Development Corporation
42-32 235th St. Douglaston, NY 11363 ~ (347) 946-0017

3/30/2016

Testimony to New York City Council in support of Intro 1109

by Scott Grimm-Lyon Executive Director

FOR THE RECORD

My name is Scott Grimm-Lyon, I'm the Executive Director of the Douglaston Local Development Corporation, a small nonprofit that manages the Douglaston Station Plaza adjacent to the Douglaston Long Island Rail Road (LIRR) station, at the center of the historic commercial village of Douglaston, in northeast Queens.

Douglaston is a small, quiet, walkable railroad suburb. Like many suburban communities, our traditional downtown has suffered as big box and strip mall development offered competition for local retail. In 2010 and 2011 a group of concerned citizens formed our organization, we led an extensive community visioning process, and the community developed a plan that included restoring the plaza in our village as a means of rebuilding a sense of community identity that focused on our village.

Because of that plan, in February 2014, the Douglaston Local Development Corporation was selected as a partner of the NYC Department of Transport to create a new public space in the Douglaston Village as part of NYC's Plaza Program. The Plaza formally opened in September 2014 and since then it has served our community of 10,000 residents, our 2000 daily LIRR commuters and has acted as a focal point for over 30 local businesses in our small yet revitalizing downtown.

Our organization manages the plaza by offering maintenance and cleaning services, taking care of plants and landscaping, and the street furniture, and by organizing over a dozen seasonal events. We do this on a shoestring budget, with only two part time staff members, and a heavy reliance on volunteer hours put in by passionate members of our community.

Our community, like our organization, is small. We have different needs than many of the plazas in larger communities, and we have a different capacity than many of the organizations that are larger than us. The current framework for managing plazas is "one size fits all," and as a small fish in a big sea, DLDC has had to swim extra hard to keep up with the demands of paperwork required under the current conditions.

As a small nonprofit with no full time staff we rely heavily on the volunteer efforts of our board and community to manage our work; and when that work is tedious, including the process for event permitting, securing temporary commercial use authorizations, and by needing to secure different permissions from different agencies, we risk alienating good volunteers by tangling them up in hours of frustrating work, and we lose precious time that could otherwise be used to improve programming at our plaza.

Intro 1109 will help us manage our work at the scale we need. By empowering plaza partners, with a broader set of tools to effectively manage the pedestrian plazas, and by empowering a single agency to define a clear set of rules and guidelines we will be able to streamline our event planning process and better use our volunteer hours for direct service to the plaza. We wholly support giving the DOT rule-making authority, and are pleased that a set of uniform rules will be issued. The bill ensures that the plazas continue to function as successful community amenities and are managed in the context of each specific community. As local partners, Plaza managers are committed to their neighborhood and to highlighting their unique characteristics; the new rules under Intro 1109 will provide a more flexibility for small organizations like ours to provide Placemaking services to our small communities.

The families of Douglaston use their plaza as a casual gathering space between friends, and a hub for neighbor to neighbor activities, true civic activities that are small in scale but large in impact. We ask you to support Intro 1109, because this bill is more than a solution for large Plazas like Times Square, it is a solution for neighborhood plazas too, because it gives clear, appropriate, and streamlined responsibilities to management agencies regardless of their size.



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FOR THE RECORD



March 30, 2016

NYC Council Public Hearing – Transportation Committee

RE: Intro – 1109 – Pedestrian Plaza Legislation

Wilma Alonso, Executive Director

The Fordham Road BID is here today to support the proposed legal frame work for the NYC public plaza program. This legislation will allow Department of Transportation (DOT) to promulgate rules to govern both conduct and commercial activity within all pedestrian plazas in our city. This legislation will set the “uniform rules” to regulate “the use of, and the activities within” each local plaza neighborhood.

As part of the rulemaking process, we strongly recommend that rules related to events within all plazas to be site driven and framed into the local standpoint to ensure the unique nature of each plaza. Therefore, event permitting rules should be developed in consultation with assigned plaza partners, given their familiarity with each plaza and its surrounding environment.

In our specific case, Fordham Plaza is very different from all other sites. Our plaza is a 75,000 SF of public space built over bridge structure that features public transportation connectivity to Metro North Railroad and NYCT buses; other amenities / physical structures such as (1) large café building; (3) kiosks for retail/food concessions; (1) automatic public bathroom, and (1) outdoor market. This site has the potential to become a major destination magnet in our borough.

Looking forward to continue working with DOT and the city in making our city a better place for all.

TESTIMONY OF AMY PARKER, CENTER FOR AN URBAN FUTURE

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

**HEARING ON PROPOSED INT. NO. 1109-A
PEDESTRIAN PLAZAS**

March 29, 2016

My name is Amy Parker, and I am a Communications and Operations Associate at the Center for an Urban Future, an independent think-tank based in Manhattan that publishes studies about how New York City can expand economic opportunity and grow its economy. We've published studies ranging from the economic importance of the city's creative industries to the crucial role of public libraries and the need to rethink the city's street fairs. Thank you for the opportunity to testify.

I would like to testify in support of Intro 1109, which gives the NYC Department of Transportation the authority to manage and regulate all pedestrian plazas, in the same way the Parks Department regulates parkland, so that all 71 of these new public spaces are positive community assets. While many streets throughout the city have been closed to traffic and transformed into pedestrian plazas, the rules governing these spaces haven't caught up to the reality on the ground. As a matter of law, they are still considered streets, which prevents NYC DOT from treating and managing plazas like the multipurpose public spaces they are. This legislation will give the city the tools to ensure that plazas are world class public spaces to be embraced and emulated.

I would like to speak particularly to the Times Square plazas, as the success of Times Square correlates strongly with the success of the tourism economy in New York City.

It's hard to overstate the importance of tourism to the city's economy today. Tourism supports nearly 200,000 direct jobs in New York. It's also been one of the most reliable engines of the city's economic growth in recent years. Between 2000 and 2012, tourism and related cultural employment grew by 23 percent, far outpacing the overall city growth rate of 4 percent.

Further, 85 percent of tourism and culture jobs are filled by New York City residents, with 52 percent hailing from the boroughs outside of Manhattan. The sector supports a wide range of jobs, including many that are living wage jobs that can be performed by those without a college degree.

Hotels drive much of the employment in this sector, and many of those hotel jobs provide union membership and benefits. The number of hotel jobs in New York City is up by 29 percent over the past decade, and by 48 percent over the past 20 years. Times Square, which represents 21 percent of the city's hotel rooms, has seen an addition of 2,831 rooms since 2009, with nearly 500 more coming online over the next year.

New York will always attract tourists, but it is no guarantee that tourists will continue to come in the large numbers that we've seen over the past decade. To keep the tourists coming—and retain the good paying tourism jobs that have been created in recent years—New York will need to nurture and support this important economic driver. One of the first steps should be to shore up Times Square, arguably the city's most important tourist destination.

Unfortunately, in recent months, a more negative perception of Times Square has emerged. A recent survey conducted by the Times Square Alliance found that 26 percent of out of town visitors reported that they would avoid walking through the Broadway plazas if they could. More than 20 percent of visitors said that solicitation was a leading drawback to being in Times Square.

We need to make sure that those numbers do not indicate the beginning of a trend where coming to the theater, seeing a live music show or staying in a hotel in Times Square is no longer desirable.



March 30, 2016

To Whom It May Concern:

This serves as my statement regarding the need for regulation of ticket sellers in Times Square.

In addition to having heard from many friends, colleagues and acquaintances about the aggressive and dishonest behavior of comedy club ticket sellers in the area, I have personally witnessed said behavior myself.

On a daily basis I encounter these ticket sellers and have observed them giving potential customers blatantly false information about the shows they are promoting. A common selling point among these ticket sellers is to promoting the shows as "Comedy Central" tapings. I work closely with Comedy Central both through Carolines and the New York Comedy Festival and know that none of these shows have any affiliation whatsoever with the Comedy Central brand. They also advertise top name comedians — including the likes pf Louis C.K., Dave Chappelle, Tina Fey and Amy Schumer — as being part of these shows, when in fact none of them actually are scheduled to perform.

Further, I have personally witnessed behavior that I deem to be aggressive and inappropriate. I have seen ticket sellers say things and act inappropriately toward female pedestrians.

I believe that these business practices are highly unethical and unscrupulous and present a negative view of the Times Square business community.

I strongly feel that it is essential to pass the necessary legislation needed to regulate the hawking that is currently taking place.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Charles". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Greg Charles
Director of Publicity



New York City Council Committee on Transportation Hearing
March 30, 2016
Testimony of Eric McClure, Executive Director, StreetsPAC

On behalf of my colleagues at StreetsPAC, thank you for the opportunity to testify today.

I'm here to express StreetsPAC's support for Intro 1109-A, but first I'd like to thank Council Members Johnson and Garodnick for their steadfast support of the Times Square pedestrian plaza. When the plaza was under full-scale tabloid attack last year, and the Administration appeared to waver, your reasoned perspectives helped everyone come to their senses. The same goes for Tim Tompkins and the Times Square Alliance, and we offer them our praise, as well.

That cooler heads prevailed is evidenced in Intro 1109-A, which should serve as a major step in putting the pedestrian back in pedestrian plazas. The popularity of the city's plazas, especially the Times Square Plaza, is undeniable; when the expanded plaza first opened in May of 2009, it filled with people within minutes, and it has made the Crossroads of the World more popular than ever.

And yet the story of Times Square of late has been focused on costumed characters and Desnudas and ticket-hawkers, rather than the hundreds of thousands of regular people, both locals and the tourists so critical to New York's economy, who visit Times Square every day. Well-thought-out regulation of the Times Square Plaza – which will of course have to pass Constitutional muster – will make it easier for people to pass through the area without being harassed, while still allowing those who want to take a photo with Minnie Mouse or a painted topless woman, or to buy a ticket for a tour bus, to do just that.

And having clear guidelines won't only help in Times Square – it will help in Diversity Plaza in Queens, and Fordham Plaza in the Bronx, and Water-Whitehall Plaza in Lower Manhattan, and in popular pedestrian plazas all across New York City.

We're discussing this proposed legislation today not because the Times Square pedestrian plaza has failed, but because it is such a tremendous success. Its popularity is testament to what can happen when we take street space back from cars and give it back to human beings. We urge the Committee members to support Intro 1109-A, and the full Council to vote it into law without delay.

Testimony before NYC Council
Wednesday, March 30, 2016
10:00 a.m.
Intro 1000 ~~1000~~ 1109

Good Morning. My name is Barbara Blair Randall. I am the President of the Garment District Alliance and a Plaza Partner with DOT of the public plazas from 35th to 41st Streets on Broadway in Manhattan. Thank you for allowing me to comment on Intro 1109 this morning.

The presence of these public spaces has brought a pedestrian-scale amenity to our neighborhoods that enhances and activates our streets and underutilized spaces for public use and enjoyment. These public spaces have lifted the image of the city by softening the harshness of our city streets and our glass, steel and concrete environments. They have brought parks to area, such as the Garment District, that previously had no such spaces or opportunities.

Appropriate stewardship of these spaces is critical to their remaining a public and neighborhood asset rather than overly programmed commercial enterprises or abandoned eyesores. A balanced, day-to-day management of these public spaces can lead to their successful integration into a neighborhood and provide an environment for public use and enjoyment.

The Garment District Alliance is proud and grateful that we have public plazas in our district. This new space was created by the Department of Transportation in 2008 with the understanding that the GDA, a non-profit neighborhood economic development organization, would maintain them for public use. The GDA spends up to \$500,000 a year on furnishing, maintaining, cleaning, securing and programming the plazas which register approximately 15,000 people enjoying and walking through the space each day. With so much usage and investment, the terms of our partnership with DOT and the City need to be clear and carefully crafted.

The GDA supports the framework and intent of Intro 1109 but we urge the Council to amend it to ensure expeditious rulemaking and meaningful and mandated consultation with community partners. The final bill should empower plaza partners with tools to effectively manage pedestrian plazas and keep those plazas safe and open for all.

Each plaza has its own physical characteristics, user demographics, and other idiosyncrasies despite their common roots in being designated as plazas. They are unique public spaces which DOT determined were best understood and managed by local partners. As such we urge the City Council to ensure that the legislation, in addition to setting up the general rules and guidelines, allow for a formal and legally binding role for the plaza partner of interest in developing site-specific rules.

The context of each plaza is important and the rules, when being developed, should contemplate and regulate the use of, and activities within, plazas and their adjacent sidewalks. The rules must consider the individual circumstances including the types and hours of operation of surrounding businesses, congestion, safety and size. They must also consider the ability and need to generate offsetting-cost income in various ways and other regulations relating to commercial activity. The new rules should clearly state that the jurisdiction and responsibility of the plazas is firmly within the purview of DOT but because of the localized management, maintenance, and operations, the plaza partner must be consulted with regard to the rules for

that specific plaza. The authority that the partner has must be articulated in the legislation to ensure that DOT, now and in the future, consider input of any affected plaza partner prior to developing rules.

It is also important to note that these rule-making provisions should include a timetable to ensure expeditious implementation. The management and costs of the plazas are current and ongoing and unnecessary delays will only hamper the effectiveness of the plaza partners in maximizing these community assets.

The GDA congratulates DOT on the creation of these public spaces appreciates the efforts of the Council in considering legislative action to improve the efficacy of this important public program. The plaza program affects the quality of life for so many who live, work or visit New York. It is our intention to ensure that these spaces continue to be world class public spaces that humanize our environment.



March 30, 2016

Dear City Council Members:

Good Morning, my name is Craig Buckley and I am the owner of Street Meet Promotions, an independently owned small business with an office in Times Square, which provides employment to 35 people. We are one of the agencies Broadway Producers and Theatres hire to promote their shows within Times Square.

I am here to express my opposition to the bill in its current form. Broadway Musicals and Plays are the heartbeat of Times Square and in the 2014/2015 season, they attracted over 13 million visitors to the area. Our company provides branded street teams for such currently running shows as Beautiful, An American In Paris, Fun Home, The Phantom of the Opera, Wicked, and Disaster. These shows depend heavily on same-day walkup sales that our friendly and informative team members provide. Our teams do not handle any financial transactions, but instead distribute Broadway show flyers that direct people to theatre box offices and to TKTS. Our #1 goal is to increase attendance at Broadway shows and to give tourists any information they may need, including anything from directions to dining recommendations.

Restricting the areas where we can reach potential theatregoers will drastically impact our ability to promote Broadway shows and to direct people to TKTS. It will have a direct and negative effect on Broadway weekly grosses, including a decrease in sales at TKTS.

I urge the council to take into consideration the promotion of Broadway plays and musicals in Times Square as an exception to these proposed restrictions. Who we are and the service we provide differs greatly from the many costumed characters and other solicitors. On average our team helps 4,000 people experience the magic Broadway each week. The loss of these ticket sales can be the difference between a Broadway production closing or staying open.

I thank the council for your thoughtful consideration of the matter.

A handwritten signature in black ink, appearing to read "Craig Buckley", is written above the printed name.

Craig Buckley
Founder/ CEO
Street Meet Promotions

264 West 40th Street, Suite 505
New York, NY 10018

(917) 374-4282



**Michael Lambert, MBA
Executive Director for
Bedford-Stuyvesant Gateway Business Improvement District**

March 30, 2016

Before the New York City Council

Re: Int. 1109-2016B - A Local Law to amend the administrative code of the city of New York, in relation to pedestrian plazas.

Good morning Chair Rodriguez, Council Member Johnson, Council Member Garodnick, and members of the Committee on Transportation. My name is Michael Lambert, and I serve as the Executive Director of the Bedford-Stuyvesant Gateway Business Improvement District which is the home to almost 400 small businesses along Fulton Street between Troy and Classon Avenues, and along Nostrand Avenue from Atlantic Avenue to Halsey Street in the Central Brooklyn neighborhood of Bedford-Stuyvesant, Brooklyn. I also serve as the Co-Chair of the New York City BID Association, a member organization of the City's BID Directors, created to collectively address issues faced by the City's 72 Business Improvement Districts.

Thank you for your leadership and for giving me the opportunity to testify this today regarding Intro. 1109 which would create a new legal framework for NYC's public plaza program.

The Bedford Stuyvesant Gateway BID is the 64th of the City's 72 Business Improvement Districts and was fortunate to have been selected to participate in the first round of the City's Public Plaza Program in 2008. Marcy Plaza, the BID's public gathering space, is an 8,000 square foot space that has provided Bedford Stuyvesant's main commercial corridor with a place of respite from the surrounding urban environment. Since it's opening in 2013, Marcy Plaza has provided the area with a place to take a break from a busy day of shopping, running errands, or scurrying to that next appointment, a green space with plantings and flowers, and a space where community programming has included plays, musical performances, farmers markets, clothing drives, and other community building activities.

As one of the City's smaller and newer public plazas, we do not have some of the issues faced by some of our larger plaza partner colleagues. However, as our young plaza continues to evolve with increased programming and activities that will further support and enhance the area's economic development activities and create a vibrant public space, the need for rules specific to our public space will be an important factor in the appropriate and effective continued management of the plaza.

Bed-Stuy Gateway Business Improvement District
1368 Fulton Street, 3rd Floor • Brooklyn, NY 11216 • 718.636.6989



I sit before you today in support of the framework and intent of this legislation, but I urge the Council to amend it to ensure that prompt rulemaking and meaningful consultation with community partners is also included. I once worked in homeless health care and there was a saying that when you've seen one homeless healthcare program, you've seen one. The same can be said of the City's many plazas, which while all providing public community spaces, have several variations including size, layout, amenities, programming, surrounding neighborhood dynamics, and function to name a few.

This being the case, it is imperative that this legislation take into account the importance of including the plaza partners in all aspects of decision and rule making processes relative to their plazas. The plaza partners' knowledge of the unique characteristics of their respective plazas and neighborhoods are invaluable resources that can't be ignored.

As these programs continue to grow and thrive, working hand in hand with the City on an individual basis in each neighborhood will be critical to the overall success of each individual plaza. The legislation needs to ensure that plaza partners are in fact partners with regard to the local decision making process for the management of each of these spaces, with timely and thoughtful rule making for the management and programming for each of these spaces.

I look forward to working with the Council and the Administration to ensure that this legislation provides the necessary tools and framework that will allow Marcy Plaza and other community public spaces to best benefit their local communities in every way possible.

Again, thank you for your leadership and for the opportunity to provide this testimony. I am happy to answer any questions.

Good Morning:

My name is Cora Cahan and I have been the President of the New 42nd Street since the day it was established by the Mayor and the Governor in 1990. Carl Weisbrod who was at the time the President of the 42nd Street Development Corp persuaded me and our board led for over 20 years by Marian Sulzberger Heiskell and currently by Fiona Rudin to take on responsibility for seven of the blighted historic mid- block theaters on this famous street. I want to thank Corey Johnson, Gale Brewer and Dan Garodnick for the keen interest and the time they have given to the myriad issues facing those of us who work at the Crossroads of the World which have led to these hearings and the proposed legislation.

At the outset I want it to be known that I am a founding and current member of the Times Square Alliance board of directors and speak on behalf of The New 42nd Street in support of the legislation. Despite the fact that 42nd Street is not protected as it needs to be by the draft of the legislation we have seen with the hope that there is a remedy for this in the very near future.

My job was initially to reinvent and revitalize the barren landscape and downtrodden theaters we found 26 years ago. At that time there were over 80 adult uses [as they say] on this one block with the Victory Theater having just been shuttered as a triple XXX porn house. There were drug dealers who had 'office" hours at the corner phone booth cluster who took

calls for drugs on their beepers and delivered drugs in the wee hours of the morning in the corner parking lot. Here is a 1986 photo of the north side theaters in 1986 -- note the films playing at the Victory. [Read?]

We launched the revitalization of the block by choosing to open and operate and be responsible for a theater for the city's kids, their parents and schoolmates in 1995 in the very theater that had been that porn house just a few years earlier. Over 40,000 school kids come to the theater each season during the school day along with another 80,000 who attend public performances at the New Vic. Today --- there are 5,000 legitimate theater seats on the street and about 4,500 movie theater seats. In addition we built and manage a state of the art rehearsal studio/office /theater building smack in the middle of the block . Here nearly every Broadway musical and play rehearses before opening in theaters just a few blocks away. They are joined by large numbers of nonprofit dance and theater companies all of them working to bring their artistry to the city's stages large and small.

Now my job now is to maintain the lively safe environment we managed to establish and protect this revitalized 42nd Street. It is the reason I am here today. The successful reinvention of our street along with the ever burgeoning remarkable growth of tourism in Times Square has brought with it a number of issues of grave concern. Our overriding worry is for the safety and security of our patrons as well as for those on our street at any given moment. The fact that we are experiencing what is probably the highest pedestrian counts for an 800 foot long block in the city with nearly

100,000 folks walking to and fro on our street each day results in safety issues of scale along with the ever-increasing and alarming numbers of hawkers, costume characters and even naked ladies [weather permitting] wending their way to 42nd Street from the crowded Times Square bow-tie. They are aggressive in a number of ways, for instance right at the subway exits next to both the New Victory and across the Street at the New Amsterdam making it difficult to navigate around them when they aggressively attempt to engage and promote tips by forcing posed photos. Once again since a picture is said to be worth a thousand words - I have photos as evidence.

But our overwhelming worry is for our patrons and for those who are traversing our street be they tourists, commuters or theatergoers. There are times of the day and the evening when pedestrians find that the best and most efficient way to walk on the block is to use the traffic lanes as the path towards their destination. Seasoned commuters and office workers don't even pause for moment, they just choose the bus lanes and sometimes even the middle of the street to keep up their hurried pace. We worry daily about the overcrowding and spillover from our sidewalks into the street's 2-way traffic. Clearly, it is a reasoned concern and threat to all that increased presence of those not permitted to ply their trade in Times Square will increasingly seek 42nd Street as a desirable - second to the bow-tie - choice.

What a pity it would be if, after all the hard work by so many and all the risks taken to make this street once again a lively, robust, exciting part of the City with its unique confluence of Broadway theaters, Times Square and a great transportation hub at the Crossroads of the World, if it were to be sacrificed to the failure to understand that it is actually, as precariously balanced as in the past at this moment. We must all make certain that we come together to protect it from a relapse and from turning once again into that blighted barren landscape of yesteryear.

So I ask -- what will you do City Council members and what will you do members of the Administration to work with us to make sure this does not come about ?





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217 SWANK INTERNATIONAL COMPANY

VICTORY
BIG 3 FEATURE XXX SHOW
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2 DESCENDANCE
3 MASH
3 ADULT HITS
PUSSYCAT RANCH
DIRTY LILLY
HIGH SCHOOL BUNNIES
BIG 3 FEATURE XXX SHOW
1 LAURA'S GRACE
2 DESCENDANCE
3 MASH

WELCOME
TO
42 ST.
THE WORLD'S GREATEST
MOVIE
CENTER

BIG 3 UNIT XX A SHDW
PUSSYCAT RANCH
DIRTY LILLY
HIGH SCHOOL BUNNIES

NEW VICTORY

SPIDER-MAN
TURN OFF
THE DARK

SPIDER-MAN
TURN OFF
THE DARK

THE NEW VICTORY THEATRE

THE SPECTACULAR AND THE MIGHTY

THE NEW VICTORY THEATRE

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RIC

KILLED
13TH PART VI
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LOVE THE BEST
OLDS DAY

VICTORY

NEW POLICE BEST PORN IN TOWN
1 GINGERS WET DREAMS
2 SCENT OF SEX
3 FRENCH ORGY
4

BEST POR
XXX
IN TOWN

GINGERS WET
DREAMS

2 SCENT
OF SEX



NEW VICTORY

SPIDER-MAN
TURN OFF
THE DARK

IN SPECTACULAR 3D THE NEW

THE NEW VICTORY THEATRE

SKETCH

SKETCH

SKETCH

Subway

CELE

ROXY

THE WHOLE



WELCOME
TO
42 ST.
THE WORLD'S GREATEST
MOVIE
CENTER

VICTORY
BIG 3 FEATURE XXX SHOW
LAURA'S DESIRES 1
DESCENDANCE GRACE 2
MASH 3
3 ADULT HITS
PUSSYCAT
RANCH
DIRTY LILLY
HIGH SCHOOL BUNNIES
BIG 3 FEATURE XXX SHOW
LAURA'S GRACE 1
DESCENDANCE 2
MASH 3

BIG 3 ADULT XXX SHOW
PUSSYCAT RANCH
DIRTY LILLY
HIGH SCHOOL BUNNIES

RIALTO 1
EXCLUSIVE SHOWING ON RIALTO
SUMMER OF LAURA
TWO BIG HITS 1
CANDY LIPS

TAKE-8-STEAK
PIZZA

EXCLUSIVE SHOWING ON 42ND ST.
ORIENTAL TREATMENT
RATED X
A NEW SLANT ON SEX
THE FELINES

COMBO













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1501 Broadway, Suite 12024, New York, NY 10036
MAMA@theatreMAMA.com • 212-581-5863

HELL'S KITCHEN EXECUTIVE OFFICE:
459 West 44th Street, Suite A, New York, NY 10036
MAMA@theatreMAMA.com • 212-581-5863

Hello my name is Timothy Wooster, and I am owner of theatreMAMA.

theatreMAMA is a full service experiential agency serving the Broadway and Entertainment industry. For the past 11 years, we have activated street teams by handing out promotional materials in Times Square 10 hours per day, 7 days a week for a multitude of clients including Chicago the Musical, Cirque du Soleil, Madison Square Garden Entertainment, The Radio City Rockettes, Blue Man Group, and over 40 other Broadway Shows and Entertainment companies. We do not sell tickets. We do not have commercial transactions. We do not block the flow of traffic.

We employ over 60 different people and rent an office space in Times Square as well. There is not one New Yorker who does not know our girls in the Red Tights for Chicago the Musical. We have become an institution more recognizable and garnering more attention across all social networks than any other promoter in Times Square. There is no one company or individual who spends more time in Times Square than MAMA, nor one that will be more affected by this law than we will.

We can not support the Pedestrian Plaza Law as it is currently written without also recommending a vital amendment. We recommend the council alter the proposed "Times Square Commons" zoning areas to affect solely the Pedestrian Plaza areas, noted as the "General Civic Zones" on the map and to leave the public sidewalks just as they are, public and without regulation or restriction. An alternative we recommend to the council is to regulate the public sidewalks to those who are involved in the solicitation for immediate exchange of money for goods, services, or entertainment.

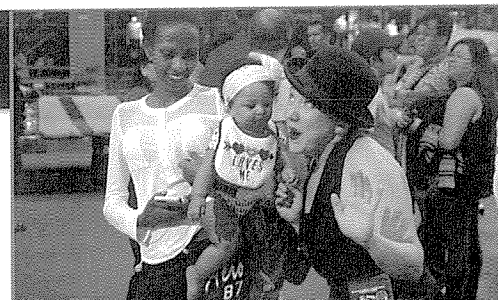
MAMA cannot support any measure that would regulate the distribution of informational or advertising materials on these sidewalk areas.

Aside from the substantial cost to our business and our clients and the decreased tax revenue to the city, we fear that this may also endanger the most basic of our Human Rights, the Freedom of Expression. Passing this bill as is provides a precedent for developers with less legitimate intentions to point to for their own benefit.

MAMA recommends the council alter the proposed law to eliminate regulation of the Yellow "Pedestrian Traffic Flow Zones" currently shown on the Times Square Commons map. We need to make Times Square a better, safer, and more fun place for people to visit. But we do not want these regulations to have an adverse impact on the businesses that depend on Times Square day in and day out.

Thank you for your time.

Timothy Wooster
Co-Founder





Transport Workers Union of America, AFL-CIO Local 225

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President
Lenwood McKoy

Vice President
Pedro Mercado

Financial Secretary - Treasurer
James Muessig

Local Recording Secretary
Yanildy Taveras

Executive Board Member Branch 1
Sheila Brand

Executive Board Member Branch 2
Jean Valade

Executive Board Member Branch 3
Todd McGue

Testimony of Lenwood McKoy

President

Transport Workers Union Local 225, AFL-CIO

before the New York City Council

Transportation Committee

Wednesday March 30, 2016

Intro 1109-A

Pedestrian Plazas



My name is Lenwood McKoy. I am president of the Transport Workers Union, Local 225, AFL – CIO. Our union has represented employees at Gray Line New York Tours since 1941. Today, we represent tour guides, sidewalk sales agents, and dispatchers.

I believe that the proposed Pedestrian Plaza Law will cause severe layoffs among our union members. A large portion of Gray Line City Sightseeing New York revenue is derived from ticket sales in Time Square. All of Broadway between W 49th St and W 42nd St is a pedestrian plaza today and on account of the pedestrian plazas' popularity the pedestrian plazas may be expanded in the future.

Millions of tourists visit New York City each year. Most tourists visit Time Square. One of their favorite activities is riding on to top of double decker buses. The tourists congregate in the pedestrian plazas in Times Square. They want to ride on double decker buses. Ticket Agents are there to sell them bus tickets, and provide advice and information. It all makes sense.

Ticket sellers have been selling bus tickets in Time Square for 20 years, and now the government is seeking to end their livelihood. The companion legislation that was to be heard today explicitly bans ticket sales in pedestrian plazas. TWU Local 225 has no doubt that if given the authority to choose permissible activities in Times Square pedestrian plazas that the Commissioner of Transportation would ban double decker bus ticket sales.

Our members are the hardest working employees in Times Square. They work on commission. They stand in the sun on the baking sidewalks when it's 90 degrees. They are shivering on the windy sidewalks when it is 15 degrees. They work in the rain and they work in the snow.

It is shameful that the city government should use its power to scapegoat Local 225's experienced professionals for the perceived transgressions of others. In doing so the City of New York is crushing our members' abilities to feed their families.

Fix the legislation. Add an exemption for ticket agents as the author of this legislation has seen fit to do for general vendors and food vendors.



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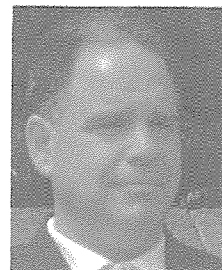
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Testimony of James Muessig
Financial Secretary - Treasurer
Transport Workers Union Local 225, AFL-CIO
before the New York City Council
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Wednesday March 30, 2016
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Pedestrian Plazas



My name is James Muessig. I am the Financial Secretary - Treasurer of the Transport Workers Union, Local 225, AFL – CIO. Our union has represented employees at Gray Line New York Tours since 1941. Today, we represent tour guides, sidewalk sales agents, and dispatchers.

Five days ago TWU discovered that the City Council was considering legislation that would harm our members at Gray Line City Sightseeing New York.

When we called City Council Members to oppose the laws we were told that the Pedestrian Plaza Law does not effect our members. We weren't born yesterday. One law, the Pedestrian Plaza Law gives the Commissioner of Transportation the sole authority to create and regulate activities in pedestrian plazas. Exemptions in the proposed law are carved out for food vendors and general vendors. Glaringly, the men and women selling double decker bus tickets who have stood in Times Square for twenty years are not exempted from the law. Companion legislation titled the Ticket Seller License Law specifically bans selling tickets in pedestrian plazas.

Licensed ticket sellers should be exempted from this law. The City Council will shortly approve a law that licenses Ticket Sellers. Except for a few items in the proposed licensing law the Transport Workers Union supports that law.

The City wishes to corral the costume characters in outdoor pens in the pedestrian plazas. This is a reasonable precaution to insure the safety and comfort of tourists because these individuals are not licensed. There are few rules governing their behavior.

Our union members however will soon be licensed and subject to a myriad of regulations. They will face disciplinary proceedings, and revocation of their licenses for failure to follow regulations. Removing the ability of ticket agents to move throughout the pedestrian plazas is unnecessary to protect the public and will result in a dramatic decline in sales.

The Transport Workers Union of America asks the City Council to exempt ticket agents from the Pedestrian Plaza Law and consider thoughtful restrictions on the Ticket Agents' area of operations in the Ticket Agent License Law to be heard on April 12, 2016



Transport Workers Union of America, AFL-CIO Local 225

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Testimony of Yanildy Taveras
Local Recording Secretary
Transport Workers Union Local 225, AFL-CIO
before the New York City Council
Transportation Committee
Wednesday March 30, 2016
Intro 1109-A
Pedestrian Plazas



My name is Yanildy Taveras. I am a ticket seller and the Local Recording Secretary of Transport Workers Union, Local 225, AFL – CIO. I am 23 years old and I have been a ticket seller for the past five years. I now live in the Inwood section of Manhattan. I came to this country from the Dominican Republic when I was nine years old. Having grown up in San Francisco de Macoris I did not speak any English when I arrived in New York City.

I was educated in the New York City public schools and I attended the Borough of Manhattan Community College. Gray Line Citysightseeing provided me with the income that I needed to attend college. Gray Line was kind enough to alter my work schedules around my class schedules.

I do not sell tickets in a pedestrian plaza. I sell tickets on a sidewalk running along the west side of seventh avenue just south of Times Square. I am able to make a good living. If the Commissioner of Transportation forces the ticket sellers out of the pedestrian plazas in Times Square then they would have no choice but to migrate to my area. As a result my income would drop. It is a competitive market and we work for commission.

Please fix this law before voting on it. The author saw fit to exempt food vendors and general vendors from this regulation. Please exempt sidewalk sales agents who vend double decker bus tour tickets too.

The outdoor ticket agents for double decker bus tours all work long hours in tough conditions just like the people holding food vendor licenses and general vendor licenses. We deserve the same consideration that they get.



Transport Workers Union of America, AFL-CIO Local 225

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**Testimony of Sheila Brand
Professional Dispatcher and
Member of the Executive Board
Transport Workers Union Local 225, AFL-CIO
before the New York City Council
Transportation Committee
Wednesday March 30, 2016
Intro 1109-A
Pedestrian Plazas**



My name is Sheila Brand. I dispatch the Gray Line CitySightseeing New York buses from bus stops around Manhattan. I am also a member of the Executive Board of TWU Local 225.

My daughter is a licensed New York City tour guide at Gray Line. She is at the bottom of the seniority list and would be one of the first laid off if the Pedestrian Plaza Law is passed by the City Council. We need the income that we receive from Gray Line. My daughter is a single mom and has two sons with special needs, one of them has autism.

If the ticket agents are not allowed to sell tickets in the pedestrian plazas or are assigned to outdoor sales pens my daughter is not going to be able to keep her job. Sales will drop dramatically. She will be on welfare.

I've been out here in Times Square a long time and I have seen it all. What will DOT do to us? Will they confine our ticket agents in the costume character pens? Will they make all the ticket agents for double decker buses stand together on the same corners? That is a recipe for disaster. You don't want competing ticket agents yelling over each other like the floor of the stock exchange. Will there be only one area on each block in Times Square to sell? Will there be only one block from W 42nd St to W 49th St to sell?

DOT didn't tell anyone what they intend to do. Not the Times Square Alliance. Not the City Council. No one. And you are being asked to authorize them to do whatever they want at any time. That's wrong. What if DOT tells people you have to stand over there but in the summertime the sun shines there and it is too hot for customers to stand and talk and too bright to see the brochure. What if DOT says you can't stand near a building under an overhang but when it gets cold and windy and rainy that is the only place you can find just a little protection. Do the people who make these decisions know anything of or care at all about these workers?

We trust the City Council to properly regulate the ticket sellers with the Ticket Seller License Law. We don't trust DOT and neither should you. This is your responsibility. Don't pass the buck.



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Testimony of Marc Ruiz
Professional Ticket Agent and Member
Transport Workers Union Local 225, AFL-CIO
before the New York City Council
Transportation Committee
Wednesday March 30, 2016
Intro 1109-A
Pedestrian Plazas



My name is Marc Ruiz. I have worked for Gray Line City Sightseeing since 1994 as a ticket agent. I am the Shop Steward for the Ticket Agents at Gray Line City Sightseeing New York represented by TWU Local 225.

I'm married and have two kids. The older one attends college and my younger daughter is in the ninth grade. This job is very important to my family. I receive medical insurance for my family and my employer contributes to my 401K retirement account.

I speak French, Spanish, and English. On the job as an ambassador for New York City my fluency in different languages helps me communicate with tourists. I answer questions for tourists and New Yorkers on a daily basis.

I have worked this job for twenty years. I have never been accused of wrong doing. Times Square is the best place to sell tickets. I've earned the right to stand their by my years of service. I am near the top of the seniority list.

Now, the City wants to ruin everything that I have worked for. I cannot sell tickets limited to standing in outdoor selling pens set up by the Transportation Department for myself and my colleagues. We work on commission. What other job can I get at my age to replace what you wish to take from me. I deserve better treatment by the government.

Please do not allow the Transportation Department to make me stand in their sales pens. I did not lie to people. I did not harass people. Please exempt myself and the other double decker bus ticket agents from this law. The food vendors are exempt. The ticket vendors can be exempt too.

If the Transportation Department or the Police Department is worried about us then we can talk about it when we discuss the Ticket Agent License Law. I want a license. So do the other members of my union. Please help now. Exempt us from this law. Gives us rules in the other law.



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**Testimony of Sumaila Asamed
Professional Ticket Agent and Member
Transport Workers Union Local 225, AFL-CIO
before the New York City Council
Transportation Committee
Wednesday March 30, 2016
Intro 1109-A
Pedestrian Plazas**



My name is Sumaila Asamed. I am the Assistant Shop Steward for Ticket Agents at Gray Line CitySightseeing New York represented by TWU Local 225. I have worked for almost a decade now as a sidewalk sales agent. This job has been and continues to be my only source of income as the breadwinner for my family. The entire ticket seller fraternity was saddened when we learned about the impending Pedestrian Plaza Law scheduled to be heard on March 30, 2016. It is significant to note that even if one is legitimized to sell tickets out there, the Pedestrian Plaza Law and its provisions will make it practically impossible to operate. Indeed, the bill fails to define where exactly is the most appropriate place for ticket sellers to operate but gives the Commissioner of Transportation the right to ban us or confine us to sales pens. This lack of clarity is a recipe for chaos.

The implementation of the law will result in massive job losses to ticket agents with disastrous rippling effects of further job losses to tour guides, dispatchers, drivers, CSA'S and many other administrative staff members as the tour companies across board cannot maintain financial viability to sustain all of the aforementioned employees when the source of revenue generation, the ticket agent, is curtailed.

In fact the City is supposed to help create and provide jobs for its citizens. The loss of our jobs will certainly incapacitate all of us from providing for our families and dependents, paying our medical insurance premiums, rents and mortgages.

We have been told not to worry. The City seeks the authority to put us out of business but would never do it. I do not doubt that assurances have been made to the City Council that we will not be harmed. I do this job. I have done this job for ten years. I know that I cannot sell tickets in the outdoor sales pens that DOT envisions for us. What comes next? Today, DOT says stay in your sales pen. Tomorrow, DOT says things did not work out and you must leave. Please exempt us. Please protect us.

In my humble opinion and submission, the proponents of this bill should reexamine and reconsider it. For it is said, "Laws are made for man and not man for the Law" and ethically we are encouraged to, "Abide by the Law of Love and not the Love of Law"



Transport Workers Union of America, AFL-CIO Local 225

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Todd McGue

**Testimony of Heather Wheaton
Licensed Tour Guide and Member
Transport Workers Union Local 225, AFL-CIO
before the New York City Council
Transportation Committee
Wednesday March 30, 2016
Intro 1109-A
Pedestrian Plazas**



My name is Heather Wheaton. I have been a tour guide at Gray Line CitySightseeing New York for about twelve years. I am also the Section Recording Secretary for tour guides at Gray Line represented by TWU 225.

Please exempt licensed ticket vendors from the Pedestrian Plaza Law like you intend to exempt the other licensed vendors. Our ticket agents won't be able to make money in the sales pens that the police department and transportation department have planned for them.

To make money ticket agents need freedom of movement. If there is a cold wind then the ticket agents walk around the corner not only to protect themselves but also to be able to hold a sales brochure open for tourists. A brochure flapping in a cold wind does not encourage people to buy tickets for a double decker bus ride. When the sun comes out again the ticket agents migrate again to avoid glare on their brochures and sales machines. If there is precipitation then they have their other sales areas protected from the elements.

The DOT cannot design static sales pens that actually allow our ticket sellers to adapt to the constantly changing conditions of Times Square. It's not just the changing elements that our ticket agents must adapt to. It's the movement of people that cause ticket sellers to move. A ticket seller requires steady pedestrian traffic but if there is too much foot traffic people don't stop to talk. The professional agents sense their constantly changing environment and adapt. The DOT intends to remove this vital ability from our ticket agents. Their sales will decline dramatically.

As City Council Members you can design the Ticket Seller License Law to deal with the reasonable concerns of Times Square stakeholders. The DOT influenced by the police department is going to steamroll over our people.

Last month the Mayor had a plan for pedicabs. They could have their licenses to sell their rides but just couldn't do it anywhere that their customers were located. This is the same situation. Times Square is unique and nuanced. Please do not trust the DOT to get this right, they won't.



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Testimony of Sarafa Sanoussi
Professional Ticket Agent and Member
Transport Workers Union Local 225, AFL-CIO
before the New York City Council
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My name is Sarafa Sanoussi. I am an immigrant from Togo. When I arrived in America I got my first job selling double decker bus tour tickets in Times Square. I continue to do so to this day.

I fear giving the Commissioner of Transportation the right to decide what business is allowed to do be conducted in pedestrian plazas. Given that power I believe the Commissioner or a future Commissioner will end the ability for me to sell tickets to tourists.

If my coworkers and I are not allowed to sell in the pedestrian plazas of Times Square I believe that we will lose 1/3 of our income. Tours will be cut back. Tour Guides, dispatchers, bus operators, mechanics, and customer service will face a ripple of lay offs. Furthermore, I am aware some council members have promoted the idea of allowing licensed ticket sellers in Times Square pedestrian plazas if they are limited to "commercial pens". This would kill our ability to make sales. Ticket agents move about depending on weather conditions, times of day, and pedestrian traffic. Times Square is always changing. There is no way to design a holding area for vendors that will allow them to actually make their customary level of income.

The Pedestrian Plaza Law as written is too broad. I understand the need to limit the locations for activities conducted by unlicensed individuals such as performance artists or costume characters. However, the City Council will shortly approve a law licensing our industry. Given the rules we will operate under forbidding misinformation and aggressive vending it is unnecessary to limit our sales locations in Times Square and other areas.

Please exempt licensed ticket agents from the Pedestrian Plaza Law as you have done for the General Vendors and Food Vendors.



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Testimony of Ileana Jesus
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My name is Ileana. I came from the Dominican Republic when I was eight years old. I have been living in New York City ever since. It was a rough cultural shock. Even though my parents were immigrants they strived to put food in our mouth and clothing on our backs and a roof over our heads so we could have a better tomorrow.

I currently live in Washington Heights, in a two bedroom apartment with my two brothers, my sister, my brother-in-law, and my nephew. Even though we basically live on top of each other we live together in order to get by. In New York City rent is expensive and poor people have to live on top of each other in order to make ends meet.

I studied hospitality and tourism thanks to my parents, but I still have student loans to pay. When I graduated college in 2009 the job market was harsh, and all I could find was a job at McDonalds. Then came this opportunity with Gray Line CitySightseeing. I studied to become a licensed tour guide. I started back in July of 2012 and love what I do. I get along with everyone and it's helping me get more knowledge in my field of study, not to mention it is also helping me pay off my student loans.

If this bill is passed without exempting our ticket sellers, even though the government says it is not going to affect ticket sellers it will. The government does not understand sales let alone street sales. You can't put our ticket agents in outdoor commercial pens and expect them to sell. The mayor is being influenced by the police department and the police department doesn't care about sales or commercial activity. That is the least of their priorities. The Police Commissioner wants to close the pedestrian plazas totally.

If granted the authority then the Transportation Commissioner could change her mind in the future or the next one could and totally remove ticket sellers from Times Square. Sales will go down. Jobs are going to be cut, and tour guides on the bottom of the seniority list will be laid off. I will definitely be one of them since I am near the bottom of the seniority list. I would most likely go on unemployment. My family would suffer. Please don't do this. Exempt our ticket agents. We can address any of your concerns in Council Member Garodnick's Ticket Seller License Law next week.



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Testimony of Marc Noudjo
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I am from Togo in Africa but now live in the Bronx. My wife and I raise two children. My income is the only money coming in and we need every penny in this expensive city. I also send money back to Africa to help my relatives still living there.

My job is to sell tickets to the tourists. I have worked for Gray Line CitySightseeing New York for the last nine years. However, I also help the tourists and the New Yorkers as well. I tell them numbers of buildings and streets they are looking for or an address that they are looking for. In nine years the police have never told me that I was in the way.

The Transportation Department wants to tell me where I can and cannot stand in a pedestrian plaza. I understand that if they wanted to they could just ban me. My coworkers and I are upset. We can't make a living in a place we are told to stand by the government. You can make money at one location in the morning but if you don't move twenty feet over in the afternoon then you make nothing. The weather on the different days also effects where we choose to stand to make more sales. Every single block has a special character. There is no standard template that can be forced upon us that will not harm us. What is good on Monday is bad on Wednesday. A good location in December does not work in May. Where we stand in the rain is different from where we stand in the sun. Where we stand when the sidewalk has few people is different from where we stand when there are a lot of people walking. We stand in different places during rush hour when the sidewalk is full of New Yorkers going to work as opposed to when tourists are on the streets in greater numbers. Everything is constantly changing. That is Times Square.

Engineers and planners just don't get it. Please exempt us from the Pedestrian Plaza Law. We will submit to your will in the Ticket Seller License Law. If there are bad ticket sellers the new license law will have them lose their license. We don't have to be imprisoned to protect the public. The misguided intentions of the police department and transportation department will cause us great pain. I saw last year the police and the mayor wanted to get rid of the pedestrian plazas in Times Square. They don't understand tourism. They don't understand Times Square. They don't understand the lives of hardworking and honest ticket sellers on the streets. Help us.



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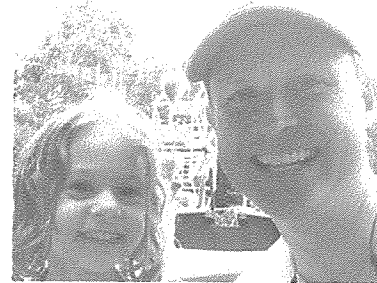
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Testimony of Brien Milesi
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I'm a licensed New York City tour guide. Don't ban our ticket agents from Times Square. Don't put them in sales pens. They won't be able to sell. Allowing them to stay and removing their ability to sell is deeply cynical. You might be able to tell the press that you didn't literally ban them but you effectively did.

If ticket sellers are forced out of Times Square or deprived of their ability to move around in Times Square thus causing their ticket sales to go down then the companies will reduce the frequency of their tours. Bus drivers, mechanics, cleaners, service agents, and tour guides like myself will face reduced hours or actual layoffs. I know this business. What the DOT has planned for us is bad for us. I believe the DOT does not realize how bad it is. Architects, urban planners, and engineers do not have a clue how to make a sale. Let alone a sale in an outdoor fast paced environment.

Do not give up your authority to the DOT. We wish to work with you on the Ticket Agent License Law this month which will address everyone's concerns. The government keeps telling us that this isn't about us. That it is about costume characters or comedy club ticket sellers. But they designed a law that is a proverbial gun to our heads and now tell us not to worry because they just want the power to pull the trigger but promise to never do it. If you give DOT the power to pen up our ticket agents then the DOT will do it. We in the double decker bus tour industry will all suffer.

If I lose this job or work less hours I will lose my health insurance for my family. My family needs the health insurance my employer offers.

I know the pressure on you is great. Please resist the pressure. Just exempt Licensed Ticket Vendors from this law just like the other vendors have been exempted.



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Testimony of Yawo Azamathie
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before the New York City Council
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Pedestrian Plazas



My name is Yawo Azamathie. I am a double decker bus ticket agent for the last ten years. I live in the Bronx where with my wife I raise three children. I solely financially support my family. I also send money back to Togo where I have relatives. I value the medical insurance that my family enjoys on account of my job. My 401K retirement account that my employer, Gray Line CitySightseeing contributes to every month will help to secure my retirement.

I am deeply concerned about the Pedestrian Plaza Law. I work in the pedestrian plaza in Times Square. This bill is aimed directly at me and my friends. The Times Square Alliance said at their press conference that we shouldn't worry. We would not be banned from the pedestrian plazas. We would be put in outdoor sales pens in the pedestrian plazas. If only one area for sales is allowed how many of us will lose our jobs? If we are forced out of Times Square down quiet side streets there are not enough people to make a living. We work on commission.

The Pedestrian Plaza Law does not say what is going to be done to us. It just gives the Department of Transportation the right to do anything they want to us. We need to be able to move around to adjust to changing conditions. We can't be stuck in a place chosen by people who work in offices and will never understand what is required to sell tickets to people from all over the world in a fast paced environment.

At the press conference the Alliance said that tourists who are looking to buy tickets would be able to find us. They totally miss the point of our job function. If people knew they wanted to buy bus tickets then we wouldn't be necessary. The tourists would have bought them online or at their hotel before entering Times Square. The tourists don't know that they want to buy bus tickets before we meet them anymore than they know that they want a caricature drawn of them until the artist on the sidewalk asks them. Tourists for the most part are not looking for us. It is an impulse purchase just like the snacks or magazines at the cashier in the market.

We must be able to seek that impulse purchase to make a living. The plan of the Transportation Department to pen us up will kill our jobs. They don't understand what it takes to make a living at sales in Times Square or just don't care. Please don't let them do it. Save our jobs. Exempt us from this law just like the other vendors.



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Testimony of Chris Barron
Licensed Tour Guide and Member
Transport Workers Union Local 225, AFL-CIO
before the New York City Council
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Wednesday March 30, 2016
Intro 1109-A
Pedestrian Plazas



My name is Chris Barron. I have been working as a tour guide for almost five years. It is the best job that I have ever had. It brings me joy to assist tourists and fellow New Yorkers navigate this fascinating city. I personally witness hundreds of tickets being sold to customers by my fellow union members in Time Square during my shift.

The Pedestrian Plaza Law as currently written would be an obstacle to eager customers who want our service. The ticket sellers are the first face our customers see and provide a valuable service to inquisitive visitors to our beloved city. Without the ticket sellers in Time Square my job that I love would be in jeopardy. In fact, because I am near the bottom of the seniority list for tour guides the decrease in sales caused by forcing our ticket sellers into outdoor sales pens would most likely cause my layoff.

I personally witness the revenues the ticket sellers bring into our company as well as the exemplary customer service that they provide. Banning ticket sellers from Times Square or limiting their movement to standing areas designed by the government would cause irreparable harm to my coworkers. This legislation would unnecessarily limit ticket sales, drive down revenue and lead to a reduction in the work force.

The good news is that it is easy to fix. Just include licensed ticket vendors along with the other classes of vendors that you intend to exempt from this law. If there are any other concerns you have about the activities of our ticket sellers then address them in the companion legislation, the Ticket Seller License Law.

We've been told that the driving force behind this legislation are costume characters, and comedy show ticket sellers. It is not just to punish our coworkers for the behavior of others. The Ticket Seller License Law has protections including revocations of licenses for misleading the public. The New York Times recently reported that tourists were complaining about paying to see comedy shows featuring Tina Fey but Tina Fey was not there. The NYPD Midtown South Peddler Squad can end that practice with the provisions of the Ticket Seller License Law. The double decker bus ticket agents do not have to be penned up to protect the public from the occasional unethical comedy club ticket seller. Please do the right thing.

TIM TOMPKINS TESTIMONY BEFORE CITY COUNCIL ON INTRO 1109

Good Afternoon. I am Tim Tompkins, President of the Times Square Alliance. I would like to thank Chairman Rodriguez, and Councilmembers Garodnick and Johnson for introducing the bill under consideration today, Intro 1109-A. I welcome the opportunity to speak today in support of this bill, which authorizes the Department of Transportation to issue regulations related to pedestrian plazas. While this will be beneficial for plazas throughout New York City, I would like to testify today specifically in relation to Times Square.

Times Square is New York's most iconic space, familiar to people throughout the world via movies and television. It is a prime driver of New York's image: it is the #1 most Instagrammed place in the world, with 17,000 Instagram posts a day, 67% of which are taken on the plazas. But it is also a central business district, a transportation hub, a center of entertainment and culture, and a huge economic driver with enormous value to the City as a whole. Though just 0.1% of the City's land, Times Square accounts for approximately \$1 of every \$9 in economic activity and, directly and indirectly, one-tenth of all jobs in the City. Every day, 170,000 New Yorkers commute to work in Times Square. Times Square is the heart of the City's tourism economy, with one-fifth of the City's hotel rooms. Times Square contributes \$5 billion per year in City and State taxes. Times Square is a key City asset that we all benefit from and that needs proactive management to maintain its value.

Prior to the creation of the pedestrian plazas, Times Square faced a crisis of overcrowding. In 2004, we counted 6,000 pedestrians spilling into the busy Broadway roadway during a single weekday afternoon. Times Square was clean, friendly and safe, except for people walking in the street. The Times Square Alliance has spent the last decade collecting data and studying options for how we might create a better pedestrian space that works optimally for all of our diverse users – visitors, employees, theatergoers and those passing through.

The pedestrian plazas introduced in 2009 have been phenomenally successful at both creating a safe space for pedestrians and a defined place where they can enjoy the experience of being in Times Square. Immediately following the closure of Broadway, surveys of Alliance employees and businesses reported significant increases in satisfaction with Times Square, jumping from 43% in 2007 to 74% in 2009, as the congestion they were dealing with every day eased considerably and walking to work became easier. The plazas transformed Times Square from a primarily vehicular thoroughfare to a place where tourists, employees and residents can sit at a table and relax, enjoy public programming, and take in the spectacle of the lights and signs. The Broadway plazas have created in essence, an urban park.

Further, the plazas have proven to be a boon to the spectacular sign industry as the plazas created space for visitors to stop and look. Sign companies have also benefitted from the additional dwell time in the plaza, and after initial skepticism, the Times Square Advertising Coalition vigorously supports the plazas. A 2013 intercept study of plaza visitors found that 60% of visitors reported spending at least five minutes looking at the signs, with 30% reporting spending greater than 10 minutes. Fifty-percent of respondents reported coming to Times Square to look around. The plazas have made this kind of experience possible by providing the "pause" space that did not exist previously.

However, as a result of the plazas' success in Times Square, over the last several years, and increasingly in the last 18 months, there has been a spike in unregulated commercial activity, including by those offering entertainment in exchange for a fee or tip. Further, predatory and aggressive behavior, and random violence involving various solicitors for tips in Times Square's pedestrian plazas has become endemic.

The press coverage that preceded the Mayor convening the Task Force on Times Square focused on *desnudas*, but that mischaracterizes the actual problem, which has little to do with the *desnudas per se*. The commercial activity and solicitation will be familiar to anyone who has walked through Times Square recently: hawkers of tickets (to shows such as Broadway/Off Broadway, comedy, bus tours, other entertainment events); costumed characters, *desnudas* and living statues; CD sellers and other hawkers of expressive material.

In short, the problem is a dramatic rise in street-based commercial activity in a finite space that was already balancing multiple competing uses, including both active and passive uses. Some basic statistics illustrate the problem. On an average Saturday night in Times Square we have counted in our five plazas alone 181 Ticket sellers, 61 CD sellers and 139 costume characters.

As has been reported extensively in the press, costumed characters and other commercial solicitors are often aggressive to tourists and pedestrians, resulting in an environment that residents, employees and visitors alike find less pleasant and less safe. A survey of area employees and New York residents on general satisfaction with Times Square revealed that the percentage of people reporting satisfaction with Times Square as a place to live or work had fallen by almost half since a peak in 2009 after the plazas were installed, from 74% satisfied with their experience in 2009 down to 39% in 2015. Among New Yorkers in general, that number fell from 89% in 2009 to 46% in 2015. Over 60% of all people surveyed cited characters and solicitors as a contributing factor towards their dissatisfaction. Further, 61% of Times Square employees in an October 2015 survey reported having a negative interaction with a costumed character or solicitor. Most disturbingly, these interactions are resulting in a sense that Times Square is less safe. Nearly 51% of those employees who work (and thus are regularly) in Times Square who reported having these negative interactions said that those incidents made them feel less safe in Times Square.

The Alliance has received extensive complaints about these experiences and has closely tracked press coverage describing widespread and increasing dissatisfaction with Times Square that is tied directly to these new quality of life issues. A recent Alliance call for testimonials on these issues yielded 211 responses in one week. In addition, since 2013, the Alliance has received at least 100 unsolicited letters and emails and has documented hundreds of social media posts that detail negative personal experiences with these issues. Finally, thirteen New Yorkers have written relevant letters to the editors of local newspapers since the announcement of the Mayor's Times Square Task Force in August 2015 – the volume indicates there have likely been more submitted that went unpublished. Hundreds of unsolicited online and social media testimonials being included with this statement document the scope and frequency of this problem.

And we have reason to be concerned that the value of Times Square is suffering as the public space has degraded. Our commercial space has lost value and is taking longer to lease. Our average asking rate for space has fallen from \$68 per square feet, where it has been for the last

two years, to \$61 per square foot. Last year, the ratio of available space to leased space was the lowest it has been since 2012, and only two spaces greater than 100,000 square feet were successfully leased. During our peak December period, hotel occupancy and asking rate trailed the previous year. This is very troubling, as the volume of available rooms continues to rise. It is of serious consequence for the City and its tax base that Times Square might have empty buildings and empty hotel rooms.

It is difficult for police to address the problem simply by enforcing existing laws. Much of the behavior does not cross the line to being illegal, but nevertheless significantly degrades the experience of being in Times Square. And even where behavior does cross over to illegal aggressive solicitation, these laws are often difficult to enforce as a practical matter, particularly when the perpetrators of crimes are wearing masks and costumes identical to half a dozen other people in the vicinity (we have counted 12 Elmos on one Saturday night). It will be easier to enforce existing laws if those offering goods or entertainment are in designated areas rather than disbursed throughout the Times Square plazas and adjacent areas.

When the Times Square plazas were created, we saw peak pedestrian counts increase from 350,000 persons per day up to as high as 480,000 persons per day. Heavy construction contributed to further congestion, but blocked plazas reduced overall pedestrian numbers. When construction ceased for the holiday moratorium this past December, peak counts once again reached in excess of 450,000, leading us to believe that once construction is complete, Times Square will see record numbers of visitors. The plazas will need to accommodate people passing through, people stopping to look around and other public space activities such as food service, sitting at tables and enjoying music and entertainment.

Pedestrian congestion has long been a central municipal concern and is all the more so in today's new reality where the threat of terrorism, particularly in high profile locations, requires realistic means of egress. With the competing uses overwhelming the limited space available in Times Square, a pedestrian traffic flow zone has become vitally necessary to allow people who merely want to pass through the space to get from point A to point B quickly and safely.

Times Square has always been a crowded place, but the unregulated commercial activity has made the problem worse. Costumed characters and other commercial solicitors take up more space than ordinary pedestrians by stationing themselves (often in groups) right in the middle of sidewalks used primarily as thoroughfares (in order to intercept potential "customers") and often create additional congestion by attracting crowds or stopping to pose for photos in groups.

To address these problems, the Times Square Alliance has worked with law enforcement, community leaders, businesses (including hotels, retail and theater), city agencies and members of this Council to develop a new approach to Times Square. The centerpiece is the designation of a public space called a "pedestrian plaza," where the Department of Transportation would be empowered to implement regulations to help manage the competing demands for use of these unique spaces. In an urban park—as in a traditional park—regulations may be necessary to ensure the ability of New Yorkers and visitors to enjoy the benefits that the space has to offer.

The regulations that we have encouraged the DOT to implement in the Times Square plaza include three key provisions:

- 1) The creation of pedestrian traffic flow zones, which would be essentially treated like streets, but for pedestrians—in other words, a lane solely for walking where people would travel through the Square unimpeded by congestion.
- 2) Restrictions on the locations where commercial solicitation activity could take place, including tickets sellers, street performers, costume characters or anyone else seeking a tip for their services.
- 3) Regulations specifically focused on the issuance of permits for larger scale public performances and other events in pedestrian plazas, including consultation with neighborhood BIDs.

In a 2015 survey, a significant majority of participants expressed support for designating areas where characters and solicitors are permitted. By restricting the location where these activities may take place, a pedestrian—whether tourist, employee or resident—could choose to spend time in Times Square and simply enjoy the space without being accosted by a costumed character or solicitor. And if someone wishes to pose for pictures with a costumed character or view a street performance, they would be able to do so.

We have also been sensitive throughout this process to concerns about impeding First Amendment expression. The Alliance acknowledges that a vibrant culture of street performance and free and open community interaction helps make Times Square the special place that it is. We do not advocate a ban on any First Amendment-protected conduct in Times Square for those without tables or stands. Rather, we are simply proposing that the City create an allocation of different spaces in the Times Square pedestrian plazas for different uses. It is our hope that by better regulating the area to manage the competing uses, Times Square can better function as a space that serves all interests.

In sum, the proposed bill will permit the DOT to issue regulations that will reduce pedestrian congestion, advance safety, create an ambiance that will promote tourism and commercial retail development, foster public performances and other public events, and ensure that this iconic location with limited space can be enjoyed for multiple competing uses, including active and passive recreation.

Two additional points: if the legislation is passed, the Alliance does want to note that it is very important to it and to other plaza partners throughout the city, as well as Manhattan Community Board Five, that the new rules regarding special events be introduced within the next 3-6 months, following appropriate consultation with the affected communities and partners prior to rulemaking. Second, we feel that it is essential that DOT monitor and study in the coming 3-6 months conditions on 42nd Street – a vital part of Times Square – to address any potential problems related to commercial activities or hazardous pedestrian conditions at peak times.

Intro. 1109 – Legislación sobre plazas peatonales

¿Qué es esta legislación?

Fundamentalmente, esta legislación le brinda al Departamento de Transporte de la Ciudad de Nueva York (New York City Department of Transportation, NYC DOT) la autoridad para gestionar y reglamentar todas las plazas peatonales, del mismo modo que el Departamento de Parques regula las zonas verdes, de modo que todos estos 69 nuevos espacios públicos sean activos positivos de la comunidad.

¿Por qué es importante esta legislación?

Las plazas peatonales son servicios públicos vitales para que los neoyorquinos y los visitantes disfruten en todos los cinco distritos municipales. Esta legislación le dará a la ciudad de Nueva York las herramientas para garantizar que las plazas sean espacios públicos de calidad mundial dignos de adoptar e imitar.

Esta legislación también permitirá que NYC responda a inquietudes regulares acerca de la venta ambulante agresiva y la oferta en plazas de Times Square. En una encuesta reciente, el 61 % de los encuestados que trabajan en Times Square informaron haber experimentado un encuentro negativo con un vendedor ambulante o personaje disfrazado, y el 51 % de esos encuestados dijeron que esa interacción los hizo sentirse inseguros. Muchos vendedores ambulantes y personajes disfrazados son honestos y trabajan duros, pero hay algunos malos. Reglas sencillas y claras ayudaran a la gente honesta.

¿Esta legislación prohíbe alguna forma de actividad en plazas peatonales?

Esta legislación NO prohíbe NINGUNA categoría de actividad. Simplemente, le da al DOT de NYC la autoridad para permitir determinadas actividades, inclusive la actividad comercial, en algunas áreas, pero no en otras. Es similar a la capacidad del Departamento de Parques para designar determinadas áreas para actividades comerciales y limitarla en otras.

¿Cómo afectaría esta legislación a personajes disfrazados y nudistas en Times Square?

El proyecto de ley no prohíbe a los personajes disfrazados o nudistas en Times Square ni en ninguna otra plaza de vecindario. Les permite continuar ganando un sustento en cualquiera de las MULTIPLES zonas en todo Times Square. Le permite al DOT de NYC establecer normas constitucionales para indicar dónde pueden realizarse actividades (como tomar fotos con personajes disfrazados por propinas) y dónde no se pueden dentro de la plaza. Zonas para trabajar existirán por cada plaza peatonal.

¿Por qué esta propuesta es mejor que otras propuestas para regular Times Square?

Las otras sugerencias para el tratamiento de conductas agresivas en plazas de vecindarios fueron más dramáticas, desde el licenciamiento hasta la prohibición completa de determinadas formas de actividad. Esta legislación es una propuesta integral y equilibrada que NO prohíbe NADA, y a la vez garantiza que Times Square y otras plazas peatonales en toda la ciudad continúen siendo espacios públicos de calidad mundial para todos los peatones. Protege a las personas que no quieren interactuar con personajes disfrazados y nudistas, debido a que estas actividades se limitarán a áreas específicas. Un reclamo importante en el pasado es que las personas no pueden elegir si estos personajes se les acercan o tocan. Además, esta legislación responde no solamente a las necesidades de Times Square, sino también a las necesidades de todo el programa de plazas y sus socios de plaza.

¿Esta legislación es constitucional?

Sí, porque esta legislación no prohíbe ninguna categoría de actividad o expresión. Simplemente, permite al DOT de NYC usar su autoridad promulgadora para promover el orden y la racionalidad con respecto a las normas que rigen las plazas peatonales, para regularlas como espacios públicos de calidad mundial, a diferencia del caso de calles destinadas al tránsito vehicular.

**SI TIENES MÁS PREGUNTAS, POR FAVOR ENVÍE UN CORREO ELECTRÓNICO O LLAME
Info@ABetterTimesSquare.org OR (212) 768-1560**

Intro. 1109 – Pedestrian Plaza Legislation

What is this legislation?

Fundamentally, this legislation gives the NYC Department of Transportation (NYC DOT) the authority to manage and regulate all pedestrian plazas, in the same way the Parks Department regulates parkland, so that all 69 of these new public spaces are positive community assets.

Why is this legislation important?

Pedestrian plazas are vital public amenities for New Yorkers and visitors to enjoy throughout the five boroughs. This legislation will give the City of New York the tools to ensure that plazas are world class public spaces to be embraced and emulated.

This legislation will also allow NYC to address ongoing concerns about aggressive hawking and solicitation in the Times Square plazas. In a recent survey, 61% of respondents who work in Times Square reported experiencing a negative encounter with a solicitor or costumed character, with 51% of those respondents saying that interaction made them feel unsafe. While many characters and desnudas are honest and hardworking, those who are too aggressive are giving the rest of them a bad name; having clear rules in place will help the honest ones earn a living.

Does this legislation ban any form of activity from pedestrian plazas?

This legislation does NOT ban ANY category of activity. It simply gives NYC DOT the authority to allow certain activities, including commercial activity, in some areas but not in others. It is similar to the Parks Department's ability to designate certain areas for commercial activity and limit it in others (for example, prohibiting commercial activity in Sheep Meadow in Central Park but allowing it near the southeast entrance to the park).

How would this legislation affect costumed characters and desnudas in Times Square?

The bill does not ban costumed characters or desnudas from Times Square or any other neighborhood plaza. It will allow them to continue to earn a living in any one of MULTIPLE zones throughout Times Square. It allows NYC DOT to establish constitutional rules for where activities like taking photos with costumed characters for tips can take place and where they cannot within the plaza. There will be multiple zones, on every plaza where characters and desnudas can work.

Why is this proposal better than other proposals to regulate Times Square?

Other suggestions for dealing with predatory behavior in neighborhood plazas have been much more dramatic, ranging from licensing to an outright ban on certain forms of activity. This legislation is a comprehensive and balanced proposal that bans NOTHING, while ensuring Times Square and other pedestrian plazas across the city remain world class public spaces for all pedestrians. It does protect people who do not want to interact with costumed characters and desnudas, because these activities will be limited to certain areas in each plaza.

Is this legislation constitutional?

Yes, because this legislation does not ban any category of activity or expression. It simply allows the NYC DOT to use its rulemaking authority to bring a sense of order and rationality to the rules governing pedestrian plazas, to regulate them as world class public spaces for people as opposed to as streets for vehicular traffic.

**FOR FURTHER QUESTIONS, PLEASE EMAIL OR CALL
Info@ABetterTimesSquare.org OR (212) 768-1560**

Roadmap for a 21st Century Times Square

Update to the briefing book authored by

Borough President Gale Brewer, Councilmember Dan Garodnick, Councilmember Corey Johnson, and the Times Square Alliance

This plaza legislation is an important step towards a better Times Square, but there are a few changes that are critical to its success. The Times Square Alliance, along with the Times Square community, endorses Intro 1109, provided the following issues are addressed:

- The bill extends plaza rules to impacted adjacent sidewalks as needed to avoid displacement
- The bill outlines objective criteria for plaza event permitting that takes into account event impact and whether it is responsive to and reflective of the plaza and its surrounding area; this will help to limit commercial events
- The bill makes more clear that DOT is authorized to regulate all forms of commercial activity and solicitation
- The administration provides, prior to the passage of legislation, a detailed first draft of the proposed rules that it intends to introduce within 30 days of bill passage

*The above resolution is supported by:
(as of March 30, 2016)*

Actor's Equity Association
Alicart Restaurant Group
Association for a Better New York
Association of Theatrical Press
Agents & Managers (ATPAM)
Breaking Ground
Boston Properties
Broadway Cares/Equity Fights AIDS
Carolines on Broadway
Clear Channel Spectacolor
Crowne Plaza Times Square Hotel
Davis Realty
Design Trust for Public Spaces
Disney Theatrical Productions
Doubletree Times Square
Durst Organization
Hard Rock Cafe

Highgate Hotels
Hyatt Times Square
Jamestown LP
Jujamcyn Theaters
Local 1 - IATSE
Marriott Marquis Times Square
Naked Cowboy
NASDAQ
Neighborhood Plaza Partnership, a
program of the Horticultural Society
New York Hotel & Motel Trades Council
Newmark Grubb Knight Frank
Olive Garden Times Square
The Paramount Building at
1501 Broadway
Paramount Group
Project FIND

Proskauer Rose LLP
Real Estate Board of New York
Regional Plan Association
Roundabout Theater Co.
Rudin Management Company
Sherwood Equities
Shubert Organization
Skadden Arps
Spectacular Cities
The Broadway Association
The Broadway League
The Lambs Club
Theater Development Fund
Times Square Advertising Coalition
Transportation Alternatives
Transportation Ventures
Vornado

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THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

FOR IMMEDIATE RELEASE: October 1, 2015

CONTACT: pressoffice@cityhall.nyc.gov, (212) 788-2958

CITY TASK FORCE ON TIMES SQUARE ANNOUNCES RECOMMENDATIONS

NEW YORK – The de Blasio administration announced today a series of recommendations to improve traffic, pedestrian plazas, the solicitation of tips, and a number of other issues in and around the Times Square area.

Over the past two months, a multiagency task force co-chaired by Police Commissioner William Bratton and City Planning Commissioner Carl Weisbrod, regularly spoke and met with Times Square business owners, advocates, elected officials, and others to create a series of comprehensive recommendations. The Task Force also included external stakeholders from the Times Square community and local elected officials. The task force also included representatives from the New York City Police Department, the Manhattan District Attorney's Office, the Department of Transportation, the Parks Department, the Law Department, the Department of Consumer Affairs, the Department of City Planning, Mayor's Office of Criminal Justice, NYC & Company, and Deputy Mayor for Housing and Economic Development Alicia Glen.

The recommendations include: increasing the police presence in Times Square with a dedicated unit that will develop familiarity with recurring issues; giving the City – through legislation to be developed in collaboration with the City Council – the ability to make rules regarding the time, place, and manner of soliciting tips and other activities in Times Square and in pedestrian plazas citywide; completing construction of the Times Square plazas and evaluating after its completion whether any further improvements can be made; and, mitigating traffic and crowding during construction by limiting street fairs and adding traffic agents in the area.

"Times Square is the Crossroads the World, and our task force has created recommendations that will ensure Times Square is a great experience for the millions of New Yorkers, families and tourists that make it such a popular destination." said **Mayor Bill de Blasio**. "These are a positive and constructive set of recommendations and we look forward to working with the City Council moving forward."

Action Items Recommended by the Times Square Task Force

Now – Immediate, through the end of construction:

- **The NYPD is deploying a dedicated NYPD officer detail in Times Square.** This dedicated group of officers will be able to familiarize themselves with the unique challenges in Times Square and provide continuous deterrence of illegal behavior. [Underway]
- **Give visitors information on how to safely enjoy Times Square.** The Department of Consumer Affairs (DCA), in partnership with the Times Square community, will provide information to tourists and visitors to protect them from unwanted solicitation, pickpocketing and other problematic behavior. [Within 1 month]
- **The administration will complete capital construction of the plazas.** Many current issues with congestion and pedestrian flow are a result of the ongoing construction of the Broadway plazas and the reconstruction of 7th Avenue.

While the construction is ongoing, the City will:

- **Add traffic enforcement agents and crossing guards, where appropriate, during peak times.** These agents will keep both pedestrian and vehicular traffic moving smoothly. [Within 1 month]
- **Limit street-permitted activity (such as street fairs) in the area.** Street fairs, and other uses of the streets permitted by the Mayor's Office of Citywide Event Coordination and Management/Street Activity Permit Office (CECM/SAPO) serve an important civic and community function. However, they also contribute to traffic congestion, which is already negatively impacted by the ongoing construction activity in Times Square. CECM/SAPO will, until construction in Times Square is complete, (i) ban SAPO-permitted activity on side streets in the area (42nd Street to 50th Street; from 6th Avenue to 7th Avenue and Broadway to 8th Avenue), and, (ii) in partnership with the NYPD and the Times Square community, take steps to limit permitted activity in other areas, including the plazas and avenues. [Within 1 month]
- **Evaluate other short-term measures to improve congestion and traffic flow.** The New York City Department of Transportation will undertake a short-term analysis to determine what immediate changes can be made to improve mobility and safety during the construction. [2 months]
- **Eliminate unnecessary obstructions** across the area, such as construction materials and equipment, unneeded and duplicate signs, and, where possible, unused news kiosks, and telephone booths. [Within 1 month]

- **Create a stakeholder working group.** This group, composed of representatives from relevant implementation agencies and local stakeholders, will see these recommendations through and monitor emergent issues in Times Square. [Ongoing]

Even as the City takes these immediate steps, we will work together to create new regulatory tools to ensure a vibrant, safe, and functional public space in the Times Square area:

Soon – Beginning within 12 months, after the completion of the construction, or requiring legislative action.

- **Empower NYC DOT with rulemaking authority to develop common sense time, place, and manner regulations in public plazas, including, but not limited to, Times Square.** There is currently no entity empowered to develop rules to manage commercial and civic activities in pedestrian plazas. Working with the City Council, the administration will empower the NYC DOT to step into this role. Once empowered, in Times Square, working with local stakeholders, NYC DOT will develop regulations to bring order to the times, places, and manners in which solicitation, expressive activity, and performance may occur, such as through designated areas. [2 months for legislation, 4 months for rules]
- **Codify the significance and uniqueness of Times Square through a “public place” designation.** The Department of City Planning (DCP) will work with the Borough President, the City Council, and Community Board 5 to initiate a Uniform Land Use Review Process to designate the Times Square “Bowtie” as a public place. [9-12 months]
- **Remodel NYPD substation to make more visible, functional, and attractive.** NYPD’s substation in Times Square will serve as a base for the newly created Times Square Unit and will be utilized as a recruitment center. [1 year]
- **Explore the creation of a designated special enforcement unit with responsibility for vending.** Vending rules are currently not enforced by a dedicated set of inspectors. Instead, enforcement responsibility is diffused and largely sits with the NYPD. Vending regulations are complicated and could benefit from enforcers with specialized expertise. The City will explore the creation of a dedicated set of inspectors, detailed initially to Times Square, to enforce the City’s vending laws.
- **Local law to create a new category of vendors to include ticket sellers (particularly theater and tour busses).** Ticket sellers, particularly for performance events and tour busses, currently overwhelm areas of Times Square. Due to a recent court case, sellers of tickets are not subject to vending restrictions that regulate the sellers of other goods and services on streets and sidewalks. A new local law would subject these vendors to the vending regulations of the Department of Consumer Affairs. [3 months]

- **Regulate vending on 42nd Street between 7th and 8th avenues.** Current vending rules allow late-night vending along 42nd Street that crowds sidewalks and forces pedestrians into traffic, contributing to a chaotic and potentially unsafe environment. Working with the City Council, the City will pursue additional limitations on vending activity along 42nd Street and in other problematic areas in the Times Square area. [3 months]
- **Undertake area-wide transportation study after construction is completed in order to consider improvements to the plaza space, reduce congestion, and improve safety.** NYC DOT and DCP will undertake a comprehensive study following the completion of the construction. This study will include recommendations to improve safety and pedestrian and vehicular flow through the broader Times Square area. This study will evaluate the relocation of tour bus locations (which currently contribute to crowding and traffic congestion), and the current signalization and traffic restrictions (i.e., left turns) governing vehicular and pedestrian movement in the area. [12-15 months after the completion of construction]
- **Recommend further physical improvements to the plazas after the construction is complete.** In addition, in the wake of the completion of the construction, NYC DOT and DCP will conduct a study with regard to activities, pedestrian mobility, attractiveness other amenities and recommend design changes to the plazas as appropriate. [12-15 months after the completion of construction]
- **Bring more place-making programming to the pedestrian plazas.** NYC DOT, the Mayor’s Office of Citywide Event Coordination and Management and Street Activity Permit Office, the Department of Cultural Affairs, and the Times Square community will work together to encourage positive, community-based activities in Times Square. [3 months]

“Today’s plan is a first step toward the framework that Council Member Garodnick, Councilmember Johnson, and I all agree is the best path forward,” said **Manhattan Borough President Gale A. Brewer**. “The Times Square Alliance’s smart planning and diligent research made this process possible. I look forward to working with the Mayor’s administration, my colleagues, and this neighborhood’s business community to build on what we’re announcing today and develop rules that make sense and a real vision for this critically important public space in the beating heart of our city.”

Manhattan District Attorney Cyrus R. Vance, Jr., said, “I commend the Mayor’s Task Force for seeking a just and constitutional solution to a complex situation, which will respect the rights of the individuals soliciting money with those of pedestrians and local business owners.”

“The action items recommended by this task force will help address the issues facing Times Square while respecting first amendment rights,” said **Council Member Corey Johnson**. “We must enact thoughtful, constitutionally robust solutions that are the right fit for this location. Times Square is one of the most visited locations in the world, it’s important that we get this right. I want to thank the de Blasio Administration, Borough President Gale Brewer, Council

Member Dan Garodnick, Community Board 5 and the Times Square Alliance for their partnership on this important issue.”

“Moving forward with Times Square Commons will help us bring a little order to the chaos, while preserving the edginess of this unique part of the city,” said **Council Member Dan Garodnick**. “This is an important first step and I look forward to continuing conversations about regulating this important public space.

“I commend the de Blasio administration for quickly coming together and bringing together a diverse group of leaders who truly care about Times Square and about our City’s plaza program. The recommendations brought forth will serve as a crucial frame work as our city works to reform and transform the plazas in Time Square. As Chair of the NYC Council Transportation Committee, I strongly believe public plazas are a crucial tool in street redesign and play an important role in keeping our pedestrians safe. I am proud to see such emphasis placed on the preservation and betterment of them,” said **Council Member Ydanis Rodriguez**.

“The Task Force Mayor de Blasio convened had a thoughtful, level-headed discussion that New Yorkers should be proud of. City agencies, elected officials, and community representatives quickly got on the same page and produced sensible recommendations to improve Times Square for New Yorkers and visitors. The Times Square Alliance did a great job of bringing its members together and building the consensus,” said **Assembly Member Richard Gottfried**.

“I’m grateful to Mayor de Blasio for convening the multi-agency Times Square Task Force. I also want to thank my colleagues Congresswoman Carolyn Maloney, Manhattan Borough President Gale Brewer, Assembly Member Richard Gottfried, and Council Members Dan Garodnick and Corey Johnson, as well as Community Board 5 and the Times Square Alliance for their collaboration in this effort. I look forward to working with the Task Force, which has created a useful roadmap to address our problems in a manner that satisfies the need to balance the interests of local residents, businesses, and visitors while continuing to respect the rights of assembly and free expression,” said **Senator Brad Hoylman**.

“We are pleased with the initial findings of the Mayor’s Task Force and look forward to addressing the details in the coming months. We are confident that, with all the area stakeholders, positive solutions will be found for the Times Square Bowtie, as well as all the pedestrian plazas,” said **Vikki Barbero, Chair of Community Board 5**.

Tim Tompkins, President of the Times Square Alliance, and Robert Kafin, Chairman of the Times Square Alliance said, “We are pleased that the administration has endorsed and supported the key elements of the community’s plan, and we look forward to working with them and our elected officials to hammer out the specifics of implementation so that Times Square can continue to be the economic and job growth engine that it has been in recent years.”

“We have strongly advocated for the institution of measures that ensure a safe and enjoyable environment for our many theatregoers and the families who frequent our Times Square neighborhood. We are thankful for Council Member Dan Garodnick and Council Member Corey Johnson’s support and the collaboration of this task force in addressing the issues and continuing

to work towards necessary solutions. We look forward to continuing our work with the Mayor's Office to maintain our status as the world's premier cultural attraction," said **Charlotte St. Martin, President, The Broadway League.**

"Companies located in Times Square are ready for changes that make the area more hospitable to business," said **Mike Simas, Executive Vice President of the Partnership for New York City.** "The preliminary proposal laid out by City Hall is an excellent first step that incorporates many of the priorities of nearby businesses, including an increased law enforcement presence to address quality-of-life concerns."

"Well-designed public spaces like the Times Square pedestrian plaza are a tremendous asset for large cities, transforming overcrowded and sometimes unhealthful areas into safer, navigable and welcoming places for residents and visitors. The latest proposals will help address issues facing pedestrians and motorists while preserving the vitality of this great public space at the heart of the city," said **Tom Wright, President, Regional Plan Association.**

"We appreciate that the Task Force has taken seriously the well-being of all pedestrian plazas with these recommendations. We fully support the proposal to empower DOT to manage these amenities through new legislation, and look forward to working with the administration and City Council to develop a set of rules befitting the unique contributions that plazas are making to a more equitable city," said **Laura Hansen, Managing Director of the Neighborhood Plaza Partnership, a program of The Horticultural Society.**

"I believe the task force has done a good job working to find a solution to this complicated issue. I think having the additional police presence and the same officers policing the square will make a big difference and working with the Mayor and his team I am convinced we will make Times Square safe and desirable as a place to work and visit," said **Jeff Gural, Chairman of Newmark Grubb Knight Frank.**

"We truly appreciate the Mayor's collaborative efforts with the Task Force to resolve Times Square's governance and enforcement challenges. The Administration's commitment to continue to develop necessary and workable solutions will result in a model for vibrant and dynamic public spaces in every neighborhood," said **Susan Chin, FAIA, Executive Director of Design Trust for Public Space.**

"We are excited about the future for Times Square and the larger Plaza Program. The Mayor and City agencies, with NYC DOT taking the lead, have come up with a solid plan to transition the Plaza Program into a much more community building agenda, especially for communities outside of midtown in the outer boroughs where they could help drive a collaborative effort to create neighborhood 'hubs,'" said **Fred Kent, President of Project for Public Spaces.**

"By calling attention to the safety issues on the overflowing 42nd Street sidewalks caused in great measure by vestigial vending regulations, we are extremely pleased that the administration is recommending eliminating vending on our block. The Mayor's team has quickly and intelligently given informed consideration to the myriad issues that are singular to the reinvented 42nd Street and Times Square," said **Cora Cahan, President of The New 42nd Street.**

“The is a solid first step in the management of the public space in Times Square,” said **Douglas Durst, Chairman of The Durst Organization**. “We look forward to continuing working with the City and our fellow stakeholders to ensure that the Cross Roads of the World works for everyone.”

“I’m grateful to the task force members and to Mayor de Blasio for recognizing the factors impacting Times Square and for instituting a number of common sense measures that will help restore it to a place where New York City residents, businesses, visitors, people of all ages and backgrounds, feel comfortable and welcome. A conversation has begun about Times Square and, as the plazas are completed and the recommendations implemented, New Yorkers will continue to watch over our greatest public space,” said **Mary Ann Tighe, CEO of the New York Tri-State Region of CBRE**.

“As the dominant owner of retail at the Bowtie – the ‘Crossroads of the World’ – Vornado believes the task force’s recommendations provide a roadmap for ensuring that Times Square and other pedestrian plazas continue to thrive in New York City. I commend the Administration for leading this important effort,” said **Marc Ricks, Senior Vice President of Vornado Realty Trust**.

###

2016 Times Square Tweets: Disturbing Incidents Involving Verbal Abuse and Inappropriate Touching



ZakeNBake
@bzakenbake



Follow

The Mickey Mouse in Times Square just called me a bitch so I think I've hit peak New York.

3:43 PM - 26 Mar 2016



Alicia Brown
@alicia_brown



Follow

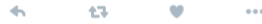
Today was my first time in Times Square and the first thing that happened was Elmo ran down me and my brother

RETWEET
1

LIKES
3



9:03 PM - 25 Mar 2016



Katherine
@Kathreeno



Follow

The Spider-Man in Times Square just hit on me so that's new

LIKES
6



7:23 PM - 22 Mar 2016



Julie McChicken
@McChickenJulie



Follow

One time a man dressed as spider man chased me and a couple friends around Times Square because we didn't pay him for a photo

LIKES
3



5:00 PM - 22 Mar 2016



NYCMomProbs
@NYCMomProbs



Follow

You go to Times Square and Elmo is the one you have to be wary of. [#timessquare](#) [#NYC](#) [#Manhattan](#) [#kids](#) [#elmo](#)

**Explaining to your kids that
now isn't a good time for a
picture**



@NYCMomProbs

9:14 PM - 22 Mar 2016



**2016 Times Square Tweets:
Disturbing Incidents Involving Verbal Abuse and Inappropriate Touching**



out getting ribs
@asianbearx



Follow

Just got scammed by Spider Man in Times Square

LIKES

27



3:54 PM - 18 Mar 2016



Caroline
@carolineotoole



Follow

Tries not to get mauled by Elmo in Times Square during my commute for the 3rd time this week

1:57 PM - 18 Mar 2016



Baylee Patterson
@B_Patt97

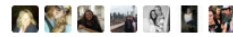


Follow

Walking through Times Square and was centimeters away from getting trampled by Elmo. God get me back to Nashville

LIKES

7



11:38 PM - 18 Mar 2016

📍 Manhattan, NY



vero.
@VEROCHiNi



Follow

No, Elmo. I don't wanna take a pic with you in Times Square 🙄🙄🙄

8:31 AM - 18 Mar 2016



Lee Mattinson
@lee_mattinson



Follow

#TBT pre-getting-mugged-by-Elmo with Times Square Malarkey @JenMalarkey #NewYork #bottomlip



LIKE

1



4:31 PM - 17 Mar 2016



Alyx
@ALLdayVERde



Follow

Elmo in Times Square just called me baby.

11:13 AM - 17 Mar 2016

📍 Manhattan, NY



**2016 Times Square Tweets:
Disturbing Incidents Involving Verbal Abuse and Inappropriate Touching**



KITKAT
@catmod123



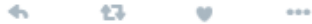
Follow

Lesson taken from today: keep away from Elmo in Times Square

LIKE
1



8:50 PM - 15 Mar 2016



Erin Crews
@Osirisbites



Follow

I just got attacked by Elmo in Times Square.

LIKE
1



10:59 AM - 15 Mar 2016



big daddy
@yungleanbean



Follow

@kruelkai some guy in a woody costume touched my ass in Times Square so be careful

LIKES
2



9:44 PM - 12 Mar 2016



catarina
@CatB_C

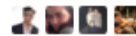


Follow

please do not propose to me in times square- it smells weird and is too crowded. I'll accidentally say yes to blue Elmo instead of you.

RETWEET
1

LIKES
4



5:28 PM - 28 Feb 2016



a beeR
@comedindian



Follow

Bootleg Elmo in Times Square just hit on me in costume! What the hell!!

LIKES
8



8:23 AM - 28 Feb 2016



Howard Eskin
@howardeskin



Follow

@cbdangelus. Those costume Characters at Times Square are Scam artists.

RETWEET
1



9:28 PM - 25 Feb 2016



Greg Coleman
@gcoleman1138



Follow

Those Times Square costume characters are real creepy when they try to give hugs for money.

6:23 PM - 22 Feb 2016



Nessss
@nessaelectric



Follow

When Elmo grabs your ass in Times Square, your childhood is immediately ruined. 🍌

LIKES
2



12:48 PM - 18 Feb 2016



2016 Times Square Tweets: Disturbing Incidents Involving Verbal Abuse and Inappropriate Touching



Andrew Ketler
@andrewketler



Follow

Maybe make its Times Square surroundings better by getting rid of the kids character hustlers.



NYT Metro Desk @NYTMetro

The NYPD is looking to make its station in Times Square a better fit for its surroundings nyti.ms/1Q2btdl

4:31 PM - 17 Feb 2016

Manhattan, NY



Anya
@anyagveroo



Follow

We got harassed by elmo&olaf on Times Square

LIKES

3



10:59 AM - 17 Feb 2016



Aaron Wallace
@aaronspod

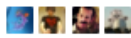


Follow

Just watched a physical altercation between a Times Square tourist and Spider-Man

LIKES

4



8:41 PM - 9 Feb 2016



Alex Boniello @AlexBoniello · Feb 17

Just saw a Times Square Elmo get full on punched in the jaw. Changing my resume to say "Will relocate for work."



34



302



Stephanie Lynn
@StStephsname



Follow

@AlexBoniello one time Times Square Elmo hugged me from behind and I screamed "if you touch me again you die" and ran away in tears

2:33 PM - 18 Feb 2016



kyra
@kyramca



Follow

"Hey sexy want some action" -Times Square Spider-Man

LIKES

2



8:01 PM - 10 Feb 2016



Malley De Santo
@MalleyDeSanto



Follow

Nothing is scarier than being in Times Square and having 4 Elmo's and 2 Olaf's surround and entrap you

LIKES

4



3:37 PM - 10 Feb 2016



KOTUS
@MTVkeith



Follow

Ew why did an Elsa costume just try to touch me in Times Square

LIKES

11



5:42 PM - 4 Feb 2016



Maura Coyle
@mauracoyle



Follow

Nothing ruins your childhood quite like watching creepy men dress up like Elmo and check out girls' asses as they walk by
#TimesSquare

LIKES

10



4:41 PM - 1 Feb 2016



**2016 Times Square Tweets:
Disturbing Incidents Involving Verbal Abuse and Inappropriate Touching**



LuRuSo
@LuRuSo



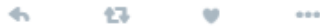
Follow

I've never screamed so piercingly loud and strong as when Times Square Elmo tried to hug me. [#TimesSquare](#) [#elmo](#)

LIKE
1



8:58 AM - 31 Jan 2016



Benjamin Camenzuli
@BenCamenzuli

Follow

Waking through [#TimesSquare](#) makes you say things you never thought you would say... "Fuck off, Elmo!" Is a good example...

LIKES
3



2:40 PM - 11 Feb 2016



whitney bunn
@BunnjourWhitney



Follow

Nothing can adequately describe the fear that I feel when an life-size Elmo runs toward me for a hug. [#timessquare](#) [#nycprobs](#)

LIKE
1



11:23 AM - 27 Jan 2016



WEB
@WeeumBasha



Follow

Times Square is so much more pleasant without cars. Or Elmos. [#blizzard](#) [#timessquare](#) [#nyc](#) [#snow](#)... [instagram.com/p/BA5u5NnTT6i/](https://www.instagram.com/p/BA5u5NnTT6i/)

LIKE
1



4:42 PM - 23 Jan 2016

Manhattan, NY



MattOrBruce
@Mjhuntt



Follow

No, eastern European Elmo, I don't want to see a fucking comedy show. [#NewYork](#) [#timessquare](#)

8:16 AM - 22 Jan 2016



The Blunt Observer
@blunt_observer



Follow

Once a scary Elmo hugged me in [#timessquare](#) [#NationalHugDay](#) [#GettinJiggyWitIt](#)

5:46 AM - 21 Jan 2016



Estefania Ayala
@cynicalstef



Follow



Terrance Pryor
@TerrancePryor



Follow

Papa Smurf, Spider-Man, and Elmo got some bad intentions, y'all. [#timessquare](#) [#NYC](#)

5:21 PM - 15 Jan 2016



Times Square is only a fun experience if you enjoy being groped by grown men in knockoff Disney character costumes

LIKE
1



5:26 PM - 2 Jan 2016



2016 Times Square Tweets: Disturbing Incidents Involving Verbal Abuse and Inappropriate Touching



Victoria Tiernan
@toritiernan



Follow

Spider-Man just ATTACKED me in Times Square. HELP.

LIKES

6



8:02 PM - 13 Mar 2016

📍 Manhattan, NY



Lauren Alkire
@lauren_alkire



Follow

Meanwhile in Times Square Mickey Mouse comes up behind me and hugs me and I don't think somethings ever scared me more..

LIKES

10



3:12 PM - 4 Mar 2016

📍 Manhattan, NY



Lauren Pomush
@lo_pom

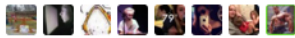


Follow

One time I got catcalled by by a guy that was dressed as Cookie Monster in Times Square and that is probably the lowest point in my life

LIKES

8



10:49 PM - 22 Feb 2016

📍 Ashwaubenon, WI



sophie
@sophiet_jennox



Follow

I was walking through Times Square and literally got jumped on by an adult sized woody, two muppets, Minnie Mouse & three avengers traumatic

LIKES

2



3:11 PM - 18 Feb 2016



Recent Facebook Comments – Times Square Quality of Life Issues



Judi Murfitt Our first day in New York we made the mistake of walking to the hotel pulling our cases with us which immediately screams "Tourists!!!" We got stopped by costumed characters, groups of young men selling rapping cd's and people collecting for charity. I suppose it was our fault we should have got a taxi but it wasn't far - it did spoil things slightly and got quite scary 😞 we enjoyed the rest of our stay and had a brilliant time but dread coming back just in case it happens again. If something can be done we would be very grateful xx

Like · Reply · 23 hrs



Sheila Greene Froehlich Suzanne Lombardo McManus remember I heard that Spider-Man cussing someone out down there?? Lol

Like · Reply · 22 hrs



Liz Sellars We were harassed the last time we were visiting which was this time last year & I was with my mum & two little girls aged 9 & 4 at the time. We were trying to walk through the crowds of Times Square & were approached by a "group" of characters that attempt to surround you to stop you from walking. We said no & put our heads down & continued to keep walking. Elmo said "well piss off then" loud enough that even our girls heard him!! Needless to say my youngest no longer likes Elmo!! They need to be removed from there. I've been coming to NY for years now & originally they were only found on a few corners but now they invade the whole Times Square which is making it so tacky & horrible.

Like · Reply · 1 · 17 hrs



Carlotta Graham We went to NYC last November for the first time and absolutely LOVED it... so much so, we have already booked to come back in December. Having said that, even though we loved Times Square, we were harassed on multiple occasions by not only these dress up characters but also the people selling bus tickets, the guy dressed up as the Statue of Liberty etc and it really took away the good magical feel of Times Square making it feel cheap and way too touristy. I also agree with De Paul that we have no idea who are inside these costumes and I saw that they got a bit touchy feely with younger females. They need to be licensed, regulated, have police checks performed and their numbers culled so there are only a few at a time.

Like · Reply · 16 hrs




Brenda Alvarez Approached by those desnudas, and refused. "Minnie Mouse" approached ready to touch me and I said Dont touch me! She backed off. Also, they keep the costume heads up which takes away the illusion for children. License them. Oh and I am a New Yorker!

Like · Reply ·  1 · 12 hrs



Molly Kate I'm a 32 year old woman who goes to Times Square alone most of the time, and never with kids, and I still get swarmed by these clowns. I had to threaten bodily harm to get Mario off my back.

Like · Reply ·  1 · 10 hrs

Comments on NY 1's The Call – Times Square Quality of Life - 3/10/16

- Interviewee 4 to reporter: *“Finally, a way to make it safe here in Times Square where if the tourists and for anyone who works here, because those panhandlers can be a little aggressive and even the naked ladies can be a little aggressive sometimes.”*
- Rebecca, Rego Park: *“I’m for it. I definitely think that regulation is important so that regular people or tourists don’t feel relaxed. And in addition to that, this is tax-free money that they’re making. So I think that they should also put in place some type of monthly or annual licensing fee so that they’re paying taxes, because sometimes they’re make almost \$1,000 a day, that’s clean money, \$7,000 a week.”*
- Carlos to from Queens tweets: *“I hope they ban them all together. They cause havoc and harassment and traffic, plus, it is tax-free money.”*
- Louie, Staten Island, Great Kills: *“Okay. I cannot stand those characters because -- I think it was two weeks ago, SpongeBob knocked into me. Knocked my coffee all over my jacket and pants and didn’t say a word. And he was very -- I mean, very sarcastic. It’s like they have no respect for people. They come running over to you, and I think they’re rude. They should do away with them completely in, my book. I don’t know how you feel, but that’s what I think.”*
- Carl from Times Square: *“I’ve lived in Times Square for 30 years. The costume characters are an absolute security risk. If I were a terrorist, I would get dressed up with my bomb paraphernalia under my SpongeBob or Statue of Liberty costume and head right to Times Square. No one would know what I had under my costume. This must be stopped immediately.”*
- Interviewee to reporter: *“Among the things that bother me in New York it’s toward the bottom of the list. They’re allowed to walk around topless and if they get ten bucks, God bless them. But the overly aggressive costume superheroes, if somebody’s willing to regulate them and the Department of Transportation can do it, great. If somebody else can do it, great. Just so long as somebody does it.”*
- Marlin, Turtle Bay, Manhattan: *“My one comment specifically, though, is the opinion I have about the topless women. I think there’s a time and place for everything. I have two young kids who love going to Times Square, 11 and 14. And I don’t take them near Times Square knowing that there are topless women walking around. So I’m very much against that. I also had a bad experience with the characters, as well, where they’re very aggressive one time and I was there with my family, which kind of caught me by surprise. So I would like that to be*

banned all together, at least -- at the very least, ban the topless women. There's a time and place for everything. And Times Square should be a place for families, not topless people.... Well, my wife didn't know that they were charging and she wanted a picture and they kind of pushed themselves on us to take pictures with them. And I didn't know they were charging, you know. We hadn't gone there in a while, and they're like, hey, you know, we need money, we need tips. And I felt very much threatened. I said look, I'm not carrying cash and so we did have to walk away hurriedly. It was not a pleasant experience."

- Vicki from Stuyvesant Town: *"...A terrorist with a suicide vest could easily be concealed in one of those costumes. This should not be allowed. Also, I'll be in favor of it being legal for women to go topless in public when it's legal for men to go bottomless."*
- Maurice in Flushing: *"The costume characters and topless women help to add to the experience of New York City tourism. For every day New Yorkers however, the solicitors can be a nuisance and are often just in the way of foot traffic. In that regard I feel a designated area would be a good idea as long as it's not too far off the beat and the path for the tourists that wish to take pace in the shenanigans..."*

Comments on Yelp – Times Square Quality of Life

- Jennifer M. Ithaca, NY 2/16/15: *“This is a fun and exciting place. Just watch out for the people dressed in costume. I was taking a picture of Time Square when this Spider Man leaped out and grabbed me. All the other costumed people in the area swarmed and they wouldn't leave until my boyfriend took a picture of us. Then they insisted that he take a picture and he refused, even though they kept pressing. After that they hit us up for money. We gave them \$10 but they wanted \$10 each and we said no way. What a racket! If you steer clear of these people its a lot of fun.”*
- Sarah D. Edmonton, Canada 5/22/15: *“Only go here if you enjoy being assaulted by guys forcing their demo CDs on you and then demanding cash. Or maybe if you like being surrounded by like 5 sketchy dudes in Elmo costumes. I hope to never experience Times Square again in my life.”*
- Connie C., Boulder, CO 3/22/14: *“I have been to New York City many times and I've noticed Times Square has gotten worse as a tourist trap. We were just walking through and had people in costumes following us around trying to get us to take a picture with them. They were actually coming up to us and touching us, which was very uncomfortable. We took a pic to get them to go away but then they followed us around and tapped us on the shoulder and held a sign that said please tip. It was really invasive and unsettling. I recommend avoiding those characters as best you can. I get the tourist appeal, but be careful. Go a few blocks away to eat, it's much better.”*
- Raphael W, Hong Kong 11/27/15: *“It is my first time to Times square, but to be honest i was scammed twice in this place in just an hour. A single tip for those who are going: never pick up anything and say no and quickly walk away when someone tries to approach you. I was standing at the middle of the times Square and tried to ask my friend to take a photo for me. All of a sudden, some people in ugly disney costumes rushed in at the moment my friend pressed the button. Then you guess what, these bastards hold onto my arms and ask for tips. What is more ridiculous is that when i told them i only have a 10 dollar bill, they even said they have change and pull out 5 dollars to exchange my 10 dollar note... I mean WTF?! These guys even named their own price despite the fact that they are asking for TIPS. After walking a few blocks, there is another guy forcefully stop us and asked for donations. He said he is having a fund raising for Nigeria, but obviously that is his bloody income and my friend was scammed for 5 dollars. I still remember his eyes gleaming at my friend's wallet as if it was a juicy burger. Despite it is black Friday and there are lots of police around there, none of them do anything with these scammers. Seriously, i have enough of these d***bags. I will never go back here again!”*

Comments on Trip Advisor – Times Square Quality of Life

- Mark H, Houston TX, Reviewed May 11, 2015: *"Times Square is hustling and busseling day and night. The lighted billboards grab your attention and make night day. Stay away from the creepy costumed characters. How many Hello Kitty's can there be? And the scary time square babies"*
- James D Sandwich, MA, Reviewed 4 weeks ago *"...Avoid all of the crappy costumed characters and superheroes, especially if you have curious children. They try to lure you in for a photo and then demand tips, often \$5 (US) or more. One particularly annoying practice they all engage in is "swarming"; they see one having a photo taken and then insert themselves uninvited and demand tips after the photo is taken....There are very nasty young men posing as aspiring rappers, supposedly handing out "free" CDs; if you take one from them, some will become very aggressive and attempt to intimidate you into giving them a "tip" of \$10 or more. These jerks also utilize the swarming technique. This is why they are sometimes referred to as "CD Bullies"*
- Jill H, Auburn, MI *"...I think they need to get rid of the costumed characters which are creepy and overkill."*
- Beaney00 Halifax, December 5, 2015: *"..Beware of the costumed characters. There was tons of them, from Mickey to spiderman. I watched them pull on children to get them to pose in a photo then ask the parents for money! They were annoying, aggressive and did not look quite like the characters. So watch out for them!"*
- Gaelic_Gypsy, August 17, 2015: *"Lately, however, the area has begun to slip back into the dregs. A recent visit revealed that Times Square is overrun with two-legged vermin. A dozen costumed characters milled about the pedestrian walkway looking for potential photo ops. Mario, Superman, Spider-Man, Belle, Elsa, Olaf, etc. They were all there ready to jump into your family picture (whether you wanted them or not) for just a small fee. Don't want to tip them? You will be harassed all the way down the block. Do you really want a picture with a 250 pound Elsa or a 5 foot tall Superman anyway? Worse are the toplessgirls covered in body paint - it is not illegal and they are everywhere. While your teenage son might enjoy the scenery, it isn't exactly family entertainment. Times Square is quirky; but, until the city cleans it up, just keep walking through when you get there."*
- Lise B, NYC, Reviewed August 12, 2015 *"Avoid the costumed characters at all costs. They demand "tips" and some turn ugly or violent when the offered tip is not to their liking. Visit, take a picture, and move on."*
- Kathy W, Boston, MA Reviewed July 7, 2015the costumed characters available EVERYWHERE can get really annoying. If you are there with a child and they want their picture with one of them, make sure you are including ONLY that character. While

taking my child's picture several other characters jumped into the picture without being asked, and they all expected to get paid. It got a bit testy.

Comments on Yelp

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Times Square Testimonials

"I've had costumed characters approach me and try to hug me, and I've been sexually harassed by comedy show promoters."

Cara
Times Square media employee
Manhattan resident

"I tried to take a photo with one of the characters but then a bunch of other characters jumped in the photo. After the picture was taken, they all start to ask for a tip. So if there are 5 characters then I have to pay \$5. They use this technique all of the time."

Anonymous
Bronx resident

"Took my grandson a year ago to a play and male and female insisted aggressively to have pictures taken with them. When I tried giving \$5 I was forced to give \$20 and felt threatened - Never again will I deal with any hawker. They need background checks and licensed. Police presence to monitor also."

Edward
Staten Island resident

"While trying to walk from Penn to our dinner reservations at Blue Fin, my wife and I were stopped several times for comedy show tickets and hassled by a Minnie and Dora."

John
Queens resident

"On Friday December 18th, 2015 I was passing through Times Square with out of state relatives visiting NYC to see the Holiday decorations, a Broadway show and the Rockettes. We paused to take a group photo of just our group in Times Square when Elmo and Cookie Monster who were standing about 10 feet behind our group gave us a rather difficult time demanding tips for having been in our picture (as were dozens of other people if you look at the background). My wife and daughter are frequent theater patrons so this behavior was nothing new to us. It was however disarming and frightening for our relatives on their first visit to the Big Apple and all its wonderful sites. Hopefully it will not deter them from a repeat visit."

Robert
Theatergoer
Long Island resident

"I was approached by a couple of characters although I clearly told them 'no.' I also saw a number of characters surrounding tourists for photos and demand money from them."

Anonymous
Queens resident

“Almost all of my friends and myself included have been harassed by individuals in Times Square hawking CDs, asking for money, etc. Times Square is miserable enough with so many people, no one needs the additional pressure of having to constantly turn down people trying to make money off of you.”

Jillian
Student
Manhattan resident

“Very aggressive the character people are. They are all in your face and everything. I think they have a very negative reaction with the tourists. Demanding money!”

Helen
Theater employee
Brooklyn resident

“When walking down the street my friends and myself are hassled to buy a persons CD, and when we choose to decline the person followed us and proceeded to use profane language.”

Jordan
Upstate New York resident

“I was harassed with my girlfriend in a very sexually aggressive manner walking from her work in Times Square.”

Catherine
Former Manhattan resident & frequent visitor

“Many days I cross through Times Square and have to navigate a circuitous path around the characters who constantly approach, waving their arms at you. I have to avoid them by walking a longer than desired route to simply cross the street. I see them in alleys and corners with their heads off smoking cigarettes. I believe the places they are smoking are supposed to be ‘smoke free.’”

David
Manhattan resident

“I myself have been aggressively harassed and even touched inappropriately by the costume characters.”

Jessica
Times Square media employee
Brooklyn resident

“we were hailed for comedy tickets & also cornered to take pics with characters.”

Anonymous
Times Square retail employee
Manhattan resident

"I work in Times Square and everyday I walk through a constant barrage of costumed characters asking for hugs and photos, as well as commercial solicitors pushing flyers and coupons at me."

Anonymous
Times Square employee
Queens resident

"On a weekly basis I am taking photos in Times Square for clients appearing on our digital signs. On numerous occasions after being asked to "take a picture" and letting them know i'm there on business, they have put their hands and/or heads in front of my lens to block my shot. On one occasion I witnessed several of them (after getting a picture with an old couple) ask for a tip, the elderly man gave one a dollar and the "mickey mouse" started swatting the old man's hand that held the wallet yelling "more more" until I yelled at them to stop. The "naked" ladies are even more aggressive and I have witnessed them approach under age boys for pictures. It truly is becoming an unfriendly environment not only to work, but for tourists/families who are visiting."

Anonymous
Times Square media employee
Long Island resident

"Aggressive sales people selling tickets for bus tours. Too many of these people cause congestion on the streets and block pedestrian traffic flow. Also, too many people dressed in cartoon character outfits cause congestion and block pedestrian traffic flow. Also too many street vendors on 42nd street between 7th and 8th Avenues, who cause congestion and block pedestrian traffic flow."

Mead
Theater employee
Manhattan resident

"On my way to work I've noticed how they aggressively gather around children or teenagers to then go to the parents and basically snatch whatever change the person is counting. I just don't know since when Times Square became Sesame Street, Disney world or Universal Studios..."

Fred
Times Square employee
Queens resident

"I hear negative comments on a consistent basis to myself and coworkers. They are always hounding us for money and making inappropriate comments on appearance when we don't give them money. I ignore them, but I imagine it's a little scary for tourists."

Alyssa
Times Square hotel employee
Manhattan resident

"A friend's son was grabbed by one of the costumed characters to solicit a photo op; the mother was told to give \$10 and would not let go of the child until the money changed hands."

Anonymous
Times Square employee
Harlem resident

"I go in every Wednesday and the costumed characters are always blocking everyone's path. I have seen them be especially aggressive with people who have young children."

Elizabeth
Long Island resident

"I have been accosted numerous times, just trying to get from block to block. The characters beg for money and follow you, it's disturbing."

Ben
Media employee
Bronxville resident

"My friends and I were taking a quick break to get bubble tea around the block from our office. One friend was 9 months pregnant. While we were waiting for the traffic signal to change so we could cross 7th Avenue at 41st Street, an 'Elvis' impersonator strode up behind us, grabbed the pregnant friend's shoulder and screamed loudly in her ear. His actions were so inappropriate and loud that we were all frightened... I witnessed him repeating aggressive-threatening behavior with at least 5 other persons. From what I observed, he zeroed in on a vulnerable person in a group and then touched them and yelled or spoke to them loudly, trying to engage their attention... My friend did reach the police on the cell phone, but was told that she could not wage a complaint because the impersonator's behavior did not rise to the level of assault..."

Frankie
Theater employee
Manhattan resident

"The characters will constantly touch and try and grab me while I'm walking through just trying to get to work. They should not be allowed to touch you!"

Maritza
Times Square media employee
East Harlem resident

"Constant harassment and hawking on a daily basis. They often times get physical with you as well."

Jode
Times Square hotel employee
Brooklyn resident

"They block my walk and, at times, harass me when I decline a photo."

Mark
Times Square media employee
New Jersey resident

"Bus Tour companies (Big Bus, Grey Line, City Sights) hassling our guests the moment they step onto Broadway."

John
Times Square hotel employee
Manhattan resident

"I was threatened by the man that carries the sign that says Give me F'en money. He pushed me up against that wall and was screaming at me because I dismissed him when he showed me his offensive sign."

Christine
Times Square hotel employee

"Have been harassed countless times by guys selling cd's, comedy tickets or creepy characters aggressively touching me. The cd-selling guys used hateful and vulgar language to the point that I felt not just harassed but unsafe. I reported the incident(s) to police officers who said there was nothing they could do. Really?! I no longer can walk through half these blocks going and leaving work because of this hateful and scary individuals but our city refuses to take a stand. They are not just in times square, they are in all surrounding blocks (for ex. all the way up to 50th street). It is not OK to have to walk many blocks out of my way to avoid getting harassed. Not in our city!"

Anonymous
Brooklyn resident

"I show no interest, but they walk towards me with their arms open anyway (blocking my path). I should be able to walk to work without my personal space being intentionally invaded."

Rebecca
Times Square media employee
Queens resident

"I witnessed a Spider-Man impersonator follow and harass a tourist. The Spiderman impersonator even took off his mask and was ready to fight the tourist, who was trying to walk away with his family. Other tourists had to get in the way and stop them from fighting. Some tourists were taking video/pictures, so you might be able to find footage online."

Times Square media employee
Queens resident

"The CD guys are aggressive and intimidate the tourist of our hotel and the area in general , I have seen them take money right out of peoples wallets it is a bad reflection of what NYC is all about."

Chris
Times Square hotel employee
Manhattan resident

"My friend's daughter was sexually harassed by Elmo. I work in the area and it's just gotten ridiculous with all the duplicate characters and they're dirty and take off their heads to smoke. It doesn't look good for the kids. Or anyone else for that matter."

Barbara
Times Square law firm employee

"I have been aggressively approached multiple times by the cd and picture hawkers who don't much like the answer "No." It makes it highly unpleasant and time consuming to walk thru the area - a necessity when you work in the area or attend a show in one of the many nearby theaters."

Susan
Manhattan resident

"People always asking me to take pictures and money."

Radha
Times Square employee
Bronx resident

"People heckling me, getting in my face, blocking my way, trying to sell me things, give me things, get money. It's a daily occurrence. Walking through Times Square is the top downside of my job."

Anonymous
Times Square media employee
Manhattan resident

"I am constantly harassed by panhandlers, dressed in costume to take a picture with them. I watch them beg and terrify tourists for money and tips all the time."

Johnny
Times Square employee
Bronx resident

"I work in the area. I have often seen 'characters' in costume aggressively pursue tourists including children. Also, the area is crowded as it is, these 'characters' make it even more difficult to pass through."

Jack
Times Square employee
Manhattan resident

"I have to walk through to get to work every day. It's always clogged and my way is always blocked by tour bus hawkers and/or costume characters. Sometimes purposely blocking me from getting where I need to go."

Anonymous
Labor union employee
Manhattan resident

"While taking random pictures of Time Square someone dressed in a costume thought I was taking pictures of them and demanded I show them the pictures. He told me if he was in any of the pictures I would have to give them \$10 per picture when I refused to show him my pictures he got very agitated luckily a police officer was nearby and the character went about his business."

William
Airport employee
Long Island resident

"The flow of foot traffic is completely mismanaged and frustrating for non-tourists (people just trying to get to and from work). I wish that there was a special lane for non-tourists who need to walk fast. There are tons of people hawking stuff and standing in the way, especially when you're trying to quickly cross the street between cars and they're there in the way on the other side holding out a pamphlet."

Anonymous
Times Square media employee
New Jersey resident

"Costume Characters are very aggressive about receiving tips and get too close to make sure they receive a tip or picture."

Anonymous
Times Square retail employee

"Costumed characters gathered at corner of streets which makes it dangerous and difficult to cross busy streets. I also worry there is hygiene issue that I would avoid any type of contact with these costumes."

Clara
Times Square financial employee
Queens resident

"While Time Square has changed for the better, the characters and women with body paint are really distasteful and annoying. While there is nothing wrong with nudity, it is not appropriate for locations frequented by families. While taking my nephew to see Matilda we were engaged by a bunch of characters and then had to walk by a group of women using paint as clothing. One should not have to face these things to enjoy the area."

Ramona
Bronx resident

"I work in Time's Square and countless times myself or a person I was walking with has been aggressively approached and, on occasioned, grabbed by "street performers" in costume, and asked to take a picture."

Scott
Times Square media employee
Brooklyn resident

"It is a daily grind having to push through the people. They are so vicious to one another and the tourists. I'm so glad Toys R Us closed. That was the worst watching the characters grabbing at the children. But even now, I've had several of the guys selling cds accuse me of racism for not buying their blank, piece of crap cd. Why should I have to deal with that?"

Rhonda
Times Square law firm employee
Manhattan resident

"Every day I am harassed by people in Times Square. I am constantly being asked for money. People with CDs, characters, homeless people, and comedians."

Michael
Theater employee
Brooklyn resident

"One of the Elmo characters grabbed my arm and practically tried to drag me to take a photo - I jerked away and went over to a police officer to make a complaint but by then, the character had congregated with 3 other Elmos and I couldn't make a definitive identification."

Anonymous
Times Square media employee
East Harlem resident

"Individuals or groups handing out "free" music cds, then when you take one, they hold you up and say they'll sign it for you because it's their music, and then tell you it's \$5.00 as a "donation". When you try to give it back, they become aggressive, borderline hostile, citing that they have already gone through a personalized process of signing it for you, and that you should show support, etc. Tourists especially get hit by these people. It's not a good look for Times Square."

C.F.
Times Square hotel employee
Manhattan resident

"When someone is taking a picture with one, 5 more run up get in the picture and the demand a tip."

John
Hotel employee
Queens resident

"I was approached by the young men who sell CDs. When I didn't agree to talk to them. One of them told another "Don't worry. She's old pussy!" I told a nearby police officer, but I don't believe anything was done. No woman should be spoken about in that manner simply because she did not give in to the advances of a man. It is a disgusting violation of my right to exist without harassment."

Times Square media employee
Queens resident

"Always stopped for various solicitations from the characters or comedy clubs or individuals trying to sell their homemade CDs. And the street dancers that block up the street and pedestrians have to cross the street to get around them."

Anonymous
Times Square employee
Great Neck resident

"aggressive hawking, can't walk in my own city. I and all my fellow New Yorkers avoid the area which is a shame."

Anonymous
Museum employee
Washington Heights resident

"Constant Cat calling from Comedy Club ticket sellers and when I ignore them they usually yell profanities back or state that I am being rude or other inappropriate terms."

Jennifer
Times Square retail employee

"The characters block the sidewalks and aggressively come up and want a hug. I have had to push them away at times, "No thank you," doesn't seem to register. Sometimes they are right outside my office building, maybe 5 or 6 on the corner, and around the corner. They make it very hard to even walk down the sidewalk to enter the subway."

Anonymous
Times Square employee
Manhattan resident

"Friends visited and felt harassed by the characters. One character approached them, not to be rude they agreed to take a photo, before they knew it there were about 4 of them in the photo. Afterwards they all expected to receive a tip. Also, as a New Yorker I am extremely uncomfortable, to the point of being afraid of walking in Times Square. Has anyone thought about how easy it would be for a terrorist to dress as characters? I'm surprised that to date nothing has happened. They are a menace to society and a danger to New York."

Anonymous
Times Square hotel employee
Brooklyn resident

"Not happy to walk with children with painted naked ladies around. Also, not happy to see Disney characters fighting each other, especially in front of kids."

Adele
Times Square hotel employee
Manhattan resident

"Typically people are trying to sell me tickets or handbags which I imagine is illegal, but more so- I have witnessed people and their children (especially tourists) become bombarded by men in costumes who overcharge them to take a polaroid."

Alanna
New York City agency employee
Brooklyn resident

"I feel uncomfortable walking through Times Square daily. I am unable to enjoy one of the most admired and visited places in the world due to the threats, unnecessary crowds and frustration caused by the hawkers and costumed characters."

Catherine
Times Square media employee
Brooklyn resident

"I have experienced catcalls and other harassment from the costumed characters. They have made comments and motions toward me as if they were going to grab me, and I have had to quickly move out of the way. Not to mention almost being run over on a regular basis as they run to get in other character's photos, so they can get more money from the tourists."

Alicia
Times Square media employee
Manhattan resident

"Harassment daily, but also, my nieces were harassed when we got a picture and "\$5 was not enough money." The "tipping is optional" signs are a good start but incredibly weak. Its TEEMING with these people preying on tourists."

Anonymous
Times Square employee
New Jersey resident

Letters Sent to StreetWatch, ABetterTimesSquare.org re: Quality of Life in Times Square

3.21.16

No subject

Please remove hustlers and aggressive panhandling costume characters from Times Square. They ruin the visitor experience.

1.26.16

Subject: A little direction please.

Let me start out by saying my family and I love, Love, LOVE Times Square.
But somethings have changed. When did it become ok for these things to happen.

1, while walking down the street on 7th Ave, we walked passed a group of young men who tried to "give us a CD". When I said no thank you, they began with a racist card, about taking something from a black person.

2, there must have been 50 men with Comedy Club placards trying to push the club on us, again, when we said no, they tried play the race card.

3, the adult club guys running around coming up to us, with our children, saying when you drop the kids off to come back to the club.

Is this what Times Square has become? The police just let this go on. What Mayor has dropped the ball on this.

My children are now afraid to walk through Times Square with us. Not to mention the scary Elmo's, Mickeys and Minnie's and other strange characters.

Please, tell us how we can get this to change

10.8.15

No subject

As the New Yorker who worked in Times Square, I found myself troubled by not just the aggressiveness of solicitors but their dishonesty. After seeing certain solicitations, I would go to my office and research their claims.

I found that those selling tickets to "Comedy Central" showcases were not enforced by that channel. Reviews of the comedy clubs were very low, and some tourists stated that the sellers had lied to them about which comedians they would see.

I noticed many people collecting for the homeless. I took down the name of their organization, and learned they were not allowed to collect money on the street. Some were affiliated with a group indicted by the State for fraud.

I noticed people selling tickets to shows. Some tourists (but not all) indicated that they were charged inflated prices. Sometimes I would be handed CDs on the street, aggressively, then money would be demanded for it. It is easy for me to say no, but is it easy for someone in a unfamiliar environment? Someone on vacation has neither the time nor the resources to conduct the research that I did, and it is understandable that they will be deceived in an on-the-spot decision.

Some of these behaviors touch up on federal laws such as deceptive practices under the Federal Trade Commission act, trademark violation, and laws regarding street solicitation. I know we don't always have the authority or resources to enforce these laws, but perhaps understanding the scope of behaviors that are allowed would better enable us to police them. At the time, I saw nothing being done.

I love the city. I have been told many times by people who visited New York that they were surprised how helpful and friendly New Yorkers are. I want everyone visiting our city to come away with this kind of impression. Allowing aggressive, predatory, and even deceitful solicitation puts a damper on what should be a wonderful trip. I cringe when I read the reviews of people who were duped, and hope we can find a way to prevent this while we're addressing the problems you have well and clearly articulated.

I noticed many other difficulties, but your plan seems well suited to tackling them.

10.6.15

No subject

Please please please do not rip apart Times Square...we need the space as it is. I do agree we need to protect the public from the often aggressive street vendors (the ones in the uniform- Elmo, Spiderman etc.)..I also think we need to address the bus solicitors...they are oftentimes standing on corners "blocking" traffic- they need to be placed somewhere else NOT on corners etc. We have enough tourists who do that already- it would help with the flow of pedestrian traffic.

Again, please do not tear apart Times Square and what has been built. It is so important for the NY economy and it gives both tourists and New Yorkers a place to sit, take in the view and spend.

10.1.15

Subject: So called unregulated commercial people

I have been a resident of the area, 47th Street and 8th Avenue, since 2003 and was not pleased when I watched as the so-called Disney characters appeared. However, I did not complain at that time. Then I noticed that these characters only increased with time, the streets were taken away and we were presented with tourists in lounge chairs. As a resident I don't recall being informed or presented with these changes in advance for our input. Now we have a situation that is out of control.

Quite frankly, I don't want to see any of these characters allowed near 47th street where resident buildings begin. Keep them down near 42nd Street!!! We have more than enough to deal with with tourists and the crowds that gather around the TKTS booth, which is understandable. I would like to see the residents of this area respected. One way would be to find a solution to the congestion problem which impacts quality of life. That has gone down hill in my opinion. Keep us in mind as you go forward with the changes to the Times Square area.

9.28.15

Subject: Times Square Plan

I think the problems noted need attention. I am glad a plan is being put forth to address the overt sexuality and harassment that has become the norm at Time Square.

TripAdvisor Reviews – Comedy Club Ticket Seller Testimonials

Broadway Comedy Club

123bethy, 1/5 stars, January 2016

“SCAM”

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r341546384-Broadway_Comedy_Club-New_York_City_New_York.html#CHECK_RATES_CONT

“My 67 year old Mother and I were walking in Times Square when a vendor approached us about going to see a comedy show starring Amy Shumer. He said they were last minute tickets and would only cost \$20 each and we would get 2 free drinks. He said it started at 9:15pm and we started to walk at 8:45pm. We were excited and walked to the venue, we got there with 5 minutes to spare but when we got there it had already started was just a guy on stage and he was bombing. We left and asked to talk to who was in charge as we wanted a refund for being mislead. They informed us the vendor was a third party seller and they had no responsibility and even made light of the fact that we were duped. They just kept repeating "Amy Schumer isn't even in New York at the moment", how should I know? Does that mean if she was in NYC, she would be performing there? I think not. The third party guy was named Tim (clearly not his real name) and as an establishment you should cut ties with this company/employees or whoever they are if they're misrepresenting you over and over again. That becomes YOUR responsibility when you ignore people getting scammed. Have some integrity.”

Ileana G, 1/5 stars, 1/1/2016

“Ripped off ”

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r336514732-Broadway_Comedy_Club-New_York_City_New_York.html#CHECK_RATES_CONT

“We were ripped off by a guy in Times Square selling tickets for NYE, it turns out NYPD would not even let us close to the alleged location. DO NOT trust anyone selling you tickets for this place.”

Janice B, 1/5 stars, 12/31/2015

“Beware, NOT a Reputable Business”

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r336245505-Broadway_Comedy_Club-New_York_City_New_York.html#REVIEWS

“I had the pleasure of visiting NYC but had the worst experience with the Broadway Comedy Club. First, it starts as the vendors on the street(Time Square) attempts to sell you a ticket. The cost on the ticket says \$30 so someone could pay as little as \$10 for a ticket. So once you arrive to the comedy club, someone will come down the line of people and ask who has made reservations and they should have a number. If your vendor called and made a reservation for you but didn't give you a number that's the SCAM! I purchased the ticket and the vendor informed me that I was set for the 9pm show when

actually I was only set for what was available. When I asked for a refund once at the venue and found this was the worst establishment ever. I was given a number to call because the tickets are sold from a 3rd party. Of course, when the number was called there was no answer/voicemail full from people like myself infuriated of what I had to deal with."

Alex N, 1/5 stars, 12/30/2015

"Don't let the street vendors rip you off!"

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r336083025-Broadway_Comedy_Club-New_York_City_New_York.html#REVIEWS

"We were sold \$20 tickets off a street vendor in Times Square who lied to us about who was going to be appearing telling us "Seth McFarlane" and "Tina Fey" we're going to be performing along with a host of other comedians I'd recognised. They weren't there. ... I feel completely swindled out of my money and like we've been completely taken advantage of. Don't do it guys :("

VandCWpg, 1/5 stars, 9/10/2015

"What a boring waste of Time"

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r309097606-Broadway_Comedy_Club-New_York_City_New_York.html#CHECK_RATES_CONT

"A Club-authorized dude, Tim, hanging around Times Square outright lied us about who would be performing on a Tues. evening when he offered us a pair of \$30 tickets for \$40 total. We walked away and so he reduced the price to \$30. Only after we paid did he mention the two drink minimum, but we were prepared for that. Since the names that he gave should draw a bit of a crowd, we persuaded him to call the Club to get us a reservation number and I spoke to Sophie at the other end to confirm. ... Fairly lame comedians and not even one headliner. Shoulda gone to Caroline's on Broadway, which at least promised up and comers would be performing, not any familiar names with SNL affiliation etc. like this Club's rep promised."

Brad S, 4/5 stars, 8/25/2015

"Funny"

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r303538612-Broadway_Comedy_Club-New_York_City_New_York.html#CHECK_RATES_CONT

"Some dude in Times Square was selling tickets for the show. He told us it was funny and we bought tickets for 20\$ each. The comedians were different than he told us but still very funny"

mccanss, 1/5 stars, 8/2/2015

"Grubby venue, a rip-off & just a terrible experience."

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r294923298-Broadway_Comedy_Club-New_York_City_New_York.html#CHECK_RATES_CONT

"... As with a lot of the other reviews here, we were promised various high profile comedians etc would be performing which was just lies. ... There was a line up of about 10 comedians, each doing a set & one female, nervous, & inexperienced compere / MC. In fairness, two of them were genuinely funny & entertaining. One poor guy gave up & had to leave the stage early."

Visited June 2015

AMcD79, 1/5 stars, 7/23/2015

"Their outright lies robbed us of close to \$100."

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r291681977-Broadway_Comedy_Club-New_York_City_New_York.html#REVIEWS

"I only put 1 star because you can't go any lower.

The vendors they employ selling the tickets on the walkways lied about the high profile comedians that I would see that night (the ones there were funny though) ...

The manager did the whole "its not our fault, its the street vendor" classic deflection tactic; he doesn't get it (or seem to care at the time) that those people are their 'first contact' ambassadors and are ruining their reputation. The tickets totalled \$40 for 2 people and the 2 drink minimum plus the forced gratuity (never mentioned anywhere there was a compulsory tip when we went in) for service was close to totalling \$100"

Visited June 2015

Randall M, 1/5 stars, 7/15/2015

"Broadway Comedy Club Review "

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r289367461-Broadway_Comedy_Club-New_York_City_New_York.html#CHECK_RATES_CONT

"Me and my friend, who is actually going into the military soon, decided to go to New York City for the day, and it was pretty awesome but sadly this was majorly disappointing. We had walked to Times Square from the freedom tower and after a while we decided to talk to Tim, who was selling tickets to a comedy show at the Broadway Comedy Club, and he told us that several people from SNL would be there. We paid 30 and thought that it was an awesome deal. We walk to where Tim told us, and after a while we knew that those famous comedians wouldn't be there, they did have newcomers but it still

gave us a good laugh. So, on the ticket, it requires to you to pay for 2 drinks (but we were told they were free by tim) at the end they charged us 19.03 dollars (including tax) for three waters (and the only thing required is to pay for 3 drinks) When we talked to their boss, who said they knew Tim, and worked for him, then when we denied to pay the bill, the boss said they (the Broadway Comedy Club) didn't know Tim and would call the cops if we didn't pay. Like I said, it was still an awesome night but this was disappointing. Please make sure you do not visit here, and save your money for real places."

KirstenS90, 1/5 stars, 7/4/2015

"Worst NYC experience ever! Rude staff!"

http://www.tripadvisor.com/ShowUserReviews-g60763-d1158998-r285460825-Broadway_Comedy_Club-New_York_City_New_York.html#CHECK_RATES_CONT

"We were dumb enough to buy tickets for this place off a guy named Jason in Times Square. He said that Daniel Tosh was performing and that he could offer us tickets for \$30 each through the bar, but we had to buy 2 drinks when we got there. We stupidly didn't check to make sure that it was legit (there's so many promo people selling tickets in Times Square that we didn't think it would be a problem). We went to the venue ... and said we had a reservation for the Daniel Tosh show, and was told that he wasn't performing. We asked for a refund but were told that we had to speak to the manager (after the two people at the front desk asked us why we were dumb enough to believe that we could get Daniel Tosh tickets for \$30. Nice).

We went downstairs to the manager who put on a big show of explaining that the guy we bought tickets from doesn't work for the club, they just sell tickets on their behalf, and said that if we want our money back we have to go and find Jason in Times Square and ask him. She also called a guy who she called "Paul" (supposedly Jason's boss) and asked for him to call back to give us a refund. We told her we were leaving in the morning and She said the only way she could give us a refund is if we came back after 2pm the next day after she'd spoke to Paul (which we obviously couldn't do).

Long story short, we managed to find Jason, who didn't give us our money back, lied to us through his teeth and kept retracting his story, then threatened to HIT us if we didn't leave him alone. He said after he makes a sale he gives the money to "Paul" so he didn't have money on him to give us a refund. We asked him to walk us over to Paul but he said Paul was at the club, then down the street, then at the barber, etc, couldn't keep his story straight. In the meantime, he somehow managed to make another sale, but refused to refund us from the cash that he just made, even though he had just said that if he has any cash he would give it to us.

It was awful standing there in the middle of the street having him shout at us. It became clear quickly that "Paul" is just a name they use to get people off their backs ("call Paul! He'll sort it out! I don't know where he is right now! He's getting a hair cut! He's at the club, you didn't see him there"). The whole thing is rubbish and we saw Jason have a good laugh about it all with his colleagues after we walked away.

We were both very upset by this stage so we left it alone. We didn't get a chance to go back to the venue to tell them what happened as by this time it was after midnight and we left nyc the next day but the whole experience was awful and the staff at the venue (who obviously go through this scenario a lot) have their whole act down pat. I'm so disappointed that they obviously get away with this all the time and that we didn't get our money back."

Visited June 2015

LOL Comedy Club

Kate S, 2/16/16, 1 Star

"shame the comedians got overshadowed because we got completely RIPPED OFF"

http://www.tripadvisor.com/ShowUserReviews-g60763-d8864733-r348338976-LoL_Times_Square-New_York_City_New_York.html#CHECK_RATES_CONT

"Bought tickets for \$20 each on the promise of \$4 dollar drinks and a good night. there were maybe 25 people who turned up, out of around 6 of the comedians 3 were funny which is fine by my books however when the bill came after the 2 required drinks (each, we ordered 2 beers each) were bought and we were given a \$50 bill (18% tip included of course!) I couldn't be more insulted. I questioned the price and was told happy hour was from 6-7 - no shows even run until 8.30!!! basically we got completely scammed by the guy we bought the tickets from around Times Square and unfortunately it made the comedians seem crap in comparison to the \$90 we spent on the evening. what a waste of money - don't make the same mistake..."

Ha! Comedy Club

Bonnie S, 6/17/14, 1 star

"SCAM"

http://www.tripadvisor.com/ShowUserReviews-g60763-d1546607-r205040532-Ha_Comedy_Club-New_York_City_New_York.html#REVIEWS

"Love a good laugh, but this time the laugh was on me. Please believe ALL negative comments posted. They are accurate. Wish I had time to stand next to these guys on Times Square to warn all the unsuspecting tourists. As far as my rating....wish I could give a minus rating."

Dan S, 1 star, 5/11/14

"Be careful of this scam"

http://www.tripadvisor.com/Attraction_Review-g60763-d1546607-Reviews-Ha_Comedy_Club-New_York_City_New_York.html

This comedy club gives tickets to people who sell them on the street in Times Square. Unfortunately, the people selling the tickets lie about the show. We only found that we couldn't see the show when we arrived at the "Ha!" Comedy. So we wasted time and money on our vacation. Avoid this scam.

136NYCGirl420, 1 star, 3/9/14

"NEVER BUYING FROM THEM!"

http://www.tripadvisor.com/ShowUserReviews-g60763-d1546607-r196727804-Ha_Comedy_Club-New_York_City_New_York.html#REVIEWS

I will never be buying from them. While walking on 42nd between 8th and 7th. A sales man who works for them bombarded me with; "Guaranteed you'll smile." I ignored him where it then escalated to; "Have you even smiled all day? You need to know how to have a good time. You look miserable. YOU SHOULD GO KILL YOURSELF." I never responded to the man in fear I was dealing with a psychopath. But I want everyone to know how highly unprofessional this place is, if they have these kinds of people working from them.

I will never be buying from them, and have reported this young man to their site.

Yelp Reviews – Comedy Club Ticket Seller Testimonials

Broadway Comedy Club

Wil T, 1/5 stars, 11/16/2015

http://www.yelp.com/biz/broadway-comedy-club-new-york?hrid=tOt60MYqpVZely623DsOng&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

“Wow... Where do I start?! Sorry I have to do this. I normally like giving good reviews. Well let me start by saying that the people that hustle you in the street are ridiculous. They will lie to you about what you are actually paying for to get you to pay \$30 to go to their show.

So we were walking by and a lady claiming to be a street team manager showed up with a badge offering tickets to this Broadway comedy show. Claimed there would be famous comedians there and named people that weren't even on the paper work she was promoting saying 100% they would be there. She also told us there was a two drink min after buying the ticket which we could pay \$5 - \$10 for and could wait til the end of the show so that we could get 2 for 1 drinks instead of wasting money during the show. They tell us it's only a few min away. She tells us she is actually one of the comedians as well. So we buy The tickets.

We get to the Broadway comedy club which turns out to be 8 to 10 blocks away... Way more then a few min. She told us she radioed in our reservation so they would be expecting us. Now after getting there, we realized that this was a bit far from the tourist parts of Manhattan and we already missed 25 min of the 90 min show.

...

Then the waiter arrived. We told him we would like to do the 2 for 1 at the end of the show and he said there is no 2 for 1 and that it was over at 9pm and we were sold the 11pm. We told him that the lady in the street told us about 2 for 1 and he says he doesn't care what she said, she doesn't work for them, he just wants our drink order. Now with the waiter talking loud to us we became the center of attention and the comedians started dissing us.

I exited and asked for a manager. The manager came to us and was very rude. Almost as if everyone complains to him. He started with telling me that he has no control over what the promoters say cause they are not part of his company, and that he can't do anything for me. He says that he doesn't get anything from the \$30 ticket and that all that money goes to the promoters in the street. He says We can leave if we'd like but we may not get our money back from the street team. & In order for us to stay we have to buy 2 drinks each which were priced at 10-14 drinks instead of what the promoter told us.”

Antonia C, 1/5 stars, 12/22/2015

http://www.yelp.com/biz/broadway-comedy-club-new-york?hrid=wBB4rXEyX5eyXb5i9l9KPQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"What a scam! They have a street team that harasses you on the street then completely lies to your face about who is performing that night. They tell you its right down the street but then takes 15 minutes to get there. They will sell you tickets to an 11pm show saying it starts at 11:30 (it doesn't). Complete waste of money and a scam. Can't believe that a ticket selling operation like that isn't illegal. I am no nyc tourist but cannot believe I was that gullible that night. Skipped out on the 2 drink minimum and fled after finding out the whole show was a total lie."

Lisa C, 2/5 stars, 3/3/2015

http://www.yelp.com/biz/broadway-comedy-club-new-york?hrid=jG3Dfjit8XVUI2Cnsacsjw&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"This isn't a TOTAL scam, but it is scummy. Here's the straight dope:

1. Don't believe anything the guys at Times Square say. NOTHING. The club is not taping for Comedy Central, no one from Saturday Night Live will appear, big headliners like Ryan Stiles will not be there. LIES, LIES, LIES. However, there will be some funny comics, and you will laugh."

Joshua T, 1/5 stars, 6/22/2015

http://www.yelp.com/biz/broadway-comedy-club-new-york?hrid=WSIbiNCyYd87HtG-vyzn9w&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"If your "street team" lies about the people performing, you get the lowest rating. In this case, it was Tosh and Louis CK. (Tosh was actually in Rhode Island.) The Times Square sellers are actually knowingly committing a felony."

Jennifer S, 1/5 stars, 5/3/2015

http://www.yelp.com/biz/broadway-comedy-club-new-york?hrid=TNxA8L-omMYSPI5pmlQuSQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"We bought tickets from one of their street vendors in Times Square who told us Tina Faye and Ryan Stiles would be performing. When we went to make reservations neither were there as promised. The

girl at the box office acknowledged that they were in fact valid tickets but said she couldn't give us our money back, we would have to talk with the "street team." She gave us a number for some guy named "Jeff" who of course never called back. It's a scam, don't do it."

K.D., 1/5 stars, 4/28/2015

http://www.yelp.com/biz/broadway-comedy-club-new-york?hrid=T99vqG-pS0ntukF0-dEq_A&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"BEWARE OF THIS PLACE. I don't appreciate being scammed and I don't care if it's NY or Hawaii. It pisses me off. Therefore I am going to not only tell NY Yelp but I am also going to contact the Manhattan Chamber of Commerce and let them know exactly what The Broadway Comedy Club is doing to tourist. My Story: My husband I were approached by John D at Time Square to see a comedy show with many different well known comedians including a special guest star comedian. He showed us a book w/ pictures and it had many known comedians in it that were going to be there that night. He said that Tina Fey was going to be there in support of the other comedians and will be doing a little stand up herself. We purchased the tickets for \$20.00 each/\$40.00 total. There is a 2 drink minimum. We waited and waited and waited and guess what. No Tina Fey and no other comedians that were in that book John D. showed us. You are basically paying to see not so funny amateurs stand up put on a show. It was a waste of time and money in a really great city and we could have done something else with our time and money. Not a lot of money to lose but it pissed us off. Note to club: If you have to scam people into seeing your show than you might want to pack it up and go home."

Dan G, 1/5 stars, 10/31/2014

http://www.yelp.com/biz/broadway-comedy-club-new-york?hrid=2dybDFK41rKtmQcv2JMqdQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"The guy who tries to sell you a ticket in Times Square will drop names of comedians that simply are NOT performing there. This is an unfortunate scam."

Ha Comedy Club

Elnaz S, 1/5 stars, 12/16/2013

http://www.yelp.com/biz/ha-comedy-club-new-york-2?hrid=qfsnZ5Lxcl01cHYS0NCFXg&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"We bought tickets for this place out on the road in NYC... worst mistake ever. The comedians were horrible.... the guy told us they were from TV.... not true.
Don't waste your money or your time"

Tim H, 1/5 stars, 3/22/2014

http://www.yelp.com/biz/ha-comedy-club-new-york-2?hrid=WVy9F1gVMsDmWmb-qU4w1A&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"If I could negative stars I would! This place is a dump! I was walking in Times Square when I was approached by a guy who told me that Louis CK was performing. I happen to be a really big fan of Louis CK so I thought it was fate. The guy told me 20 bucks a ticket plus when you get in you have to order two drinks. It was midnight and I was ready to go home so I walked away and told him no thank you. That's when he screwed me and got really creative. He told me that he was ending his shift and that he could discount the tickets 2 FOR 20. He knew that I was skeptical about the place so he even said that he would have walked to me to the club but he was ordered to stay on that block. He said that Louis CK was going to do in an hour and a half set which I replied was really long and asked if they were taping it? He went on to say that it was common for him to do a long set but that he as a known to cut it short depending on the crowd.

...

I walked in and was quickly escorted into a small room with about 10 people inside. I walked right out in asked to speak with the manager. I explained to the manager that I had been hustled by one of his employees on Time Square. I told him that he promised me Louis CK. at that point he laughed in my face and said Louis CK has never done a performance there ever. No refund, no apologies, just a laugh in my face. the worst part is that the manager knew exactly what was going on. he said that it happens all the time."

Jeff B, 1/5 stars, 5/25/2014

http://www.yelp.com/biz/ha-comedy-club-new-york-2?hrid=jZzX-7Gu1iUKNntNcSeBQA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"BEWARE!! This place has guys roaming around selling tix. What they DON'T tell you is that you are not getting a ticket to a specific show. If you happen to show up when more than 50 of your tourist friends (no locals fall for this crap) also show up, your butt is left waiting on the street. The comedians were actually very good, but mgrs/front guys are lying bastards."

LoL Times Square Comedy Club

Robert S, 1/5 stars, 1/1/2016

http://www.yelp.com/biz/lol-times-square-comedy-club-new-york?hrid=u-bT_yuja-FpUWD91s9LZA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"My experience was HORRIBLE!!! We arrived 2 hours early for an evening show only to be told that the Chief of NYPD (New York Police Dept) was no longer letting patrons in because the venue was selling fake tickets to others. This totally ruined the sequence of our NYE plans and forced my wife and I to be out in the cold when we dressed and prepared to be indoors. This was a terrible experience and I want an immediate refund before I contact the many local and national authorities and media that would love to take action against this sort of malicious business activity. I expect a prompt response and refund. I've been to MANY MANY comedy clubs in NYC and this is by far the worst."

Jason M, 1/5 stars, 12/10/2015

http://www.yelp.com/biz/lol-times-square-comedy-club-new-york?hrid=UmEh-X9tn1uEyxnwOmBroQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"Sucked! Worst comedy club i have ever been to. Beware people outside on street will try and sell you tickets for ck lewis and when you get to the club with say he is not playing. You can be sure they are working together with those people on the outside even though they say they are a third party...major scam. Made a mistake in going there once...never again!"

Times Square Arts Center

Katy S, 1/5 stars, 3/13/2011

http://www.yelp.com/biz/times-square-arts-center-new-york?hrid=xWoprlzmIYiDzYzEe7Uh1g&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=%28direct%29

"Wow! What a bunch of crooks!!!

Here's the story:

As two tourists (who have visited NYC several times before) are walking through times square, we got stopped by an annoying guy with a sign that says "comedy central." A friend of mine had given me a tip before leaving Miami to always try out a comedy show one of these people in Times Square advertise. So my boyfriend and I listened to the guy's shepel. This is how the crook sold the store:

The guy from Sex and The City will be at this Comedy show on Saturday night at 10:30, it's a live taping for Showtime!!! Also, do you guys watch True Blood? That guy will be there too!! You guys will love this. Also, have you seen White boys can't jump, a guy from that show will be a comedian there too!

Even though my boyfriend and I were extremely sketched out, we decided to give it a chance. We purchased the tickets and went to the show.

...

none of the comedians were there that night that the original annoying salesman from Times Square promised."



Jimmy LeChase
@LeChased



Follow

@TheSixFinger @jsdtweets never buy comedy tickets from a barker selling for shows in Times Square. You will get lied to and ripped off.

LIKES
2



7:50 AM - 17 Feb 2018



greentea.
@BohemianTrill



Follow

"You like comedy? ...I got drugs too." , -things you hear in Times Square

4:18 PM - 11 Feb 2018



Zac Rockefeller @rockefeller88 · 11 Nov 2015



Guy in **Times Square** to @caitypardue and I: "**Comedy** show **tickets?** **Tickets** to a **comedy** show!"

Me: "No, thanks."

Guy: "What about some drugs?"

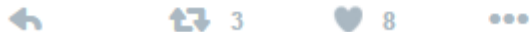


Variety and 1 other follow



KYA ✓ @KYAOFFICIAL · 10 Dec 2015

Walking through **Times Square** - "Hey! Do you want **tickets** to my **comedy** show or do you just want drugs?" Well damn that escalated.



 Taye Diggs follows



Steve @DeusExJuice · Jan 9

won't tell em tonight. just a word of advice to those not familiar with the **Times Square** crowd: humor no one in costume or promoting a **CD**



[View conversation](#)



KatΔφ @Katerina_Gar · 31 Dec 2015

So far in this "swear free" rap **cd** my mom got handed in **Times Square**, they've sworn multiple times



Ryan Kelley @rpkins · 20 Dec 2015

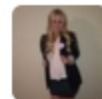
@Rburk24 @grantcfrancis I once bought a **cd** in **Times Square** for 5\$ & there were only 2 tracks on it, the same song edited & unedited



1



[View conversation](#)



Amanda Rose @Amanda_Rose1122 · Jan 8

"Comedy show ladies?"

"No thanks."

"How about some drugs then?"

*actual conversation that just occurred in **times square***



6



Teodora @TCA32095 · 20 Nov 2015

Um ok, sexually harassing girls you find attractive is not a good way to get them to go to a **comedy show** 😞😞 #TimesSquare





Stevie Roe @TephieRoetzel · 19 Nov 2015

The only terrorists in **Times Square** are those guys yelling "you want to see a **comedy show?!"**

[#terroriswhattheterroristswant](#)



NEW YORK

Times Square: The city's id, now and always

Adam Sternbergh

October 4, 2015



In 1981, in an incident that attracted international attention and spurred a citywide existential crisis, a 26-year-old man from Connecticut was set upon, stripped naked, and chased by a jeering, bottle-throwing crowd in Times Square at night — “shadowy figures, drug peddlers, con artists, vagrants,” as the Times would later describe the area’s inhabitants — into a subway station, then onto the tracks, where he died. In 2015, I’m watching the modern-day equivalent of that scenario play out, the only differences being that it’s the middle of the afternoon, no one’s throwing bottles, the victim is not really in mortal danger, and the crowd she’s being set upon by consists of Iron Man, two Minnie Mice, Elsa from Frozen, and Elmo.

I’ve just arrived in Times Square to investigate the seemingly lawless chaos that has, of late, attracted international attention and spurred a citywide — or at least tabloidwide — existential crisis. I’ve been here for exactly one minute. The woman, who made the obvious tactical error of entering Times Square with her phone visibly in hand, now finds herself corralled by costumed cartoon characters looking for tips in exchange for a photo. They encircle

her with such familiarity that I honestly wonder for a moment if she’s yet another Minnie, newly arrived and not yet costumed for her shift.

Throughout New York’s history, Times Square has served as a bellwether of the city’s current mood — as well as the perceptions of the city, both for those who live here and those who don’t. Once, Times Square was a high temple of glamour, the glowing heart of a go-go metropolis. Then it, like the city around it, slid into seedy decline. When much of New York was sleazy and dangerous, nowhere seemed sleazier or more dangerous than 42nd Street. And when Times Square came to feel too touristy, it mirrored a parallel worry that New York itself was losing some of its intrinsic grit. Times Square exists less as a crossroads than as a repository for our collective hopes and fears for the city. Now it’s entering a new phase — perhaps the strangest, most inscrutable one yet.

The most commonly voiced description of the New Times Square — the one midwived into existence in the ’90s by Rudy Giuliani and Michael Eisner; the one that now welcomes more than 39 million tourists a year, roughly equivalent to the population of Poland; the one we associate more with Mickey Mouse than Ratso Rizzo and Carson Daly than Damon Runyon — is “Disneyfied.” This is almost never meant as a compliment. Yet even the area’s most cynical critic could never have envisioned a day when the famously sanitized, corporatized, Disneyfied Times Square would become infamous for a plague of vaguely mangy Disney characters shaking down tourists for money.

And that’s not even to mention the puritan furor over the naked ladies with the painted bosoms.

“I gotta go, I gotta go, guys,” says the woman good-naturedly, still smiling, as she’s pincered between two Minnies. The mute characters paw at her in a kind of creepily adorable pantomime. Iron Man offers to take her picture, as if this were a moment she’d want to cherish. She starts to squirm. “I gotta go,” she says more

forcefully, then wriggles free from the scrum. As she hurries north, her eyes turn not to the world-famous gauntlet of towering digital screens overhead but to the five-inch screen clutched in her hand. This is when I realize that this woman must be a native New Yorker. Because as she beetles across the plaza toward her destination, she seems determined to avoid, or at least ignore, whatever it is that Times Square has become.

What is your dream for Times Square? And what is your nightmare of Times Square?

Back in the spring, as a thought experiment, the Times Square Alliance, a nonprofit organization funded largely by local businesses, put those two questions to its board members and stakeholders, collected their answers, and printed them on fortunes to be inserted in fortune cookies as part of a giveaway. “Go ahead, take some,” Tim Tompkins, the president of the TSA, told me recently. “We have an excessive supply.” For the record, my “dream” cookie read, “A true civic center and real public space,” while my “nightmare” cookie read, “Overrun by costumed characters, solicitors & big sign hawkers” — which, come to think of it, are pretty close to my own dreams and nightmares for Times Square. Though, also for the record, had I been asked those questions directly, I would have answered, “My dream: never to be in Times Square” and “My nightmare: to be in Times Square.”

The current jam-packed, galleria-fied iteration of Times Square has always reminded me of a place in Alberta, Canada, called Head-Smashed-In Buffalo Jump: a high cliff where aboriginal hunters once cunningly maneuvered huge herds of bison into a narrow pathway before forcing them off a cliff edge to their death. The famous Times Square “bow tie” — the area between 42nd Street and 47th Street where Broadway and Seventh Avenue intersect — similarly functions as a de facto tourist corral; a canyon, walled in by giant, garish video billboards, into which visitors to the city are hustled and contained. And this Head-Smashed-In version of Times Square, for what it is, has been undeniably successful: It takes up only 0.1 percent of New York’s landmass but represents 11 percent of the city’s economic activity, generating \$110 billion annually, which is larger than the amount generated in an entire city like Cincinnati. To a broader degree, Times Square is the geographical and symbolic center of New York’s vaunted tourism boom, which finds the city the most popular destination in the United States for international travelers. The Faustian bargain, of course, has always seemed to be: Yes, you can save the center of your city from civic ruin with an infusion of bright lights and corporate money, but in return, you have to cede that space to people who don’t actually live here.

When the Times Square Alliance commissioned a survey in 2012 and asked respondents for the word that best describes the area, the top three negative answers given by New Yorkers were “touristy,” “crowded,” and “noisy.” (The top three negative words among respondents nationwide: “crowded,” “touristy,” and “commercialized” — even the tourists like to complain about the tourists.) These are the exact sentiments that the Times Square Alliance is hoping to change. Its recent mandate, in part, is to give Times Square back to New Yorkers — or, at least, to reimagine Times Square as something New Yorkers might embrace. “It’s the geographical center of the city and a huge transportation hub,” says Sherry Dobbin, who was hired by the TSA in 2012 as its director of public art. “So the idea is: How do we also make it a cultural hub?” Sure, there’s Broadway, but there’s also no reason why you can’t stage cultural happenings in Times Square that New Yorkers would actively seek out. To that end, Dobbins has instituted events like the Midnight Moment, when most of the billboards are given over for three minutes to a visiting artist. In a larger sense, the mandate is about reinventing Times Square in people’s imaginations as a place to gather in and enjoy, rather than to avoid or endure. “We want to have a larger conversation,” Tompkins says. “What’s the vision for this public space? What can Times Square be?”

The recent conversation about Times Square, of course, has not been quite so lofty. Instead, it’s been focused on those swarms of costumed characters that clog the pedestrian plaza. Or, more sensationally, the so-called desnudas: women who pose for photos topless, wearing star-spangled body paint. They became a particular tabloid fixation this summer: “Too Much to Bare,” “Flesh Pit Pimps,” and “City’s in a Booby Trap” are just a few highlights from what proved to be a fruitful season for headline writers. Not to mention the guys who aggressively press you to purchase their dubious rap CDs and the fake Buddhist monks who wear orange robes and harass people for donations. In a recent TSA report outlining a plan to limit commercial activity to designated zones, one such activity is listed as simply “Fake Buddhist monks,” which is now apparently an official species in the Times Square ecosystem.

In response to the uproar, Police Commissioner William Bratton declared the city should “dig the whole damn thing up” — meaning rip up the newly installed pedestrian plazas and restore Broadway as a thoroughfare for cars. (Because, as all New Yorkers remember, Times Square before the pedestrian plazas was a pastoral oasis of urban civility.) Mayor de Blasio called this apparent epidemic in Times Square “unacceptable” and announced that he’d consider Bratton’s proposal, a statement that was met with almost universal horror. (“That’s not a solution. It’s a surrender,” Tompkins said at the time.) Meanwhile, Governor Cuomo, never one to let his finger be outwagged, warned of a return to the “bad old Times Square.” One thing seemed clear: Times Square, once a famously intractable civic conundrum that, 20 years ago, finally seemed to be solved, is suddenly in the midst of unsolving itself.

The Giuliani Times Square that lives on in mythology is a squeaky-clean, family-friendly, Disneyfied rejuvenation; the Bloomberg Times Square is a stubbornly progressive laboratory of urbanism, street closures, and lawn chairs. De Blasio’s Times Square is, well, a lot like de Blasio’s New York so far: a place ripe with old promise and new challenges, governed by an apparent hodgepodge of reactive measures and plagued by the perception, unfairly or not, that it’s on the verge of spiraling out of control. Which brings us back to those two basic questions: What is your dream and your nightmare of Times Square? Think carefully, because they’re connected to a third, related question: What exactly do you want New York to be?

Jesse and Yasmin are an attractive young couple who look way too cool to be in Times Square, and, as it turns out, they are. They’re from Queens, and they’re currently entertaining Jesse’s parents, Dan and Bonnie, who are visiting from San Francisco. The four of them are standing in the pedestrian plaza at 44th and Broadway, looking a little bewildered. There’s five of them, actually, including Jesse and Yasmin’s 9-week-old son, Ajax, who’s currently asleep in his stroller, blissfully immune to the cacophony. Dan, who has a large camera hanging around his neck, is studiously scanning the plaza. “I was hoping to get a picture of the baby with the naked lady,” he explains. “We thought that would be a good souvenir.”

They’re a little too early for the *desnudas* — it’s only 2 p.m. — but by five, the plaza is teeming with picturesque nudity. If your knowledge of the *desnudas* is through glancing at the Post or Daily News, you might expect that Times Square currently feels like a cross between a Dutch red-light district, a Wild West town, and a Caligulan orgy. “An out-of-control influx of near-naked women jockeying for tips has turned Times Square into the XXX-Roads of the World — shocking children and incensing legions of tourists and New Yorkers alike” is how one Daily News story in August described it. It was hard to discern any genuine outrage in these stories, but they provided a perfect summertime distraction for scandal-hungry readers who love to hate Times Square, as well as feeding one of two compelling metanarratives, depending on your view: de Blasio’s continued fumbling or the tabloids’ incessant war on de Blasio.

In reality, while there have been a few notable incidents — a fight between an unstable female passerby and one of the performers; the arrest of another performer for alleged prostitution and drug possession — the atmosphere around the women seems friendly, even festive. They circulate around the plaza, smiling with the pleasantly distracted air of flight attendants, their outfits no more titillating than those of Vegas showgirls. (In winter, they add fur caps and warm leggings but keep the bare-chested patriotism visible, each looking like a one-woman American-Soviet summit.) They flirt. They tickle passing men with long red feathers. These women, nearly all of them Latina, from Colombia or Peru or, in a few cases, the Bronx, don’t love the slang term *desnudas*, preferring “painted performer.” Some wear bikini tops or pasties, and as for the ones who go topless — as women are legally entitled to do in New York — their nudity is so obscured by body paint that you typically have to glance twice to confirm it. In fact, Sports Illustrated features the same brand of body-painted licentiousness nearly every year in its fairly chaste swimsuit issue.

Amanda Roman, who’s 23 and from the Bronx, has been out in Times Square, topless, since last September. She comes with Chris Olivieri, who’s 25 and has been working with women in Times Square — holding their belongings, watching their backs, sharing their tips — for the past four years. “My uncle was the one that came up with the idea,” he says. “We used to go to parties in the Domino Sugar Factory and they’d have body-painted girls handing out drinks and taking pictures with people. It was exciting. So we were like, ‘We could try this. The Naked Cowboy’s out there.’ So we tried it one day, and it was a big success.” I ask him why they chose Times Square, and he says plainly, “It’s the crossroads of the world.” Over four years, he’s never had a problem. But this summer, everything changed. Olivieri is disappointed in de Blasio’s scolding — “I voted for him,” he says — but he blames the discord on newcomers: women, many of them visiting New York from

outside the country, who saw what he and his women were doing and copied it. "Instead of knowing the concept, they carried themselves a different way," he says.

As for Amanda, she heard about the job from Chris's uncle; you can average about \$300 a day, but at first she was apprehensive. "It's something you have to experience for yourself," she says. "It can sound kind of scary. But it's actually fun. I like it best when people are looking at the picture and smiling and laughing with their family about it." She's found a way to cope with the long hours working topless at the crossroads of the world: "I meditate. I do a standing meditation." Amanda and Chris met in Times Square, and now they're dating — a modern Times Square love story. Frankly, they seem like obvious candidates for a reality show. "I would love that!" Amanda says.

It's funny watching the *desnudas* and the costumed characters cluster together in the plaza, and not just for the obvious comic juxtaposition of topless women alongside Minions. These twin phenomena almost cartoonishly personify two very different incarnations of Times Square — they're like the ghosts of Times Square Past and Times Square Present, risen to hustle side by side. The *desnudas*, with their feathered fans and demure come-ons, recall less the sleazy, triple-X-porn days of Times Square than an earlier era of vaudeville theaters and bawdy burlesque — an era when, as James Traub writes in *The Devil's Playground*, his definitive history of Times Square, "the burlesque theater spilled out into the street in the form of barkers and steerers who tried to whip the customers inside; giant posters of half-naked girls blared from under the marquees." This was in 1932.

The cartoon characters, of course, seem more like weird mutant offspring of the modern, Disneyfied Times Square; as a visual metaphor for cheery commercialism run amok, they could not be more poignant, like a George Saunders story come to life. They hover with eerily implacable smiles, much like the official versions you'd encounter at Disney World. Yet, as a friend, a lifelong New Yorker, remarks: "They always take the mask off when they ask you for tips — to remind you that there's a human inside."

Francisco Lopez, 40, is a Mickey. He's originally from Mexico, but he's lived in the U.S. for 25 years, in California, then New York, now New Jersey. He lists many of the same factors most of the characters will give you if you ask them about the work: It's fun. He likes making children smile. The costume is very hot. "Then the ladies came, and problems started," he says. He's not offended by the topless women. They just tend to siphon his tips. He's lucky to get one or two dollars from a family, whereas the women, he claims, can get \$20 per photo. "One time, a man said to me, 'I have no money!'" Lopez says. "I say, 'Fine, no problem, I take the picture with your kids.' Then I see that same man take a picture with a woman and give her \$20! Then she asked for \$20 more. He gave her \$40!"

The costumed characters tend to work in concert; when someone stops to pose for a picture with one of them, the other characters quickly cluster, so your snapshot with Smurfette turns into a group shot with seven or eight characters, all of whom expect to be tipped. Some people pay up happily. Some pay up less than happily. Some just walk away. "I'm Mickey Mouse, and Mickey Mouse is America," says Lopez. "So that's what I say when I ask for tips." He points to himself and his iconic costume, then says in his heavy accent: "I say 'America!'"

At the end of the 19th century, before there was a Times Square, the muddy intersection at Broadway and 42nd Street was known as Longacre Square, a locus of literal horse-trading. A few Broadway theaters had already risen along the stretch north of 42nd Street, including the elder Oscar Hammerstein's fabled Olympia Theatre. The area was a burgeoning entertainment district, but it did not yet have an identity. All of that changed on April 8, 1904, when it was rechristened Times Square by mayoral decree, on the occasion of the arrival on 42nd Street of a building that would house the New York Times. Times Square enjoyed a few decades of glamour as part of "The Great White Way," then was felled by a string of events: Prohibition (which replaced fancy dining establishments with mob-run speakeasies), the rise of cinema (which converted grand old theaters to populist movie halls), and the Depression (which suffocated upscale entertainment and ushered in the age of burlesque).

"Times Square has been a place of illusion and fantasy, where the view backward conveniently benchmarked the present and not infrequently appeared better," writes scholar Lynne Sagalyn in *Times Square Roulette*. She identifies several types of Times Square nostalgist, including "skeptics," who view all change with suspicion;

“retrogrades,” who long for the seedier past because they feel that it’s intrinsically authentic; “wistfuls,” who recognize that change is inevitable, even beneficial; and “resilients,” whose “optimism comes from faith in the city’s unpredictable ways.” Where you fall on that spectrum will largely determine how you view any sort of change in Times Square, and which previous era you find yourself most in love with. “For me, that moment is the ’30s, ’40s, and ’50s — what I think of as A. J. Liebling New York,” says Traub, in reference to the famed New Yorker writer who chronicled the area’s more colorful denizens. “That’s when Times Square was no longer glamorous but it wasn’t yet dangerous. It was seedy — in a wonderful kind of way.”

By the 1950s, the raffish, romantic underworld was subsumed by a more malevolent air. Its proximity to Penn Station, plus the opening of the Port Authority Bus Terminal in 1950, ensured a stream of faceless thrill-seekers that Times Square and 42nd Street were all too eager to accommodate. In 1960, a Times story headlined “Life on W. 42d St. a Study in Decay” announced that the area had become “an enigma to New Yorkers concerned with the deterioration of the midway of Manhattan.” By the ’70s, the area’s most notorious chronicler was Travis Bickle in *Taxi Driver*, muttering about how “all the animals come out at night — whores, skunk pussies, buggers, queens, fairies, dopers, junkies, sick, venal. Someday a real rain’ll come and wash all this scum off the streets.”

The conundrum of what to do with Times Square plagued six consecutive mayoral administrations, starting in the 1960s. Ideas to save the area were forwarded and rejected in turn, including one fanciful rejuvenation called “The City at 42nd Street” in 1978, with a proposal that included tearing down most of the existing buildings and replacing them with two city blocks’ worth of theme park, enclosed under glass and circled by a monorail. Mayor Ed Koch squelched the idea, in part because, as he said, “New York cannot and should not compete with Disneyland ... People do not come to midtown Manhattan to take a ride on some machine.” New Yorkers, he declared, want “seltzer instead of orange juice,” in reference to Disney’s Florida locale. Then, in July 1995, this long-standing problem was finally addressed. Mayor Giuliani signed a deal that would close the remaining porn establishments on 42nd Street and cement a new partnership with Disney, which had agreed to revitalize one of the area’s derelict live theaters. A new, family-friendly Times Square was born in a great, cleansing flood of orange juice.

Twenty years later, it’s been easy for New Yorkers to assume that Times Square is no longer an issue, largely because many people think of it as no longer part of New York. It’s more like Checkpoint Charlie: a cordoned-off chunk of enemy territory in the middle of the city. “A college roommate of mine once said that Middle America thinks that Times Square is all about New York, and New Yorkers think it’s all about Middle America,” Tompkins told me.

Around 2008, however, this started to change. First, the new TKTS booth opened, with its inviting tier of red steps offering one of the more spectacular views of the city. Then, in 2009, Mayor Bloomberg installed the first of the proposed pedestrian plazas on Broadway, a move that was applauded by progressive urbanists and opened the possibility that Times Square could once again become a kind of civic stage; a place where people, including New Yorkers, might gather to see wondrous things. From Hubert’s Flea Circus in the ’20s to its sleaziest ’70s porn-palace days — when shops like Peepland advertised films with straightforward descriptions like “Man fucks a hen” — the enticement of Times Square has always been the same: Come see something you can’t see anywhere else. The story of Times Square’s recent decline — or, at least, the rise of a set of circumstances that’s led to this summer’s dig-the-damn-thing-up panic — is connected to a loss of that allure, which has been replaced by a citywide sense of neglect. New Yorkers who don’t have to be there for work more or less have turned their backs on the area. And by most accounts, Times Square has never been a priority for Mayor de Blasio, who is driven by the determination that Bloomberg, his predecessor, focused too squarely on Manhattan’s amenities (true), and a less valiant notion that the plazas are part of Bloomberg’s legacy and thus not worth championing (questionable).

The tourists, meanwhile — all 39 million of them — are having no trouble figuring out what Times Square is for. To them, it still exists as a stage, but one on which they are the main attraction. The TKTS booth, as New York critic Justin Davidson has written, puts the whole sparkling city on display yet also “gratifies the narcissistic sense that each of us is starring in a real-time biopic.” Once, what was offered in Times Square was New York in all its glamour or all its vice; now what you’re watching onstage is yourself, with New York as the backdrop. “You haven’t been to New York until you’ve been to Times Square!” declares Cat W, who visited last year from

Austria, to her fellow travelers on the website TripAdvisor. “Standing here feels like you are starring in a blockbuster movie, starring YOU!”

Which is why it’s impossible to talk about the Elmos, or the desnudas, or Times Square, without talking about all the cameras — specifically, the fact that nearly every single person is now armed with a personal camera and is looking for something interesting to photograph. In 2014, Times Square was the most-Instagrammed site in New York City and the third-most-Instagrammed place on Earth. A major selling point for the enormous billboards, in fact, is that they deliver “multiple impressions,” because they’re photographed so frequently and those photos are shared on social media. One popular billboard allows you to gather below as part of a crowd, watch yourself onscreen, pose for a picture, then see that photo on the billboard, so you can snap a photo of that photo.

And so the costumed characters and desnudas are a distinctly modern addition to the same storied lineage of the three-card-monte hustlers and con artists in the Times Square of yore. The one thing that Amanda Roman and Elmo inarguably have in common is that (a) they’re both interesting to look at and (b) they both exist primarily for you to take a picture of. The new Times Square hustle isn’t offering you sex or the promise of riches — it’s offering you something cool or funny that you can Instagram.

If nothing else, these street performers have served to finally win back the city’s attention — of both the residents and the current administration. Since the backlash to his comments, Commissioner Bratton has claimed that his outburst — “dig the whole damn thing up” — was a calculated effort to “smoke people out” on their positions regarding the plaza. The mayor, in turn, announced the formation of a task force, headed by Bratton and Carl Weisbrod, chairman of the City Planning Commission, to determine a course of action; the task force recommended creating specific zones with new rules that will regulate desnudas, Elmos, and, yes, fake Buddhist monks. “Many of the challenges today are a product of the success of Times Square,” Weisbrod told me. The task force estimates, though, that it may take another year to determine the regulations.

In the meantime, the post-Giuliani, post-Bloomberg, de Blasio Times Square, with its TKTS stairs and partially completed pedestrian plazas, has been languishing as a half-built stage. In an office high above the square, the TSA has been brainstorming one bunch of possibilities: They have a wall covered with yellow stickies of ideas, including pop-up bookstores, Broadway karaoke, and virtual-reality tours. Down below, a different show has bubbled up, hoping to draw your camera lens and wrest a few bucks from your wallet. If history has taught us anything, it’s that the Times Square stage is going to be filled by something, one way or the other. Right now, the city — both the administration and the residents who long ago wrote the area off — just needs to step up and reclaim it.

Something is happening in Times Square. Someone’s painting a naked black man in white paint and a naked white woman in black paint. Nearby, two more naked people are holding a frame around themselves; they’re painted, rather expertly, to look like *The Persistence of Memory*, by Salvador Dalí. They’re part of a demonstration called #ArtTranscends, organized by the artist Dani Fonseca, who’s worked at Fashion Week and with Lady Gaga. She organized a few body-paint-artist friends to protest the negative press that body painting has gotten thanks to the desnudas. One of the artists, Yvonne MacInnis, is responsible for the Dalí painting. “We thought that people who’ve come to Times Square should see something really cool,” she says. I ask about her connection to the naked people being painted a few feet away, and she says, “Oh, that’s not us. That’s something else.”

“I inadvertently started the desnudas thing!” announces Andy Golub, the other, unrelated body-paint artist. Golub says he painted two naked models in Times Square back in 2011, got arrested, fought the charges, and won, on grounds that public nudity is legal as part of artistic display. As he sees it, this was the inspiration for Chris Olivieri and all the feathered women who followed. “But I’ve come back to clarify that it’s not just boobs but penises and vaginas that are allowed as well, in the name of art,” Golub says.

I’m going to stop and say something heretical: Times Square is kind of fun. Especially when you’re not rushing through it but actually have some time to linger. I don’t mean in the Olive Garden or the Hard Rock Cafe; I mean in the streets, in the plaza, in the public square. In the past few weeks, I spent more time loitering in Times Square than in all my previous years in New York — including three years spent working on its periphery — and I assure you, there’s always something happening in Times Square. Sometimes it’s something annoying.

Often it is something weird. Occasionally it's something delightful. It might be guerrilla surrealist body art, or a Japanese singer who brings out an amp for a few ballads before disappearing, or two guys shooting a video for Clint Black, featuring Times Square denizens holding signs like Bob Dylan in "Subterranean Homesick Blues." The best part about watching the desnudas at work is seeing tourists stroll past, glance over, then do a double-take: Wait, am I seeing what I think I'm seeing? They're experiencing something legitimately unexpected and memorable — which is to say, perhaps the most authentically New York-ian thing they may encounter during their entire visit here.

A few more expertly painted naked models arrive to join the Dalí painting: a steampunk couple, a kind of demonic mermaid, and a futuristic pair painted blue and gold with disco-ball helmets. Watching them, it occurs to me that, from Andy Golub to the desnudas to the disco-helmeted blue-and-gold protesters, a mini-epic of New York is being enacted, right here in Times Square, sketched out in body paint. A brazen act of public protest has somehow inspired some opportunistic capitalist hustling, which in turn has spurred this outpouring of genuine artistic showmanship. It's like a tiny Times Square fable — a reminder that, like a patch of grass breaking through concrete, the spirit of New York can pop up anywhere.

Spider-Man runs over to take a photo of two naked people painted as Persistence of Memory; this is something even he hasn't seen before. As a bigger crowd gathers, I realize that, just a few blocks away, there's a whole bunch of other people who are missing this but probably gawking in wonder at something equally remarkable. I'm reminded of what Shannon, a genial liaison who watches the action from his perch in a Times Square info booth, told me about a young lady he spotted one day. "She was walking by, just looking up and smiling," he says, "and I was like, 'What are you smiling about?' And she looked around at Times Square and was like: 'This. Everything.' "

DAILY NEWS

Homeless man dressed as Mickey Mouse grabbed child, demanded picture in Times Square: cops

Thomas Tracy
October 10, 2015



Like a hungry rodent conniving for a hunk of cheese, a homeless man dressed up as Mickey Mouse grabbed a child in Times Square, demanded a picture — then a \$5 tip for a photo that was never taken, officials said Saturday.

Esteban Lexosoric was standing with a group of costumed characters on Broadway near W. 47th St. at 2:15 p.m. Thursday when he walked up to a 6-year-old boy and pulled the child toward him, demanding a picture, police sources said.

The child was not interested in taking the photo and walked off, but the menacing Mickey was adamant, the sources said.

He grabbed the child again — in front of the tot's father — and demanded a picture.

When both the victim and his dad said they didn't want a picture, Lexosoric demanded a tip anyway.

"Five dollars for photos!" he screamed.

A cop saw the heated exchange and took Lexosoric into custody, charging him with aggressive solicitation.

A photo was never taken, officials said.

Lexosoric, a native of Guatemala, spent Thursday — the day before his 32nd birthday — in a holding cell before he was released on his own recognizance at his arraignment at Midtown Community Court, officials said.

Lexosoric is the latest in a parade of costumed characters to be busted for harassing tourists at the Crossroads of the World.

His arrest comes as the city is hammering out ways to corraling costumed characters — as well as naked painted ladies known as *desnudas* — in one of three new Times Square zones.

"We are clearly going to move toward this segmentation of Times Square where certain activities are allowed in some areas, others in other areas," Mayor de Blasio said in a radio interview last Thursday.

The city vowed to figure out a way to tame Times Square following the News' coverage of the issue.

The New York Times

A fast lane for pedestrians? A city dwellers dream

Liam Stack

November 6, 2015



A popular British retailer said it would designate a strip of sidewalk in front of its Liverpool store specifically for fast walkers, that uniquely urban breed of pedestrians who silently fume over the ambling gaits of those in front of them.

The one-week experiment, which began Monday, is a marketing ploy by the retailer, Argos. But it has awakened the imaginations of many disgruntled fast walkers, leading some to express the hope on social media that fast lanes would pop up in their cities, too.

So, could this be the first volley in the liberation of speedy pedestrians? Research funded by Argos would seem to suggest that (in Britain, at least) quite a few people are fed up.

But Liverpoolians are not alone in their sidewalk distress. Complaining about gawking tourists and pedestrians who saunter down the street is practically a rite of passage for New Yorkers (don't get them started on Times Square), and some have sarcastically taken matters into their own hands.

In July, an East Village blog drew attention to an official-looking notice from the nonexistent "New York City Department of Pedestrian Etiquette" that was found in the neighborhood. It warned visitors and new arrivals that they would be kicked out of the city unless they passed a class on the rules of the sidewalk.

In 2013, Cory Bortnicker, a writer and producer in New York, created a line of coarsely worded "Pedestrian Penalty Cards" to call out sidewalk offenders guilty of sins like standing on the wrong side of an escalator or being part of an Italian tour group.

"I think it is a great idea," Mr. Bortnicker said of Liverpool's fast lane. He called it "a sensible solution," but also suggested that it might be in fast walkers' best interest to manage their frustration, "even if for their own cardiovascular health."

"Slow walkers live on a different planet than fast walkers," he said. "Moving fast is not in their DNA. They are lucky, and I wish that I were one."

Research has shown that city dwellers really do walk more quickly than people in suburban or rural areas. Social scientists have reached no consensus about why that may be. One theory involves a version of the fight-or-flight mechanism (crowded spaces provoke people to navigate them more quickly), and another argues for an innate sense among urbanites that time equals money and slow walkers equal added time.

Mr. Bortnicker said his attitude toward slow walkers had “softened quite a bit” in the two years since he created his penalty cards. He explained that “there is no cure for road rage or sidewalk rage except for thinking about the things you can control and the things you can’t.”

Where you live in the city may also play a role, he said. A less crowded neighborhood could translate into less time spent sharing the sidewalk with pedestrians who slowly plod from place to place.

“Also I moved from Manhattan,” he said. “That helped a lot. I just moved to Astoria, Queens.”

Times Square Hulk arrested after pestering tourists for money: Police

Murray Weiss, Trevor Kapp

November 30, 2015



A costumed Hulk was arrested outside the Times Square Toys "R" Us Sunday, police said. View Full Caption Getty Images/Alberto E. Rodriguez
TIMES SQUARE — This Hulk was not so incredible.

A green-costumed menace was arrested outside the Broadway Toys "R" Us, near West 44th Street, on Sunday after he tried to shake down tourists for money, police sources said.

Junior Bishop, 26, who gained notoriety in July 2014 after fighting with a costumed Batman while dressed as Spider-Man and then punching a police officer in the face, was arrested again after trying to get cash from people who wanted pictures with him around 3:40 p.m., sources said.

Police warned Bishop that he couldn't request tips for photos and he flew into a rage, screaming obscenities and making an offensive gesture, law-enforcement sources said.

He was charged with disorderly conduct.

NEW YORK POST

Times Square Spider-Man jailed after chewing out cops

Jamie Schram, Georgett Roberts, Chris Perez

December 1, 2015



A Times Square Spider-Man was thrown behind bars on Tuesday after he chewed out cops in Spanish and refused to follow their orders, sources said.

Oscar Rodriguez, 32, had been approached by the officers at around 1 p.m. because he was hassling tourists in Duffy Square — an area between 45th and 47th Streets that is supposed to be off limits to costumed creeps, according to law-enforcement sources.

“The police approached him and he was boisterous,” a vendor in the area recalled. “So instead of giving him a ticket, two cops cuffed him and hauled him away.”

Sources said Rodriguez snapped when cops began questioning him — flailing his arms in the air and refusing to cooperate.

“He was resisting,” another vendor said. “He didn’t want them to put cuffs on him. He was talking in Spanish. He was talking loud.”

Rodriguez was still dressed as the iconic web-slinger as cops arrested him for violating park rules and refusing to provide police with identification, sources said.

The superzero has one prior arrest for turnstile jumping.

A man who saw Rodriguez going to jail on Tuesday told The Post that he has a reputation for being a local menace.

“He is very aggressive. If you give him no money he will take your phone and delete the picture,” he explained. “And he doesn’t want a dollar either. He wants more \$5, \$10, \$20.”

NEW YORK POST

Times Square creeps line pockets with 'cash for kids'

Georgett Roberts, Chris Perez
December 2, 2015



A Times Square Iron Man and his Minnie Mouse accomplice sank to a new low for costumed menaces on Tuesday — by claiming the cash for photos was going to children when it was -really lining their pockets.

“It’s for schoolkids,” the sleazy Tony Stark wannabe told sightseers when they refused to give him a tip moments after Minnie snapped the photos of them.

“Mami! Mami! It’s for college,” he yelled as one woman scurried away.

The costumed creep was spotted by The Post using the shtick on at least five different people at the Crossroads of the World, with one victim forking over \$10.

“I was tricked,” said Alisha, a 27-year-old architect from Germany. “It makes me angry. It’s not fair. It’s stealing.”

Her brother, Danny, 18, agreed.

“If he didn’t say it was for schoolchildren I wouldn’t give him any money,” he said.

Cherie Jarrard, a 40-year-old -illustrator, was with her mother when she encountered the panhandling pest.

“He said, ‘We took photo. We are in your photo. Give me \$10,’ ” she said. “I said no and he was mad. He said it was for the kids. I didn’t believe him.”

Another woman said, “The girl [Minnie] said it’s for school and the man said it’s for food, to get something to eat.”

A vendor nearby who had been watching the superhero swindler all morning said he was disgusted.

“He wasn’t collecting money for children,” the man said, referring to himself only as Melvin. “It’s for himself to put in his pocket.”

When pressed about what kids he was giving the money to specifically, and how old they were, the costumed creep went on the defensive.

“Not for schoolkids, you hear wrong,” he said. “No, no, no, not for schoolkids.”

His mousy conspirator claimed she couldn’t speak English when asked to show proof that the money was really going to kids.

“Him,” she said, pointing to Iron Man. “Me no speak English.”

The panhandlers are just two in a long line of street performers who have been caught menacing tourists for money in Midtown.

On Sunday, a rogue costumed Santa was spotted outside the Herald Square Macy’s bagging cash left and right from kids and parents. He claimed the money was ultimately going to various charities, but he refused to say which ones.

And Junior Bishop — who made headlines last year when he slugged a cop in the face while dressed as Spider-Man — was arrested on Monday after he cursed out a different officer and gave her the middle finger.

This time, though, he was posing as The Incredible Hulk.

DAILY NEWS

Man in Darth Vader costume arrested for harassing tourists for tips in Times Square: officials

Thomas Tracy

December 8, 2015



The force was strong with this one...perhaps too strong.

A man dressed as Darth Vader was arrested when he was caught shaking down tourists in Times Square, officials said Tuesday.

Philip Williams, 38, dressed head-to-toe in black as the dark lord of the Sith and wearing a black helmet, wouldn't let people go until they paid him a tip on Broadway near W. 45th St. about 1 p.m. on Sunday.

Police Officer Thomas Smith saw Williams and two others snap a photo with a tourist, then huddle around the person, demanding a \$5 tip, according to a criminal complaint.

The woman appeared "intimidated and nervous" as she hurriedly handed Williams a \$50 and walked away, the complaint said.

A few minutes later, Vader and his would-be stormtroopers approached a second woman, applying the same Jedi mind trick.

When the woman started to pull out cash from her wallet, Williams snatched it from her hand and walked off.

Williams was taken into custody without incident and released on his own recognizance Monday, officials said.

Rappers make \$150 a day handing out CDs in Times Square, film claims

Nicole Levy

January 18, 2016



The rappers featured in a new mini-documentary make a minimum of \$150 trading their own CDs for cash in Times Square, according to the film.

"I made \$150 selling 10 CDs," a rapper who calls himself Sunny Smack says of his first experience hawking music on the sidewalk in the documentary "Street Dreams," produced by the music site Pigeons and Planes. "After that I was like, cool."

"There are times I've made \$300, \$400" a day, says Sean Hunter, a rapper who has been selling CDs for three years. "There are guys I know out here who make \$800, \$900. So it all depends on your drive and your hustle."

The guerilla marketing strategy reminds Hunter of "the bad boy days when Puff Daddy was handing out tapes with street promotion teams," he said on film.

Of physical album sales, rapper Jadon Woodard says, "It's just not going to die, no matter how much the digital game grows... I just feel like I'll move way more units physically than someone trying to pump you to buy an album online for \$5.99."

And rappers like Woodard aren't just working the streets; they're pushing their records on the subways, too.

"A lot of guys, and just people in general, are scared to promote their stuff on the subways, because one, you could get arrested, two, you have a higher level of rejection... and you have to perform your work," says Woodard, who freestyles and collects donations for his CDs on the subway.

Artists-turned-entrepreneurs like Woodard have a contentious relationship with the NYPD, who arrest and ticket them for failing to have a license, soliciting, loitering, panhandling and "blocking space," they say.

The First Amendment permits vendors without a license only to sell products that fall under the labels free speech and free expression, like works of art and writing.

Our question is, does anyone still have that antiquated piece of technology called a "CD player"?

DAILY NEWS

Times Square panhandler dressed as Statue of Liberty demands \$5 for photo

Rocco Parascandola, Shayna Jacobs, John Annese

January 26, 2016



Don't short-change Lady Liberty!

A Times Square panhandler dressed as the Statue of Liberty pressured a tourist into taking a photo with him, then demanded \$5 for the privilege, police sources said Monday.

Miklos Solyom, 45, of Rego Park, Queens, went from dressing as Lady Liberty to wearing handcuffs at about 5:15 p.m. Saturday.

"Take a picture with me," Solyom repeated, holding out his arm to prevent the victim from passing on Broadway by on W. 45th St., according to a criminal complaint.

The man ultimately took a picture with Solyom and tried to walk away, but Solyom demanded \$5, police sources said.

When the man offered \$4 instead, Solyom repeated his demand for \$5, the complaint alleged.

Police arrested him at the scene without incident.

Solyom, who was arraigned in Manhattan Criminal Court on Sunday, received an adjournment in contemplation of dismissal, meaning the charge against him will be dropped if he stays out of trouble for six months.

He did not return messages seeking comment Monday.

DAILY NEWS

Times Square Batman arrested for walking around the Crossroads of the World

Kerry Burke, Thomas Tracy

February 10, 2016



A Times Square performer dressed as the caped crusader found himself on the wrong side of the law Tuesday for WWB — Walking While Batman.

Dejected Dark Knight Jose Escalona-Martinez was stopped outside the American Eagle Outfitters on Broadway and W. 46th St. about 2:30 p.m., handcuffed and detained for 30 minutes after he was seen walking toward Father Duffy Square — a forbidden zone for costumed characters — a source said.

Cops checked him for any warrants then gave him a summons for disorderly conduct and released him, officials said.

But Broadway Batman was a bit miffed.

Escalona-Martinez, who says he has sued the city twice for unlawful arrest — once when he was Batman, once when he was Spider-Man — insisted he wasn't looking for tips. He was merely trying to get to the other side of the square.

"I was walking like a tourist ... I know the rules," Escalona-Martinez told the Daily News. "Do not panhandle over there. Do not take pictures over there."

Escalona-Martinez said he was walking across the plaza when he heard two people yell, "Hey, Batman!."

When he turned, he was confronted by two cops who demanded to see his identification.

"I told them, 'Who told you that I committed a crime? Why should I give you ID?' " he said. "But they were pushing and pushing me, telling me I was detained."

"This is big discrimination. This is not right. The cops just wanted to be a-----, and they were."

The street solicitor, who testified at recent City Council hearings about aggressive Times Square costumed characters as Batman, said he's been wearing the cowl or the web-head mask for four years.

After he was arrested and held in jail for 10 days in 2013, he filed a \$2 million unlawful arrest lawsuit against the city, according to court papers. A later arrest led to a second \$2.5 million lawsuit.

Escalona-Martinez said Tuesday's stop will give him enough ammunition for a third lawsuit.

His lawyer — yes, Batman has a lawyer — agrees.

"There was no reason to handcuff him for 30 minutes and make a spectacle of him," attorney James Franzetti said. "It was unreasonable and excessive."

The city is in negotiations to mark off "activity zones" for costumed and topless performers after repeated complaints that the panhandlers were harassing visitors to the Crossroads of the World.



Times Square Batman arrested for walking around the Crossroads of the WOrld

February 10, 2016

Minnie Mouse, Cookie Monster and Olaf from the film "Frozen" became the latest costumed characters to be arrested in Times Square after a cop allegedly saw them harassing a man for money.

The three colorful characters posed with the man on Sunday, but things turned south quickly when they allegedly started following him and demanding cash.

At one point the characters even blocked the man's path and insisted that he pay them \$20. The intimidated tourist handed over \$10, according to police.

That's when an NYPD officer stepped in and arrested the three characters for harassment.

The characters are popular with tourists, who flock to them for photos all year round.

"They're so cute. Yeah, I love the costume," Chinese tourist Tristy Huang said.

But they've been involved in numerous squabbles over the years. Minnie Mouse, Cookie Monster and Olaf are just the latest masked characters to be arrested for behaving badly.

"That's kind of shocking," NYC resident Lauren Stegland said.

Spider-Man duked it out with an ice cream truck vendor last August after the vendor warned tourists that he had hassled others for money. The brawl outside Toys "R" Us was caught on camera.

Woody, Minnie Mouse, the Statue of Liberty, Batman and Elmo are just a few of the characters that have been arrested in Times Square over the last couple of years.

Last August, Mayor de Blasio assigned a multiagency city task force to address what he called the "growing problem" of topless, painted women and costumed characters in Times Square and said that one option under consideration is removing the famed intersection's pedestrian plazas. In the meantime, plainclothes NYPD officers have been patrolling the square to combat aggressive characters.

Lisette Gill, of Manhattan, said she has felt pressured by the characters before, but that people just have to stand their ground when approached.

"They wanted \$5 each, and he was like, 'Come on, give me more.' I'm like, 'I don't have any more, sorry.'"



Chewbacca, Stormtrooper, and Cookie Monster arrested in Times Square

Kerry Burke, Thomas Tracy

February 16, 2016

The snow didn't stop some of the Times Square costume characters from acting badly Monday, resulting in the arrest of Chewbacca, a Stormtrooper and the Cookie Monster, according to police.+

Around 3:30 p.m., just steps from the NYPD substation, a woman dressed as the furry, blue Sesame Street character Cookie Monster posed for a photo with a 39-year-old woman. The friendly exchange turned ugly when Cookie Monster began demanding tips, police said. Officers arrested the woman inside the suit – 29-year-old Nestorina Morales Perez, of Paterson, New Jersey, and charged her with aggressive panhandling and harassment.

Just half an hour later, police arrested Chewbacca and a Stormtrooper after the characters confronted a 71-year-old near W 45th Street and Broadway. The two had posed with the victim and demanded money after, not allowing the man to leave until he paid them \$10 each, according to Gothamist.

Officers arrested 40-year-old Robert Williams, of the Bronx, and Casey Braxton, 36, from Brooklyn. Both were charged with aggressive panhandling and Williams faces an additional charge of harassment.

DAILY NEWS

Times Square costume character files second lawsuit against NYC – for \$100M – after Monday arrest for aggressive panhandling

Barbara Ross, Thomas Tracy
February 17, 2016



A Brooklyn actor who has been arrested three times while dressed as a cartoon figure in Times Square is suing the city — again — on a false arrest claim.

Casey Braxton, 36, says cops wrongly arrested him in November 2014 when they found him posing for pictures in a red, white and blue Iron Man outfit and charged him with "loitering disguised in an unnatural way."

The charges were dismissed in January 2015.

Braxton's lawyer, James Franzetti, says this is his client's second false arrest lawsuit against the city. The first involved an April 2014 arrest when he and several other cartoon hustlers were collared.

Braxton demanded \$1 million in damages in the first lawsuit. This time he wants \$100 million.

Meanwhile, Braxton was arrested a third time in Times Square on Monday. Dressed as a Star Wars stormtrooper, he was accused of aggressive panhandling when posing for photos with a 71-year-old tourist.

Police said Braxton demanded a \$10 tip but when the tourist said all he had was \$5, Braxton and another cartoon figure briefly "prevented (the tourist) from walking away." Braxton was ultimately released without bail.

In a statement, Franzetti said Braxton, who lives in Flatbush, "is aware that while the costumes and heroes he represents are iconic, our civil rights and the freedoms enshrined therein are truly iconic" and thus he's sued the city twice for false arrest.

Franzetti said that while arrests of cartoon hustlers are less common, the NYPD has engaged in "unlawful stops, inappropriate handcuffing and other overreaching ... with alarming frequency." He added:

"Whether well received or not, the civil rights lawsuits of these 'characters' are within a legal bulwark which must constantly be refortified to protect the freedoms which too many of us take for granted. Iron Man Patriot and the other 'characters' are much more in touch with this constitutional reality than those who criticize them would expect."

The New York Times

Makeover set for police building at the heart of a sleeker Times Square

Ashley Southall

February 17, 2016



The identical mosaic tile maps of New York City on the sides of the police substation in Times Square hark back to a different era. Some of the Monopoly-like symbols among the tiles that once helped tourists locate landmarks are gone. So, too, are a number of those landmarks, like the old Metropolitan Opera House.

The mosaics, designed by the artist Edward Meshekoﬀ and installed in 1957 but overshadowed in recent years by flashier attractions, have an uncertain future as the Police Department plans a \$3.5 million transformation of the substation into an attraction for visitors and recruits, according to officials involved with the project.

An architect has not yet been hired and no designs have been drawn, but officials said on Tuesday that they expected to solicit proposals in the coming weeks to turn the concrete, metal and glass bunker into a sleek, modern space fit for today's Times Square.

"There's just a tremendous change, a shift that's gone on in that area," said Vincent Grippo, the deputy police commissioner for management and budget. "The facility itself could be far more useful to us if it reflected the newer dynamic in Times Square."

The substation opened on 43rd Street between Seventh Avenue and Broadway in 1993, after previous incarnations that included a space on 42nd Street that replaced one of the largest pornography stores in the city when it opened in 1977. Since then, the area has undergone a drastic transformation that saw the addition in 2008 of a glass staircase for the TKTS booths that suggests a Greek amphitheater, and an ever-increasing number of giant monitors glowing with digital advertisements.

An estimated 300,000 pedestrians pass through the area on a typical day, and they are more likely to encounter costumed characters and retail clothing stores than the once-dominant drug dealers and adult entertainment shops. But the police substation still evokes that bygone era.

The remodeling plan is part of a broader citywide campaign to incorporate public spaces into police station houses as a way to help improve police officers' relationships with the communities they serve, Deputy Commissioner Grippo said. The effort includes the proposed construction of a new 40th Precinct station house in the Mott Haven section of the Bronx that will have dedicated areas for community activities.

New police stations are rare, though, and officials are looking for more budget-friendly ways for officers to interact with residents in high-traffic places like substations, parks and libraries.

“These are the places in the city we most want to target because we believe there’s tremendous opportunity to get people in and to have them have these positive interactions,” Mr. Grippio said.

A city task force suggested remodeling the Times Square substation in October in recommendations addressing a variety of issues, including traffic congestion and pedestrian safety. The panel — led by the police commissioner, William J. Bratton, and Carl Weisbrod, the city planning commissioner — imagined a substation that would be “more visible, functional and attractive” and serve as a base for a police unit dedicated to patrolling the area as well as a place to recruit officers.

Designers will need to grapple with how to achieve that vision while accounting for Times Square’s potential as the site of a terrorist attack, something officials hope to minimize by installing a state-of-the-art surveillance system, Mr. Grippio said.

“What we really want to explore is kind of what is appropriate now for Times Square in the 21st century,” he said.

Philip Heller, the Police Department’s director of capital projects, said locker rooms and a large holding cell would be removed to make way for public spaces that would include A.T.M.s, information kiosks and educational exhibits about the department.

“There’s a lot we want to do with that public space,” Mr. Heller said. During the design phase, he added, “that’s what we need to figure out.”

Designers will have to realize the city’s vision in the building’s existing footprint. The single-story substation is about 1,000 square feet, about one-seventeenth the size of the displays wrapping the building behind it, 1 Times Square. The city cannot build up or out, Mr. Heller said, and regulatory hurdles related to the building’s position in the street and above the Times Square subway station must be cleared.

Once completed, the substation would blend into a modern Times Square, the bowtie-shape area formed by the junction of Seventh Avenue and Broadway and stretching roughly from 42nd Street to 47th Street. Current renovations are expected to wrap up at the end of the year, when granite benches will be installed on the redesigned Broadway plazas.

The New York Times

Ticket sellers promise marquee names, but the comics rarely show

Michael Wilson

February 21, 2016



Paige Kaden, who is new to town, stood on a frigid block in Times Square on Thursday afternoon, looking for a man named John. She was angry.

John, she said, had sold her and her parents tickets to Stand Up NY, an Upper West Side comedy club, two days before at this very spot. He had shown them pictures of Amy Schumer and Tracy Morgan performing there, Ms. Kaden said, and he gave them a tip about that night's surprise guest.

"He told us Tina Fey would be there," Ms. Kaden, 24, said. Thrilled, the family bought three tickets for \$20 each, only to arrive at the club to find a two-drink minimum and a lineup of comics they had never heard of.

"We didn't stay," Ms. Kaden said. She found two other men selling Stand Up NY tickets on Thursday, but they said John wasn't around.

The comedy hawkers of Times Square do not get as many headlines as the topless women or aggressive costumed panhandlers — Chewbacca and a Stormtrooper were arrested last week — with whom they share the crossroads. But the peddlers are out in greater numbers, with 15 or 20 people selling tickets to at least three clubs every day, greeting passers-by with a smile and a question: Do you like comedy?

The sellers are facing new scrutiny. Last year, a task force announced a series of recommendations to improve Times Square, and among them were calls to regulate vendors. According to a 2015 survey conducted by the Times Square Alliance, a nonprofit organization, 40 percent of respondents, mostly New Yorkers, experienced "an unpleasant interaction" with solicitors. The percentage of those who felt unsafe during those interactions doubled from the year before.

"They're nasty and mean and say derogatory things to women," said Caroline Hirsch, the owner of Carolines on Broadway, who said sellers sometimes hawk tickets to other clubs outside her own.

In general, the ticket sellers do not work directly for the clubs. Most show up when they want to work and sign out stacks of tickets from middlemen who run the street teams, as they are known. Many clubs have similar arrangements with the street teams, whereby the sellers keep whatever they make from the ticket sales, while the clubs make their money from drink minimums.

"I love this job," said Stuart Titelbaum, 57, who said he started selling tickets in 2007 after an unpleasant career in accounting. He likes meeting tourists from overseas and cracking jokes. He doesn't lie, he said, but it is common practice.

By the time visitors realize they have been duped, there is little recourse beyond ranting on Yelp. ("He said that Tina Fey was going to be there," one person wrote last year. Another wrote, "LIES, LIES, LIES.")

On Thursday afternoon, a man selling tickets to the Broadway Comedy Club could be overheard saying Ms. Fey and Chris Rock would be there that night. A couple visiting from Ireland, Declan and Sandra Halligan, listened patiently, brightening up when the seller said Lee Evans, the English comic, would also be there. When the seller dropped the price for two tickets to \$30 from \$60, the Halligans handed over the cash. When a reporter stopped them and broke the bad news that those comics were not likely to appear, Mr. Halligan said they wouldn't have bought the tickets had they known.

Al Martin, the owner of the Broadway Comedy Club, said one or two customers complain every night, most having been promised Ms. Fey or Louis C.K.

"Believe me, we hate this," Mr. Martin said. He said his street team members write their initials on tickets, but that "three or four or 10 of these guys who do this" buy tickets from the legitimate sellers and "go rogue."

Sherif Hamoda, 32, who sells tickets for Stand Up NY, which is on West 78th Street, works in a sort of gray area. He says he doesn't lie about Ms. Fey. But that does not mean he doesn't lie at all.

"Comedy Central taping!" he shouted to passers-by on Thursday. No such taping was planned. "That's how I get them to stop," he said. "I'm not saying it's not dishonest."

Mr. Hamoda told a couple from London on Thursday that Caroline Rhea, the comedian and former host of "The Biggest Loser," would appear that night. When asked about this claim, he said that while she was not on the schedule, he couldn't say for sure that she would not be there: "A lot of times she shows up last minute."

Another seller, who gave only the name Lorenzo, said he was not above shouting out Ms. Fey's name. "You say it to make them stop," he said. "Then you start your pitch."



Holy robbery Batman! Times Square caped crusader steals \$50 from tourist
February 25, 2016



A man dressed in a Batman costume in Times Square was anything but a hero to a tourist Wednesday night, according to police.

The NYPD said 42-year-old Jose Escalona-Martinez yanked \$50 from a tourist's hand and took off, 1010 WINS reported. Escalona-Martinez, dressed as the Caped Crusader, had posed for a picture with the victim moments before, police said.

He's charged with grand larceny and possession of stolen property, police said.

A group called A Better Times Square tweeted a photo of the arrest, and called on Mayor Bill de Blasio to enact reforms in Times Square, which has seen its fair share of controversy over recent years

In June, two women dressed as Minnie Mouse and Hello Kitty were arrested on assault charges after the two allegedly got into a fight over how to split tips they had made.

Other incidents included a Spider-Man allegedly punching a cop, an Elmo being arrested for allegedly harassing people and yelling anti-Semitic slurs and a "Toy Story" Woody allegedly groping women.

The numerous reports of misbehaving costumed characters prompted calls for regulation.

In response, the de Blasio administration put together the Times Square Task Force with the aim of reducing what it called "nuisance quality of life issues."

And though the costumed characters and painted topless women were not banned from the pedestrian plaza, the NYPD did deploy 100 additional officers to the area in response to the complaints.

DAILY NEWS

Suburbanites seeing fewer Broadway shows, industry reps blame pedestrian plazas

Jennifer Fermino

February 29, 2016



The Times Square traffic jams, scary Elmos, and naked painted ladies are scaring suburbanites away from Broadway.

A recent survey of Great White Way attendance found ticket sales have dropped dramatically among suburban ticket-goers to Broadway in recent years — and industry reps are blaming problems that have arisen since the city installed pedestrian plazas.

In 2010 — the year the pedestrian plazas went up and closed off huge swaths of Times Square — some 21% of all ticket sales went to people from Long Island, Westchester and Rockland Counties, and northern New Jersey, according to the Broadway League's "Demographics of the Broadway Audience" survey.

That number has dropped since then to 15.6% in the 2014-2015 season, which just passed.

New York City ticket sales have remained steady — 17.1% in for 2010-2011 season going to 17.7% last year — while domestic and foreign tourists sales have climbed.

Sales to foreigners went from 14.1% to 17.5% during the same time, while attendance by American tourists went from 47.6% to 49.2%.

Charlotte St. Martin, president of the Broadway League, said that the suburban dropoff corresponds to the pedestrian plazas creation, which brought traffic jams and a "carnival atmosphere" to the area.

That atmosphere, she said, includes the topless panhandlers known as "desnudas," aggressive CD hawkers, and money-grubbing costumed characters who take advantage of the pedestrian traffic.

"I call it the misery index," she said.

She believes the dropoff is seen in suburbanites and not other groups because they tend to drive in, and they are therefore most impacted by the traffic jams that the plazas have brought.

Since they were instituted, Broadway was closed to cars from 42nd Street to 47th Street, and many east-west turns were prohibited.

Robert Sinclair, the manager of media relations at AAA Northeast New York Region, said the findings from the survey are no surprise to him.

Since the plazas were installed, "it's extremely difficult to drive in and see a Broadway show in a car," he said.

Part of the problem is construction around the plazas, which began as an experiment and are currently being made permanent.

That construction is expected to continue through the end of 2017.

Benjamin Goldstein, 42, was visiting the Crossroads of the World with his family from Florida on Sunday and said the "chaos" and constant horn honking is maddening, but that's the allure of Times Square.

"I think I've had at least four costumed characters try to get me to take a picture. It's a bit strange. I get they're doing a job but it feels like you can't escape them."

Despite this he'd still come back.

"It seems like every time you come back, there's something new here. That's worth another visit."

The city has convened a task force to try to figure out ways to deal with the quality of life issues that have sprung up in Times Square in recent years.

Last week, a Batman character was busted for swiping \$50 from an Irish tourist — the latest in a long line of costumed character to land in cuffs.

A spokesman for the Department of Transportation defended the plazas, and pointed to stats that showed overall Broadway attendance had increased.

"We are glad to see Broadway continues to thrive, bringing in record numbers last year, and feel our plaza work greatly improves the area for all users no matter where their trip originates," said a spokesman.

DAILY NEWS

Senseless Times Square Spider-Man arrested for refusing to let go of child until he received \$10 tip

Thomas Tracy
March 1, 2016



J. Jonah Jameson was right — Spider-Man is a menace!

A Times Square performer dressed as everyone's favorite wall crawler was arrested Tuesday after he wouldn't let a kid who posed with him go until his father coughed up a \$10 tip, officials said.

The 29-year-old costumed character was grabbed on 46th St. near Broadway about 11:45 a.m., officials said.

He took a picture with a 13-year-old boy then held onto the pre-teen until his dad gave him \$10.

Cops saw the web-head at work and took him into custody. The teen was not harmed.

Spider-Man, whose real name was not immediately released, is expected to be charged with aggressive panhandling, officials said.

The arrest comes as the city is in negotiations to mark off "activity zones" for costumed and topless performers after repeated complaints that the panhandlers were harassing visitors to the Crossroads of the World.

DAILY NEWS

Hustle to curb Times Square hustlers

New York Daily News Editorial Board

March 12, 2016



Last summer, when the front pages of this newspaper gave the bare-breasted women of Times Square a lot more exposure than they wanted, Mayor de Blasio was commendably fast to seek ways to rein in the proliferation of hustlers, hawkers and hucksters trying to cadge cash from tourists there.

So we wonder why it took more than five months after de Blasio's Times Square task force presented its report on Oct. 1 to produce simple legislation granting the Department of Transportation authority to regulate the unregulated pedestrian plazas where legions of Elmos, Spider-Men, ticket sellers and painted ladies roam.

The many months of delay along with the welcoming of warm weather means that the problem (furry, caped and painted) is returning.

Who's to blame? The buck stops nowhere. The mayor's people point to the City Council for sluggishness in producing a bill; the Council points to the mayor. Either way, swift action is now needed to prevent another out-of-control summer.

As called for last fall, the bill grants DOT Commissioner Polly Trottenberg the power to issue general rules covering all 71 plazas citywide, and specific regulations for any individual plaza where DOT will work cooperatively with the local partner, in this case the Times Square Alliance. The bill also requires permits for "any event held completely within a pedestrian plaza."

Good, good and good.

After the bill is passed — and it should have been passed yesterday — Trottenberg should immediately publish rules. Then the clock ticks on a 60-day public comment period, which should be just about when the construction of the plazas will be done.

Which means in all likelihood, the summer will be upon us before a solution is in sight.

The Alliance, along with Councilmen Dan Garodnick and Corey Johnson and Borough President Gale Brewer, put forward a three-zone plan for the plaza, which the de Blasio task force endorsed and should serve as DOT's blueprint.

The flow zone: The sidewalks along Seventh Ave. and Broadway would be reserved for moving pedestrians, no Elmos or tip-taking naked types.

The civic zone: The bulk of the plaza would be reserved for passive recreation. Tables and chairs and sight-seeing are okay; panhandlers not.

The activity zone: These smaller parts of the plaza are where pests would be contained. Naked cowboys, painted ladies, furry costumes, superheroes, Statues of Liberty — whatever you want — along with pictures and voluntary tips.

It isn't that complicated. Do it.

DAILY NEWS

'Spider-Man' super zero arrested again as Times Square performer cuffed for slinging chairs crowd

New York Daily News Editorial Board

March 18, 2016



This Spider-Man is a real villain.

A notorious Times Square performer dressed as everyone's favorite web-head has been arrested once again — this time for throwing folding chairs into a crowd of 20 people, officials said Friday.

Junior Bishop, 26, in costume and seeking tips for posing with tourists when he got mad and threw three folding chairs in the pedestrian plaza at Broadway and W. 43rd St. about 7:30 p.m. Thursday.

One of the chairs landed near a group of 20 people, officials said.

When cops handcuffed him, Bishop kicked over several tables as he fought the police off, officials said.

He pled guilty to disorderly conduct early Friday and was sentenced to time served, according to court records.

Over the years, Bishop has been repeatedly arrested while dressed as fictional heroes.

In November, he was busted for shaking down tourists for tips while wearing an Incredible Hulk costume.

In July 2014, Bishop, dressed as Spider-Man, slugged a cop in Times Square who had stopped him from hitting up tourists for money. Bishop was arrested for felony assault, accused of breaking the cop's glasses and wounding his face.

The Manhattan District Attorney's office declined to bring a case against Bishop on speedy trial grounds. Bishop later sued the NYPD for false arrest and asked for \$1.5 million in damages. That lawsuit is pending.

Thursday's arrest comes as the city is in negotiations to mark off "activity zones" for costumed and topless performers after repeated complaints that the panhandlers were harassing visitors to the Crossroads of the World.

NEW YORK POST

Spider-Man tangles with tourist for stiffing him on tip

Dean Balsamini

March 26, 2016



Oh, what a tangled web you weave, Times Square Spider-Man.

The misunderstood superhero was collared by cops Saturday -afternoon following a confrontation with a tourist from Virginia — a scuffle that left both men charged with assault.

None other than Batman captured the dustup with a cellphone camera, later showing the footage to The Post.

The caped crusader, a k a Jose Escalona, 42, said he and the Spider-Man were working the corner of 45th Street and Broadway when a couple and their four kids approached to take a picture with the crime fighters.

The webslinger informed the family that “when we’re done with the picture, we work for tips,” and the man said “OK.” But the couple stiffed the costumed characters, with the husband pointing to his wife and the wife saying, “Oh, no, I don’t have no money!”

At which point Spider-Man kicked the woman, police said.

Spider-man then groused, “You lied to me! You’re not supposed to do that. You have kids with you. You’re not supposed to teach that!”

“That set the guy off,” Batman said, claiming the father got in Spidey’s face and threatened to “f–k him up.”

At that point, the tourist, clad in a Washington Nationals baseball cap and T-shirt, squared off, with Spidey saying, “Take the first shot.” And the tourist did.

In a bizarre sequence, Spider-Man then throws a flurry of phantom punches that don't land, erupts in a series of Kung-Fu-like moves and then shimmies up a light pole like a, um, spider.

"Justice is served! I got him!" he exclaimed.

The crime-fighting display did not, however, impress responding cops — who took both men into custody.

Spider-Man was identified as Abdelamine El-Khezzan, 37. The tourist was identified as Rodney Merrill, 55, of McLean, Va.

"The police are getting it wrong," Escalona said. "I showed them the video and they just don't listen. The [tourist] was the aggressor. We are not the bad apples."

He would not identify Spider-Man, saying only that it was not Junior Bishop, 26, a Times Square Spider-Man who has been arrested at least three times.



Times Square Elmos are ruining people's childhoods

Vinita Singla and Natalie O'Neill

March 28, 2016



City officials have been flooded with complaints about the costumed menaces in Times Square — including a tweet from a young tourist about her creepy run in with an aggressive Elmo.

“When Elmo grabs your ass in Times Square your childhood is immediately ruined,” the Arizona student wrote on Twitter while visiting a pal in the Big Apple last month.

In another tweet, a New Yorker fumed, “Nothing is scarier than being in times square and having 4 elmos and 2 olaf’s surround and entrap you.”

The social media posts were among the top 10 worst tweets about the masked menaces acting “inappropriately” in 2016, according to Times Square Alliance, which supports a new bill that imposes stricter rules on the furry freaks.

In the past week, the group has received 200 testimonials about eerie run-ins with the costumed characters, said Tim Tompkins of the Times Square Alliance, which supports the new legislation.

“Quirky is fine but creepy is not,” Tompkins proclaimed at a press conference Monday.

“When you look at these specific comments, you’ll see that the issue is about being hugged when you don’t want to be hugged, being touched, being groped, those kinds of things,” he said.

“These are real tweets that come from people. This is a real issue,” he said.

Others have griped on Twitter about Elmos groping, heckling and attacking people.

“Hey sexy, want some action? [said] times square Spiderman,” one user wrote.

Another fumed, “I just got attacked by Elmo in Times Square. These costume characters in Times Square are scam artists.”

On Saturday, a man sporting a Spider-Man costume was arrested for assault — and there are plenty more examples of the characters behaving badly, Councilman Dan Garodnick said Monday.

“A tourist in Times Square faced off in a physical altercation with Spider-Man allegedly after a dispute over a tip. In February, Batman allegedly grabbed \$50 from the wallet of an Irish tourist and ran off into the dark night. Elmo arrested for aggressive solicitation. Cookie Monster nabbed for groping a teenager.

Even Chewbacca and a storm trooper were brought in for aggressively demanding tips,” Garodnick said.

He added, “Come to New York. Duke it out with a super hero. Is that what we really want to be known for?

The new bill would set specific zones where the characters are allowed to do business in Times Square and nearby pedestrian plazas, Garodnick said.

“We need to crack down on the bad actors out here. We need to protect tourists and New Yorkers from unwanted harassment and solicitation,” he added.

But new legislation would empower the Department of Transportation to swoop in and restrict the character’s movements in Times Square, he said.

A hearing this week could move the bill forward, Garodnick said. “We want them to pass those rules before summer gets into full swing,” he said.

THE NEW YORK OBSERVER

Times Square Alliance (and the Naked Cowboy) call for new regulation in plaza

Janaki Chadha
March 28, 2016



For New Yorkers who wish they could stroll through Times Square hawker-free, legislation recently introduced to the City Council may offer a solution.

A group of elected officials and neighborhood advocates gathered in Duffy Square Monday to address the need for better regulation in the area's pedestrian plazas, citing the ongoing issue of harassment and aggressive solicitation from costumed characters and other commercial solicitors.

"Just two days ago, a tourist in Times Square faced off in a physical altercation with Spiderman, allegedly after a dispute over a tip," Council Member Dan Garodnick of the 4th district said during the press conference at 46th and Broadway. "Come to New York, duke it out with a superhero. Is that what we really want to be known for?"

The legislation, introduced by Mr. Garodnick and Council Member Corey Johnson, among other elected officials, would give the NYC Department of Transportation the authority to regulate ticket sellers, desnudas and costumed characters in the pedestrian plaza.

According to Mr. Garodnick, the solution to better manage Times Square is to create different zones—one area designated for commercial activity and solicitation, another for general civic activity, and another where visitors would be able to pass through without being bothered.

A council hearing regarding the bill is scheduled to be held this Wednesday. If the legislation passes, the DOT will then put forward its own proposal on how to regulate pedestrian plazas in Times Square, as well as other parts of the city.

Tim Tompkins, President of the Times Square Alliance, said no type of activity will be banned, and that intention of the bill is not to generalize the performers in the area.

"We are not saying that all the people who are dressed in costume behave this way, but there is a consistent and ongoing issue that needs to be dealt with," he said.

Well-known street performer Robert John Burck, better known as the Naked Cowboy, has been working in Times Square since the late 1990's. He was the only street performer to stand with elected officials and the Times Square Alliance today in full support of the legislation.

"If I have to give up some of my own little freedom to run around, so be it. I think it'll increase the quality of the performers," Mr. Burck explained.

But not all area employees are on board. Representatives from the Transport Workers Union of the America Local 225, which represents ticket sellers in the area, are concerned that the bill will threaten their jobs. Union representatives argue it will give the Commissioner of Transportation authority to decide that they are not allowed in the plazas due to the existence of another bill termed the 'Ticket Seller License Law', which they say proposes banning ticket sales in pedestrian plazas.

Mr. Tompkins emphasized that the bill would not limit jobs, but that it would focus on bad actors. In an effort to display the scale of the harassment in the area, he read anonymous testimonials gathered by the Times Square Alliance to the crowd.

One testimonial by a Times Square media employee named Maritza described how "the characters will constantly touch and try to grab me while I'm walking through just trying to get to work."

Mr. Garodnick said the aim of the legislation is not to fundamentally change Times Square, but simply to ensure that visitors can come through the area and be able to shape the type of experience they have.

"We need to protect the uniqueness and excitement of Times Square, while bringing some order out of the chaos," he said.

DAILY NEWS

City officials push to restrict Times Square characters to specific zones after string of overly-aggressive panhandling arrests

Chelsia Rose Marcius, Leonard Greene

March 28, 2016



It isn't Batman v. Superman, but a bitter battle is brewing between a local business consortium and a group of Times Square superheroes whom critics say are doing more harm than good.

The problem, say City Council members and officials from the Times Square Alliance, are the pedestrian plazas that attract costumed characters who use high-pressure tactics to push for tips.

The officials are pressing for new legislation that would regulate the plazas and urge the caped crusaders to stand down.

"It's about being hugged when you don't want to be hugged, being touched, being groped, those kinds of things," said Times Square Alliance president Tim Tompkins. "It will not ban anyone from engaging in commercial activity appropriately, but it will put people in the zones."

At issue are the costumed characters and topless desnudas who crowd Times Square pestering tourists for tips from impromptu photo ops.

Some of the opportunists are more aggressive than others, enough so that it is getting under the perpetually-exposed skin of even the most seasoned Times Square staple.

"I pledge my full support for any legislation and or regulation that would improve and organize the situation," said "Naked Cowboy" Robert Burck. "If I have to lose some of my own little freedom to run around so be it. I think it will increase the quality of the performers."

According to a recent survey, 61% of Times Square employees reported experiencing a negative encounter with a costumed character or commercial solicitor, with 51% of those respondents saying that interaction made them feel unsafe.

"Just two days ago, a tourist in Times Square faced off in a physical altercation with Spider Man allegedly after a dispute over a tip," said Councilman Dan Garodnick.

"In February, Batman allegedly grabbed \$50 from the wallet of an Irish tourist and ran off into the dark night.

Elmo was arrested for aggressive solicitation, Cookie Monster was nabbed for groping a teenager, and even Chewbacca and a Storm Trooper were brought in for aggressively demanding tips.

“Come to New York, duke it out with a superhero! Is that what we really want to be known for?”

Tourists have taken to Twitter to complain about the treatment.

“Nothing is scarier than being in Times Square and having four Elmos and two Olafs surround and entrap you,” wrote Malley DeSanto.

“When Elmo grabs your ass in Times Square, your childhood is immediately ruined,” tweeted another.

The proposed legislation drew criticism from the union representing workers who sell tickets in the area.

“We have a problem with them regulating the areas we can sell tickets,” said Lenwood McKoy, president of the Transport Workers Union Local 225. “This is prime area for tourists and we [need] our ticket sellers to be here.”

Tompkins said no category of activity will be banned.

amNEWYORK

Times Square officials push costumed character regulation

Ivan Pereira and Ann W. Schmidt

March 28, 2016



Times Square leaders, elected officials and even the Naked Cowboy himself came together Monday in support of legislation that would regulate all of the costumed characters who have created a nuisance for visitors and pedestrians.

Tim Tompkins, the president of the Times Square Alliance, the area's business improvement district, said he has heard too many stories of people getting harassed by Elmo, Batman, and other performers and that it was time to address those complaints head on with the bill.

Tompkins read some of those woes posted on Twitter to emphasize how a few bad seeds are hurting the area's atmosphere.

"I never screamed so piercingly loud and strong as when Times Square Elmo tried to hug me," tweeted @LuRuSo. Another Twitter user, @weeumBasha, proclaimed "Times Square is much more pleasant without cars. Or Elmos."

Under the bill, the city's Department of Transportation would have the power to set guidelines for all pedestrian plazas in the city, including specific locations where costumed performers, promoters and other solicitors can stay.

The public would be allowed to comment about the locations but the DOT will consider several factors including the "availability of and need for open space in the surrounding areas" and the ability to deliver programming.

"It will not ban anyone from engaging in commercial activity legally, but it will put people in the zones and allow people to have a choice on whether to be approached," Tompkins said at a news conference Monday.

A hearing for the bill is set for Wednesday at the City Council, and a vote is set for April 7.

Several of the performers have been arrested or given summons for harassing pedestrians, including the most recent incident where a Spider-Man performer allegedly kicked a mother who couldn't provide him with a tip immediately.

Councilman Dan Garodnick, who represents parts of Times Square and is co-sponsoring the legislation, acknowledged that there are plenty of costumed characters who don't create trouble and said this bill would help them.

"We need to protect the uniqueness and excitement of Times Square while bringing some order to the chaos," he said.

One of Times Square's longest running and famous street performers agreed. The Naked Cowboy said he supports the legislation and that it would help increase the quality of the performers.

"This is my obligation, that's why I pledge my support for a little regulation," he sang at the news conference.

Robert Clark, 43, who performs as Elvis in Times Square, disagreed with his fellow street performer. Clark said he would think about suing the city if it passed the bill since it would mean fewer people taking pictures with him.

"I don't stand in New York all the time. I don't like standing in one spot," he said.

The union representing tour bus ticket solicitors wasn't excited about the bill either and protested the news conference with colorful signs. Lenwood McKoy, the president of TWU Local 225, said his members need the flexibility to choose their own locations and maximize profits.

McKoy said his employees are being unnecessarily lumped with annoying costumed characters.

"We don't see why we should be penalized because of someone else's aggressions toward people. I've had it myself with these people," he said.

Tompkins reassured that no one would lose their jobs if they are operating legally and said he and the other leaders would talk with Local 225 about their concerns.

The Times Square Alliance collected the top 10 tweets of this year made by people bothered by costumed street performers:

@nessaletric February 18:

When Elmo grabs your ass in Times Square, your childhood is immediately ruined. (Fist emoji)

@MalleyDeSanto February 10:

Nothing is scarier than being in Times Square and having 4 Elmo's and 2 Olaf's surround and entrap you

@_carolineotoole March 18:

Tries not to get mauled by Elmo in Times Square during my commute for the 3rd time this week

@gcoleman1138 February 22:

Those Times Square costume characters are real creepy when they try to give hugs for money.

@StStephsername February 18:

@AlexBoniello one time Times Square Elmo hugged me from behind and I screamed "if you touch me again you die" and ran away in tears

@mauracoyle February 1

Nothing ruins your childhood quite like watching creepy men dress up like Elmo and check out girls' a**es as they walk by #TimesSquare

@cynicalstef January 2

Times Square is only a fun experience if you enjoy being groped by grown men in knockoff Disney character costumes

@NYCMomProbs on March 22

You go to Times Square and Elmo is the one you have to be wary of. #timessquare #NYC #Manhattan #kids #elmo (The user included a photo of a Times Square Elmo being placed in the back of a police car.) (Ann W. Schmidt)



Times Square Alliance, elected officials push for bill regulating pedestrian plazas

Marla Diamond
March 28, 2016

The Times Square Alliance and elected officials are calling for an end to harassment by costumed characters and topless painted ladies in Times Square.

A rally Monday morning pushed for a City Council bill that would regulate pedestrian plazas by limiting where characters can solicit business, CBS2's Brian Conybeare reported.

"If I have to lose some of my own little freedom to run around, so be it. I think it'll increase the quality of the performers," said Robert John Burck — better known as the Naked Cowboy, a longtime fixture in Times Square.

"This is a real issue, we are not saying that all the people who are dressed in costume behave this way, but there is a consistent and ongoing issues that needs to be dealt with," said Tim Tompkins, the head of the Times Square Alliance. "Times Square should be unusual. We say quirky is fine, but creepy is not."

Complaints over aggressive costumed characters, panhandling and displays that are less than family friendly spurred the city to create a Times Square Task Force, focused on reducing what the de Blasio administration called "nuisance quality of life issues."

According to the Alliance, the non-profit that works to improve and promote Times Square, 61 percent of Times Square employees reported having a negative encounter with the characters while 51 percent of those people say the interaction made them feel unsafe.

"Costumed characters will not be banned. It's simply allowing this commercial activity to be regulated," Thompson said.

The most recent incident happened Saturday after a Spider-Man posed with children for a picture. When their mother said she needed to get small bills to tip him, police said he kicked her.

Late last month, a man dressed in a Batman costume was accused of stealing \$50 from a tourist.

In June, two women dressed as Minnie Mouse and Hello Kitty were arrested on assault charges after the two allegedly got into a fight over how to split tips they had made.

Other incidents included a Spider-Man allegedly punching a police officer, an Elmo being arrested for allegedly harassing people and yelling anti-Semitic slurs and a "Toy Story" Woody allegedly groping women.

Supporters say the proposal will at least give people walking through the area the option of avoiding the characters and painted ladies all together.

"When there are multiple zones, you can have more signage that makes it clear that as you approach and have your picture taken, then, yes, you'll be expected to give a tip," Tompkins said.

While many support the proposed regulations, ticket sellers who hawk bus rides, Broadway shows and comedy clubs fear they could put them out of business.

"This is Times Square... we're not asking to go to Bethesda Fountain in Central Park and sell tickets," James Muessig, of the Transport Workers Union, told CBS2.

If the bill is passed, the Department of Transportation would manage and regulate the pedestrian plazas. A public hearing on the proposal will be held on Wednesday.

WALL STREET JOURNAL

Curb the Times Square tip-seekers, lawmakers say

Thomas MacMillan

March 28, 2016



Lawmakers, local business representatives and the Naked Cowboy gathered in Times Square on Monday to voice their support for a City Council bill designed to rein in aggressive costumed characters and topless women while preserving the plaza's quirky atmosphere.

The proposed legislation would allow the city Department of Transportation to create new zones in Times Square, restricting commercial activities to certain areas.

City Councilman Dan Garodnick, a sponsor of the legislation, which will be the subject of a committee hearing Wednesday, said the bill is intended to curtail aggressive tip-seeking and panhandling by people dressed as cartoon characters and superheroes, as well as topless women decorated with body paint.

"In Times Square, these rules are exactly what we need: a simple framework that lets everyone enjoy the benefits of the plazas with the freedom to find the characters if they want to and to avoid them if they don't," Mr. Garodnick said.

The Naked Cowboy, a famous Times Square presence who plays guitar wearing only white briefs and a cowboy hat and boots, said he supports the bill because he thinks some people are avoiding Times Square.

"If I have to lose some of my own little freedom to run around, so be it," said the performer, whose real name is Robert Burck. "I think it will increase the quality of the performances."

The proposed restrictions, though, are rankling some, including members of the Transport Workers Union, which represents workers who sell tickets for tourist buses in Times Square. Members showed up Monday to protest the bill, saying it threatens their jobs.

Yanildy Taveras, a recording secretary for the union, said limiting where ticket sellers, who work on commission, can work would make it much harder for them to earn a living.

"Where are we going to make money? If we all congregate in one site then it's going to be a problem," she said.

Mr. Garodnick said that wasn't the bill's intent. The legislation, he said, would allow the city to create three kinds of zones in Times Square, setting aside areas for commercial activity, noncommercial activity and simply passing through. The details—including the precise number and location of zones—remain to be worked out, he said.

"The purpose of this bill is to bring some order out of the chaos in Times Square," he said. "It's creating real headaches for New Yorkers and harassment of tourists and we need to get it under control."

Complaints about the costumed characters and topless women roaming Time Square have grown in recent years, putting pressure on Mayor Bill de Blasio, who last year created a task force to study the issue.

The Times Square Alliance, a business group in the area, has been working on the issue for years, having hired consultants and lobbyists to push the city to make changes, including Tusk Strategies, which represented Uber in the ride-sharing app's fight with City Hall.

"Times Square should be unusual," said Tim Tompkins, president of the Times Square Alliance. "We say quirky is fine, but creepy is not."

Letters to the Editor & Article Comments About Quality of Life in Times Square

3.23.16

New York Daily News - Improving Times Square for all

Manhattan: I applaud the City Council and the mayor's administration for taking action to resolve the topless panhandler situation in Times Square. We raised this issue last year, when our parade and the Puerto Rican flag were denigrated by desnudas . While we value freedom of speech and other hard-earned liberties, topless panhandlers are not emblematic of New York City, Times Square or any entertainment and family event that takes place there or nearby. Panhandling in this city is illegal — topless or not. We look forward to the City Council approving the proposed zoning law so this situation is fixed, and our Puerto Rican flag, parade and other landmark family events in Times Square and adjacent areas are not denigrated by nude, painted dancers soliciting money from unsuspecting tourists and local families.

2.29.16

Broadway World - Broadway Suburban Ticket Sales Decrease Over 5% Since Times Square Pedestrian Plazas Created

I met a few costume characters in Time Square more than once not by choice. Capt. America was asking me to meet him in my hotel room. I almost knocked him out. The Batman character had a dirty vulgar mouth with tourists if they turn him down for a picture and his stupid tip..

Ban the trash. Simple. It's a circus display that can go away..unneeded and very annoying. It's requires city council action. Ban them. The aggressive rude rap CD hawkers are really drug dealers for tourists. I'm sure the NYPD knows this already. Clean up Time Square. Lots of families with children seeing this go on. No one does anything about it.

New York Daily News - Enough already

When I was a teenager in the 1950s, I used to go to Times Square and see a live show and a movie at the Paramount Theatre for 50 cents. There was a strange character who walked around with a sign that read "The end is near." Now, I believe that the end is here! Where did all the loitering laws go? Times Square has progressed into pandemonium with beggars allowed to intimidate tourists, with nudes and other bums trying to sell phony tickets to the Empire State Building and the Statue of Liberty. The mayor must implement procedures to see that tourism keeps growing and isn't diminished. In other words, to hell with all the bums, beggars and thieves who seem to be protected only by the ACLU as they destroy the peace and tranquility of those who wish to enjoy the great stuff they came to the city to see.

10.21.15

New York Daily News - Too nippy out there

So, the cold weather will do what Mayor de Blasio and Bill Bratton were helpless to do: Drive the naked hustlers and their pimps out of Times Square. Funny that after the initial flurry of pronouncements and

condemnations, these two grew silent on the matter. While Mother Nature may be doing them a favor now, though, they'll be forced to deal with the problem again in a few short months' time, so they'd better start brainstorming now, 'cause the pimps, hustlers, groopers, scammers and the rest will be plotting their next moves, too. And say what you will about them, I think they have more ingenuity and street smarts on their bad days than de Blasio and Bratton have on their best days.

8.29.15

The New York Times: Letters re: 'Going Topless in Times Sq.: A Legal View' (front page, 8.21)

If Mayor Bill de Blasio thinks tearing up the public plaza of Times Square will drive the costumed characters away, he should look across the country to Hollywood Boulevard. There is no public square but there are dozens of aggressive, pushy costumed characters on the sidewalk jamming things up so badly that it has become nearly impossible to pass.

Hustlers exploiting tourists have been around a long time. Declare Times Square a public park, enforce the no panhandling rule, post clear signs discouraging tourists from giving money, and the problem will dissipate naturally. Tearing up one of the most wonderful improvements and turning Times Square back into a traffic-clogged mess is not the answer.

The New York Times: Letters re: 'Shirtless Bodies in Pointless War' (editorial, 8.22)

To the editor: I attended the High School of Performing Arts from 1956 to 1960 when it was in the Times Square area. I remember the seediness, the pornographic sex shops, the Xrated movie houses and the pimps standing in doorways. I applaud city officials for making the area safer and more tourist friendly.

Recently I attended a Broadway show in the Times Square area and was taken aback by the throngs milling around on the pedestrian plaza taking endless selfies with half-naked women. While I am not a prude and don't begrudge New York its tourist trade, it became an effort to get where I was going.

It seems the sexual incivility of the past has been replaced by a different sexual distraction, albeit less offensive. Some might argue that sex is a part of the Times Square mystique and that the women are legally within their rights (which they are), but isn't it possible for Times Square to still be the "crossroads of the world" without such distractions?

...

To the Editor: In your editorial, you mock the "overreaction" to the almost nude women who "pose for photos with tourists among the Elmos and SpiderMen."

Unfortunately, the innocence you portray doesn't match the reality. The supposedly harmless women bring "handlers" with them who take a cut of their profits and muscle tourists who object to their aggressive tactics. In the brief time I recently spent at a Times Square pedestrian plaza, I also saw a Spider-Man manhandle passing teenage girls, and a dazed tourist break away from a pack of costumed characters surrounding him, fuming that "they made me pay each of them \$20." Is this really how we want visitors to our city to be treated?

March 29, 2016

Tim Tompkins
Times Square Alliance
1560 Broadway
New York, NY 10036**Re: Int. 1109-2016**

Dear Tim:

As counsel to the Times Square Alliance (the “Alliance”), we provide this letter for the Alliance’s submission in support of Int. 1109-2016, a Local Law to amend the administrative code of the city of New York, in relation to pedestrian plazas (the “Proposed Law”). The “Roadmap for a 21st Century Times Square,” published by the Alliance in September 2015 (the “Roadmap”), proposed various Designated Activity Zones and Civic Zones for the Times Square area, as well as pedestrian traffic Flow Zones.

It is the Alliance’s hope that the Proposed Law will empower the Department of Transportation (the “DOT”) to enact regulations consistent with the proposals in the Roadmap. Specifically, the Alliance hopes that the DOT will promulgate rules similar to the Parks Department rules to the extent that they restrict the sale or offer to provide services, goods, or entertainment, including in exchange for a donation (*i.e.* tip). Entertainment would include all forms of entertainment, including but not limited to street performance, wearing a costume and body painting.

Although, in our view, the Proposed Law itself does not present any Constitutional issues, we submit this testimony to address the constitutionality of future regulations by the DOT pursuant to their new authority set forth in the bill. In particular, this letter addresses the “significant government interests” served by such potential future regulations.

A time/place/manner regulation of speech in a public forum is constitutional provided it is content-neutral, is narrowly tailored to serve a significant government interest and leaves open ample alternative channels for communication. *See Bery v. City of New York*, 97 F.3d 689 (2d Cir. 1996).

In *Reed v. Town of Gilbert*, 135 S. Ct. 2218 (2015), the Supreme Court’s plurality opinion held that when a law makes a distinction “based on the message a speaker conveys”—either because speech is defined by its “particular subject matter” or the speech’s “function or purpose”—it is content-based and therefore subject to strict scrutiny. The Court stated that earlier decisions’ discussion of the government’s content-neutral *justification* for a law were not

meant to suggest that a facially content-based law could be considered content neutral if the government had a “benign motive.”

Reed addressed a sign regulation, and made no reference to street vending or street performer regulations. We believe that, so long as a broad commercial activity regulation as suggested above does not distinguish between the “message” conveyed by different vendors or their medium, it should be considered content-neutral, even after *Reed*. The Second Circuit and other circuit courts have frequently held that regulations of vending are content-neutral -- although their rationale admittedly has sometimes rested primarily on the asserted justification for the law rather than an analysis of its facial terms. See, e.g., *Mastrovincenzo v. City of New York*, 435 F.3d 78, 98-100 (2d Cir. 2006) (noting that “[r]egulations that target only the potentially harmful secondary effects of speech are ... content-neutral”); *Lederman v. New York City Dep’t of Parks & Recreation*, 731 F.3d 199, 202 (2d Cir. 2013) (holding that parks vending regulations “apply to all expressive-matter vendors, regardless of the message the vendors’ wares convey,” and were content neutral); cf. *Bery*, 97 F.3d at 696-97 (holding that expressive matter vendors law in place at time was not content-neutral only because it distinguished between written and visual expression, but otherwise not suggesting that the vending law in general was content-based).

In many instances, courts also have held that regulations of vending are narrowly tailored to serve a variety of significant government interests, including maintaining aesthetics and promoting tourism,¹ coordinating multiple uses of finite public space,² and keeping the public streets and sidewalks free of congestion for the convenience and safety of pedestrians³ – all

¹ See, e.g., *One World One Family Now v. City of Miami Beach*, 175 F.3d 1282, 1284-85 (11th Cir. 1999) (upholding ban on street vending in downtown Miami Art Deco district, holding that “there is also no question that the city’s further interest in creating an aesthetic ambiance which will attract tourists to the historic Art Deco district—which it considers ‘the economic lifeblood of the city’—is a substantial government interest”); *One World One Family Now v. City and County of Honolulu*, 76 F.3d 1009, 1013-14 (9th Cir. 1996) (upholding ban on street vending in Waikiki, holding that “that “[c]ities have a substantial interest in protecting the aesthetic appearance of their communities by avoiding visual clutter,” and that “[w]ithout the ordinance, sidewalk vendors (commercial and charitable alike) would be free to peddle their wares on Kalakaua and Kuhio Avenues, undermining the city’s efforts to provide a pleasant strolling and shopping area”).

² See, e.g., *Berger v. City of Seattle*, 569 F.3d 1029, 1041-42 (9th Cir. 2009) (holding that a speech restriction “governing the use of a public open space can further a legitimate interest in the regulation of competing uses of that space,” and acknowledging the “the government’s interest in coordinating multiple uses of limited public space” were served by restriction on location of street performers); *Lederman*, 731 F.3d at 202-03 (holding that “ensuring that the parks are available to the public for a wide range of activities” was among the list of government interests that are “indisputably significant”).

³ See, e.g., *Mastrovincenzo*, 435 F.3d at 100 (“There can be no doubt that New York City’s avowed objectives in enforcing its licensing requirement, such as reducing sidewalk and street congestion in a city with eight million inhabitants, constitute ‘significant governmental interests.’”); *Bery*, 97 F.3d at 697 (“The City certainly has a significant interest in keeping its public spaces safe and free of congestion. ...”); *id.* at 698 (holding that distinction between written and visual expression could not stand was “not to

relevant here. Indeed, in *Lederman*, the city justified the vending regulations in part by the need to “ensur[e] that the parks are available to the public for a wide range of activities, including active and passive recreation, performances, demonstrations and the viewing of historical monuments and public art exhibits” (901 F. Supp. 2d 464, 475 (S.D.N.Y. 2012)), and the Second Circuit held that interest to be significant. 731 F.3d at 202-03. While some of the cases that have upheld maintaining aesthetics and promoting tourism as significant government interests arise in the context of parks, the Times Square Commons can easily be described as an urban park – one designed for both active and passive enjoyment.⁴

In the Times Square pedestrian plaza, the government interest served by the proposed regulation, stated most broadly, is in essence to coordinate an increasingly overwhelming variety of uses of a finite space that has particular economic significance for the City. As in *Lederman*, 731 F.3d at 202-03, the City has an interest in ensuring that the pedestrian plaza and surrounding sidewalks “are available to the public for a wide range of activities” in Times Square. Times Square is a unique, iconic place – a mecca for tourists and tremendous income generator for the City of New York – and is faced by unique and growing problems. The City is entitled to “creat[e] an aesthetic ambiance which will attract tourists.” *One World One Family Now*, 175 F.3d at 1284-85. The Times Square Alliance has submitted significant evidence that tourists, theater-goers and other New Yorkers are being turned off by the current state of commercial activity in Times Square. Even in Times Square, there is a certain tipping point at which commercial activity, which is often highly aggressive can become “discordant” and constitute “excessive commercialism” for the tourists snapping photos of Times Square, sitting in the plazas, gazing at the ads, or trying to frequent the Times Square stores, as well as the office

say that ... both visual and written expression may not be so restricted by regulations addressed to particular areas of the City where public congestion might create physical hazards and public chaos”). Courts have also recognized the heightened interest in addressing these problems in “certain congested areas of Manhattan, particularly the Times Square area—one of the most heavily traveled parts of the city.” *Wang v. City of New York*, 2008 WL 2600663, at *6-9 (S.D.N.Y. June 26, 2008) (upholding city’s street vending regulations against vague constitutional challenge from portrait artists).

⁴ Courts have frequently recognized the significance of these interests in the context of parks. See, e.g., *Ward v. Rock Against Racism*, 491 U.S. 781, 797 (1989) (“The city enjoys a substantial interest in ensuring the ability of its citizens to enjoy whatever benefits the city parks have to offer”); *Clark v. Cmty. for Creative Non-Violence*, 468 U.S. 288, 296 (1984) (“[The g]overnment[has a] substantial interest in maintaining the parks ... in an attractive and intact condition, readily available to the millions of people who wish to see and enjoy them by their presence.”); *Friends of the Vietnam Veterans Memorial v. Kennedy*, 116 F.3d 495, 497 (D.C. Cir. 1997) (noting that “the government’s asserted interests in reducing ‘discordant and excessive commercialism, as well as degraded aesthetic values’” justified a ban on T-Shirt sales on the National Mall) (emphasis added); *Boardley v. U.S. Dep’t of Interior*, 615 F.3d 508, 519-20 (D.C. Cir. 2010) (upholding vending ban in national parks, noting that plaintiff “would have little basis” to question the substantiality of National Park Service interests in “protecting the national parks’ natural and cultural resources; protecting park facilities and property from damage; ensuring that locations are not populated beyond their capacity; protecting visitors to the parks; avoiding interference with the parks’ activities and the operation of park facilities; and preserving peace and tranquility in the parks,” and upholding vending ban).

workers and other employees trying to get in and out of work. *Friends of the Vietnam Veterans Memorial*, 116 F.3d at 497. The creation of Designated Zones in the Times Square Commons allows those who wish to seek out commercial activity to do so, while allowing those who have no interest in vending to make other uses of the Times Square Commons without the interruption created by their overtures.⁵

Similarly, the pedestrian Flow Zones are designed to directly address the severe pedestrian congestion problems. Given the variety and sheer quantity of activity in Times Square, merely getting from point “A” to point “B” is often a frustrating and time-consuming endeavor. The Flow Zones would function, in essence, as streets, but for pedestrians, not vehicles. In other words, they would be reserved exclusively for pedestrian traffic, with no activity that would impede the flow of that traffic permitted. Courts have approved similar content-neutral plans to ensure the free passage of pedestrians. *See Ross v. Early*, 746 F.3d 546, 555 (4th Cir. 2014) (upholding policy restricting protestors to specific area outside venue where circus was being held as valid time, place, and manner regulation, in light of evidence that “the presence of protestors on the relevant sidewalks presents a plausible threat to the orderly flow of pedestrian traffic and, concomitantly, public safety”). *See also supra* n.3.⁶

For the reasons stated above, there is no constitutional reason why the Proposed Law should not be adopted. Likewise, the Department of Transportation should be able to adopt rules through CAPA that meet the constitutional concerns that courts have expressed regarding comparable municipal actions.

Sincerely,

DAVIS WRIGHT TREMAINE LLP



Linda Steinman

⁵ Whether the regulations ultimately are considered narrowly tailored with ample alternative channels for communication will depend in large part on the specific details of the rules, including the precise location and size of the zones where vending is permitted.

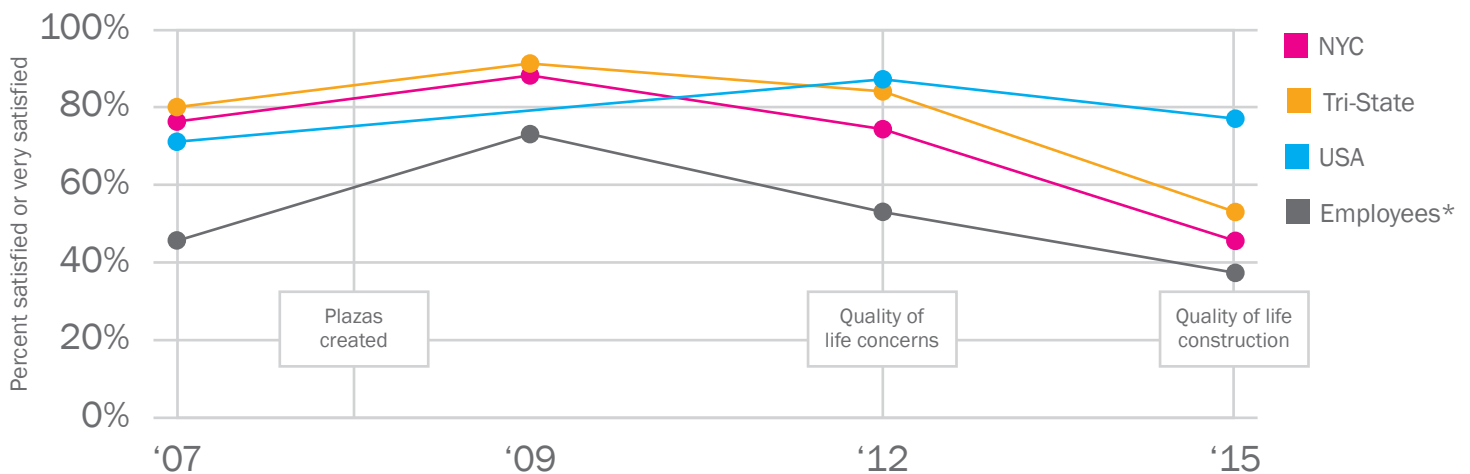
⁶ Although the U.S. Supreme Court has struck down “buffer zones” outside abortion clinics, the Court approvingly cited as a reasonable, more narrowly tailored alternative, a local ordinance providing that “[n]o person shall stand, or place any obstruction of any kind, upon any street, sidewalk or crosswalk in such a manner as to obstruct a free passage for travelers thereon.” *McCullen v. Coakley*, 134 S.Ct. 2518, 2538 (2014).

New Times Square Survey Results

November 2015

Overall Satisfaction with Times Square **Declines** as a Result of Quality of Life Concerns

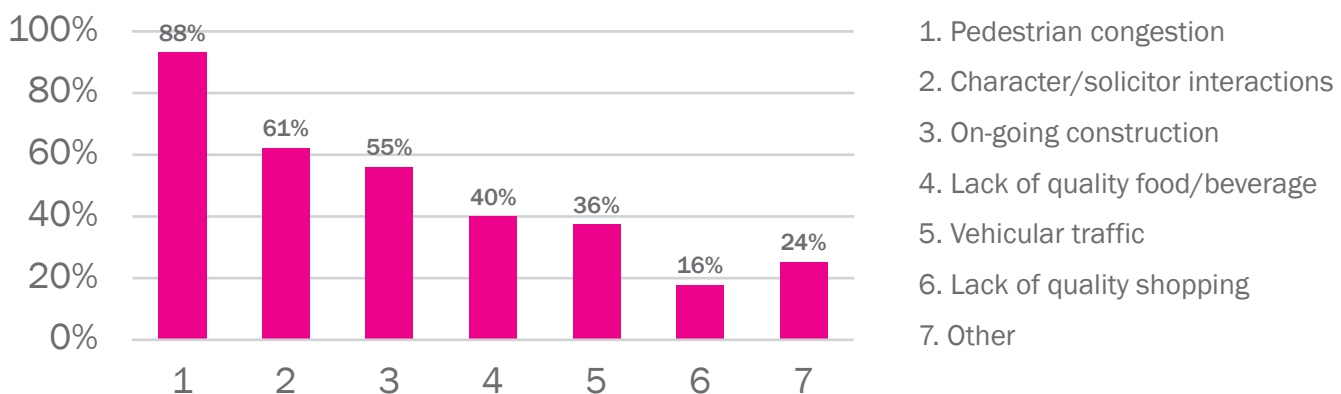
With the creation of the pedestrian plazas in 2009, satisfaction increased across the board. From 2009–2012, satisfaction declined as a result of perceived quality of life issues, mainly hawking and soliciting. The dramatic decline in satisfaction from 2012–2015 is the result of escalating quality of life issues with the addition of construction.



* Employees were asked to rate their satisfaction with Times Square as a place to work.

Although pedestrian counts remain at around 350,000 people per day, construction and soliciting have exacerbated the perception of congestion and chaos.

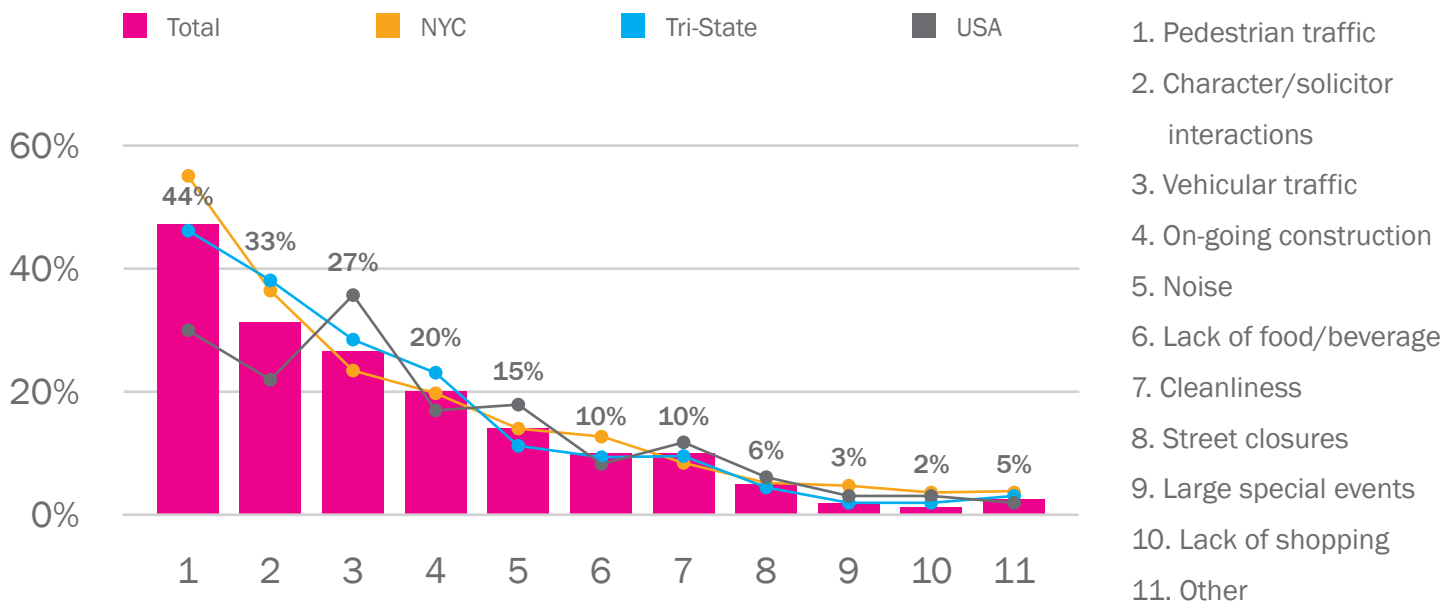
- **88%** of dissatisfied respondents cited pedestrian congestion as a source of dissatisfaction, with **93%** of those respondents also citing construction.
- **61%** of dissatisfied respondents also cited an unpleasant interaction with a costumed character or solicitor as the source of their dissatisfaction.



Methodology All data was collected from 1,145 intercept interviews conducted within the Times Square bowtie, as well as 1,867 online panel surveys sourced via a third party and 918 online Times Square Alliance constituent surveys. Survey was conducted by an independent research firm, Insight For All, during October 2015.

Pedestrian Traffic, Characters & Solicitors, and Vehicular Traffic Most Noted Drawbacks in Times Square

All respondents were asked to select the two biggest drawbacks to being in Times Square.

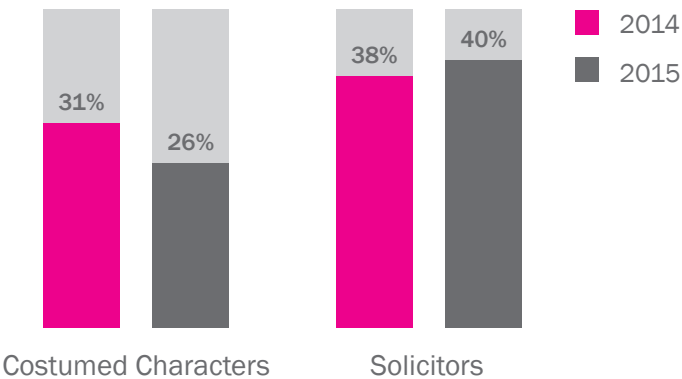


Related to the overall decline in satisfaction, a significant percentage of residents are looking to move out of district along with a significant percentage of employees who wish their company would locate elsewhere.

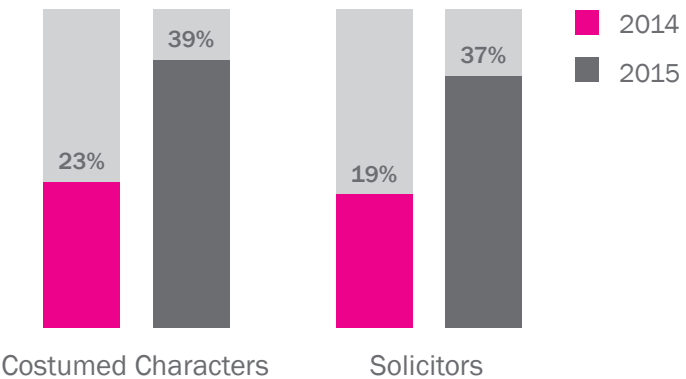
Frequency of Unpleasant Interactions with Characters and Solicitors Holds Steady, But Percentage Feeling Unsafe Doubles

The frequency of unpleasant interactions with characters and solicitors remains stable since 2014. However, the percentage of people who felt unsafe as a result of interacting with a costumed character or solicitor increased sharply.

Percent of respondents who experienced an unpleasant interaction



Percent of respondents feeling unsafe as a result of those interactions



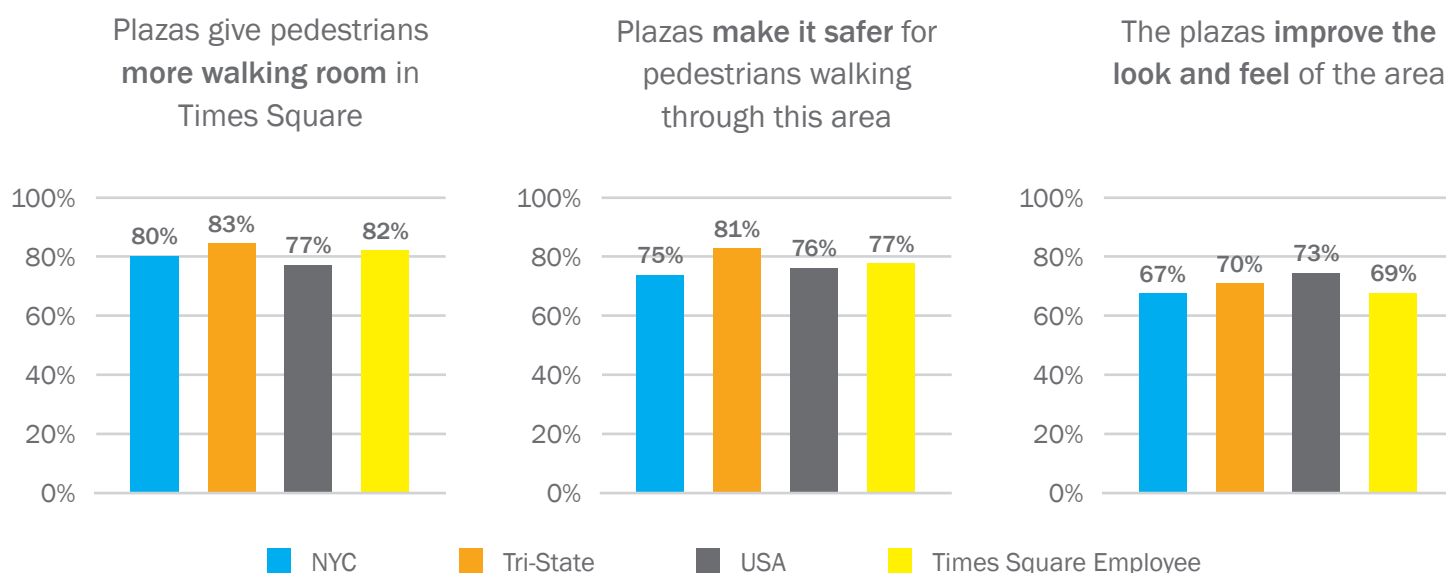
Despite Frustrations, 71-80% of Respondents Still View Plazas Positively

Below are the percentages of respondents who have a positive view of the Times Square plazas.

	2009	2012	2015
NYC	81%	71%	73%
Tri-State	81%	80%	75%
Rest of USA	NA	84%	80%
Employee	80%	81%	71%

Respondents: Plazas Enhance Space, Safety & Attractiveness

Below are the percentage of respondents who agree with the following statements:



Creating Designated Areas for Solicitors #1 Way to Improve Times Square, Followed By Public Art, Better Pop-up Offerings, Live Entertainment & Fewer Large Events

Times Square employees (61%) and NYC residents (51%) agreed that a designated area for characters and solicitors would improve the Times Square experience. Employees also selected public art exhibits (25%), merchandise & food markets (32%), live entertainment (24%), food & beverage kiosks (26%), and limiting the frequency of large events (18%) were also options selected by employees and NYC residents.

New Yorkers Overwhelming Favor Regulatory Reform Requiring Costumed Characters & Solicitors to Stand in Designated Areas

Respondents were asked the following:

“Imagine that NYC were to put an ordinance related to Times Square up to vote... [it] would lay out a plan for new policies, regulations, and guidelines for Times Square and its visitors:

- Create designated areas that would specify exactly where costumed characters and solicitors could engage customers
- Require costumed characters and solicitors to register with NYC and obtain permits
- Create designated flow lanes to enable pedestrians to walk quickly and without obstructions

In the event this ordinance were put to vote, how would you side?”

% who said “yes”





INSIGHT FOR ALL

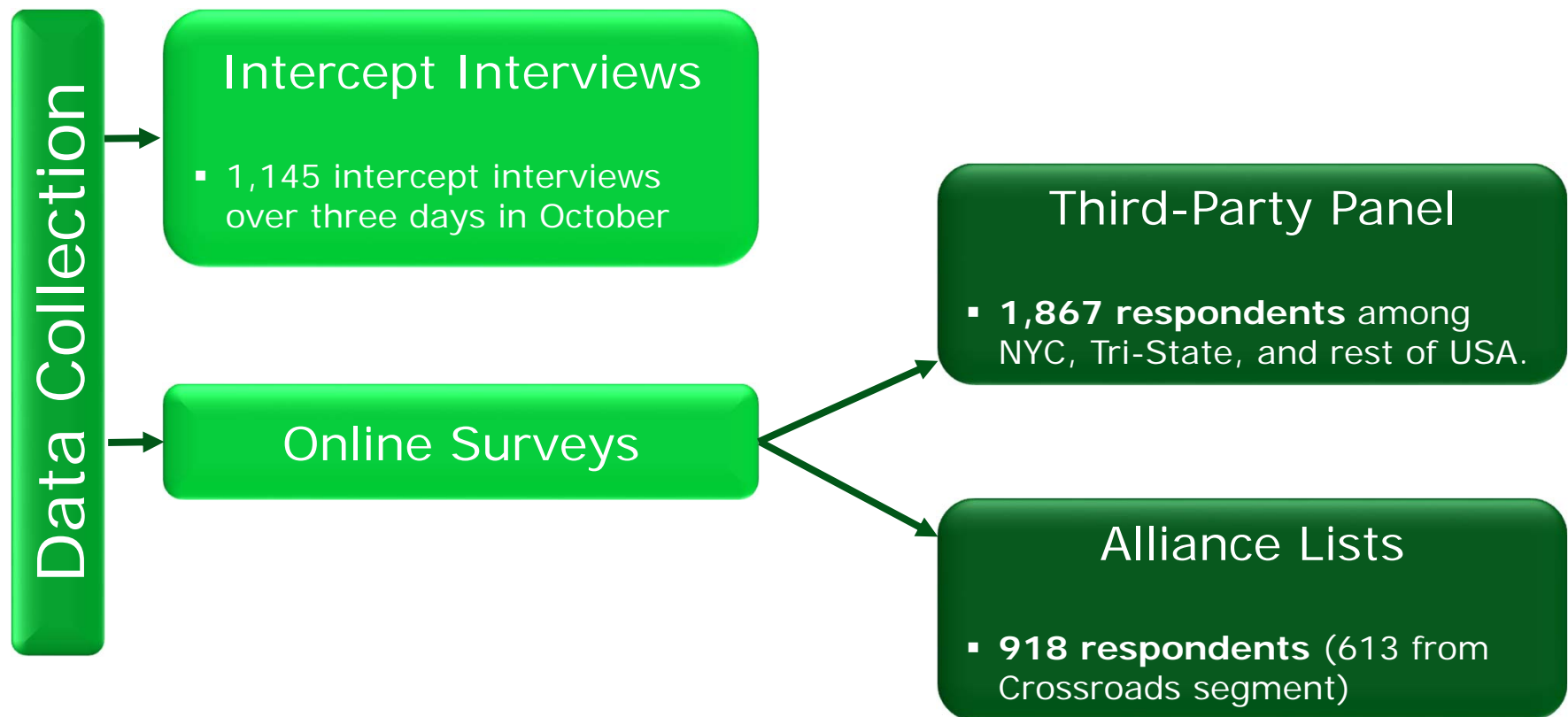


**Times Square Alliance Board Presentation
Research Results
November 12, 2015**

Study Background

INSIGHT FOR ALL

Latest iteration in a series of studies aimed at assessing the **attitudes**, **opinions**, and **behaviors** of people with regard to **Times Square, NYC**.

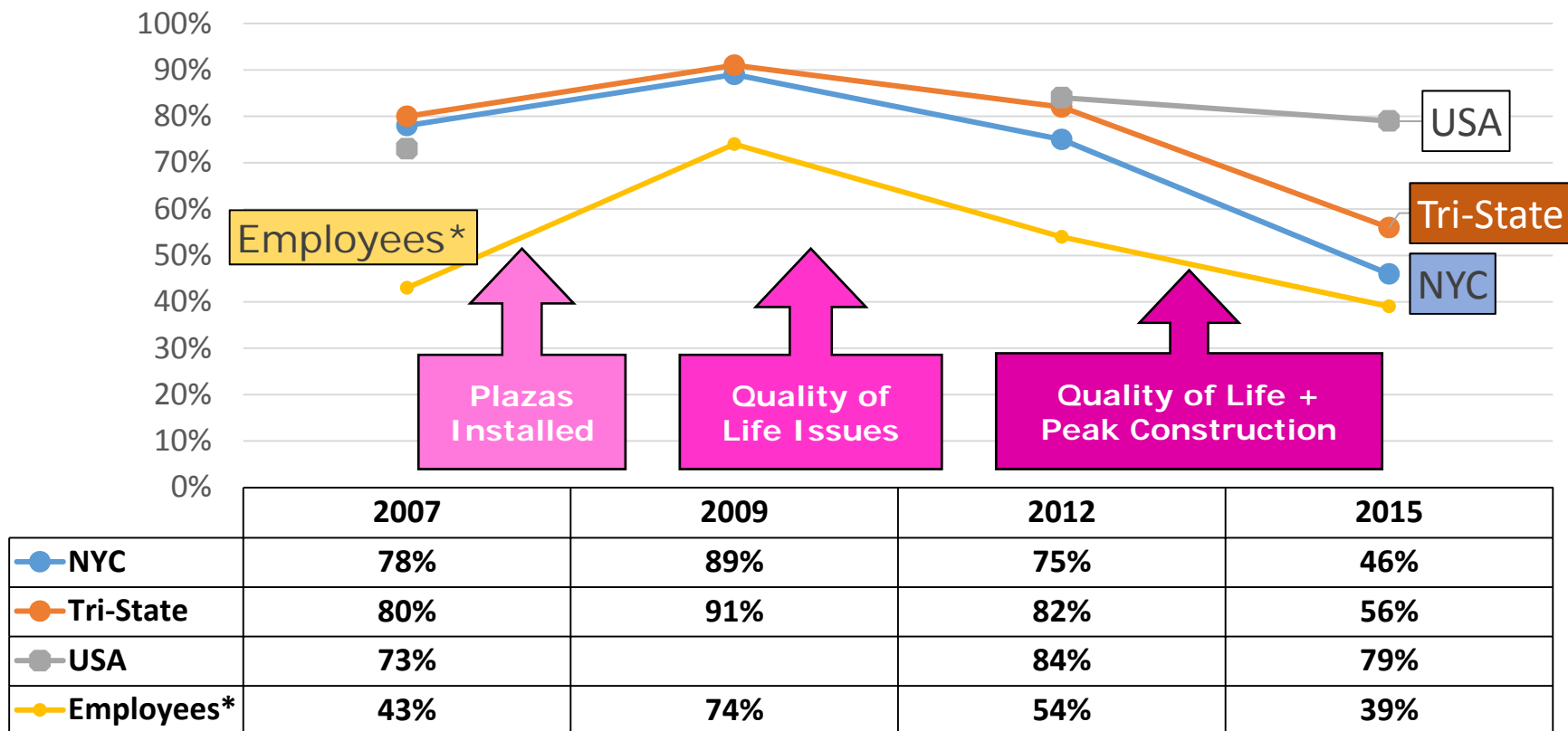


Quality of life + construction = big dip in satisfaction.

INSIGHT FOR ALL

After an uptick post-plazas, satisfaction declines dramatically.

% Very Satisfied + Somewhat Satisfied



* Employees as about satisfaction with Times Square as a "place to work".
Source: Times Square Alliance records, 2015 research.

Safety and cleanliness scores are fairly strong but have declined since 2012.

INSIGHT FOR ALL

	Cleanliness			Safety	
	2012	2015		2012	2015
NYC	71%	60%		84%	67%
Tri-state	78%	62%		87%	80%
Rest of USA	70%	69%		84%	78%
Employee	68%	52%		90%	75%

* % Excellent/Good



Q. How would you rate Times Square on cleanliness?
Q. How would you rate Times Square on safety?

Changing Attitudes about Times Square Over Time.

INSIGHT FOR ALL

Times Square has improved dramatically over the past 10 years.

	2007	2012	2015
NYC	88%	74%	63%
Employee	69%	74%	63%



Data reflect "% Agree".

Construction exacerbates the sensitivity to congestion. Characters and solicitors play a significant role in dissatisfaction as well.

INSIGHT FOR ALL

In fact, pedestrian counts remain at around 350k/day, consistent with prior years. **Perception** of congestion has increased.



88% of dissatisfied cite
Pedestrian Congestion

Of these 88%:

93% cite
Ongoing Construction



61% of dissatisfied cite
**Unpleasant Interaction w/
Character and/or Solicitor**



Q. Please select any options below that explain your dissatisfaction with Times Square. You may select all that apply.

Greatest drawbacks of being in TS: traffic/congestion & characters/solicitors.

INSIGHT FOR ALL

- Most frequently cited drawbacks of being in Times Square:
 - Too much **Pedestrian traffic** (44%)
 - **Costumed Characters** and **Solicitors** (33%)
 - **Vehicular Traffic** (e.g. taxis, tour buses) (27%)
 - Much more of a drawback to tri-state (28%) and tourists (35%) than to employees (15%).
 - Too much on-going **Construction** (20%)
- Relatively, large events and street closures scored lower.
- Lack of quality food/beverage options more significant to locals and employees.



Q. What do you believe to be the greatest drawback(s) of being in Times Square? You may select up to two (2) choices.

Frequency of incidents remain stable, but escalating feelings of being unsafe.

INSIGHT FOR ALL

Experienced Unpleasant Interaction With...

	Apr-14	Oct-15
Character	31%	26%
Solicitor	38%	40%

Feel Unsafe When Interacting



Apr. 2014
23%

Oct. 2015
39%



Apr. 2014
19%

Oct. 2015
37%



Q. In the past year, have you had an unpleasant interaction with a costumed character/someone soliciting you in Times Square?

Q. Overall, how would you describe your sense of safety when interacting with characters/solicitors in Times Square?

Times Square = NYC?

INSIGHT FOR ALL

Some positive trends, but recent slippage.

*I wish they would put some of the
"New York" back into Times Square.*

	2007	2012	2015
NYC	67%	53%	60%
Tri-state	64%	41%	52%
Rest of USA	56%	43%	48%
Employee	83%	60%	57%



Data reflect "% Agree".

What Words Best Describe Times Square?

INSIGHT FOR ALL

	NYC			Employees		
	2007	2012	2015	2007	2012	2015
Diverse	41%	45%	45%	23%	34%	51%
Unique	39%	28%	35%	14%	25%	30%
Creative	25%	21%	21%	7%	12%	13%



Q. Thinking about the last time you were in Times Square, which if any of the following words best describe Times Square?

Positive Opinions of Pedestrian Plazas.

	2009	2012	2015
NYC	81%	71%	73%
Tri-state	81%	80%	75%
Rest of USA	n/a	84%	80%
Employee	80%	81%	71%

* Data reflects percentage who agree



Q. As you may know, the Broadway pedestrian plazas were created in Times Square in 2009 when the road was closed permanently to automobile traffic. These plazas are located on Broadway from 42nd to 47th streets. What is your opinion of these pedestrian plazas? ("Don't Know" omitted.)

Which Additions Would Improve the Times Square Experience?

INSIGHT FOR ALL

	NYC	Employee
Designated area for characters & solicitors	51%	61%
Public Art Exhibits	29%	25%
Merchandise/Food Market	28%	32%
Live Entertainment	27%	24%
Food/Beverage Kiosks	25%	26%
Limiting frequency of large events	20%	18%
Poetry/Literature Readings	10%	7%
Other	14%	20%



Q. Which of the following additions would improve your experience in Times Square? You may select all that apply.

In their own words... respondents' verbatim comments on drawbacks and improvements.

INSIGHT FOR ALL

Suggested Improvements

"Completely eliminating or requiring licenses and limiting the costumed characters and other solicitors."

- Times Square Employee

"A slow and fast lane for people to walk."

- NYC Resident

"Some way to make it easier to navigate the streets."

- NYC Resident

"More restaurants that are not chains and not too expensive."

- Times Square Employee

"Complete the construction already."

- Tri-State Resident


"Restaurants, cafés, winebars with outdoor seating, more planters with trees."

- Tri-State Resident

"More events like the yoga for summer solstice."

- NYC Resident

New Yorkers Want Change.



Yes	77%
No	8%
Not Sure	15%

Imagine that NYC were to put an ordinance related to Times Square up to vote... (it) would lay out a plan for new policies, regulations, and guidelines for TS and its visitors:

- Create **designated areas** that would specify exactly where **costumed characters and solicitors** could engage customers
- Require costumed characters and solicitors to **register with NYC** and obtain permits
- Create **designated flow lanes** to enable pedestrians to walk quickly and without obstructions

In the event this ordinance were put to vote, how would you side?

COMPARISON OF DENSITY OF TIMES SQUARE DISTRICT WITH OTHER MAJOR MANHATTAN BUSINESS DISTRICTS

	TSQ	Downtown	34th St	Grand Central
Area (mi2)	.19 ¹	1.0 ²		0.27 ³
Block Faces	123 ⁴	450 ⁵	108 ⁶	242 ⁷
Size (relative to TsQ)	n/a	3.95 ⁸	0.88 ⁹	1.97 ¹⁰
Commercial Office (SF)	29 Million ¹¹	88.7 Million ¹²	49.5 Million ¹³	70 Million ¹⁴
Total Employees	170,000 ¹⁵	318,180 ¹⁶	198,000 ¹⁷	278,554 ¹⁸
Total commercial tenants	1,242 ¹⁹	8,891 ²⁰		6,860 ²¹
Total residents	6,600 ²²	62,000 ²³	16,376 ²⁴	19,766 ²⁵
Total visitors (annual)	50 Million ²⁶	9.6 Million ²⁷		
Average Weekday MTA Transit Ridership (2013)* <i>*Composite of several stations</i>	345,548 ²⁸	334,292 ²⁹	296,276 ³⁰	218,087 ³¹
Other Transit ridership	225,000 (Port Authority Bus Terminal) ³²	72,824 (SI Ferry) + 33,367 (PATH) + 161,300 (DT Cnxion) = 267,491 ³³	162,362 (NJT) + 230,000 (LIRR) + 27,100 (AMTRAK)+ 35,611(PATH)= 455,073 ³⁴	281,331 (Metro North + Amtrak) ³⁵
Highest volume pedestrian count (full day)	242,714 (Duffy Square, 10/18/14) ³⁶	39,416 (Church south of Fulton) ³⁷		56,105 (5 th Avenue at 46 th Street) ³⁸
Highest volume pedestrian count (peak hour)	23,315 (Duffy Square, 8/6/13) 6pm ³⁹		17,004 (West 34 and 7 th avenue) ⁴⁰	4,600 ⁴¹
Hotel rooms	17,930 ⁴²	4,092 ⁴³	3,514 ⁴⁴	5,436 ⁴⁵
Total storefronts	581 ⁴⁶	979 (stores + food) ⁴⁷	541 ⁴⁸	917 ⁴⁹
Restaurants	286 ⁵⁰	979 (stores + food) ⁵¹	177 ⁵²	352 ⁵³
Entertainment Venues and Theaters	59 ⁵⁴	3 ⁵⁵	2 ⁵⁶	0 ⁵⁷
Event Capacities /Entertainment Seats	71,029 ⁵⁸	700 ⁵⁹	20,400 ⁶⁰	n/a
SAPO Permits (2013, core area)	163 ⁶¹		25 ⁶²	
SAPO Permits (2013, entire district)	307 ⁶³	370 ⁶⁴	25 ⁶⁵	

Sources:

-
- ¹ Economic Impact of Times Square, HR&A, 2011
 - ² Jarrod Grim, Downtown Alliance, 2015
 - ³ Via Ryan Pukos at the Grand Central Partnership
 - ⁴ SBS BID report
 - ⁵ *ibid.*
 - ⁶ *ibid.*
 - ⁷ *ibid.*
 - ⁸ Based upon block faces
 - ⁹ *ibid.*
 - ¹⁰ *ibid.*
 - ¹¹ Economic Impact of Times Square, HR&A, 2011
 - ¹² Downtown Alliance Website, Lower Manhattan Indicators, Q4 2014
 - ¹³ 34th Street Partnership, 2007 (latest available)
 - ¹⁴ Ryan Pukos at Grand Central Partnership via East Midtown Rezoning Report
 - ¹⁵ Economic Impact of Times Square, HR&A, 2011
 - ¹⁶ Downtown Alliance Website, Lower Manhattan Indicators, Q4 2014
 - ¹⁷ 34th Street Partnership, 2007 (latest available)
 - ¹⁸ Ryan Pukos at Grand Central Partnership via onthemap Census data
 - ¹⁹ Salesforce
 - ²⁰ Downtown Alliance Website, Lower Manhattan Indicators, Q2 2014 – Broadly referred to as “businesses”
 - ²¹ Ryan Pukos at Grand Central Partnership
 - ²² Economic Impact of Times Square, HR&A, 2011
 - ²³ Downtown Alliance Website, Lower Manhattan Indicators, Q4 2014
 - ²⁴ This is the one figure I can’t find a paper trail for. Working on it.
 - ²⁵ Ryan Pukos at Grand Central Partnership via onthemap Census data
 - ²⁶ Press figure
 - ²⁷ Downtown Alliance website, Lower Manhattan Fact Sheet
 - ²⁸ MTA
 - ²⁹ *ibid.*
 - ³⁰ *ibid.*
 - ³¹ *ibid.*
 - ³² Press release from PANYNJ, 6/27/13
 - ³³ Via Jarrod Grim at Downtown Alliance
 - ³⁴ Via transit data released by the various agencies, 2013
 - ³⁵ Via Ryan Pukos at Grand Central Partnership
 - ³⁶ Springboard
 - ³⁷ Via Downtown Alliance
 - ³⁸ Via Ryan Pukos, Grand Central Partnership

³⁹ Springboard
⁴⁰ Via 34th St Partnership's June 2014 pedestrian counts
⁴¹ Via Grand Central Partnership
⁴² STR
⁴³ Jarrod Grim at Downtown Alliance
⁴⁴ Via 34th St Partnership, document last updated in 2013
⁴⁵ Ryan Pukos, Grand Central Partnership
⁴⁶ Salesforce
⁴⁷ Via Downtown Alliance
⁴⁸ Via 34th Street Partnership; Inclusive of restaurants/food service
⁴⁹ Via Grand Central Partnership
⁵⁰ Salesforce
⁵¹ Via Downtown Alliance
⁵² Via 34th street Partnership
⁵³ Inclusive of all food service establishments. Via Ryan Pukos at Grand Central Partnership.
⁵⁴ Via Salesforce and district map
⁵⁵ Via Grand Central Partnerships
⁵⁶ Madison Square Garden + Hammerstein Ballroom, via 34th St Partnership
⁵⁷ Via Ryan Pukos at Grand Central Partnership
⁵⁸ Tallied by RZ via Salesforce, Broadway League and business contacts
⁵⁹ Battery Park City + Schimmel Center for the Arts, via Jarrod Grim at Downtown Alliance
⁶⁰ Madison Square Garden + Hammerstein Ballroom capacities, via 34th St Partnership
⁶¹ Tallied by RZ via SAPO
⁶² This seems VERY low, but was provided by Claire at 34th Street Partnership
⁶³ Tallied by RZ via SAPO
⁶⁴ *ibid.*
⁶⁵ *ibid.*

Times Square Signage Market Research Results



Executive Summary

A recent survey of almost 2,000 people in Times Square:

- Explains why Times Square is such a distinctive and extraordinarily effective advertising environment, producing remarkable positive associations with advertising
- Identifies behaviors which suggest that advertising metrics, which historically have focused only on counting vehicular traffic next to roadside signs, underestimate the impact of advertising in new pedestrian-oriented urban spaces like Times Square

Executive Summary

In Times Square, the advertisements are the attraction; people come here to look at them

- 83% of respondents reported that “signs and advertisements add to the appeal of Times Square”; the attributes characteristic of the signs are attributes of Times Square:
 - **Some of the most frequently cited attributes: *colorful, exciting, vibrant***
 - **Strong agreement with these statements:**
 - *Being in Times Square is exciting*
 - *Times Square is the most recognizable part of New York City*
- 60% said they spent more than 5 minutes gazing at the signs
- 46% said they took photographs
- 95% of visitors and 86% of locals feel good about the signs, saying that they help make Times Square energetic

Executive Summary

Remarkably, advertisement are perceived as adding nearly as much appeal to Times Square as Broadway shows:

- While 87% of visitors claimed shows/theater add a lot and are vital to Times Square's appeal, 83% reported signs/advertisement are also vital and add to Times Square's appeal

Executive Summary

Visitors to Times Square proactively absorb the environment around them – they are not in a rush to go anywhere

- 74% of respondents said Times Square is the main or one of several destinations, as opposed to just passing through
- Top two activities in Times Square were “taking pictures” and “people-watching”

Executive Summary

Social sharing behaviors extend the reach of advertising and impressions generated in Times Square

- 57% of respondents in Times Square shared their experience or thoughts through at least one social media outlet (as measured onsite)
- 47% of those continued to share on social media after their visit

Executive Summary

Times Square creates powerful impressions, memories and associations

- 60% of respondents say “I am more likely to consider buying a product or service from a brand that advertises in Times Square”
- 72% of respondents say only the best brands advertise in Times Square
- 90% of respondents recalled seeing Times Square featured in a media outlet over the past 6 months

Executive Summary

The demographic composition of the Times Square audience is educated, young and local

- 59% had a Bachelor's degree or higher
- 58% of respondents were under the age of 35
- 57% had a household income of \$59,000 or higher
- 56% of respondents were local; 44% were from out of area

Background/Methodology

- Times Square Alliance, the Times Square Advertising Coalition, and other stakeholders commissioned a research project intended on examining:
 - The profile of people who pass through Times Square
 - Engagement with advertising in Times Square
 - The unique associations that Times Square offers to advertisers and businesses
- The research project consisted of two phases
 - i. Onsite surveying in Times Square
 - Total of 1,967 completed surveys
 - ii. Online follow-up surveys with onsite respondents
 - Total of 310 completed follow-up surveys

Onsite Response

Date and Time	Responses
Tues. Oct 29, 3:30PM – 6:30 PM	196
Tues. Oct 29, 8:00PM – 11:00PM	160
Wed. Oct 30, 8:00AM – 11:00AM	178
Wed. Oct 30, 12:00PM – 3:00PM	253
Sat. Nov 2, 3:30PM – 6:30PM	319
Sat. Nov 2, 8:00PM – 11:00PM	351
Wed. Nov 6, 11:30AM – 2:30PM	325
Wed. Nov 6, 3:30PM – 6:30PM	185

Time of Day	Responses
Before 3 PM	756
3:30 PM to 6:30 PM	700
After 8 PM	511

Location of Interview

Location	Responses
1	416
2	492
3	416
4	265
5	378

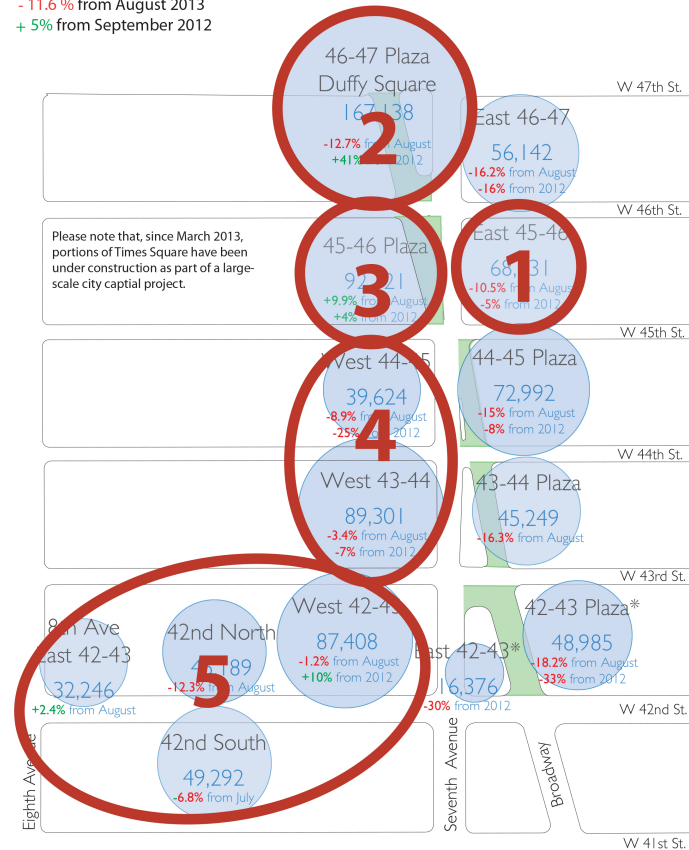
PEDESTRIAN COUNTS September 2013

AVERAGE 24-HOUR COUNTS

373,169 daily visitors

- 11.6 % from August 2013

+ 5% from September 2012



*Due to ongoing Bowtie construction, the counts at these locations may be lower than average

Source: Springboard Customer Counting LLC

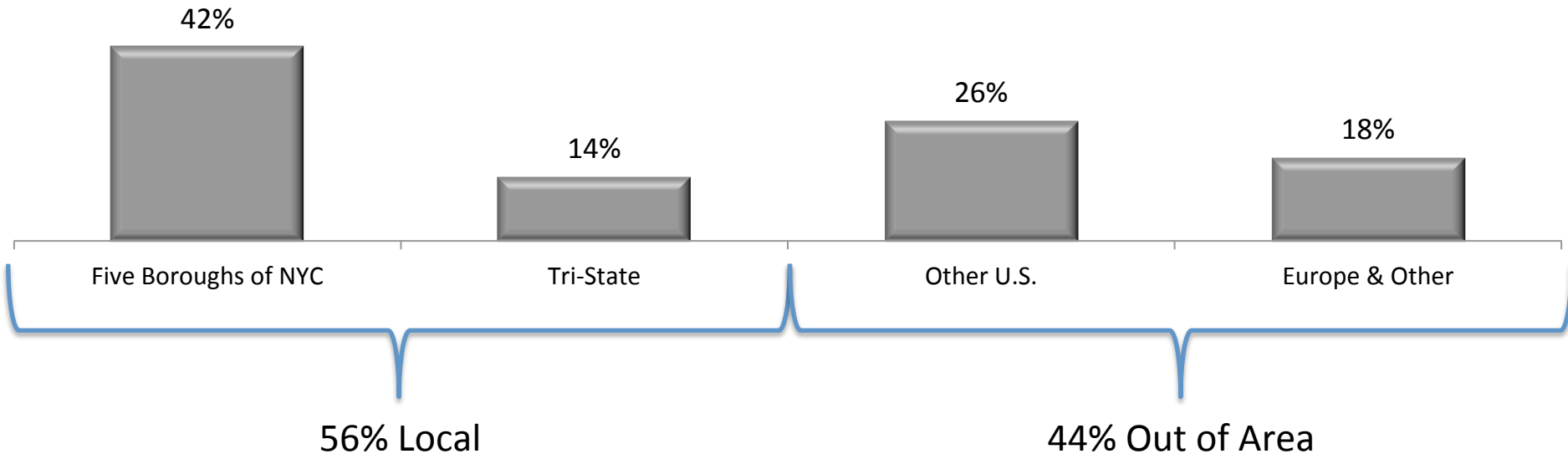


Composition of Times Square Visitors

Where are Visitors Travelling From?

- Respondents travelling through Times Square visited from all over the world
 - Just over half were from outside of NYC

Respondents Current Residence



Demographics

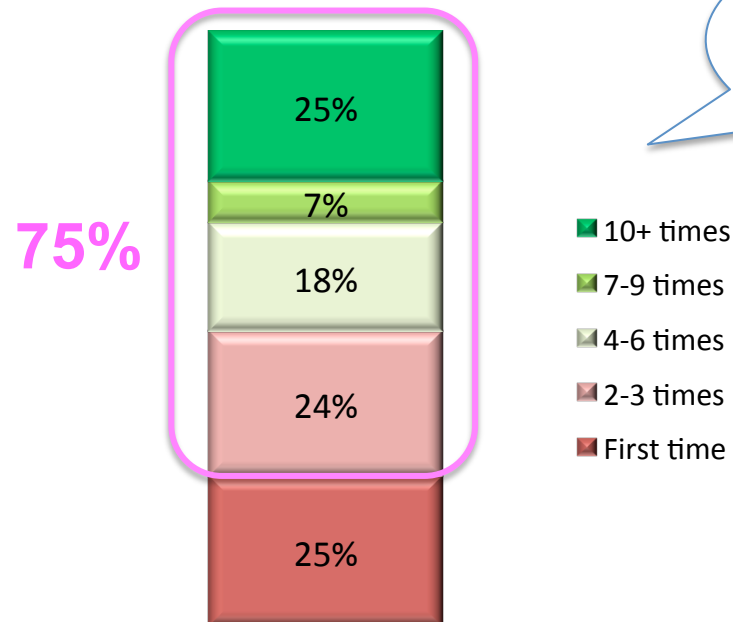
- Respondents from outside the local area tend to have higher household income and education compared to locals
 - Imbalance in gender and age potentially due to willingness to take surveys; extrapolation not recommended

% described / <i>Estimated Median</i>	Overall
Gender (% Male)	41%
Age (% > 35 yrs. old)	42% 32
Education (% College degree or higher)	59% <i>Bachelor's Degree</i>
Average HHI (% > \$50,000)	57% \$59K
Children Under 18 yrs. old*	36% 2 kids

Reason for Visiting – Out Of Area

- The vast majority of out-of-area visitors were in the area for leisure activity
- 75% of the out-of-area visitors have been to Times Square before

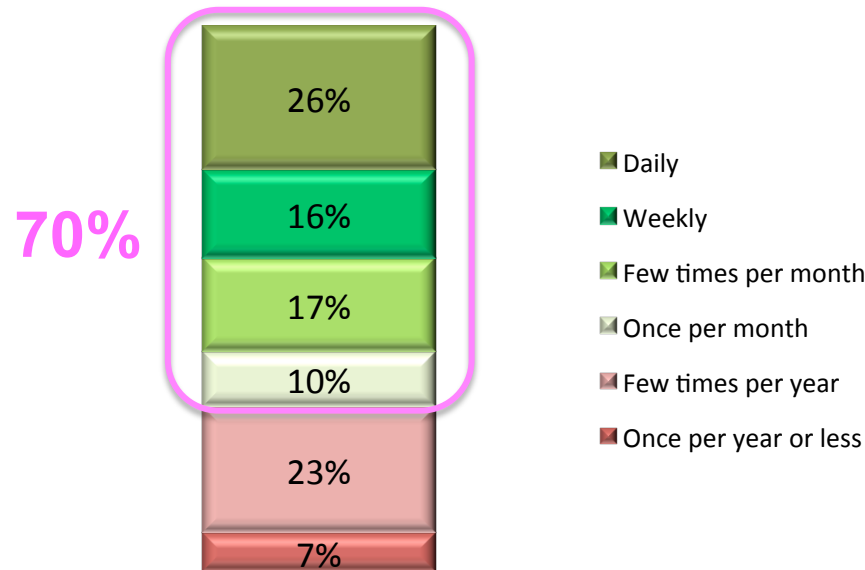
Times Visited Times Square



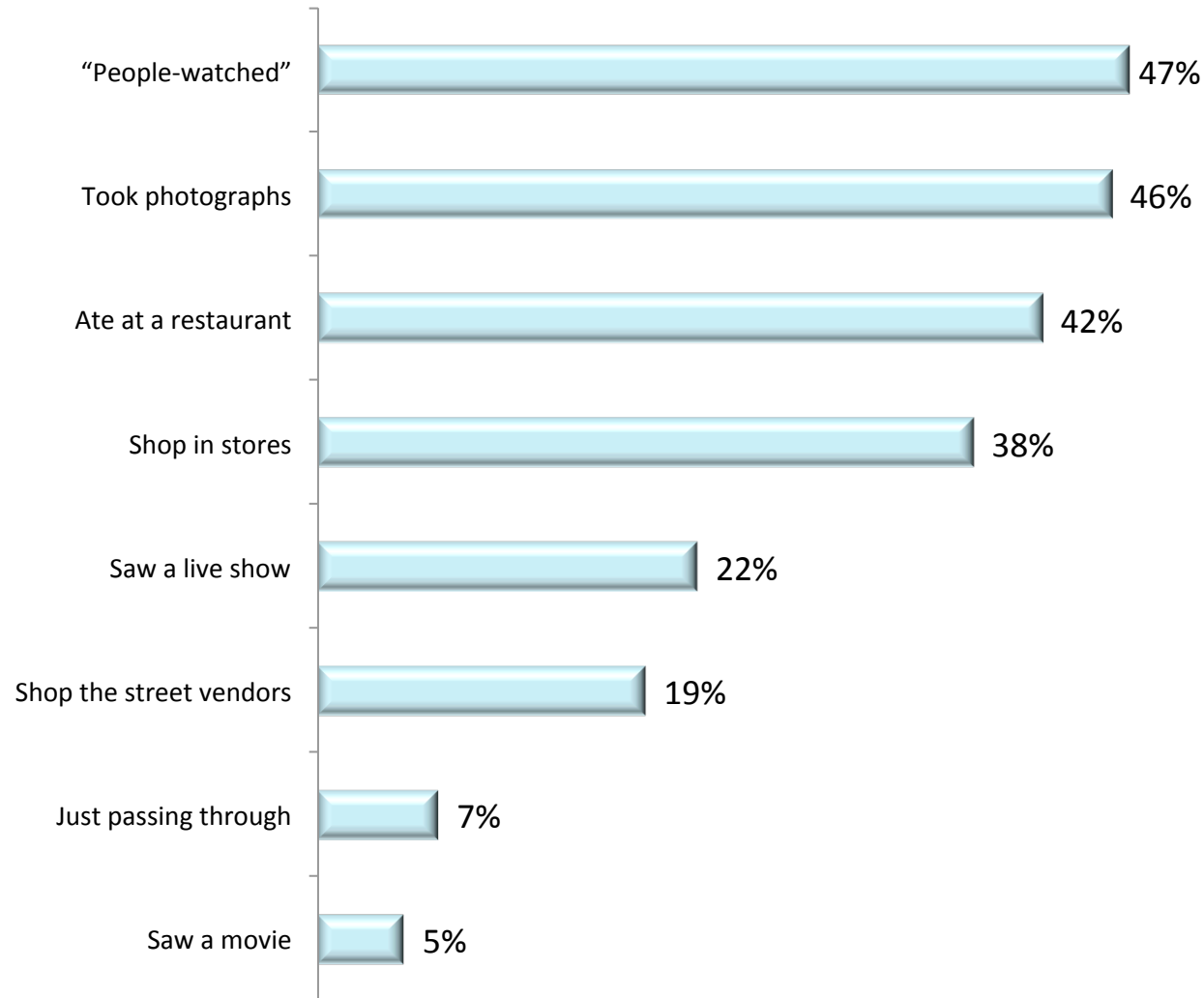
Reason for Visiting – Locals

- Local respondents 5x more likely to be visiting Times Square for business reasons
 - BUT – majority of locals still visit for leisure
- Local respondents generally visit Times Square at least once per month

Frequency of Times Square Visits



Times Square Activities- Overall

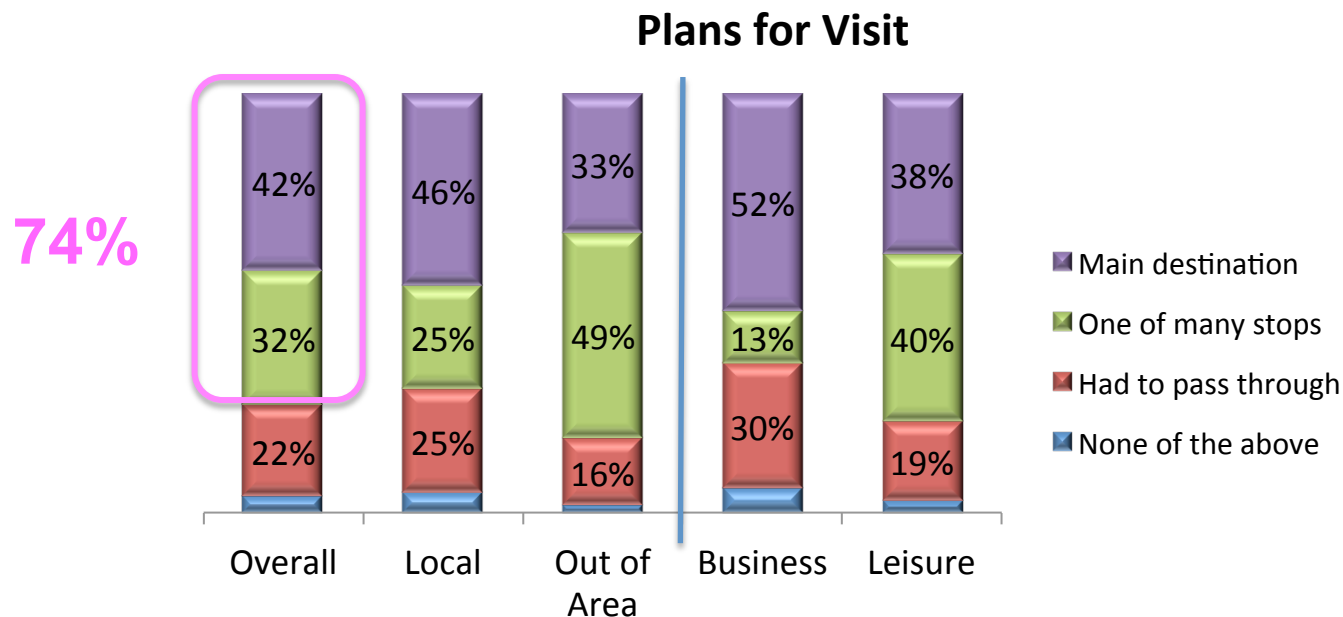




Unique Positive Associations With Times Square

Times Square Visit Details

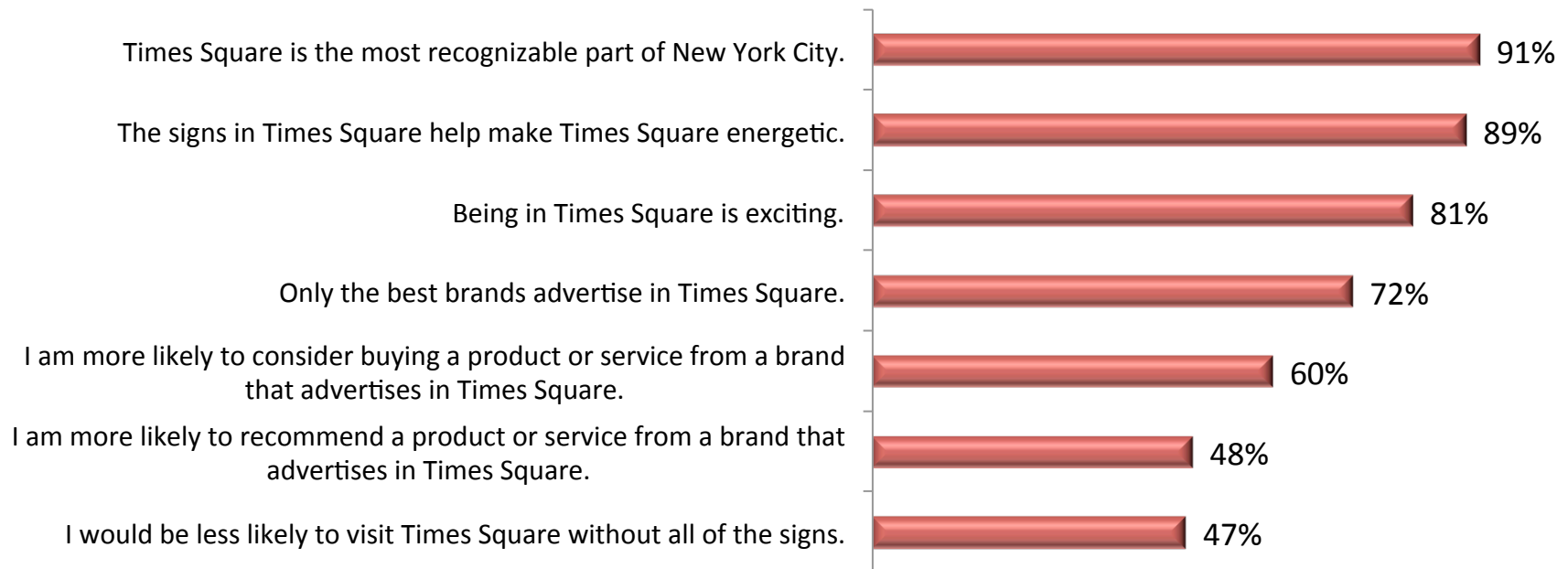
- Regardless of why people were in the neighborhood, Times Square was either a main destination or one of many stops
 - i.e. Most people there by choice and interest
 - 74% of visitors view Times Square as a destination in NYC



Perceptions of Times Square- Overall

- People's perception of Times Square is mostly positive, with a large emphasis on the excitement and energy of the area.

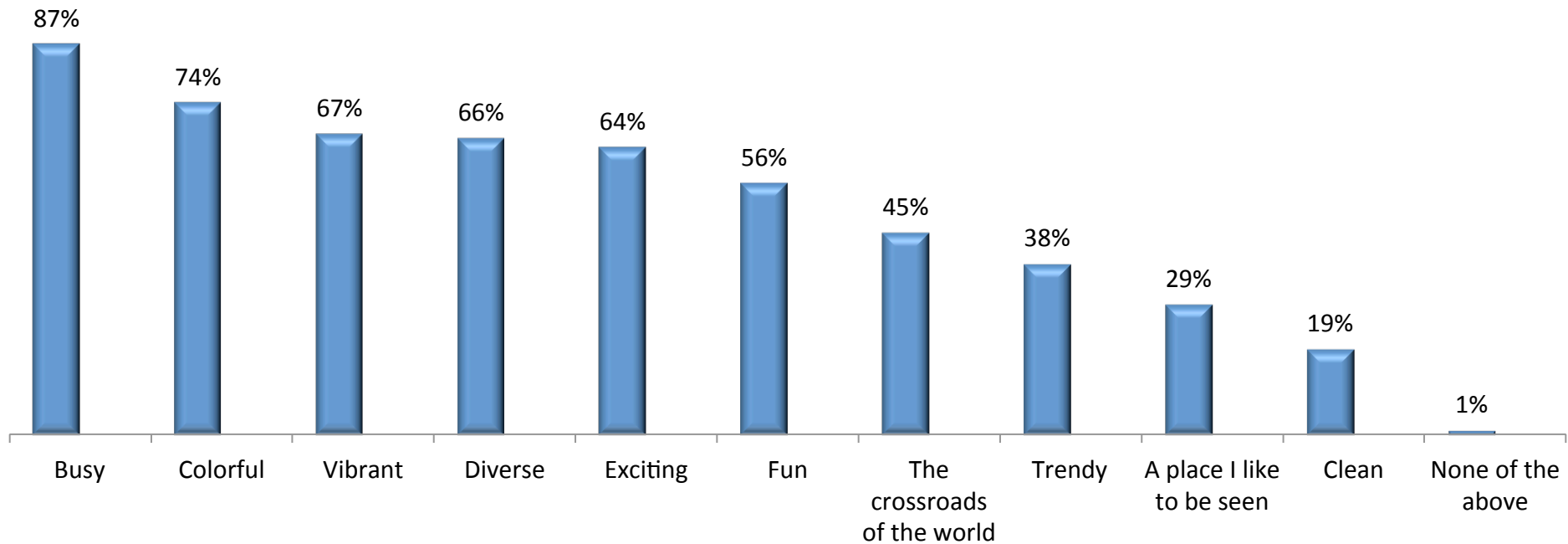
% Agree – Top 3 Box Score



Scale: 1 – Completely disagree to 6 – Completely agree

Times Square Attributes- Overall

Attributes



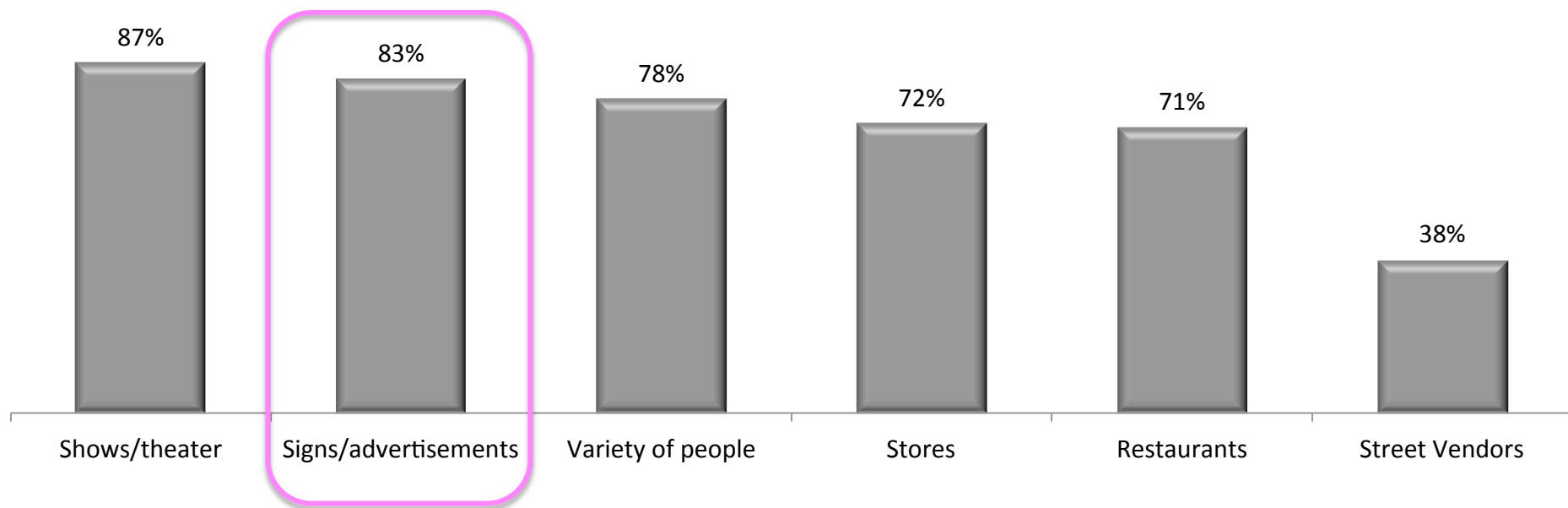


Times Square Advertising Metrics

Billboards & Effect on Appeal

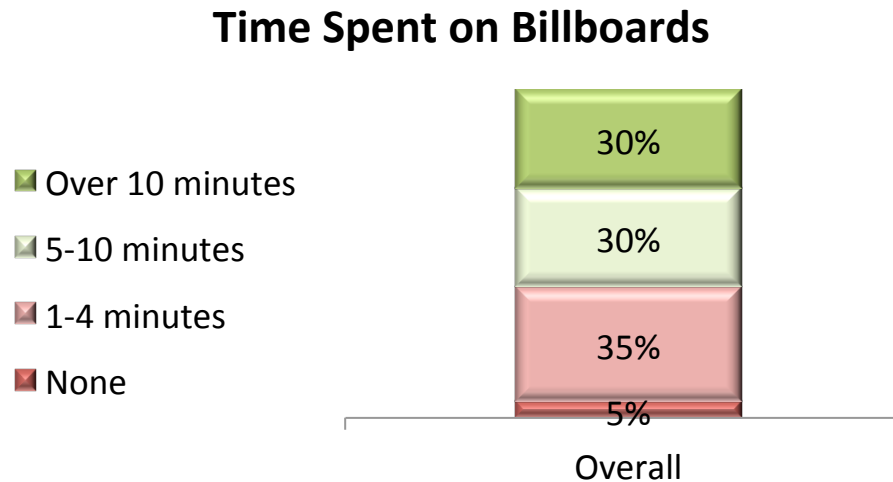
- Anyone who suggests that Times Square signs/billboards detract from the aura of Times Square – they are incorrect

Appeal of Times Square Elements – Top 2 Box Score



Time Spent on Billboards

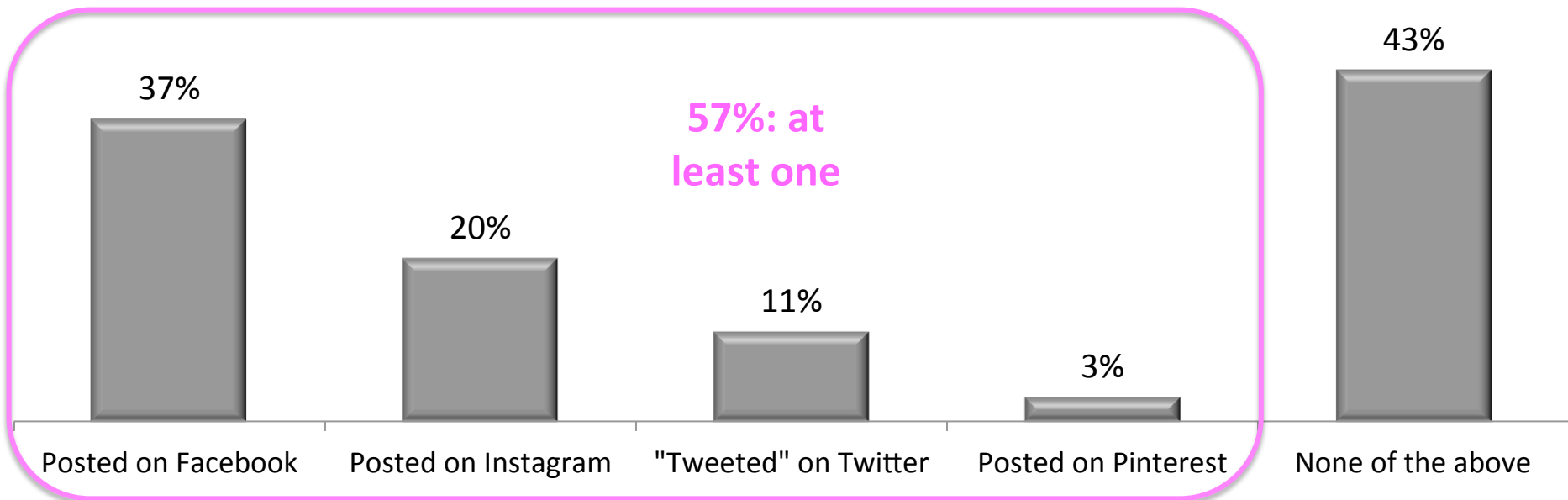
- The overwhelming majority of respondents are looking at signs – and while doing so, they are remembering brands



Social Media Sharing Behaviors

- Times Square ads are gaining incremental impressions due to visitors sharing pictures, etc.
 - **57%** of respondents shared their experience or thoughts through at least one social media outlet (as measured onsite)

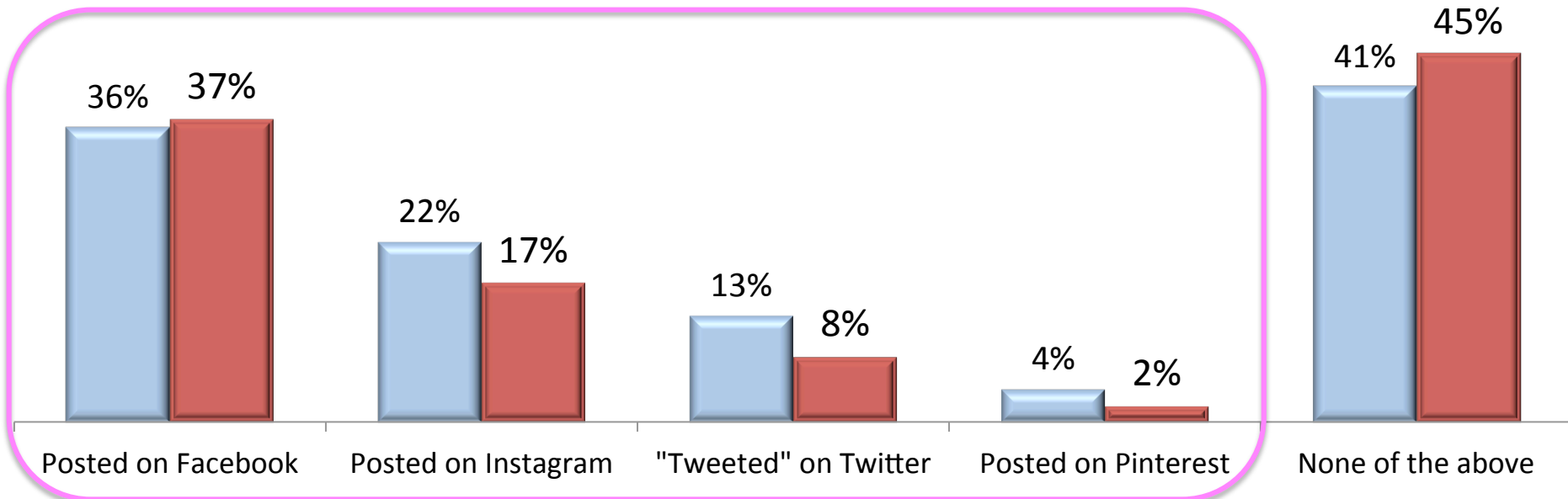
Social Media Activity



Social Media Sharing Behaviors

- Local visitors of Times Square were slightly more likely to share their experiences or thoughts by posting on social media platforms
 - 59% did so on at least one social media platform

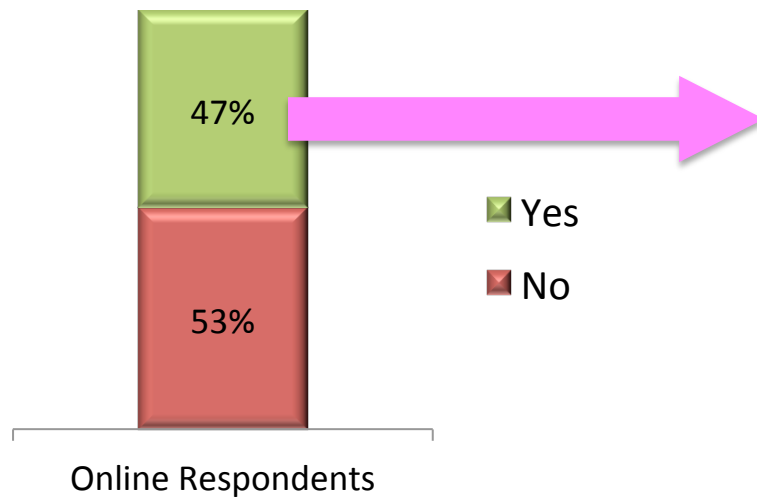
Social Media Activity



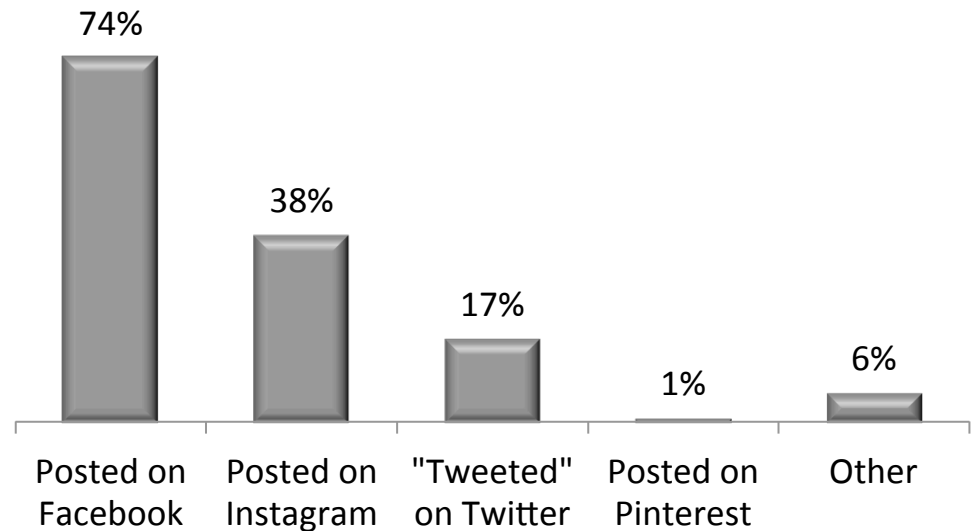
Social Media Continued

- Social media sharing continued after the Times Square visit (as measured online)

Shared Thoughts Since Onsite Survey

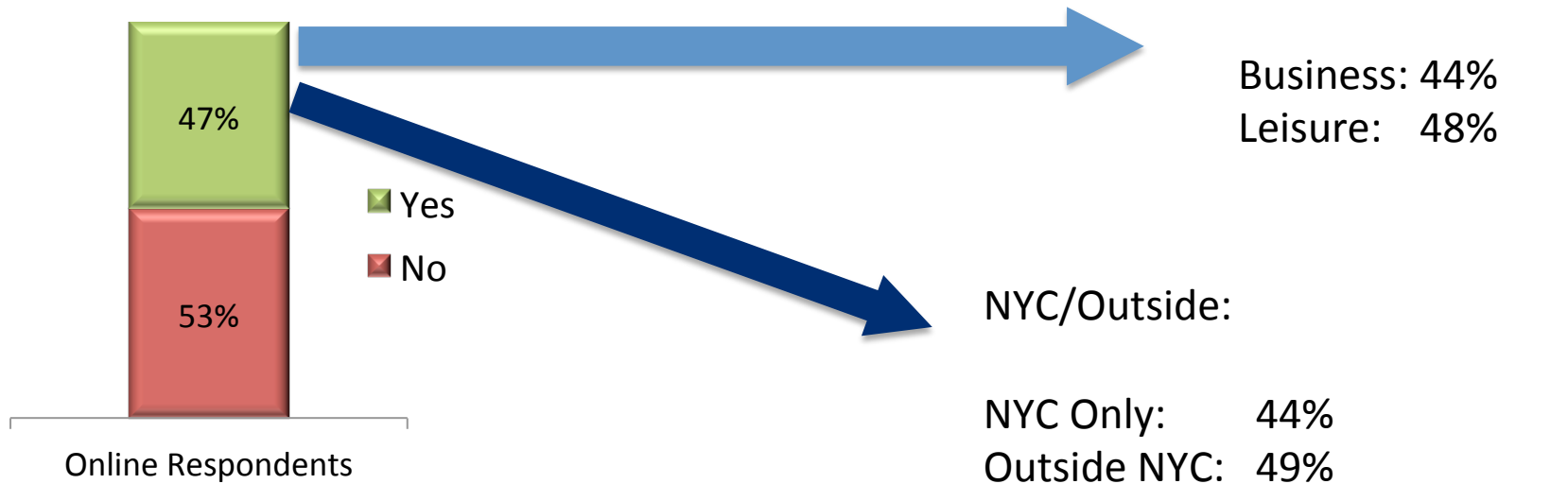


Social Media Activity*



Social Media: Business/Leisure, Location

Shared Thoughts Since Onsite Survey



Social Media Continued

Shared Thoughts since Onsite Survey:
47% Yes



N=142	
Age	Percentage
Under 18	3%
18-24	34%
25-34	25%
35-44	16%
45-54	15%
55-64	6%
65-74	2%

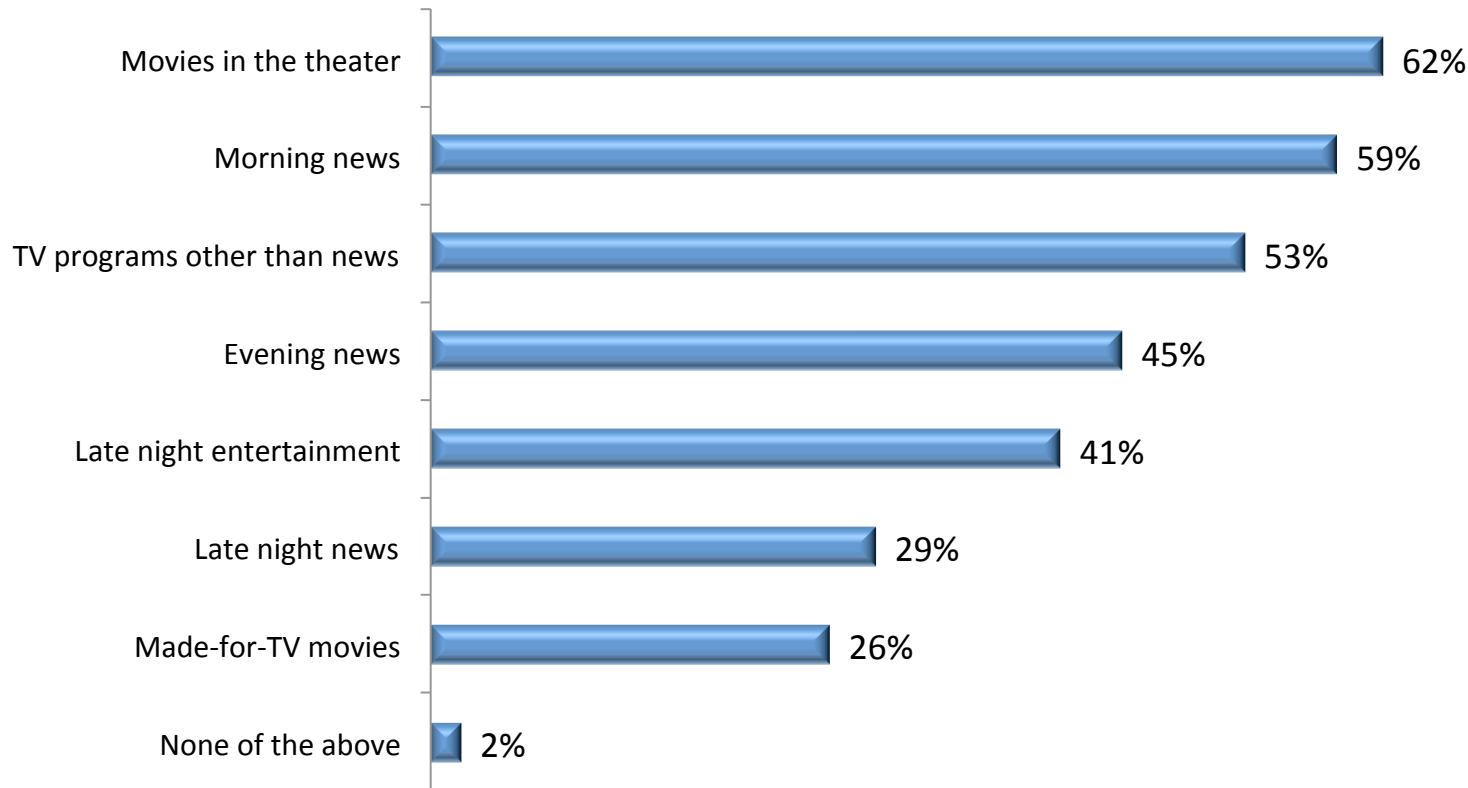
Shared Thoughts since Onsite Survey:
Business Respondents



N=38	
Age	Percentage
Under 18	0%
18-24	37%
25-34	29%
35-44	16%
45-54	10%
55-64	8%
65-74	0%

Times Square in the Media- Overall

- Respondents are most likely to hear about Times Square through movies in the theater and the morning news.

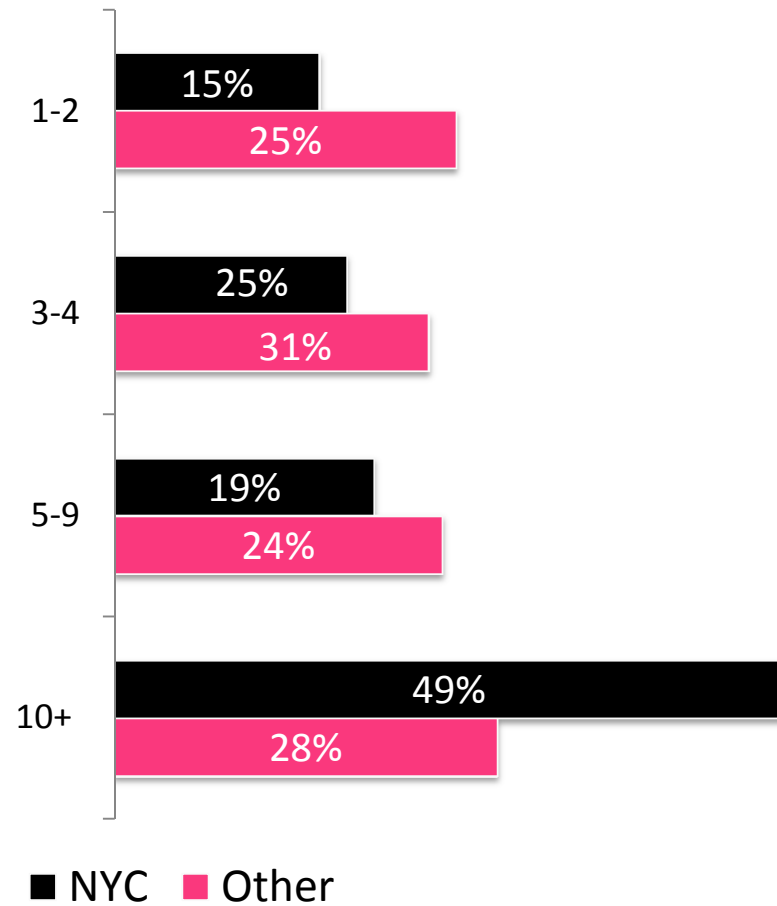


Zagat Survey

Overview

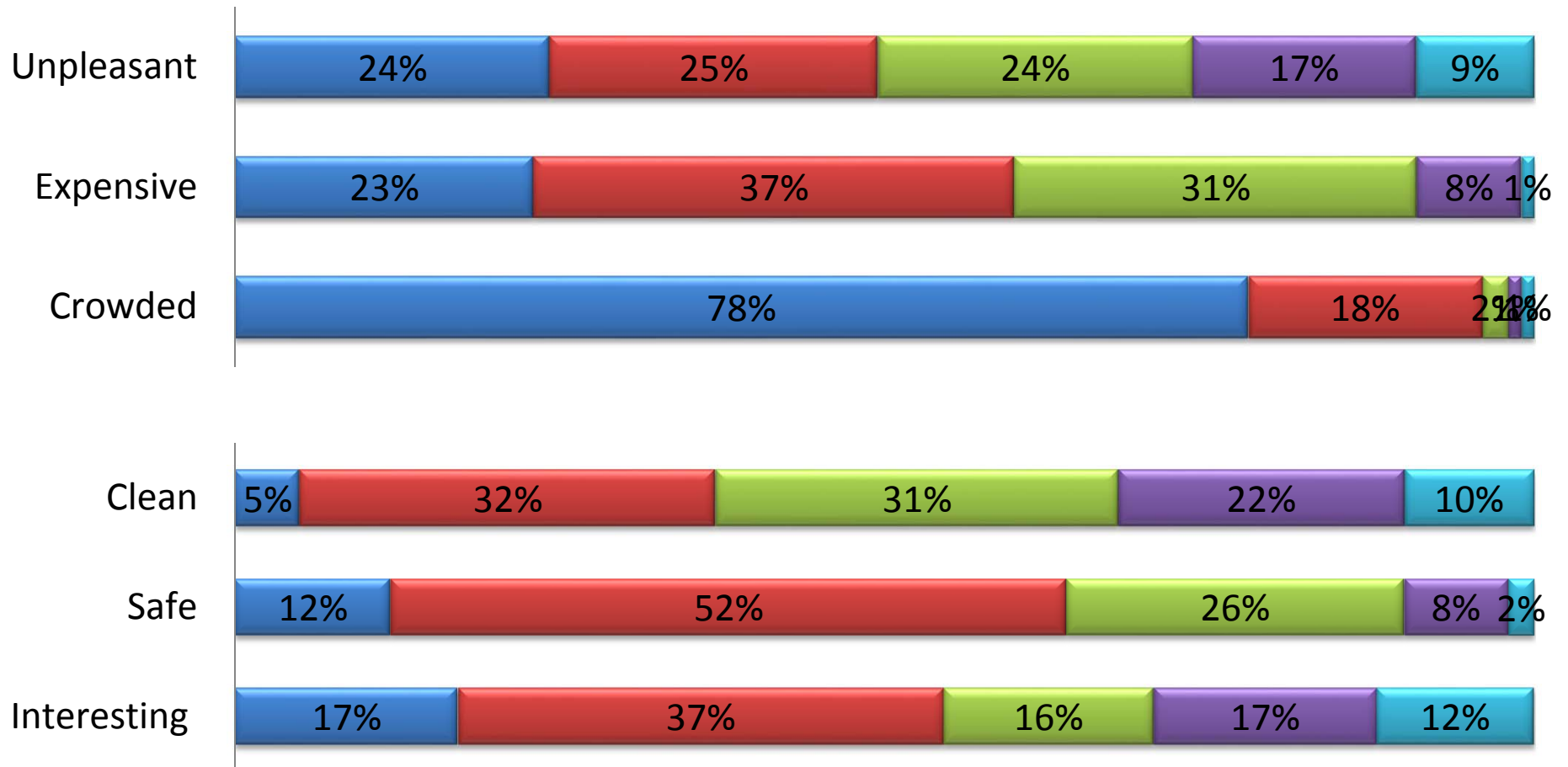
- Objectives
 - Gauge satisfaction with the Times Square experience and identify causes of dissatisfaction from local New Yorkers.
- Methodology
 - Online survey sent to 4 respondent mailing lists
 - Zagat Promo List
 - Times Square Alliance List
 - Theater Development Fund List
 - Broadway League List
- Sample Size
 - New York City (5 Boroughs): 330
 - Rest of NY State & U.S.: 652
 - Total: 982

How many times have respondents have visited Times Square in the past year?



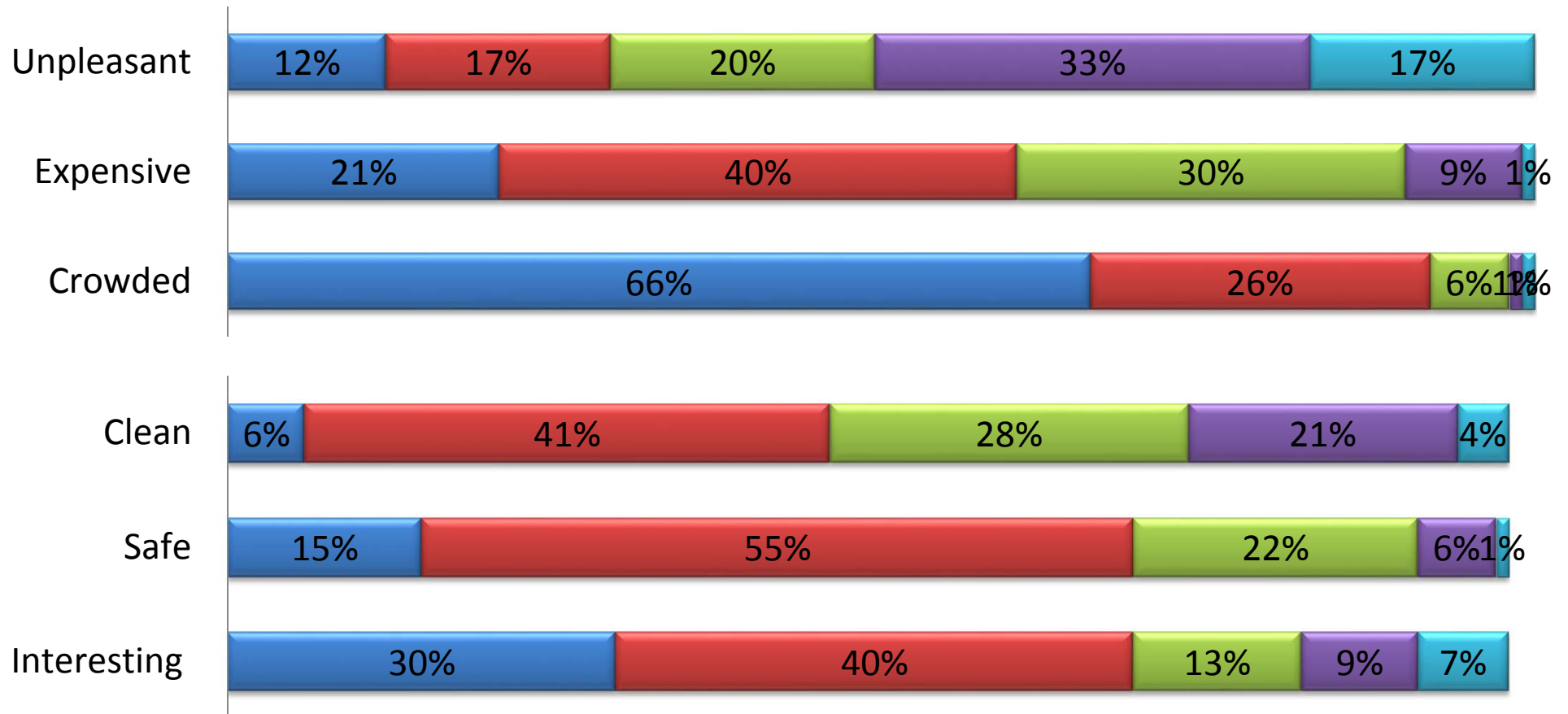
How do NYC respondents feel about Times Square?

■ Strongly Agree ■ Agree ■ Neutral ■ Disagree ■ Strongly Disagree

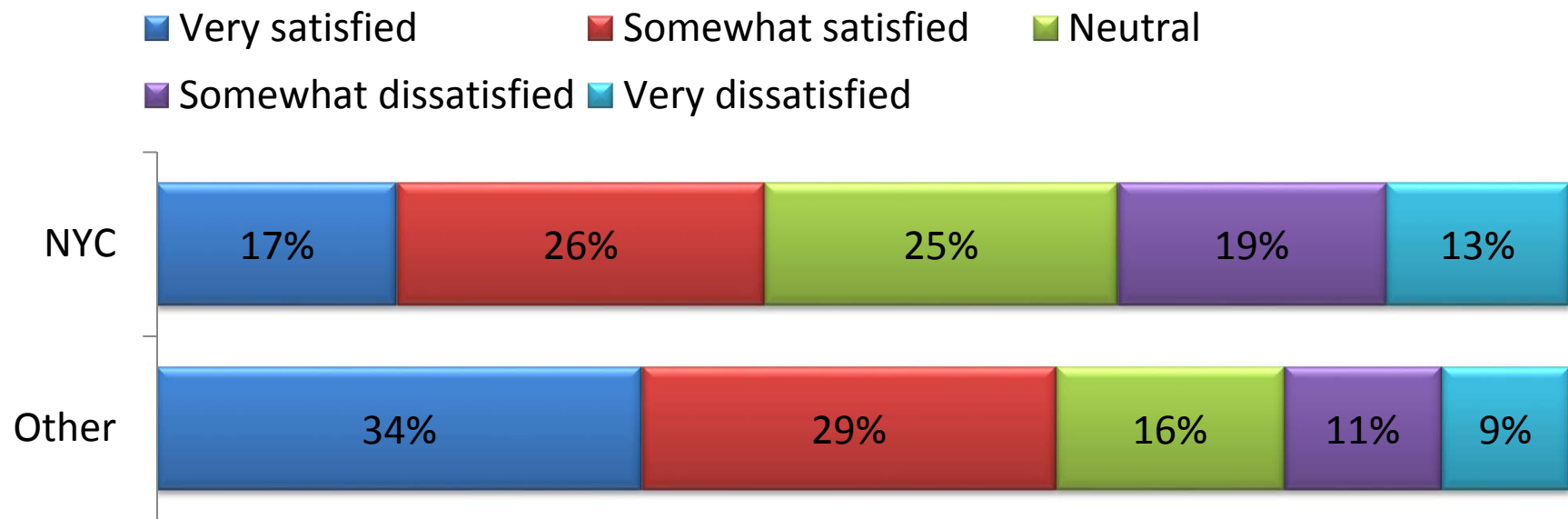


How other respondents feel about Times Square?

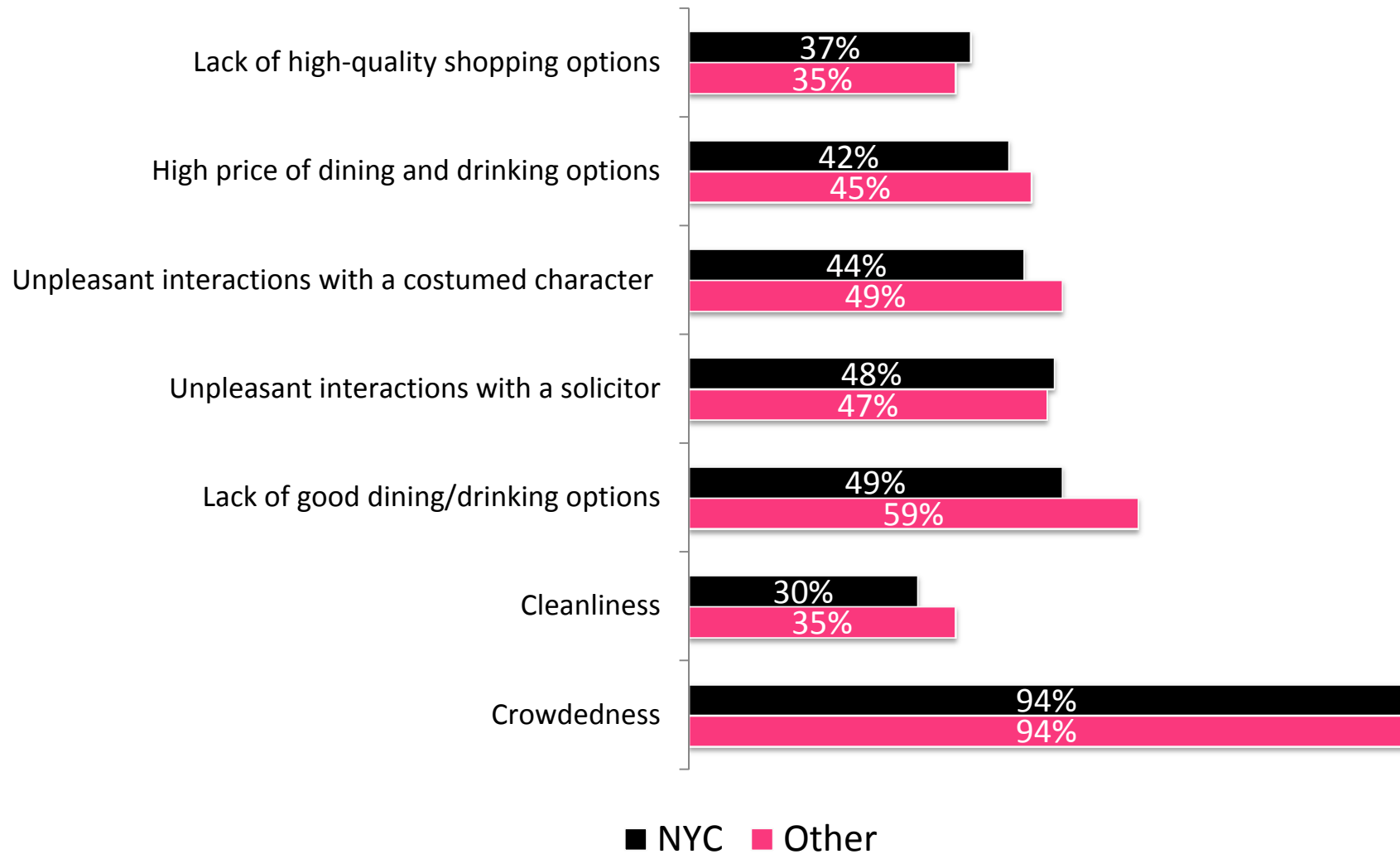
■ Strongly Agree ■ Agree ■ Neutral ■ Disagree ■ Strongly Disagree



Thinking about the last time you visited Times Square, how satisfied were you with your experience in the Times Square area? Would you say you were...?

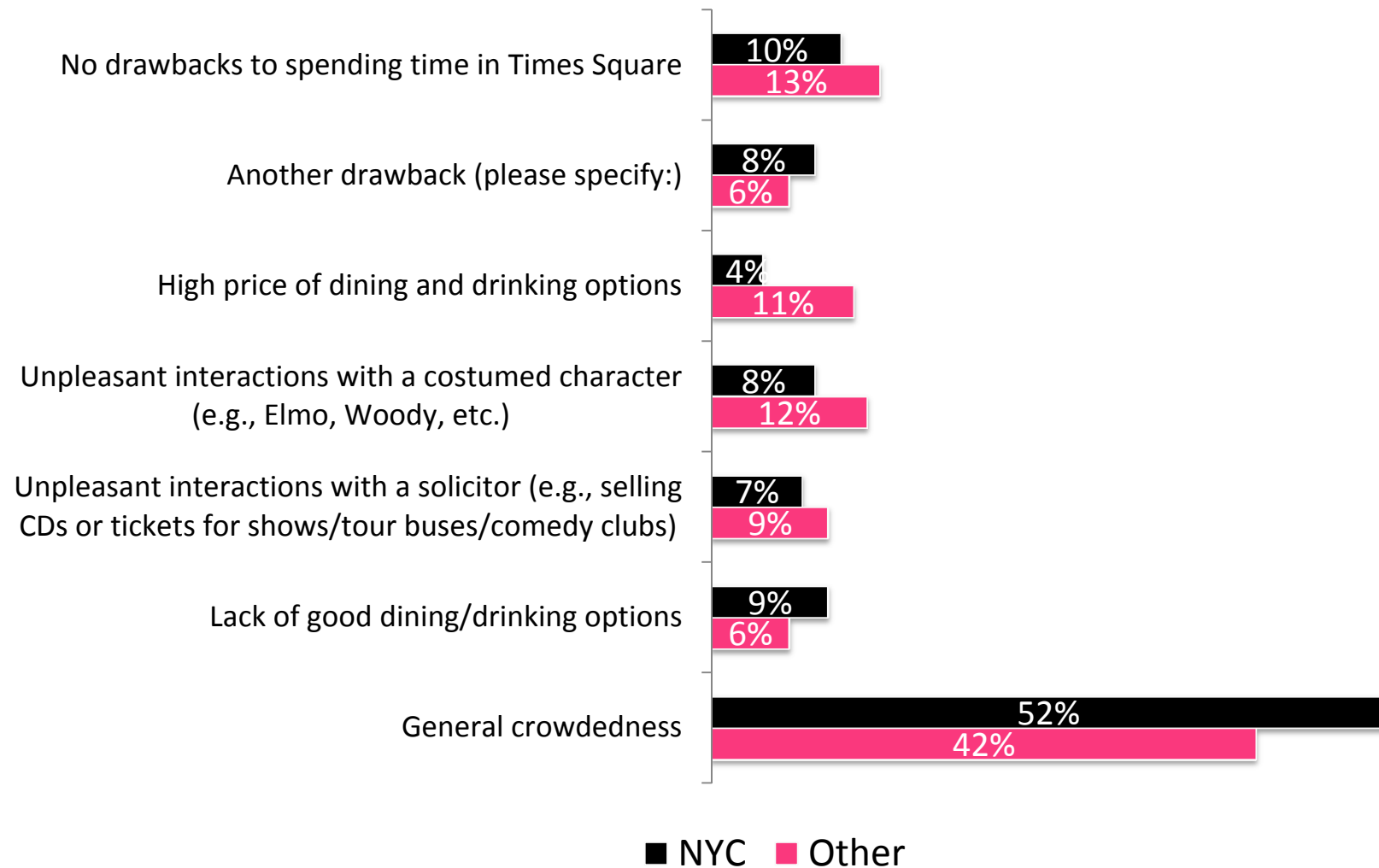


Reasons for Dissatisfaction



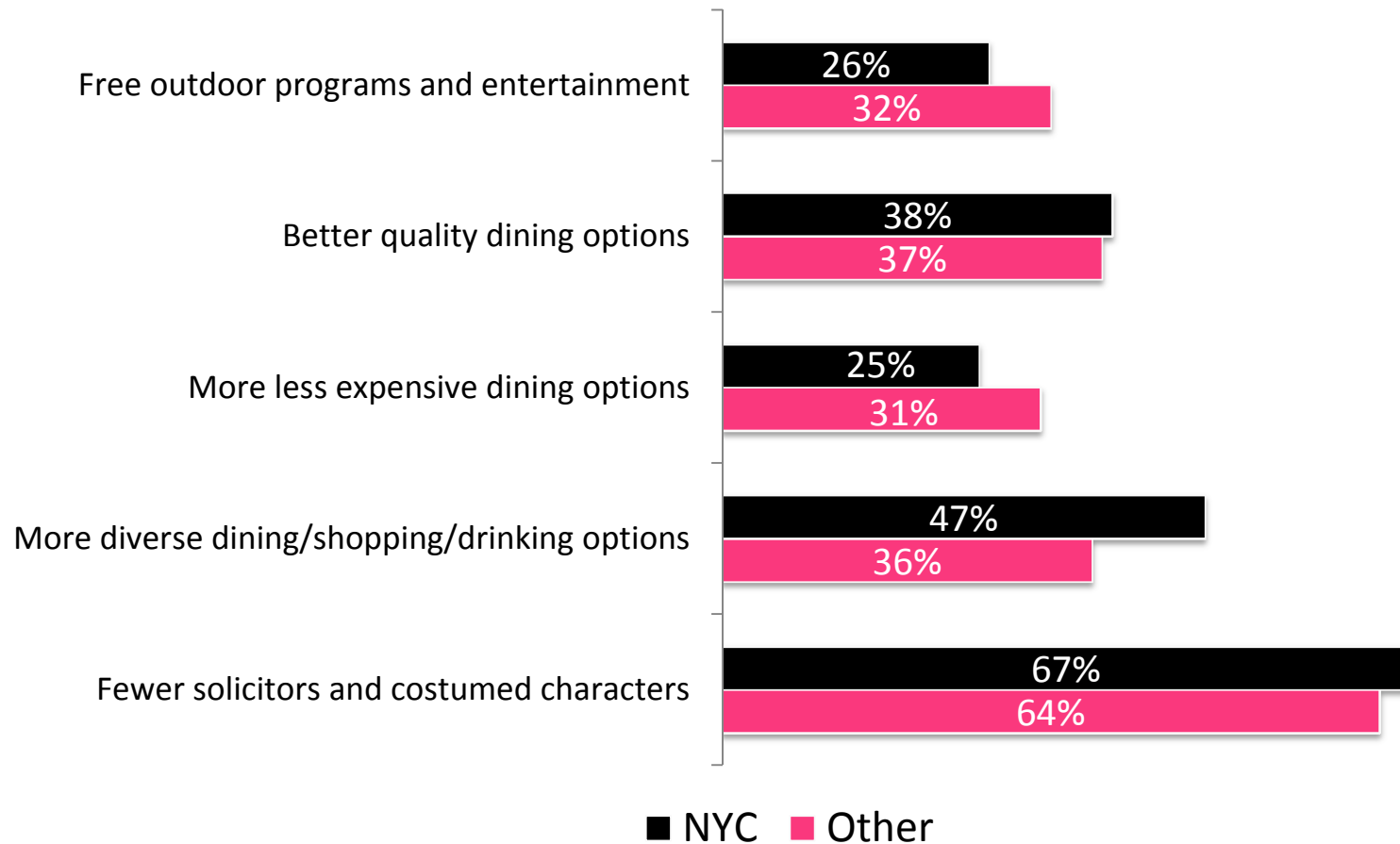
(dissatisfied respondents only, n=106)

What do you consider to be the biggest drawback to spending time in Times Square?

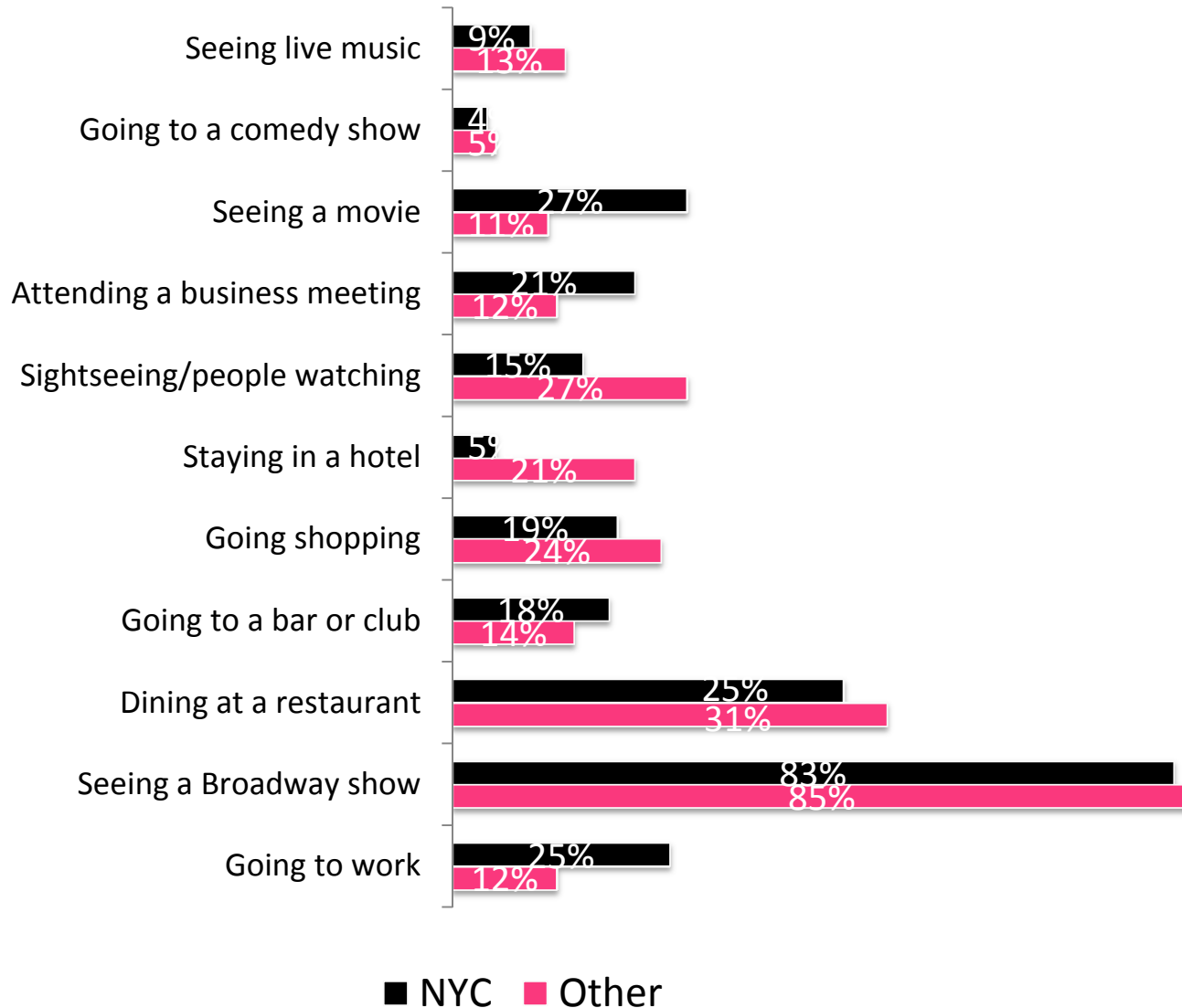


(Very satisfied, Somewhat satisfied,
Neither/Neutral respondents only, n=224)

What ways could Times Square be improved?



What are the reasons why you have gone to Times Square as a destination in the past year?



Plaza Research

May 2014

Objectives & Methodology



- Objectives
 - Gauge satisfaction with the Times Square experience and identify causes of dissatisfaction
 - Examine the perceptions of costumed characters and solicitors in Times Square and how they affect the experience
- Methodology
 - Online survey sent to three respondent subgroups
 - **General Public:** via online panel of New York City residents
 - **TSA Constituents:** Business owners, employees and local residents via the TSA database
 - **TSA Board**
 - Data collected April 16-27, 2014
 - Sample sizes:

General Public	402
TSA Constituents	570
TSA Board	16*

** Sample size is very low; any data from the Board should be used directionally*

EXECUTIVE SUMMARY

Executive Summary



- Respondents were generally satisfied with their experience(s) in Times Square
 - *Crowdedness* was the leading factor of dissatisfaction
- Most respondents would like to see the presence of costumed characters and solicitors in the Times Square area reduced
 - The more involved with the TSA, the more likely respondents were to be sensitive about costumed characters and solicitors in the area

TIMES SQUARE EXPERIENCE

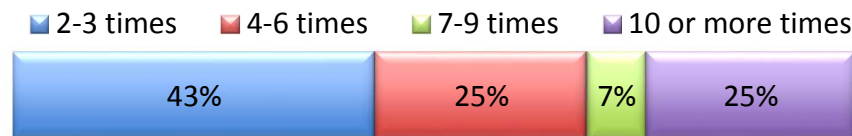
Respondent Profile



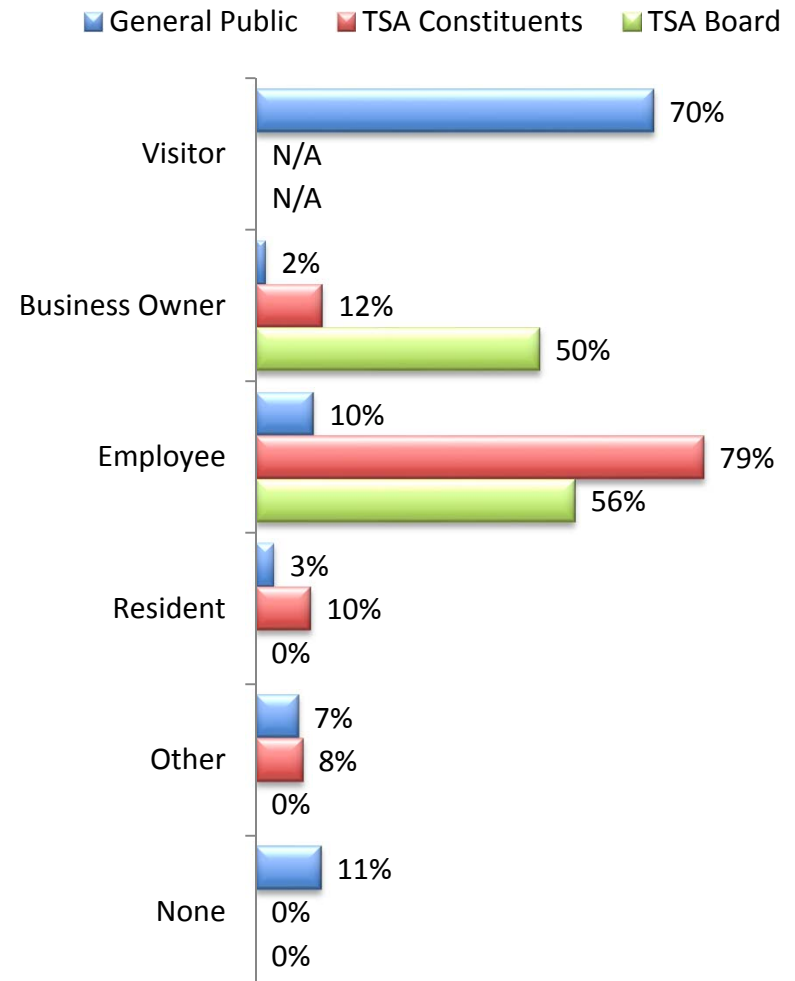
- Vast majority of respondents visited Times Square in last three months
- Most TSA constituents were employees; most of the general public were visitors
 - TSA board evenly split between business owners and employees

Visited Times Square in Past Three Months	
General Public	83%
TSA Constituents	96%
TSA Board	100%

How Often Visited in Past Six Months



Visitor Type



When was the last time you visited Times Square?

Which of the following categories describe you? Please select all that apply.

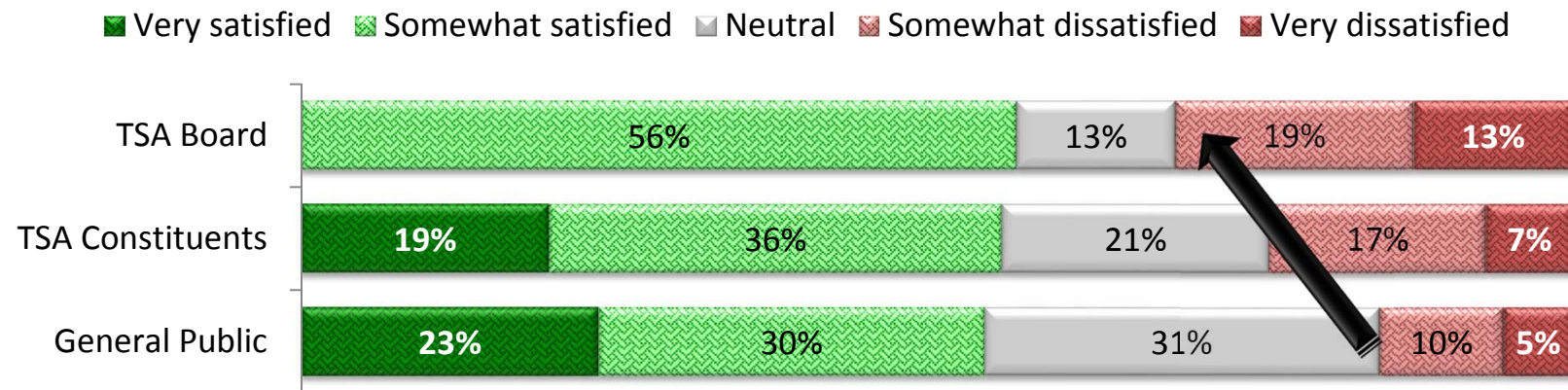
How many times, if at all, have you been in Times Square, New York during the past 6 months? (Only asked to General Public)

Satisfaction



- The majority of visitors and employees have been satisfied with their experience in Times Square
 - Roughly one in four TSA stakeholders and one in seven members of the general public were dissatisfied with their most recent visit

Experience During Last Visit of Times Square Area



Reasons for Dissatisfaction



- Congestion the main cause of dissatisfaction with the Times Square experience
 - Several other factors play a role



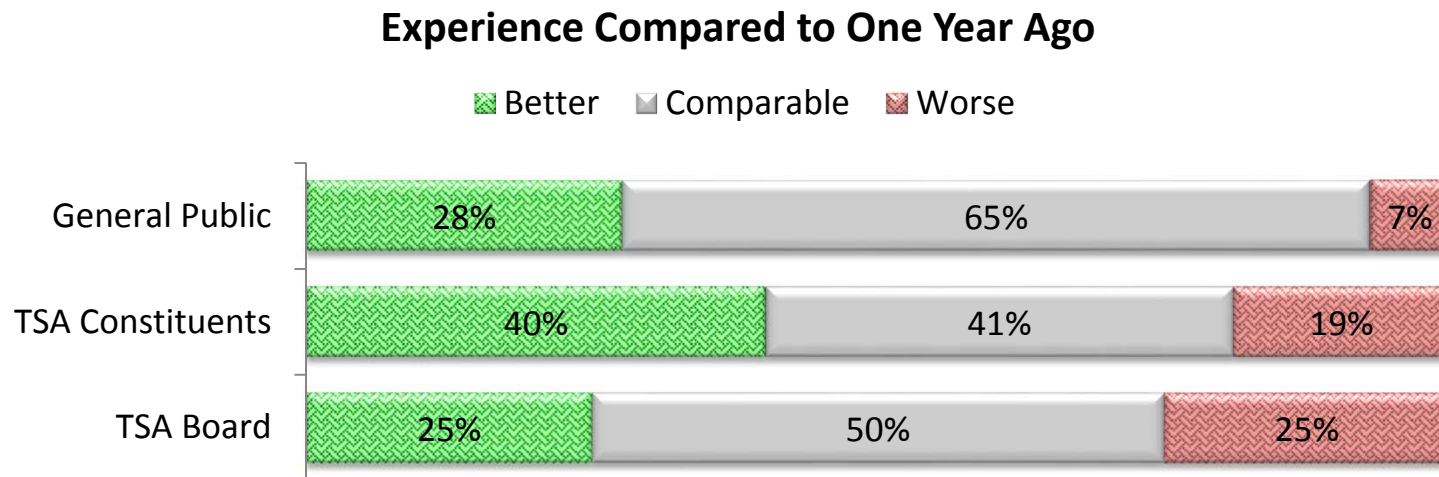
(15% of) General Public	
Crowdedness	95%
Unpleasant interaction with solicitor	44%
Ongoing construction	39%
Unpleasant interaction with costumed character	34%
Other	26%
Personal reason	7%

(24% of) TSA Constituents	
Crowdedness	85%
Ongoing construction	65%
Unpleasant interaction with costumed character	55%
Unpleasant interaction with solicitor	47%
Other	19%
Personal reason	5%

Comparison to One Year Ago



- TSA constituents more likely than general public to report improvement in Times Square experience over last year
 - Yet, a meaningful segment thought things had been getting worse
- Percentage of respondents claiming the experience has gotten worse follows the pattern of dissatisfaction among the three respondent groups

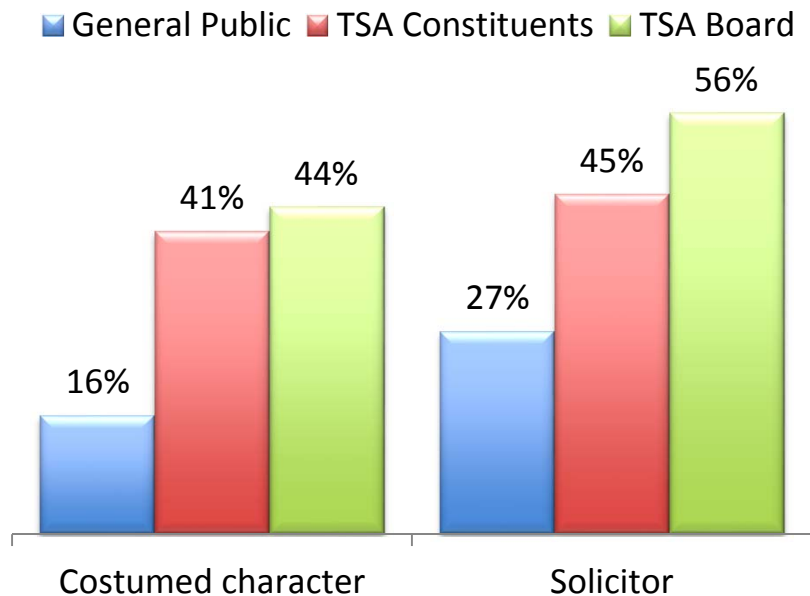


COSTUMED CHARACTERS & SOLICITORS

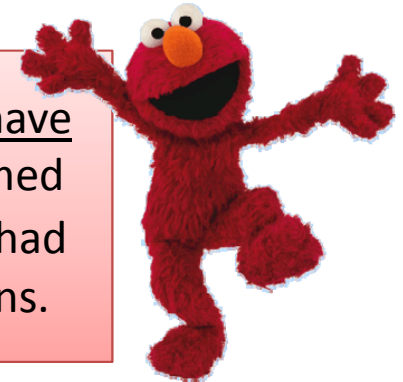
Unpleasant Interactions

- In the past year, 31% of respondents overall have had a negative interaction with a costumed character and 38% with a solicitor
 - Incidents with solicitors more frequent, particularly for the general public

Had Unpleasant Interactions



Among all those who have interacted with costumed characters, **40%** have had unpleasant interactions.

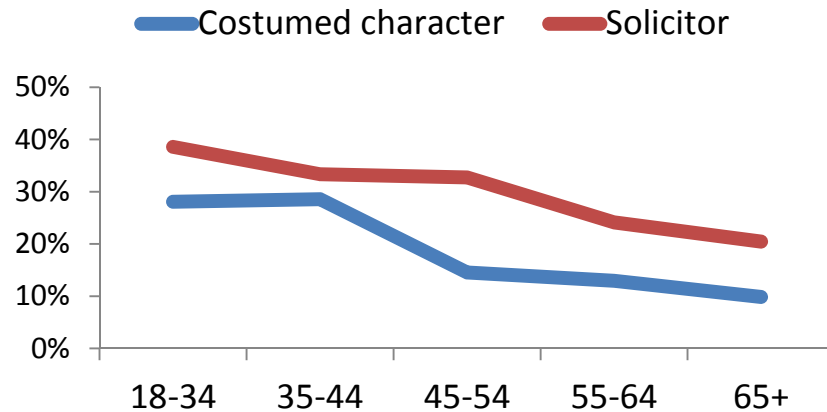


Among all those who have interacted with solicitors, **44%** have had unpleasant interactions.

Unpleasant Interactions (General Public)



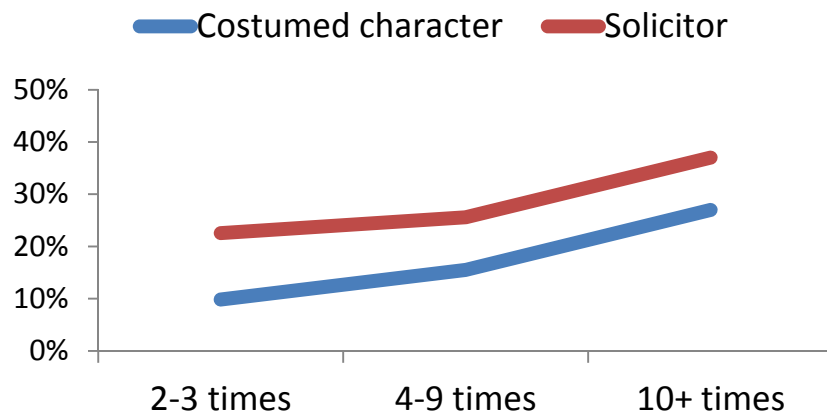
By Age



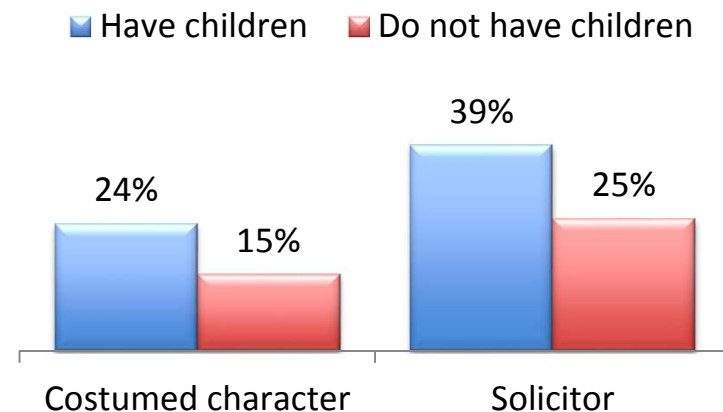
Reported incidence of negative interactions with costumed characters and solicitors affected by...

- **Age:** rate decreases among older visitors
- **Frequency of Times Square visits:** rate increases with the number of visits
- **Kids in HH:** respondents with children in their household more likely to have negative incidences

By Frequency Visited



By Presence of Children In HH



*In the past year, have you had an unpleasant interaction with a costumed character (e.g., Elmo, Woody, etc.) in Times Square?
And in the past year, have you had an unpleasant interaction with someone soliciting you (e.g., selling CDs or tickets for shows, tour buses or comedy clubs) in Times Square?*

Preferences

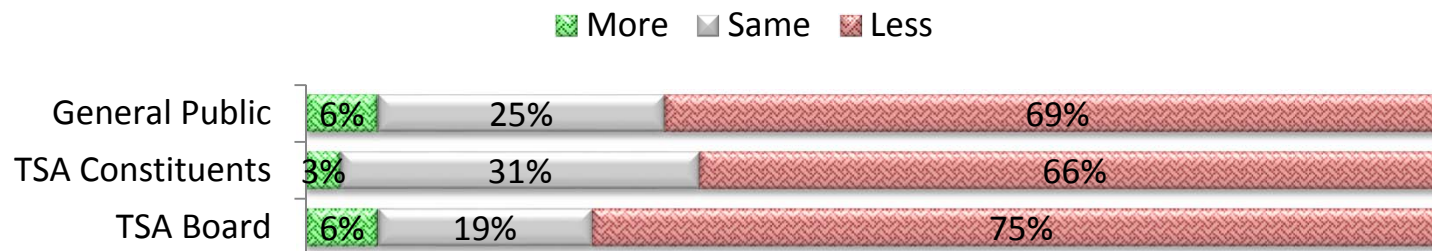


- The majority of respondents would like to see less costumed characters and solicitors in Times Square
 - TSA constituents less tolerant of costumed characters than general public

Desired Amount of Costumed Characters



Desired Amount of Solicitors

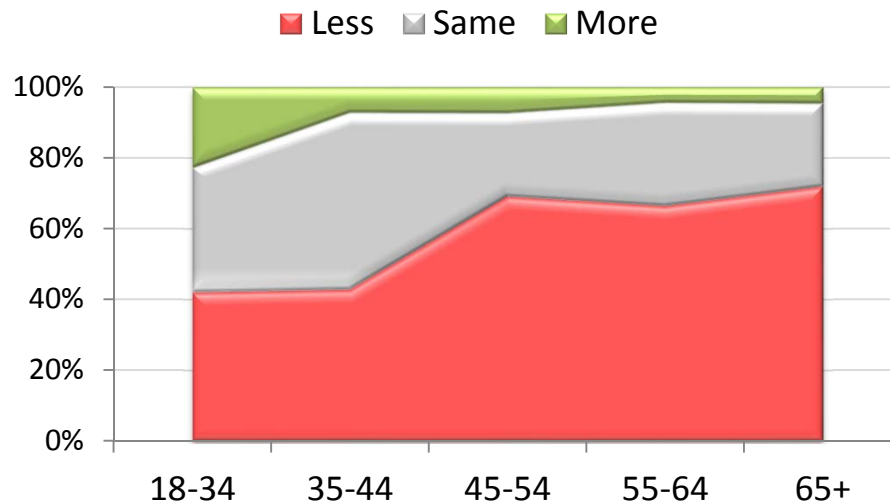


Preferences (General Public)

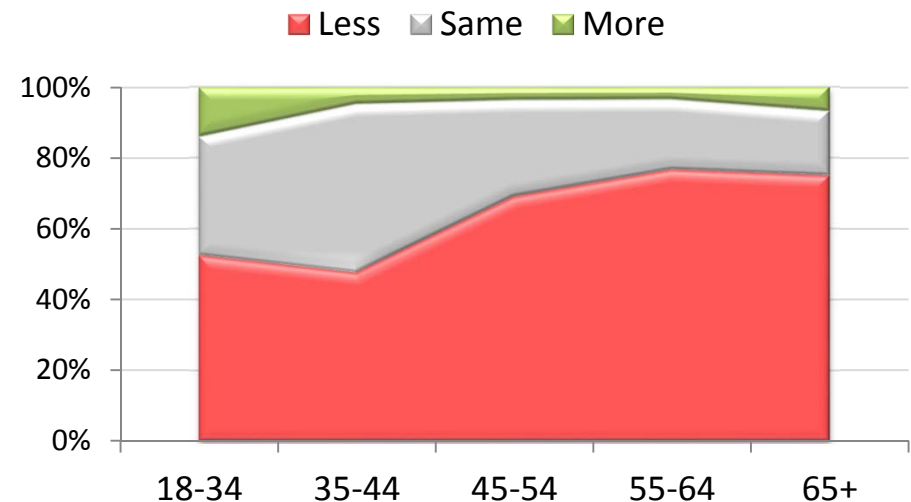


- Despite having more negative interactions, younger respondents are more tolerant of the current amount of costumed characters and solicitors
 - Manhattan residents are slightly less tolerant of costumed characters and solicitors than other NYC residents as they visit the area more frequently

Preference for Costumed Characters



Preference for Solicitors

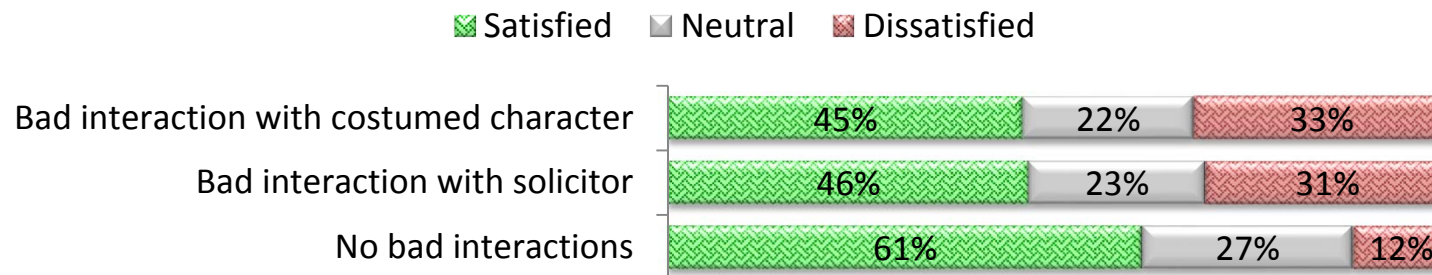


Effect of Unpleasant Interactions

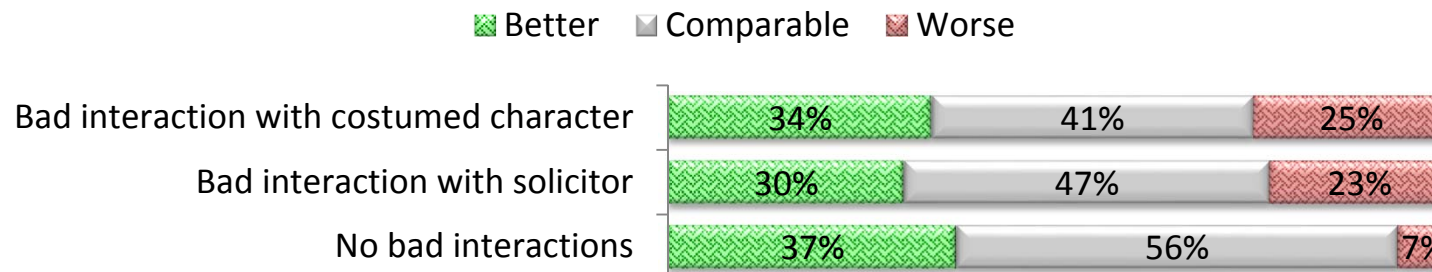


- Unpleasant interactions with costumed characters and solicitors clearly affects satisfaction with the Times Square experience
 - Nearly half of respondents were still satisfied and a third thought the experience has improved despite these interactions

Satisfaction with Experience in Times Square



Experience Compared to One Year Ago



Thinking about the last time you visited Times Square, how satisfied were you with your experience in the Times Square area? Would you say you were... Compared to your experience(s) of visiting the Times Square area one year ago, would you say your most recent experience of visiting the Times Square area was...

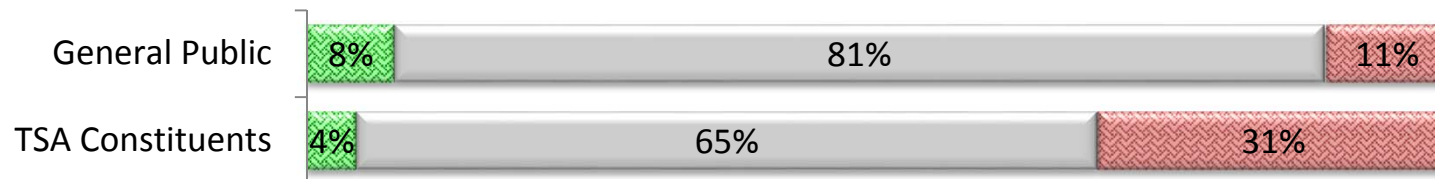
Sense of Safety



- For the most part, costumed characters and solicitors do not affect the sense of safety in Times Square
 - Constituents more concerned with their safety than the general public, particularly around costumed characters

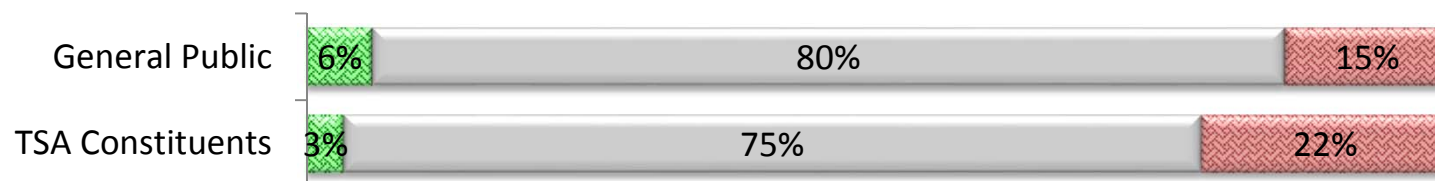
Effect on Sense of Safety (Public)

■ Feel safer ■ No effect ■ Feel unsafe



Effect on Sense of Safety (Constituents)

■ Feel safer ■ No effect ■ Feel unsafe



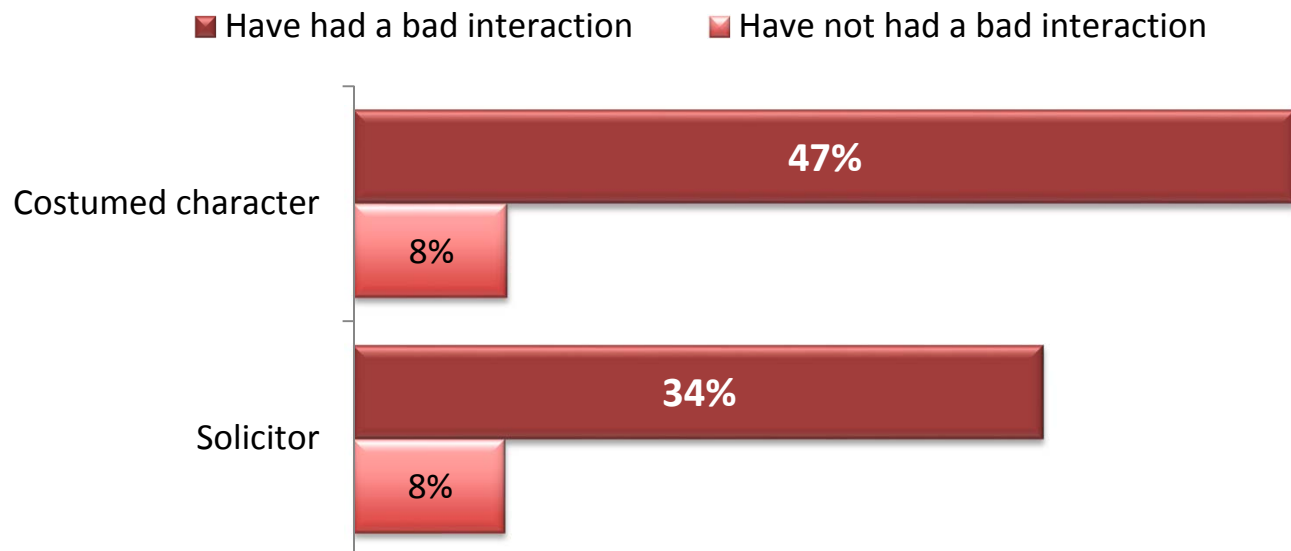
Overall, how would you describe your sense of safety when interacting with costumed characters in Times Square?
Overall, how would you describe your sense of safety when interacting with someone soliciting you (e.g., selling CDs or tickets for shows, tour buses, or comedy clubs) in Times Square?

Sense of Safety



- Respondents who have had unpleasant interactions clearly feel less safe around the costumed characters and solicitors
 - Costumed characters have a more pronounced effect on the sense of safety

Feel Unsafe with Interactions

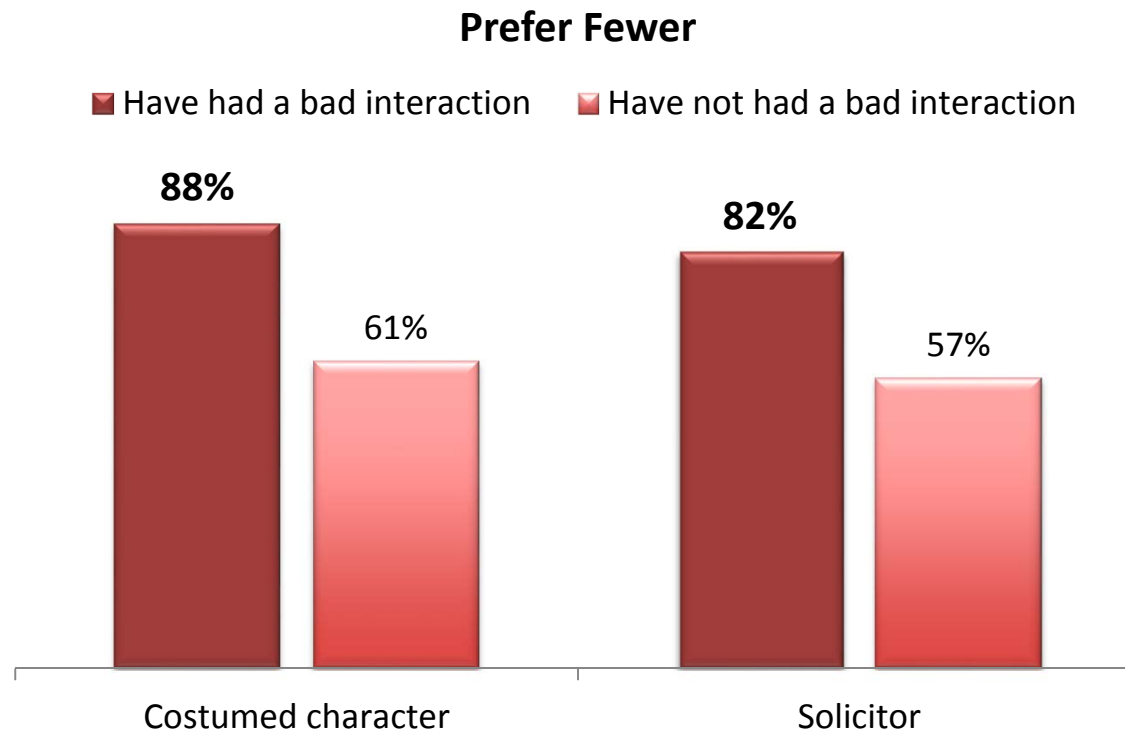


Overall, how would you describe your sense of safety when interacting with costumed characters in Times Square?
Overall, how would you describe your sense of safety when interacting with someone soliciting you (e.g., selling CDs or tickets for shows, tour buses, or comedy clubs) in Times Square?

Effect of Unpleasant Interactions



- The majority of people who have not had unpleasant interactions with costumed characters and solicitors still want to see less of them
 - Understandably this attitude is more prevalent among respondents who have had unpleasant interactions

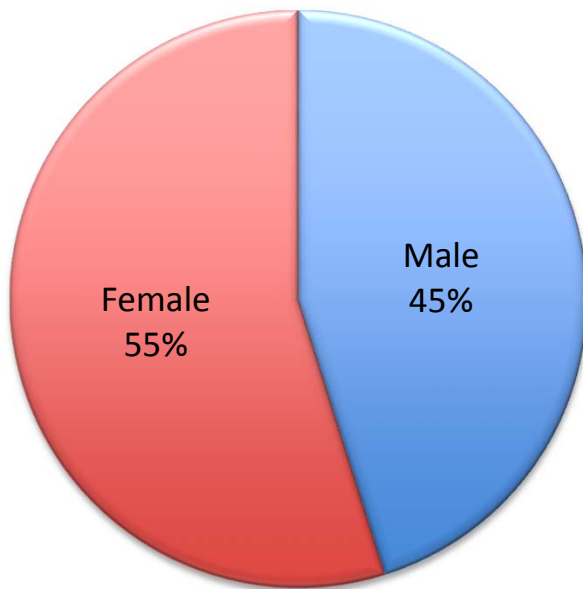


APPENDIX

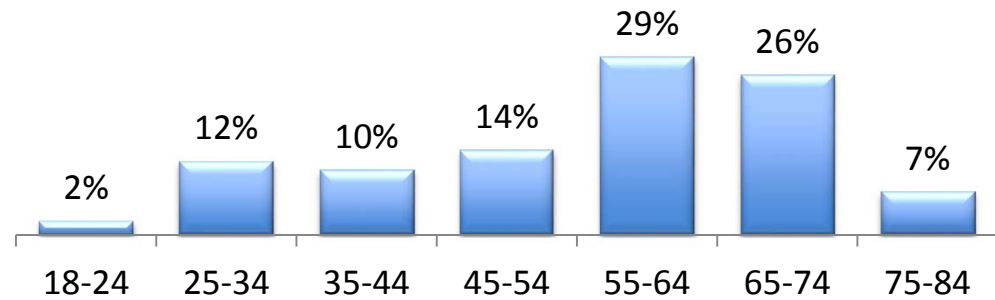
Demographics (General Public)



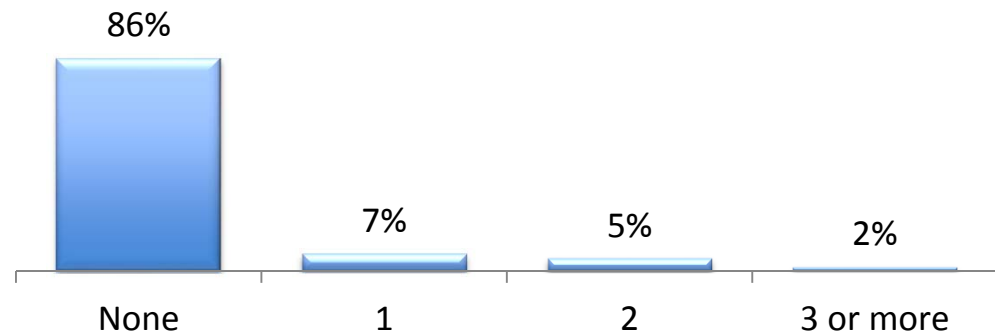
Gender



Age



Number of Children



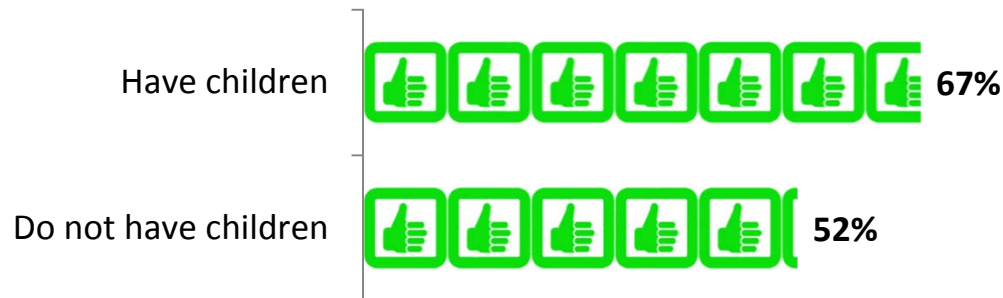
Current Residence



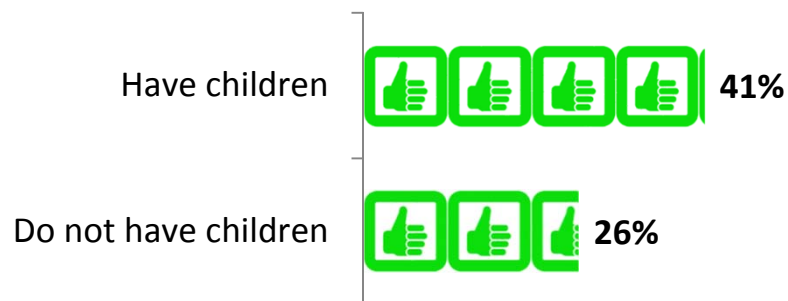
Satisfaction by Presence of Children (General Public)



Satisfied with Experience



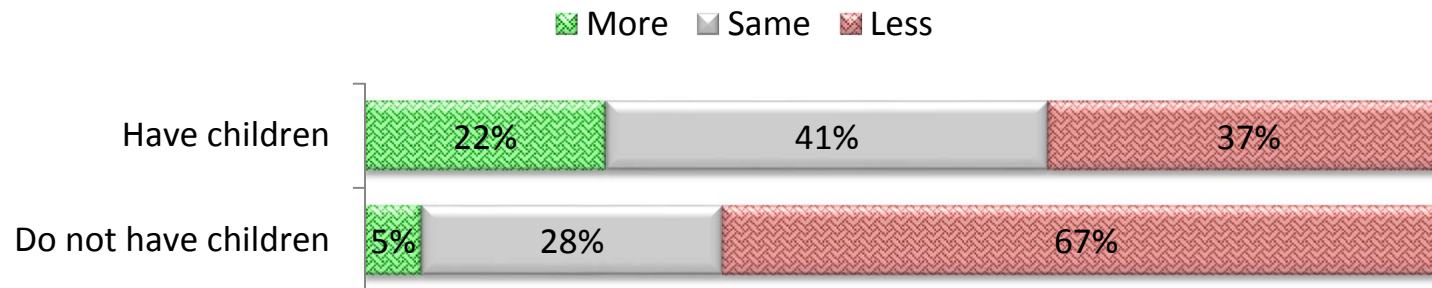
Experience Better than One Year Ago



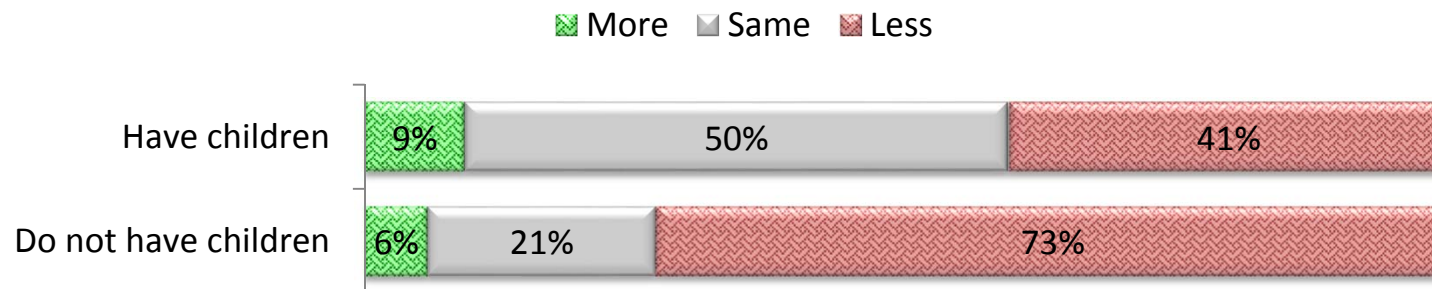
Preferences by Children (General Public)



Preference for Costumed Characters



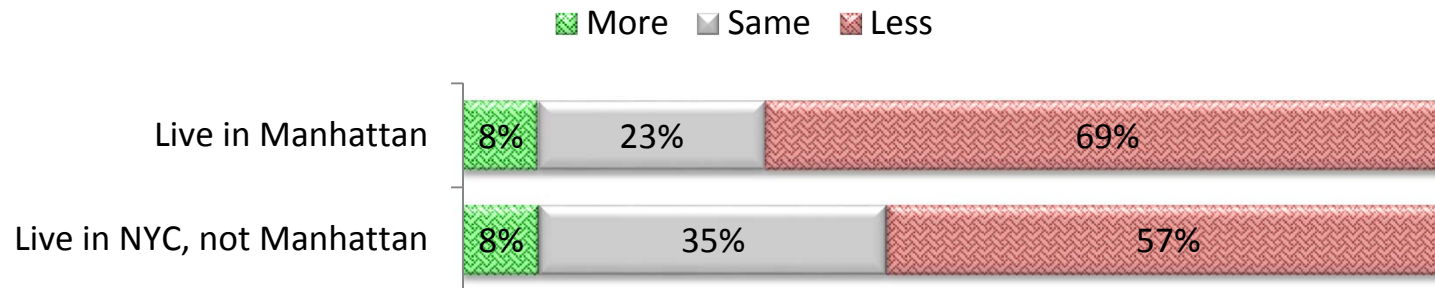
Preference for Solicitors



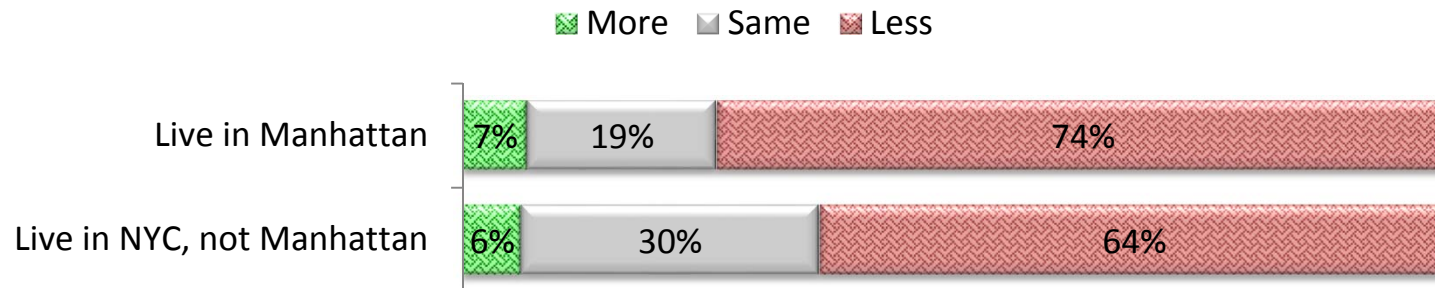
Preferences by Residence (General Public)



Preference for Costumed Characters



Preference for Solicitors





Steve Seiferheld
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VP, Consumer Research
NikolayPanchev@TurnkeySE.com

856-685-1450



Times Square Key Economic Statistics

DENSITY AND CONGESTION

Pedestrian Congestion

- Prior to the creation of the pedestrian plazas, over 6,000 people were counted walking in the traffic lanes of Broadway during an average weekday afternoon. The creation of the Broadway plazas was primarily a response to congestion, consistently cited as the number one problem by local constituents.
- On average, 350,000 people enter Times Square every day. Peak daily counts increased from 320,000 to over 480,000 with the creation of the Broadway plazas. Counts as high as 451,000 have been noted even during the ongoing construction.

Transit Ridership

- With 11 subway lines, Times Square has the highest density of subway ridership for the greatest number of hours per day, seven days a week. Weekend ridership at the Times Square station far exceeds any other major station.
- Nearly 350,000 people commute through Times Square's stations every day, 200,000 of them through the 42nd Street Times Square station alone.
- Subway ridership through Times Square's stations increased by 13% between 2008 and 2014.

THE TIMES SQUARE ECONOMY

Overall Economic Impact

- Only, 1% of New York's total area, Times Square generates 11% of total economic output and supports 10% of the City's jobs.
- Times Square supports 170,000 direct jobs and an additional 215,000 indirect jobs.
- Times Square contributes \$2.1 billion in New York City taxes and \$2.5 billion in New York State taxes every year.

Tourism

- Times Square encompasses 21% of all of New York City's hotel rooms.
- Between 2005 and 2015, Times Square added 3,199 rooms to its inventory.
- 74% of visitors interviewed in Times Square described the area as a destination. (TSAC study)
- Times Square has over three times as many hotel rooms as the next highest concentrated area around Grand Central.
- Times Square shapes the image of New York City worldwide – 57% of respondents in a 2014 study reported sharing their experience on social media.
- Times Square houses the highest number of tourism and culture related businesses – one out of every three jobs in culture and tourism is located in this area.

Broadway & Entertainment

- 38 out of 40 Broadway theaters are located in Times Square.
- Broadway attendance has grown by 14% between 2005 and 2015 (from 11.53 million to 13.1 million).

- During the 2014-15 season, Broadway generated \$1.36 billion in revenue, an increase of 77% since 2005.
- Times Square is home to 60 entertainment venues representing over 71,000 seats.

2015 TIMES SQUARE ATTITUDE SURVEY

- New Yorkers' satisfaction with Times Square has declined from 89% in 2009 to 46% in 2015.
- Times Square employees' satisfaction with Times Square as a place to work increased by over 30% (from 43% in 2007 to 74% in 2009) after the opening of the Broadway plazas, only to decline 39% in 2015.
- 50% of Times Square employees reported wishing that their company was located somewhere else.
- 88% of New Yorkers cited congestion as a reason for their dissatisfaction with Times Square; 60% cited interactions with characters/solicitors.

Times Square Alliance Neighborhood Profile

(as of 3.28.2016)

Commercial Space

- 29M square feet total in district
- 3.2M available now (2.5M Class A)
- Current Asking Rate \$66/sq ft average
- More than 1,500 commercial tenants from industries ranging from Finance and Insurance, to Culture and Entertainment are located in Times Square

Leasing and Employment

- Largest lease in 2015 - WeWork 177K sq ft 1460 Bway
- WeWork is shared office space - model "new economy" tenant if not technically TAMI
- Times Square has attracted large and small TAMI tenants over the last five years - Yahoo and Microsoft, as well as 10gen, MongoDB and Citysearch
- Also maintaining our strong position with Media and Fire - Warner Music Group was a new lease, Viacom renewal, Morgan Stanley expansion (200k sq ft) at Paramount building.
- Largely due to incredible diversity of space - traditional glass curtain wall towers and older buildings with character like the Brill Building, 229 West 43rd and 1501 Broadway
- Largest employment gains have been in TAMI sector
- 182% increase in web search and internet design, 135% increase in electronic shopping, 115% increase in R&D jobs

Access

- Unparalleled access from the five boroughs, New Jersey, and Westchester
- 11 subway lines direct to Times Square, plus Port Authority and access to Grand Central from the S and 7 trains
- 52% of Times Square employees live in Brooklyn, Manhattan or Queens
- One seat ride from new and growing communities including, Astoria, Greenpoint, Long Island City, Prospect Heights and Williamsburg.

24Hour Live/Work Neighborhood

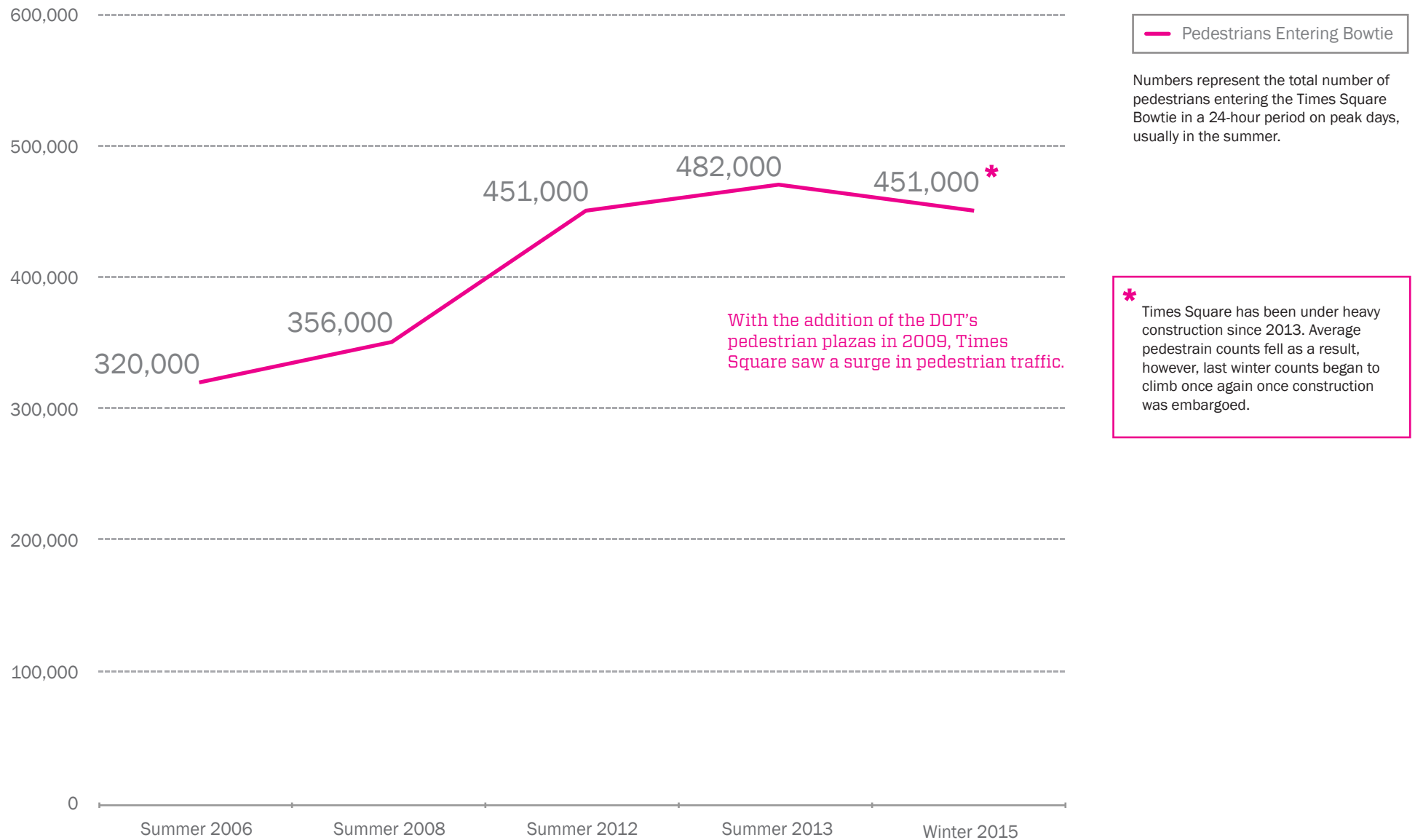
- Increasingly becoming a walkable community
- Added 8,000 residential units since 2000 - now 47,000 housing units 10019/10036
- 66,000 residents, up from 56,000 in 2000
- 40% of residents in adjacent area (.25mi from Times Square) walk to work
- 86% of people responding to a Rockefeller Foundation/Transportation survey in 2014 reported wanting to live and work somewhere where they did not have to rely on a car

Restaurants, Entertainment, Hotels

- Dining in Times Square has diversified and improved dramatically
- Home to more than 200 restaurants and 600 storefronts
- 18 restaurants with 24 or higher Zagat rating, including Le Bernadin, the Lambs Club, Aureole, Bar Americain and Toloache

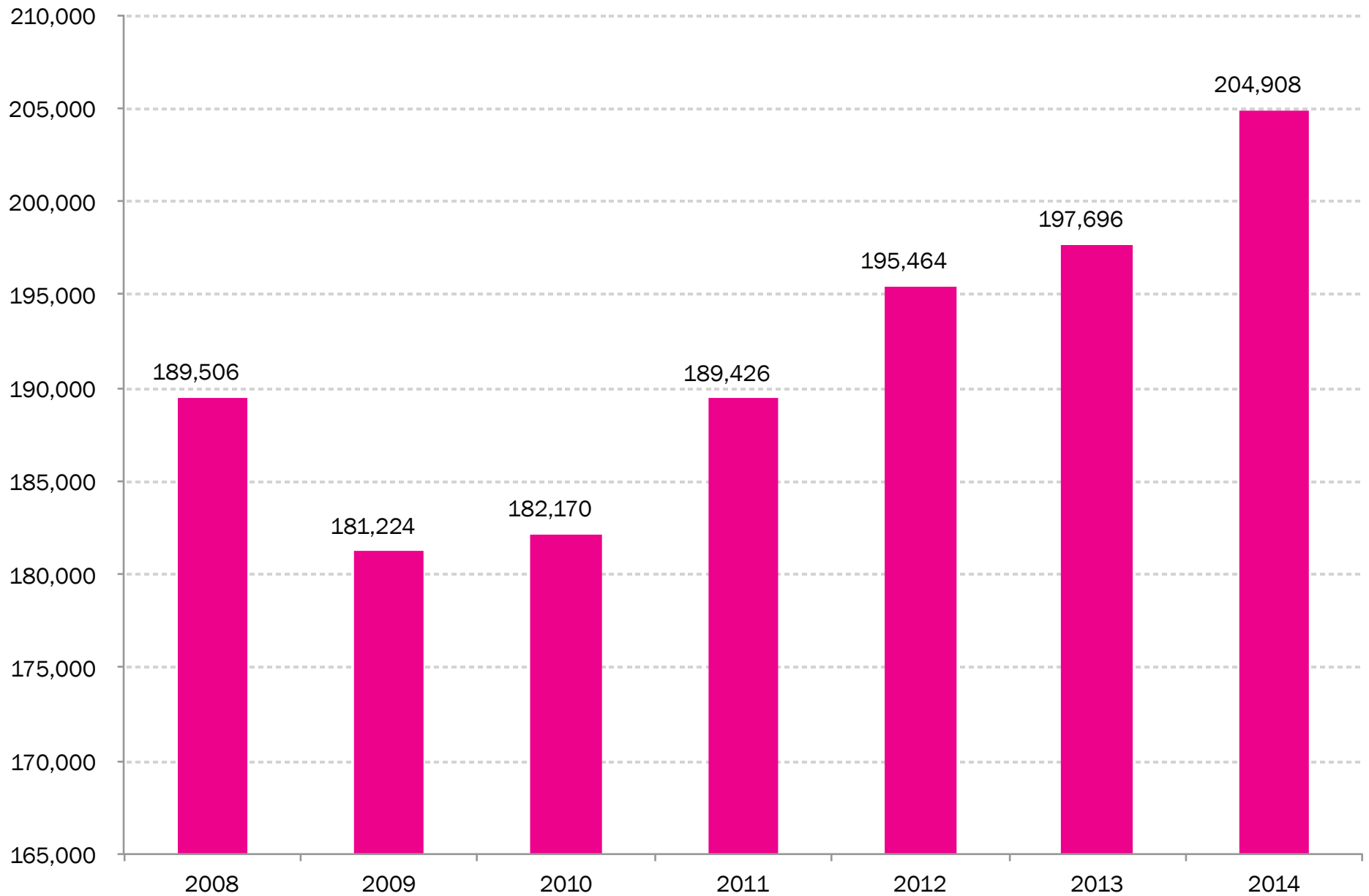
- Also many more high quality locally based lunch options - Num Pang, City Kitchen, Shake Shack, Little Beet
- 38 of 40 Broadway Theaters plus BB Kings, Iridium, Town Hall, AMC Theaters
- Incredible diversity of hotels for housing/entertaining clients - from 5-star luxury at the Chatwal, funky Citizen M to traditional Marriott Marquis to boutiques like RowNYC and the Paramount - 17,000 rooms in the District to choose from!

Pedestrians Entering Bowtie Per Day

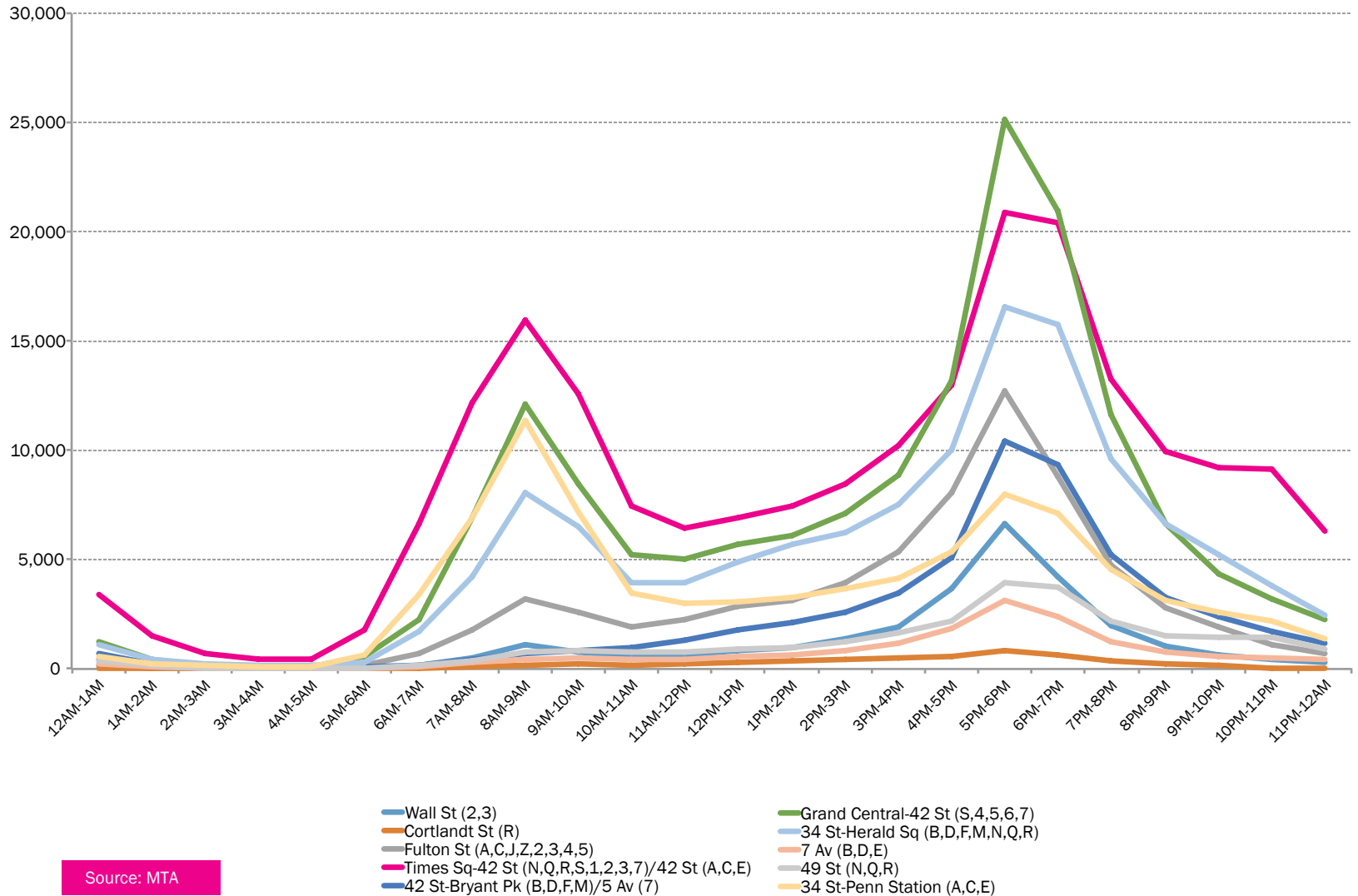


In 2011, the Alliance switched from manual to automatic counts. Manual counts were done by Phillip Habib & Associates, while automatic counts are carried out by a network of Springboard pedestrian counting cameras.

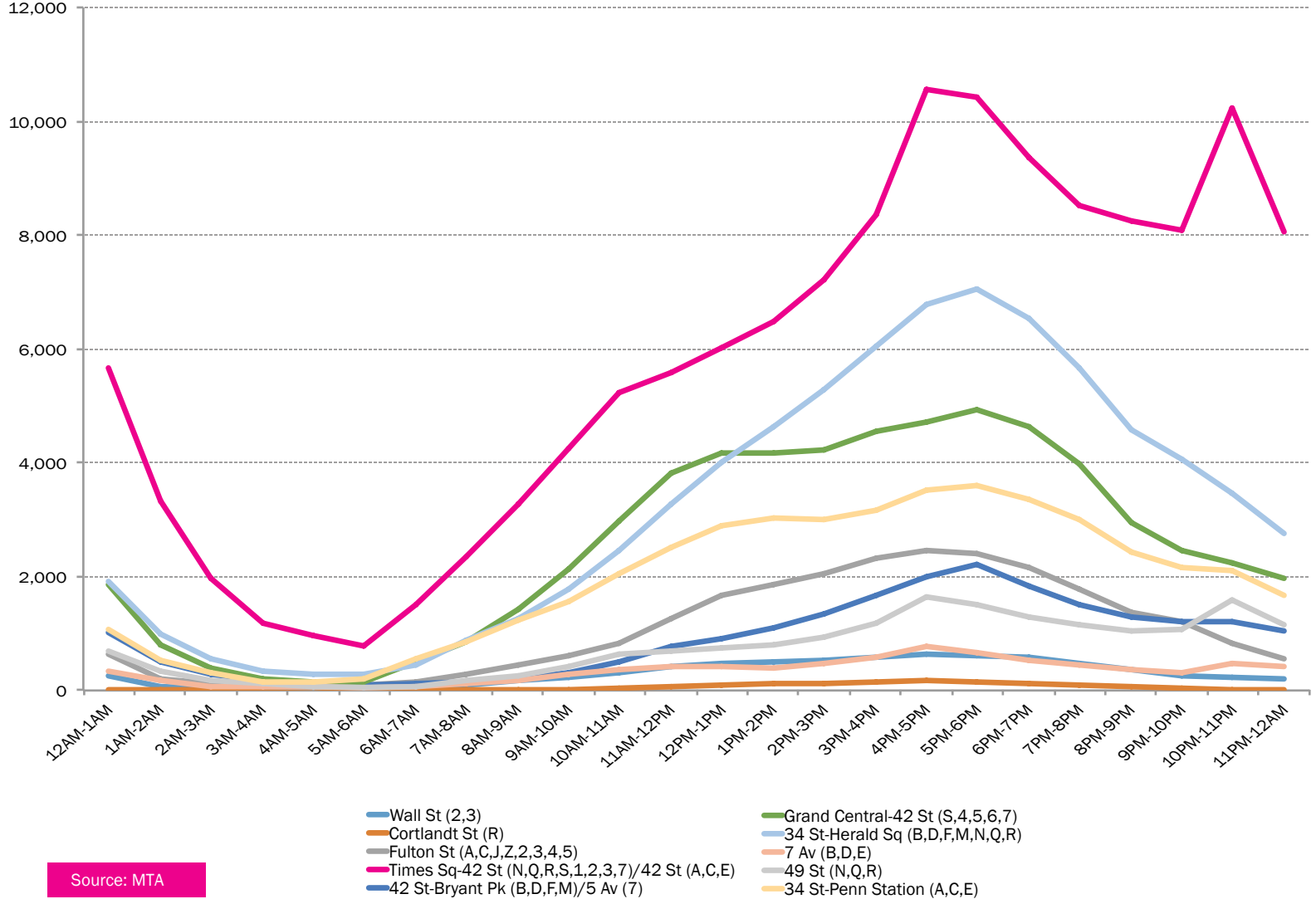
Average Weekday Ridership, Times Square/42nd Street (1,2,3,7,N,Q,R,S/A,C,E)



Average Weekday Ridership

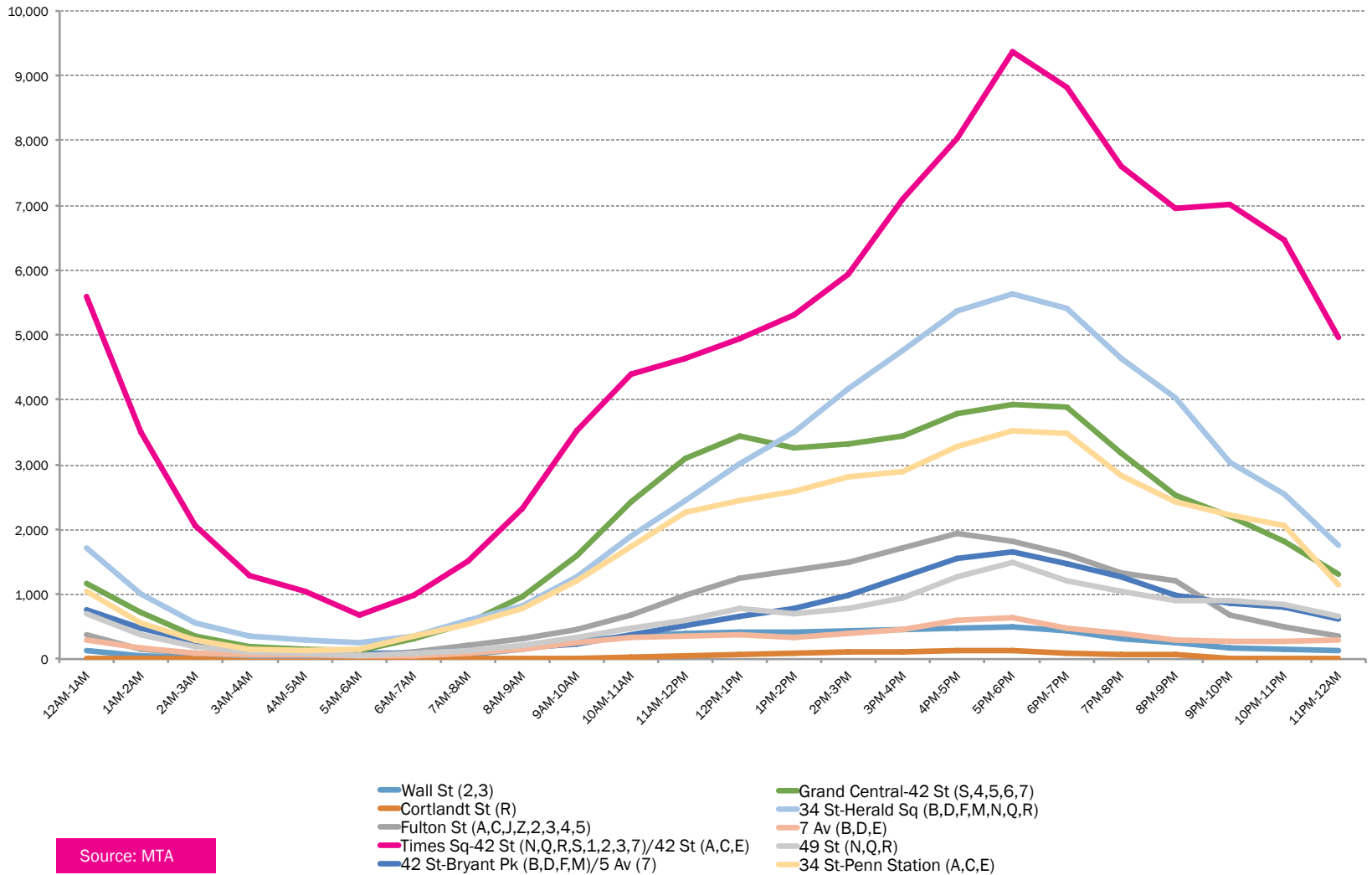


Average Saturday Ridership



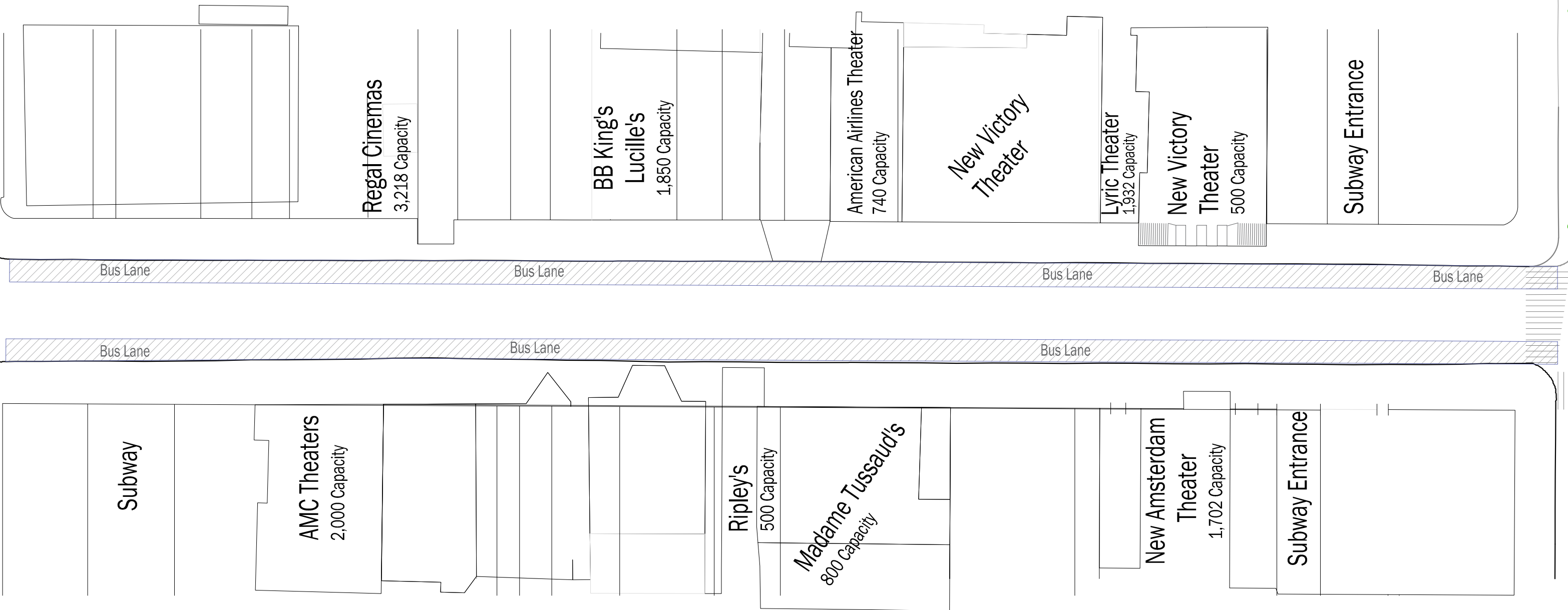
Source: MTA

Average Sunday Ridership



Source: MTA

42nd Street Congestion



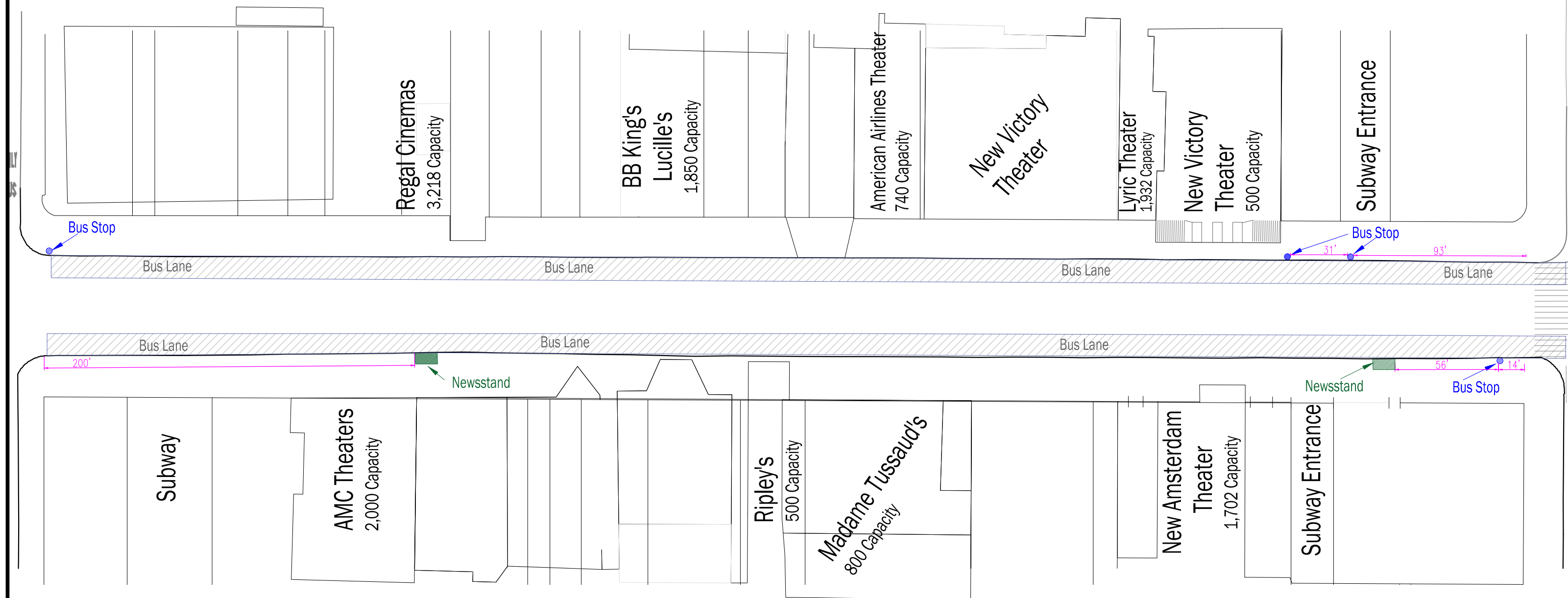
Pedestrian Level of Service 7p - 9p KEY

- D** Pace severely restricted and forward progress is only made by shuffling. This is frequent and unavoidable contact with other pedestrians.
- E** All pedestrians move at a restricted pace, volumes approach limit of capacity. Space is not sufficient for passing slower pedestrians.
- F** Restricted freedom to select pace and high probability of conflict.

* 78 total vendors were counted on 42nd St. on the evening of Friday, October 21, 2014



42nd Street Congestion



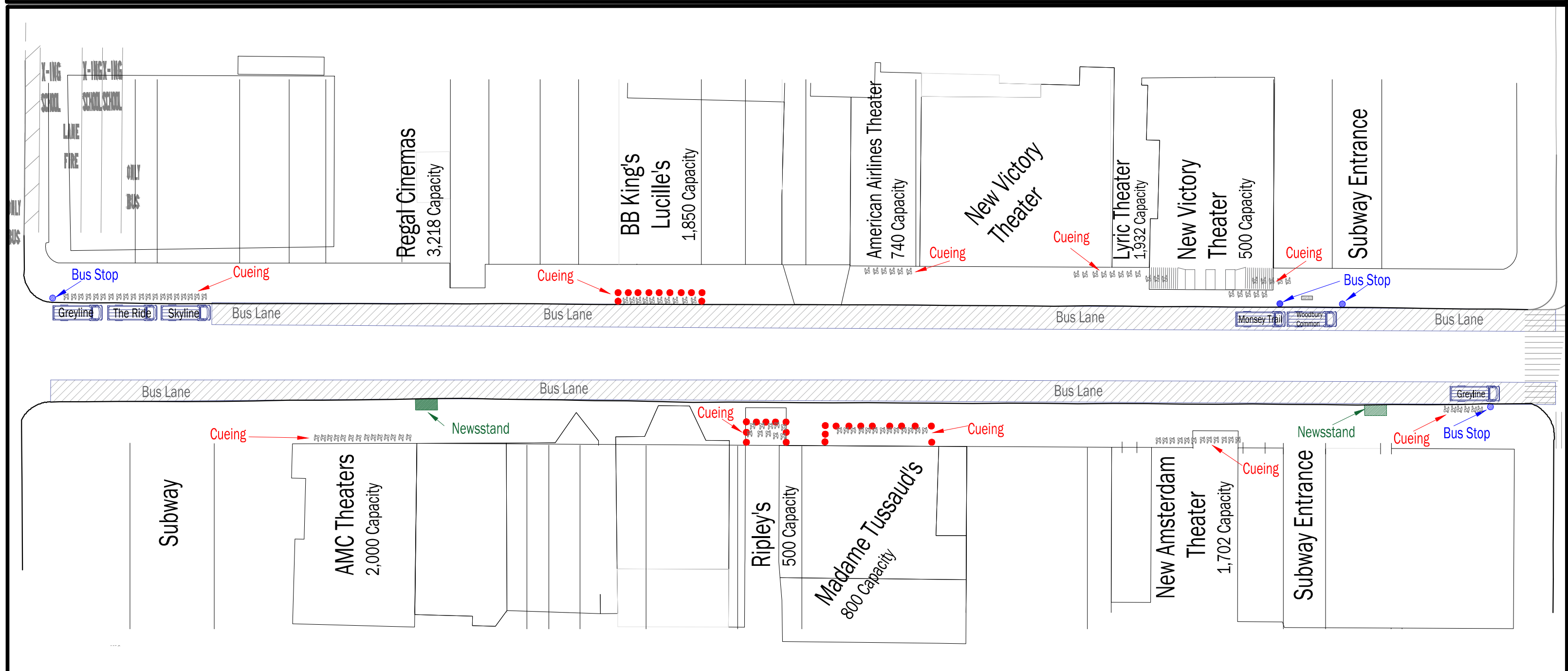
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42nd Street Congestion



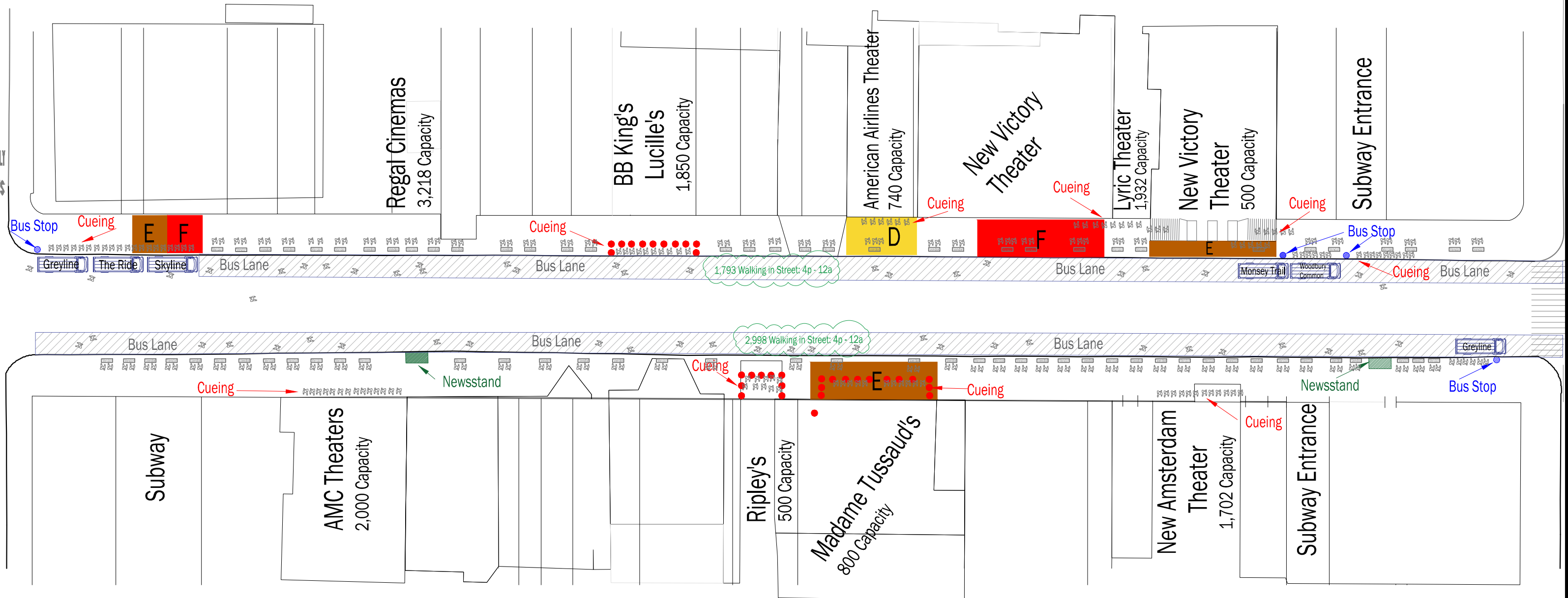
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42ND STREET: TOO MANY PEOPLE, OUTDATED REGULATIONS



42nd Street, between 7th and 8th Avenues, has outdated regulations that conflict with its modern incarnation as a midtown artery and entertainment hub.

Regulations governing the theater district were last codified in the 1990s, when 42nd Street was undergoing heavy demolition and construction, and was largely deserted.

Currently there are **four Broadway theaters, two large movie theaters, a concert venue, a performance space, and other tourist destinations** including Ripley's Believe it or Not and Madame Tussaud's, with a combined seating capacity of 13,552.

Many of the **42nd Street subway station's 200,000 daily riders**, and an additional **225,000 daily passengers from the Port Authority bus terminal**, use these sidewalks daily.

Five different tour bus companies have stops located on 42nd Street, causing constant queuing at the curb.

The sidewalk is exceptionally crowded, especially at rush hours, and many pedestrians resort to walking in the street.

Between 7 and 9 PM on a Saturday in October 2014, 13,811 pedestrians were counted on the south sidewalk, and 11,062 on the north sidewalk.

During this same 2-hour time frame, **3,101 additional pedestrians were observed walking in the street** to avoid crowds,* a dangerous practice on one of the busiest streets in the city,

Vending (permitted after 7PM) and other obstructions like signs and french barricades, narrow the sidewalk considerably and exacerbate crowding.

Almost 80 vendors were observed on Friday and Saturday evenings, restricting the 24-foot wide sidewalks to less than half that width, and even narrower in areas with scaffolding.

The 2014 study found that, compared to 2012, Saturday evening peak pedestrian crowding increased by 21%, and Friday evening vending by 10%.

Of the **27** observed locations and time periods, only **15** showed an acceptable level of service for pedestrian mobility in 2014, compared to **23** in 2012.

To address pedestrian safety issues in a manner consistent with Vision Zero, usage regulations must be altered to reflect the current uses and conditions.



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**Street volumes were collected at three locations and combined
Source: Philip Habib and Associates, 2014*

**Possible Ways to Address Pedestrian Safety Issues on 42nd Street
& Ensure that Commercial Solicitation is not Dispersed to 42nd Street once Plaza Rules Enacted**

“Pursue additional limitations on vending activity along 42nd Street” (Task Force Recommendation 10/1/15): Directly modify vending law: Ban, limit hours, limit places.

Require in plaza legislation that for nearby impacted sidewalks in the Times Square area which are (a) within 1000 feet of the plazas and (b) for which there is documented evidence of significant and ongoing hazardous pedestrian conditions, DOT shall (i) conduct no fewer than every 3 years a level of service analysis and counts of pedestrians walking in the streetbed in a location other than a crosswalks and (ii) if such surveys empirically confirm such significant and ongoing hazardous pedestrian conditions, shall take actions to limit the time and place of any encumbrances or activity which contribute to such conditions.

Require in plaza legislation that rules which prohibit encumbrances within 65 feet of a theater or entertainment venue (which is a state law which applies to veteran vending on cross streets but not 42nd street) apply to sidewalks within 1000 feet of a plaza.

Add 42nd Street sidewalks to licensed area that the Alliance is responsible for maintaining under its DOT plaza concession agreement (currently just the pedestrian plazas and specially paved sidewalks) and then say that DOT’s plaza rules may apply to licensed areas.

In legislation, in some other manner determine how to define 42nd Street sidewalks as being plazas or subject to plaza rules.

In legislation, DOT defines impacted sidewalks including 42nd as being flow zones where the regulated commercial solicitation activity cannot take place.

Seek an amendment to the 42nd Street Project Plan through joint City-State action to address commercial activities and encumbrances on 42nd Street

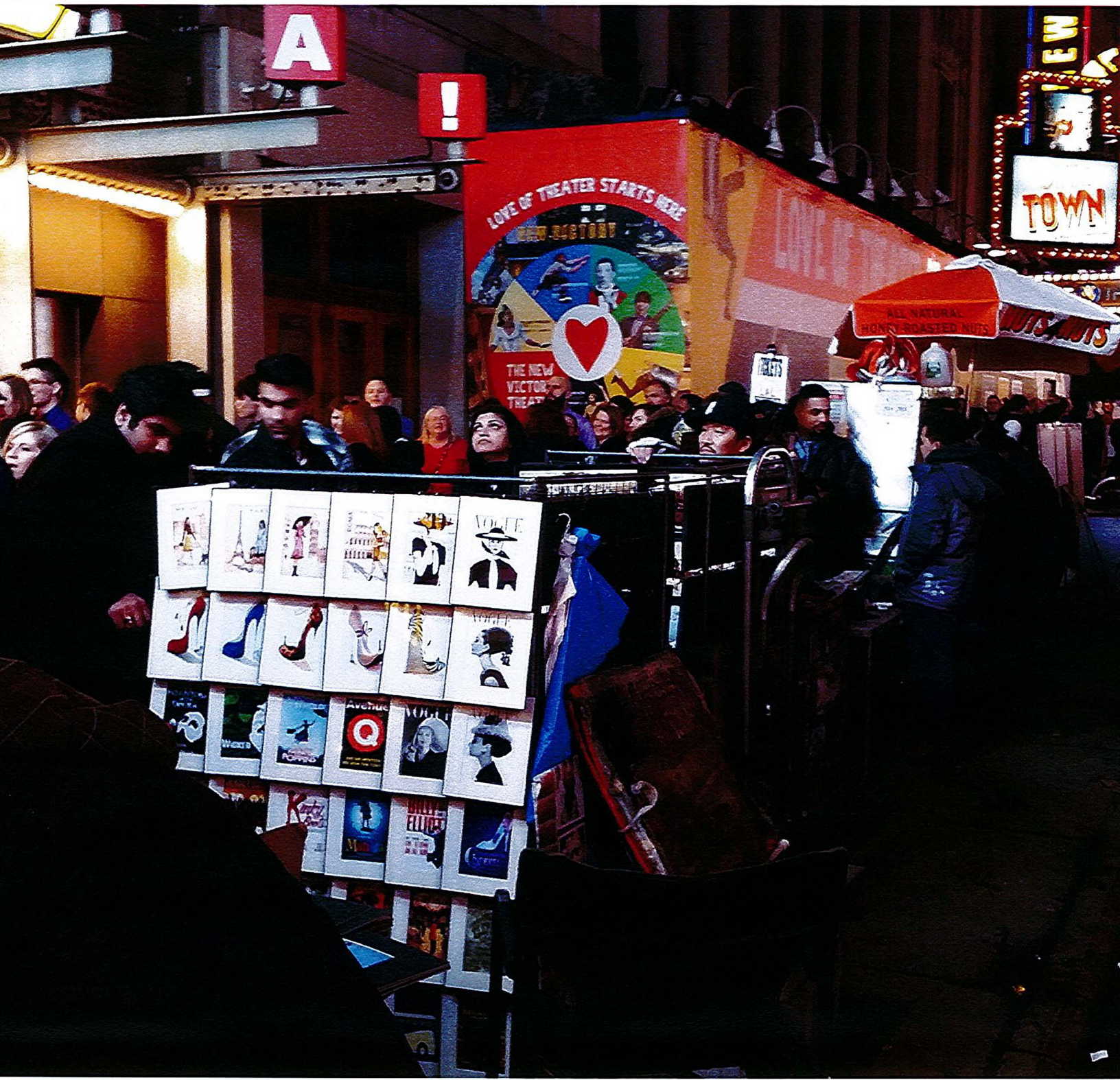
(Across these options that relate to nearby impacted sidewalks, have certain criteria which make clear that these must be narrowly defined so as to address Council concerns about overreach with respect to vending regulation)

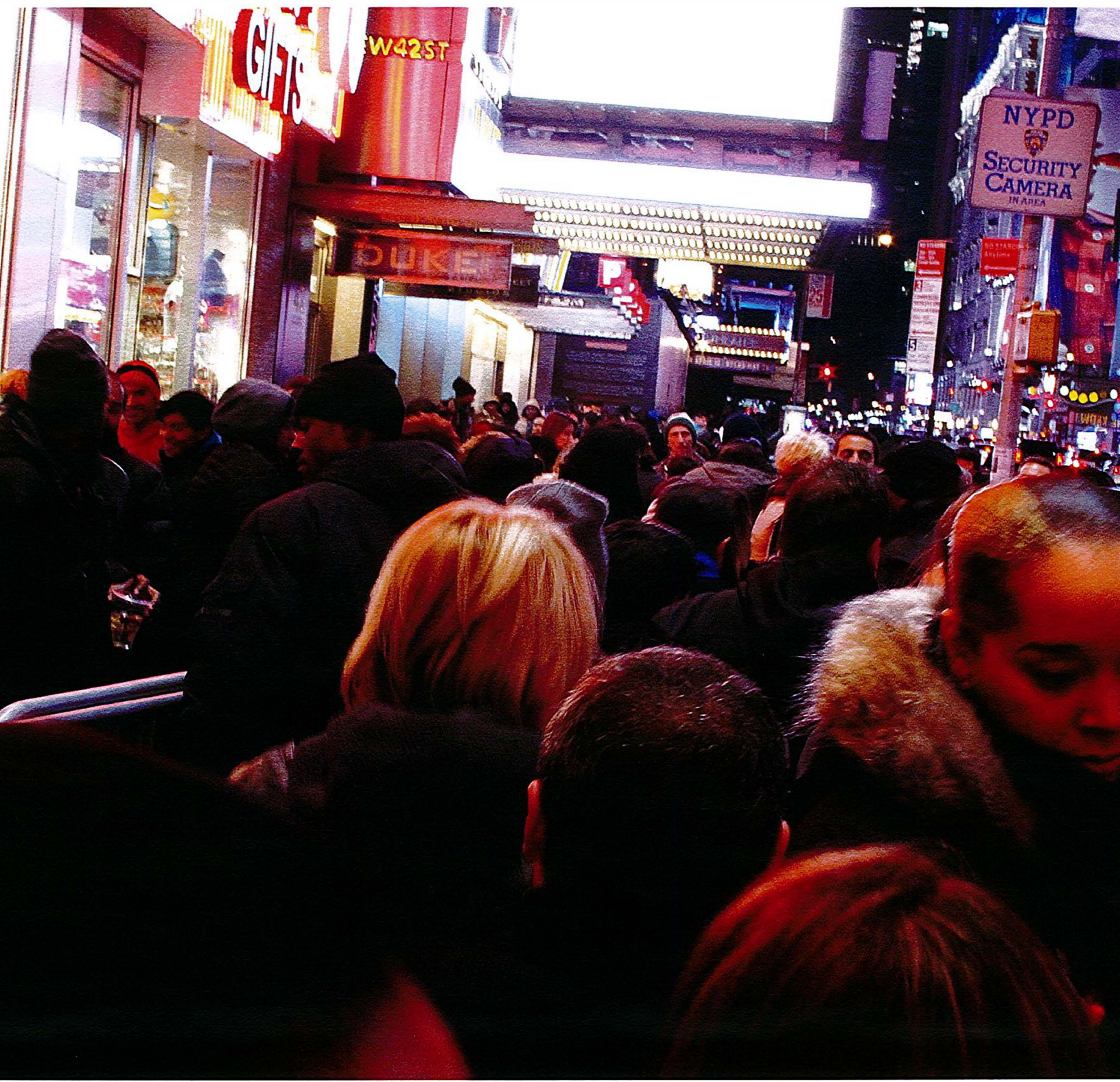


















TESTIMONY BY THE TIMES SQUARE ALLIANCE
NOVEMBER 23, 2015

REGARDING PROPOSED AMENDMENTS BY THE STREET ACTIVITY PERMIT OFFICE
(SAPO) OF THE MAYOR'S OFFICE OF CITYWIDE EVENT COORDINATION AND
MANAGEMENT (CECM) TO RULES ISSUED PURSUANT CHARTER SECTION 1043(D)
WITH RESPECT TO LIMITATIONS ON STREET FAIRS AND STREET CLOSINGS

First, the Alliance wishes to thank Michael Paul Carey as well as the entire staff of SAPO and CECM for their support of and sensitivity to the needs of the Times Square community throughout the year, in the face of many competing and complex demands. Theirs is not an easy job, and in our experience their work has been exemplary.

Part of the reason SAPO's job is so difficult is that the regulatory tools at their disposal to analyze and address the different impacts of different events on different neighborhoods at different hours of the day, different days of the week, and different seasons of the year, are limited. It is our hope that the testimony and submission from the Alliance today will provide a basis for future rule changes that give SAPO, CECM, and any other bodies weighing in on or deciding on event permits with respect to both streets (and eventually plazas) the ability to use data-based neighborhood impact analysis, combined with strong consideration of community input, to assess the appropriateness of potential street closures and events. Ideally, such rule changes will allow SAPO, CECM and other permitting authorities the ability to have a set of rules which are not "one size fits all," but rather responsive to the particular facts, circumstances, needs, and impacts of the streets, sidewalks and plazas in different neighborhoods, while carefully considering the advisory recommendations, where appropriate, of community entities and partners like BIDs and Community Boards.

With respect to the immediate proposals at hand, the Alliance supports the continued moratorium on new street fairs (Section 1-05(d) of Title 50) and the proposed new subdivision (e) of that Section, which prohibits "any street fair, block

parties or other street activity which require closure of a street” on 42nd to 50th Street, with the following comments and exceptions:

- We believe the City should assess, using City traffic data as well as information and analysis by the Times Square Alliance, whether existing and/or prospective street closures on immediately proximate streets and avenues should be considered for prohibition as well. Specifically we suggest examining the potential impact of weekend closures of 41st, 51st, 52nd, 53rd and 54th street between 6th and 8th Avenues, 46th Street between 8th and 9th Avenue, and 6th and 8th Avenues from 41st to 54th streets. The reason we propose considering these additional prohibitions is based on the preliminary analysis we have done of both the density and types of uses in the Times Square and theater district area (including but not limited to entertainment venues and hotels, which both generate exceptional amounts of additional vehicular traffic at certain times), and of traffic patterns unique to Times Square and the theater district, which show that weekend traffic volume is, on average, as high or higher than weekday traffic volume. Our preliminary data, which we are submitting with this testimony, suggest that further study and data may indicate that weekend street closures on those immediately proximate streets may have the same adverse effects on Times Square and theater district traffic as closures on 42-50th streets.
- We believe that the rules should allow for exceptions to the prohibition if:
 - o The proposed street closure is for an event which (a) promotes both Times Square and New York City globally by means of multi-hour simultaneous live broadcasts on no fewer than 3 broadcast or cable networks which historically have audiences of 1 million or more viewers and (b) has been recommended for approval by both the Times Square Alliance and Community Board 5 by virtue of its positive promotional impact on Times Square and New York City;

- The proposed street closure (a) occurs at a time which is, based on current traffic data and neighborhood impact analysis, deemed to be on either of two weekdays which are of minimal impact (i.e., Sunday or Monday); (b) promotes or is co-sponsored by no fewer than 10 business or charitable entities whose primary place of business is located within the Times Square Alliance BID boundaries; and (c) has been recommended for approval by both the Times Square Alliance and Community Board 5.

The first exception will allow for the continued permitting of events such as New Year's Eve, the second for events such as the Taste of Times Square and the Broadway Flea Market. Both exceptions draw on concepts and principles embodied in previous, recent amendments to SAPO rules relating to events on pedestrian plazas, which offer exceptions for events which promote the City or a neighborhood by virtue of promoting more than one business and being sponsored by a BID and which acknowledge the value of events driven by multiple entities which are truly indigenous to the neighborhood. However, our proposed exceptions add additional criteria which are more nuanced to prevent any gaming of the system or the distortion of the intention of the rules – which has increasingly happened with respect to street fairs – while recognizing that in certain very limited instances the adverse affects of a street closure on a day of minimal impact are overcome by the contribution to the community of that event, as defined by the criteria above.

To further articulate our position, we support the proposed prohibition, with the above amendments, for the following reasons (please see documentation accompanying this testimony):

- Street closures have an extraordinarily negative impact on businesses, especially those such as theaters and hotels (and in some cases restaurants serving theater patrons) which are heavily dependent on vehicular traffic that is concentrated at particular times (e.g. pre- and post-theater; or mid-day check-in and check-out times for hotels). For a case study containing evidence of this, please review the May 22, 2015 letter to SAPO, signed by

- multiple businesses on 45th Street, as well as street fair impact reports for that same block on May 9th, May 22nd, June 7th and November 14th.
- The number of street fairs in the Times Square and theater district area has increased from 23 to 37 from 2009 to 2015 even as the number of tourists, Broadway attendance, hotel inventory and occupancy, Times Square subway ridership and pedestrian counts have all soared, combined with construction-related traffic restrictions.
 - Unlike other commercial and entertainment zones in midtown and downtown, Times Square pedestrian and vehicular traffic does not significantly diminish on the weekends, which is the reason why street fairs are generally permitted on weekends rather than weekdays. Instead, it often increases. This is primarily due to the existence of the Broadway theaters (approximately 32,000 seats), other entertainment venues (approximately 38,000 additional seats), and 18,000 hotel rooms, all of which exist in far greater density than in other parts of the city. Average weekend subway ridership is 11% greater than on weekdays in Times Square; average weekday subway ridership is 15% and 61% greater than any other neighborhood and average weekend ridership is between 23% and 79% greater than any other neighborhood.
 - An independent analysis of Times Square traffic and street closure effects by Philip Habib Associates shows that not only are traffic volumes nearly identical on weekends as on weekdays (99.6%), but that street closures can increase traffic on surrounding at capacity streets by as much as 45% .
 - Because, according to an independent 2011 economic impact study, Times Square represents only .01 percent of New York City's landmass but represents 11% of the city's economic activity and indirectly or directly creates 1 in every 10 jobs in the city, strangling its streets – and therefore the City's economy and leading jobs engine – in order to allow for street fairs that have no real relationship to the neighborhood makes no economic or policy sense.

Finally, while we know that the proposed rules only relate to street closures, we believe that a similar combination of (a) a set of fact-based neighborhood impact criteria (both positive and negative) and (b) a practice of strong deference and

responsiveness to advisory opinions from, as appropriate, community partners, BIDs, and Community Boards with respect to events can, provide SAPO, CECM, DOT, NYPD, MOME and other entities who will be weighing in on events, programming and commercial activities in pedestrian plazas in Times Square and throughout the city. Once again, we believe that a more nuanced set of criteria, which take into account both neighborhood-specific facts and desires, will serve communities – and the agencies that must make permitting and regulatory decisions with respect to public spaces – far better than the current system. We know that both the de Blasio administration, the City Council, as well as in our case the Manhattan Borough President and Community Board 5, are all thinking about those very issues and tools, and we look forward to continued conversations with all interested parties in the weeks and month ahead.



Philip Habib & Associates

Engineers and Planners • 102 Madison Avenue • New York, NY 10016 • 212 929 5656 • 212 929 5605 (fax)

To: Times Square Alliance

From: Philip Habib & Associates

Re: Times Square Traffic and Street Closure Effects

Date: November 20, 2015

Philip Habib & Associates (PHA) has been retained by Times Square Alliance (TSA) to document transportation conditions within the Times Square “bowtie” and the surrounding area. The “bowtie” encompasses the public urban space - sidewalks, pedestrian plazas and roadway – bounded by the properties lining the mapped Broadway and Seventh Avenue street corridors between West 42nd and 47th Streets. The purpose of this memorandum is to summarize traffic volume data collected in and around Times Square and to describe the implications of weekend street closures for street fairs on traffic conditions at this unique district.

Figure 1 shows the street system network evaluated. This includes W 42nd Street to W 48th Street from Sixth Avenue to Eighth Avenue. In addition to office, retail uses, and restaurants in this area, the district also houses 28 Broadway theaters currently in operation with a combined total of approximately 33,000 seats, all of which affects area traffic conditions on both weekdays and weekend days.

DATA COLLECTION

Automatic Traffic Recorders

To establish base data for the network, 24-hour Automatic Traffic Recorder (ATR) counts were conducted for eight consecutive days, from Saturday, October 17th to Saturday, October 24th, 2015. ATRs were placed along nine corridors: Sixth, Seventh, and Eighth Avenues; and West 43rd Street to West 48th Street. Two separate count locations were selected along each corridor for a total of 18 locations. As the roadways along Sixth and Eighth Avenues are more than three lanes wide, an additional ATR was placed at each count location along these corridors. Overall, 22 ATRs were placed and utilized to collect this traffic data. There were no street fairs in/around the district during these traffic counts.

Turning Movement Counts

To further analyze traffic patterns, Turning Movement Counts (TMCs) were collected on October 17th and 18th during the midday (12pm to 2pm) and evening (5pm to 7pm) peak periods. TMCs were collected at six intersections: West 43rd, West 45th, and West 47th Streets at Sixth Avenue; and West 44th Street to West 46th Street at Seventh Avenue. Figure 2 shows ATR and TMC data collection locations.

FIGURE 1: SYSTEM STREET NETWORK

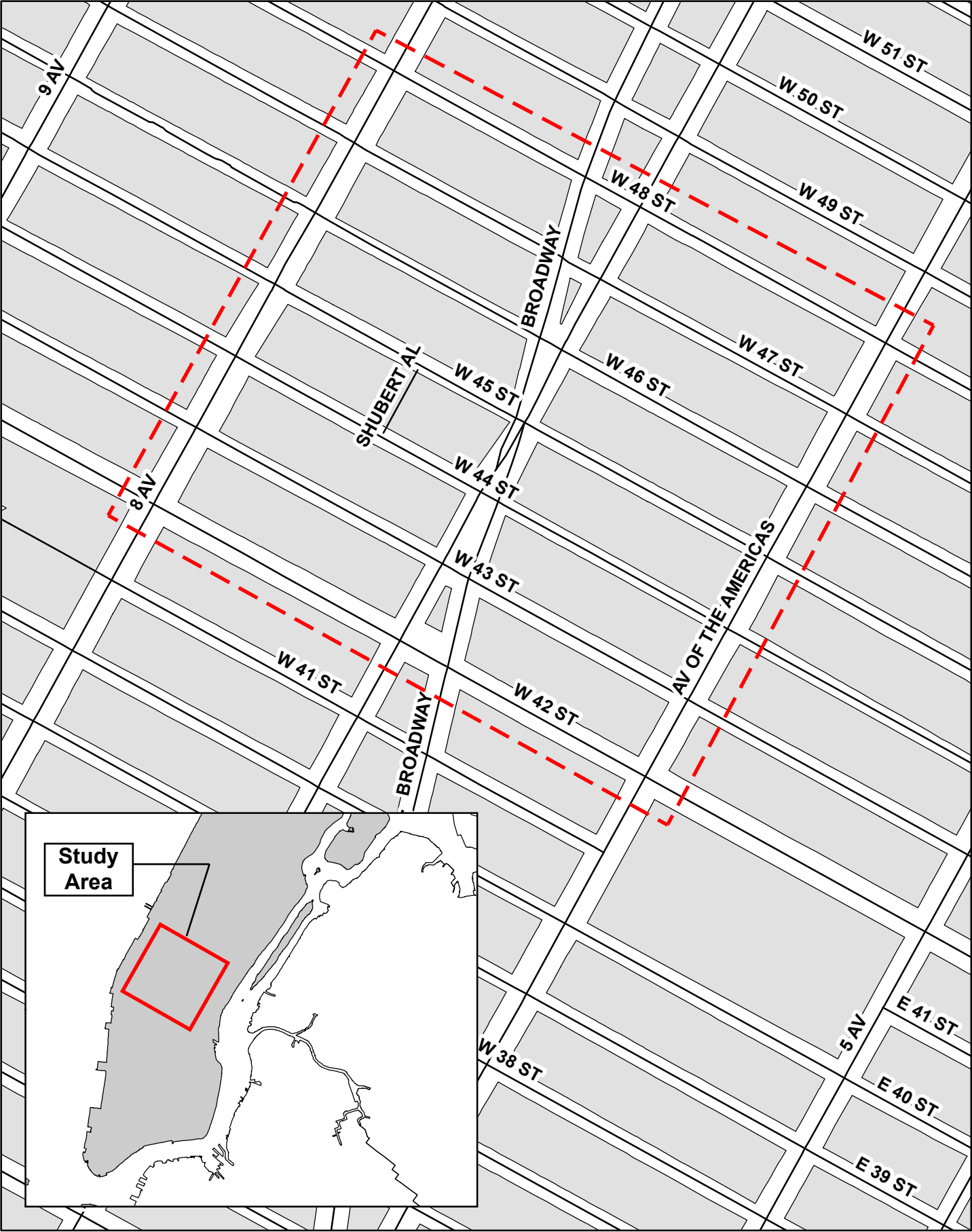
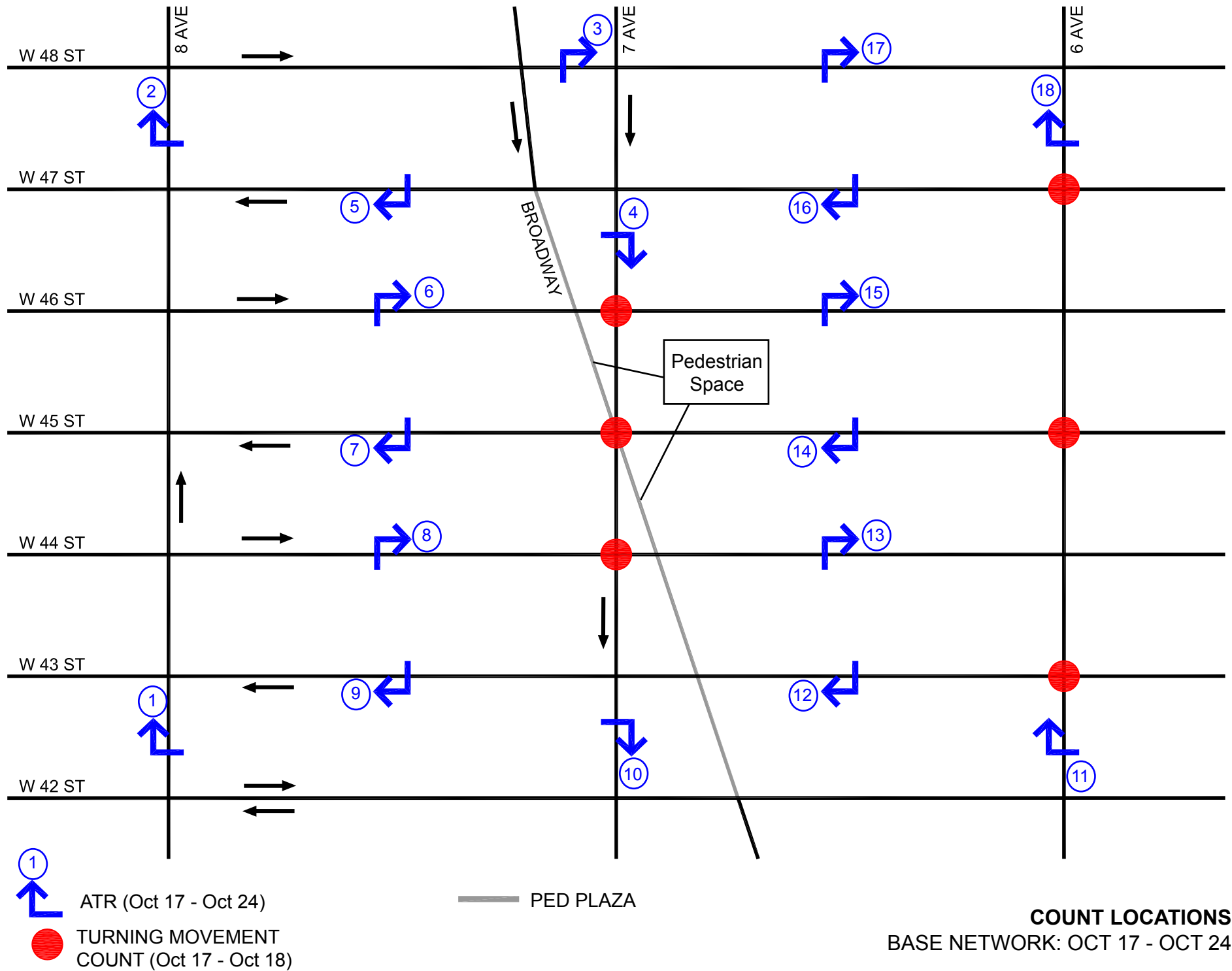


FIGURE 2: DATA COLLECTION LOCATIONS



BASE NETWORK

Table 1: 24-Hour Average Weekday and Weekend Traffic

PHA Base ATR Locations	24-Hour Weekday Vehicle Averages	24-Hour Weekend Vehicle Averages	Weekend/ Weekday
1. 8th Ave btwn 42nd & 43rd Sts (NB)	34178	33687	98.6%
2. 8th Ave btwn 47th & 48th Sts (NB)	32560	33061	101.5%
3. 48th St btwn Broadway & 7th Ave (EB)	10062	9691	96.3%
4. 7th Ave btwn 46th & 47th Sts (SB)	17792	17701	99.5%
5. 47th St btwn Broadway & 8th Ave (WB)	9952	9713	97.6%
6. 46th St btwn Broadway and 8th Ave (EB)	8746	9224	105.5%
7. 45th St btwn 7th & 8th Aves (WB)	8403	8904	106.0%
8. 44th St btwn 7th & 8th Aves (EB)	9733	8940	91.9%
9. 43rd St btwn 7th & 8th Aves (WB)	7551	7831	103.7%
10. 7th Ave btwn 42nd & 43rd Sts (SB)	25489	24076	94.5%
11. 6th Ave btwn 42nd & 43rd Sts (NB)	38940	36145	92.8%
12. 43rd St btwn Broadway & 6th Ave (WB)	8397	7953	94.7%
13. 44th St btwn Broadway and 6th Ave (EB)	6480	5853	90.3%
14. 45th St btwn 6th & 7th Aves (WB)	10787	9427	87.4%
15. 46th St btwn 6th & 7th Aves (EB)	6017	5654	94.0%
16. 47th St btwn 6th & 7th Aves (WB)	5839	5757	98.6%
17. 48th St btwn 6th & 7th Aves (EB)	10882	8761	80.5%
18. 6th Ave btwn 47th & 48th Sts (NB)	36295	32955	90.8%
TOTAL	288,103	275,333	95.6%

Table 1 shows the total traffic flow for the average weekday (Monday – Friday) and the average weekend day (Saturday and Sunday) for each of the 18 counts locations. As shown in Table 1, weekday and weekend 24-hour volumes are fairly equivalent over the district, with weekend traffic being approximately 96% of weekday traffic. As also shown in Table 1, cross-streets at select locations have more traffic on the weekends. Therefore, closing a street in the Times Square network on a Saturday or Sunday is similar to closing a street on a typical weekday.

On average, street fairs begin around 11am on weekends and are finished by 5pm, with about an additional hour on each end for the set-up and load-out processes. To narrow the scope a little further, weekday and weekend volumes were compared during the 8-hour period of 11am to 7pm, as shown in Table 2.

Table 2: 8-Hour Average Weekday and Weekend Traffic

PHA Base ATR Locations	Average Weekday Vehicular Volumes (11am - 7pm)	Average Weekend Vehicular Volumes (11am - 7pm)	Weekend / Weekday (11am – 7pm)
1. 8th Ave btwn 42nd & 43rd Sts (NB)	12562	12602	100.3%
2. 8th Ave btwn 47th & 48th Sts (NB)	11690	12499	106.9%
3. 48th St btwn Broadway & 7th Ave (EB)	4056	4013	98.9%
4. 7th Ave btwn 46th & 47th Sts (SB)	6418	6546	102.0%
5. 47th St btwn Broadway & 8th Ave (WB)	3804	3881	102.0%
6. 46th St btwn Broadway and 8th Ave (EB)	3558	3810	107.1%
7. 45th St btwn 7th & 8th Aves (WB)	3653	4041	110.6%
8. 44th St btwn 7th & 8th Aves (EB)	4023	4007	99.6%
9. 43rd St btwn 7th & 8th Aves (WB)	3231	3672	113.6%
10. 7th Ave btwn 42nd & 43rd Sts (SB)	9721	8905	91.6%
11. 6th Ave btwn 42nd & 43rd Sts (NB)	14495	14539	100.3%
12. 43rd St btwn Broadway & 6th Ave (WB)	3631	3749	103.2%
13. 44th St btwn Broadway and 6th Ave (EB)	2646	2579	97.4%
14. 45th St btwn 6th & 7th Aves (WB)	4780	4145	86.7%
15. 46th St btwn 6th & 7th Aves (EB)	2353	2223	94.5%
16. 47th St btwn 6th & 7th Aves (WB)	2264	2451	108.3%
17. 48th St btwn 6th & 7th Aves (EB)	4338	3663	84.4%
18. 6th Ave btwn 47th & 48th Sts (NB)	13721	13234	96.4%
TOTALS	110944	110555	99.6%

When comparing the 8-hour period of 11am to 7pm, weekday and weekend volumes become even more similar, with W 43rd, 45th, 46th, and 47th Street weekend volumes exceeding weekday volumes. Weekend volumes during this time period are higher for multiple reasons. On Saturdays, most Broadway theaters have two performances per day, one at 2pm and one at 8pm. With currently 28 Broadway theaters in operation in the area and the theaters accommodating 600 to 1,900 people per show, it adds a substantial number of vehicle trips during these periods to the Times Square area. Most shows also hold performances at 3pm on Sundays. Theaters alone create a surplus of traffic to the Times Square area, not to mention the number of restaurants, retail stores, museums, and movies theaters that are also in the area.

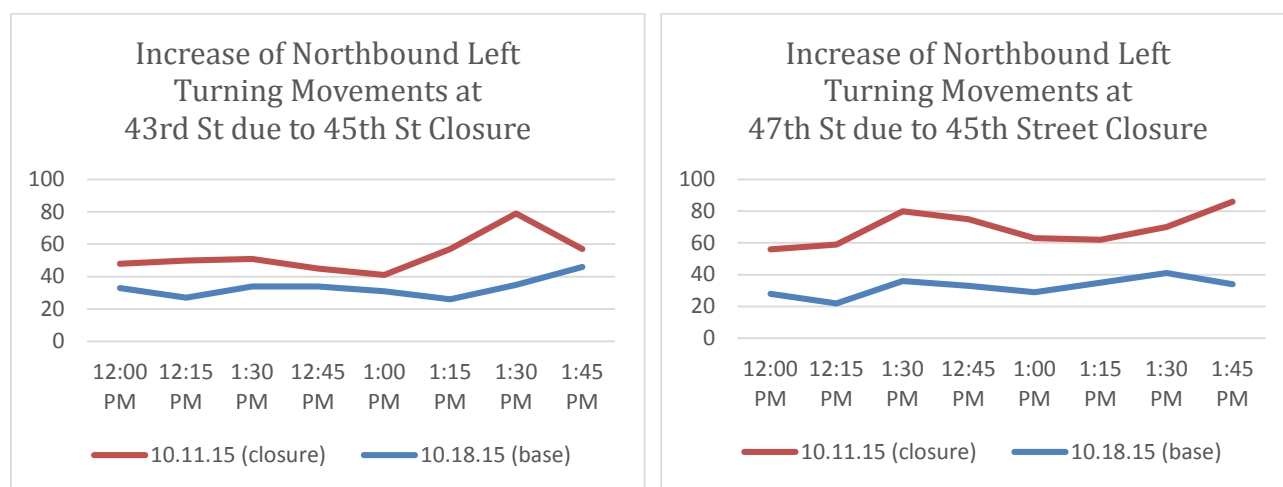
STREET CLOSURES

To help determine the effect of street closures on the vehicular network in the Times Square area, separate ATR counts were conducted during days when street fairs or events occurred. Days and locations of interest included the West 45th Street closure between Sixth and Seventh Avenues on October 11th, 2015, the West 46th Street closure between Eighth and Ninth Avenues on October 25th, 2015, and the West 46th Street closure between Sixth and Seventh Avenues on November 8th, 2015.

From this data, it was evident that the streets surrounding the closed street receive a substantial amount of diverted traffic. This puts a large strain on those surrounding streets, specifically cross streets, that are already

operating at capacity under normal circumstances. For instance, W 45th Street between Sixth and Seventh Avenues was closed for a street fair from 9am to 5pm on Sunday, October 11th, 2015. While W 45th Street was closed, the next westbound street to the north, W 47th Street between Sixth and Seventh Avenues, experienced a 45% increase in traffic, from 2,607 vehicles to 3,784 vehicles.

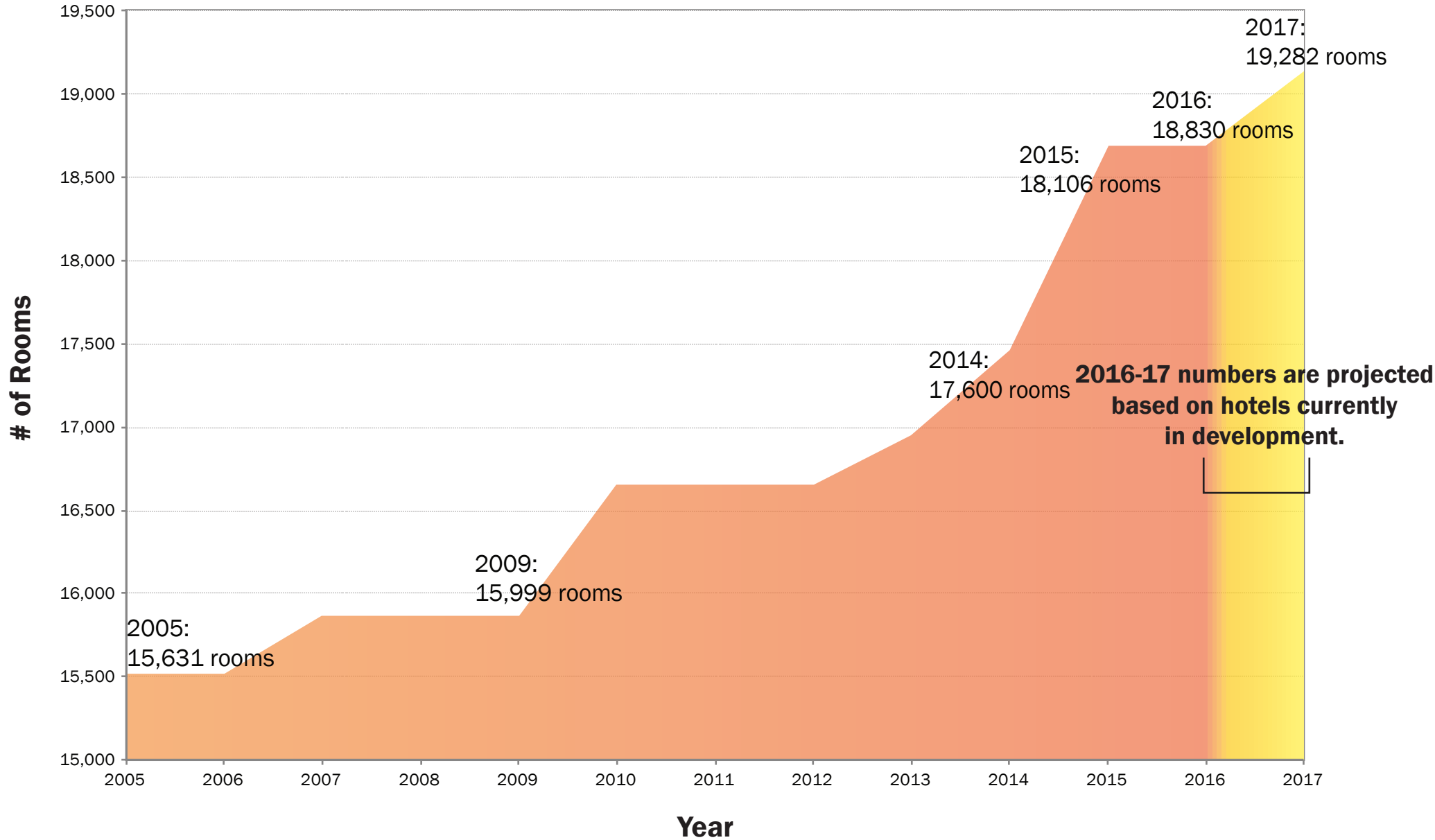
The TMC data also shows the impacts to the surrounding cross streets. For the W 45th Street closure, the Northbound Left movements along Sixth Avenue at W 43rd and W 47th Streets during the midday period drastically increased from the base data, as shown in the two figures below.



CONCLUSION

The amount of traffic in the Times Square district is consistently high, with weekend traffic volumes typically the same as weekday volumes. In some locations, cross streets in the East/West directions have higher traffic volumes during an average weekend than during an average weekday. The high traffic volumes are a result of multiple factors, one mainly being the number of Broadway theaters in the area. With 28 theaters in a concentrated area, it creates at least 30,000 trips during the matinee and evening performance periods. Closing streets for street fairs only causes more traffic congestion, specifically for traffic being diverted to the surrounding cross streets. Most street fairs take place during the theater performance periods, especially on Saturdays and Sundays when performances are held at 2pm and 3pm, respectively. Therefore, closing a street for a fair or event during the weekend is essentially no different than closing a street on a weekday, and it is recommended to not hold street fairs in the Times Square district.

Growth in Times Square Hotel Rooms



Roadmap for a 21st Century Times Square

Community Briefing Book for the Times Square Task Force

Borough President Gale Brewer
Councilmember Dan Garodnick
Councilmember Corey Johnson
Community Board Five
The Times Square Alliance

*The Executive Summary of this document has been endorsed by
(as of September 18, 2015; list in formation)¹*

New York State Senator Brad Hoylman

1540 Broadway
Actor's Equity Association
Bank of America
Boston Properties
Bow Tie Partners
Broadway Cares/Equity Fights AIDS
Bubba Gump Shrimp Co.
Carolines on Broadway
Clear Channel Spectacolor
Common Ground
Davis Realty
Disney Theatrical Group
Doubletree Suites
Forest City Ratner
Highgate Hotels
Hines Interests
Host Hotels & Resorts

Hotel Association of New York City, Inc.
Hyatt Times Square
Jamestown LLP
MAC Cosmetics
Maefield Development/FLB Ventures
Manatt, Phelps + Phillips LLP
Morgan Stanley + Co.
NASDAQ Market Site
Neighborhood Plaza Partnership,
a program of the Horticultural Society
Newmark
Port Authority of NY & NJ
Project FIND
Project for Public Spaces
Real Estate Board of New York
Roundabout Theatre Company
Rudin Management Company

Sherwood Equities
SL Green
The Actors Fund
The Broadway Association
The Broadway League
The Durst Organization
The Lamb's Club
The Renaissance NY Hotel
The Shubert Organization
Theatre Development Fund/TKTS
Tim O'Neal Lorah, Times Square Resident
Times Square Advertising Coalition
Transportation Alternatives
Transportation Ventures
Vornado Realty Trust
Walgreens
Witkoff Group/701 Seventh Avenue

¹The exact question asked was “Do you/does your organization agree generally with the DRAFT Community Statement of Problems and Proposed Solutions?” [The content of which can be found in the Executive Summary of this book]. Some respondents had additional comments, suggestions or qualifiers, but each of the names listed answered “Yes” in response.

Executive Summary

Background

The Broadway Plazas were created primarily to address pedestrian overcrowding in Times Square, which was consistently the number one concern of area employees. Following the opening of the plazas, surveys across stakeholder and constituent groups showed two-thirds to three-quarter majorities saying that the plazas should be made permanent. Times Square employee satisfaction jumped 31% initially, but those numbers have since declined due to new quality of life and congestion concerns.

Core Problems

While Times Square has thrived in recent years, it has a new set of problems that threaten its position as an engine for job growth and tax revenue:

- 1. Aggressive solicitation and predatory behavior by large number of players**
- 2. Continued pedestrian congestion at peak times, exacerbated by solicitation activities**
- 3. Severe traffic congestion throughout the Theater District**

Proposed Solutions

- 1. Provide the legal and regulatory tools to manage these new public spaces**
 - a. Legally redefine the plazas as a public place called “Times Square Commons”
 - b. Pass law authorizing DOT to enact regulations for pedestrian plazas; then issue rules which are specific to Times Square’s unique facts & challenges
 - c. Create three distinct regulatory zones within the Commons:
 - i. “Civic Zones” for passive use, events and programming
 - ii. “Flow Zones” for unimpeded pedestrian throughput
 - iii. “Designated Activity Zones” for constitutionally-protected solicitation for the immediate exchange of money for goods, services or entertainment
- 2. Complete Theater District congestion study to address pedestrian & vehicular issues using data-driven analysis; including exploration of:**
 - a. Improving pedestrian flow and safety for 42nd Street
 - b. Impact of tour bus stop locations, as well as bus clustering & dwell time
 - c. Impact of street closings, street fairs and events
 - d. Effect of traffic agents for peak times and intersections
 - e. Re-opening turn lanes and examining key vehicular-pedestrian pinch points
- 3. Sustain and Support new NYPD Times Square Unit**
 - a. Train Times Square beat cops on the nuanced forms of intimidation by solicitors & the complex legal issues related to enforcement
 - b. Make all civil penalties returnable to Midtown Community Court
 - c. Enlist support from the District Attorney

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- Letter to Commissioner Trottenberg from the NYC BID Association
- Letter to Mayor from the Neighborhood Plaza Partnership
- Letter to Mayor from NYC BID Association

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- Key articles regarding Times Square quality of life issues

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- Numbers of events & street closings in Times Square
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7. Alliance Studies & Surveys

- The Economic Impact of Times Square, 2012
- Labor Market Analysis: Culture & Tourism, 2014
- Perceptions of Times Square, 2007-2009
- Pedestrian Plaza Audit, 2010
- Times Square Attitude Survey, 2012
- Local User Survey, 2014
- Retail Rents, 2007-2015
- Constituent & Consumer Research, 2015

8. Documents Relating to a Draft Vision for Times Square

- Visioning Survey Summary
- Draft Principles & Admonitions
- Draft Vision for Times Square

A Roadmap for a 21st Century Times Square

Times Square has been thriving in recent years. However, it has a new set of problems that threaten its role as a continued engine for job growth and tax revenue. Its core problems are burgeoning quality of life issues and severe pedestrian & vehicular congestion. The solution lies in regulatory and legislative actions to help manage its new public spaces and the commercial activity within them; consistent and nuanced law enforcement by a special NYPD unit; and a data-driven approach to addressing pedestrian safety and vehicular flow issues, following a comprehensive analysis of Times Square and Theater District congestion.

Background

Times Square, often called the “Crossroads of the World,” is at a crossroads of its own. Over the last several years, and increasingly in the last 18 months, unregulated commercial activity, predatory and aggressive behavior, and random violence involving solicitors in Times Square’s pedestrian plazas have become endemic. In addition, pedestrian congestion is pushing people into the streets, not only on the plazas but also on 42nd Street, and vehicular congestion throughout the Theater District remains unabated. Hard-working New Yorkers are accosted too often. Tourists are routinely taken advantage of. And in many cases, law enforcement’s hands are tied because the laws governing Times Square are 20th Century laws being applied to 21st Century problems.

These are big, complicated and important issues, and they require innovative and thoughtful solutions. The plan outlined in this book represents the voice of the Times Square community and addresses the wide range of issues we face at the Crossroads of the World.

Times Square is a critical economic engine with a unique set of facts

Times Square is a bellwether for what is working or not working in New York City’s public realm, and arguably for the City as a whole. Though just 0.1% of the City’s land, it accounts for approximately \$1 of every \$9 in economic activity and, directly and indirectly, one-tenth of all jobs in the City. Everyday, 170,000 New Yorkers commute to work in Times Square, with 61% coming from Brooklyn, Queens, Staten Island, the Bronx and northern Manhattan. Times Square is the heart of the City’s tourism economy, with one-fifth of the City’s hotel rooms and more than 39 million visitors annually. Times Square contributes \$5 billion per year in City and State taxes. So what’s good for Times Square is good for New York and for all New Yorkers.

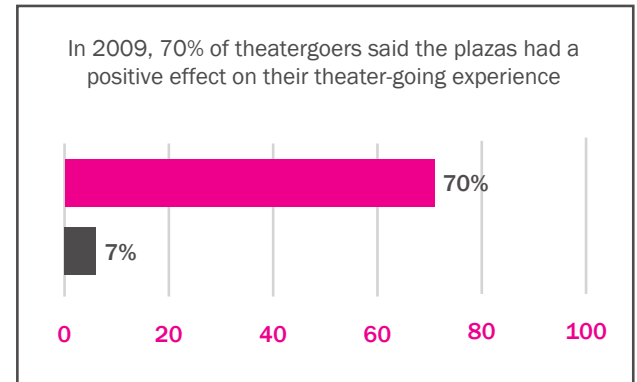
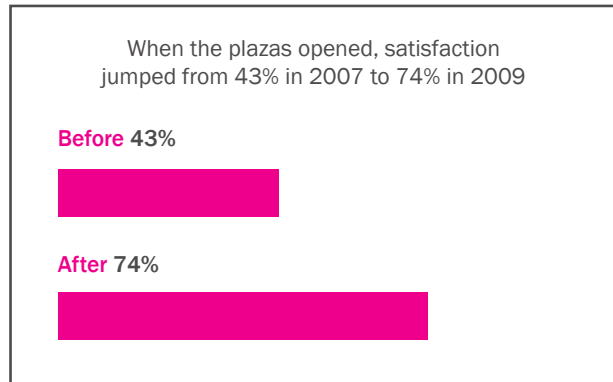
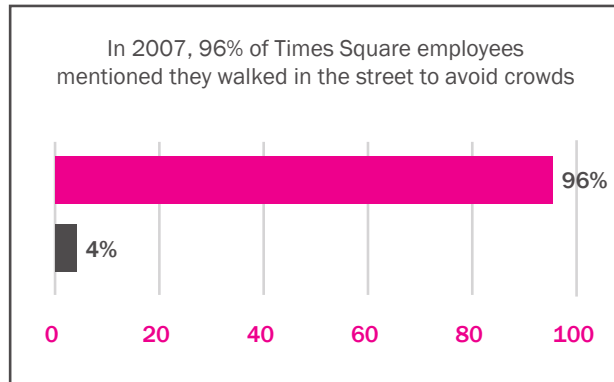
Times Square requires a unique solution specific to the area because it has more demands per square foot on its streets and public spaces than any other part of the city. Approximately 350,000 to 450,000 pedestrians pass through the area daily. 81.8 million commuters come out of the Times Square subway stations annually, which is 20.5% greater than Herald Square, the next busiest stations in the city. The Times Square plazas host 12 times as many special events as the next busiest plazas. Thousands of people daily walk in traffic lanes on West 42nd Street at peak times while traveling to and from its four live theater houses, two cinema multiplexes, two major tourist attractions (Madame Tussauds and Ripley’s), three major commercial office towers, one hotel, and the Port Authority Bus Terminal. That, plus the confluence of pedestrians and vehicles coming and going from Times Square’s 39 Broadway theaters, 29 million square feet of commercial office space and 18,000 hotel rooms create a daily state of gridlock that justify, factually, and legally, the special overlay of rules for which we are advocating.

The Pedestrian Plazas were initially embraced because they solved a pressing problem

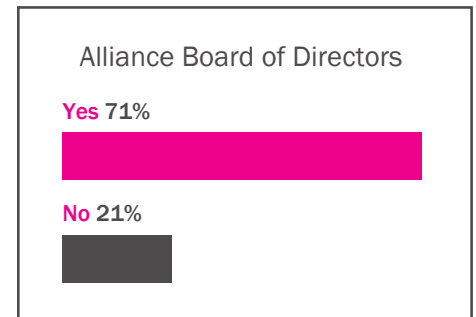
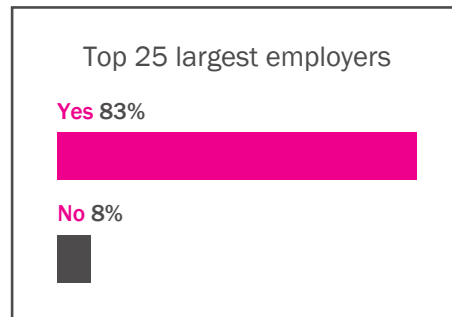
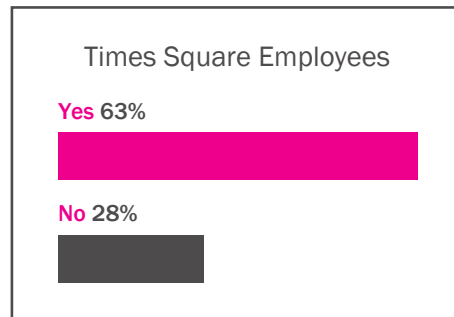
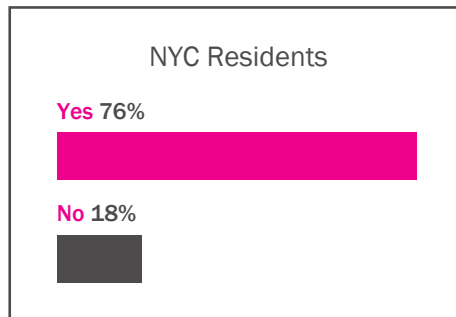
The creation of the Broadway Plazas transformed Times Square’s public spaces, relieved dangerous pedestrian overcrowding, and created a new category of public space celebrated by New Yorkers and transportation advocates worldwide. Before the plazas were created, the number one complaint from employees was the lack of pedestrian space. Surveys of New York City residents showed that satisfaction with Times Square jumped by over 30% once the plazas were opened (see chart on the next page). Since the creation of the plazas, average asking retail rates have soared from \$500-\$800 per square foot to just under \$2500 per square foot because pedestrians have more time to linger and notice retail. Sign companies have also benefitted from this additional dwell time, and after initial skepticism, the Times Square Advertising Coalition vigorously supports them.

Times Square Pedestrian Plazas: Background

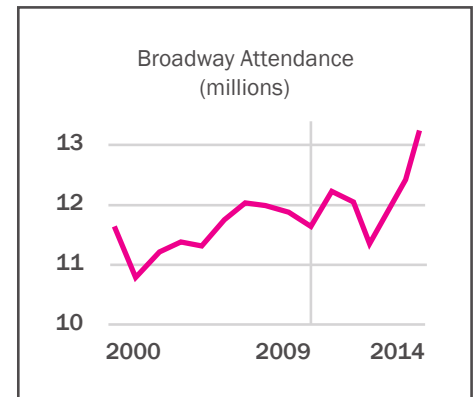
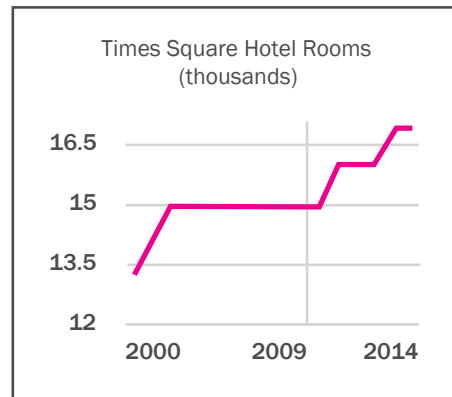
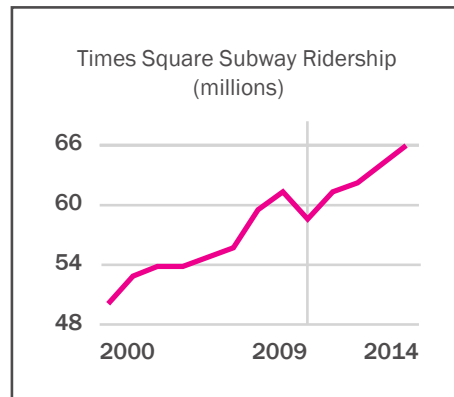
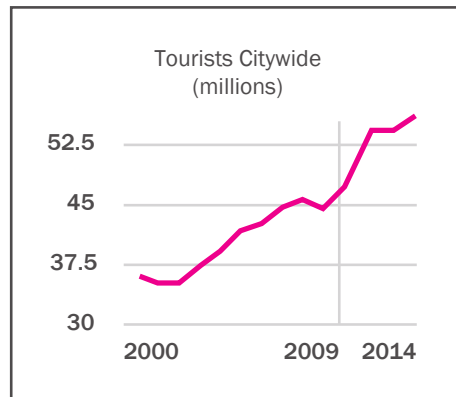
After years of dodging cars, local employee and constituent satisfaction with Times Square increased dramatically ^{1,2,3}



6 months after the plazas opened, every constituency surveyed felt they should be made permanent ^{4,5,6,7}



The plazas were created to accommodate soaring numbers of people in Times Square, which have only increased since 2009 ^{8,9,10,11}



1. StrategyOne Constituent Attitude Survey (2008) 2. StrategyOne Constituent Attitude Survey (2008, 2009) 3. StrategyOne Constituent Attitude Survey (2009) 4. StrategyOne Constituent Attitude Survey (2009) 5. StrategyOne Constituent Attitude Survey (2009) 6. Times Square Alliance (2009) 7. Times Square Alliance (2009) 8. Metropolitan Transit Authority (2015) 9. The Broadway League (2015) 10. CoStar (2015) 11. NYC & Company (2015)

Times Square Pedestrian Plazas: Background on constituent sentiments

Congestion cited as top problem in years leading up to Plaza creation

2001

Congestion was cited by **86%** of stakeholders as a high priority concern.

2003

67% of local employees who said they'd rather work somewhere besides Times Square cited congestion as the reason, four times more than the next reason cited.

2007

92% of local employees said there are too many people on the sidewalks & **96%** mentioned walking in the street to avoid crowds.

Satisfaction surged with Plazas and then declined with quality of life issues

2009

With the opening of the plazas, local employee satisfaction jumps to **74%** (from **43%** in 2007).

2012

Times Square local employee satisfaction dropped back down to **54%** as new quality of life issues emerge.

2014

45% of constituents cited an unpleasant interaction with a costumed character or solicitor, and **73%** would like to see fewer.

2015

A partnership with Zagat surveyed those who avoid Times Square – **94%** cited crowds as a reason for dissatisfaction, and **67%** said fewer solicitors and costumed characters would improve their experience.

An old legal framework inhibits effective management of these new specs

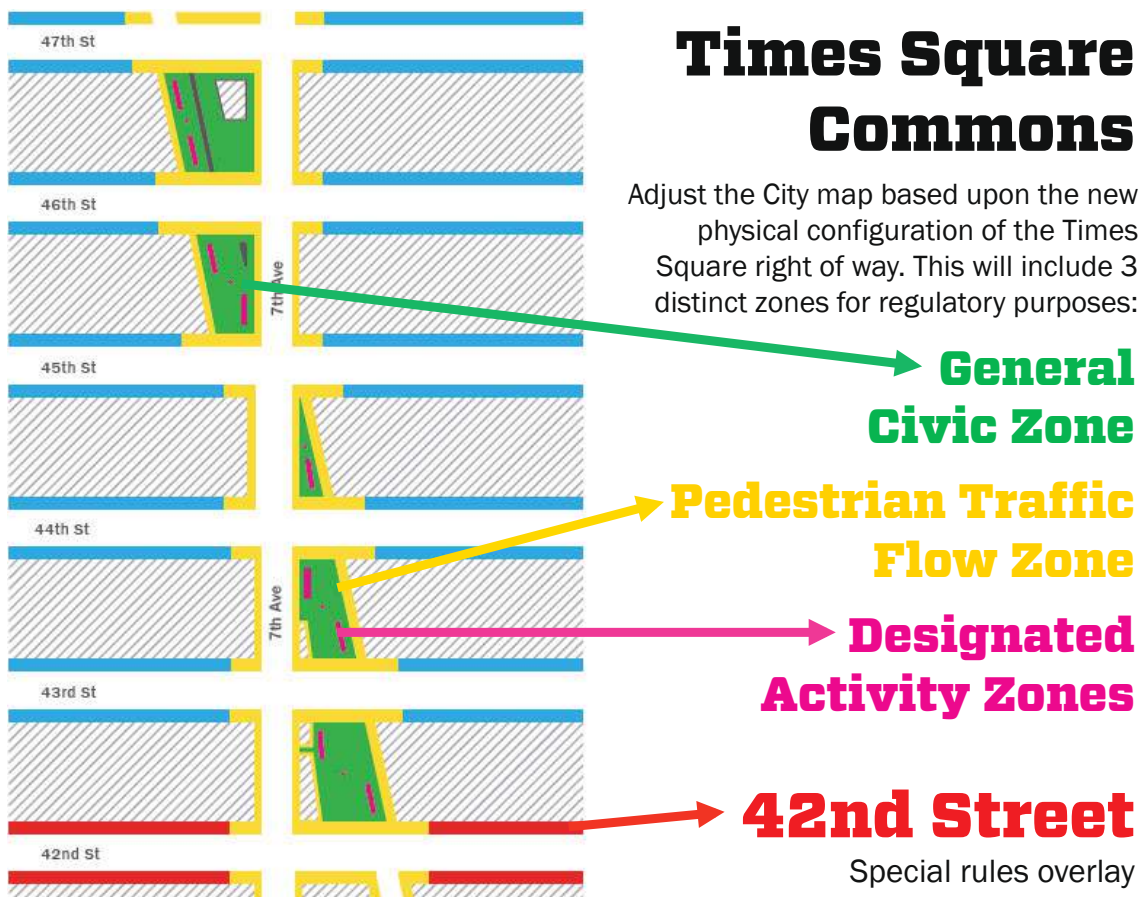
When the City installed the pedestrian plazas in 2009, it did not change the existing legal framework, so the spaces are still treated like roadbed. Hawkers and hustlers are free to roam Times Square, approaching people for photos and often aggressively intimidating them into paying for it. Unfortunately, because of the legal ambiguities of these spaces, police officers have fewer regulatory (i.e. non-arrest) tools to address this negative behavior. In addition, traffic in Times Square is at a stand still, with too many idling buses and too much pedestrian congestion. This congestion is often augmented by street closings and commercial events, which are not governed by any fact-based criteria when it comes to location and time of day. As a result of this confluence of activity, our residents, workers, and visitors are too often impeded, and many wish they could go elsewhere.

A mix of regulatory, enforcement & analytical tools

The creation of a Times Square task force was a great first step by the administration, but now it's time to narrow in on tangible solutions. To address the range of issues facing Times Square, we recommend implementing a unique set of land use and regulatory changes that allow for maximum flexibility and optimal balance of competing demands. Times Square's designations and rules should be based on the extensive sets of facts specific to this unique area, which is a stronger legal approach. The below suggestions, which come from studying the issues and talking to New Yorkers, business owners, community members, theater-goers and tourists, require many different city agencies and government officials working innovatively and collaboratively. Here is how we think it can be done:

1. Provide the legal and regulatory tools to manage these new public spaces

The Times Square pedestrian plazas are new, but the laws governing them are old. Therefore, we recommend legally **redefining the plazas as a public place called the Times Square Commons**. This would require a Uniform Land Use Review Procedure (ULURP) to de-map the plazas as streets and re-map them as a public place. This newly defined space would stretch from 42nd to 47th Street and encompass all of Times Square. Creating the Times Square Commons will form a clean slate that gives the City the flexibility to properly regulate it. It will also ensure that Times Square remains the home for art, culture and free expression, while also protecting the hard-working New Yorkers, residents and tourists who visit Times Square every day.



Within the Times Square Commons, the City would create 3 distinct zones that protect the diversity of people and activities in the area.



I. The GENERAL CIVIC ZONE would have tables and chairs, arts and programming, and occasional events.

The following activities are allowed in the General Civic Zones:

- a. Free speech activity
 - Street preacher or someone giving a speech
 - Panhandlers
 - Musician not seeking tips
 - Artists not seeking tips
- b. Free speech assembly
 - Political demonstrations (subject to permit over 20 people)
- c. Informational or advertising flyerling (without physical encumbrances)
 - Leaflets (e.g. Chicago, Scientology)
 - Held signs or advertisements
- d. FCRC approved programming & concessions
 - Alliance red tables & chairs
 - Alliance food & information kiosks

The following activities are prohibited in the General Civic Zones:

- a. Activity involving solicitation for immediate exchange of money for goods, services, or entertainment
- b. Physical encumbrances (unless FCRC or SAPO permitted)
 - Tables & chairs
 - Advertisements with placed placards

II. The DESIGNATED ACTIVITY ZONES would have first-come, first-served spaces that respect free speech and the constitution, allowing any activity involving the immediate exchange of money for goods, services or entertainment.

The following activities are allowed in the Designated Activity Zones:

- a. Activity involving solicitation for immediate exchange of money for goods, services, or entertainment.
 - Musicians seeking tips
 - Costumed characters
 - Fake Buddhist monks
 - CD sellers
 - Desnudas
 - Ticket sellers (bus, comedy, Broadway, sports)

The following activities are prohibited in the Designated Activity Zones:

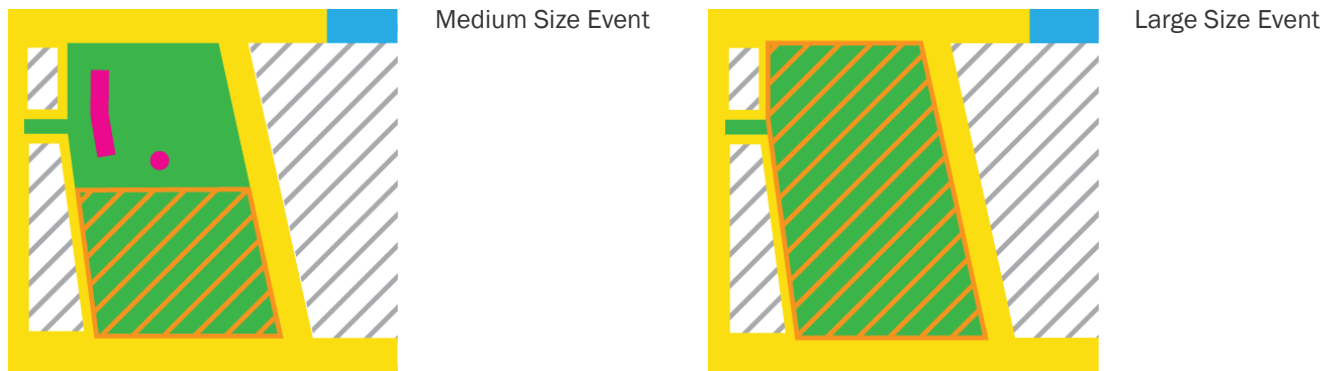
- a. Physical encumbrances (e.g. table, chair, placed placard, stage, stool)
- b. Food, general merchandise, and portrait artist vendors with chairs/tables

III. The PEDESTRIAN FLOW ZONES would be dedicated exclusively for the flow of pedestrian traffic without physical encumbrances, solicitation, or static distribution of promotional needs.

Activity that in any manner obstructs the free flow of traffic is prohibited in the Pedestrian Flow Zones. This includes:

- a. Solicitation for the immediate exchange of money for goods, services, or entertainment
- b. Vending
- c. Standing or sitting in one location for continuous or repetitive distribution of any physical/tangible things or for promotional purposes
- d. Physical encumbrances (e.g. table, chair, placed placard, stage, stool)

In order to accommodate SAPO-permitted events and programming on the plazas, there would be a temporary overlay when those events take place. The total number, timing and location of events should be determined by a comprehensive neighborhood impact analysis (which would also inform more nuanced sound regulations), so that event regulations can be responsive to neighborhood needs and preferences. SAPO or DOT should have the tools to cap or limit events in certain circumstances. Furthermore, all large and mega events in Times Square should require community board review.



In the long term, the City needs to **establish authorization for the DOT Commissioner to create rules and regulations governing flow, solicitation and commercial activity.** The system currently is murky at best when it comes to who has the power to create rules and regulations for these spaces. The rules then established by DOT should be responsive to Times Square's unique facts and challenges, and should not adversely affect other neighborhood plazas that may have different facts or preferences.

2. Complete comprehensive congestion study to address pedestrian and vehicular issues

A comprehensive study of Theater District traffic would analyze what's choking it, from street fairs to clustering hop-on hop-off busses to pedestrian crossing bottlenecks. Times Square thrives on the approximately 450,000 people passing through daily, and with record tourism in New York City, we must find a balance among pedestrians, vehicles and both civic and commercial events. A comprehensive study of Theater District traffic to analyze what's choking it needs to happen. This study would allow the Department of Transportation to create flow and fact-based criteria for filtering street closures, event applications, tour buses and film shoots in Times Square every day.

Here are the specific areas requiring attention:

SAPO-permitted events & street closings: The number of street fairs in Times Square has doubled since 2009, from 25 to 39. These street closings rarely take into account the realities of a weekend day in Times Square, where thousands are traversing the area to attend matinee theater performances, countless people are checking in and out of hotel rooms, and large swaths of tourists and New Yorkers attend the restaurants and other entertainment venues the district has to offer. These events must be reevaluated. We recommend that street closings that do not fit the current SAPO exception for City or neighborhood promotion be permitted only after a traffic-based neighborhood impact assessment is conducted. Similarly, there is a need to look at the total number of SAPO-permitted events on the plazas, as well as the number and mix of commercial events, to determine the appropriate number and placement of such events, as well as the cumulative effect of these events on the civic life of the plazas and Times Square.

42nd Street pedestrian flow: We need a fact-based analysis of traffic on 42nd Street, and we should establish smart and fair vending regulations governed by time, place and manner. Thousands of people at peak hours are forced to walk in the bus traffic lanes on 42nd Street because of temporary encumbrances that impede pedestrian flow. There should be consideration given to current vending regulations at peak times in areas of high egress, such as theaters and other large entertainment venues. In addition, if triggered by excessive pedestrian hazards (defined by an objective standard such as 500 or more people walking in the street in a 2-hour period due to sidewalk congestion), objects to be placed on 42nd Street should be subject to a neighborhood impact assessment and level of service analysis that takes into account non-permanent but regularly permitted uses.

Vehicular flow: We recommend exploring the impact of tour bus stop locations and developing more nuanced criteria for bus stop placement. Furthermore, we need to examine the impact of bus clustering and dwell time and find a way to regulate and enforce this congestion. There are also several turn lanes, particularly the left turn lanes onto 44th Street and 46th Street, that serve as key vehicular pinch points. We should reexamine the effect on traffic of opening these turn lanes. Finally, the City should consider pedestrian traffic agents for peak times and intersections to encourage a more efficient flow of both pedestrian and vehicular traffic.

3. Sustain and support new NYPD Times Square Unit

We applaud the recent step of **adding a dedicated unit to Times Square**, and having more cops who are familiar with the area has already started paying dividends. But this is bigger than just an NYPD solution. We have too many repeat offenders and not enough tools to help them. We suggest **making civil penalties in Times Square returnable to the Midtown Community Court** so that we can track recidivist offenders and get troubled defendants the help they need. We can build on the above by having focused officer training about the subtle forms of intimidation by solicitors in Times Square and the complex legal issues related to enforcement. There should also be monthly meetings of the Times Square Unit with district constituents and the Midtown Community Court. By continuing to build a dialog, we will maintain open lines of communication and instill confidence in the community.

While there are a variety of opinions among the briefing book authors as to whether it should be mandatory or voluntary (and how to ensure that it would pass legal muster), it is the current belief of the Alliance that we need renewed enforcement and further regulation of ticket selling and costumed characters, perhaps through some form of a city registration system. Countless people have been victims of verbal harassment and physical assault in Times Square in recent years, and we can't keep letting that happen. We need a better system for educating solicitors about what behavior is acceptable and what behavior is not. With help from the Department of Consumer Affairs and NYPD, we can make incredible gains in the quality of life of our residents and workers. The justice system is currently serving neither the victims nor those perpetrators in need of help or other economic options.

The path to implementation

The Times Square community and its elected officials are eager to discuss these items and work with City Hall and the relevant City agencies to implement this plan. There have been several ideas floated, from ripping up the plazas to turning them into parks, but we feel this set of proposals best accounts for all of the issues facing Times Square and offers a comprehensive solution that has the support of the Times Square community.

The de Blasio administration has recently demonstrated a commitment to resolve the problems threatening Times Square. We strongly encourage them to follow through by taking those good intentions and turning them into real policies that help make Times Square the 21st Century space that all of New York, and the world, so deserves it to be.

A vision for the future

Finally, the discussion of what problems we do not want to see in Times Square must be accompanied by a discussion of what we do want to see. Having the City and the community define the vision for what Times Square can be is essential to shaping and creating the tools that must be in place to achieve that vision.

In discussions over the last year with its board, stakeholders and civic groups, the Alliance has come up with the following draft principles and admonitions for Times Square:

BE CURRENT & CHANGING & RELEVANT but don't lose what connects us to our past
BE COMMERCIAL but not if it overwhelms civic activity
CREATE SPACE FOR RELAXING but don't make it sterile, banal or ordinary
CREATE & CURATE ORIGINAL PROGRAMMING but allow for the random, unexpected & organic
BE FREE, TRANSPARENT AND DEMOCRATIC but don't let it become a free for all
WELCOME THE VISITOR but make sure New Yorkers feel it's theirs

In addition, the Alliance has drafted the following vision statement for the future of Times Square:

A thriving town square,
innovatively designed and beautifully maintained,
that celebrates its commerce and culture,
its past and its future,
and reflects the best of New York City, America and the world.

Times Square is for everyone. It can and should be a place where public art is on display, where magical events are held, and where people congregate. Times Square is for New Yorkers of all backgrounds who want to come to and spend time, to celebrate, protest, debate, or just gaze up in wonder on their way to a Broadway show. It should captivate and inspire and be a place where the very best of New York City is on display.

The Checklist

We have included this checklist to help keep track of our plan:

Short term

Based on the creation of a Times Square police unit:

- Conduct focused officer training about subtle forms of intimidation and complex legal issues related to enforcement

- Hold monthly meetings of Times Square police unit with both Times Square constituents and the Midtown Community Court

- Educate solicitors re: unacceptable behavior

Deploy pedestrian traffic cops at peak times in strategic locations

Through the end of construction, restrict street fairs and implement other traffic-improvement measures

Long term

Submit a ULURP application to create the Times Square Commons

Establish authorization for DOT Commissioner to create rules/regulations re: solicitation and commercial activity;

Create the 3 regulatory zones

Engage in a comprehensive review of both traffic and pedestrian congestion in Times Square

To track recidivist offenders and get them the help they need, make all civil penalties returnable to

Midtown Community Court

Evaluate vending regulations on 42nd Street and consider further time, place and manner restrictions following a fact-based analysis of the street

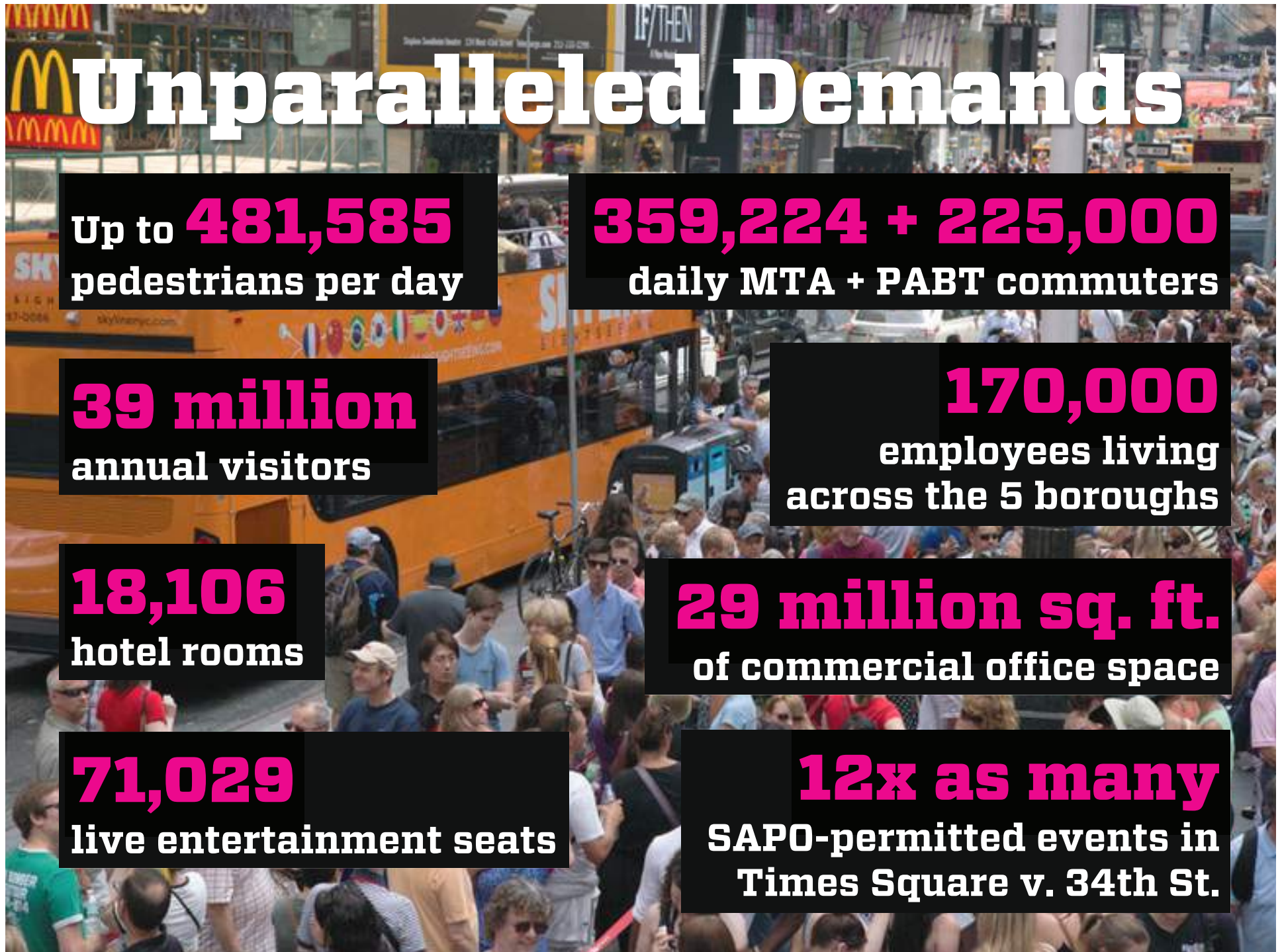
For consumer protection purposes, explore possible voluntary and mandatory regulation schemes that require solicitors to register with the City in order to work in Times Square (could apply citywide)

01

Background & Overview of the Core Problems & Proposed Solutions



Times Square **at a Crossroads**



Unparalleled Demands

Up to **481,585**
pedestrians per day

359,224 + 225,000
daily MTA + PABT commuters

39 million
annual visitors

170,000
employees living
across the 5 boroughs

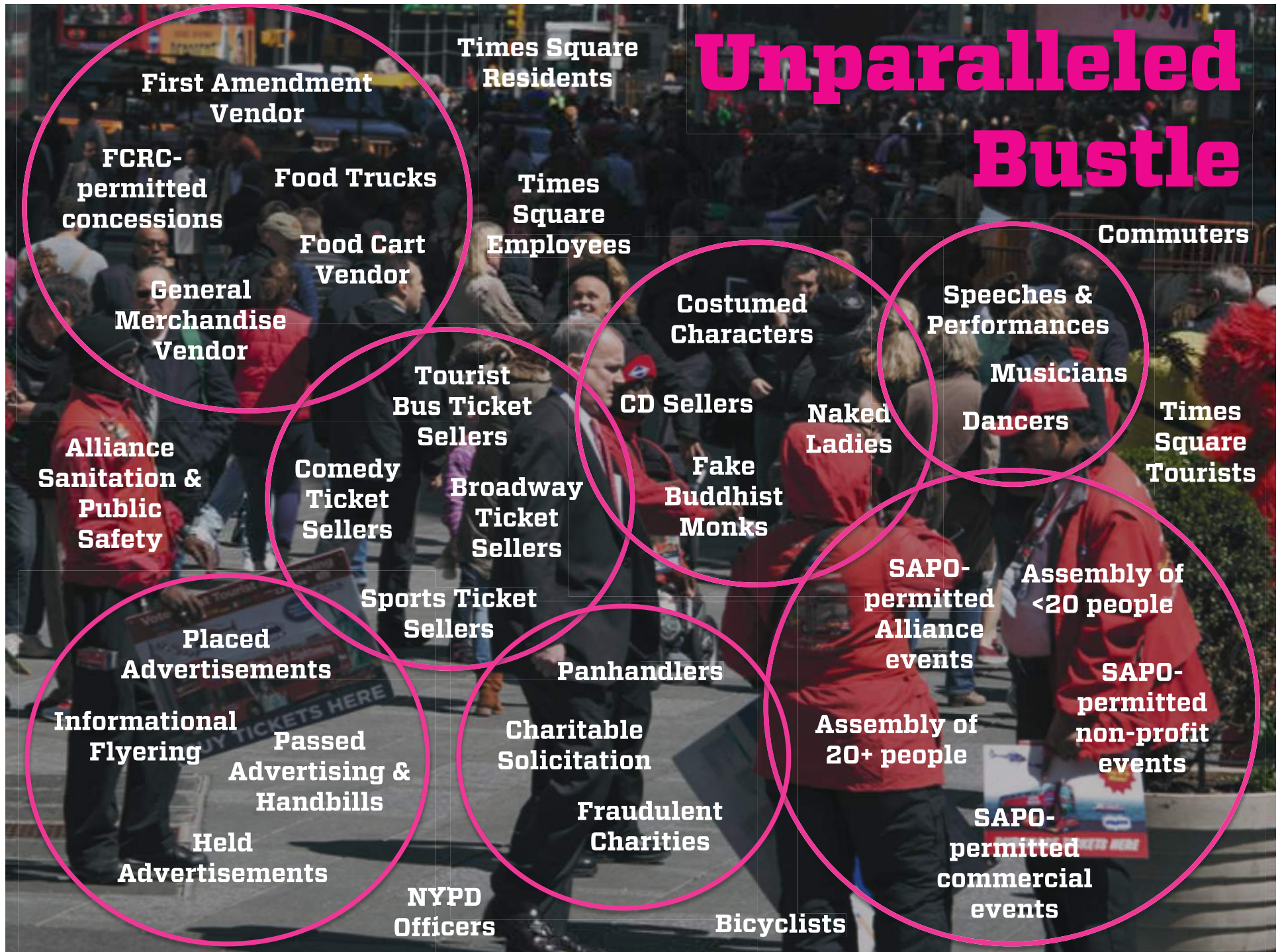
18,106
hotel rooms

29 million sq. ft.
of commercial office space

71,029
live entertainment seats

12x as many
SAPO-permitted events in
Times Square v. 34th St.

Unparalleled Bustle



181 Ticket Sellers



6 Fraudulent Charities



On specific Saturday nights in 2014, the Alliance counted...

61 CD Sellers



139 Costumed Characters



Quirky is Fine, Creepy is

DAILY NEWS

Times Square performer dressed as Super Mario arrested after allegedly groping woman



NEW YORK POST

Two men dressed as Statue of Liberties brawl

PIX11

Times Square Spider-Man arrested for punching NYPD officer

Extra, Extra: Silver Man Allegedly Pulls Knife In Times Square Turf War

CBS New York.com

Man dressed as Cookie Monster accused of shoving a child in Times Square

NEW YORK POST

'Woody' from 'Toy Story' arrested on sex charges

DAILY NEWS

Times Square Spider-Man accused of groping woman

PIX11

Topless women in Times Square causing outrage for posing with underage tourists

THE HUFFINGTON POST

Batman In Times Square Goes On Expletive-Filled Rant



jendziura
@jendziura



Had drinks with someone who works near Times Square and is regularly sexually harassed by a gauntlet of men dressed as Elmo.



RETWEET
1

FAVORITES
6



12:08 AM - 7 May 2014



Chris Marks
@chrismarks20



So yesterday at Times Square a guy asked if I wanted his free mixtape. I said no. His buddy said "he must be afraid of black people"

FAVORITES
8



9:33 AM - 12 Jul 2015



Kate Lake
@Katlynn84



The best part of being a girl in Times Square is the naked women only charge you \$5 for a picture instead of the \$20 they charge the guys.

8:02 AM - 7 Jul 2015



Joe Geis
@joe_geis



@gaaabe I once listened to a kid's cd in times square and it was really good so I bought one for \$5. got home and he sold me a blank disc.



Robert Robinson
@bobot5353



@TimesSquareNYC My friend's ass was grabbed twice by Elmo while she was just standing and taking a picture of Times Square.



11:56 AM - 29 Jul 2014



Danielle Ito
@ditobug



Just got groped by Elmo in Times Square



FAVORITE
1



10:33 PM - 19 Jun 2014



Lyna Lam
@LynaHadALilLam



Things you can hear in Times Square:
"I just got mugged by Mickey Mouse."
"It's Spider-Man--watch out!"
"Are they naked?"

RETWEET
1

FAVORITES
4



11:23 AM - 29 May 2015



Clare Stein
@clarestein



Times Square attractions include aggressive catcalls from a man whose profession is wearing a full-body Elmo suit



RETWEET
1

FAVORITE
1



7:01 PM - 5 Nov 2014



Jon Sosis
@FunnyJS



I can't believe Elmo just called me the n-word. Like...I don't know what to do right now. #nyc #timessquare

5:28 PM - 17 Mar 2014



David Apolo
@D_Apolo



"Elmo, get your damn hands off me." Girl in Times Square

New York, NY

5:12 PM - 2 Apr 2014



Justin Arenas
@justinarenas



Note to self: Never give a dollar donation to a guy wanting for you to hear his mixtape in Times Square.

FAVORITES
4



8:51 PM - 12 Jul 2015



Mike Rhone
@mikerhoneTM



The small boy telling his father he's scared of Elmo has learned far too young what's wrong with Times Square.

1:01 PM - 8 Nov 2014



Andy
@SpritzRoad



When my friend & I went 2 Times Square we were forced by Minnie Mouse, Mario & Elmo 2 take a pic & they wouldn't let us leave until we paid

5:33 PM - 9 Jul 2014



Lauren Michelle
@NYCVixen



The 'rappers' who harass tourists in Times Square to buy their mixtape are menaces to society. #NYC

RETWEET
1

FAVORITES
12



1:18 PM - 23 May 2015



Dake McJowell
@JakeMcDoo



Batman told me to fuck off! I was merely pointing out that Batman wears a utility belt and not a fannypack. #TimesSquare

RETWEETS
3

FAVORITES
10



2:30 PM - 9 Apr 2015



Jonah Emery
@JonahEmery



The guys trying to hawk their music CD's in Times Square ruined my experience of it.

6:16 PM - 27 May 2015



helen__t

8 months ago · Times Square NYC

Elmo was getting a little frisky ☹
#whyyousoclosetomethough ☹

Follow

♡ sidoo_69, vk_29, rebecca_ug and 48 others like this.



Koryna Flores
@korynaflores

Follow

Dear CD guys in Times Square, yelling at and harassing people who don't take your (blank) cds will not make them give you money.

FAVORITE
1



7:46 PM - 21 May 2015



Jeni Hinton
@LoveDisneyMost



Follow

@Attractions my daughter watched "Elmo" pickpocket someone in Times Square. Beware of fake characters!

← ↻ ☆ ⋮

6:28 AM - 1 May 2014



Meg Taylor ✓
@megtaylorr



Follow

Elmo no bullshit just grabbed my face and tried to make out with me. I hate you Times Square.

← ↻ ☆ 1 ⋮

9:06 AM - 8 Apr 2014



Bailey Dunks
@BayDunks7

Follow

I've seen 8 naked ladies in a matter of 15 minutes in Times Square.

← ↻ ☆ ⋮

“Yesterday two of [the naked ladies] came up to me and pressed themselves up against me trying to get me to stop and take a picture. Not only was this uncomfortable but their body paint rubbed off on my suit.”

—Times Square Employee, Email

“I have seen the aggressive nature of the CD hawking increase dramatically in the past few months. Just today... there was a large group of 10-15 males that were ‘giving away their free CDs’ and then when the passersby reject the donation, **the encounter turns very hostile.**”

- Times Square Employee, Email

“The characters are out of control... **I also don't appreciate their comments as a I walk by as a female.**”

- Times Square Employee, Survey Response

“I was waiting to cross the street and a character put his paw around my shoulder. **They should not be touching people who are not seeking a photo or their attention in any way.**”

- Times Square Employee, Survey Response

“My husband’s office is located a block away from where [the naked ladies] stand and **he cannot pass that way at all without one or several of them getting in front of him and aggressively trying to grab him or get his attention...** We do not wish to see their highly aggressive tactics of grabbing and getting directly in front of us as we walk down the street to try to enter the stores.”

- New York Resident, Email

“Costumed characters have become a major problem. I try to ignore them, **but when they purposefully reach out & touch you in a crowded area it makes one feel very uncomfortable.**”

- Times Square Employee, Survey Response

“As I walked past with my lunch, one man thrust a CD at my chest to which I said ‘no’ to, and then he asked for my lunch and said he was hungry... **He became agitated, cursed at me and proceeded to yell insults at me as I crossed the street.**”

- Times Square Employee, Email

“When walking by, **costumed characters frequently reach out and touch my children** to try to get my attention.”

- Times Square Local, Survey Response

“The costumed characters **attack tourists when they don't tip. I have stepped in more than once and stopped a character from verbally abusing tourists.** It misrepresents NYC and makes me uncomfortable.”

- Times Square Employee, Survey Response

“I had only \$5 in my wallet at that time and expected it would be enough. But after we took the pictures, [the characters] tried to say that they needed \$25... I showed my wallet to them and ...they found that I had €15 in my wallet. They thought that if I gave them €15, then that would be enough for the \$25. I feel bad about giving them so much money, I only hope there will be no other people than me.”

—Nick, Visitor from Washington D.C., Interview



All five plazas will be open
in the coming months...

...yet we have **NO** clear
framework to manage
these huge demands.



Sidewalk?

Is this a
Curb?

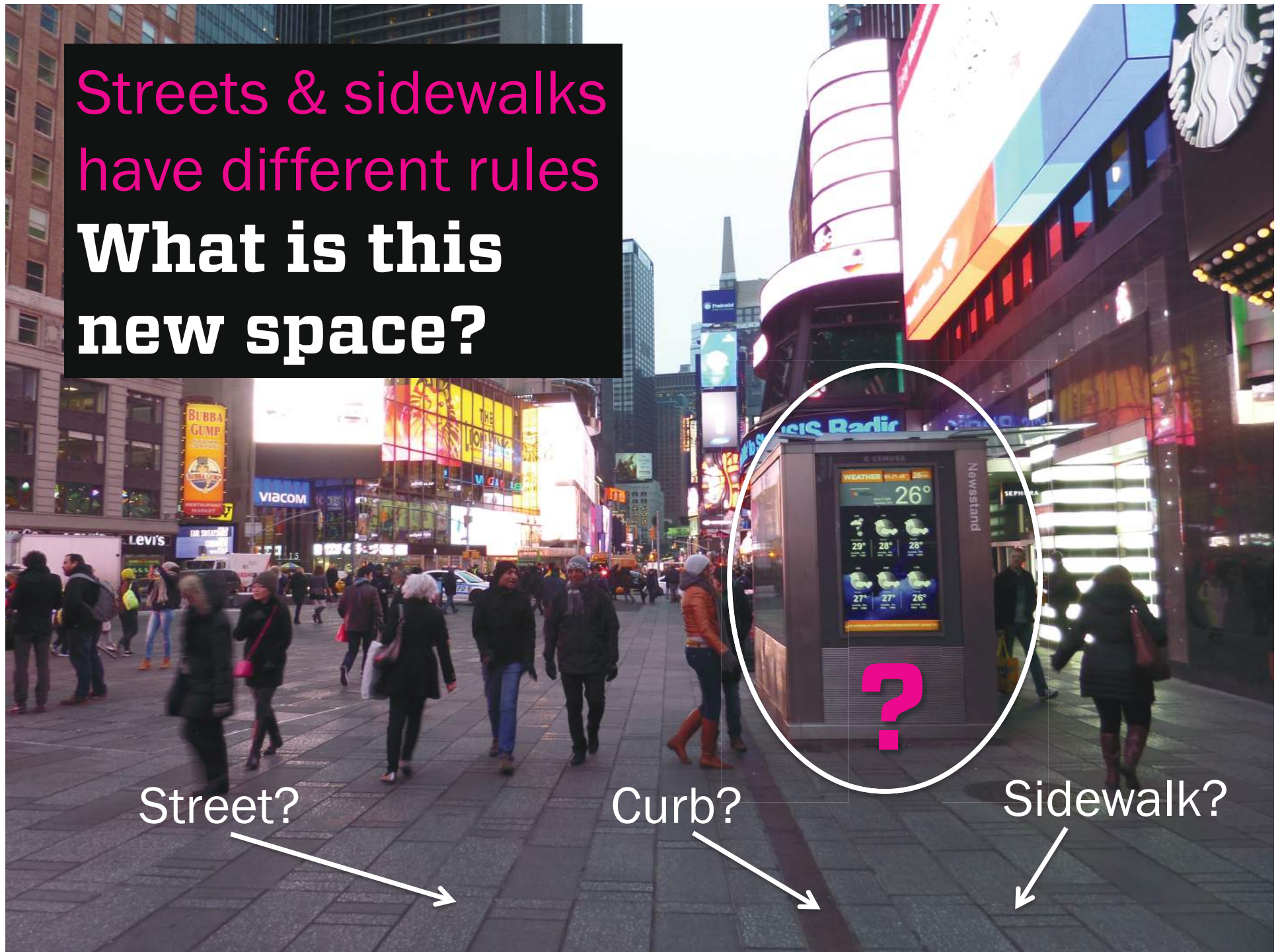
Street?

Curb?

Park?

One space,
same function
Which rules?

Streets & sidewalks
have different rules
**What is this
new space?**





Broadway & 7th Ave
have different rules
Which apply?

7th Ave curb?

(If so, vending
permitted on Sundays)

Broadway curb?

(If so, no vending
on Sundays)

Roadmap for a 21st Century Times Square

Times Square Commons: Provide the legal and regulatory tools to manage the plazas

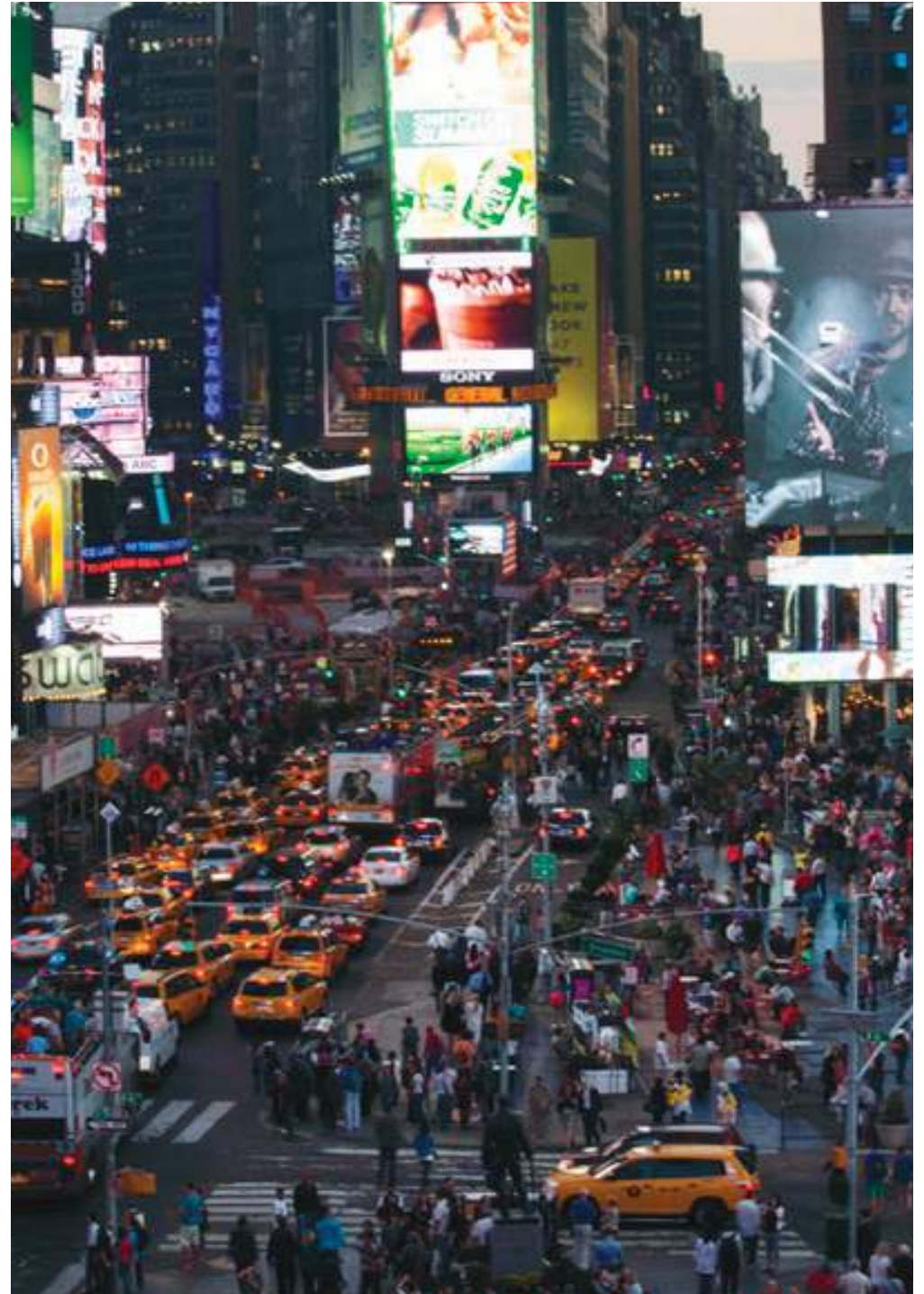
Complete Theater District congestion study to address pedestrian & vehicular issues using data-driven analysis

Sustain and support new NYPD Times Square Unit



Provide New Legal & Regulatory Tools

- Legally redefine the plazas as a public place called “Times Square Commons”
- Pass law authorizing DOT to enact regulations for pedestrian plazas; then issue rules which are specific to Times Square’s unique facts & challenges
- Create three distinct regulatory zones within the Commons for passive use, pedestrian flow, and constitutionally-protected solicitation.



Times Square Commons

Adjust the City map based upon the new physical configuration of the Times Square right of way. This will include 3 distinct zones for regulatory purposes:

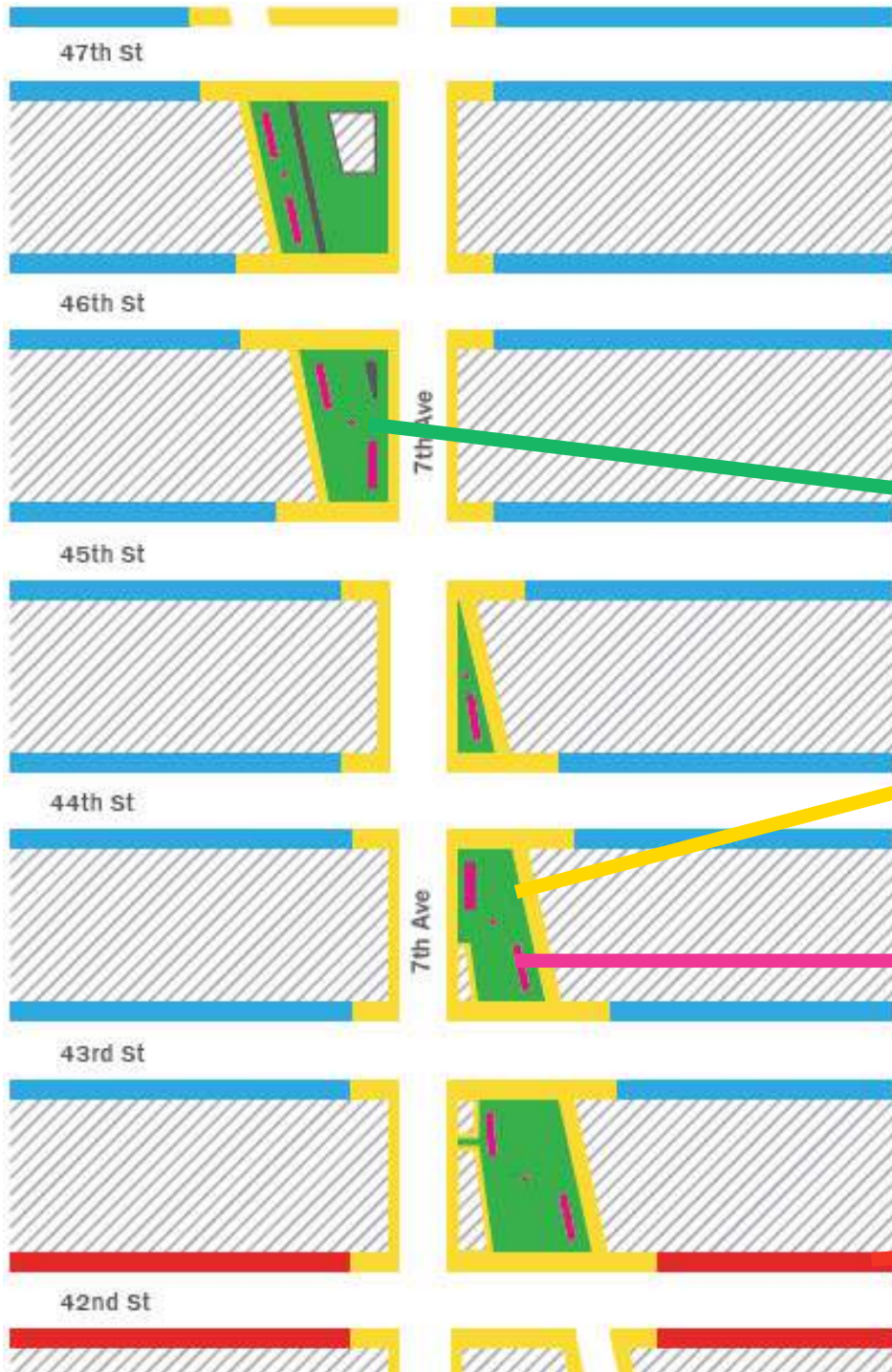
**General
Civic Zone**

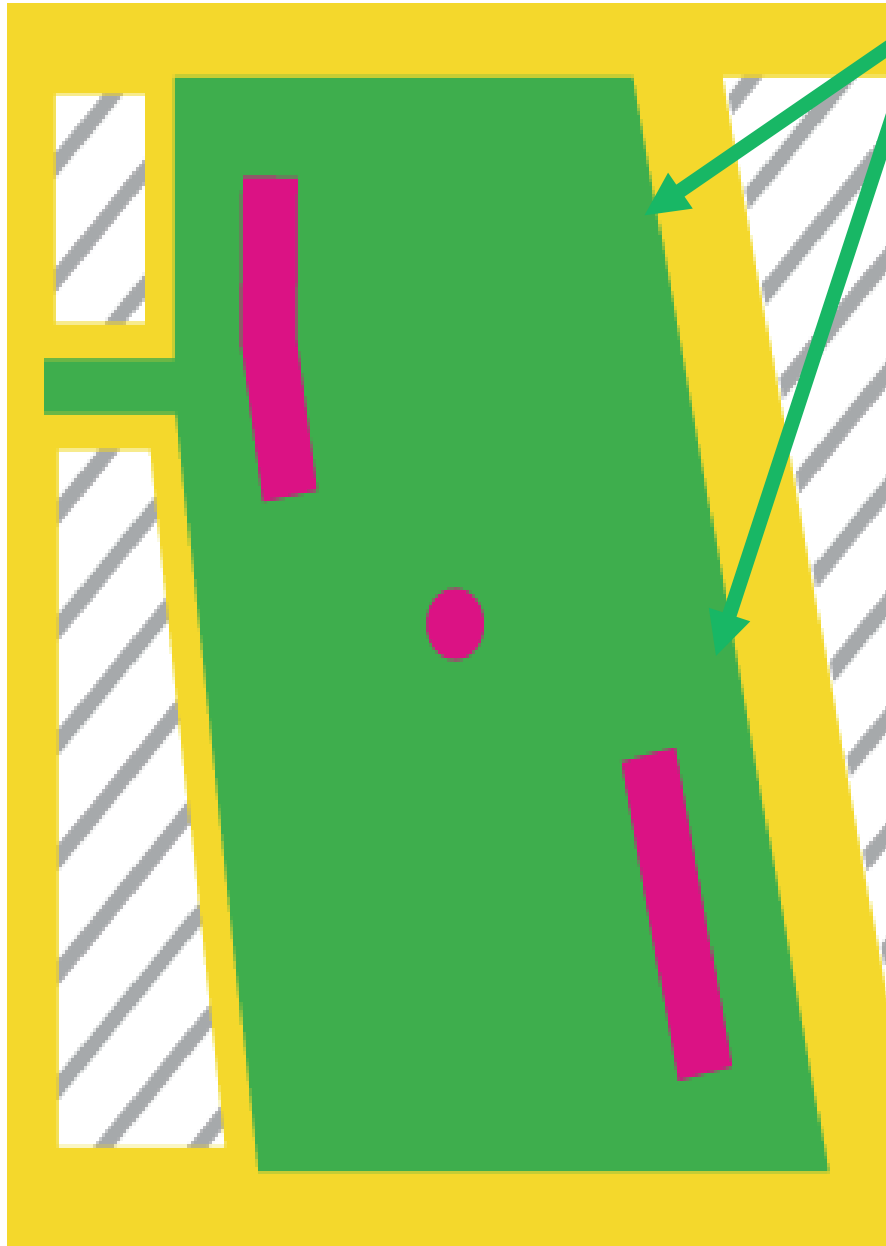
**Pedestrian Traffic
Flow Zone**

**Designated
Activity Zones**

42nd Street

Special rules overlay





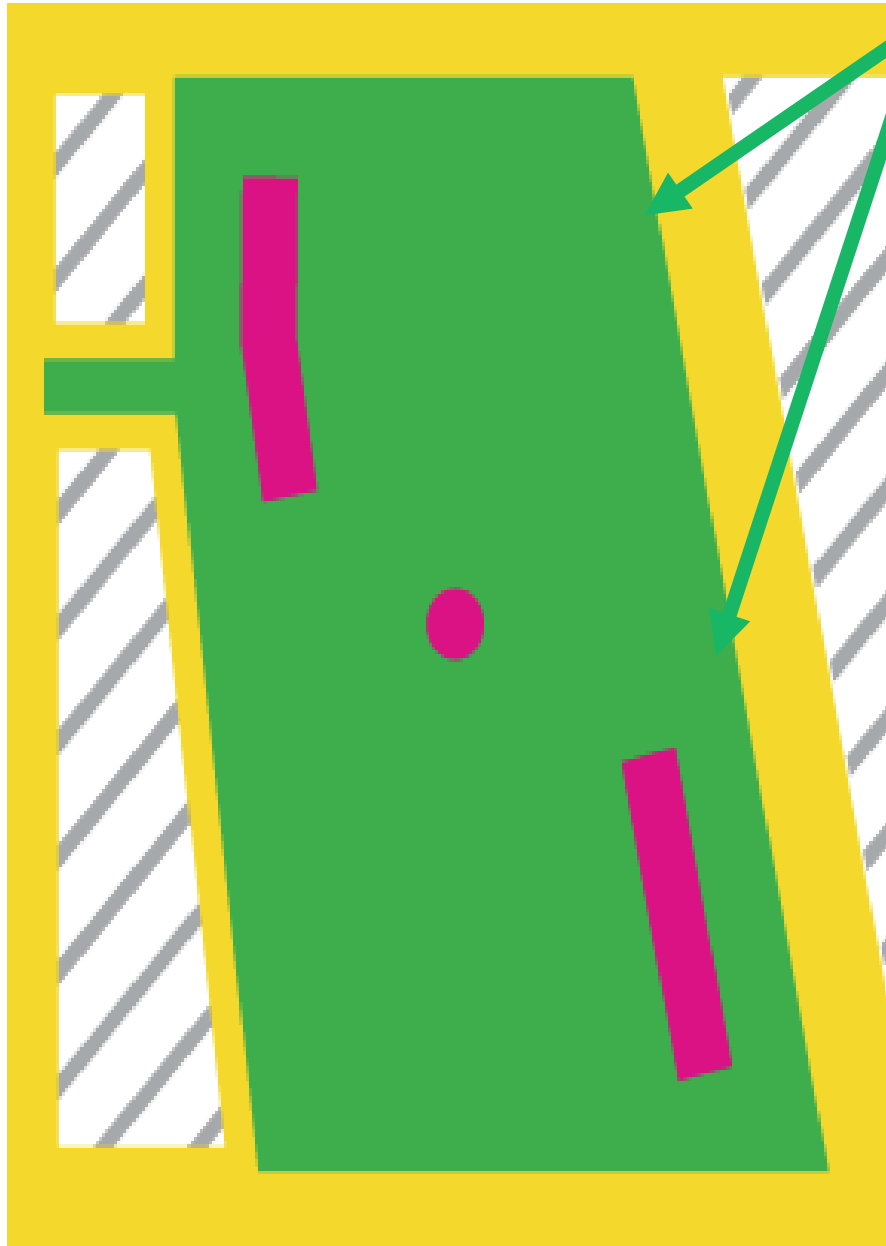
General Civic Zone

Allowed

- Informational or advertising flyering
- Free speech activity including panhandling, public speaking, protest and political campaigning (ie no solicitation for immediate exchange of money in return for goods, service or entertainment)
- Free speech assembly (subject to SAPO/ NYPD permit)
- FCRC-approved concessions
- SAPO permitted events & programming

Not Allowed

- Activity involving solicitation for immediate exchange of money in exchange for goods, service or entertainment
- Physical encumbrances (eg table, chair, stand, placed placard, stool) unless FCRC or SAPO permitted



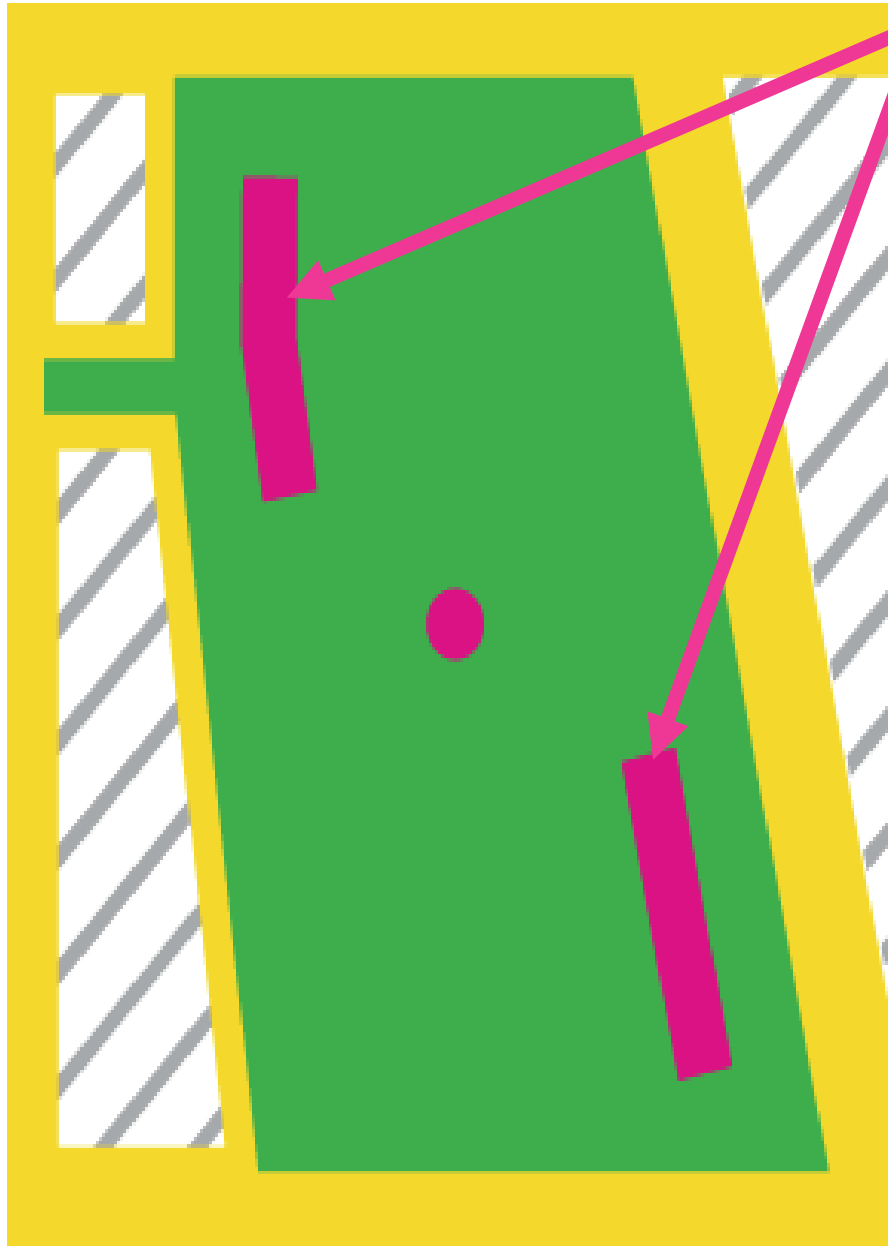
General Civic Zone

Allowed (Examples)

- Alliance red tables & chairs
- Alliance food kiosk
- Leafleter (e.g. *Chicago*, Scientology)
- Panhandlers
- Street preacher
- Musician not seeking tips
- Naked ladies not seeking tips
- Political demonstration (subject to permit if over 20 people)

Not Allowed (Examples)

- Costumed characters
- CD sellers
- Ticket sellers (bus, comedy, Broadway, sports)
- Food or general merchandise vendors
- Portrait artist vendors
- Restaurant advertisement with placed placard
- Fraudulent homeless solicitors



Designated Activity Zones

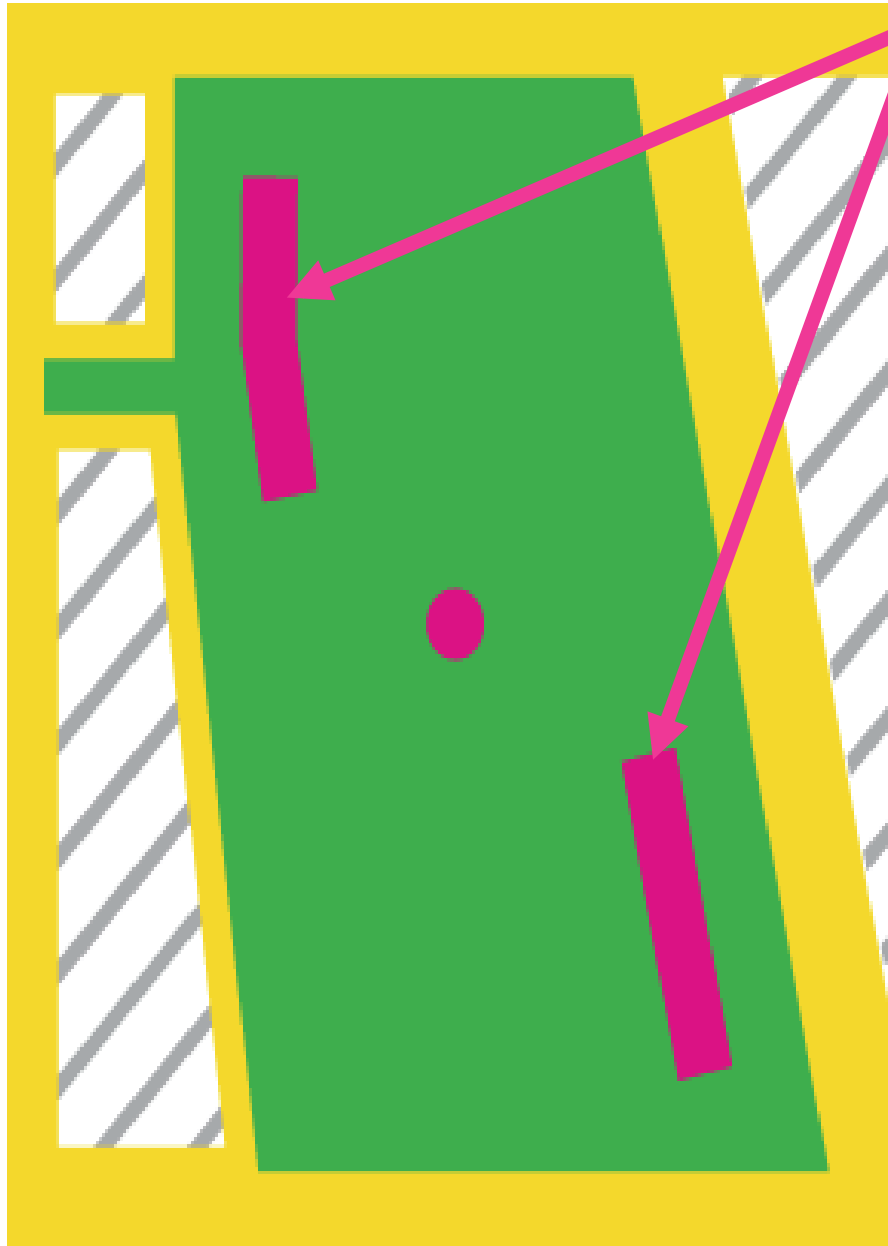
First come, first served spaces. No permit required.

Allowed

- Activity involving solicitation for immediate exchange of money in exchange for goods, service or entertainment
- Anything allowed in the green zone

Not Allowed

- Physical encumbrances (e.g. table, chair, stand, placed placard, stool)



Designated Activity Zones

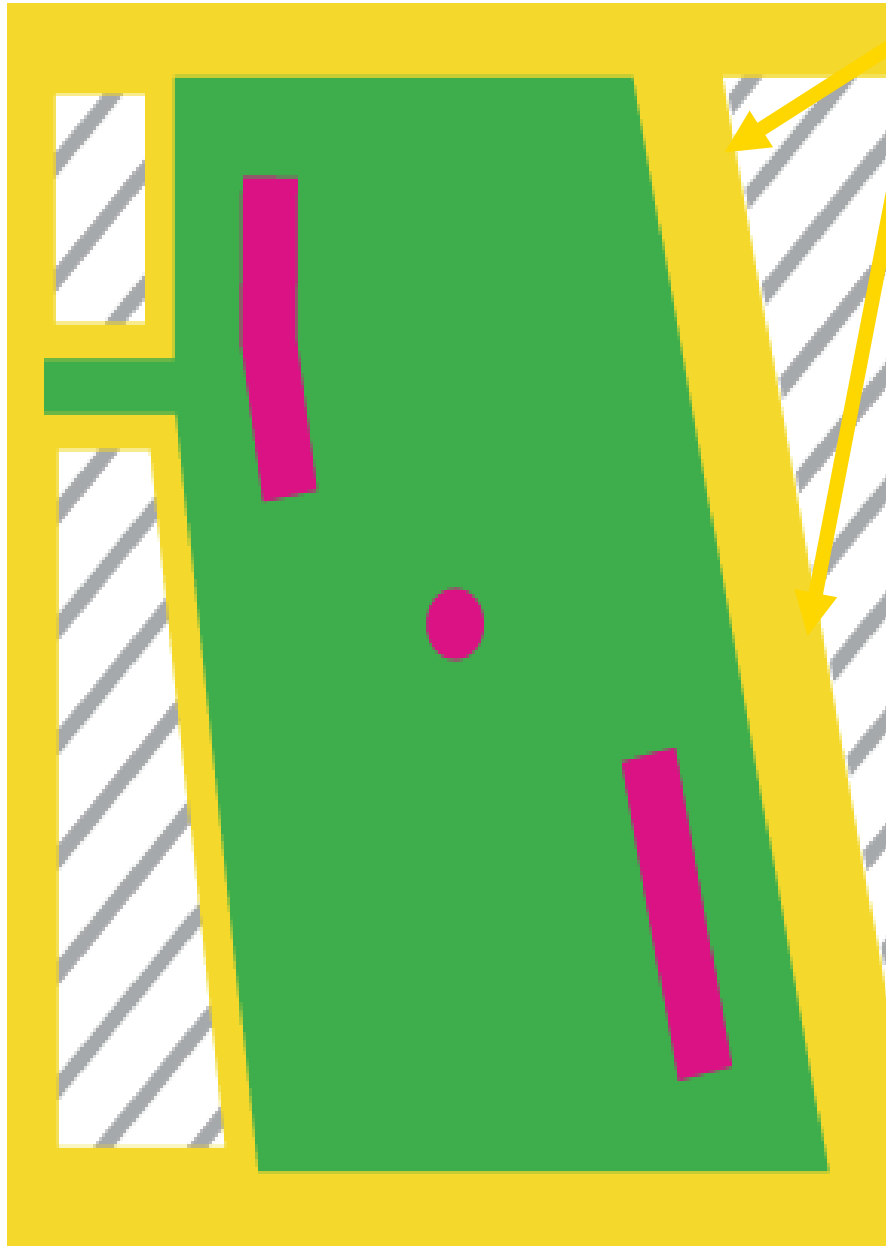
First come, first served spaces. No permit required.

Allowed (Examples)

- Activities permitted in green zone
- Musicians seeking tips
- Costumed characters
- Buddhist monks
- CD sellers
- Naked ladies seeking tips
- Ticket sellers (bus, comedy, Broadway, sports)
- Portrait artist vendors (without chairs/tables)

Not Allowed (Examples)

- Food, general merchandise & portrait artist vendors with chairs/tables

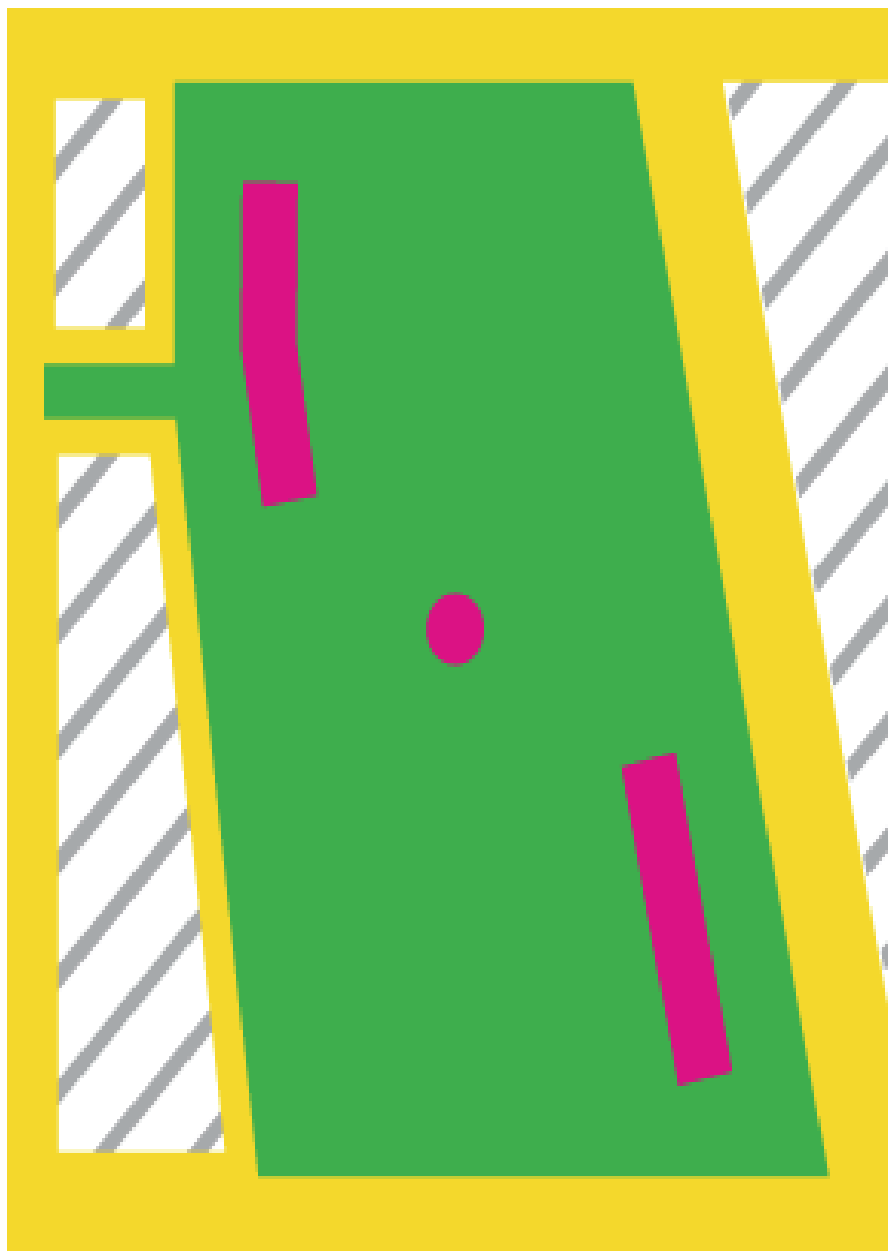


Pedestrian Traffic Flow Zone

Exclusively for pedestrian traffic.

Not Allowed

- Activity that in any manner obstructs the free flow of traffic
- Any solicitation for the immediate exchange of money for goods, service, or entertainment
- Vending
- Standing or sitting in one location for the continuous or repetitive distribution of any physical/tangible things or for promotional purposes
- Physical encumbrances (eg table, chair, placed placard, stage, stool)

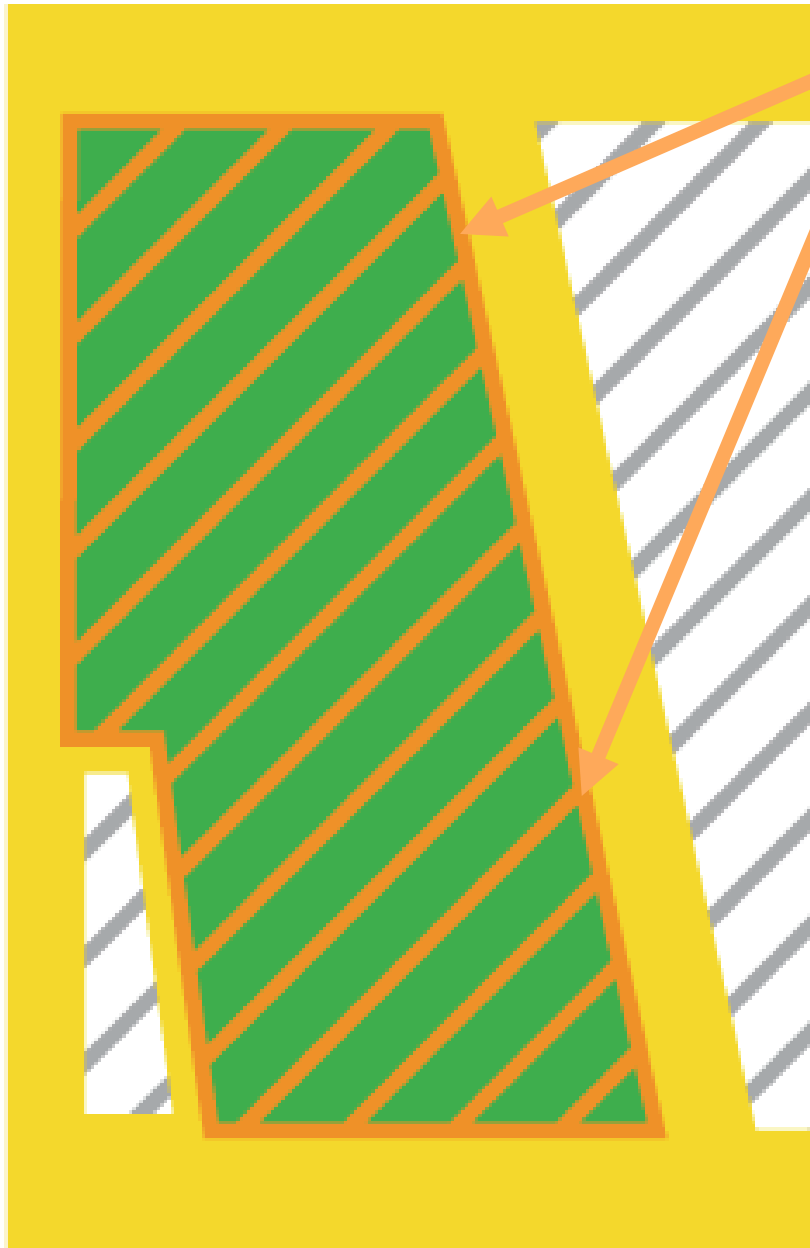


Across All Zones

For **consumer protection** and **business regulation** purposes, the following activities should be further regulated:

- Ticket Sellers (e.g. Bus, Comedy, Broadway, Sports)
- Costumed Characters
- CD Sellers

Any new permanent objects to be placed on plazas, 42nd Street or side streets shall be subject to a Neighborhood Impact Assessment and **level of service analysis** that takes into account non-permanent but regularly permitted uses.

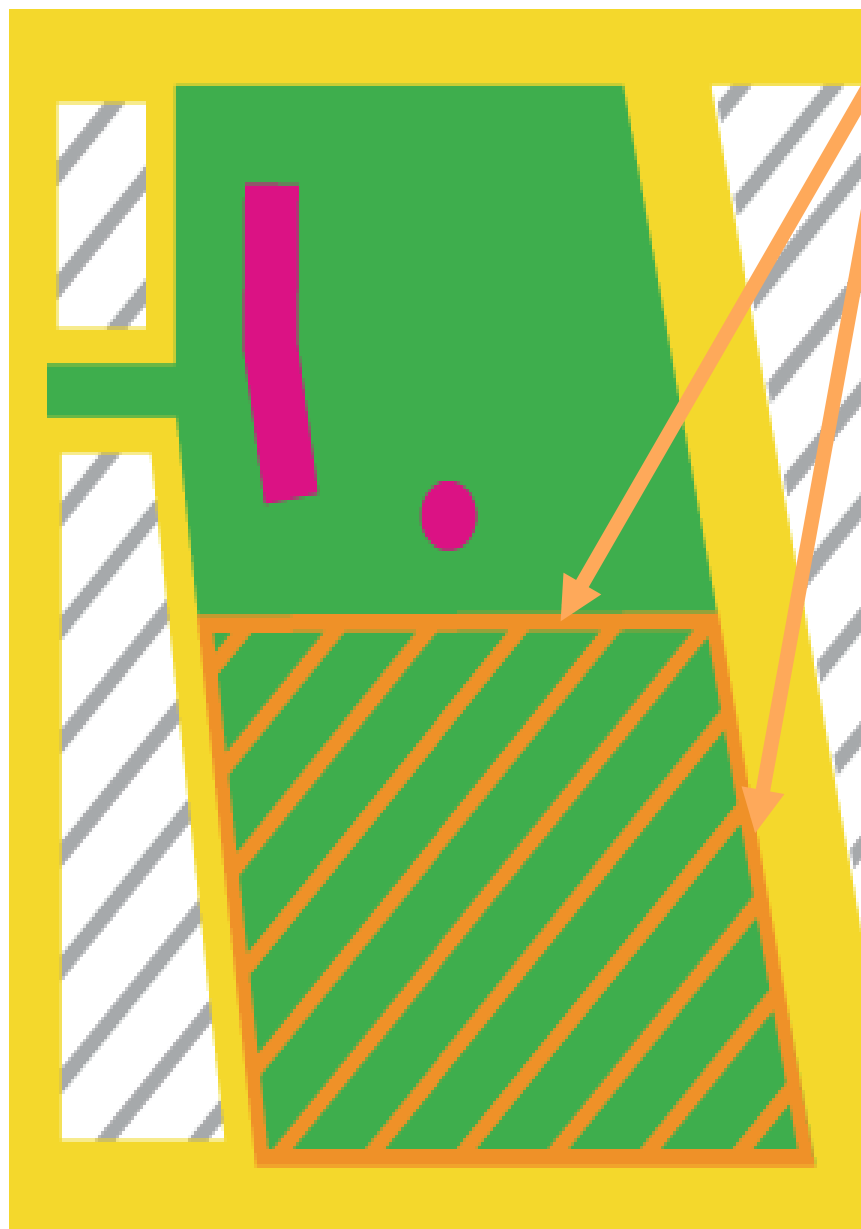


Large Event

Events & Programming Overlay

Temporary overlay to accommodate SAPO-permitted events on the plazas

- Give SAPO the tools to establish annual event limits & specific caps related to time of day, week & year
 - Caps determined via a comprehensive neighborhood impact analysis
- Community board review of all large & mega events
- Develop more nuanced sound regulations based on neighborhood impact analysis



Events & Programming Overlay

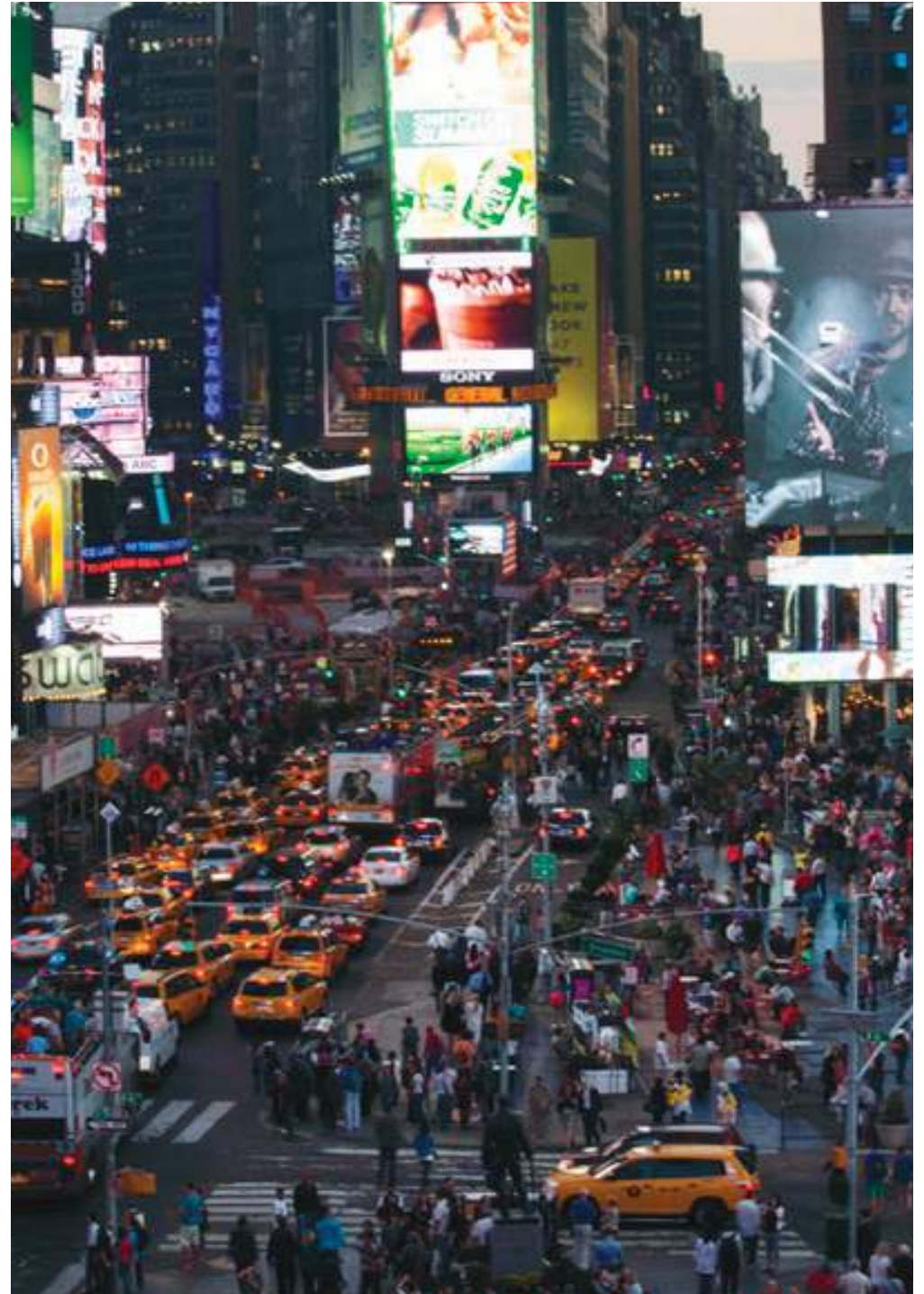
Temporary overlay to accommodate SAPO-permitted events on the plazas

- Give SAPO the tools to establish annual event limits & specific caps related to time of day, week & year
 - Caps determined via a comprehensive neighborhood impact analysis
- Community board review of all large & mega events
- Develop more nuanced sound regulations based on neighborhood impact analysis

Medium Event

Complete Comprehensive Theater District Congestion Study

- Pedestrian flow and safety for 42nd Street
- Impact of tour bus stop locations, as well as bus clustering & dwell time
- Impact of street closings, street fairs and events
- Effect of traffic agents for peak times & intersections
- Re-opening turn lanes and examining key vehicular-pedestrian pinch points





Vision Zero for 42nd Street?

All counts taken on a Friday in October 2014

Walking in a Traffic Lane

4:00 - 6:00PM

294 people

7:00 - 9:00PM

1,038 people

10:00PM - 12:00AM

443 people

TOTAL

1,775 people





For 42nd Street...

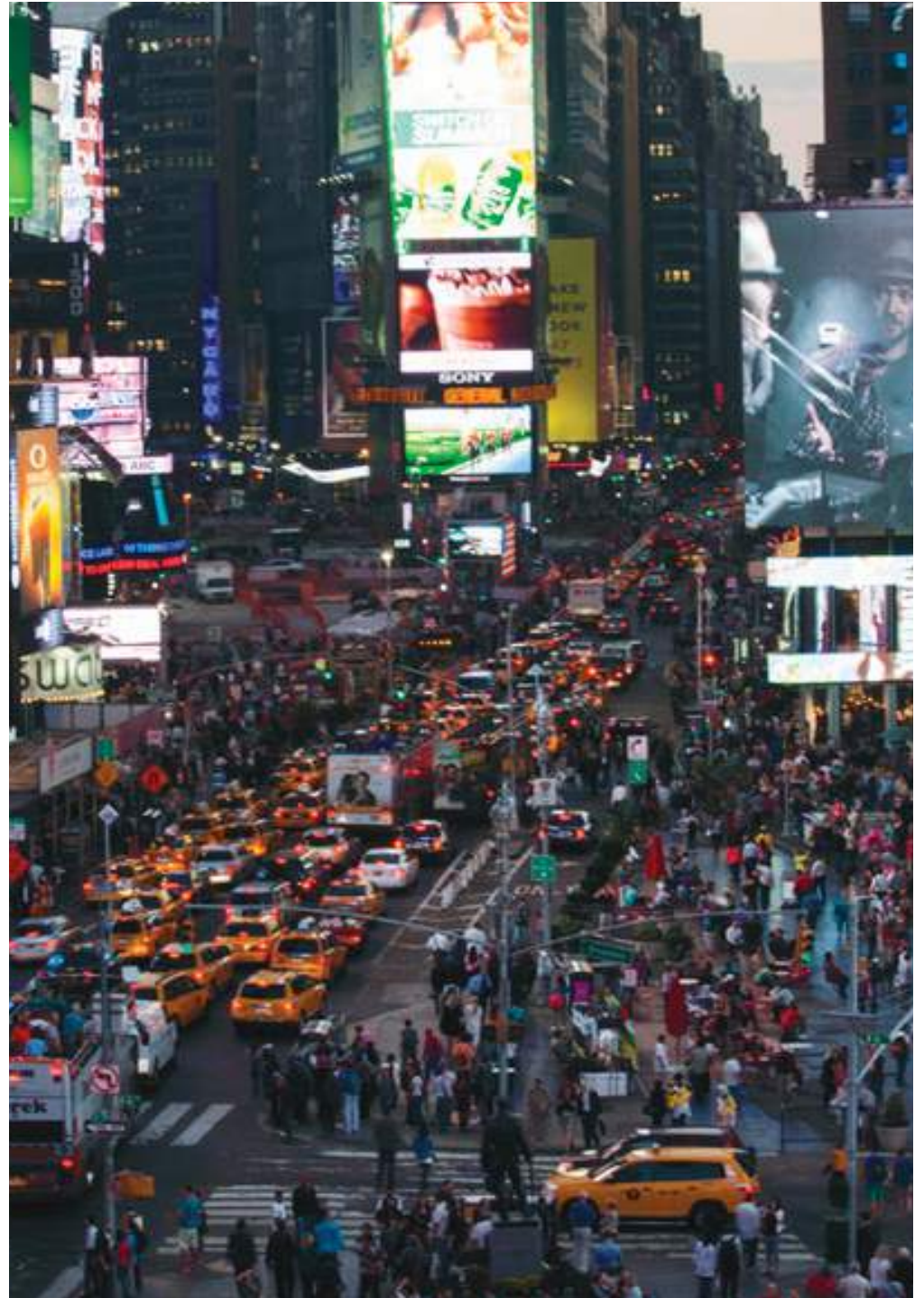
Require quarterly counts of people walking in the streets

Require de facto level of service analysis as long as counts exceed 500 people per day walking in the street

Apply entertainment venue egress rules to all 42nd St. vendors

Sustain and Support New NYPD Times Square Unit

- Train steady post officers on subtle forms of intimidation & complex legal issues related to enforcement
- Make all civil penalties returnable to Midtown Community Court
- Enlist support from the District Attorney



Relevant Precedents

Special Theater District Zoning

Created to preserve and protect the character of the district as “a cultural, theatrical and entertainment showcase, as well as to help ensure a secure basis for the useful cluster of shops, restaurants and related amusement activities”

New York City Parks Medallions

Expressive matter vendors, including performers, are restricted to sell or solicit donations from designated “medallions,” marked on the ground (*Lederman v. NYC Dept of Parks & Recreation*)

Bans on Solicitation in Constrained Spaces

The Supreme Court upheld bans on solicitation in NYC Airports (*International Society for Krishna Consciousness v. Lee*) and Post Offices (*US vs. Kikonda*), using reasoning about level of interference with people in crowded spaces

Relevant Precedents

Seattle: The Seattle Center

Street performers limited to 16 performance locations; Ninth Circuit “recognize[d] that limiting street performers to designated locations does, by definition, improve the coordination of multiple uses of the Center,” and reversed summary judgment against city on that issue (*Berger v. City of Seattle*)

Santa Monica: Third Street Promenade

Limits any street performer to certain time, place & manner restrictions and requires a permit for certain locations

San Francisco: Fisherman’s Wharf

Designated locations for licensed and unlicensed performers with four 3-hour times lots per day (unlicensed performers limited to 1.5 hours)

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02

Legal Research & Related Precedents

MEMORANDUM

To: Times Square Alliance
From: Linda Steinman, Eric Feder
Date: July 14, 2015
Subject: Constitutionality of Proposed Regulations of Solicitation for the Immediate Exchange of Money in the Times Square Commons

This memorandum briefly addresses the constitutionality of proposed regulations to create the Times Square Commons, and other potential options to lawfully regulate the time, place and manner of certain categories of expressive activity in the Times Square District.

To combat the numerous problems related to use of space within Times Square, a series of time, place and manner regulations for the “Times Square Commons” area have been proposed to promote the free flow of pedestrian traffic and allow for passive use enjoyment of the space by visitors. One of the key components of the plan is a pedestrian traffic zone dedicated solely to pedestrian traffic, which we believe should be upheld as constitutional. *See, e.g., Ross v. Early*, 746 F.3d 546, 555 (4th Cir. 2014) (upholding policy restricting protestors to specific area outside venue where circus was being held as valid time, place, and manner regulation, in light of evidence that “the presence of protestors on the relevant sidewalks presents a plausible threat to the orderly flow of pedestrian traffic and, concomitantly, public safety”); *Marcavage v. City of New York*, 689 F.3d 98, 104-06 (2d Cir. 2012) (upholding “no demonstration” zones for pedestrian traffic only outside Republican National Convention at Madison Square Garden in order to maintain security and “accommodate the heavy pedestrian traffic” in that part of the city).¹

The other key component, addressed in this memo, is to restrict certain solicitation activities involving the demand for immediate payment of money—which the Supreme Court has recognized is particularly disruptive—to specific physical zones within the Times Square Commons.

It has long been held constitutional to restrict the time, place and manner of speech in a public forum so long as the regulation is content neutral; it is narrowly tailored to serve a significant governmental interest; and it leaves open ample alternative channels of

¹ Although the U.S. Supreme Court has struck down “buffer zones” outside abortion clinics, the Court approvingly cited as a reasonable, more narrowly tailored alternative, a local ordinance providing that “[n]o person shall stand, or place any obstruction of any kind, upon any street, sidewalk or crosswalk in such a manner as to obstruct a free passage for travelers thereon.” *McCullen v. Coakley*, 134 S.Ct. 2518, 2538 (2014).
DWT 27281866v2 0068640-000002

communication. See *Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989). This memo will focus on the “content neutrality” and “significant government interest” aspects of the test.

Significant Government Interest

Although Times Square is a quintessential public forum, and streets “have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions,” *Hague v. Committee for Industrial Organizations*, 307 U.S. 496, 515 (1939), courts have long recognized that a city “certainly has a significant interest in keeping its public spaces safe and free of congestion.” *Bery v. City of New York*, 97 F.3d 689, 697 (2d Cir. 1996). The Second Circuit highlighted that, for New York in particular, “reducing sidewalk and street congestion in a city with eight million inhabitants, constitute[s a] ‘significant governmental interest[.]’” *Mastrovincenzo v. City of New York*, 435 F.3d 78, 100 (2d Cir. 2006). See also *Heffron v. Int’l Soc. for Krishna Consciousness, Inc.*, 452 U.S. 640, 650 (1981) (“[I]t is clear that a State’s interest in protecting the safety and convenience of persons using a public forum is a valid governmental objective.”). The Supreme Court has emphasized that regulations “must be assessed in light of the characteristic nature and function of the particular forum involved.” *Heffron*, 452 U.S. at 650-51. And the Second Circuit has acknowledged the reality that speech may be restricted by “regulations addressed to particular areas of the City where public congestion might create physical hazards and public chaos.” *Bery*, 97 F.3d at 697-98.

Of course, Times Square is more than simply a public thoroughfare—it is a destination unto itself, not unlike an urban park, and recently added public plazas further enhance its urban park-like character. Courts have recognized that in addition to “alleviating congestion and improving circulation” in such spaces, a city has an “indisputably significant” interest in “promoting ... aesthetics” and “ensuring that the [spaces] are available to the public for a wide range of activities.” *Lederman v. New York City Dep’t of Parks & Recreation*, 731 F.3d 199, 202-03 (2d Cir. 2013) (upholding scheme limiting vendors of First Amendment protected matter to specific locations within city parks denoted by medallions).

Content-Neutrality

The City would have a strong argument that a provision regulating solicitation of money for *immediate* payment is a content-neutral regulation that is more akin to a regulation of commercial *activity* (which is conduct) than a regulation of pure expression. In several cases involving non-public forums such as airports and post offices, the U.S. Supreme Court has explained that “the inherent nature of solicitation itself” is a “content-neutral ground” on which to regulate it, and Justice Kennedy has argued for the extension of that reasoning to public forums in his concurring opinions in those cases. See *Int’l Society for Krishna Consciousness v. Lee*, 505 U.S. 672, 678 (1992) (upholding solicitation ban in airports); *Id.* at 700-05 (Kennedy, J., concurring); *Kokinda*, 497 U.S. at 737-40 (Kennedy, J., concurring) (stating that he would hold that airports and postal facilities are public forums, and that the solicitation bans are content neutral regulations that are narrowly tailored to address substantial government interests). As the

Court explained in *Kokinda*, in upholding a restriction on solicitation on U.S. Postal Service property:

Solicitation impedes the normal flow of traffic. Solicitation requires action by those who would respond: The individual solicited must decide whether or not to contribute (which itself might involve reading the solicitor's literature or hearing his pitch), and then, having decided to do so, reach for a wallet, search it for money, write a check, or produce a credit card. As residents of metropolitan areas know from daily experience, confrontation by a person asking for money disrupts passage and is more intrusive and intimidating than an encounter with a person giving out information. One need not ponder the contents of a leaflet or pamphlet in order mechanically to take it out of someone's hand, but one must listen, comprehend, decide, and act in order to respond to a solicitation. Solicitors can achieve their goal only by stopping passersby momentarily or for longer periods as money is given or exchanged for literature or other items.

Kokinda, 497 U.S. at 733-34. *See also Lee*, 505 U.S. at 683-84 (“We have on many prior occasions noted the disruptive effect that solicitation may have on business.”).

Circuit courts have split on whether laws regulating solicitation in the streets (including laws that specifically target panhandling) are content-neutral. The First, Seventh and D.C. Circuits have all upheld laws regulating solicitation for immediate payment of money as content-neutral. *See Thayer v. City of Worcester*, 755 F.3d 60 (1st Cir. 2014) (written by retired-Justice Souter); *Norton v. City of Springfield, Ill.*, 768 F.3d 713 (7th Cir. 2014); *ISKCON of Potomac, Inc. v. Kennedy*, 61 F.3d 949, 954-55 (D.C. Cir. 1995). Conversely, the Fourth, Sixth, and Ninth Circuits each struck down ordinances prohibiting panhandling and other forms of solicitation in particular areas in a city. *See Clatterbuck v. City of Charlottesville*, 708 F.3d 549, 556 (4th Cir. 2013); *Speet v. Schuette*, 726 F.3d 867, 876 (6th Cir. 2013); *ACLU of Nevada v. City of Las Vegas*, 466 F.3d 784, 794 (9th Cir. 2006).

In *Clatterbuck*, for example, the Fourth Circuit held—*contra* Justice Kennedy’s concurrences—that because the regulation prohibited solicitation for immediate payment but not future payment, it discriminated based on content. 708 F.3d at 556. The Seventh Circuit expressly rejected this logic, pointing out that “the limit to solicitation for immediate receipt,” which the plaintiffs argued was “pernicious content discrimination” was viewed by Justice Kennedy as “the soul of reasonableness.” *Norton*, 768 F.3d at 716. And even the Ninth Circuit, which struck down a solicitation restriction, acknowledged that, although “a regulation that separates out *words of solicitation* for differential treatment” may be content discriminatory, “courts have held that bans on the *act of solicitation* are content-neutral.” *ACLU of Nevada*, 466 F.3d at 794 (citing *Kokinda*, 497 U.S. at 736); *see also id.* at 794 n.10 (collecting cases).

The law in this area was placed in further flux last month when the U.S. Supreme Court vacated and remanded the First Circuit’s decision in *Thayer* for reconsideration in light of another recent Supreme Court decision holding that a law that is not content-neutral *on its face* cannot be saved by the fact that the government did not have a content-discriminatory *motive* in enacting the law. *See Reed v. Town of Gilbert, Ariz.*, 135 S.Ct. 2218 (2015). On remand, the First Circuit could well reaffirm its original holding that the law regulating solicitation for immediate payment is content neutral, although this result is not guaranteed. There would certainly be precedent for that approach. As noted above, Justice Kennedy—who is regarded as a leading justice in First Amendment cases—has written separately in the Supreme Court’s solicitation cases to emphasize his belief that even in a public forum, laws regulating solicitation for the immediate receipt of funds are constitutional:

I am in full agreement with the statement of the Court that solicitation is a form of protected speech. If the Port Authority's solicitation regulation prohibited all speech that requested the contribution of funds, I would conclude that it was a direct, content-based restriction of speech in clear violation of the First Amendment. The Authority's regulation does not prohibit all solicitation, however; it prohibits the “solicitation and receipt of funds.” ... The regulation does not cover, for example, the distribution of preaddressed envelopes along with a plea to contribute money to the distributor or his organization. As I understand the restriction it is directed only at the physical exchange of money, which is an element of conduct interwoven with otherwise expressive solicitation. In other words, the regulation permits expression that solicits funds, but limits the manner of that expression to forms other than the immediate receipt of money.

Lee, 505 U.S. at 704-05 (Kennedy, J., concurring).

Justice Kennedy’s reasoning (which was discussed and relied upon in several of the recent Circuit Court solicitation decisions, including *Thayer*) was not directly disrupted by the Court’s decision in *Reed*. His reasoning would hopefully provide a clear avenue to uphold as content-neutral regulations of solicitation for immediate payment like the ones proposed for the Times Square Commons. However, *Reed* does seem to suggest a broad definition for content-based regulations, and it will be important to see how the First Circuit rules on the *Thayer* case on remand.

Other cities have employed somewhat similar regulations that have survived challenge. For example, a District Court in Maryland upheld as content neutral a regulation which limited “hawking, peddling, soliciting, and street performing” on the popular boardwalk in Ocean City, Maryland to specific locations on and adjacent to the boardwalk. *See Chase v. Town of Ocean City*, 825 F. Supp. 2d 599 (D. Md. 2011). The court noted that “[t]he location restriction applies to *all* peddling, hawking, soliciting, or street performing, regardless of what is being peddled or

hawked; regardless of whether the solicitation is commercial or non-commercial in nature; and regardless of the ideas communicated.” *Id.* at 618. In assessing a scheme to regulate street performers in the Seattle Center recreation area, the Ninth Circuit struck down certain provisions (such as a permitting requirement), but refused to strike down a provision limiting street performers to certain geographic areas in the Center. *See Berger v. City of Seattle*, 569 F.3d 1029, 1048-49 (9th Cir. 2009). The court recognized that “limiting street performers to designated locations does, by definition, improve the coordination of multiple uses of the Center.” *Id.* at 1042.

MEMORANDUM

To: Times Square Alliance
From: Sami Naim
Date: September 9, 2015
Subject: Pedestrian Plaza Briefing Document: Times Square as Parkland

The City is considering converting the pedestrian plaza at Times Square into parkland. There are a few issues that the City must consider before moving forward with this option.

Converting Times Square into parkland will not resolve all vending issues at the plaza

While it is true that commercial activity on parkland is generally prohibited, there are three notable exceptions: (1) if a vendor has a permit from the Department of Parks & Recreation ("Parks"); (2) if a vendor is selling merchandise that is protected by the First Amendment ("Expressive Matter Vendor"); and (3) if a vendor is a disabled veteran and protected by State law ("Disabled Veteran Vendor").

If Times Square were to be converted into parkland, then some questions include:

- How many vendors currently operating in Times Square do not qualify under any exemption?
- Does the number or type of vendors operating in Times change at all if plaza converted into parkland?
- Are existing Parks rules for Expressive Matter Vendors sufficient for plaza management purposes?
- Are existing State laws for Disabled Veteran Vendors sufficient for plaza management purposes?
- What additional local or state laws are required to adequately address issues at plazas?

Converting Times Square into parkland raises potential issues regarding First Amendment activity (protests, marches, etc.)

Parks rules require special event permit for gatherings of more than 20 people generally. For the Central Park Great Lawn, Parks has rules which limit the number of major events to a few per year. Both of these rules are intended to maintain parkland and allow the public to enjoy it when not occupied by a special event.

If Times Square were to be converted into parkland, then some questions include:

- Do existing Parks rules present obstacles to the way Times Square is programmed?
- Do existing Parks rules protect Times Square from protracted litigation over major protests?
- Is the existing Parks fee schedule for special events sufficient?

Converting Times Square into parkland raises potential issues regarding signs and commercial advertising

Parks rules prohibit commercial advertising on parkland. Moreover, there is local law that prohibits billboards within 200 feet of any park that is over one-half acre.

If Times Square were to be converted into parkland, then some questions include:

- Would converting all of Times Square into parkland trigger prohibition on billboard advertising?
- If so, would local legislation be required to exempt Times Square from this prohibition?

Converting Times Square into parkland raises potential issues regarding federal transportation funds.

Currently, Broadway is considered an arterial highway under the Highway Beautification Act. This Act generates federal funds to the city for transportation purposes. However, a change in status may endanger this source of funds. Incidentally, current City officials are negotiating with their federal counterparts regarding the Act's restrictions on outdoor advertising along arterial highways.

If Times Square were to be converted into parkland, then some questions include:

- Would converting all of Times Square into parkland risk federal funds for transportation?
- Would additional amendments to federal legislation be necessary?

MEMORANDUM

To: Times Square Alliance
From: Sami Naim
Date: September 9, 2015
Subject: Pedestrian Plaza Briefing Document: Background for Vending on Parkland

While it is true that commercial activity on parkland is generally prohibited, there are three notable exceptions: (1) if a vendor has a permit from the Department of Parks & Recreation ("Parks"); (2) if a vendor is selling merchandise that is protected by the First Amendment ("Expressive Matter Vendor"); and (3) if a vendor is a disabled veteran and protected by State law ("Disabled Veteran Vendor").

Some background on the exemptions below.

- 1) The vendor has a permit from the Department of Parks & Recreation ("Parks").

Parks issues permits for pushcarts, food trucks, restaurants, skating rink facilities, golf courses, and other commercial activity on parkland. However, Parks cannot issue a permit for commercial activity that is inconsistent with park use and open space norms, e.g, Parks cannot issue a permit for a private chemical factory on parkland.

- 2) The vendor is selling merchandise that is protected by the First Amendment.

Parks regulates Expressive Matter Vendors based on reasonable time, place, and manner restrictions. These restrictions were put into place in 2010, in response to concerns over congestion, aesthetics, and the ability of parkland to accommodate a wide range of uses and users.

Generally, an Expressive Matter Vendor cannot vend in an unsuitable location, such as a zoo, playground, pool, athletic field, or skating rink. An Expressive Matter Vendor also cannot interfere with park property by placing their merchandise directly on a sidewalk, park path, park bench, park furniture or park feature, such as a rock, tree, shrub, or planting.

If an Expressive Matter Vendor uses a cart, table, or other device to display and sell their merchandise, then he/she must provide a 12-foot-wide park path (14 feet if there is street or park furniture within the path). Other location restrictions include a 50-foot setback from park monuments, and a five-foot setback from park furniture.

Lastly, if an Expressive Matter Vendor is operating in Battery Park, Union Square Park, The High Line, and parts of Central Park, then he/she must vend from a designated location if either: (a) using a display stand, cart, or device; or (b) "occupying a specific location for longer than necessary to conduct a transaction." This may not be clear enough for purposes of the vendors at Times Square.

- 3) The vendor is a disabled veteran.

Disabled veteran vendors are regulated by State law, and do not require a license from the City or Parks. Generally, they are allowed to operate anywhere a City-permitted vendor may operate. That being said, State law prohibits these vendors from certain areas, including: Broadway, Seventh Ave., Eighth Ave., 42nd St. (between Lexington and Eighth Ave.), and 49th St. (between Lexington and Seventh Ave.).

Times Square – Why Not Parkland?

Below are four key reasons why parkland is not an ideal land use designation for the Times Square pedestrian plazas:

1. **Public Trust and Need for Alienation Legislation:** Designation of Times Square area streets and sidewalks as parkland would require State alienation legislation for adjustments to park boundaries and over time would be a highly inflexible method for achieving quality of life objectives. As a practical matter, park designation would likely be irreversible.
2. **Modifications to Zoning and Effects on Adjacent Development:** The City's Zoning Resolution measures and determines height and setback, street wall, pedestrian circulation, yard and a variety of other regulations on the basis of the relationship of a building or site to the street line. If Times Square area streets and sidewalks adjacent to buildings were designated as parkland, a variety of zoning regulations would be impacted. This would necessitate amendments to the Zoning Resolution subject to review under the City's the land use review process, which requires approvals by both the City Planning Commission and the City Council.
3. **Other Effects on Adjacent Property Owners:** If Times Square area streets and sidewalks were designated as parkland, their continued use for loading, deliveries, projecting signage, overhanging canopies and other common uses of the public sidewalk would become problematic, since they are inconsistent with park use.
4. **Limitations on Commercial Activities Within the Park:** Although park designation might assist in addressing some current quality of life issues, it would also be restrictive in terms of permitted commercial uses and would continually raise issues whether activities are consistent with park use. For example, while food vending would be consistent with park use, other activities such as theater promotions may not.

03

Citizen Testimonials Documenting Aggressive & Predatory Behavior

12 June 2015

The Honorable Bill de Blasio, Mayor

City Hall, New York, NY 10007

Dear Mayor de Blasio,

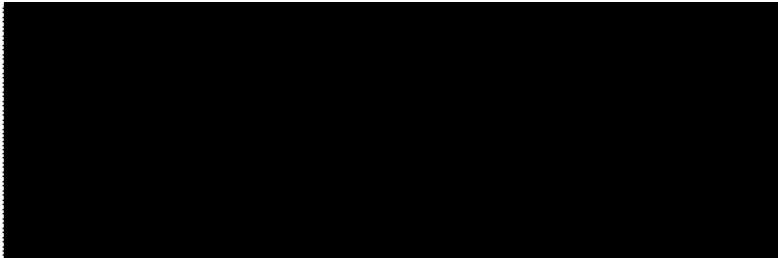
I am increasingly upset over the current conditions in Times Sq. It is almost impossible to walk the streets in that area. As a New Yorker for over fifty years (and a taxpayer) I think I am entitled to be able to walk my streets and not feel claustrophobic and disgusted by what is around me in the Times Square area. I hate going there as do many city dwellers because it is so unbearable, and yet, how does one go to the theater without going through that zone? I think I preferred it in the old days when it was full of hookers and pimps and drug addicts. Yes, it was dangerous but at least it kept the tourists away. Now it is seedy in a different way. We should be more ashamed of what goes on there now. Then, at least, the hookers were clothed which leads me to my recent observation. I passed across the square to get to the subway on 47th Street and was shocked to see two naked women posing with nothing on but g-strings and some body paint. How is that okay? What happened to public nudity laws in this city? Isn't it bad enough that we still have those "Disney" characters hanging around asking tourists for money? Is this really what we want tourists to take away from our "cultured" city?

In addition to this are the overwhelming crowds that make moving impossible. As you know, New Yorkers are pretty fast walkers. We do not have time to stagger around behind all these painfully slow people. They meander five and six abreast so no one else can get down the street. It is so frustrating. Years ago I didn't have to stand in line to get into a Broadway theater when I had a ticket. Now we must wait a good 20-30 minutes or so in the freezing cold, snow, rain or horrendous heat. This just creates more problems for those trying to get somewhere as the huge lines are blocking the sidewalks. Yes, the theaters need to manage their lines better and open their doors much earlier which would alleviate some of the congestion.

Maybe we could have a passing lane for pedestrians who need to get somewhere as we do on the highways? The tourists can gawk and amble on the right and the locals can then pass on the left. I'm sure you have some smart city planners on staff who can figure this out? Something **MUST** be done. Otherwise you are going to drive away all us New Yorkers who frequent Broadway shows and restaurants.

Times Square and the Theater District belong to all of us and I am willing to share it with the tourists but I do not think they should have all of it. I know we need the tourist business for our economy but it has now gotten out of hand. I can appreciate how the people of Venice, Italy feel when the huge cruise ships offload their passengers into the small city and inundate it. The Upper Eastside may be safe from them for now but Times Square (and other locations perhaps) is not. Please help to solve these problems and improve our quality of life on the streets of "Olde New York"!

Yours truly,



Cc:

Liz Krueger, State Senator

Letitia James, Public Advocate

Gale Brewer, Manhattan Borough President

Melissa Mark-Viverito, New York City Council Speaker

Ben Kallos, City Council Member, District 5

Dan Gorodnik, City Council Member, District 4

Corey Johnson, City Council Member, District 3

Victoria Bailey, Theater Development Fund

Tim Tompkins, President Times Square Alliance

Vikki Barbero, Chair Community Board 5

Jesse Bodine, District Manager Community Board 4

Latha Thompson, District Manager, Community Board 8

Kyle Pope, Editor-in-Chief, Straus News

Sent: Sunday, July 13, 2014 7:40 PM

To: Info

Subject: For Tim Tompkins....

Dear Tim,

I hope this finds you well. It's been a long time since we've communicated. I hope that you've been able to get some good sailing in during this glorious summer we've been having.

I wanted to reach out to you because of an experience that [REDACTED] and I had last night while walking through TS. I'm sure that it's something you're quite aware of, particularly in light of some of the court cases that have been popping up in the papers the last few months.

We hadn't been in TS in a while. We were absolutely stunned at the number and aggressiveness of the "cartoon characters" who are swarming the Square. We were walking along 42nd St. east from 8th Ave. and at 7th Ave. were surrounded by these creatures who at one point years ago seemed harmless but who now seem positively menacing. Entire groups of them would come together around an obvious tourist family, use the children as "bait" for the picture and then, hands out and jostling full into the parents, demand, rather I should say, extort, payment. They would except nothing short of paper bills. There would be five or six hands out all demanding "compensation" for the "service" they had rendered and, usually, the father would pull out his wallet and start handing out the ransom.

I don't know that these folks are breaking any laws. They may have a right of assembly in a public space but there were no security people, and certainly no police, within any reasonable striking distance of the several "attack operations" we saw organize and regroup before our eyes. The "bait and switch" from "sweet only in NYC" experience to full "creepy as only in NYC" experience occurred so frequently that Ralph and I stood there with our mouths open.

I'm sure you and the Board are aware of the problem and are doing what you can to manage the situation but it seems to have grown almost exponential in its risk for theft and injury. I can only imagine someone being pushed over, deliberately or accidentally, by these "things" and fracturing his or her skull on the pavement. I hope it won't take someone being killed in one of these encounters before the Alliance or the City acts to control a situation which seems full out of control.

I'm sure it's very complicated and very much on your mind but I send this to you because of a deep level of concern over something that will surely end badly for the Alliance and the City if not controlled very quickly.

Best,

Harris Lirtzman

Caitlin Lewis

From: Tyree Abernathy on behalf of Info
Sent: Tuesday, July 15, 2014 9:25 AM
To: Robyn Brown
Subject: FW: Solicitors and costumes in Times Square

Tyree Abernathy
Facilities & Office Manager
Times Square Alliance
1560 Broadway, Suite 800
New York, NY 10036
P: 212-452-5284 | C: 917- 747-3426
www.TimesSquareNYC.org
Follow **TimesSquareNYC** on **Twitter** and become a fan on **Facebook**

"Have fun while getting the job done"

From: [REDACTED]
Sent: Sunday, July 13, 2014 4:31 PM
To: Info
Subject: Solicitors and costumes in Times Square

Greetings!

I've been reading a lot in the news lately about the issues concerning costumed characters and other solicitors in the Times Square area, and I would like to offer my thoughts and experiences on the matter, speaking as a repeat visitor to (and huge fan of!) New York City.

First, about solicitors in general- I have a few concerns. One is the number of people hawking bus tours, comedy clubs, or adult entertainment. While I know that these are legitimate businesses, and businesses are well within their rights to advertise, on my last visit to town in October 2013, I found these solicitors to be more numerous, and much more intrusive and pervasive than on previous occasions. I felt like I was constantly dodging them, unable to go the length of a block without several of them trying to get my attention or hand me something. So while businesses have the right to advertise their services, there are just too many sidewalk solicitors in too small of an area. I'm not sure what an ideal solution would be, whether it's thinning their numbers or having them all set up in specific spots where interested people could approach them if they wished, or something else that would cut down on unwanted solicitation.

Another concern are unofficial solicitors who don't wear cartoon costumes. Two groups stand out- the legions of fake monks who I first encountered last year and who have apparently increased in number. They falsely claim to be Buddhist monks, and approach people offering prayer cards, or even taking people's hands and putting a bracelet on their wrist. Then they ask for money, claiming that the funds are to repair a (non existent) temple somewhere. The amount of money they ask for is outrageous- \$40-50. And they have been known to get upset or even aggressive when turned down. While I know panhandling is protected under freedom of speech laws, these people are con artists, not deserving of the protections afforded to legitimate solicitors. Far and away the worst of solicitors I encountered though, were the groups of young men offering CDs of rap music. Their routine is this- they offer you a CD, saying it's free. They ask your name, write it on the CD, then

demand money, getting upset if you refuse. I had a group of these men accost me (a lone female) on my last visit. I tried to just ignore them and keep walking, but they followed me, trying to press it into my hand. They accused me of being a member of the Ku Klux Klan (I was wearing a bright red coat and I've since found out that some KKK members wear red robes), and said "Oh She IS Klan! Let's beat her!" I sincerely regret not reporting these "gentleman" to the police, but unlike the mascots and bogus monks, their plain attire would have made them much harder to pick out of a crowd. I'm a repeat visitor who loves NYC and I know that these men do NOT represent what New York or New Yorkers are like, and I won't be deterred from a return visit. But what if that had happened to somebody else, perhaps a somewhat nervous tourist on their first visit to the city?

I also have some thoughts and concerns about the costumed characters who have gotten so much media attention lately. I found them to be the least bothersome of all the solicitors- if I waved them off or otherwise indicated I wasn't interested, they left me alone and didn't try to follow or chase me down. I do agree that something needs to be done, as a few of these buskers have engaged in behavior every bit as offensive (and worse!) than the CD pushers. But that said, I hope that any new regulations won't be overly broad and end up penalizing other groups of people, who are not part of the problem. You see, I am not just a garden variety tourist, I'm also a member of the cosplay community. Cosplay refers to the type of costumes you see people wearing at events like New York ComicCon or similar events. Many of us dress up as our favorite movie, comic, or video game characters, and invest serious amounts of time and money on our outfits- they're almost a form of wearable art. Some others like me, like to come up with completely original creations. (I'm currently working on a costume that's based on a very prominent Skyscraper right in Times Square!) I mention cosplay, because in the past, cosplayers have enjoyed peaceful use of and access to Times Square, and I would hate to see that become a casualty of overly broad regulation. Now, Cosplayers don't maintain a constant presence in public areas such as Times Square, we usually only come out when there's an event happening- Some people have dressed up to attend movie showings in the area, the Toys R Us flagship store has held a few themed events and encouraged fans to wear their costumes while attending, and I'm sure that others have come with a few friends just to get their own pictures taken in such an iconic area. I know that I would like to! We're distinct from buskers in a few ways- we do NOT solicit money from people, nor do we try to flag others down or force them to interact with us. We're generally too busy doing our own activity, and we leave others to theirs. If they're curious, they can come to us, not the other way around.

I sincerely hope that whatever solution is offered for the problematic behavior of full time buskers won't have a negative effect on peaceful members of the cosplay community, who have enjoyed participating in events in the area, and hope that they will continue to be able to enjoy the space, alongside everyone else.

Thank you,
-Aimee Brooks

ps- feel free to reply if you would like more information, or have questions about anything I've mentioned, I'm quite willing to elaborate if needed.

Mr. Tim Tompkins
Times Square Alliance
1560 Broadway
Suite 800
New York, NY 10036

Dear Mr. Tompkins,

I am writing on behalf of the tourists of Times Square. For most people, Times Square is a hot spot when they go to New York. However, the visit is often disappointing to the tourist because there are many annoying Costumed Characters who force tourists into taking photos with them without explaining that it will cost money. This problem seems to be aimed at women, children and foreign people.

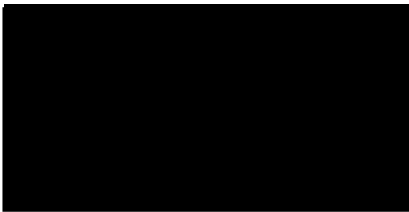
This past Memorial Day Weekend, I visited New York City. I had a wonderful trip until I went to Times Square. Even though I am back in Connecticut, I still feel unnerved. My friend and I, who are sixteen-year-old Asian girls, were walking down Times Square, and there were three Costumed Characters who suddenly came close to us. They pushed us into taking photos with them without explaining that it would cost money. They wouldn't let us go. They even tried to keep my friend with them, and they wanted me to go to the ATM and get money. Finally we got away, but we felt scared. Every Time we saw any Costumed Characters, we avoided them. The trip to Times Square that we had dreamed of was now a nightmare.

I know I am not the only person to be affected by this problem. It was reported in *The New York Post* on April 15, 2013 that these costumed characters were a menace to Times Square. They lure the children with the cute costumes and behavior, and then they extort money from parents to pay for the photo. If parents refuse to pay, the characters respond by signaling to other characters with threatening gestures (1). A joyful trip becomes a terrifying experience. Unfortunately, this happens all the time. At the same time, according to CBS News, children were shoved by a man dressed as a Cookie Monster. Two months earlier, a 35-year-old Spider-Man punched a woman's face. And in December 2012, a man dressed as Elmo improperly touched a young girl, and he also yelled anti-Semitic remarks (2). These incidents regretfully happened in my favorite city, and I am frightened to visit Times Squares again.

I am not sure if you have ever encountered this problem when you are traveling. This terrible experience in Times Square has destroyed my fantasy of New York. If I ever choose to return to New York, I will visit another site instead of Times Square, and suggest to my friends to avoid that area. As a result, when tourists are discouraged from visiting Times Square, business will suffer. I hope you can deal with this problem quickly and efficiently; it is not only my personal request, but also from those tourists who have had the same experience as me, especially for women, children and foreigners.

I have some suggestions for the Times Square Alliance to improve the situation. First, each costumed characters should have their own license, and they need to pay money for it. Therefore, it certainly will decrease the number of Costumed Characters. They should licensed and monitored like the food cart vendors. Second, they should put their certificate on their clothing when they are working; thereby, we could report to you with accurate information when an incident occurs. Third, the cost of taking a photo should be told to tourists in advance and should be advertised. Finally, the Times Square Alliance should think about limiting the number of licenses they issue, so that Times Square is not overrun with the same characters or too many characters in general.

Sincerely,



(1)"Times Square's Mascot Mafia." *New York Post Times Squares Mascotmafia Comments*. N.p., n.d. Web. 28 May 2014. <<http://nypost.com/2013/04/15/times-squares-mascot-mafia/>>.

(2)"Costumed Character up to No Good in Times Square." *CBSNews*. CBS Interactive, n.d. Web. 28 May 2014.

<<http://www.cbsnews.com/news/costumed-woody-charged-with-sex-abuse-forcible-touching/>>

Complaints Sent to StreetWatch & Info Mailboxes re: Quality of Life in Times Square (2014-2015)

8.28.15

Subject: Harassed in Times Square today – this needs to stop!!!

My name is Michelle, and I am 23 years old. I live in Brooklyn and work in Manhattan, often in the Times Square area. Today I was on 50th and Broadway and I was verbally harassed by one of those people selling comedy tickets on the street. This was not the first time this has happened, and not knowing which specific company he worked for, I don't know who else to contact more specifically than you. I usually just hear harassing words and keep on walking, but today I couldn't stand it any more when this man yelled out at me in a very condescending way "How about you, baby girl?" I turned around and walked back to him. When I tried to calmly talk to him human to human and tell him that how he spoke to me offended me, and that he should please think about the way he is speaking to women and how it might affect them, he went off on me and continued to degrade me with his words as if I was the one who was wrong. He told me that next time I should just take his words and stay silent and keep going if I felt "so uncomfortable." "Really?" I said "It's my responsibility to be called 'baby girl', take offense, and then stay quiet about it? It's my problem that I was offended and made extremely uncomfortable by what you called me? I wanted to let you know as a fellow human that your words offended me and that calling a woman "baby girl" as she walks by is objectifying and degrading, and it's even more upsetting since you are out here doing your job representing whoever the hell you work for." He continued to yell at me, make fun of how I was dressing and how I look, told me that he makes so much more money than I make, etc. etc. I eventually had to just walk away, given that my attempt to have a conversation around the issue was futile. I am proud to be a woman. I know I am in the right. But this man made me feel powerless, voiceless, degraded, and defeated, which I would have felt in response both if I had stayed silent or spoken up. This was the first time I have spoken up and faced someone who has harassed me in Times Square, someone who is "working" to try and get peoples' money. These kinds of people should not be allowed to be on the street corners. I know I am not the first person to have unfortunately experienced this kind of interaction before, and it makes me sick to know that it is probably happening right in this very moment. He is not going to stop me from working in the Times Square area, but it makes me extremely cautious and disheartened to have to. Times Square is supposed to be the crossroads and meeting place of all different walks of life in New York, but for me it feels like an unsafe hotbed of assault-in-waiting...That's not ok. I ask you please to work towards eliminating the presence of harassing street vendors and employees on behalf of myself and all good people.

8.27.15

Subject: Canceling plans to visit Times Square

Due to naked MEN & WOMEN in Times square as reported by the NY Post today, we have cancelled our plans to take our grand kids to a Broadway show this weekend.

8.26.15

No subject

The issue of semi-naked women in Times Square needs to be addressed. I recently took sightseeing vacation there, and while I was walking through TS, two of them came up and grabbed my arms trying to lure me away.

That's unacceptable.

8.21.15

Subject: Times Square plaza disruptions

Since your Alliance has freedom of speech like all Americans than use it.

Get some people to stand nearby wherever the Painted Ladies gather and use a bullhorn to say Do Not Give Them Money.

It is like they say, if you do not feed the squirrels they will not hang around waiting for food.

Stop feeding them their money.

8.21.15

Subject: Closing Time Square plaza article

Just read the article about possibly closing the plaza's in Times Square.

One of the reasons given was the topless women - now isn't the law that women can go topless if they do not earn any money? Getting tips is earning money. They should be arrested over and over again until they learn to stop. And yes some of them are very, very aggressive and I have seen one women yelling and fighting in front of Hard Rock Cafe more then once.

What they are doing, I believe, is illegal and needs to stop.

I live just a block away from Times Square and enjoy the plazas all the time and would be very sad to see them go.

If you want to stop the painted ladies then arrest them.

8.21.15

Subject: 'performers' in Times Square

As a frequent visitor to NYC I always avoid Times Square now because the aggressive solicitations from costumed or, more disturbingly, nearly naked individuals is not something I want to deal with. Lately is has gotten entirely out of hand in my opinion. Yes, I understand this happens in areas with a high volume of tourists (like the Las Vegas strip), but I imagine any legal means of curbing this unfortunate practice would be welcome by just about everyone I know.

8.19.15

Subject: Time Square characters and topless ladies are a NUISANCE to pedestrians!!!!

I live in Manhattan and work near Bryant park- 42 and 6th and have to cross Broadway on 42nd street to get to/from subway station to work twice a day.

The characters who swarm the Broadway crossing on 42nd street are a pure nuisance! There are so many of them in big costumes and they aggressively approach everyone they see for pictures and tips.

They need to be removed from that crossing so people can walk across Broadway outside of the H&M store area without being hassled.

The latest addition of innumerable topless ladies has made the situation even worse. People commuting for work and tons of tourists are there with small children and the area has started to feel like a peep show, strip club place which is disgusting.

PLEASE REMOVE THEM FROM TIME SQUARE!!

There is no art aspect in either these topless ladies or the tons of dressed up characters that are basically panhandling there!!

They don't belong in Time square .

8.19.15

Subject: Horrible experience

Please remove ALL references to "kid friendly" on your website as the experience is anything but kid friendly.

My son who is only 5 and I were constantly harassed by people hustling for pictures even topless painted women. It was completely disgusting. I was even considering calling 911 when one of women just walked up and some guy (her pimp) asked for my phone to take a picture. The women grabbing my son shoving him against her body. I said no you disgusting tramp, please leave us alone. Then her pimp demanded money which I refused and we walked away.

My son even asked me afterwards why those girls have paint instead of shirts. I told him NY is bad place and we are never going back. Thanks for a horrible experience at Times Square. We certainly will remember it.

Now I'm dreading what my son will say when people asking what did he see in NY.

8.19.15

Subject: Homeless people and painted ladies

I know these are issues being addressed. There is a young lady sitting on the corner of 42nd Street and 7th Avenue today with an I am pregnant sign. She has been on several corners over the last several weeks. The ladies are being painted right out in the open. It's truly a shame the pedestrian plaza has turned into this. Who wants to walk through this to get to the stores and restaurants.

8.19.15

Subject: Topless women

I sincerely hope that there will be something done about the topless women who are panhandling in Times Square.

I thought that Times Square was a family venue and until something is done about it, I won't be bringing my family back to NYC for shopping or theater going.

Another example of how NYC is sliding down since DeBlasio took office.

8.17.15

Subject: Painted Ladies

The body painted women in Times Square have no place in a public venue, legal or not.

This is an offense to just about everyone there and to my families faith, and when we have out of town guests that we bring to the city, we now avoid Times Square.

I'm sure that families like mine represent far more financial gain to the Times Square area than those who look to get their pictures with these women.

It is time for your alliance to stand up for what is right.

When you do, we will return.

8.17.15

Subject: Times Square

Just to let you know that we will not be doing our regular visits to Times Square with our grandchild anymore. The 'Painted Ladies' belong in a men's club....not soliciting in one of our most popular tourist spots.

As expected, under Mayor DiBlassio, our city is reverting back to the days of 'Smut and Roses'.

8.17.15

Subject: increased "nudity" in Times. Square

When it effects the revenue of businesses then I am sure something will be done. The first ones to leave will be Disney. Mark my words. Until then we will see a return of the Times Square of the sixties and seventies.

8.17.15

Subject: comment

Many times our family has enjoyed visiting Times Square and staying in many of the upscale hotels – especially when we were on home leave while we were stationed overseas for ten years.

Unfortunately - now with the reports of the naked painted ladies walking around Times Square for photos - our family cannot take that risk of being accosted by one of them. I always understood the freedom for clubs where people are naked and do whatever they do - but that is not inflicted on spouses and children in public.

I also understand that NY state laws consider this a "performance" and that this nudity is legal - and I accept that is the way it is - but I also wanted to state that sadly - we have to exercise our freedom to spend our money elsewhere.

We don't want to - we love Times Square - but this nudity is just too much and I won't subject my family to this.....plus -

I wonder what Times Square will be like in ten years - if this is the standard now.....

8.16.15

Subject: Times Square is now a sideshow circus

Please do sometime to ban the costumed characters and naked woman in paint. Their repeated hassling of pedestrians is a disgrace. This has now become a quality of life issue. Please ban this practice. When I was a kid in the 1970's and 1980's the pimps prostitutes and hustlers were removed from the streets. The new hustlers are now these shake down costumed characters. Get rid of them.

8.11.15

Subject: Re: characters in TSq

Is something being done about these aggressive characters in TSQ? Also, what about they nudity! I thought they cleaned TSQ up. Slowly, but surely, it is going to impact business. Once word gets around, people will stop coming to NY and we all lose.

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8.7.15

Subject: Very important complaint about Times Square entertainment

I am writing this complaint email both as lifetime fan of the Times Square and a concerned father. I will be very bold and clear. I would like you to stop the topless body painted women from the Times Square posing for money. This is bad for international image of this world class tourism destination and bad for our children. I cannot even take my children to the Disney Store or the Toys r Us Store. I cannot take a walk with my family or with my personal and business guests. I have an international business consulting and trade firm based in Manhattan and it is a shame to have this shallow, ugly and exposing entertainment at the center of modern and civilized world. Unfortunately, there is always a customer for such things and it is mostly the youth.

I am also a community leader and politically active at high level and I believe it is time to get rid of this Middle Age entertainment exploiting the woman body.

8.2.15

Subject: Topless street hustlers

Walking through Times Square last Wednesday, I was shocked to see topless women stopping men and offering to take pictures for money. The women were painted over with stars and stripes and were strolling through the pedestrian area wearing G strings like this was Times Square in the 70's. The best part was they were right between the recruiting station and police station, with cops all around and no one seemed to blink.

I'm not a tourist, I live here and I find it offensive to see young women hustling themselves for \$1. I still remember a Times Square that you couldn't walk through and I'm thrilled with the changes the area has undergone. Times Square is an icon of New York and the streets are packed with families. There's a difference between entertainment and borderline prostitution. I would hope the Times Square Alliance doesn't just focus on cleaning up the streets but also cleaning up the image of New York & Times Square.

I hope something will be done about improving the quality of my beloved city.

7.22.15

Subject: Your Times Square is no longer mine

I would just like to introduce myself - I am an adult woman originally from the Netherlands who has lived in Manhattan for the past 38 years and consider myself a New Yorker first. I come from a country that is open minded about many things, I have no problem with being on a European beach topless, and above all, I am a painter whose subject matter is the nude human body. In other words, I am not a prude.

Yet, for the past three times when I have had occasion to cross Times Square I have been appalled at the vulgarity and low class commercialism in the form of a group of naked bodypainted women. I am sure you can't be too happy with it either. Times Square is an iconic tourist spot in New York, I have brought all my nieces and nephews from Holland here, asking to see "the Coca Cola lights"; it's a magical spot. Times Square to me is what other cultural sites are to other countries in the world, it is an American cultural site. But why does it have to include such incredible vulgar commercialism? Why is it that you cannot put an end to this incredible low class behavior that has simply no place in *any* civilized society? It is not fun for me as a woman to walk through there, with a bunch of males standing on the sidelines gawking at women, making all women feel uncomfortable; it is no fun for me to bring any of my young guests there anymore - nor old guests may I add. I don't want them to think this is a new norm in our society and culture; it is rather a new low. It is no longer fun to go to Times Square where I cannot escape a new level of low class vulgarity. I think you should hear this from someone who is not a prude, but simply expects some sense of human civilization in an iconic cultural area such as Times Square.

7.21.15

Subject: Incident with CD vendor – cursed at crowd, physically grabbed my phone

This was an incident with a CD vendor on 7th Avenue east side between 48th and 47th at 5:50pm today.

My mother and I were walking by on our way to dinner and his pitch to the crowd was "I have CDs, porn, whatever the fuck you want." This was directed to all passers by. I stopped and pulled out my phone to take a picture of him to report it.

He physically grabbed my phone hand and attempted to try and stop me taking a picture. He cursed at me ("fuck you") and called me "pussy". There were many other people around. I took several pictures which are attached.

Shortly after I found two policemen in Times Square and told them what happened and showed my photos and described the interaction. They did not collect an incident report or any other information from me.

If you need anything further please let me know. Thank you!

7.13.15

Subject: Please Stop NUDITY

I would like to plead with you to try to stop the nudity at times square. I was there a couple of weeks ago with my children (ages 8,10,12, and 14). I wanted to show them the wonderful NYC that I have visited before. I was horrified to see naked ladies strolling the streets in times square along with elmo and spiderman. Isn't there anything we can do? I thought that was indecent exposure. It really took

away from the whole experience for us. I think that kind of thing should stay in the adult stores and not be where kids can be exposed to them. If there is anyone else I can complain to, let me know. Thanks for your help!

7.9.15

Subject: Complaint

I wanted to lodge a complaint against the topless women that are painted in Times Square. This creates an atmosphere that I do not want to bring my kids around. They are highly aggressive and invade your personal space trying to get you to give them money for a picture. Yesterday two of them came up to me and pressed themselves up against me trying to get me to stop and take a picture. Not only was this uncomfortable but their body paint rubbed off on my suit.

7.9.15

Subject: Complaint against painted girls in Times Square

I would like to file a complaint against the large group of painted girls in Times Square. My first concern is that they are mingling with the characters which automatically attracts my children's attention. This has made it almost impossible for me to bring my kids through that area. Additionally, my husband's office is located a block away from where they stand and he cannot pass that way at all without one or several of them getting in front of him and aggressively trying to grab him or get his attention, even when I am with him or when he is on the phone. While I understand that it is legal for them to be undressed in public, there has to be some kind of regulation that can be put in place. We have enjoyed Times Square as a place for our families and friends to go for years now, but as of today I am not comfortable taking my kids, my friends or even my husband and I through that area. We do not wish to see them and their highly aggressive tactics of grabbing and getting directly in front of us as we walk down the street or try to enter the stores (regardless of the ages of our party) is very disturbing and disruptive to the businesses in that area.

5.29.15

Subject: Times Square

On a recent visit to NYC I was disappointed to discover a body-painted nude woman in Times Square. With all the positive aspects this area has to offer, it's a shame to revert to the sleaziness of the 1970's - 80's. Perhaps Times Square can get "cleaned up" to help create a favorable impression for school groups, families and other visitors.

5.24.15

Subject: Aggressive Street Vendors

My family of four boys ranging in age from 5 years to 10 years old visited the Fleet Week festivities at the pier yesterday. Of course, we felt our trip to NYC wouldn't be complete without a visit to Times Square. Imagine my dismay when these boys encountered what I consider gypsy pan-handlers, but will politely refer to as aggressive street vendors. There were poorly painted, completely naked women right in front of the exit of the Toys R Us; there were fake-costumed characters grabbing at them within the crowds; and there were various others trying to shake-down my husband, my sister-in-law, and me for "tips" at every turn.

My family and I look forward to our visits to NYC, but I will not be returning to Times Square if this is the norm. I will be sure to share with all of my friends and extended family the utter disgust that I feel for

the atmosphere in that area. I write this letter on behalf of appealing to your organization to put the safety of children onto the streets of Times Square! As a mother, I was truly afraid for the well-being of the boys, and as an educator, I am concerned for any school-aged child that will undoubtedly be taking school trips to Times Square without the watchful eye of a parent. It is the latter that created the fire within me to write this letter!

Thank you for your anticipated time and attention to this matter.

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5.20.15

Subject: Times Square has become the old 42nd st.

TOO EMBARRASSED TO BRING TOURISTS TO TIMES SQUARE- An Abhorrence- This is what memories they should bring back to their countries of NYC.

Dirty cartoon characters and

Trashy moving naked bodies

Pimping the public at every step

Posing naked for money in the most tourist place in NYC is disgusting for the people of NYC and the tourists who look at us as disgusting Americans

and no decent people will speak of the TIMES SQUARE ALLIANCE

that runs the area as movement that improved an area

but an ALLIANCE that returned TIMES SQUARE to a previous era of sleaze and disgusting panhandlers who do not help businesses but destroy them.

5.12.15

Subject: shame on you

I live in New York city and I was DISGUSTED when I saw the ATTRACTIONS in Times Square ,like people dressed as terrorist and naked women all over the place.

It really surprised me that was allowed by Times Square Alliance. Whomever allowed this atrocity should get hers or his job taken away.

A very concerned citizen

4.29.15

Subject: nudity in Times Square

After seeing a show I took my guest, a visitor from New Hampshire, for a walk around Times Square.

She was delighted with the lights and all the people. We both found all the costumed characters amusing, but then 2 girls wearing only g-strings with their nude bodies painted in red,white and blue strips walked near us. We were both surprised by the nudity (They were followed by groups of young men) Since our goal is to attract visitors and FAMILIES from around the world I don't think this nudity is necessary or appropriate.

Thanks for your good work

4.28.15

Subject: disgusting in times square.

What has happened to the decency of Times Square?

I am a regular visitor (tourist) to new york, this is my second trip here this year, and usually i just love being here but today at 4pm I was totally disgusted.

In Times Square there were a number of near naked women prancing around having their photographs taken and of course accepting the dollars offered, in scantily clad underpants and with body paint.

Times Square is promoted as a child friendly tourist destination but this is totally unsuitable. And there should be a warning to all parents with children.

I do find it very offensive, even more so when one of these woman bumped into me because she was not looking where she was walking without any apology.

Will this continue and is it acceptable to have this behaviour in Times Square?

4.18.15

Subject: Times Square treats my son to his first centerfold

On a family trip to see a Broadway show today, I encountered topless women painted like American flags in Times Square. As I was with my 9 and 12 year old children, I complained to a security guard, who said that the right to be topless in public is protected by law. Apparently it was a law passed to give rights to breastfeeding mothers.

I'm sure you don't have to be a lawyer or a politician to recognize the inherent difference between what these women are doing, and a mother nursing her infant child.

There's a place for nudity, as well as an appropriate age at which to be exposed to it - particularly when the purpose of that nudity is entertainment or mere sensationalism. In the middle of a busy public place,

full of families with children much younger than mine, is not it. I did not appreciate my adolescent son's first view of a woman's breast to be forced upon him in the middle of a family outing.

I live in New Jersey now, but I was born and raised in Brooklyn and grew up going to the city and the theater. I remember well a time when 42nd Street was peppered with XXX bars and shows, when it was scary to walk west of Eighth Avenue, when even the theater district itself was less than safe after a certain time of night. It had been so refreshing over the past 10 years or so to see a cleaner, safer, and more vibrant Times Square and Broadway. After today, I wonder if the city is about to slide back to a seedier time.

A concerned parent and native New Yorker

4.17.15

Subject: Topless Girls targeting 14 year old boys for profit

I work for a tour operator that bring school groups into NYC. We are having problems with the topless girls targeting 8th grade boys for photos. I understand that these women have the right to be topless in public, but it seems that taking money from very underage minors verges on edge of child pornography, especially since the service being offered is photography. In an age of social media, this is untenable.

Is there a department within the NYPD with whom I can lodge a complaint? Thank you for your assistance. Our only other option is to avoid TSQ and Broadway.

4.16.15

Subject: CD hawker complaint

Just a quick note to mention that the CD hawkers who were at 49th Street and 7th Avenue on the west side today at around 1:15pm were behaving very aggressively. As I walked past with my lunch, one man thrust a CD at my chest to which I said "No" to, and then he asked for my lunch and said he was hungry. I told him he should ask the tourists for that. He became agitated, cursed at me (calling me "smart-ass") and proceeded to yell insults at me as I crossed the street. From across the street I took a picture of him and mentioned I would be reporting him. When I returned to my office a few minutes later (which looks down on this corner) the two men there were gone. I have attached the picture though it's not very helpful, nor is I presume this incident report, but I felt like I should tell someone! The man in question is the one in grey. Unfortunately he turned his back when I pulled out the camera.

4.15.15

Subject: Nudity in Times Square

What is going on in Times Square?

You have ToyRUs, Disney store, Street characters, etc.

All attractive to families with small children.

Why do you allow virtually nude women to hustle their bodies covered only in paint and a thong?

Is this good for youngsters to see?

What is being done about this?

3.6.14

Subject: CD HAWKING

As someone who works daily in Times Square, I have seen the aggressive nature of the CD hawking increase dramatically in the past few months. Just today, at about 2:00, on the east side of Broadway between 44th and 45th, there was a very large group of 10-15 males that were "giving away their free CDs" and then when the passersby reject the donation, the encounter turns very hostile. Does the NYPD ever conduct plainclothes enforcement of these activities? This should NOT be the face of our city for the many tourists that converge upon our neighborhood.

9.29.14

Subject: Spirit of USA Body Art

Call me an old fuddy duddy, but naked is naked, body paint or not. Times Square, in the heart of the theater district, is host to people from all walks of life...children, Muslims, Christians, many of whom do not believe we should go anywhere public without clothing.

As the mother of a 16 year old, it is uncomfortable for me and my son to walk past these naked, painted women. I do not want him to think objectifying women is acceptable in any way, shape, or form. I do, however, want him exposed to the wonder and magnificence of Broadway theater, as there is nothing else like it in our country.

We cleaned up Times Square already once in my lifetime, let's not let it go back to what it was in the early '70's!

9.19.14

Subject: This is insane

Considering the recent news that terrorists are encouraging an attack on Times Square, what is the logic in allowing 11 anonymous people in loose fitting costumes, with their faces covered, free access to Times Square. Anybody with evil intent could hide anything under these costumes. Have we forgotten the lessons learned of Sept. 11, 2001? We are idiots. Can you imagine the headline when Capt. America blows himself up in the middle of Broadway? Would someone wearing a burka be issued a permit? I think not, but realistically, there is no difference. It's pretty sad, but the only guy I trust is the Naked Cowboy. WAKE UP NEW YORK !

9.11.14

Subject: Guys in Times Sq. asking for donations

I walk through Times Sq on a daily basis heading to and from work. I always see the same guys everyday collecting money from tourists "for the kids" or "to help the homeless". They are often set up on milk crates with vests that say "Times Sq News" to make themselves look semi-reputable. Do you know if they have permits and represent a legitimate charity? You only see them in Times Sq. I have a feeling they don't and that they are just preying on unwitting tourists in our great city. I know the costume characters are in the news a lot these days but I feel these guys are actually worse as they prey on people's goodness, if in fact they don't represent a legitimate charity.

07.27.2014

Subject: Costume character tips

About a year ago I saw that NYC police gave out flyers that tipping was optional to costume characters, I would really like to know if that is still in effect... Also I've noticed that the naked girls that offer picture services have forced people to take pictures with them and forced them to pay.. I've seen how they pull people from their clothes snatch their phones and even put their hands inside tourists wallets as they're trying to tip them... I wonder are they ever going to get stopped from doing such things one thing is that the tourists ask for their pictures and another is that they're being forced to take pictures and pay them what the girls want...,

Times Square Tweets

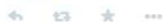
Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



jendziura
@jendziura



Had drinks with someone who works near Times Square and is regularly sexually harassed by a gauntlet of men dressed as Elmo.



RETWEET 1 FAVORITES 6



12:09 AM - 7 May 2014



Robert Robinson
@robert5353



@TimesSquareNYC My friend's ass was grabbed twice by Elmo while she was just standing and taking a picture of Times Square.



11:59 AM - 29 Jul 2014



Kate Lake
@Katllynn94



The best part of being a girl in Times Square is the naked women only charge you \$5 for a picture instead of the \$20 they charge the guys.

8:02 AM - 7 Jul 2015



Joe Geis
@joe_geis



@gaaabe I once listened to a kid's cd in times square and it was really good so I bought one for \$5. got home and he sold me a blank disc.



FAVORITE 1



12:09 AM - 16 Jan 2015



Lee Whitten
@Lee_Whitten



Yesterday in Times Square, my mom got talked into spending \$30 on an amateur rapper's mixtape

FAVORITES 9



6:21 AM - 3 Jul 2015



Lyna Lam
@LynaHadALiLam



Things you can hear in Times Square:
"I just got mugged by Mickey Mouse."
"It's Spider-Man--watch out!"
"Are they naked?"

RETWEET 1

FAVORITES 4



11:23 AM - 29 May 2015



Juliet Rocco
@JulietRocco



No Elmo, I do not want to hug you.
#TimesSquare #NYCproblems

10:28 AM - 7 May 2015



Chris Marks
@chrismarks28



So yesterday at Times Square a guy asked if I wanted his free mixtape. I said no. His buddy said "he must be afraid of black people"

FAVORITES 8



9:33 AM - 12 Jul 2015



Good Will Hunty
@Digital_Guri



So... A dusty struggle rap CD seller & I almost threw hands in Times Square because he pushed my mom and Erin who is only 8 years old.

9:45 AM - 5 Jul 2014



JordanObb
@JordanObb



@_jbarber10 u don't know what being sold a mixtape is like until you go to times square and get swarmed like a bloody bee hive

2:43 PM - 12 Apr 2015



Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



Lauren Michelle
@NYCVixen

Follow

The 'rappers' who harass tourists in Times Square to buy their mixtape are menaces to society. #NYC

RETWEET
1

FAVORITES
12



1:18 PM - 23 May 2015



Mally James
@MallyJames

Follow

They still out here harassing people in Times Square to buy they mixtape.... Just embarrassing

10:20 AM - 14 Jul 2015



lauren
@extralaordinary

Follow

just witnessed a guy wearing a legalize weed shirt give his mixtape to two old people in Times Square and say "make a baby to this"

FAVORITES
12



8:14 PM - 6 Jun 2015

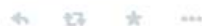


Chris Wolak
@chriswolak

Follow

PSA: avoid Elmo costume characters in [#TimesSquare](#).

2:04 PM - 8 Jul 2015



Valentina
@Valz0427



Follow

Just got hounded and chased by one of those mixtape ppl on Times Square. Had to turn around and scream I AM NOT THE PLUG, LEAVE ME ALONE



RETWEETS
3

FAVORITES
4



12:54 PM - 28 Apr 2015



Koryna Flores
@korynaflores

Follow

Dear CD guys in Times Square, yelling at and harassing people who don't take your (blank) cds will not make them give you money.

FAVORITE
1



7:46 PM - 21 May 2015



Mark Roland
@MARKISHAROLAND

Follow

Back off Elmo, if I'm tipping it's going to the [#nakedcowboy](#) [#nyc](#) [#timessquare](#) [#elmoisasmoker...](#)
[instagram.com/p/5XYQBMnQNM/](https://www.instagram.com/p/5XYQBMnQNM/)

9:50 AM - 20 Jul 2015



Justin Arenas
@justinarenas

Follow

Note to self: Never give a dollar donation to a guy wanting for you to hear his mixtape in Times Square.

FAVORITES
4



8:51 PM - 12 Jul 2015



Cyndi Szala
@CyndiSzala

Follow

[@Fred_Kirsch](#) u mean pan handlers dressed up as Minnie & Mickey Mouse and Naked Cowboys begging u to take a pic w/ them [#TimesSquare](#)

10:28 AM - 10 Jul 2015



Jonah Emery
@JonahEmery

Follow

The guys trying to hawk their music CD's in Times Square ruined my experience of it.

8:16 PM - 27 May 2015



Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



coriOs8
@coriaux



Follow

I just saw a broadway play and Times Square and had a man in an Elmo costume touch my butt I'm living the dream

Retweet Favorite

FAVORITES

7



12:17 AM - 27 Apr 2014



Erik Severson
@RikSeverson33



Follow

Been walking around Times Square for 15 minutes and I've already had 5 people try to sell me their mixtape

FAVORITES

5



1:57 PM - 14 May 2015

Retweet Favorite



Adam Kosturko
@AdamKosturko



Follow

The field trip today was great minus the fact that I got groped by a lady in an elmo costume in times square.

Retweet Favorite

FAVORITES

2



8:03 PM - 23 Apr 2014



Carey
@careyshook



Follow

five minutes in Times Square and I've managed to get attacked by chew baca and Elmo

New York, NY

Retweet Favorite

9:53 PM - 13 May 2014



J-Zone
@zonedontweet



Follow

I brought the walkman out and told some rap squeegeemen in Times Square hustling CD-Rs if they had a tape I'd pay \$10. They left me alone.

RETWEETS

6

FAVORITES

12



7:33 AM - 24 Jan 2015



Danielle Ito
@dlobug



Follow

Just got groped by Elmo in Times Square

Retweet Favorite

FAVORITE

1



10:33 PM - 19 Jun 2014



nick
@nickdandria



Follow

@madiburrnard I bought someone's mixtape in Times Square once. he hustled the crap out of me

FAVORITE

1



8:32 PM - 11 May 2015



jamalecule
@longislandmom



Follow

no, random guys in times square, shoving a copy of your mixtape in my face will not make me want to take it.

FAVORITES

5



9:36 AM - 28 Apr 2015



Faye Ellaby
@fayellaby



Follow

James and Sophie got bullied into buying some chavs mixtape in Times Square and were listening to it in the hotel - it's called 'Paid Duez'

RETWEETS

2

FAVORITES

8



5:20 PM - 10 Apr 2015



Jennie Sutton
@jenniefennie



Follow

Hey fake monk in Times Square you actually help me practice patience because I have to resist the urge to punch you in the stomach

Retweet Favorite

1:12 PM - 19 Apr 2015

Times Square Tweets

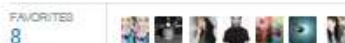
Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



After being hustled in Times Square, I am now the proud owner of a hip hop CD called "Hungry Ho".



a guy in Times Square just tried to grab my arm....to give me a copy of his mixtape



10:10 AM - 1 May 2015



naked women in Times Square.. I wanted to cry and throw up at the same time. this world is screwed man .



8:01 PM - 3 Jul 2015



@TSqNews from the red steps until 42nd & Broadway 13 of them hassled me! As an international visitor, it ruined the experience of Times Sq

Reply Retweet Favorite More

4:35 PM - 22 Jul 2014



I fucking hate Times Square... NO I DO NOT WANT TO BUY YOUR MIXTAPE FUCK OFF



10:06 PM - 7 May 2015



last night some man dressed in an Elmo suit in Times Square ruined my childhood and whispered something Elmo should never say 🙄



11:14 AM - 18 Mar 2014



The small boy telling his father he's scared of Elmo has learned far too young what's wrong with Times Square.



1:01 PM - 8 Nov 2014



I've seen WAY too many naked people in Times Square today 🙄



3:02 PM - 19 Jun 2015



Batman told me to fuck off! I was merely pointing out that Batman wears a utility belt and not a fannypack. #TimesSquare



2:30 PM - 9 Apr 2015



My brother is so scared by people in Times Square wearing costumes that he ran out into traffic when Elmo walked towards him

New York, NY



11:35 AM - 7 Aug 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



Billy Pfeifer
@d011a_billz



Follow

You know you're in Times Square when Elmo takes off his mask and asks you for cocaine.



RETWEET
1

FAVORITES
6



8:41 PM - 2 Mar 2014



Maddie Crichton
@maddz99



Follow

In a span of 30 seconds I was harassed by Elmo and Bane and asked if I was interested in comedy/illegal drugs. Only in Times Square.



FAVORITE
1



10:54 AM - 7 Mar 2014



briony.
@onceuponabry



Follow

So after the awful experience I had with elmo in times square I find out that one of them was arrested in January for sexual assault. Nice..



2:25 PM - 7 Mar 2014



Bethany Christo
@bethanychristo



Follow

Got assaulted by Elmo in Times Square, but yeah other than ruining my entire childhood all is well #NYmagtrip



RETWEET
1

FAVORITE
1



11:33 AM - 14 Mar 2014



Emma Guidi
@emma_guidi



Follow

Walking through times square and being chased for hugs by creepy Minnie and Elmo<<<< is this a nightmare or real life...?
😭



FAVORITE
1



10:21 PM - 15 Mar 2014



Casey Metz
@cmetzy7



Follow

last night some man dressed in an Elmo suit in Times Square ruined my childhood and whispered something Elmo should never say 😭



FAVORITES
7



11:14 AM - 16 Mar 2014



*****Krenz**
@vivalakrenz



Follow

I went to Times Square today and a Elmo tried to touch me #almostscreamed



FAVORITES
2



7:57 PM - 17 Mar 2014



maggie
@biebersswifts



Follow

literally just got ripped off by elmo in times square



RETWEET
1



9:09 PM - 27 Mar 2014



Madde Gibba
@maddebelle



Follow

Times Square is bearable until the Elmo's get handsy. [instagram.com/p/mDr_ploYXB/](https://www.instagram.com/p/mDr_ploYXB/)



3:22 PM - 27 Mar 2014



嫌なメイヌ
@romanji



Follow

i thought i was gonna get jumped by Mickey, Minnie, the Cookie Monster, and Elmo in Times Square today 😭



11:29 PM - 28 Mar 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



helen
@helen_tee



Elmo was getting a little frisky 😬
#whyyousoclosetomethough 🙄 @ Times
Square [instagram.com/p/mRIGlwE52B/](https://www.instagram.com/p/mRIGlwE52B/)



12:51 AM - 2 Apr 2014



gene parmesan
@ssanicy



#YouAintFromNewYork IF YOU'VE NEVER
BEEN AMBUSHED BY ELMO'S SQUAD IN
TIMES SQUARE



RETWEET 1 FAVORITES 6



11:41 PM - 19 Jun 2014



Dennis Sarlo
@dennissarlo



Yes, PLEASE! RT @1010WINS: Head Of
Times Square Alliance Says Costumed
Characters Need To Be Regulated
cbsloc.al/1iX3cnb



4:47 PM - 21 Jun 2014



sunrhé
@ribbonchu



So I was walking through Times Square
yesterday & got hit on by 2 men dressed as
Captain America & Elmo. I thought that was
pretty hilarious



FAVORITE 1



2:12 PM - 29 Jun 2014



Natasha Alexis
@agntalexis



Times Square is just so weird these days.
No, bizzaro world matted dirty fur Elmo, I
don't want a hug from you

📍 New York, NY



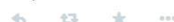
5:23 PM - 6 Jul 2014



Haley
@_HaleyHenry_



I just just haha remembered the scary Elmo
thing that like tried to grab my hand in times
square 😬



11:52 PM - 7 Jul 2014



Hanna
@TRUEISMS



Also we walked through Times Square and
this guy in an Elmo suit tried to hug me and
I literally shrieked a bit



FAVORITES 2



12:04 AM - 8 Jul 2014



Scott H
@realScottMH



Finally! Sick of seeing them gang up on
tourist women. RT @1010WINS:
Lawmakers To Look At Regulating
Costumed Characters In Times Square



8:34 AM - 9 Jul 2014



David
@dkatzism



Happy something is finally being done
about those costumed sociopaths in Times
Square. No one comes to NYC to get boob
squeezed by Elmo.

📍 New York, NY



9:50 AM - 10 Jul 2014



Andy
@SpritzRoad





When my friend & I went 2 Times Square
we were forced by Minnie Mouse, Mario &
Elmo 2 take a pic & they wouldn't let us
leave until we paid



5:33 PM - 9 Jul 2014



Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching

 **Emma Citron** @Emmaloucbyway 

I love how Times Square Alliance is talking about those creepy costumed characters in theatre district. I'm sick of Mario trying to hug me.


12:17 PM - 10 Jul 2014

 **Liz Eney** @LizEney 

If Times Square had taught me one thing, it's that Elmo is not as polite as he seems on TV [#childhood](#)

New York, NY



7:07 PM - 12 Jul 2014

 **justine** ☆ @teawithteu 

Please do not touch me, Times Square elmo



New York, NY

5:12 PM - 17 Jul 2014

 **Kelly Hoey** @kheoy 

Fake Elmo's in Times Square make me wish for the return of Squeegee Men.

2:26 PM - 22 Jul 2014

 **Tim Furlong** @tfurlong 

wife/kids in nyc today and said times square has gotten NASTY. F bombs, nudity , aggressive costume characters. what up [@NYCMayorsOffice](#) ?

10:56 PM - 23 Jul 2014

 **Nick Confessore** @nickconfessore 



I never thought Times Square could be creepier than the 1970s, but the takeover by anonymous hard-selling costumed characters has done it.

6:34 PM - 24 Jul 2014

 **Joshua Crown** @jcrown42 

I just got attacked by Hello Kitty in Times Square. Costumed characters outside of Disneyland are really creepy [#whatisgoingon](#)



12:45 PM - 29 Jul 2014

 **Ed Costello** @epc 

Also unrealistic: going through Times Square without being assaulted by Elmo and/or Spider-Man. [#Sharknado2](#)

Chelsea, New York



10:17 PM - 30 Jul 2014

 **Denis Giron** @denis_giron 

A dude dressed like Elmo in Times Square said "dame una foquin propina" to a passerby, who quickly responded "fóqui bich". [#Spanglish](#)

Manhattan, NY

1:13 PM - 31 Jul 2014


 **Cristian A. Farías** @cristianafarias 

Haven't read the proposed [#NYC](#) regulations for costumed characters, but if it will keep Spider-Man from hitting on me at Times Square, good.

11:57 AM - 1 Aug 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching

 **AnnoyingActorFriend**
@Actor_Friend

Proud to be of the generation of actors who'll one day say, "Times Square used to be gritty! Being groped by Elmo was a right of passage!"

16 RETWEETS 53 FAVORITES


8:03 PM - 4 Aug 2014

 **Grace**
@yagmg

This woman took a pic with the gross costume characters in Times Square & when she was done they all took off their masks and demanded money

Dewinstown, PA

8:58 PM - 6 Aug 2014


 **Sam Burkholder**
@BurkholderSam

My brother is so scared by people in Times Square wearing costumes that he ran out into traffic when Elmo walked towards him

New York, NY

1 RETWEET 3 FAVORITES

11:35 AM - 7 Aug 2014

 **Fernanda Pucheu**
@fernpuheu

Feel bad 4 tourists I see getting bullied 2 tip RT @Gawker: Iron Men, Elmo, and Spider-Man arrested in Times Square.
gaw.kr/YO8mpBg

12:47 PM - 9 Aug 2014

 **Meredith Cummings**
@MereCummings

Happy about this, as I was almost jumped by a Minion: Police crack down on Times Square costumed characters
gu.com/p/4vy9t/tw

12:47 PM - 9 Aug 2014

 **Todd Birnbaum**
@ToddBirnbaum

As a NYer I am embarrassed by Times Square. The amt of people dressed as elmo and ironman makes me sick and makes me feel unsafe. [#vomit](#)

1 FAVORITE

12:47 PM - 9 Aug 2014

 **Sarah Fountain**
@waterfountain94

Pretty sure we just witnessed a drug deal btw Elmo and batman in Times Square
[#typical](#) [#pouchfullofdrugs](#)

Manhattan, NY

3 FAVORITES

9:46 PM - 2 Mar 2014

 **Jon Sosis**
@FunnyJS

I can't believe Elmo just called me the n-word. Like...I don't know what to do right now. [#nyc](#) [#timessquare](#)

5:28 PM - 17 Mar 2014

 **Jordan Delaney**
@jordandelanez

Elmo in Times Square came up behind me grabbed me and was rubbing all up on my shit then moaned I'm officially done I quit

1 RETWEET 3 FAVORITES

10:42 PM - 17 Apr 2014

 **La Carmina**
@lacarina

Got attacked by [#Elmo](#) & [#HelloKitty](#)... Just a typical day in [#TimesSquare](#) [#nyc](#).
instagram.com/p/pOucXRjJ8R/

2 FAVORITES

11:49 AM - 14 Jun 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



Emma Guidi
@emma_guidi



Walking through times square and being chased for hugs by creepy Minnie and Elmo<<<< is this a nightmare or real life...?



FAVORITE

1



10:21 PM - 15 Mar 2014



Maria Dimarzo
@foreverpurplexx



These costume characters are like attacking the little kids they must be scared.. #SEBinNYC 🏙️🏙️

Manhattan, NY



9:54 AM - 8 Nov 2014



Maddie Crichton
@maddz99



In a span of 30 seconds I was harassed by Elmo and Bane and asked if I was interested in comedy/illegal drugs. Only in Times Square.



FAVORITE

1



10:54 AM - 7 Mar 2014



Clare Stein
@clarestein



Times Square attractions include aggressive catcalls from a man whose profession is wearing a full-body Elmo suit



RETWEET

1

FAVORITE

1



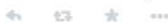
7:01 PM - 5 Nov 2014



شروق
@shoroukiebookie



Got hit on by an Elmo. I hate Times Square.



FAVORITES

2



7:00 PM - 30 Oct 2014



James Dalgarno
@theohejd



"Welcome to New York! Welcome to New York!"
/physically assaulted by Elmo in Times Square



2:07 PM - 29 Oct 2014



Leslie Haines
@haineshaus



Elmo attack in Times Square!
[instagram.com/p/uWT-tJAgVd/](https://www.instagram.com/p/uWT-tJAgVd/)



5:09 PM - 19 Oct 2014



Carly DiPasquale
@cdipasqualee



Don't understand why people like Times Square.. Walking home from work and some dirty Elmo hugs me and says "take a picture!!"



RETWEET

1



3:30 PM - 18 Oct 2014



Ismat Sarah Mangla
@ismat



Those scruffy, faux Elmos scared me when I worked in midtown. RT @IBTimes
Costumed characters terrorize NYC tourists
bit.ly/1IXKxln

Reply Retweet Favorite More

4:01 PM - 10 Jul 2014



Kate Bilash
@katebilash



Ended today by nearly getting attacked by the giant Elmo walking around Times Square #HappyMonday



FAVORITES

4



8:19 PM - 6 Oct 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



Ari
@ari_raid



Follow

@t_rex20_ there are Times Square Elmo's it's a thing just accept it they shake down tourists

11:10 PM - 17 Sep 2014



Alexandra
@alexandralogg



Follow

Remember when I took a selfie with Elmo in Times Square and he/she? whispered "AYY MAMI" to me. #UncomfortableThings #NYPD #TimesSquare

3:55 PM - 17 Sep 2014



Jessica Schwahl
@RockWriterJes



Follow

@joemachi a Times Square Elmo hit on me once, it was extra creepy

1:10 PM - 17 Sep 2014

FAVORITE
1



1:10 PM - 17 Sep 2014



Anna
@againc13



Follow

@sadbutgreat if it makes you feel better a fake times square elmo tried to hug me today and i almost died

9:55 PM - 19 Aug 2014



slamgod



Follow

Elmo just approached me in times square and goes CHO CHA!wut

4:45 PM - 18 Aug 2014



yung lean
@vivibalan



Follow

Getting catcalled by the costumed characters in Times Square is not cute

2:21 PM - 18 Aug 2014

FAVORITE
1



Bobby
@iRobob



Follow

Elmo just threw up a gang sign at me in Times Square

3:55 PM - 16 Aug 2014

FAVORITES
2



3:55 PM - 16 Aug 2014



gemma
@lowlight



Follow

Some guy in an elmo costume hit on me today in times square

2:13 AM - 16 Aug 2014

FAVORITE
1



The Shanigans
@ShanigansBand



Follow

Went to NYC for the first time last weekend and was accosted by Elmo in Times Square #VacationFail

2:21 AM - 14 Aug 2014



ETWEET
1



2:21 AM - 14 Aug 2014



Meredith Cummings
@MereCummings



Follow

Happy about this, as I was almost jumped by a Minion: Police crack down on Times Square costumed characters
gu.com/p/4vy9t/tw

The Guardian



Police crack down on Times Square costumed characters
Leaflets warn tourists they don't have to pay for pictures with Elmo and co after some performers attacked New York visitors

View on web

FAVORITE
1



8:59 PM - 13 Aug 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching

Fernanda Pucheu
@fempucheu

Feel bad 4 tourists I see getting bullied 2 tip
RT @Gawker: Iron Men, Elmo, and Spider-Man arrested in Times Square.
gaw.kr/YO8mpBg

Gawker



Iron Men, Elmo, and Spider-Man Arrested in Times Square

The NYPD continues its crackdown on Times Square's fake superheroes and cartoons, arresting two Iron Men, an Elmo, and a Spider-Man over the weekend on disorderly conduct charges. Police were handing...

[View on web](#)

11:41 AM - 11 Aug 2014

Jeremy Wilcox
@jwilcox79

I'm in Times Square too much, and many of the costumers are, let's say, politely aggressive, so no sympathy.
gawker.com/iron-men-elmo-...

Gawker



Iron Men, Elmo, and Spider-Man Arrested in Times Square

The NYPD continues its crackdown on Times Square's fake superheroes and cartoons, arresting two Iron Men, an Elmo, and a Spider-Man over the weekend on disorderly conduct charges. Police were handing...

[View on web](#)

11:40 AM - 11 Aug 2014

ItsAllHere
@ComedianTyRaney

People are getting strong armed in Times Square by Elmo!!! #NYC

1:23 PM - 11 Aug 2014

Grace
@tyagr8

This woman took a pic with the gross costume characters in Times Square & when she was done they all took off their masks and demanded money

Downingtown, PA

8:58 PM - 6 Aug 2014

Cristian A. Farias
@cristianafarias

Haven't read the proposed #NYC regulations for costumed characters, but if it will keep Spider-Man from hitting on me at Times Square, good.

11:57 AM - 1 Aug 2014

Denis Giron
@denis_giron

A dude dressed like Elmo in Times Square said "dame una foquin propina" to a passerby, who quickly responded "fóquiu bich". #Spanglish

Manhattan, NY

1:13 PM - 31 Jul 2014

Ed Costello
@epc

Also unrealistic: going through Times Square without being assaulted by Elmo and/or Spider-Man. #Sharknado2

Chelsea, New York

10:17 PM - 30 Jul 2014

Sean Kullman
@SeanKullman

Should NYC regulate costumed characters in Times Square? Umm.. Yes! This one time, an army of angry Elmos chanced us through Time Square.

Chicago, IL

1:27 PM - 28 Jul 2014

Batrissya
@batrissya

Yeah, I saw this when I was in Times Square. I literally ran from Minnie Mouse and Elmo. yahoo.com/travel/approach...

Yahoo



Approach With Caution: Street Performers Gone Bad

After a Spider-Man impersonator in Times Square gets arrested for touching a dog, Yahoo! Travel looks at other street performers who have been caught in hot water. It's all fun and games until...

[View on web](#)

10:25 AM - 10 Jul 2014

Arsella Gales
@PottersGales

They scare me so much! - NYC Mayor Bill de Blasio says costumed characters in Times Square should be licensed
on.wsj.com/1zoOrTH

Wall Street Journal



De Blasio Regulate Cost in Times Square

by Max Jay @maxjay































































The busy of costumed characters who pose for photographs in exchange for money in Times Square should be licensed, New York City Mayor Bill de Blasio said.

[View on web](#)

1:10 PM - 30 Jul 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching

<div>Joshua Crown @jrcrown42</div> <div>⚙️ Follow</div> <p>I just got attacked by Hello Kitty in Times Square. Costumed characters outside of Disneyland are really creepy #whatisgoingon</p> <div></div> <div><div>FAVORITES</div><div>3</div><div></div></div> <div>12:45 PM - 29 Jul 2014</div>	<div>Robert Robinson @bobot5353</div> <div>⚙️ Follow</div> <p>@TimesSquareNYC My friend's ass was grabbed twice by Elmo while she was just standing and taking a picture of Times Square.</p> <div></div> <div>11:56 AM - 29 Jul 2014</div>
<div>bob crawford @shaggysk8es</div> <div>⚙️ Follow</div> <p>when I went to times square for my all American vacation Elmo showed me a tattoo on his hand that said skin head</p> <div></div> <div>1:39 PM - 14 Jul 2014</div>	<div>Emma Citron @Emmaloucbway</div> <div>⚙️ Follow</div> <p>I love how Times Square Alliance is talking about those creepy costumed characters in theatre district. I'm sick of Mario trying to hug me.</p> <div></div> <div>12:17 PM - 10 Jul 2014</div>
<div>Andy @SpritzRoad</div> <div>⚙️ Follow</div> <p>When my friend & I went 2 Times Square we were forced by Minnie Mouse, Mario & Elmo 2 take a pic & they wouldn't let us leave until we paid</p> <div></div> <div>6:33 PM - 9 Jul 2014</div>	<div>Scott H @realScottMH</div> <div>⚙️ Follow</div> <p>Finally! Sick of seeing them gang up on tourist women. RT @1010WINS: Lawmakers To Look At Regulating Costumed Characters In Times Square</p> <div></div> <div>8:34 AM - 9 Jul 2014</div>
<div>dancing queer @TRUEISMS</div> <div>⚙️ Follow</div> <p>Also we walked through Times Square and this guy in an Elmo suit tried to hug me and I literally shrieked a bit</p> <div></div> <div><div>FAVORITES</div><div>2</div><div></div></div> <div>12:04 AM - 8 Jul 2014</div>	<div>Haley @_HaleyHenry_</div> <div>⚙️ Follow</div> <p>I just just haha remembered the scary Elmo thing that like tried to grab my hand in times square 😂</p> <div></div> <div>11:52 PM - 7 Jul 2014</div>
<div>sunrhé @nbbonchu</div> <div>⚙️ Follow</div> <p>So I was walking through Times Square yesterday & got hit on by 2 men dressed as Captain America & Elmo. I thought that was pretty hilarious</p> <div></div> <div><div>FAVORITE</div><div>1</div><div></div></div> <div>2:12 PM - 29 Jun 2014</div>	<div>Andrew Hodge @andruhodge</div> <div>⚙️ Follow</div> <p>@TSqNews I've only twice in my life felt as strongly about something as I do about the need to regulate costumed characters in Times Square.</p> <div></div> <div><div>RETWEETS</div><div>2</div><div></div></div> <div><div>FAVORITES</div><div>3</div><div></div></div> <div>9:57 AM - 22 Jun 2014</div>

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



Vassileia Kazee
@vassileiafoxy



Can I add "hit on by Elmo" to my resume?
#timessquare



RETWEETS 2 FAVORITES 9



2:14 PM - 19 Jun 2014



Danielle Ito
@ditobug



Just got groped by Elmo in Times Square



FAVORITE 1



10:33 PM - 19 Jun 2014



megz
@demilovatoouk



some random person dressed up as elmo
walked up and hugged me on times square
ohmygod



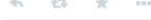
12:23 PM - 19 Jun 2014



La Carmina
@lacamina



Got attacked by #Elmo & #HelloKitty... Just
a typical day in #TimesSquare #nyc.
[instagram.com/p/pOucXRjJ8R/](https://www.instagram.com/p/pOucXRjJ8R/)



FAVORITES 2



11:49 AM - 14 Jun 2014



Dinah Sharav
@RockxxSolid



I just got hit on by Elmo in Times Square.



FAVORITE 1



12:44 AM - 14 Jun 2014



Renee
@reneepiner



Was almost accosted by a dude wearing an
Elmo costume. #help #timessquare



7:12 PM - 4 Jun 2014



Gaby Freile 🇵🇷
@GabyTeKilla



I just got molested by Elmo in the middle of
times square. 😭😭😭 that did not just
happen to me. #perv



FAVORITE 1



12:20 AM - 31 May 2014



Noreen Flanagan
@Noreen_Flanagan



I was set upon by a six-foot Elmo in Times
Square. #surreal
[instagram.com/p/opWY4BjWyf/](https://www.instagram.com/p/opWY4BjWyf/)



FAVORITES 2



11:27 PM - 30 May 2014



Mara G.
@MaraAzzuma89



Went to Times Square looking for the US
national team, instead got mauled by
someone in an Elmo suit and nearly run
over by a bus. #NYC



RETWEETS 2 FAVORITES 3



5:34 PM - 30 May 2014



Kia Blue
@KiaBleu




Elmo just grabbed me.. #timessquare






12:01 PM - 30 May 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching

 **Libby**
@constrainer

passed by Times Square and got attacked by Elmo loooo!

   ...



FAVORITE
1

7:42 PM - 27 May 2014

 **Hannah F.**
@Hannah_Leandra

H&M take NYC #timesquare
#minniemouse #elmo
#theymadeustiptheforthispic
[instagram.com/p/oW4lpWOKsM/](https://www.instagram.com/p/oW4lpWOKsM/)

   ...

7:20 PM - 23 May 2014

 **Jessica Brady**
@libbeybrady

Just got checked out by Elmo.
#timesquare

   ...

7:54 PM - 23 May 2014

 **McK**
@mckmil

Poppy just yelled, "LEAVE MY WIFE ALONE." At an Elmo in Times Square trying my hug my grandma.

   ...

FAVORITES
6

9:42 PM - 22 May 2014

 **Michelle Austria**
@maustria89

Elmo tapped me on the shoulder....
#NotInTheMood #timesquare

   ...

2:58 PM - 22 May 2014

 **Kathryn Bailey**
@kbailey4595

Elmo tried to hug me and Times Square and I didn't like it

   ...

FAVORITES
3

11:38 AM - 21 May 2014

 **Heben Nigatu**
@heavenranta

Today, one of the times square Elmos tried to grope me. I went to H&M and two different ppl thought I was an employee. I'm tired y'all.

   ...


RETWEET
1

FAVORITES
16

7:14 PM - 18 May 2014

 **jessica hoyt**
@jessicaamhoyt

elmo and spiderman just chased me through times square.

   ...

6:59 PM - 14 May 2014


 **Carey**
@careyshook

five minutes in Times Square and I've managed to get attacked by chew baca and Elmo




New York, NY

   ...

9:53 PM - 13 May 2014

 **lovelanewest**
@lovelanewest

@emilynussbaum Wait, before were you ok? Last time I was in Times Square, I was surrounded by three Elmos. It was vaguely terrifying.

   ...

6:50 PM - 8 May 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching

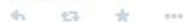


rosemary shea
@phantoms



Follow

tbtt to when I was attacked by Elmo in Times Square



3:28 PM - 7 May 2014



Amanda Lo
@violinstamanda



Follow

#elmo just chased me through times square, arms outstretched, hollering, "mami, hey mami! come here." i am scarred for life.

New York, NY



FAVORITES

2



4:52 PM - 8 May 2014

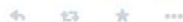


Jeni Hinton
@LoveDisneyMost



Follow

@Attractions my daughter watched "Elmo" pickpocket someone in Times Square. Beware of fake characters!



6:28 AM - 1 May 2014



coriOs8
@corisux



Follow

I just saw a Broadway play and Times Square and had a man in an Elmo costume touch my butt I'm living the dream



FAVORITES

7



12:17 AM - 27 Apr 2014



Craig Woythaler
@splodey



Follow

Just saw Elmo fondle Minnie's right boob in Times Square.

Manhattan, NY



7:57 PM - 16 May 2013



Paul Denis Baribeau
@BaribeauP



Follow

There are at least 4 Elmos within a single block of Times Square, and one of them takes his head off and gets pissed when people don't tip



11:11 AM - 4 May 2014



aliy
@aliy216



Follow

I got molested by Elmo in Times Square today... it was not enjoyable



FAVORITES

3



4:18 PM - 29 Apr 2014



Liam is ainm dumb
@vip_fathead



Follow

Elmo chasing @eamokeane in Times Square NY



FAVORITES

2



9:28 PM - 24 Apr 2014



Adam Kosturko
@AdamKosturko



Follow

The field trip today was great minus the fact that I got groped by a lady in an elmo costume in times square.



FAVORITES

2



9:03 PM - 23 Apr 2014



MARCEL TRAN ©
@marcelvastaken



Follow

I just got accosted by Times square Elmo. AHHHHHHH!!!!

New York, NY



RETWEET

1

FAVORITE












1



6:21 PM - 23 Apr 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching

<div>gettin giggy with it @GiannaCollier</div> <div>exploring Times Square at 1am only to get chased down by Elmo & Mickey Mouse</div> <div>New York, NY</div> <div>FAVORITE 1</div> <div>1:01 AM - 19 Apr 2014</div>	<div>Allison Reed @SmthngQuotable</div> <div>Just got hustled by Elmo Mario and Cookie Monster in #TimesSquare. #l3NewYork #NYC</div> <div></div> <div>FAVORITES 2</div> <div>2:51 PM - 18 Apr 2014</div>
<div>Jordan Delaney @jordandelanez</div> <div>Elmo in Times Square came up behind me grabbed me and was rubbing all up on my shit then moaned I'm officially done I quit</div> <div>RETWEET 1</div> <div>FAVORITES 3</div> <div>10:42 PM - 17 Apr 2014</div>	<div>Bailey Farley @bailey_0509</div> <div>Throwback to NYC when Elmo scared me half to death #timessquare #creepycharacters instagram.com/p/m53Ctrwyfb/</div> <div>4:17 PM - 17 Apr 2014</div>
<div>Harvey Rañola @harvey_ranola</div> <div>We just got mobbed by a pair of aggressive Elmos and Cookie Monsters in Times Square.</div> <div>11:39 AM - 17 Apr 2014</div>	<div>Tom Morello @tmorello</div> <div>Just saw an Iron Man kick an Elmo in Times Square</div> <div>RETWEETS 186</div> <div>FAVORITES 309</div> <div>7:21 PM - 14 Apr 2014</div>
<div>Nadine Eliya @NadineEliya</div> <div>Ugh a giant Elmo just tried to hug me. I hate Times Square.</div> <div>1:56 PM - 14 Apr 2014</div>	<div>Karen Schay @KarenSchay</div> <div>An elmo In Times Square literally chased me down I was scared for a moment lmao</div> <div>9:09 PM - 13 Apr 2014</div>
<div>arthur @lithops</div> <div>Right after I took this picture I was accosted by one of many men in Elmo suits @ Times Square instagram.com/p/mqoYkDSP2H/</div> <div>6:20 PM - 11 Apr 2014</div>	<div>Lauren Roll @launroll</div> <div>Getting hustled by 3 Elmos and a Minnie Mouse in Times Square @GuyGerber 🤔🤔🤔🤔</div> <div>FAVORITE 1</div> <div>5:05 PM - 8 Apr 2014</div>

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching



Meg Taylor
@megtaylor



Elmo no bullshit just grabbed my face and tried to make out with me. I hate you Times Square.



9:08 AM - 8 Apr 2014



Tashh
@T_Daviesx



It's all smiles until Elmo chases you down Times Square for a tip. #INeedADollar



FAVORITES
2

8:55 AM - 3 Apr 2014



David Apolo
@D_Apolo



"Elmo, get your damn hands off me." Girl in Times Square

New York, NY



5:12 PM - 2 Apr 2014



helen
@helen_lee



Elmo was getting a little frisky 😏
#whyousoclosetomethough @ Times Square [instagram.com/p/mRIGlwE52B/](https://www.instagram.com/p/mRIGlwE52B/)



12:51 AM - 2 Apr 2014



嫌なメイヌ
@romanjii



i thought i was gonna get jumped by Mickey, Minnie, the Cookie Monster, and Elmo in Times Square today 😞



11:29 PM - 28 Mar 2014



maggie
@maggieswifts



literally just got ripped off by elmo in times square



RETWEET
1

9:08 PM - 27 Mar 2014



MINION



Elmo and a minion in Times Square with Sarah lol...give me as much money as you can #timessquare #roadtrip #nyc #...



11:00 PM - 29 Mar 2014



***Krenz
@vivalakrenz



I went to Times Square today and a Elmo tried to touch me #almostscreamed



FAVORITES
2

7:57 PM - 17 Mar 2014



Jon Sosis
@FunnyJS

































I can't believe Elmo just called me the n-word. Like...I don't know what to do right now. #nyc #timessquare



5:28 PM - 17 Mar 2014

Times Square Tweets

Disturbing Behavior Involving Aggressive Solicitation, Verbal Abuse and Inappropriate Touching

<div>Juli Klein @julimilli</div> <div></div> <div>Just got attack hugged by literally every Elmo/Hello Kitty/Cookie Monster in Times Square all at once. #nightmares</div> <div></div> <div>11:15 AM - 10 Mar 2014</div>	<div>Lauren Hebb @laurenlovelaugh</div> <div></div> <div>There's like 5 Elmo's stalking me in Times Square 😬</div> <div></div> <div>9:00 PM - 9 Mar 2014</div>
<div>Laura Hill @LauraSHill</div> <div></div> <div>Glad the police are cracking down on "fake" characters extorting tips in Times Square - I was accosted by Minnie Mouse a few weeks ago!</div> <div></div> <div>12:14 PM - 28 Jul 2014</div>	<div>Lane Beauchamp @lane1008</div> <div></div> <div>Just saved @TimesSquareNYC tourists from a nasty Hello Kitty who was yelling & chasing them after hoodwinking them into pic. #neverlikedcats</div> <div></div> <div><div>FAVORITES</div><div>2</div><div></div></div> <div>8:55 PM - 3 May 2013</div>

04

Letters to the City from Elected Officials
and Civic Groups

DANIEL R. GARODNICK
COUNCIL MEMBER, 4TH DISTRICT

DISTRICT OFFICE
211 EAST 43RD STREET, SUITE 1205
NEW YORK, NY 10017
(212) 818-0580
FAX: (212) 818-0766

CITY HALL OFFICE
250 BROADWAY, ROOM 1762
NEW YORK, NY 10007
(212) 788-7393
FAX: (212) 442-1457

garodnick@council.nyc.gov



THE COUNCIL
OF
THE CITY OF NEW YORK

DEPUTY LEADER

CHAIR
ECONOMIC DEVELOPMENT

COMMITTEES
LAND USE
TRANSPORTATION
EDUCATION
RULES, PRIVILEGES AND ELECTIONS
WATERFRONTS

February 9, 2015

Hon. Bill de Blasio
Mayor of New York City
City Hall
New York, NY 10007

William Bratton
Commissioner
New York City Police Department
1 Police Plaza
New York, NY 10007

To Mayor de Blasio and Commissioner Bratton:

We write to ask you to develop and execute an enforcement plan against costumed characters aggressively panhandling in Times Square before the weather gets warmer.

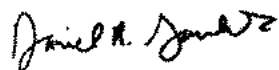
As you know, it has been a regular complaint that people in costumes are aggressively panhandling and disturbing New Yorkers and tourists in Times Square. The situation is made worse by the sheer number of characters who are out there at any given moment in an area that is among the busiest in the entire country. Some of the behavior is simply abhorrent, it reflects poorly on New York, and it needs to stop.

As spring approaches and tourists fill up the streets of Times Square, the number of costumed characters will correspondingly increase. We are skeptical of proposals to license the characters, because even if we were to grant licenses, the fundamental questions of enforcement would still dominate.

As we consider the viability of a long term regulatory solution, we have to rely on strong enforcement of current laws to ensure a proper environment in Times Square. We ask that you step up enforcement of these acts by costumed characters and advise us of your strategy in advance.

If you have any further questions, please feel free to contact Adam Amit at 212-788-7393 or aamit@council.nyc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel R. Garodnick".

Daniel R. Garodnick

A handwritten signature in black ink, appearing to read "Corey Johnson".

Corey Johnson



THE COUNCIL
OF
THE CITY OF NEW YORK

May 14, 2015

Hon. Bill de Blasio
Mayor of New York City
City Hall
New York, NY 10007

Dear Mayor de Blasio:

We are writing to request a meeting with the appropriate members of your administration to discuss the future of Times Square.

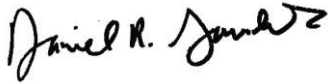
The opening of the Broadway plazas powerfully transformed Times Square's public spaces and relieved dangerous pedestrian overcrowding in the area. Unfortunately, these changes have simultaneously created regulatory confusion and, at times, chaos. The panoply of rules and regulations affecting permanent fixtures and encumbrances, as well as the numerous temporary activities in Times Square, are administered and enforced across a spectrum of municipal agencies. The result is unparalleled congestion and conflicts ranging from unpleasant to dangerous.

We know that fashioning a solution is not easy given legal, regulatory and enforcement complexities, as well as the number of agencies involved. That said, we are working with the Times Square Alliance to develop some concrete solutions, which would be a more complete solution than the previously-proposed licensing scheme.

We therefore respectfully request a meeting with representatives of your office as well as relevant agencies that might be involved in crafting a solution to think this through together. We believe NYPD, DOT, DCA, City Planning, SAPO, Corporation Counsel, and EDC all could add value to this conversation. We have held June 10 at 3:30pm on our calendars as a potential meeting time. Please let us know if that works, or if we should find a new date.

Thank you for your time, and we look forward to hearing from you.

Sincerely,



Daniel R. Garodnick
Council Member



Gale A. Brewer
Manhattan Borough President



Corey Johnson
Council Member

cc:

Deputy Mayor Tony Shorris
Deputy Mayor Alicia Glen
NYPD Commissioner William Bratton
DOT Commissioner Polly Trottenberg
DCA Commissioner Julie Menin
City Planning Chair Carl Weisbrod
SAPO Acting Executive Director Emil Lissauer
Corporation Counsel Zachary Carter
EDC President Kyle Kimball
Vikki Barbero, Community Board 5 Chair
Jon Paul Lupo
Reggie Thomas

MANHATTAN COMMUNITY BOARD FIVE

Vikki Barbero, Chair

450 Seventh Avenue, Suite 2109
New York, NY 10123-2199
212.465.0907 f-212.465.1628

Wally Rubin, District Manager

July 24, 2015

Hon. Bill de Blasio
Mayor of the City of New York
City Hall
New York, NY 10007

Dear Mayor de Blasio:

We are writing in support of a letter sent on May 14, 2015, by Borough President Brewer, and Councilmembers Garodnick and Johnson, requesting urgent attention to the conditions around Times Square.

When the pedestrian plazas were first proposed, Community Board Five supported these efforts to relieve pedestrian congestion and provide attractive new spaces for residents, office workers and visitors to sit, linger and interact in one of the urban world's great gathering places.

Despite the tenacious efforts of the Times Square Alliance, however, the Times Square bow-tie has turned into a place where visitors are all too often mistreated and, increasingly, that New Yorkers wish to avoid at all cost.

Given the value of Times Square to the international reputation of New York, it is incumbent upon the City to evaluate where this experiment has led us and make appropriate course corrections to bring order where increasingly there is clutter, chaos and a perception of danger.

We believe that this will take multi-agency planning and coordination and understand that there is no easy solution. However, the process urgently needs to start and hope that the meeting requested by the Borough President and the Councilmembers in their May letter will be scheduled without further delay.

Sincerely,



Vikki Barbero
Chair

Copy: Deputy Mayor Tony Shorris
Deputy Mayor Alicia Glen
Dan R. Garodnick, Council Member
Corey Johnson, Council Member
Gale A Brewer, Manhattan Borough President
NYPD Commissioner William Bratton
DOT Commissioner Polly Trottenberg
DCA Commissioner Julie Menin
City Planning Chair Carl Weisbrod
CECM Executive Director Michael Paul Carey
TSA President Tim Tompkins
Corporate Council Zachary Carter
EDC President & CEO Maria Torres-Springer



1560 Broadway, Suite 800, New York, NY 10036
www.NYCBIDAssociation.nyc

December 23, 2014

Commissioner Polly Trottenberg
NYC Department of Transportation
55 Water Street
New York, NY 10004

Dear Commissioner Trottenberg,

On behalf of the NYC BID Association Pedestrian Plaza Working Group, we appreciate the time that you and your staff have spent with us over the past several months discussing our aspirations for and challenges with the DOT plaza program. At DOT's request, we are writing to present a roadmap that we believe – working together – would have an immediate and positive impact in transforming the New York City plaza program.

The creation of these plazas, and the partnerships to manage them, was a huge step forward for an improved public realm in New York City. These plaza spaces have the potential to serve as cultural and social hubs, drivers of economic activity, platforms for neighborhood revitalization, and focal points of neighborhood-based tourism across all five boroughs. In some places that is already happening, but in the view of the BIDs, the management and partnership arrangements for these plazas are failing. Not addressing this will result in only a handful of successfully functioning plazas.

In recent meetings and surveys (see attached results), our members have uniformly expressed frustration with the program in its current form – from cumbersome agreements, to onerous permitting and approval processes, to an unsustainable financial framework (especially for smaller BIDs). Some BIDs are unwilling to join the program because of the partnership requirements, some feel the program should be transferred to Parks because the agency has more public space and partnership experience, and some are ready to walk away from the program altogether.

Below is the requested list of specific issues and challenges that we hope to work with you to address. We note that the proposals below are not “one-size-fits-all” solutions, but rather guidelines to inform a broader framework. Ultimately, we think that any framework should be flexible enough to adapt to specific neighborhood needs and nuances. Closely linked to that is a need for a coordinated and constructive problem-solving conversation with other city agencies – such as SAPO, Corp Counsel and OMB – that grows out of DOT's articulated vision for the plaza program.

We look forward to working with you to review the following ideas and develop a specific action plan:

- Create an Assistant Commissioner of Public Space who has frequent and direct access to the Commissioner to coordinate public space management issues and partnerships across DOT divisions, be an advocate with respect to other agencies, and lead interactions with all plaza partner organizations.

- Amend event permitting procedures to better accommodate the variety of BIDs, types of events, and revenue possibilities across different plazas. Note that the desire for some of these amendments varies for different BIDs – some BIDs think SAPO should be removed from the process entirely; others feel the SAPO rules need to be amended to be more nuanced and empowering of the community.
 - Examine and modify the fee structure for certain kinds of events and partners to enable partners to capture more funds for plaza maintenance.
 - Create a mechanism for BIDs to have a greater say in evaluating, shaping and advising the City with respect to the type and number of events in their neighborhoods, which could in some ways mirror the current process for the review of Parks events.
 - Foster more autonomy for BIDs with respect to their programming and the partnerships/sponsorships which support it (e.g. make BID-sponsored events exempt from fees regardless of sponsorship to facilitate more community programming; allow some fundraising events to be permitted automatically).
 - Dedicate DOT/SBS/SAPO staff to assist BIDs with event management, as well as regular orientation and updates on event policies and procedures.
- Work with DOT legal, Corp Counsel and SAPO to create an integrated and coherent set of rules and regulations for the management and governance of the plazas that treats them as public spaces (e.g. more like parks and less like regular streets from a legal and regulatory point of view, which underlies many of the inflexible, contradictory and cumbersome provisions in the agreements and event regulations). Alternately, through an MOU, co-management or transfer, have Parks regulations apply to the plazas. As a third option, create a new category of public space with an accompanying clean slate of regulations.
- Revise the partnership agreement to:
 - Simplify the RFP process and parameters for choosing subconcessions. For example:
 - Eliminate moveable vs mobile distinction for food kiosks
 - Allow for sidewalk cafes
 - Allow for mobile food options (mobile carts, trucks)
 - Allow BID-run concessions to capture upside of revenues
 - Simplify approval and selection requirements
 - Adjust the maintenance requirements to acknowledge the relative capacity of DOT vs. neighborhood partners (e.g. all repairs of standard hardscape surfaces should be DOT's responsibility).
 - Clarify that partners have the exclusive concession right to conduct commercial activity, as is the case with Parks concessions, unless other parties go through the concession process (as we have).

- Lessen the frequency of the reporting requirements.
- Align DOT agreements with SBS BID contracts to eliminate inconsistencies.
- In the interest of equity, commit city expense funds towards plaza maintenance and programming in under-resourced neighborhoods, whether through NPP or other plaza partners.
- Create a master plan for the permanent reconstruction of plazas that have been temporary for a number of years.

We know that this is a lot; at the very least we have conveyed the complexity of the issues involved. We appreciate how much DOT has done to make this program work, and we very much want to work with you collectively to solve and address these issues.

Sincerely,

NYC BID Association Pedestrian Plaza Working Group

34th Street Partnership
Alliance for Downtown New York
Bayside Village BID
Bed-Stuy Gateway BID
Downtown Brooklyn Partnership
DUMBO Improvement District
FAB Alliance
Flatiron/23rd Street Partnership
Garment District Alliance
Grand Central Partnership
Myrtle Avenue Brooklyn Partnership
NoHo BID
Sunnyside Shines
Times Square Alliance
Union Square Partnership



**NEIGHBORHOOD
PLAZA
PARTNERSHIP**

a program of The Horticultural Society of New York

September 1, 2015

Honorable Bill de Blasio
Mayor
City of New York
City Hall
New York, NY 10007

Dear Mayor de Blasio,

We represent close to 20 neighborhoods across the city where DOT pedestrian plazas have transformed our streets into vibrant town squares. The plazas we love and care for were pioneered up and down Broadway and in Times Square, but they are now part of the fabric of our neighborhoods and assets for all New Yorkers.

As official plaza managers under contract to DOT, we are uniquely qualified to tell you that the city's 71 plazas are advancing your agenda for an equitable New York. Every day in our neighborhoods, plazas improve public safety, promote health and wellness, cultivate arts and culture, provide new open space (30 acres so far), and generate economic activity – all central tenets of your admirable vision for New York, OneNYC. Our plazas are centerpieces of neighborhoods where OneNYC can have big impacts:

Brownsville, New Lots, Kensington, Flatbush, Ozone Park,
Corona, Jackson Heights, Ridgewood, Flushing, Soundview, South Bronx,
East Harlem, and Washington Heights

As you know, pedestrian plazas are locally managed by not-for-profit organizations. Many of those managers are Business Improvement Districts (BIDs). Not every neighborhood can have a BID, but every neighborhood can have a plaza. We represent the nearly 20 non-BID not-for-profit organizations managing pedestrian plazas: we are merchants associations, LDCs, youth development groups, all-volunteer civic associations, and immigrant service organizations. We struggle to find resources to maintain and program these spaces, but we persevere because we believe in the long-term quality-of-life, sustainability, and equity benefits they bring to our communities.

The \$1.4M you allocated as part of OneNYC for plaza maintenance and technical assistance is a clear indication of your belief in the same benefits we strive to provide. We are grateful for your assistance and for your belief in our plazas.

We are in full agreement with our colleagues in the New York City BID Association that the vendor issues plaguing Times Square are complex but solvable, and that all plazas will flourish under a regulatory framework that recognizes and nurtures the unique contributions they are making to the city. Thank you for convening the multi-agency Task Force and taking seriously the issues we all face. We stand at the ready to provide information and otherwise be helpful as the Task Force deliberates.

Please don't give up on plazas! You have a standing invitation to visit ours – enjoy a pop-up library, a Tibetan dance performance, a health screening, or just sit with a coffee – to see how these modest investments leverage a world of civic engagement and neighborhood pride. Thank you for your efforts to make our city safe, livable, and equitable for all New Yorkers.

Sincerely,



Laura Hansen

Managing Director

Neighborhood Plaza Partnership, at The Horticultural Society of New York, citywide

with

Association of Community Employment Programs for the Homeless (ACE), citywide

SoBRO, Roberto Clemente Plaza, the Bronx

Youth Ministries for Peace & Justice, Morrison Plaza, the Bronx

Brownsville Community Justice Center, Osborn Plaza, Brooklyn

Kensington Stewards, Avenue C and Kensington Plazas, Brooklyn

New Lots Triangle Merchants Association, New Lots Triangle Plaza, Brooklyn

Parkside Empire - Flatbush Avenue Merchants Association, Parkside Plaza, Brooklyn

Friends of Bogardus Plaza, Manhattan

New Harlem East Merchants Association, East 125th Street Plaza, Manhattan

Washington Heights Inwood Development Corporation,

Plaza de las Americas, Manhattan

Bangladeshi American Community Development & Youth Service (BACDYS),

Ozone Park Plaza, Queens

Friends of Corona Plaza, Queens

Friends of Diversity Plaza, Queens

Jackson Heights Green Alliance, 78th Street Plaza, Queens

Korean American Association of Queens, Roosevelt Avenue Plaza, Queens

Queens Economic Development Corporation, Corona Plaza, Queens

Queens Museum, Corona Plaza, Queens

Ridgewood Local Development Corporation, 71st Avenue Plaza, Queens

The Uni Project, citywide

cc: First Deputy Mayor Anthony Shorris
Deputy Mayor Alicia Glen
Commissioner Polly Trottenberg, DOT
Commissioner William Bratton, NYPD
Chair Carl Weisbrod, DCP
Director Michael Carey, CECM
Acting Commissioner Andrew Schwartz, SBS



www.nycbidassociation.org

August 24, 2015

Hon. Bill de Blasio
Mayor
The City of New York
City Hall
New York, New York 10007

Dear Mayor de Blasio,

The New York City BID Association was formed nearly 30 years ago to share best practices, advocate on important issues and support the work of BIDs citywide. Today, our 72 members represent all five boroughs and reflect the diversity and vibrancy of the City's business communities. BIDs provide an array of supplemental services, determined by local stakeholders and demonstrating the BIDs' longstanding commitment to improving the quality of life in the public realm.

Accordingly, we have followed with great interest the recent media coverage of the issues related to street performers and panhandlers in Times Square's pedestrian plazas. Since the inception of the plaza program, BIDs have partnered with the City to ensure the plazas' success. We would like to add our voice to those who have urged that the new Times Square Task Force proceed with caution to ensure that the solution to the legitimate nuisance issues does not dismantle a program that has become a cherished component of the New York City streetscape.

Pedestrian plazas, and the partners that manage them, have contributed greatly to the livability of public spaces in New York City over the last decade. As a free and accessible resource for New Yorkers and visitors from all walks of life, plazas encourage diverse constituencies to experience the City side by side. Citywide, plazas have enhanced pedestrian and traffic safety and provided a venue for free community building events and activities including performances, book readings and other cultural offerings. In park-starved neighborhoods, plazas provide open space, seating and greenery. In dense commercial corridors, plazas provide welcome respite for workers and shoppers, while enhancing pedestrian flow within these areas. In neighborhoods without access to fresh food, plazas allow for farmers markets and nutrition education. Indeed, creative, locally-appropriate programming has continued to grow citywide as the plaza program has emerged from its infancy.

We recognize that as the program has matured, challenges have emerged. The BID Association has been working over the past year with Commissioner Polly Trottenberg and, more recently, Director of the Office of Citywide Event Coordination and Management Michael Paul Carey, to discuss lessons learned since the program's inception and to develop solutions to various regulatory, quality of life, programming and maintenance issues. We believe that these challenges, like those facing Times Square, can and should be addressed by the Administration and we hope that the work of the Task Force will be a catalyst for building a stronger plaza program citywide. With the continuing support of your Administration, we are optimistic that the plazas can continue to be maintained as a vital public resource across the City.



We appreciate and support your efforts to protect public safety and ensure that these community spaces remain workable and enjoyable for all. Please consider us a resource as the Task Force's work moves forward.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Lambert".

Michael Lambert
Co-Chair, NYC BID Association
Executive Director, Bed-Stuy Gateway BID

A handwritten signature in blue ink, appearing to read "Ellen Baer".

Ellen Baer
Co-Chair, NYC BID Association
President, Hudson Square Connection

cc: Deputy Mayor Alicia Glen
Commissioner Polly Trottenberg, DOT
Commissioner William Bratton, NYPD
Chair Carl Weisbrod, DCP
Director Michael Carey, CECM
Acting Commissioner Andrew Schwartz, SBS

05

Media Coverage of the Issues

Total Quality of Life Impressions		
TOTAL IMPRESSIONS:		2,747,157,642
<i>Local/National Press</i>		
Outlet	Date	Impressions
Forbes: Mayor de Blasio should police, not destroy, Times Square's pedestrian plaza	8/22/2015	49,838,408
Huffington Post: Bank executive arrested in scuffle with topless Times Square performers	9/4/2015	49,656,297
Huffington Post: Topless painted 'angel' of Times Square: 'they're just boobs, they don't shoot bullets'	9/1/2015	49,656,297
Huffington Post: A sustainable city would continue to keep cars out of Times Square	8/24/2015	49,656,297
Huffington Post: The Obstacles To De Blasio's Crackdown On Topless Women In Times Square	8/24/2015	49,656,297
CNN: Topless women, costumed characters stir talk of Times Square reform	8/25/2015	42,942,770
CNN: Should topless women be banned in Times Square?	8/23/2015	42,942,770
Washington Times: Mammary menace in Manhattan	8/25/2015	29,172,575
Washington Post: New York City's bizarre uproar over topless women	8/24/2015	29,172,575
Washington Post: Can New York ban commercial toplessness in Times Square?	8/24/2015	29,172,575
Washington Post: New York's terrible idea for how to get rid of topless panhandlers in Times Square	8/21/2015	29,172,575
Washington Post	8/20/2015	29,172,575
Washington Times	8/20/2015	29,172,575
USA Today: Topless in Times Square	8/31/2015	29,088,732
USA Today	8/19/2015	29,088,732
FOX News: Times Square 'painted lady' busted on prostitution charge	9/4/2015	23,352,941
The New York Times: As the complaint box fills, Mayor de Blasio adopts a Mr. Fix-It approach	9/8/2015	22,019,318
The New York Times: Topless women in Times Square	8/30/2015	22,019,318
New York Times: New York Police Dept. Creates Unit to Monitor Times Square Issues	8/26/2015	22,019,318
New York Times: Debating value of pedestrian plazas beyond New York City	8/24/2015	22,019,318
New York Times: New York Today: Transforming Times Square	8/24/2015	22,019,318

New York Times: Times Square painted ladies take a pause	8/22/2015	22,019,318
New York Times: Challenging Mayor de Blasio Over Times Square Plazas	8/21/2015	22,019,318
New York Times: Shirtless bodies in pointless Times Square war	8/21/2015	22,019,318
New York Times	8/20/2015	22,019,318
New York Times: Mayor de Blasio Raises Prospect of Removing Times Square Pedestrian Plazas	8/20/2015	22,019,318
New York Times: Topless in Times Square: A Legal View	8/20/2015	22,019,318
New York Times: The Painted Ladies of Times Square Are Part of an Old New York Tradition	8/20/2015	22,019,318
New York Times: After Friction, Renewed Zen for de Blasio	8/19/2015	22,019,318
New York Times: Times Square's Topless Women Should Be Regulated, Mayor Says	8/18/2015	22,019,318
New York Times: The Desnudas of Times Square, Topless but for the Paint	8/14/2015	22,019,318
Bloomberg: Beyond the topless, Times Square's very success breeds	9/2/2015	21,201,677
Bloomberg	8/20/2015	21,201,677
Bloomberg	8/18/2015	21,201,677
TIME	8/20/2015	20,806,012
The Indianapolis Star: Billboard or public art? A look at the Mass. Ave 'digital canvas' proposal	8/30/2015	18,326,761
CNN Money: NYPD to Disney and Marvel: Get Minnie Mouse and Spider Man out of Times Square	8/28/2015	18,326,761
Wall Street Journal: Policing 'awful but lawful' Times Square panhandling	9/4/2015	17,026,886
Wall Street Journal: De Blasio Hits a Few Bumps on Transportation Issues	8/27/2015	17,026,886
Wall Street Journal: NYC mayor Bill de Blasio appoints second panel on panhandling	8/26/2015	17,026,886
Wall Street Journal: At Times Square, Fewer Traffic Injuries	8/24/2015	17,026,886
Wall Street Journal: Mayor de Blasio, hands off Times Square	8/24/2015	17,026,886
Wall Street Journal: Are Topless Panhandlers Covered by the First Amendment?	8/21/2015	17,026,886
Wall Street Journal: Times Squalid	8/21/2015	17,026,886

Wall Street Journal: De Blasio's stance on panhandlers is called 'sexist'	8/21/2015	17,026,886
Wall Street Journal: NYC Mayor de Blasio: Times Square Pedestrian Plaza Could Be Removed	8/20/2015	17,026,886
Wall Street Journal: N.Y. Gov. Andrew Cuomo Joins Criticism of Times Square's Topless Women	8/19/2015	17,026,886
Wall Street Journal: De Blasio Takes Aim at Panhandling by Topless Women in Times Square	8/18/2015	17,026,886
NPR: Topless In New York: The Court Case That Makes Going Top Free Legal	8/24/2015	13,654,392
Mashable: Elmo, the Hulk and Iron Man: The costumed characters of Times Square	8/24/2015	13,402,739
Mashable: Spider-Man impersonator at Times Square: 'The naked people are the worst'	8/22/2015	13,402,739
CBS News: Man arrested for allegedly assaulting topless Times Square women	9/5/2015	13,266,482
CBS News	8/19/2015	13,266,482
New York Daily News: Businesses take costumed character crackdown plea to state	9/8/2015	12,438,605
New York Daily News: Times Square desnuda: Drug, prostitution arrest was 'setup'	9/7/2015	12,438,605
New York Daily News: Cellist's topless act paved way for Times Square desnudas	9/5/2015	12,438,605
New York Daily News: NYPD Commissioner Bill Bratton visits Times Square to conduct 'quality of life' survey	9/4/2015	12,438,605
New York Daily News: Times Square topless woman busted for drugs, oral sex offer: cop sources	9/3/2015	12,438,605
New York Daily News: CUNY professor charged with molesting women in Times Square	8/31/2015	12,438,605
New York Daily News: It's not Elmo's World	8/28/2015	12,438,605
New York Daily News: Disney, Marvel 'want no part' of NYPD's battle against Times Square costumed characters, Bill Bratton says	8/27/2015	12,438,605
New York Daily News: Readers sound off: Aug 26	8/26/2015	12,438,605
New York Daily News: Panhandling costumed characters spread to other parts of NYC	8/26/2015	12,438,605
New York Daily News: NYPD to form new unit in part to battle costumed or nearly nude buskers, crime in Times Square	8/26/2015	12,438,605

New York Daily News: NYPD to form new unit in part to battle costumed or nearly nude buskers, crime in Times Square	8/26/2015	12,438,605
New York Daily News: Timothy Cardinal Dolan silent on Times Square topless women	8/25/2015	12,438,605
New York Daily News: Readers sound off: Times Square, Trump, and Tony Bennett	8/24/2015	12,438,605
New York Daily News: 300 topless protestors march to support Times Square women	8/24/2015	12,438,605
New York Daily News: Ex-Gov. Pataki paints de Blasio as boob over topless Times Square buskers	8/24/2015	12,438,605
New York Daily News: Exposed breasts, addled brains: In Times Square or Troy, they rock empires	8/24/2015	12,438,605
New York Daily News: Gale Brewer says tearing up Times Square plazas to get rid of topless women would be 'preposterous'	8/24/2015	12,438,605
New York Daily News: NYPD Commish Bill Bratton committed to changing Times Square	8/23/2015	12,438,605
New York Daily News: Stasi: Don't like what's happened to Times Square? Blame Bloomberg for making the tourist pit part of his divine plan for NYC	8/22/2015	12,438,605
New York Daily News, De Blasio needs to remake Times Square	8/22/2015	12,438,605
New York Daily News: New York State cops descend upon Times Square in attempt to crackdown on naked painted panhandlers	8/22/2015	12,438,605
New York Daily News: Readers sound off on carriage horses, Times Square and immigration	8/21/2015	12,438,605
New York Daily News: Ladies first, please, in Times Square	8/21/2015	12,438,605
New York Daily News: Guest column: Times Square plazas add open space, ease overcrowded sidewalks	8/21/2015	12,438,605
New York Daily News: Guest column: Times Square plazas create traffic problems for drivers	8/21/2015	12,438,605
New York Daily News: Times Square vendors undecided on tearing up tourist area in favor of street traffic, but don't want to be punished for topless ladies	8/21/2015	12,438,605
New York Daily News: De Blasio orders task force to find way to ban topless women at Times Square as man connected with the girls gets arrested	8/20/2015	12,438,605

New York Daily News: 'Manager' of topless Times Square gals, who has history of threatening women, appears in court on warrant for trespassing	8/20/2015	12,438,605
New York Daily News: De Blasio suggests eliminating Times Square pedestrian plazas to kick out topless women, costumed characters	8/20/2015	12,438,605
New York Daily News: DeBlasio says topless Times Square performers need to go	8/19/2015	12,438,605
New York Daily News: Editorial: Bill takes control of the Times Square hustlers and hucksters	8/19/2015	12,438,605
New York Daily News: Exclusive	8/19/2015	12,438,605
New York Daily News: Readers sound off on schools, skin and Soros	8/19/2015	12,438,605
New York Daily News: Gonzalez: Elites could be crying out 'chaos' in NYC to get de Blasio out of office	8/19/2015	12,438,605
New York Daily News: Boob of a boyfriend works pregnant baby-mama as topless Times Square painted panhandler	8/19/2015	12,438,605
New York Daily News: Times Square cops transferred over photos with topless women	8/19/2015	12,438,605
New York Daily News: SEE IT: NY1 anchor Pat Kiernan goes shirtless for 'In the Papers' segment on Times Square topless ladies	8/19/2015	12,438,605
New York Daily News: Readers sound off on Times Square topless, school segregation and women on currency	8/18/2015	12,438,605
New York Daily News: Times Square Olaf from 'Frozen' bullied family for bigger tip, says angry mom	8/18/2015	12,438,605
New York Daily News: NYPD cops take photos with topless Times Square women	8/17/2015	12,438,605
New York Daily News: NYC officials oppose topless women at Times Square, but there's no law to stop them	8/16/2015	12,438,605
New York Daily News: Guest Column: Times Square performers are not artists, they're hustlers	8/16/2015	12,438,605
New York Daily News: Editorial: It's time to ban bare-chested women looking to 'hustle' Times Square tourists for money, and there's a simple solution	8/16/2015	12,438,605
New York Daily News: Some Times Square painted ladies say it's art, others are all about the cash	8/16/2015	12,438,605

New York Daily News: Topless Times Square women deal with groping, long hours and must share tips	8/16/2015	12,438,605
New York Daily News	8/15/2015	12,438,605
TMZ	8/19/2015	12,138,658
San Francisco Chronicle: Big Apples versus big toilet	8/31/2015	11,876,703
San Francisco Chronicle: Bubbles bouncing around the Panhandle	8/26/2015	11,876,703
Houston Chronicle: 'Desnudas' topless women in Times Square involved in two police incidents	9/4/2015	11,559,095
U.S. News & World Report: Topless Rights Movement Sees Women's Equality on Horizon	8/26/2015	11,375,051
Slate	8/21/2015	10,803,139
New York Post: Cuzzo: City Hall supplies filthy camp for bums with 32nd Street plaza	9/6/2015	9,708,085
New York Post: Times Square desnuda busted for offering oral sex to cop	9/3/2015	9,708,085
New York Post: City's female leaders backing bare boobs over de Blasio	8/31/2015	9,708,085
New York Post: Weiner weighs-in on topless Times Square debate	8/31/2015	9,708,085
New York Post: De Blasio's first Twitter chat predictably goes off the rails	8/31/2015	9,708,085
New York Post: CUNY professor arrested for groping women in Times Square	8/31/2015	9,708,085
New York Post: Cindy Adams: Times Square's topless ladies aren't the only ones who go bare	8/31/2015	9,708,085
New York Post: How Mayor de Blasio is failing the test of the city's success	8/30/2015	9,708,085
New York Post: How do you solve a problem like de Blasio?	8/30/2015	9,708,085
New York Post: This man decided he wanted to go nude in Times Square too	8/27/2015	9,708,085
New York Post: Disney, Marvel want no part of Times Square mess, Bratton says	8/27/2015	9,708,085
New York Post: NYPD creates task force to clean up unruly Times Square	8/26/2015	9,708,085
New York Post: De Blasio, Bratton admit Ray Kelly was right on Times Square	8/26/2015	9,708,085
New York Post: NYPD beefing up patrols in sleazy Times Square	8/26/2015	9,708,085

New York Post: Times Square test exposes Bill de Blasio's core pessimism	8/24/2015	9,708,085
New York Post: Topless women show de Blasio, Bratton who the real boobs are	8/24/2015	9,708,085
New York Post: Times Square businesses propose zoning costumed pests	8/22/2015	9,708,085
New York Post: The business fears behind the sudden Times Square furor	8/21/2015	9,708,085
New York Post: Bratton's plan to save Times Square from Elmo: Rip up pedestrian plazas!	8/20/2015	9,708,085
New York Post	8/17/2015	9,708,085
TODAY	8/18/2015	9,600,188
The Inquisitr: New York City Mayor Vows To Stop Topless Women From Hustling In Times Square	8/19/2015	8,210,426
The Inquisitr: Times Square Topless Women Begging For Tips Anger Tourists And Locals	8/17/2015	8,210,426
The Daily Beast: Soulless banker in topless spar	9/4/2015	8,003,325
MarketWatch: New York to do more to curb Times Square topless women	8/27/2015	7,759,344
Refinery 29: Why The Times Square Nudity Crackdown Is Just Plain Sexist	8/31/2015	6,052,011
Examiner: Painted nude women walk Times Square in the name of art	8/21/2015	5,691,662
New York Magazine: Reporter Goes Undercover As a Topless Performer in Times Square	8/30/2015	5,414,533
New York Magazine: NYPD Times Square Unit will police topless women and Spider-Men	8/26/2015	5,414,533
New York Magazine: De Blasio's Proposal to Destroy Pedestrian Times Square Is the Opposite of Progressive	8/20/2015	5,414,533
New York Magazine: De Blasio Considers Destroying Times Square Characters' Natural Habitat	8/20/2015	5,414,533
Associated Press: Plainclothes cops keep eye out for Times Square hustlers	9/5/2015	5,241,409
Associated Press: Amid complaints about Times Square, police announce new unit	8/26/2015	5,241,409
Associated Press: Topless, Painted Women Ignite Latest Furor in Times Square	8/21/2015	5,241,409
Associated Press: NYC mayor: Regs for Times Square characters under study	8/20/2015	5,241,409

Associated Press: NY governor: Topless women in Times Square breaking the law	8/19/2015	5,241,409
Associated Press: De Blasio to act against nearly nude women in Times Square	8/18/2015	5,241,409
Reuters: Public plazas in New York's Times Square bring business, chaos	8/22/2015	4,967,839
Reuters: New York looks to curb topless women, Mickey and Thor in Times Square	8/20/2015	4,967,839
VICE	8/22/2015	4,816,292
Vanity Fair: The de Blasio diaries, chapter 40: I'm the mayor of New York, ask me...nothing	9/2/2015	4,545,875
Vanity Fair: The de Blasio Diaries, Chapter 39: Hapless mayor in topless square	8/26/2015	4,545,875
Vanity Fair: New York City is officially losing its mind over some naked ladies in Times Square	8/21/2015	4,545,875
Esquire: Topless women in New York assaulted and arrested - Desnudas controversy	9/4/2015	4,312,204
Christian Science Monitor: For plainclothes cops in NY, why the focus on Times Square?	9/5/2015	4,099,915
Deadline	8/21/2015	3,966,516
Boston Globe: Topless women and the art of the naked hustle	8/24/2015	3,911,111
ABC 7 New York: Up Close: Times Square Task Force	8/30/2015	3,829,927
ABC 7 New York: Costumed characters spread from Times Square to Coney Island, Lower Manhattan	8/26/2015	3,829,927
ABC 7 New York	8/24/2015	3,829,927
ABC 7 New York: MANAGER OF TOPLESS PAINTED WOMEN IN TIMES SQUARE ARRESTED	8/20/2015	3,829,927
ABC 7 New York: Times Square Pedestrian Plaza's Future in Question Over Characters, Topless Women	8/20/2015	3,829,927
ABC 7 New York	8/18/2015	3,829,927
UPI: Topless women march for breast-baring rights in New York	8/24/2015	3,824,662
Cosmopolitan	8/18/2015	3,786,957
Elle: Men have been terrified of our breasts for hundreds of years	8/28/2015	3,543,503
Adweek: A brief history of how Times Square got naked	8/25/2015	3,485,782
The Week	8/19/2015	3,145,518
Daily Caller	8/20/2015	3,093,707

Jezebel: Man attacks topless Times Square performer after accusing her of pickpocketing	9/4/2015	3,035,943
Jezebel: Times Square Topless Lady Says Only 'Ghetto Fat Women' Are Offended	8/21/2015	3,035,943
Jezebel: Disquieted By Titties, New York Considers Shutting Down Times Square Plazas	8/20/2015	3,035,943
Fusion: 'Bosom baddies': In defense of Times Square's desnudas	9/1/2015	2,894,417
National Review: Opposition to Times Square toplessness is a sign of cultural health	8/26/2015	2,481,224
Wall Street Journal Print	8/25/2015	2,294,093
Wall Street Journal Print	8/20/2015	2,294,093
CBS New York, Bratton: Today's Times Square is still better than years past	9/5/2015	2,269,680
CBS New York: Turf War Erupts After Costumed Characters Move Downtown From Times Square	8/26/2015	2,269,680
CBS New York: NYPD task force of 100 to crack down on Times Square 'nuisance issues'	8/26/2015	2,269,680
CBS New York: NYC Lawmaker Proposes Banning Toplessness Altogether, Regardless Of Gender	8/21/2015	2,269,680
CBS New York: 1010 WINS Exclusive: Bratton Suggests Tearing Up Times Square Pedestrian Plaza	8/20/2015	2,269,680
CBS New York: Sources To CBS2: Manager Of Times Square Topless, Painted Models Arrested	8/19/2015	2,269,680
CBS New York: PBA Prez: NYPD Officers Punished For Posing With Topless Models In Times Square	8/19/2015	2,269,680
CBS New York: Mayor De Blasio Vows Crackdown On Topless Women In Times Square	8/18/2015	2,269,680
CBS New York: Spokeswoman: De Blasio Opposes Topless Times Square Women, Agencies At Work To Tackle Issue	8/17/2015	2,269,680
Al Jazeera America	8/21/2015	2,071,880
New York Observer: What does it mean to consider running for mayor? Not much	8/31/2015	2,069,694
New York Observer: City Planning Chairman: 'There's Nothing in Times Square That Ever Surprises Me'	8/28/2015	2,069,694
New York Observer: City Planning Chairman: 'There's nothing in Times Square that ever surprises me'	8/28/2015	2,069,694

New York Observer: Afternoon Bulletin: NYPD Reassigned to Times Square, Back Alley Dumplings and More	8/27/2015	2,069,694
New York Observer: Topless Task Force Congresswoman Wants Equal Treatment for Desnudas and Naked Cowboy	8/26/2015	2,069,694
New York Observer: State GOP chair compares Bill de Blasio and Andrew Cuomo to scorpions	8/25/2015	2,069,694
New York Observer: Manhattan Beep Calls Plan to Tear Up Times Square Pedestrian Plaza 'Preposterous'	8/24/2015	2,069,694
New York Observer: Times Square Business Leader: Panhandling, Not Toplessness, Is the Real Problem	8/24/2015	2,069,694
New York Observer, Ex-New York Governor: Topless Women Are Destroying Times Square	8/24/2015	2,069,694
New York Observer: Times Square biz leader: panhandling, not nudity, the real problem	8/24/2015	2,069,694
New York Observer: Topless women in headless city	8/24/2015	2,069,694
New York Observer: State Senator Wants to Stop Times Square Nudity by Banning Toplessness—for Everyone	8/21/2015	2,069,694
New York Observer: Topless Women Are Bringing Back the 'Bad Old Times Square,' Cuomo Says	8/20/2015	2,069,694
New York Observer	8/20/2015	2,069,694
New York Observer: On Boobs-for-Bucks, Bill de Blasio Needs to Grow a Pair	8/19/2015	2,069,694
New York Observer: Bill de Blasio Won't 'Tolerate' Topless Times Square Women	8/18/2015	2,069,694
FOX News Latino	8/19/2015	1,966,652
NBC New York: Costumed and topless-tip seekers prompt NYPD to beef up Times Square patrols	8/26/2015	1,896,358
NBC New York: NY Lawmaker to Introduce Bill Banning Male Toplessness Amid Times Square Controversy	8/21/2015	1,896,358
NBC New York: Mayor: Task Force to Examine Topless Women, Costumed Characters in Times Square	8/20/2015	1,896,358
NBC New York: Topless Women Posing for Cash in Times Square Are Breaking the Law: Cuomo	8/19/2015	1,896,358
NBC New York: Mayor Vows Action Against Topless Women Posing for Cash in Times Square	8/18/2015	1,896,358
NBC New York: Mayor Opposes Times Square's Topless Performers in Body Paint	8/17/2015	1,896,358

RYOT: Bare-Breasted Women Take Over New York City for Go Topless Day	8/24/2015	1,853,315
Newsday: Letters: Closing Times Square plaza costly	8/31/2015	1,852,042
Newsday: Even bare-breasted, Times Square isn't the abyss it once was	8/26/2015	1,852,042
Newsday: NYPD to beef up Times Square force in response to hucksters	8/26/2015	1,852,042
Newsday: Cuomo should credit Guiliani	8/25/2015	1,852,042
Newsday: GoTopless Pride Parade draws hundreds in march through Manhattan	8/24/2015	1,852,042
Newsday: De Blasio: unsure whether Times Square plaza should be removed	8/24/2015	1,852,042
Newsday: Times Square is marvelous the way it is, just marvelous	8/22/2015	1,852,042
Newsday: Sen. Diaz has new solution for topless Times Square	8/21/2015	1,852,042
Newsday: Cuomo: Removing Times Square pedestrian plazas 'problematic'	8/21/2015	1,852,042
Newsday: NYC considers eliminating Times Square pedestrian plaza to drive away topless hustlers	8/20/2015	1,852,042
Newsday: State business aid agency says Times Square needs family-friendly entertainment	8/20/2015	1,852,042
Newsday: Cuomo says he'll close topless show in Times Square	8/19/2015	1,852,042
Newsday: De Blasio pledges crackdown on Times Square hustlers	8/18/2015	1,852,042
Gothamist, Bratton offers reality check on 'awful but lawful' Times Square	9/5/2015	1,821,341
Gothamist: Ask a native New Yorker: Should I call the cops on those panhandling moms?	9/4/2015	1,821,341
Gothamist: Should bus drivers get a break from the NYPD when they hit a pedestrian?	9/1/2015	1,821,341
Gothamist: CUNY prof arrested for allegedly groping women in Times Square	8/31/2015	1,821,341
Gothamist: NY Post writer goes 'undercover' as Times Square painted woman for journalism	8/30/2015	1,821,341
Gothamist: [NSFW] Body Painter & Nude Models Hit Times Square To Protest "Ridiculous" Crackdown	8/28/2015	1,821,341
Gothamist: De Blasio's Costumed Character Task Force Expands To Coney Island & Beyond	8/27/2015	1,821,341

Gothamist: Law & Order Desnudas: NYPD launches Times Square quality-of-life unit	8/26/2015	1,821,341
Gothamist: Densudas crackdown: NYPD confiscated painted women's clothing, questioned them in their robes	8/24/2015	1,821,341
Gothamist: opless Painted Women Get Times Square Welcome From Tourists, NY State Police	8/23/2015	1,821,341
Gothamist: NYC's precious tourists love the Times Square pedestrian plazas	8/22/2015	1,821,341
Gothamist: Ask A Native New Yorker: Why Is NYC Losing Its Mind Over Topless Painted Ladies?	8/21/2015	1,821,341
Gothamist: Topless Painted Times Square Lady Blames "Overweight Women," Politicians, Tabloids	8/20/2015	1,821,341
Gothamist: De Blasio: Erasing Times Square Pedestrian Plazas Might Solve Our Topless Painted Lady "Problem"	8/20/2015	1,821,341
Gothamist: De Blasio Vows "Very Aggressive" Crackdown On Times Square Topless Ladies & Costume Characters	8/18/2015	1,821,341
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Kurier	8/21/2015	N/A
TOTAL INTERNATIONAL IMPRESSIONS:		202,530,142

DAILY NEWS

NEW YORK'S HOMETOWN NEWSPAPER

**Pols call Times Sq.
flesh pit a disaster
and unacceptable
— but say hands are
tied in cleaning it up**



The very day the Daily News shined a light on the naked aggression of panhandling in Times Square, the "painted ladies" are still out in full force — even posing with young children for a buck. Pols and cops say there is little they can do about the problem under current laws.

PAGES 4,5,6

TOO MUCH TO BARE



TOO MUCH TO BARE

THE NEWS SAYS

Reclassify Times Sq. & end the grift

New Yorkers used to complain you couldn't walk through Times Square without running a gauntlet of prostitutes or sex businesses. The modern variant is the growing horde of topless women showing off, theoretically, donations.

Granted that bare-breasted, body-painted exhibitionists are a far cry from the degradation and danger of yore, they have added end-of-the-line tawdriness to the cheap carnality that has taken over the world's most famous crossroads.

Mayor Michael Bloomberg's vision of a whole-free, 30,000-square-foot pedestrian plaza has become a playground of grifters who see the 400,000 people who walk through daily, most tourists, many with kids, as prey for low-rent extortion.

Residents of the five boroughs, including tens of thousands of office workers, who find they have no choice but to join the throng have gotten used to the costumed characters—the Elton, the Cookie Monster, etc.—who entice children into having their pictures taken and then hit up parents for money.

The topless women are the latest of these earners. First, they were just a couple, then 20 and now 40 or more.

It's not a business, it's a hustle, a guy who works with the women candidly admitted in an interview with a Daily News reporter.

The First Amendment grants the right to wear a costume as a matter of free speech. New York's courts have ruled that women cannot be legally barred from going topless in public. The law also permits parading on the streets that is not aggressive, "aggressive" and "on the streets" being the two most important terms in this sentence.

A Spider-Man or bare-breasted woman who stands for a photo and sticks a hand out to within bounds in Times Square. Many go far. They ask for specific sums of money and gather around a tourist family, badgering men and kids for bucks.

Cops can and do make busts when the characters become so overbearing as to become frightening. While the NYPD should make still more arrests, few are the victims who want to spend vacation time in a police station or courthouse.

Still, a solution stuns New York in the face. It's in Father Duffy Square at the northern end of Times Square. Father Duffy's willfully designated as parkland. The characters and topless women know that soliciting money in parks is strictly prohibited, so they generally go right to the very edge of Father Duffy and no further.

Times Square is no longer a vehicular transitway. It's a giant public plaza. New York should rededicate it as a park. By-bye, blimp. By-bye, bare-breasted women. Unless they want to stand there without making a cent. Yeah, right.

BY MOLLY CRANE-NEWMAN, ANTHONY ZAGARELLI, ERIN DUKIN AND STEPHEN BROWN NEW YORK DAILY NEWS

CITY POLITICIANS

want to put an end to topless performances, but getting them to cover up is no easy task.

The point of lack of Times Square drive pole and many tourists crazy — but the law allows little leeway to make the Crossroads of the World less PG-13.

Manhattan Borough President Gale Brewer said she and other elected officials have been spending "a great deal of time" trying to determine the best way to bring in performers at Times Square.

Now, the recent explosion of scantily clad women posing for pics presents an additional challenge.

"The whole situation is a disaster I think for tourists and New Yorkers and the family-friendly image. It's just mind-blowing," Brewer said.

"I really don't believe in it. I think it's illegal, but it's not."

Brewer surveyed the scene Sunday afternoon.

The bust business was booming for some four topless performers sporting patriotic makeup over their bare breasts. They mingled with over a dozen costumed performers.

The women targeted mostly groups of guys, and were overhead saying "What up, baby? Take a picture."

Others simply pointed their butts at cameras and then put their hands out for money — usually \$5. Some customers eagerly approached with cash in hand.

The business model boiled down to sweet talking groups of tourists and the occasional family. But plenty of tourists were left saying "no thanks" for further amusements.

"[Judging] I should be illegal," Jackie Castelli, 46, said. "They come up and get too close to people — j-r-k."

"It's a good example for the kids here," Castelli of Pennsylvania, added. "The point isn't clothing."

Michael Perez, 23, of New Jersey, was more accepting.

"There's just trying to make a buck, and sex sells," Perez said.

"She is doing look like they're pushing their luck," he added as a painted woman put her arms around the shoulders of an unwilling tourist who immediately turned and walked away.

Sometimes the demands — the Spanish word for "naked" that they often use to describe themselves — get combative.

An interview recorded by the Times Square Alliance features a tourist and mother of three boys recounting a scary showdown with one demand after the other: the women to please let them pass.

"They kind of seemed to come from every direction," she said.

She said one of the women flashed out after she stepped from the shoulder.



A painted topless performer attempts to stop a photographer Sunday in Times Square. There is a growing call for the city to "put in the zone" for who gets to pose for photos and demand tips.

York look cheap — 42nd St. was cleaned up so much, we don't want to bring stuff like that back."

Help may soon be on the way.

"A number of city agencies are working now to develop new approaches to this and other quality-of-life problems in and around Times Square," Mayor de Blasio's spokeswoman Karen Hinton said.

The mayor from the Times Square situation unacceptable and expects to recommend administrative actions and other steps to address the issues.

City Councilman Corey Johnson, who represents part of Times Square, sounded a hopeful note about the bare-chested crowd.

"I think we can look at time, place and manner restrictions. What that means is they have the right to be in Times Square, but we as a city have the right to anywhere exactly in Times Square they can be. So you can confine it to certain areas," Johnson said.

The status quo is not acceptable, the Democrat said, noting that crime-prone, costumed characters have become a growing concern.

"All of it put together creates what could be considered an unsafe and unenjoyable atmosphere," he said.

Councilman Daniel Griesbach, Democrat who also represents part of Times Square, said a visit to the global tourist destination needs to be a complete rebrand.

"We need to think more broadly about how to organize Times Square so as to allow its eccentricity to exist while also giving the public a chance to move around and not be bothered," he said.

An NYPD spokesman explained the legal constraints that prevent police from combating the rudeness in Times Square.

"Current local law does not prohibit an individual from being 'topless' in public. Parading is also not illegal," the spokesman said.

Police can issue summonses for aggressive parading, disorderly conduct or harassment under certain circumstances, he added. Topless civilians are welcome, the NYPD spokesman said.

Still, more than a few tourists said the nudity was too big deal. "It's a little inappropriate, but it shouldn't be a legal issue," said Anne Smith, 24, of Philadelphia.

"They're just having fun. I don't see the harm in it. They've got their private parts covered," she said.

But she did have a second thought about the lighting. Susan and Stephen.

"It's not decent, but it is acceptable. I guess I had a lot. I would feel a different way about it," she said.

With Caitlin Hedon

PHOTOGRAPH BY JEFFREY M. HARRIS FOR THE DAILY NEWS

TAWDRY TANGLE OF TOPLESS TIP-SEEKERS

CITY'S IN A BOOBY TRAP

Officials agree naked racket is gross - but no law against it

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Photo Press (L), of New York, and (R), of New York, are seen at the outdoor photo booth.

WOMEN

Continued from page A13
Times Square potentially "flouting the laws because they've been harassing individuals" and running marketing scams.

On Tuesday, Mr. de Blasio said he understood the women had rights but added, "I don't think that's the end of this."

On Wednesday, Mr. de Blasio and Police Commissioner William Bratton discussed how to crack down on the topless women, according to two people with direct knowledge of the meeting.

A spokesman for New York City Council Speaker Melissa Mark-Viverito said the council is "examining its legislative options."

Mr. Cuomo's comparison of the women and the Times Square of yore was dismissed by academics.

"It's making a big deal out of



Robert Burck, the so-called Naked Cowboy, with fans in Times Square.

a small deal," said Harvey Molotch, an urban studies and sociology professor at New York University. "Showing flesh has been the basis of sensation since Victorian women first flashed their ankles."

Mr. Cuomo has at least one ally in his new fight: the so-

called Naked Cowboy, who has been playing guitar in Times Square for the past decade—in only his underwear.

On Wednesday, the Naked Cowboy, whose name is Robert J. Burck, wore a bra along with his briefs. He said he was making the point that it wouldn't be

too hard to cover up.

"Since de Blasio, the last couple of years, after Bloomberg, there are lot more homeless people [in Times Square], and a proliferation of starving people, and a deterioration," Mr. Burck said. "But I'm not saying that's bad. To liberals, there's room for everyone and whatever."

Mr. Burck said he liked Mr. de Blasio regardless.

"During the Super Bowl, de Blasio was in Times Square with his wife and family," Mr. Burck said. "Unlike Bloomberg and Giuliani before him, de Blasio walked right up to me and shook my hand and said I was a man of distinction."

At noon, the topless women weren't present, which Times Square regulars said was unusual.

"The press has scared them all away," Mr. Burck said.

—Thomas MacMillan and Pervais Shalwani contributed to this article.

TOO MUCH TO BARE

BAD NUDES BIZ

Gals forced to share tips, often groped

BY MOLLY CRANE-NEWMAN and STEPHEN REX BROWN
NEW YORK DAILY NEWS

POSING for topless pictures in Times Square is no naked walk in the park.

Performers said Sunday they work up to 12-hour days and constantly cope with groping customers. Some even answer to shady bosses who take cuts of their cash.

"It doesn't matter if you have your period, or if you are feeling terrible, or if your mom dies. You are a character here, so the people are seeing your face and you have to smile," said Hannah Nicole Rubiano, 25, from Colombia.

"We work really hard. We have to send energy to the people, to smile all day."

She said that the scantily clad painted ladies don't have time for lunch during the relentless competition for tips. Even figuring out a place to stash a purse isn't easy.

"It's complicated. It's not too easy," said Rubiano, who made a point to say she worked for herself after hearing about the job from friends.

A Venezuelan woman who refused to give her name and a colleague, Paola Pena, 23, didn't speak English and were monitored by Charlie Santos, who kept a keen eye on them all day from a distance.

He painted their bodies with American flag-themed designs and worked as a manager, of sorts.

Santos, 23, told the women when to take lunch breaks and urged them to get back to work while chatting with a reporter.

"I am just the painter. I like to paint bodies. They might make \$300 for eight or 10 hours," Santos, from Venezuela, said.

He took a 40% cut, he said.

A woman named Thais Louze, 42, who directed the pair as well as another group of women, got a 30% cut.

That leaves a meager 30% — or \$90 on a "good day" — for the women actually walking around in the nearly nude.

A boss named Carlos ran the



Charlie Santos prepares Paola Pena for work in Times Square on Sunday. "I am just the painter. I like to paint bodies," says Santos, who was seen telling topless gals when to take a lunch break.

entire operation, but was not present, Santos said.

The Venezuelan woman said she typically worked seven-hour days for a mysterious "company."

While posing for a photo, a man sneaked up behind her and grabbed her butt. She was visibly upset and yelled at the cowardly perv as he ran away.

"It makes me angry," she told

the Daily News.

When asked if gropings like that happened often, she replied sarcastically. "No, very strange."

The performers — known as desnudas — worked at a remarkable pace.

Both Pena and her Venezuelan partner grabbed men walking by — and most of the guys welcomed the attention.

"Nice tip, baby. A nice tip,

OK?" Pena repeatedly said.

Dozens of families — some with very young children — also asked to pose for photos with the women.

Across the board, the desnudas said they liked the work.

"This is a way for me to interact with people, put a smile on people's faces. I do really enjoy this," Rubiano said.

sbrown@nydailynews.com

It's not art, but just a big hustle

BY VICTORIA BAILEY and CHARLOTTE ST. MARTIN

SOME PEOPLE claim that the painted naked ladies in Times Square are just engaging in artistic expression. They are wrong. This is both a business and an aggressive shakedown.

It's the same claim people have made for over five years now about the creepy costume characters who routinely grope women; aggressive CD hawkers who surround and intimidate naive teenagers; and fake Buddhist monks who have been documented as sophisticated con artists.

It goes without saying that we have no issue with artistic expression. What we — and our patrons, who bring billions of dollars and thousands of jobs to the fastest-growing part of New York City's economy since the 2008 recession — have an issue with is the aggressive and unrelenting hustle, with thousands of victims a week.

It's also about letting people choose what they see and engage with. Times Square is now a place where families bring their children, and when families and children have no choice about being approached by an aggressive, naked lady demanding money for a photo, that's just not right.

All of these people say they are "just trying to earn a living" — so were the three-card monte players 20 years ago. So regulate the honest player just like any other enterprise, and put the hustlers and con artists out of business. Or do what they do in San Francisco and Santa Monica, Ocean City and Las Vegas — designate certain areas for these activities so the public can choose whether they want to be approached, instead of the other way around.

Just don't say that nothing can be done. We heard it before when Times Square and New York City were spiraling out of control, and we didn't believe it then, either.

Bailey is executive director of the Theatre Development Fund, the not-for-profit that operates TKTS. St. Martin is president of the Broadway League.

DAILY NEWS

NEW YORK'S HOMETOWN NEWSPAPER

New York's Finest on the job in Times Sq.



TIT FOR BRAINS

THEY WERE caught posing with booty while on duty.

Two of New York's dimmest took turns Monday snapping photos with two of the topless painted ladies defiling Times Square. The shirtless shakedown artists work for tips, but the cops offered none in this case.

PAGES 4-5

Cops' shocking pix with topless hustlers

305 'secret' emails on ill's server

BY CELESTE KATZ
NEWYORKDAILYNEWS

AS MANY AS 305 of the emails Hillary Clinton routed through a private home server while secretary of state may contain classified information, the feds said Monday.

State Department officials have combed through about 1,500 of the tens of thousands of emails Clinton delivered to the government — after deleting just about as many that she deemed personal and irrelevant to her time as secretary.

The update came via a report State Department officials filed with a federal judge.

In an Iowa radio interview broadcast Monday after being taped on Friday, Clinton patted herself on the back for bringing the issue to light.

"If I had not asked for my emails all to be made public, none of this would have been in the public arena," she said — despite

HAND OVER THE EMAILS

TIP FOR BRAINS

BY ROCCO PARASCANDOLA,
MOLLY CRANE-NEWMAN,
MARIA VILLASENOR and CORKY SIEMASZKO
NEWYORKDAILYNEWS

THERE WERE no tips from this pair of NYPD boobs.

While the brass grapple with a strategy to corral the herd of topless women who critics say shake down Times Square tourists for tips, two beat cops took turns posing for pictures with nearly naked ladies who had the Stars and Stripes painted across their breasts.

"Maybe we're celebrities now," one of the young women, a saucy Aussie who asked not to be identified, giggled. "The police are friendly to us, they really are. I don't know if they're friendly to the other girls, I think they are."

She said they didn't ask the uniformed cops for cash — or expect any from them.

"They don't tip us," she said. "They're working, too."

Told that Police Commissioner Bill Bratton was not a fan, she laughed.

"The police love us," she said. "I don't care what the police commissioner says, the police love us. They always come over and say hi to us. We don't cause problems."

The other topless performer, who lives in Queens, said this was not the first time she had posed with some of the city's finest.

"It happens to me repeatedly, with different officers," she said. "But they're not here right now."

The NYPD had no comment on the photos snapped by the Daily News. And while the unidentified officers could be cited for "conduct unbecom-

NYPD boob
hard at 'two
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city's ears

FLESH PIT PIMPS

SLAZY PIECE



EXCLUSIVE

BY KERRY BURKE, CHELSEA ROSE MARCUS,
MARIA VILLASENOR and CORKY SIEMASZKO
NEWYORKDAILYNEWS

THESE ARE THE SHADY men who send a growing number of bare-breasted women to hustle money from unsuspecting tourists in Times Square.

They claim they're doing it for artistic expression, but the Daily News found they're really greedy businessmen who take a big cut of the women's earnings and keep the painted ladies in a very short leash.

"This is not nothing more," Ivan Fernandez insisted.

But Fernandez also admitted he takes 30% of the money the two ladies he "manages" earn, and said he deserves the dough because he puts in full-day keepings on them.

"I'm here while they're here, I make sure that nothing happens to them, that no one bothers them," he said.

Three days of surveillance by a team of News reporters revealed that Fernandez and the other "managers" spent a lot of time loitering around while the young women worked in the stifling August heat.

Now, with the furor growing over the newly naked women, the NYPD is taking a keen interest in guys like Fernandez and Charlie Santos, who previously told the News he takes a 40% cut for making sure that his workers are safe — and for retouching the stars and stripes he paints on their breasts.

Santos flipped the bird and walked off with 25-year-old performer Paola Drea when reporters tried talking with him Tuesday. He also appeared to be holding a police desk appearance

Charlie Santos, 23
Originally from Venezuela. Believed to be living in Queens. Manages two women, both from Venezuela.

Takes a 40% cut.

Manager Charlie Santos takes his dough from a red, white and blue lady on a really stinky day in the Crossroads of the World.

Leeches keep abreast of gals

Lee money was finding its way to the girls' "pimps," who declined to give his name, told the News. "You gotta share the wealth."

You also have to play by Charlie Santos' rules. The painted ladies could conceivably be regulated by the state labor Department and subject to minimum wage and other requirements, said Sarah Luberstein of the National Employment Law Project.

Under federal and state law, what they do could be considered a business because the women charge a fee and work under the oversight of "managers" who get a share of their earnings, she said.

Meanwhile, the NYPD has ordered all cops patrolling Times Square not to take photos with

the remaining performers, sources said. Police brass were furious after two dumpy beat cops posing with a pair of babes landed on the front page of Tuesday's Daily News.

Patched at a table under an umbrella between W. 43rd and W. 44th Sts. with his pants and his girl's clothing stained inside a blue rolling suitcase, Fernandez was at first happy to discuss his business while he touched up the "17" painted on his left butt cheek of 22-year-old performer Anna Giannini and the stars on the U.S. flag covering her breasts.

Periodically, one of the women who work for the 25-year-old Colombian immigrant would walk over with a wad of cash that he would slip into his furry pack — or into one of the two leather handbags he was holding.

On most days, Fernandez said,

BOOB BACKLASH GROWING

OF THE ACTION



Ivan Fernandez, 25
Originally from Colombia. Lives in Queens and sometimes in North Bergen, N.J. Manages two women, both from Italy.

Takes a 30% cut.

PICTURE THIS, OFFICERS — YOU'RE TRANSFERRED
COPS ON patrol in Times Square on Tuesday said they were told not to take pictures with any topless women.

The officers were transferred to separate precincts for what a high-ranking official called a "lack of judgment."

"I was actually walking on the Times Square and I saw the girls, and I asked them, 'What are you doing?' How do you do this?" said the Queens woman, who works with the Aussie. "I was coming from another state, and I saw them and thought, 'I want to do this.'"

With Kelly Crane-Newman and Edgar Sandoval
craneandnewman@nydailynews.com

'Managers' grab 30%-plus cut

Later, a slender but older woman in an olive-colored sundress delivered some new work uniforms to Fernandez — a Victoria's Secret bag brimming with colorful leotards.

An Australian performer, who declined to give her name or identify her manager, insisted there wasn't a pipeline feeding bare-breasted women into Times Square. In a response repeated so often by other women it sounded rehearsed, the Aussie said the girls into the line of work voluntarily.

"I was actually walking on the Times Square and I saw the girls, and I asked them, 'What are you doing?' How do you do this?" said the Queens woman, who works with the Aussie. "I was coming from another state, and I saw them and thought, 'I want to do this.'"

With Kelly Crane-Newman and Edgar Sandoval
craneandnewman@nydailynews.com

Mayor hops aboard the 'ban' wagon

BY JENNIFER FERNANDO
and CORKY SIEMASZKO
NEWYORKDAILYNEWS

HERE'S A TIP: Times Square will soon be closed of the topless painted ladies, and Hizoneros says you can ban it.

"This situation is going to change," Mayor de Blasio said Tuesday. "This is what I'll guarantee you."

De Blasio said he's won't let the Times Square turn into a public park, rather Daily Square, at the north end of Times Square, is already planned and thus a no-go zone for pushdowns, both the nearly naked ladies and the women have a legal right to be there and that it took a crime to be named from the sidewalk. But visitors have a right to pass through the Crossroads of the World without being aggressively approached for tips, he said. "We are going to look for every appropriate way to regulate all activity that involves either begging, or asking people for a contribution based on the opportunity to take a picture," he said.

Asked when this will happen, de Blasio said "soon."

"I think there are some things we can do right away, some things that might need city legislation," he said. "The Times Square Alliance has also called 'The News' suggestion 'one solution that might work.'"

Chelsea Rose Marcus, Lauren Bull and Marco Parascandola

Reclassify Times Sq. A and the gift

The New York Times

August 19, 2015
Circulation: 443,362

New York The New York Times



So-called desnudistas, covered by little more than body paint, have drawn complaints about their solicitation of payment to pose for pictures in Times Square.

Mayor Says Times Sq.'s Topless Women Need to Be Reined In

By PATRICK MCGHEE

Mayor Bill de Blasio said on Tuesday that he sees the women parading around Times Square covered in little but body paint not as creative artists, but as pushy panhandlers whose efforts to separate tourists from their money should be regulated.

The topless women, known as desnudistas, have attracted more scrutiny than usual the summer amid complaints about their aggressive solicitation of payment to pose for pictures. Mr. de Blasio placed them in the same category as the gaggle of costumed characters that have become nearly synonymous with predatory panhandling in and around Times Square.

"It's wrong," Mr. de Blasio said of the topless women's tactics, during a news conference. "We are going to look for every appropriate way to regulate all activity that involves either begging, or asking people for a contribution based on, you know, the opportunity to take a picture, for example." The mayor added, "I don't like the situation in Times Square, and we're going to address it in a very aggressive manner."

Still, Mr. de Blasio acknowledged that reining in the desnudistas was complicated by the protections afforded to artists' expression by the First Amendment. "That doesn't mean we can't find legislative and regulatory solutions that still fall within constitutional protections," he said.

The mayor's staff declined to provide any details about what restrictions he is considering, saying that lawyers were still studying the issue. Toplessness is legal in New York; aggressive panhandling is not. Corey Johnson, a City Council member whose district includes Times Square, said that he and another councilman, Daniel R. Garodnick, were working on a bill that would limit when and where the desnudistas and costumed characters could ply their trade.

Mr. Johnson said on Tuesday that the model would be the "time, place and manner" restrictions the city has placed on street vendors in crowded areas of certain parks, including Central Park and Union Square Park. Those rules created designated spots for a limited number of street artists and other street vendors to set up.

Mr. Johnson said the goal was not to rid Times Square of the characters and other street hustlers but to rein them in so they do not drive away the throngs of tourists.

"People come to Times Square from all over the world because it is a little quirky and slightly chaotic and because there's some allure to that," Mr. Johnson said. "But if it becomes unsale and creepy, that becomes a problem that we have to address."

The proliferation of the costumed characters and topless women has gone beyond being the subject of jokes by late-night comedians to being a frequent source of drama and cause for police interventions, Tim Tompkins, president of the Times Square Alliance, said.

Mr. Tompkins said that a survey of people who work in and around Times Square found that 45 percent of them had either had or witnessed an unpleasant interaction with a costumed character or someone else soliciting payment from tourists. During one week in June, he said, the alliance received more than 125 costumed characters and 11 "painted ladies" in the area.

The topless women often accost men as they walk through Times Square,

grabbing their arms or rubbing up against them while offering to pose for pictures, Mr. Tompkins said. The costumed characters — outfitted to resemble Elmo or Minnie Mouse or the Incredible Hulk — have been employing similar tactics for years, he said. They pose with wide-eyed children, then seek payment of \$5 or more from their parents, sometimes berating the tourists for not handing over enough money.

On Sunday afternoon, the police arrested a man dressed as Olaf, a character from the movie "Frozen," after a woman complained that he had spat her coffee of \$1 and angrily demanded \$20, Mr. Tompkins said. The allegation did not surprise him at all.

"This is happening thousands of times a week," Mr. Tompkins said. "If I spend 10 minutes in Times Square, I will witness someone being deeply upset."

Mr. Tompkins said he often tells tourists who are being harassed by costumed characters that they do not have to pay them, but he said that he tries to

avoid confrontations with the people wearing the costumes. He said he had also crossed people who appeared to have been upset by such run-ins.

"If you talk to someone after they've just been ripped off, they're crying and embarrassed," he said. "We deserve better in our public places."

Mr. Tompkins said the alliance supported Mr. de Blasio's proposal of regulating the desnudistas and costumed characters as businesses. In all the interviews of them he has seen, he said, they have described themselves as workers trying to make a living, rather than artists exercising their constitutional right to express themselves.

Mr. de Blasio put it this way on Tuesday. "Let's face it. The women in Times Square, or the furry creatures in Times Square, are engaged in a business. We believe that that opens the door for us to enforce the way we would any other business. And we will do so, while still respecting constitutional rights."



Christine Gilski photographing her son Michael, 11. She said the characters complained her tip was too low.

DAILY NEWS

NEW YORK'S HOMETOWN NEWSPAPER

We expose honeys' moneymen



JARED FOGLE
Jared: I'm guilty of kid porn
'Subway' guy to cop plea
PAGE 3

FLMMAGIC

PHOTO EXCLUSIVE



Walter Palmer

First look at hated Cecil killer

Dentist comes out of hiding
PAGES 6-7

SPLASH



Flesh pit pimps

Claim art, but it's really about cash

MAYOR BACKS NEWS CAMPAIGN, VOWS ACTION — PAGES 4-5

EXCLUSIVE

THEY ARE the scoundrels behind the scourge — and they only come out from the shadows to collect their filthy pay.

The moneymen behind the Times Square topless hustlers are revealed today in The News, and their claims that this is just "art" are belied by the photos of painted women handing them wads of cash.

And Mayor de Blasio now has them in his sights.

MARCUS SANTOS/DAILY NEWS

Newsday

August 19, 2015
Circulation: 443,362

NYC



KISS 'EM GOODBYE

Mayor pledges to crack down on hustlers, grifters at tourist spots

BY MATTHEW CHAYES
matthew.chayes@newsday.com

Mayor Bill de Blasio promised yesterday that his administration would rein in topless women, begging mothers, costumed characters and others who hustle passersby for cash at New York City tourist hubs such as Times Square.

Committing to take action "soon," de Blasio said he would seek "creative ideas" and deploy "all the tools available" to enforce current laws and potentially enact new ones without running afoul of free-speech rights protected by the U.S. Constitution.

"This situation is going to change. This is what I'll guarantee you. I'm not going to tolerate it. We're going to change things," he said during a City Hall news conference.

"This is a situation that I don't accept, and we will deal with very aggressively."

He said that city agencies, including the NYPD and the Department of Consumer Affairs, are formulating a new approach for handling Times Square, which has become an epicenter of costumed characters and topless women in body paint seeking tips in exchange for posing for photographs.

One idea is to regulate the street hustlers as businesses subject to city rules, de Blasio said.

"Let's face it, the women in Times Square, or the furry creatures in Times Square, are engaged in a business," he said. "We believe that that opens the door for us to enforce the way we would any other business."

Asked about the proliferation of the topless women, de Blasio said, "it's wrong," but later added: "I think the bigger challenge, around First Amendment rights — that's going to take more work, because it's a thorny area. It's part of our national history."

De Blasio also said he was disturbed at reports that mothers are begging with their children, and urged people to call the authorities when they spot such activity. If "there's any chance that a child is being abused, that child should be reported," he said.

Topless performers often seek money for photo ops with tourists in Times Square.

The administration's crack-down found an ally in Randy M. Mastro, a Giuliani-era deputy mayor, who says the city could combat the nuisance by charging people under criminal statutes — for behavior like assault and harassment — or civilly, for breaking the city's rules on street vending.

Regardless of whether hustlers charge an upfront price or demand only a tip, Mastro said, "I think that is a distinction without a difference, because they're attempting to make their living by harassing people into paying them to pose for photographs."

THE WALL STREET JOURNAL. GREATER NEW YORK

August 20, 2015

Circulation: 2,294,093

Cuomo Berates Topless Women

By MIKE VILINSKY

After months of friction over everything from housing to Legionnaires' disease, Gov. Andrew Cuomo and New York City Mayor Bill de Blasio have found a common cause: reining in the topless women in Times Square.

Mr. Cuomo spoke out against the painted, bare-breasted women on Wednesday, the day after Mr. de Blasio made similar remarks. For tips, the women pose with passersby for photographs.

The governor described a situation bleaker than the mayor did, saying the women invoked a time in New York City history when sordidness reigned.

"Forty-Second Street was a symbol of degradation," Mr. Cuomo, a Democrat, told TV station NY1. "What they're saying is: 'I was around for the bad, old Times Square, and this is starting to remind me of the bad, old Times Square.'"

Mr. Cuomo said the women were breaking the law and vowed to take action but didn't specify what that would be.

New York City Comptroller Scott Stringer, another Democrat, joined the mayor and the governor in expressing concerns about the women's conduct.

"This has been building for a very long time," Mr. Stringer said at an unrelated news conference Wednesday. "I'm going to work with the mayor to clean up Times Square and make sure that we do everything in our power to make Times Square safe for our families, for our kids."

The governor and the mayor may finally be on the same page, but civil-rights attorneys and New York historians questioned Mr. Cuomo's stance.

"The topless nudity that seems to have everyone's head in a tizzy is completely legal," said Ron Kuby, a New York-based civil-rights attorney who represented Holly Van Voast, a photographer, in a 2013 lawsuit against New York City after she was arrested while topless. He said the arrest was wrongful.

"You also have a First Amendment right to panhandle," Mr. Kuby said. "Add bare-breasted woman, legal, to asking for money, also legal, and you have legal activity. I have no idea what the governor is talking about."

Mr. Kuby and other civil-rights attorneys referred to a 1992 case in Rochester, N.Y., that ruled in favor of a woman's right to be topless in New York state.

But, they said, there are legal regulations on aggressive panhandling that could provide a case for the city or state.

Later Wednesday, a Cuomo administration official clarified the governor's remarks: "Potential violations include state penal and labor laws and are not focused on public indecency laws."

Mr. Stringer also expressed concerns about the women and the costumed characters in Times Square.

Please see WOMEN page A14

DAILY NEWS

August 20, 2015
Circulation: 427,452

mod. 2015/08/20 15:00
DAILY NEWS NY DailyNews.com

6105 J.S. Jorgensen, Assistant
Thursday, August 20, 2015 7

Cuomo, de Blasio, Bratton vow we'll ...

BY JENNIFER FERMINO,
ADAM EDELMAN
and CORKY SIEMASZKO
NEW YORK DAILY NEWS

THE DAYS OF the aggressive, topless painted ladies and their handlers preying on tourists in Times Square are numbered.

Mayor de Blasio on Wednesday convened a special task force charged with finding a legal way of evicting the jiggly panhandlers — just days after the Daily News began documenting the dastardly deeds at the Crossroads of the World.

The increased scrutiny was evident Wednesday evening, when one of the men overseeing the women was arrested.

Cops cuffed handler Chris Olivieri, 25, around 9 p.m. on an outstanding warrant for marijuana, police said.

"He's the boyfriend of one of the naked girls, this man is a criminal," said a witness who works as a costumed character nearby. "He punched a tourist in the face a couple of weeks ago when he didn't give the girls a tip. He's aggressive. It's bad for business."

But officials admitted it will take more than one arrest to rid Times Square of the bare-breasted buskers.

The Daily News has been exactly right here ... I believe we can enforce the law and clean it up, and we will.



Gov. Cuomo

"It's very complicated," a City Hall official said.

Going topless is not a crime and there are First Amendment issues that need to be taken into consideration, the official added.

De Blasio's move comes as Gov. Cuomo weighed in, praising The News for raising what he called "a serious issue."

"The Daily News has been exactly right here," he said Wednesday on NY1.

Cuomo recalled the bad old days of Times Square and said that ridding the area of vice "became the symbol of the renaissance of the city and we are not going back."

He wants action now.

"I believe we can enforce the law and I think we can clean it up, and we will," he said.

The new task force, meanwhile, includes Carl Weisbrod, a city government veteran who helped clean up Times Square back in the 1990s, sources told The News. That's why de Blasio tapped Weisbrod, who is chairman of the City Planning Commission, and whose résumé includes revitalizing the once-seedy area, according to the official.

"We all think it's do-able, but the legal issues are complicated," the official said. "It may require legislation down the line."

The women aren't treated as a business — currently — and they have a constitutional right to be there, the official added.

Deputy Mayor Alicia Glen is also on the task force along with representatives from



SUNDAY



MONDAY



TUESDAY



WEDNESDAY



Handlers Ivan Fernandez (l.) and Charlie Santos (r.) in Times Square Wednesday as one of their painted ladies (r.) reads up on The News' continuing coverage (top) of their sleazy shenanigans.



Handler Chris Olivieri, 25, (above, and inset, on Saturday) is busted on warrant.

BOUNCE THOSE BOOBS

Now you can call him pimp daddy

WHAT KIND OF man sends his pregnant girlfriend out into the steamy August heat with her breasts bared to hustle money out of Times Square tourists?

How about Ivan Fernandez, the so-called manager of several of the topless panhandlers the city wants to evict from the Crossroads of the World.

Fernandez boasted on his Facebook page earlier this month that he and girlfriend Elnila La Porta (together in photo inset) were expecting.

"A child on the way and is my biggest blessing and my greatest happiness," the 25-year-old Colombian immigrant declared in a posting.

Then Fernandez sent the Italian brunette out to make money wearing only a thong and the stars and stripes painted across her breasts.

When asked Wednesday how he could be so callous to the mother of his child, Fernandez barked, "Get away!"

Sporting the beginnings of a baby bump, La Porta didn't want to talk Tuesday about why she was out panhandling while pregnant. She wasn't at Times Square Wednesday, apparently given the day off.

Fernandez has admitted that he takes 30% of the \$150 to \$300 that La Porta and his other ladies rake in.

Chelsea Rose Marchus
and Corky Siemaszko



PHOTOS BY JOE MARINO/DAILY NEWS; MARCUS SANTOS/DAILY NEWS; ANGUS MORRIS/GETTY IMAGES; SHAWN INGOLIA



NEW YORK POST

Just a Buck!

MONDAY, AUGUST 24, 2015 / Partly sunny / Weather: P. 20

LATE CITY FINAL

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BOOBS VS. BOOBS

Topless marchers rip Blas and Bratt

Some 100 bare-chested women and hundreds of supporters who marched through Midtown in yesterday's Go Topless Parade are no bosom buddies of Mayor de Blasio and Police Commissioner Bill Bratton, blasting them as big boobs for singling out breast-baring ladies in an effort to clean up Times Square.

PAGES 6-7



Helaine Seidman



Mashin' Mets stay hot in Colorado

SEE SPORTS

The New York Times

August 24, 2015
Circulation: 443,362

Seeking Equality, Not Tips, Topless Marchers Draw a Crowd in Manhattan

By VIVIAN YEE

It was not all that surprising that a march of a few dozen topless women (and fewer men) through Midtown Manhattan on a sunny Sunday afternoon would attract perhaps thousands of gawkers, bemused tourists, leering loiterers, journalists and passersby — every single one, it seemed, carrying a camera.

"I have you on Periscope right now," one young man gleefully informed a trio of topless women marching down Broadway, referring to the live video streaming smartphone app that he was using to broadcast the march. "There are 60 people watching you. People are

liking you."

"Great," said one of the women, Angie, 24, her voice steely. She wore sunglasses, shorts printed with sunflowers and nothing in between.

These women were not desnudas, the topless panhandlers who last week found themselves in Mayor Bill de Blasio's cross hairs. Sunday's marchers were after something more high-minded: the right of all women to go bare-chested if they chose.

Yet political statement soon devolved into an exhibitionist spectacle — partly by its own nature, and partly by human nature — proving that even in New York City, more than two decades after

A political statement devolves into an exhibitionist spectacle.

the New York State Court of Appeals ruled that toplessness is legal for women, taking advantage of that right still has the power to shock.

Shock and awe, of course, were part of the plan. A truck decorated with double-breasted balloons blasted, for reasons unknown, the Rolling Stones' "Salt

of the Earth." One woman painted herself with Pokémon symbols; another dressed as an anime superhero; still others each wore a single enormous cloth breast. One brought an equally topless baby.

But they made clear that they were flaunting their chests for a cause.

"We have boyfriends that always take their shirts off, and we were like, 'This isn't fair,'" said Sarah Koon, 31, a musician who had come from Newark, Del., to New York with a few friends. She wore a bright pink wig, a black mask, black tape over her nipples and a chain for added symbolic belt.

She had thought about joining a top-

less march for several years, she said, but "it took me a while to build up the ovaries and actually do it." (Her boyfriend, she added, is very supportive.)

But she was the only one in her group from Delaware who removed her top on Sunday. The rest were deterred by the ganlet of cameras that threatened to swallow the march.

"I can't go whole hog," said Phoebe Connell, 23. "There are people who are creepy and make you feel weird, and it's overwhelming and scary."

Those who did go top-free, however, unanimously recommended the experience — as long as they were around

Continued on Page A17

Marchers for Topless Equality Draw a Crowd in Manhattan

From Page A13

like-minded women. ("Imagine being the only one," shuddered Claudia Simondi, 46, a topless marcher.)

"It's liberating," said Mandy Aviles, 25, a bartender from Bayonne, N.J., who nevertheless put her T-shirt back on after the march reached Bryant Park, where it caused a traffic jam of people in the park when they realized what they were seeing. "There was no shame, no regret, no nothing."

There was also broad support for the desnudas, topless women wearing body paint and head-dresses who pose with tourists for tips, whom Mr. de Blasio has suggested flushing out of Times Square, possibly by tearing up the area's pedestrian plazas.

Patrick McGeehan and Kate Taylor contributed reporting.

'It's liberating. There was no shame, no regret, no nothing.'

While the 1992 Court of Appeals ruling established women's right to go topless for noncommercial reasons, desnuda opponents argue that their activities are illegal because they solicit tips while topless. The state has already sent investigators from the Department of Labor to the plaza to look into the matter.

Only a single desnuda could be seen in Times Square on Sunday, though others had added bras to their outfits to avoid confrontations with the police.

"They're wearing paint; they're not naked," said Ms. Simondi, who strongly disapproved of what she called the mayor's



CHRISTIAN HANSEN FOR THE NEW YORK TIMES

A few dozen protesters marched topless on Sunday in Midtown Manhattan, and their cause became a spectacle for big crowds.

prudish bent. "It's paint, it's art. The human body is beautiful, and who doesn't want to see beauty?"

Angie, who declined to give her last name while topless, had a blunter opinion.

"All he does is get rid of fun

things," she said.

The 1992 case concerned a group of seven women in Rochester, sometimes known as the Top-free Seven, who were arrested in 1986 for holding a shirtless picnic to protest the state law that prohibited women, but not men, from baring their chests.

Ramona Santorelli, 57, was one of two defendants who pursued the case all the way to the Court of Appeals. Although she and her co-defendant won, it was not quite the sweeping victory they had hoped for. The court did not find the law discriminatory, as the women had argued.

Interviewed by telephone in Rochester, she said she was not surprised that "the patriarchy" — as represented by the mayor, the governor, and the police commissioner — was trying to rein in the desnudas. But to go as far as ripping up the pedestrian plazas?

"Women's breasts," she said, "are very, very powerful."

In New York City and Beyond, Debating the Value of Pedestrian Plazas

By DAVID W. DUNLAP

The open-air malls in Mayor Bill de Blasio's New York may be filled with an unusual number of aggressive performers — heavily or barely costumed — but he is not the first mayor to wrestle with the consequences of turning streets into pedestrian spaces.

Mayor Edward I. Koch supported a Times Square pedestrian plaza in the early 1980s. At that time, it was the City Council president, Carol Bellamy, who objected.

"The open space created by this project will only serve as a stronger magnet for the illicit activities we are striving to remove from Times Square," she said about that plan, which never came to pass.

But in 2008, Mayor Michael R. Bloomberg closed a swath of Broadway to traffic, north and south of Times Square. Four years later, that pilot program was solidified with the construction of an archipelago of granite-paved, bollard-enclosed, vehicle-free plazas, designed by the firm Snøhetta.

Mr. de Blasio said last week that he might uproot those plazas to curb the hustlers.

That left Gary Hack, a professor emeritus of city and regional planning at the University of Pennsylvania, scratching his head.

"To imagine that you could somehow get rid of undesirable actors inhabiting the space by taking away the pedestrian zones seems to me to be kind of foolhardy," he said.

As a principal in the architectural firm now known as Carr, Lynch & Sandell, Mr. Hack worked on the well-regarded Church Street Marketplace mall in Burlington, Vt.



TODD BUCHANAN FOR THE NEW YORK TIMES

Some areas embrace their open spaces; others turn them back over to cars.

"You have to see every one as a unique phenomenon," Mr. Hack said.

Yet, while Times Square certainly has its own peculiar ecology, there is nothing new or unique about the tensions created when city streets are turned into malls.

Many malls date to the 1960s and '70s, when suburban shopping centers were draining the life out of downtowns large and

small. The prevailing wisdom held that if you took the cars off Main Street and replaced them with wide, inviting pedestrian promenades — and bus service, in some cases — shoppers and visitors would return.

Some cities still embrace their malls. Minneapolis, for instance, has begun a \$50 million renovation of the 47-year-old Nicollet Mall, a landscaped 12-block stretch of Nicollet Avenue set aside for pedestrians, bicyclists and buses.

However, other cities came to the conclusion that a major commercial thoroughfare works best as a fully functioning street. In 1986, the village of Freeport, on Long Island, decided to reopen its Main Street to traffic after the failure of a pedestrian mall.

Ten years later, in Chicago,

Mayor Richard M. Daley wielded a jackhammer to begin the demolition of the mile-long State Street Mall. It had been created in 1879 by widening sidewalks and narrowing the roadway for use only by buses and emergency vehicles.

"In the context of the time, it seemed like something worth pursuing," Tim Samuelson, the official cultural historian of Chicago, said in an interview.

Like Times Square, State Street in the Loop was seen in the 1970s by many prospective visitors as unwelcoming, if not downright threatening.

"When Chicago was looking to revitalize State Street," Mr. Samuelson said, "it was competing not only with the growing commercial district of North Michi-



JAMES CORNER FIELD OPERATIONS

Left: Chicago's State Street being prepared for car traffic in 1996. Above: A rendering shows some of the \$50 million in renovations planned for the Nicollet Mall in Minneapolis.

gan Avenue, but like many communities across the country, it was trying to rethink commercial urban thoroughfares in terms of suburban malls.

"It proved not to achieve its desired goals," he continued.

The mall sapped State Street of its energy and did little to revive shopping there.

By contrast, Mr. Samuelson said, the new State Street, with the return of car traffic, "seems greatly to have revitalized the street, especially with the introduction of residential living in downtown Chicago."

The growing residential population in downtown Minneapolis will be well served by a renovated Nicollet Mall, David Frank, the city's director of economic policy and development, said in an interview.

"Our No. 1 priority is to make the street fantastic for pedestrians, and No. 2 is to make it more green," he said.

A renovation in 1989 looks in-

creasingly dated and shows signs of wear and tear, Mr. Frank said. "Every 20 or 25 years, the climate finishes eating one of our streets, and we need to redo it," he said.

James Corner Field Operations of New York, the landscape architects of the High Line, designed the latest renovation of the Nicollet Mall. It began this summer with the laying of new utilities and is expected to be completed in 2017.

"Especially if streetcars are added, the new Nicollet will have a chance to reclaim former glory," The Minneapolis Star Tribune wrote in an editorial in January.

However, it added this cautionary note: "Aggressive panhandling and loitering, threatening behavior must end. If the mall continues to function mainly as a kind of default daytime homeless shelter, then the main stream public will not regain the confidence it needs to return to street level — no matter its beauty."

No shirts, no problem at Times Sq. rally



FOR MORE
PROTEST PICS
AND VIDEO
GO TO
NYDN.com

Topless women on Sunday protest mayor's push to ban bare-breasted painted ladies in Times Square.

Bratt: We'll 'bare' down & boot 'em

BY CAITLIN NOLAN
NEW YORK DAILY NEWS

THE CITY'S top cop is on a mission to curtail the topless painted ladies and costumed characters who he says prey on tourists for tips in Times Square.

"We are trying to find ways within our laws, and we always have to operate within the law, to deal with those among that population who are potentially harassing or in some way intimidating people who want to be in that square for family purposes, fun purposes, entertainment purposes," Police Commissioner Bill Bratton said on the John Catsimatidis AM 970 radio show on Sunday.

He characterized the unwanted solicitations as "nuisance issues."

"What we're trying to find ways to deal with legally issues of concern, in terms of the harassment. Are they in business illegally? So we're working with the governor's people," Bratton (below) said.

He said Gov. Cuomo's office is working with the NYPD to get to the bottom of the issue, and noted Mayor de Blasio is also working to solve the problem.

"The mayor has formed a task force of all the various city agencies and some of the business entities in Times Square to see are there solutions to the problem that can be done legally. Because we can certainly not do anything illegally to deal with the problem. I'm comfortable that at some point we'll get it resolved," Bratton said.

Bratton said that the issues surrounding Times Square are nowhere near as problematic as what went on in the Crossroads of the World decades ago.

"I first came to New York in 1990 at the height of the problems in New York - crime, disorder. Times Square at that time as you may recall was, on 42nd St., it was all theaters showing sex films and peep shows, and the drug dealing, the prostitution on the streets, three-card monte, the wolfpacks," Bratton said.

"It was a nightmare in 1990, worst crime year in the history of the city - 2,243 murders, 5,000 shootings. And today Times Square today is arguably one of the safest places in the world."



Stephen Rex Brown

BY EDGAR SANDOVAL
and STEPHEN REX BROWN
NEW YORK DAILY NEWS

THE WOMEN are nude and the men are rude.

Over 300 topless protesters bashed Mayor de Blasio's effort to banish the bare-breasted painted ladies of Times Square during a march Sunday with an audience of gross guys.

Organizers addressed a large crowd of gawkers and sympathizers, pledging their support to the desnudas of Times Square and asserting their legal right to pop their tops just like men.

"I hope you are here for the right reasons!" Phoenix Feeley, 33, a topless advocate in New Jersey, told the mostly male crowd of onlookers. "We have to cover up so you don't attack us? That's your problem. Not ours."

As she spoke, creepy men took photos and filmed with videocameras. The ogling oafs didn't even have to bother undressing the women with their eyes.

"I came here to watch t---," said a man, snapping photos.

The guys looked at each other like they could not believe their luck as they snapped away.

"This is sweet. I didn't know this was happening today. Who doesn't like breasts?" another man said.

But for the protesters, the rally was about much more.

A crackdown in Times Square

We have to cover up so you don't attack us? That's your problem. Not ours.

TOPLESS ADVOCATE, PHOENIX FEELEY



looms as city and state officials ponder how to regain control of the Crossroads of the World, which is teeming with badly behaved costumed characters and topless painted ladies soliciting tips for photos.

Luna Vega, 25, of the Bronx, who also arrived topless, said the desnudas shouldn't be persecuted. "I support them. They are just trying to make a living," Vega said. In Times Square, some of the desnudas acknowledged the rally by painting on their backs "My Right!" "Equality" and "Freedom."

The protesters marched from Columbus Circle to Bryant Park.

Jennifer Desco, 45, said the painted ladies were victims of a double standard, given that officials have never complained about the famed Naked Cowboy constantly strutting his guitar in his underwear in Times Square.

"I have no problem with the Naked Cowboy posing shirtless and in a Speedo. But I don't see why the mayor wants to tear up Times Square because these women are doing the same thing," said Desco, a freelance writer from Queens.

Similar events in recognition of the annual worldwide Go-Topless Day were planned in about 60 cities.

Last week, de Blasio shocked pedestrian safety advocates by suggesting he might tear up the pedestrian plaza in Times Square and again let cars reign supreme as a way to rid the area of the topless women and other panhandlers.

Times Square has recently seen a surge in the painted ladies. Sometimes as many as 40 of the topless women are working the area, according to a census.

"It's wrong. It's just wrong," de Blasio has said about the painted ladies. "I don't like the situation in Times Square."

Gov. Cuomo said the PG-13 scene there reminds him of the "bad old Times Square" when vice ran rampant.

Pataki paints Blaz as boob

REPUBLICAN presidential hopeful and former New York Gov. George Pataki (below) slammed Mayor de Blasio on Sunday for allowing the painted ladies of Times Square to run amok.

"I'm shocked that it's been tolerated at all. Clearly, in my mind, it's illegal and it should've been stopped a long time ago," he said Sunday on "The Rita Cosby Show" on 77 WABC radio.

"There's no question (de Blasio's) policies have contributed ... just political correctness run amok. To see (Times Square) backslide under the de Blasio administration as so many other things are, it's just very sad to me and wrong," said Pataki, who was governor from 1995 to 2007.

De Blasio has said he is keen to address the aggressive panhandlers, creepy costumed characters and topless desnudas who have made Times Square less family-friendly.



Exposed breasts, addled brains

You know it's summer when New Yorkers are cranky, the tourists arrive in droves and there's more skin on the streets. Last week all three trends collided in Times Square, when – in the name of children, quality of life and all that is holy – both the governor and the mayor threatened to take on Times Square's busty buskers, or should we call them busters?

Egged on by headlines in newspapers like this one, Mayor de Blasio claimed to be so offended by the show of painted bare breasts and so confounded by the Byzantine nexus of legal issues surrounding nudity and free speech, he was considering tearing up the pedestrian plaza altogether.

It's happened before: Breasts have threatened to rock empires. Helen of Troy's beauty inspired the Trojan War, but it was specifically her breasts that caused King Menelaus to drop his sword (no, that's not a metaphor). In 2012, Britons everywhere hyperventilated when paparazzi caught shots of Princess Kate's fair orbs in – naturally – France.

Every time a woman displays a breast publicly, the action must, it seems, either be decried or defended. A biological impulse alone can't explain this. Despite their proven and ubiquitous utility for feeding infants, despite their pedestrian status in many global cultures, we are still curiously, uniquely shocked by real live breasts in our proximity.

Women, of course, have used this fact to some advantage. Feminists, celebrities and breast-feeding activists have bared their breasts to stage protests of everything from restrictive fashion (bras) to Instagram's nudity policies (looking at you, Scout Willis). Most militantly, the Ukrainian group FEMEN launched a "topless jihad" in 2013 to protest abuse of Muslim women.

Bare-breasted protests may or may not change minds, but they never fail to attract attention. It almost makes you feel sorry for the poor Times Square cowboy, whose lonely nipples hardly garner a glance.

Monitoring the swollen outrage as a student of this particular part of the anatomy, I'm curious about the reaction, or lack thereof, by feminists, who typically cel-

BE OUR GUEST

BY FLORENCE WILLIAMS

brate or at least defend women when they seek to express themselves through their bodies.

But I haven't seen many flocking to aid the *desnudas*. It might be OK to showcase breasts for art or a good cause, but for titillation and raw commercial gain? You're on your own.

Why? Feminists hope the public display of breasts – especially normal, unsculpted, un-Photoshopped, nonaugmented, genuinely useful breasts – may finally help desexualize this over-ogled organ and help women reclaim this part of their bodies.

But the *desnudas* appear to be doing exactly the opposite: dressing them up, triggering the male reflex to leer and then asking those males for a buck. Whether the young, underemployed women living in the outer boroughs should be allowed to do this in the open air of Manhattan is a complicated question, layered with class, race and politics.

The fact is, white viewers have been looking at breasts of color for a long time, from the arty unlacings of Josephine Baker in the jazz age to the tribal bodies in the pages of *National Geographic*.

We lionize breasts in the artworks of empire. We revere breasts in architectural friezes symbolizing freedom and purity. We laugh at breasts in movies and cartoons and we tolerate and lust after breasts in advertising.

What we don't do, hardly ever, is take breasts seriously. This is a shame, because they really could benefit from a more nuanced appreciation. As long as breast cancer rates keep rising and Donald Trump contemplates calling nursing mothers "disgusting," we are not best serving breasts and the women who own them. Unfortunately, America doesn't seem quite ready to withdraw its guffawing gaze.

So let's give the *desnudas* more credit than they might even give themselves. They are cleverly capitalizing on our collective anxiety as well as inheriting a well-established tradition of display. Their breasts are a logical fit for Times Square, where commerce meets camp and everyone is just a little uncomfortable.

Williams is author of *"Breasts: A Natural and Unnatural History."*

They rock empires

VOICE OF THE PEOPLE

Email to voicers@nydailynews.com, or send fax to (212) 210-1505, or post your letter to **Voice of the People, Daily News, 4 New York Plaza, New York, NY 10004.** Please include full name, address and daytime phone number. The Daily News reserves the right to edit letters.

Give us back our city's streets



James Keivom / New York Daily News

Manhattan: Mayor Bloomberg painted a few lines, threw down some crummy lawn furniture, and called these places "pedestrian plazas," but what he actually created was a storefront for every swindler, a pulpit for every bully and a stage for every reprobate in the area. And now, the Crossroads of the World is filled with hundreds of hustlers.

New York has plenty of parks for people to sit and enjoy sunny days. We have an incredible Theater District for people who want to see performances. We have museums, zoos, big buildings, the Statue of Liberty, and some of the best restaurants in the world. Can't our streets just be for getting from point A to point B? Do we really need to cordon off these idiot zones?

You show me a bunch of people gathered on a street and I'll show you a future crime scene. Let's get the city moving again. We should paint over the plazas, get rid of the bike lanes and throw those hideous Citi Bike docks into the river.

Gary Taustine

The Star-Ledger

August 24, 2015
Circulation: 296,466



A woman wearing body paint and not much else poses with tourists. New York Gov. Andrew Cuomo says the activity harken back to the "bad old Times Square." SCOTTY IMAGES

NEW YORK

Red, white & lewd? Topless gals paint the town in Times Square

Semi-nude women are latest New York City tourist attraction to draw officials' ire.

By Verena Dobnik
Associated Press

On a crowded pedestrian plaza in Times Square, half a dozen topless women pose for pictures with passers-by. The only thing concealing their breasts is red, white and blue body paint.

They urge men, women and even children to stand with them, first taking a frontal shot, then the backside. In return, they expect a tip.

"People are having fun. There's no problem," says Saira Nicole, one of the topless women.

But in the past few weeks, their painted bodies have been splashed on tabloid covers as proof of what some say is increasing seediness at the "Crossroads of the World." Frustrated politicians would like to regulate the presence of the women and the many costumed characters such as Elmo and Cookie Monster who populate the plaza. But they have no clear idea how.

New York Gov. Andrew Cuomo says he believes the women are engaging in an illegal activity that harken back to the "bad old Times Square." And Mayor Bill de Blasio this week formed a task force to look at how to regulate "aggressive solicitation." He suggested one solution would be simply to do away with the pedestrian area where they gather.

The experience of millions of tourists "has been diminished by the proliferation of topless individuals and costumed characters who too often harass people and expose families to inappropriate acts," the mayor said.

Officials have brainstormed solutions that include licensing those who troll for tips in furry costumes or pushing them out of the square. But the city and the Times Square Alliance, which regulates activity there, have taken only one step: posting notices and handing out flyers informing visitors that tips are not an obligation.

Legal experts say the quandary is whether the activity amounts to a street performance protected by the First Amendment or a form of commercial activity that can be regulated. There's nothing illegal in New York City about going topless (with or without body paint), parading around in a furry costume or even begging for money in most places.

New York's position on toplessness dates to 1992, when the state's highest court ruled that it was discriminatory to bar women

from going bare-chested when men are routinely allowed to do so.

"There's no clear legal path to address this issue," says New York-based civil rights attorney Ron Kuby. "It's hard to take two things that are legal — being bare-breasted and begging for money — and turn them into something illegal."

"Sure, it's like a burlesque show. But it's the basic entrepreneurial American spirit: You see a niche and you fill it."

Police can do little to curb the behavior unless they see panhandling in the subways, which is illegal, or someone complains of assault or harassment.

Last year, a Spider-Man figure in the same area punched a police officer trying to prevent aggressive solicitation, and a man dressed as Cookie Monster attacked a 2-year-old whose parents had not tipped. Police Commissioner William Bratton told 1010 WINS radio Thursday that he's looking into the labor practices of the characters, residency requirements and whether taxes were being paid.

Nicole and Angel Bunting are friends who work the south end of Times Square, approaching pedestrians with smiles and keeping a polite distance. Pointing at the other end of the square, Bunting acknowledged that a small group of topless women working there display the kind of in-your-face behavior

that is drawing negative attention.

"Some of the girls are maybe a little more aggressive, but we do not work that way," Bunting, 32, said on a recent afternoon. "We wouldn't want somebody touching us. We also wouldn't want somebody touching our child. Absolutely not."

Nicole said she used to work in music management but lost her job and couldn't find other work in the weak job market. "And this is what I found. And now I love it."

Bunting, who once worked in retail, is in the square from about 1 to 11 p.m. She considers her role part of a happy scene.

"It's a celebration of life. It's a celebration of New York City. It's a celebration of women's bodies," she said.

Tom McKelvey, a 53-year-old married businessman from Jacksonville, Fla., said he was waiting for a picture with the Naked Cowboy "and this woman kind of walked up. So I said, 'OK, I'll take a picture with you.'"

McKelvey walked off with a grin — and lipstick on his cheek.

New York's position on toplessness dates to 1992 when the state's highest court ruled that it was discriminatory to bar women from going bare-chested when men are routinely allowed to do so.

Newsday

August 21, 2015
Circulation: 443,362

A4

TOP STORIES

A plaza square-off

Plan afoot might
rip out walkways
in Times Square

BY MATTHEW CHAYES
matthew.chayes@newsday.com

Mayor Bill de Blasio said he would consider eliminating the Times Square pedestrian plaza to drive away the tip-hustling topless women and costumed characters who congregate there, but the idea quickly came under fire from plaza supporters as an overkill solution.

De Blasio was speaking about a suggestion made earlier yesterday by Police Commissioner William Bratton, in an interview with WINS radio, about removing the plaza, which stretches for five blocks north of 42nd Street on Broadway and Seventh Avenue.

"I'd prefer to just dig the whole damn thing up and put it back the way it was," Bratton said. Former Mayor Michael Bloomberg created the first plaza there in 2009 from what had been traffic lanes.

De Blasio said Bratton's idea "will be considered." He added: "That's a very big endeavor, and like every other option comes with pros and cons."

Bratton and City Planning Commissioner Carl Weisbrod are leading a mayoral task force that will examine how to combat the Times Square nuisance issues and report back by Oct. 1.

The group also will consider whether the city should devise new laws to drive the hustlers



A pedestrian plaza with costumed characters and painted ladies would be history under an idea floated by Mayor Bill de Blasio.

and characters away. The state's top court in 1992 ruled that women have a right to be topless in public.

Reaction to de Blasio from the plaza's backers was swift.

Tim Tompkins, president of Times Square Alliance, a business group, said: "Sure, let's tear up Broadway. We can't govern, manage, or police our public space, so we should just tear them up. That's not a solution. It's a surrender."

The top spokesman for City Council Speaker Melissa Mark-Viverito said the chamber sup-

ports keeping the plazas. So do the council members whose districts meet at Times Square, and City Comptroller Scott Stringer. But the council spokesman conceded the mayor has the authority to remove the plaza on his own.

De Blasio yesterday also took an oblique swipe at Gov. Andrew M. Cuomo, who a day earlier warned Times Square was starting to resemble its "bad old days" before a cleanup in the 1990s.

"Let's not believe the hype here," de Blasio said. "The fact

is Times Square today is a safe place."

As a mayoral candidate in 2013, de Blasio put out mixed messages about pedestrian plazas — once calling them "wildly successful" for furthering a "livable streets agenda" but also saying "the jury's out" on whether the good justifies the traffic impact.

His 2013 Republican opponent, Joe Lhota, said yesterday that closing the plaza is the

right move to "rid the area of masked pests and painted breasts."

At the plaza yesterday, Larry Herzog, 63, of Little Neck, Queens, said while the topless women aren't "appropriate," he relished being able to sit and relax there.

"This is fantastic," he said. "You get to sit down, people come over to you and talk to you for a moment."

With Alison Fox

NEED FOR A FRIENDLY TIMES SQUARE A37

Agency for family-friendly Square

BY JAMES T. MADORE
james.madore@newsday.com

The state agency that spearheaded the redevelopment of Times Square said yesterday that the area's continued economic success depends on maintaining a family-friendly environment.

The approval in Manhattan of a resolution by the board of directors of Empire State Development, the state's primary business aid agency, came a day after Gov. Andrew M. Cuomo decried the presence of topless women posing for photographs for money in the square. He vowed to end the practice.

Mayor Bill de Blasio also has vowed to take action about the women clad in body paint and bikini bottoms. About a dozen of them have been posing for photographs in recent days.

Empire State chief Howard Zemsky, in a memo yesterday to fellow board members, said, "Activity which threatens to disrupt commercial activity, or has the effect of discouraging people and families from visiting [Times Square] or the wider neighborhood . . . has the potential to undermine the economic, and thus the physical, stability of the [redevelopment] project and the surrounding Times Square neighborhood."

He said a family-friendly atmosphere was "inherent" in the goals stated by the agency when it began work to revitalize Times Square in the mid-1990s and the resolution would "clarify" this.

"Disruption of commerce and discouraging public and family participation in the pub-



Marcus and Natalia Schnoedt pose for a photo at the Times Square pedestrian plaza yesterday.

lic areas surrounding [Times Square] are contrary to the goals of the project . . . and, where in violation of New York State Penal Laws, are prohibited," Zemsky wrote.

The board unanimously approved the resolution.

Attorneys for Empire State said the resolution wouldn't violate free speech rights, but they acknowledged New York City, not the state, now owns Times Square.

An Empire State spokesman declined to comment when asked about the reason for yesterday's board vote and whether legal action was in the offing.



Visitors take photos and wave at an interactive display in Times Square yesterday. Topless women in the area have raised concerns.

PHOTOS BY GREG RUTLE

DAILY NEWS

NEW YORK'S HOMETOWN NEWSPAPER

Topless fix: No more ped plaza



Liam Neeson

DAILY NEWS
SAFE AND
ROBUST
CAMPAIGN

**Liam says
Bill finally
gets it**
Has horse sense
PAGES 8-9

GETTY



Traffic could return to Times Square (just like 2008, above) under one proposal floated by Mayor de Blasio to end scourge of topless hustlers.

BACK TO THE FUTURE

PAGES 4-5

- **Blaz eyes car return to Square**
- **Bratton: 'Dig damn thing up'**

MATTHEW ROBERTS



**Explosion
rips hole
in Bx. HS**
Gas blast chaos
PAGE 6

JAMES REYNOLDS/DAILY NEWS

am NEWYORK

FRIDAY-SUNDAY August 21-23, 2015

HI 80° LO 70°
Heavy rain

MANHATTAN'S HIGHEST DAILY CIRCULATION NEWSPAPER

TRUMPED!

NYC can't break contracts with Donald PAGE 4

TRIP, FALL...CALL

PAGE 9

THE PLATTA
LAW FIRM





GIANTS TRAINING CAMP LIVE

EXCLUSIVE LOOK AT THE 2015-16 SEASON

#GIANTSCAMP

MONDAY
6P



It's Different Here.

Battle at Times 'bare'

De Blasio weighs erasing Times Sq. pedestrian mall

BY MATTHEW CHAYES
matthew.chayes@newsday.com

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Bratton and City Planning Commissioner Carl Weisbrod are leading a mayoral task force to examine how to combat the Times Square nuisance issues and report back by Oct. 1. The group also will consider whether the city should devise new laws to drive the women and characters away. The state's top court



The mayor and the police commissioner are considering letting car traffic back into the area.

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successful" for furthering a "livable streets agenda" but also saying "the jury's out" on whether the good justifies the traffic impact.

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(WITH ALISON FOX)

NYers, tourists: We like the plaza

BY ALISON FOX
alison.fox@am-ny.com

New Yorkers and tourists hanging around Times Square on Thursday would rather keep the costumed characters and topless women than lose the chairs perfectly suited for people-watching.

Hundreds of people took in the sights on Thursday afternoon, sitting with friends and families.

And while most weren't big fans of the topless, painted women or a few overly aggressive Elmos or Olafs, they didn't want to sacrifice the traffic-free space.

On Thursday, Mayor Bill de Blasio said he is considering closing the pedestrian plaza.

Bob Werdann, 57, said he wasn't bothered by the topless women.

"Nobody's getting hurt," Werdann, of East Elmhurst, said. "If everybody's following the law, then what's the problem?"

Sitting a little further away, Astoria resident Shamima Rahman said the mayor was broaching a "complicated issue."

While Rahman, 23, said she dresses conservatively for her religion, people should be able to do what they wish.

"I feel like New Yorkers can take it," she said. "There's more horrible things going on in this city to be worried about women who are topless. If you were to take this away, then maybe they would start doing it somewhere else."

Stuart Durwood, visiting the city for a week from Belfast, Ireland, said he was enjoying sitting in Times Square, watching the mayhem around him.



Feelings were mixed on the characters and topless women.

"It would lose its appeal if this wasn't here," Durwood said about the plaza's sitting area.

And while he said topless women wouldn't be slowed on the streets of Belfast, "New York is open to everything."

But 37-year-old Dangers Santana disagreed. Santana, who grew up in Washington Heights and now lives in the Dominican Republic, said she often has to tell her 3 1/2-year-old daughter to be wary of the costumed characters because they are so aggressive about collecting tips.

"I come here every day when I'm on vacation," Santana said about Times Square. "My little one wouldn't stop looking [at the topless women]. It's very uncomfortable."

Though Santana said she loves the seating area, if she had to choose between it and a character-and-topless women-free zone, she'd pick the latter. (WITH MATTHEW CHAYES)

State biz board wants family friendly Square

The state agency that spearheaded the redevelopment of Times Square said on Thursday that the area's continued economic success depends on maintaining a family-friendly environment.

The approval in Manhattan of a resolution by the board of directors of Empire State Development, the state's primary business aid agency, came a day after Gov. Andrew Cuomo decried the presence of topless women posing for photographs for money in the square.



The Empire State Development board said topless women in Times Square might discourage tourists from visiting.

Empire State chief Howard Zensky, in a memo to fellow board members, said, "activity which threatens to disrupt commercial activity, or has the effect of discouraging people and families from visiting [Times Square] or the wider neighborhood... has the potential to undermine the

economic, and thus the physical, stability of the project and the surrounding Times Square neighborhood." He said a family-friendly atmosphere was "inherent" in the goals stated by the agency when it began work to revitalize Times Square in the mid-1990s.

"Disruption of commerce and



discouraging public and family participation in the public areas surrounding [Times Square] are contrary to the goals of the project," Zensky wrote.

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(JAMES T. MADDON)

THE WALL STREET JOURNAL. GREATER NEW YORK

August 25, 2015
Circulation: 2,294,093

CITY NEWS



Mayor, Hands Off Times Square, Please

August is the most talented month when it comes to breaking news. Nixon's resignation. The blackout of 2003. Hurricane Katrina.

Or maybe it just seems that way because events refuse to conform to our vacation schedules.

Just such intrusive reality struck last week as I sat on a distant beach contemplating nothing more profound than whether to have pizza or pasta for lunch. That's when I read



URBAN
GARDNER
RALPH
GARDNER JR.

about the controversy concerning topless panhandlers, or rather, performance artists in Times Square. I was shocked. Not because I hold strong feelings, pro or con, regarding public nudity. But because I had been unaware of the phenomenon of women painting their breasts in patriotic colors and posing for pictures with tourists at the Crossroads of the World.

Perhaps that's because I try to spend as little time in Times Square as possible, due mostly to the crowds. The last occasion I had to pass through, in July, I was struck by the surfeit of costumed characters—Elmo, Minnie Mouse and Spider-Man—and wondered how they all manage to eke out a living.

However, I'm pretty confident that if I'd spotted a woman wearing nothing but body paint I'd have noticed,

particularly if she were trying to shake me down.

For the record, and for any number of reasons, I wouldn't have succumbed. One of those being, how possibly to assign a value to their sacrifice? Which I understand is part of the problem; the women apparently think more of their assets than some of their fans do, the result being hard feelings.

My next reaction to the contretemps was to recall a 2011 column I'd written about Andy Golub, an artist whose favorite canvas is the female body, many of his compositions created in public.

Including one I witnessed him complete on a patch of pedestrian mall on 44th Street and Broadway, employing a willing ingenue named Zoe West.

I wondered what Mr. Golub thought of the brouhaha, which has come to involve the de Blasio Administration, the mayor going so far as to convene a task force to study the problem. (I doubt many New Yorkers, a famously jaded lot, would necessarily concur a problem exists.) He's even threatened, as I understand it, to turn the relatively new pedestrian plaza back into traffic lanes.

I'm agnostic when it comes to the "desnudás," Spanish for nudes, as the women are called. But I do have strong feelings about pedestrian safe zones. I don't think there's anybody who would argue—the mayor especially, who in June declared Central Park north of 72nd Street car-free—

that New York suffers from too many of them.

However, before I could muster the initiative to contact Mr. Golub for his thoughts he beat me to it by considerably including me in his email response to the current strife.

The artist declared himself "the pre-eminent body painter in New York City" as well as the founder of NYC Bodypainting Day, a holiday that I had no idea was on the calendar.

This year, I've since discovered, it occurred on July 18 and involved 100 nude models who were painted in Dag Ham-

I'm agnostic when it comes to the women. But I feel strongly about the plazas.

mariskjold Plaza, marched to the U.N., took a double-decker bus tour of the city and attended a private afterparty.

By the way, Mr. Golub was communicating from Europe, he wrote, "following a successful Amsterdam Bodypainting Day." He promised to return to work in Times Square this week, from 2 to 4 p.m.

Wednesday and Thursday weather permitting—rain apparently an even more stalwart nemesis than intransigent cops who need to be educated that public nudity is legal.

The artist's missive was addressed primarily to "parents visiting New York City."

If you'll allow me to summarize: Mr. Golub warned

them that Times Square shouldn't be mistaken for a theme park, even though he claims corporate interests call the shots.

I'd beg to differ. Times Square submitted without struggle to safe entertainment somewhere during the Giuliani administration.

In any case, he promises to sort the whole thing out upon his return from a "short vacation" following his Amsterdam triumph. He apparently attributes the firestorm that occurred in his absence less to parading mammaries than to his decision to champion artistic freedom abroad. His failure, as it were, to mind the paint store.

"I was only gone for a couple of weeks and look what has happened," he said. "People are freaking out about topless women!"

I prefer to think of it less an issue of pornography or even civil liberties than of underregulated entrepreneurial zeal. Sort of like the traffic jam of hot dog carts lined up in front of the Metropolitan Museum of Art.

Instead of turning Times Square back into the traffic island of old, the mayor and his administration could perhaps hold a lottery, the winners allowed to ply their wares, physical or otherwise.

And since I'm not very good at haggling, I'd slap on a \$5 charge for the service, whether your preference be Cookie Monster or a nude Mona Lisa, tip included.

ralph.gardner@wsj.com



NEW YORK POST

Just a Buck!

MONDAY, AUGUST 31, 2015 / Humid, 94° / Weather: P. 16 ★★

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Women pols back bare boobs in Times Square

BOSOM BUDDIES



Prominent female politicians yesterday came out in support of the topless Times Square "desnudas," hailing The Post's Amber Jamieson (right), who spent a day as one of the painted ladies.

"It's a real shame women's bodies

continue to be used as political fodder." Council Speaker Melissa Mark-Viverito (left) told The Post. "Our city has many more pressing things on its plate."

PAGES 4-5



Yankees explode for 20 runs in Atlanta

SEE SPORTS

Female pols in full support

BRA-VA TO YOU, LADIES!

By MICHAEL GARTLAND and CHRIS PEREZ

Prominent female city leaders—including Council Speaker Melissa Mark-Viverito—praised The Post Sunday for revealing that Mayor de Blasio's crusade against the half-naked ladies of Times Square is wrong-headed and sexist.

"It's a real shame that women's bodies continue to be used as political fodder. As I have said repeatedly, our city has many more pressing things on its plate," Mark-Viverito said in a statement to The Post.

The speaker, until recently a staunch ally of the mayor, was praising Post reporter Amber Jamieson's first-hand account of her day spent working as one of the painted ladies.

Jamieson's Page One story in Sunday's Post noted that de Blasio's opposition to the working women is severely misguided considering he still has plenty of other quality-of-life issues to address, such as the city's homelessness explosion.

"It's the second time in about a month that the speaker and mayor have been at odds."

In July, Mark-Viverito blasted de Blasio for painting the City Council as a political pawn in his failed attempt to limit the number of licenses issued to city cab competitors such as Uber.

Mark-Viverito said she found it "offensive as a woman" that the mayor implied that she would go along with whatever he wanted and



doing is inappropriate." Jamieson's story also got a rise out of everyday New Yorkers and social-media users.

She gained more than 400 followers on Twitter on Sunday, with many supporting her daring decision to bare it all to call out de Blasio.

"Your determination to give the city the other side of the story was inspiring," one Post reader wrote in an e-mail. "Your article has the potential to dramatically shift public opinion in this issue and the broader ideal around feminism."

On Facebook, many echoed the need to focus on the far more serious problems facing the city.

"I personally don't understand why the politicians are making such a big deal and putting so much resources into this when in the city there are many other issues," Stu Walenstein wrote.

Another user said, "I think the problem here is not so much the nudity, but the chuggery that goes on down there."

In Times Square, The Post's Sunday front page was still turning heads.

"It's a good cover," said a 29-year-old tourist named Nolan.

"I don't think [the topless women] are a problem at all with everything else that is going on here. There are bigger problems than someone painted like the American flag."

Additional reporting by Christina Natchez

of topless gals, hail brave Post reporter



NIP, NIP! MOORAY! Intrepid Post reporter Amber Jamieson goes all out while posing as a painted lady in Times Square for her Page One story in Sunday's Post (inset left). Calling it a "liberating experience," she concluded, "I'm Team Topless."

THIS summer's Great Times Square Boob War has a co-star. The battle over a woman's right to expose her breasts in exchange for tourists' wrinkled brows drew the undivided attention of a man known for exhibitionism—Anthony Weiner.

The Democrat, whom Donald Trump called a "pervert" and "one of the greatest slazebags of our time," weighed in on his twin obsessions in a New York Times Op-Ed last week.

Weiner shared his unasked-for views on the bickering that has long carried on between the state's governors and the city's mayors on issues of critical legal, social and legging import.

His chief example? Gov. Cuomo's move to usurp the authority of his fellow Dem, Mayor de Blasio, by sending state troopers into Times Square to "interview body-painted topless panhandlers," he wrote.

We need to fix this out-of-whack balance of power," he wrote, using an unfortunate choice of words, "and return more authority to New York and other cities."

What in the name of hoisters is happening?

Last year, Kim Kardashian ushered in the season of the butt by posing for Paper magazine with her oiled and ample cabs exposed. But you know the age of the breast has arrived when Wee Willie Weiner makes a valid point about the politics of mammaries.

Weiner, of course, resigned from his congressional seat in disgrace in 2011 after getting caught sending pictures of his alert manhood to babes over the Internet.

I need to lie down. With vagrants infesting the city and schools embroiled in a grade-fixing scandal, folks in officialdom are squabbling like toddlers and creating a new layer of bureaucracy in leverish campaigns designed to rein in knucklers.

Ladies known as denuded rousers family-friendly Times Square in throngs

Weiner is latest boob to weigh in

Andrea Peyser



and feathered head-dresses with only body paint concealing their forms above the waist.

As The Post first reported in April, some of these bimboes are the city's new swaggers men. Like creeps who dress up as Spider-Man, Elmo or Mickey, some harass tourists, demanding tips after posing for photos.

Post reporter Amber Jamieson went undercover as a denuded rouser for pacy with foreigners, locals, bimbos and kids. Jamieson concluded that the painted ladies face extreme sexism.

The Naked Cowboy rooms the square clad in his eighty-whites, placing the hands of female tourists on his butt for a photo, "and he's regarded as a charming, quintessential New York experience," Jamieson wrote.

But women who work for tips in the Crossroads of the World, surrounded by ads featuring scantily clad cuties, "are apparently shameful and inappropriate," she wrote.

"I'm Team Topless."

What to do? NYPD

Commissioner Bill Bratton has a fabulous solution. "Just dig the whole damn thing up," he suggested, referring to the pedestrian plazas created during the Bloomberg administration.

That way, beggars in all states of undress and all manner of costume would have no place to congregate. Problem solved?

The mayor this month organized a task force to seek ways to drive aggressive panhandlers and bare-chested damsels from public view. A report is due Oct. 1.

I can hardly wait. Women joined men in being legally allowed to display their nipples anywhere in the state after a 1992 appeals-court decision.

The mayor and governor may have an uphill climb inducing women to cover up.

I see, only one winner here: Anthony Weiner has seized political relevance out of the bosom madness. But he draws attention from the No. 1 problem facing New Yorkers today: The city's dwindling quality of life.

DAILY NEWS

Yee-haw! Man who dressed as Woody for tips in Times Square acquitted of touching, sex abuse charges

Shayna Jacobs

July 9, 2015



It's justice for Sheriff Woody.

Jose Vasquez, who dresses as the lawman doll from “Toy Story” for tips from Times Square tourists, was acquitted Thursday of palming the behinds of three women in January 2014.

Police officers said they noticed Vasquez three times, in costume, get grabby as he posed with pals Buzz Lightyear and Mickey Mouse for a series of pictures with visitors.

But Manhattan Supreme Court Justice Richard Carruthers, delivering a bench verdict, said there were “certain gaps in the evidence in this case.”

Carruthers said one of two cop witnesses barely remembered the events, and that it would have been helpful to have video footage from one of the many security cameras in the Crossroads of the World.

None of the women who cops said was groped testified, and one did not even give her name to police. The case highlighted what some see as a persistent problem in the tourist mecca — the badgering of visitors that can sometimes tip over into menacing or criminal behavior.

Tim Tompkins, president of the Times Square Alliance, called safeguards “totally inadequate.”

“Anyone who works in Times Square knows hundreds of people a day are subjected to predatory and inappropriate behavior,” Tompkins said in a statement. He called for a task force to “address the chronic harassment of people that occurs daily in Times Square.”

Vasquez, who testified Tuesday through a Spanish interpreter, was elated at the verdict, hugging his friends and family. Vasquez, 45, had faced misdemeanor charges of forcible touching and sex abuse that carried a possible 90 days in jail.

‘Jose Vasquez did not intentionally touch any woman inappropriately,’ his attorney said in his summation.

His posse included his wife, Patrice, who often roams Times Square in a Hello Kitty getup, and another woman who plays Catwoman.

Vasquez's lawyer, Ben Klein, argued that his client did not knowingly touch any of the women, and that if touching did occur, it would have been accidental. Vasquez, he said, was wearing several pairs of gloves inside his bulky costume mitts that day.

"Jose Vasquez did not intentionally touch any woman inappropriately," Klein said in his summation, adding, "Isn't it more likely that, if anything, he put his arms around their waist and at the most, unintentionally grazed the women?" Klein argued in his summation.

Prosecutor Jesse Matthews said Vasquez chose the women "because they were vulnerable tourists, people he didn't think they would report him or get him in trouble."

NEW YORK POST

'F—k you! Pay me!': Times Square's new welcome wagon

Bruce Golding, Jamie Schram, Frank Rosario

July 9, 2015



He's a sign of the times.

A foul-mouthed panhandler with a message of hate is the new welcome wagon for visitors to the Crossroads of the World.

Daniel Kimery, 36, greeted tourists on Wednesday with a hand-lettered sign saying: "F—k You!!! Pay Me!!!!!! I need money 4 Drugz & Hoez & Weaponz Mother F—kerz!"

Kimery also drew frightened stares by cursing and ranting at passers-by while wearing a sleeveless green T-shirt promoting the "Occupy" movement.

He waged his abusive campaign just steps from the NYPD's Times Square substation at 43rd Street and Broadway.

"The entire situation just wasn't right. I could tell something was off with that bum in the green shirt from the second I saw him," said tourist Robb Hueston, 37, of Dallas, who's in town with his wife and two kids. "I have small children, and my kids don't need to be reading that kind of offensive garbage."

Law enforcement sources said Kimery hails from Hot Springs, Ark., and has been busted four times in the Big Apple since July 2013, when he was accused of breaking a restroom door inside Trinity Church in lower Manhattan. He allegedly screamed "f—king n—ers" at people there as he was hauled out of the landmark house of worship.

Kimery — who also goes by the name "Daniel Damascus" — has also been busted for turnstile-jumping, illegally sleeping on the Riverpark restaurant's terrace and having an open container of beer in Tribeca, sources said.

There was an open warrant out for his arrest for failing to appear in court on the latter charge, sources said.

Tourist Gina Monticelli, 47, of Lansing, Mich., said Kimery "belongs in a mental hospital."

"It sickens me knowing people like this are standing around with signs like that when families are here," said Monticelli, who was with her husband and two kids.

"I've read stories about those Occupy people in the news. It's sad, but that's the kind of person their group attracts."

New Yorker Helen Tse, 31, who works in a Times Square store, said Kimery was giving tourists "a bad impression of New York."

"It's bad enough that the people in costumes are conning people out of money and groping their kids," she said.

Kimery maintains several -social-media accounts on which he promotes various Occupy, Anonymous and anti-cop groups.

For education, he listed "Studied Standing up to The Pigs at Occupy Wall St."

On June 18, he tweeted a photo of people sleeping outside Trinity Church, writing: "This is where I live now. Come join The Party at #OccupyTrinity!"

But on Monday, Kimery wrote, "I will be suspending my #OccupyTrinity protest indefinitely" and told friends to "come find me in Times Square."

In addition to the green Occupy T-shirt he wore Wednesday, Kimery had a bandanna tied around his neck ready to be pulled up over his face — like anarchists who ran amok through the city in last year's anti-cop protests.

Kimery was busted Wednesday and charged with criminal mischief for allegedly breaking camera equipment used by a Post photographer who snapped pictures of him. "I'm going to find you. I know a lot of people on the streets. I can't wait to f—k you up," he threatened the shutterbug.



NYC's 'Cookie Monster' shakedowns have got to stop

Mike Vogel

June 30, 2015



What would you do if a stranger on the street grabbed your daughter or sister in a bear hug? What if he insisted on taking a photo with her, then demanded money?

Call a cop? Punch him in the mouth?

Now, what if he were disguised as Cookie Monster, Elmo or Spider-Man?

According to statistics from the Times Square Alliance, the number of costumed characters in the area has skyrocketed in the past few months. And the scenario described earlier happens often, according to my on-hand observation last Thursday.

Most of the characters behaved responsibly. But in the hour I was there, too many acted inappropriately, including a Spider-Man manhandling teen girls who passed by. Later, Spidey and Elmo counted stacks of 10s and 20s they'd finagled from intimidated tourists.

But the issue isn't just costumed characters. Two guys sold CDs by requesting a tourist's name, writing it on the CD, then growling, "I can't sell this with your name on it; you owe me \$10." And virtually nude "Vegas showgirls" targeted a group of teen boys for photos.

One Cookie Monster approached a tourist family with a hearty, "Hi! Welcome to New York!" Many of the tourists believed the characters are hired by the city – not independent operators shaking them down for cash. (A Cookie Monster was arrested in April after he allegedly grabbed a teenage girl's breast.)

One scam repeated more than once: Minnie Mouse corralled a visiting family for a photo, Mickey rushed over to take part, then they demanded \$20 each.

I saw one dazed tourist break away from a predatory pack of costumed characters, fuming, "They forced me to pay all of them." Another cried to a Cookie Monster, "You didn't give me enough change." Perhaps it's time to drop the "Cookie" part of his name.

"I have no issue with people asking for tips, but aggressive solicitation and intimidation is something else," Tim Tompkins, president of the Times Square Alliance, told me. "There are hundreds of people a day being made to feel uncomfortable or worse, and it's just not being dealt with."

Is this how we want NYC visitors treated?

DAILY NEWS

Minnie Mouse, Hello Kitty costumed characters brawl in Times Square: police

Thomas Tracy, Joseph Stepansky

June 5, 2015



The claws came out when Minnie Mouse and Hello Kitty got into a fight in Times Square Thursday, police said.

The costumed characters came to blows over tips in the middle of the Crossroads of the World around 3:30 p.m., police said.

Sandra Mocha, 34, of Queens, and Giovanna Melendez, 40, of New Jersey, were cuffed at the scene and charged with assault, cops said.

"This is another reason why we need regulations to address the growing problems in Times Square," Tim Tompkins, president of the Times Square Alliance, said about the brawl.

NEW YORK POST

Topless women posing with underage kids in Times Square

Michael Gartland, Jennifer Bain

April 22, 2015



Topless babes at the Crossroads of the World are targeting underage tourists as young as 14 to have photos taken with them for cash — raising howls from the kids' adult chaperones.

"They're engaging in child pornography — that's my biggest fear," fumed Brian Mathis, who gives tours of New York City to middle school students from across the country.

"We're fighting an uphill battle. If the kid can get away from you for 30 seconds, that's what they're going to do. These kids have pocket money. They're an easy mark."

Mathis, who works for the Montana-based Global Travel Alliance, was leading a group of middle schoolers from Billings a week ago when a 14-year-old and two pals left the pack.

"I turned around and he was getting his photo taken. His little buddies were taking pictures of [the women]," Mathis said. "There was no question these kids were underage. There is no gray area. When I told the girl he was 14 years old, she said, 'It's all right. We're allowed to do this.'"

The beauties come "clad" in wild outfits such as red, white and blue body paint, thongs and feather headdresses. On Tuesday, two Colombian stunners were seen charming a group of high school students cutting class for a stroll along the Great White Way.

The women, who didn't speak English, sidled up to them, convincing 17-year-old Elijah Pineda of Waterbury, Conn., to dole out a few greenbacks so he could cherish the moment.

When Pineda asked how much, one grabbed the money he was holding from his hand.

"They probably thought I had \$20 in my hand, but it was only 4," he said. "If my parents saw this picture, they'd be fine with it — but maybe a little confused as to why I'm posing with naked women in the street."

Another babe, Saira Nicole, has been posing with tourists for a year now, but she said she avoids kids who aren't with adults. "I don't understand why the female body is detrimental to anyone," she said. "Some parents give us their children to take pictures with. It's fun. I held a 9-month-old baby for a photo the other day."

But Mathis countered that the problem isn't the nudity — it's that kids aren't old enough to consent to the photos, an argument that others echoed.

"Whether you are [a costumed] Pooh Bear or bare-naked, the larger issue is the onslaught of aggressive solicitation and predatory behavior that occurs in Times Square on a daily basis and is only getting worse," said T.J. Witham, a spokesman for the Times Square Alliance business group.

The mayor's office did not reply to The Post or to a complaint Mathis mailed to the city after calling 311. "I'll keep pushing this as hard as I can until somebody tells me to go jump off a bridge," he said.



Times Square 'Marijuana Man' arrested for selling weed to Iron Man

John Del Signore

April 21, 2015



Marijuana possession has been decriminalized in New York State since the 1970s, provided you're holding a small amount (under 25 grams) and keeping it out of sight. But the sale of marijuana remains illegal, so it's still a good idea to be discreet when conducting these transactions. For example, it might be inadvisable to sell a bag of weed while wearing a pot leaf costume and carrying a sign reading, "Legalize marijuana, Need money for weed." In Times Square.

The Post and the Daily News both gleefully report that Raymond "Marijuana Man" Lovell was arrested for selling \$5 worth of marijuana in front of the Times Square Toys 'R' Us on Sunday night while wearing a "green fabric cannabis-leaf costume" and carrying the aforementioned pro-pot signage. His "customer" was his friend Girish Dani, who performs in Times Square as Iron Man, and sometimes Spider-Man.

"I'm Marijuana Man," Lovell told the Post after he was released from Manhattan Criminal Court. "My friend asked me for a little smoke, so I gave it to him. He gave me \$5 to buy a drink. It's my personal stash."

Dani was charged with fifth-degree marijuana possession, a misdemeanor, while Lovell was charged with possession and selling. Their arrests represent a turning point in America's War on Drugs, and it's clear that a drug-free New York City is finally within reach.

DAILY NEWS

Charges dropped against man dressed as Cookie Monster for groping teen since prosecutors aren't sure they nabbed right costumed character: source

Caitlin Nolan
April 14, 2015



A Times Square costumed character suspected of groping a teenage girl was let go Tuesday because prosecutors weren't sure they nabbed the Cookie Monster, law enforcement sources said Tuesday.

A man dressed as the beloved Sesame Street character was arrested Monday after allegedly groping a 16-year-old girl's breast, police said.

Ranulfo Perez, 48, of Passaic, N.J., who works the area dressed as the cookie-obsessed character, was taken in for the Sunday incident, which took place in front of the Toys "R" Us store on Broadway around 5:30 p.m., police said.

The victim, who is from Wisconsin, told cops the costumed creep then put his arms around her and said, "I love you, honey," a police source said.

But the Manhattan District Attorney's Office declined to prosecute Perez, with a law enforcement source noting an identification issue as the reason for dropping the case.

The victim lost sight of the person who groped her and since his face was covered, it is not possible to positively identify the perpetrator, a law enforcement source said.



Two costumed characters, heckler arrested after fight in Times Square: police
September 14, 2014



Two costumed characters were arrested in Times Square Saturday night after police say they got into a fist fight with another man.

All three men were charged with misdemeanor assault, officials said. According to the New York Post, the altercation started after 41-year-old Jose Escalona-Martinez and 35-year-old Abdel Elkahezai, who were dressed as Batman and Spider-Man, allegedly confronted a man who was heckling them around 10:25 pm near 44th street and Broadway.

Saturday's arrests were the latest in series of arrests involving costumed characters in Times Square. Earlier this month, Woody, Minnie Mouse and the Statue of Liberty were all arrested in Times Square after they allegedly asked tourists to pay for pictures, the NYPD says.

The people portraying the characters were all cuffed on aggressive solicitation charges after a run-in with a family of tourists Wednesday night.

The three characters posed for photos with a man, his wife and two children and allegedly demanded \$5 in tips, police say. The family refused and told nearby officers, who made the arrests.

The arrests come amid calls to regulate the costumed characters in Times Square. One city lawmaker recently proposed licenses for the characters, and police have begun handing out fliers and posting signs in five languages telling visitors that tips are optional.

The crackdown followed a string of harrowing incidents in which some of the characters assaulted tourists, including children. Others harassed people and groped women. The face-offs peaked when a Spider-Man demanding money punched a police officer telling a woman she was not obliged to pay.

Last month, many of the buskers who don the costumes held a press conference where they argued they deserved a right to earn a living.

NEW YORK POST

Times Square 'Silver Man' pulls a knife on promoter

Dana Sauchell, Kathleen Culliton

September 12, 2014



The “Silver Man” of Times Square pulled a knife on a comedy promoter in a battle over prime curbside real estate Thursday night, a law enforcement source said.

Gerard Brown, 54, who paints himself head-to-toe in silver – covering a large scar down his face – became belligerent and pulled a blade when a man hawking comedy tickets was apparently on his turf and refused to move from Broadway between 44th and 45th streets around 10:50 p.m., sources said.

“If you tick off Silver Man, he’ll go off,” said another comedy promoter who works in the area but refused to give a name. “They were bickering from the start,” a witness said.

When Silver Man told the promoter to scam he refused to budge and hollered for cops.
“He started going crazy and calling for an officer,” a witness said.

That’s when Silver Man threatened to pull a knife and the promoter challenged him to do it.

Silver Man pulled a four inch blade from his backpack and said, “I’m gonna stab you!,” a witness said. “They both looked mental,” the witness said.

Police cuffed Silver Man after searching his knapsack and finding the weapon and he was charged with criminal possession of a weapon.

He is notorious for freaking out over territory and was even caught on video throwing punches at his competition- a man painted all in bronze.

A spectator is heard in the video announcing, “Olympic metal. Silver versus the bronze!”

“He’s good at what he does but sometimes he really loses it,” said the Naked Cowboy, who claims he once tamed Silver Man’s temper by playing his guitar at him.

“He goes from zero to 60 – the cops all have problems with him,” a second comedy promoter said. Silver Man used to be blue, according to another Times Square comedy promoter.

The New York Times

Man dressed as Spider-Man is arrested after scuffle with police in Times Square

J. David Goodman

July 27, 2014



Spider-Man punched a police officer in the face in Times Square over the weekend, the police said, in the latest episode of children-friendly characters displaying R-rated behavior in front of stunned tourists in the heart of Manhattan.

Mickey and Minnie Mouse stood dumbfounded, smiles plastered on their faces, and Elmo placed a red mitt to his cheek as the officer and Spider-Man grappled on the sidewalk before falling to the ground. The punch broke the officer's glasses, the police said, and the struggle sent his police hat flying. A second officer assisted in finally getting the ersatz superhero into handcuffs on Saturday.

By Sunday, the Spider-Man had been unmasked as a 25-year-old Brooklyn man, Junior Bishop, and he was arraigned in Manhattan Criminal Court on charges of assaulting a police officer, resisting arrest, criminal mischief and disorderly conduct. He was held on \$3,500 bail.

His arrest came at the intersection of two trends in Manhattan street life: the proliferation of television and film characters' jockeying for attention from tourists in Times Square — along with the tips they pay for photos — and the intensifying focus of the Police Department on quality-of-life offenses.

Police Commissioner William J. Bratton has defended the department's aggressive approach to minor crimes, even as criticism of the strategy has grown after the death of a Staten Island man whom the police were trying to arrest for allegedly selling cigarettes illegally.

Mr. Bratton said on Sunday that police officers on the street were increasingly encountering people who resisted their attempts to arrest them. "They fight us and resist us, even for minor offenses," Mr. Bratton said on John A. Catsimatidis's radio show on 970 AM.

After touring Times Square this month, Mr. Bratton called for greater regulation of the ubiquitous characters, who have become recurring features of newspaper headlines: a different Spider-Man fighting with a woman over a photo; an Elmo with a nasty mouth; angry Cookie Monsters and Super Marios.

The characters in Times Square are permitted to collect donations but may not demand money. Tourists are free to pay nothing for the privilege of posing with an Elmo whose fur is streaked with Midtown grime, though declining payment occasionally results in a distinctly New York sort of confrontation.

The altercation on Saturday began about 2 p.m. on a tourist-clogged walkway at 42nd Street and Broadway after a man dressed as Spider-Man, in a black skintight suit and a mask, posed for a picture with another man and a woman who offered him \$1 in exchange, the police said.

Spider-Man refused to accept the bill, the police said, telling the couple that he would accept only larger sums. At that point, the officer, Eduardo Molina, stepped forward from his post on the corner and told the woman that she could give whatever amount of money she wanted.

“Mind your own business,” the Spider-Man told Officer Molina, punctuating his point with a profanity. The officer then asked for identification; Mr. Bishop said he did not have any. Officer Molina and a partner moved in to arrest him.

“The defendant did take a fighting stance, in that he raised his arms in front of him and made fists with his hands,” the officer said, according to the criminal complaint. “The defendant then punched me.” Officer Molina was treated at NYU Langone Medical Center and released.

Mr. Bishop had been arrested at least one other time after being accused of aggressively demanding money from tourists while dressed as a cartoon comic book character, the police said. His lawyer could not be immediately be reached for comment on Sunday. At least one other character was arrested on Saturday, for blocking pedestrian traffic.

On Sunday, costumed characters — a Statue of Liberty, two Elmos, two Iron Men, a Hello Kitty — complained that the police regularly interfered in their work. “The cops say, ‘Don’t give them anything,’ ” said Jose Escalona Martinez, 41, who dresses as Batman.

Nearby, one red Elmo could not shake a 2-year-old who kept asking for high-fives and hugs for 10 minutes after their photo.

“He adores Elmo,” said the boy’s mother, Fatima Ashour, a tourist from Kuwait. She gave a \$1 tip.

Five officers, including a sergeant, stood watch. One posed for a photograph with a tourist.

The New York Times

If he walks and talks like a monk, but has his hand out...

Jeff Goldstein, Jeffery E. Singer

July 5, 2014



In Times Square, amid the dozens of Elmos, Mickey Mouses and superheroes who work the crowds for loose bills, new costumed characters have come to seek their fortunes.

They are mostly men of Chinese descent, with shaved heads, beatific smiles and flowing robes of orange, but sometimes brown or gray. They follow a similar script: Offering wishes of peace and a shiny amulet, they solicit donations from passers-by, often reinforcing their pitch by showing a picture of a temple for which the money seems to be intended. Then they open a notebook filled with the names of previous donors and the amounts given.

The men appear to be Buddhist monks; a smaller number of similarly dressed women say they are Taoist nuns.

No one seems to know who they really are or where they come from. The police have taken no official stance, stepping in only when the monks become aggressive. Various Buddhists have confronted the men, asking about their affiliation or quizzing them about the religion's precepts. The men remain silent or simply walk away.

They have become ubiquitous — so much so that the Naked Cowboy, the Times Square performer whose real name is Robert Burck, now simply refers to them as “co-workers.”

“They’re littered all over,” he said.

Even in New York, where people soliciting money are practically a tourist attraction, these monks tend to stand out, both for their attire and for their sense of entitlement. They offer the amulet and, in some cases, a bracelet; if they are not satisfied with the donation, they unabashedly demand \$20 or more.

This year, the police have arrested at least nine people who have presented themselves as monks, mostly on charges of aggressive begging or unlicensed vending.

But merely begging in the streets is not against the law. The police have largely left these men alone, to the consternation of Buddhist leaders in New York’s Chinese neighborhoods, who portray them as nothing more than beggars who undermine Buddhists’ credibility.

“They are damaging the reputation of real monks and damaging the reputation of Buddhists in America,” said Shi Ruifa, a monk in Brooklyn who is president of a confederation of nearly 50 temples.

Similarly attired men have attracted scrutiny around the world. They are a familiar presence in Australia, where the authorities heralded their reappearance in Sydney with a press statement, “Bogus Buddhists Are Back.” They have also been seen in Canada and New Zealand. In Hong Kong, their presence has merited a Facebook page, Fake Monks in Hong Kong. Overall, there have been few arrests, though the authorities in China recently arrested seven men dressed as Shaolin Temple monks on charges of swindling \$26,000 from tourists.

In Toronto, the police received reports a year ago of monks asking for money and threatening to put a hex on those who did not donate, according to Constable Victor Kwong, a spokesman for the Toronto Police Service.

Toronto, like New York, prohibits aggressive panhandling. Although “people thought they were being duped,” Constable Kwong noted, “nothing is illegal about walking around dressed like a monk.” No arrests were made.

In New York, the men have inspired a Fake Monks in New York City page on Facebook, documenting its subjects’ whereabouts, from Central Park to the city’s Chinese neighborhoods, where local monks have mostly driven them away. Last year, Mr. Shi confronted a man in orange robes in Sunset Park, Brooklyn, and quizzed him on the Five Precepts of Buddhism.

The man “didn’t know even one,” he said.

In another exchange, Harry Leong, a practicing Buddhist for 25 years, said he respectfully asked a robed man in Times Square for his religious name and temple.

“He did not give me any direct answer, even after I repeated the same questions to him several times,” Mr. Leong recalled. “I then asked him if he was a fraud, and he ran away from me.”

In interviews, the robed men were evasive about where they were from and generally refused to answer any questions about their background, temple or training. They tended to speak little English, favoring Mandarin, with accents hinting of provinces all across China.

One woman dressed as a nun said her temple was in Taiwan, but declined to give specifics.

“I cannot tell you where my temple is,” answered another woman dressed as a nun, who said her family name was Lin and that people called her Little Lin. “I won’t tell you. But it’s not that I don’t have a temple.” At another point, she grabbed at the sleeves of her robe and said, “If I didn’t have a temple, why would I be dressed like this?”

Another man dressed as a monk, eating a hot dog while three topless women and a Spider-Man nearby posed for pictures with tourists, defended his actions. “I’m not a terrorist,” he said in Mandarin. “I’m not an outlaw, I’m not a thief.”

With that, he got up and began walking toward the subway, saying, “I’m going back to Flushing.”

On another afternoon, a mustard-robed man, apparently finished with his solicitations for the day, headed to the restroom at Bryant Park, emerging minutes later in street clothes, his robe apparently packed in a leather bag.

He eventually boarded a No. 7 train to Flushing, Queens, which has a large Chinese population. There, he and another man bought a \$12.99 jug of red wine and repaired to a flophouse that caters to recent immigrants.

Begging is an important ritual among Buddhist monks: A begging bowl is one of the few possessions allowed, typically used to collect food.

“Aggressive begging is utterly unheard-of in the Buddhist tradition,” said Robert Buswell, director of the Center for Buddhist Studies at the University of California, Los Angeles. The monks typically do not even acknowledge the offering.

“No thanks given, no or very little eye contact with the donor and certainly no active solicitation of donations, no requests for money and no selling of amulets or rosaries,” Professor Buswell added.

That was not the behavior of Wang Rongzeng, 64, who was charged with aggressive begging after a New York police officer observed him demanding cash in exchange for bracelets, according to records of a January court hearing. At the

time, Mr. Wang told the judge that he intended to return to China in time for the Lunar New Year, then two weeks away. He was arrested again last month in a similar episode.

On a recent Saturday, two women dressed in gray robes and beige baseball caps successfully solicited donations along Fifth Avenue near Herald Square in Manhattan. Ali Sawab, 47, in town on business, had just left a Burger King when one of the women offered him a shiny amulet card with the words “Work Smoothly, Lifetime Peace” on one side and the likeness of Guanyin, the Bodhisattva of Compassion, on the other.

She then gently slipped a bracelet onto Mr. Sawab’s wrist. “For luck,” she repeated as she caressed his arm. But after he gave her a dollar, the woman took back the amulet card.

Mr. Sawab said he assumed the women were inauthentic. “This is New York,” he said. “People just don’t go around touching each other.”

And now it can be difficult for authentic monks to walk around in Midtown without drawing negative attention.

Puttar Chansomboon, a 32-year-old monk from Thailand, had his recent sightseeing trip in Times Square interrupted by a man hawking tickets for a bus tour. The man, seeing Mr. Chansomboon dressed in an intricately wrapped yellow robe, did not ask whether he was interested in the bus tour.

As Mr. Chansomboon recalled, “The guy was asking, ‘Are you the same monks who are smoking and begging?’”



Costumed Spider-Man convicted of harassment in NYC

Jennifer Peltz
June 18, 2014

A costumed Spider-Man was convicted Wednesday of harassing a woman in a Times Square spat that involved him swearing, her hurling snow and him taking a swing at her.

But a judge acquitted Phillip Williams of a more serious charge of attempted assault. It's a misdemeanor, while harassment is a non-criminal violation. Williams has to pay a \$250 fine or serve seven days in jail.

His lawyer didn't immediately return a call after court. Manhattan prosecutors had no immediate comment.

At least three other people in Times Square's self-styled cast of comic book characters have been arrested in the last two years. But Williams' trial was a close-up on a clash between one of the costumed figures and their target audience of passers-by.

It got "ugly," he told a judge earlier this week.

Williams, 36, and Victoria Goreaciuc, 46, both said he cursed while complaining that she didn't tip him for posing for a photograph with her children in February 2013. She left but returned about an hour later, confronted him — after initially accosting another sidewalk Spidey — and tossed a handful of snow at Williams.

She said he then punched her in the face, knocking her to the ground, and fled. Williams said he swung in self-defense after a cold chunk hit his head.

Police arrested him in a nearby parking garage, with his shirt off but the rest of his Spider-Man costume on.

Manhattan Criminal Court Judge Anthony Ferrara presided over the non-jury trial, which featured a Spider-Man suit among the evidence and questioning about whether a costumed Batman had also been on the scene.



2 men dressed as Statue of Liberty get into scuffle in Times Square

Ashley Edwards
June 13, 2014



Two men dressed as the Statue of Liberty got into a scuffle in Times Square Wednesday, ending in one of them being hauled off to jail.

The New York Post reports that Alexander Lopez, 41, and an unidentified 23-year-old man got into an argument over turf in front of the Marriott Marquis on Broadway and 45th Street Wednesday afternoon.

Lopez allegedly demanded the other Statue of Liberty get lost, saying he was infringing on his territory. When he didn't, the Post says Lopez pushed him to the ground, causing minor injuries.

When the two dueling character returned to the same spot the next day, the victim called the cops and Lopez was arrested.

Police confirm to PIX11 Lopez was charged with assault.

DAILY NEWS

Rappers selling CDs in Times Square file joint suits against city, cops for violating First Amendment rights with bogus arrests

Daniel Beekman

April 19, 2014



Hip hop hustlers who sell their music in Times Square say cops are giving them a bad rap.

Eight rappers who claim the NYPD has violated their rights with a campaign of bogus arrests have filed joint lawsuits in Manhattan Federal Court against the city and 17 cops.

"They don't want us making money out here," said Andre Jackson, 29, a rapper from the Soundview section of the Bronx.

"I've been arrested over 30 times."

The eye-popping number of busts was confirmed by the NYPD.

"We're having fun out here," Jackson said. "We're doing something we're allowed to do. I guess they had their dreams that they didn't fulfill. Now we have our dreams and they want to shut us down."

The rhyme-spitters insist they try to comply with rules laid down by the boys in blue, including a requirement that they stand next to tables to sell their compact discs.

But they get booked anyway.

Disorderly conduct and aggressive begging are the most common charges, with cops saying the rappers aggressively shove CDs at pedestrians, block the sidewalk and follow potential customers down the street. But the rappers claim the allegations are phony and say their cases ultimately get dismissed. They argue their music sales are protected by the First Amendment and claim the NYPD is trampling free speech by treating them differently than other vendors.

"They never have a witness statement. They never put you in a photo array," said Jackson, who on a recent afternoon hustled at W. 48th St. and Seventh Ave.

"I respect the law. But I don't respect you trying to make your own law. You're not a cop anymore. You're a vigilante."

The city denies the charges.

"Allegations are merely such until proven otherwise," a Law Department spokesperson said.

The vendors often rib pedestrians to get their attention, tailoring their sales pitches to what people are wearing and how they look. Their remarks can be annoying.

When bad apples cross the line by getting belligerent, the cops make indiscriminate arrests, the plaintiffs claim. They say the NYPD tightened up after Raymond (Ready) Martinez, a Times Square rapper and CD peddler armed with a MAC-10, was killed in a shootout with a cop in 2009.

The rappers say they sometimes plead guilty to violations in order to get out of jail faster.

But in 2012, Jackson says he decided to fight the charges.

"I want it to stop," he said. "They never arrest the spray-paint guys. They never arrest the guys who draw pictures of people. That's considered art? My music should be considered art, too."

Tim Tompkins, president of the Times Square Alliance business district, said the presence of rappers on a daily basis is proof that many vendors obey the law.

"However, some of them engage in aggressive solicitation or intimidation ... and in those cases arresting them is appropriate," Tompkins said.

The rappers sued separately in 2013. Now their lawsuits, which seek unspecified damages, are consolidated under one judge.

Rapper Naquan Miles said he went to court to hold cops accountable. "It's not cool how they treat us," said Miles, 25.

Reggie Williams and his 13-year-old daughter stopped to buy a CD on a recent afternoon.

"They're black urban males — people are trained to be afraid of them," the Ohio man said. "But they're not going to do anything to you. They're just trying to get heard. I think it's great. This is what New York is all about."

Katie Smith, a former city attorney, is representing the vendors.

"You don't need to like their music or the way they distribute it to respect their constitutional rights," Smith said.



Man dressed as Woody from 'Toy Story' groped women in Times Square: police

Marc Santina
January 13, 2014



A man has been arrested on forcible touching charges, accused of groping women in Times Square while dressed as a character from a popular children's movie.

Patrol officers in plainclothes observed 44-year-old Jose Vasquez, who was dressed as the famous animated cowboy Woody from "Toy Story," grabbing the buttocks of two women while they posed for a picture with him, according to police. Vasquez was charged with two counts of forcible touching and sex abuse. It wasn't immediately clear if he had an attorney.

The women did not file a complaint, police said.

This is the second incident in less than a year in which a person in costume allegedly harassed a visitor in Times Square. Last April, a man dressed as Cookie Monster was arrested after he allegedly pushed a toddler, apparently angry that the child's mother didn't give him a tip.

The costumed characters in Times Square are considered street performers protected by the First Amendment and are currently not regulated.

The Times Square Alliance said in a statement Thursday: "This is the latest in a long series of disturbing incidents that reinforce our belief that these costume characters must be licensed and regulated. We are looking forward to working with the new administration and City Council to come up with an equitable and effective regulatory solution."

Man dressed as Cookie Monster accused of shoving child in Times Square

April 8, 2013



The fun ended quickly for a family on a day out in Times Square recently, after an ugly confrontation with a man dressed as Cookie Monster.

As CBS 2's Steve Langford reported Monday, the costumed performer was arrested Sunday afternoon on charges of endangering the welfare of a child after allegedly shoving a 2 1/2-year-old boy.

The alleged offender — Osvaldo Quiroz-Lopez, 33, of Queens — was arraigned Monday in Manhattan Criminal Court. "He just kept getting closer to me, and then he started getting very loud; very abusive. He started cursing me," said Parmita Kurada, the boy's mother.

Kurada and her son, Samay, said they were still shaken Monday after what was supposed to be a fun encounter with the "Sesame Street" character in Times Square turned bad.

Samay was all smiles when talking about Elmo, but when asked whether everything was OK with Cookie Monster, he told CBS 2's Alice Gainer, "No."

"And I don't know what happened. He just pushed the stroller, or the baby," Parmita Kurada said, "and the next thing I know, he was out of his stroller, and he was looking at me, and literally in tears."

The Kurada family was in Times Square to shop at Toys 'R' Us when they stopped to take pictures with the characters outside. That was when she said they were approached by Quiroz-Lopez in the Cookie Monster costume. "We didn't even go to him for a picture," Kurada said. "He just called to him, carried him, and says, 'Come on, take pictures.'"

Police said Quiroz-Lopez demanded \$2 from the Connecticut family, after they posed for the photo.

When the picture was taken, the mother said the man inside the costume demanded money. She sent her husband to an ATM, but she said after about five minutes, the costumed character began yelling obscenities at her and the children. Prosecutors said Quiroz-Lopez pushed the little boy, causing him to lose his balance.

But Quiroz-Lopez, through his attorney, denied the allegations in court. He claimed the boy did not fall. Another man, identified in court as the Cookie Monster character's partner, did not want to answer questions on camera, but earlier told reporters: "They're lying. He didn't do it. He's not like that."

But prosecutors said the Cookie Monster character called the mother and her son vulgar names and told Kurada to stop wasting his time.

Quiroz-Lopez was set to be released on \$10,000 bail, and was due back in court May 1. He has no prior arrests. As for the Kuradas, they said they want to make sure this doesn't happen to anyone else, and as for Cookie Monster, he's in a time out in their household.

"He just couldn't stop saying he hated Cookie Monster," Kurada said of her young son.

Confrontations between ostensibly cuddly characters and visitors in Times Square have been happening with some frequency in recent months. In December, a performer dressed as a Super Mario Brother was accused of groping a woman.

The walkaround characters are not affiliated with "Sesame Street," the Sesame Workshop, or PBS.



'Spidey' claims self-defense after allegedly hitting woman in Times Square

Antonio Antenucci

February 11, 2013



A Times Square Spider-Man claimed he was acting in self-defense when he slugged a woman who refused to tip him yesterday.

Philip Williams, 35-year-old Williamsburg resident, was released without having to post bail this morning after he was charged with assault and harassment.

Williams had posed for pictures with the 44-year-old woman's kids but didn't receive a tip, according to prosecutors. "Sorry I don't have any [money]," the woman said, according to prosecutors. Williams responded "You're crap," the DA said.

The women then made a snowball and beaned Williams, his defense lawyer and prosecutor agreed. Defense lawyer Rachel Black insisted this was clearly a case of self-defense.

"The complaining witness made contact with my client," she said.

Prosecutors said Williams has a rap sheet that includes a grand larceny and retail fraud bust when he was 17 and living in Michigan.

Black didn't dispute the DA's claim, but told the Manhattan judge that Williams made all court appearances in that matter.

Cops showed up yesterday near 141 W. 43rd St. after the 3 p.m. and stopped the victim's husband from possibly hurting Williams, law enforcement sources and witnesses said.

"A woman came to me and said, 'What did you do to me, you f--ker?' " said another Times Square Spidey, who wouldn't give his name.

"Her husband came over and said it was a different Spider-Man. They went over to the other one and started fighting." Witnesses said the woman's husband pounded the offending Spider-Man with a backpack before cops arrived to bust Spidey.

This unwanted attention has other Times Square cartoon characters worried about their livelihood.

"Getting arrested isn't good for any of us," said Times Square worker Christian, who dresses as Big Bird. "It makes us all look bad."

The incident casts another mark on the city's costumed busker community.

A man wearing an Elmo costume was arrested last September for disorderly conduct after spouting anti-Semitic rants in Central Park. Another man — dressed as video-game hero Mario — was arrested in December and charged with forcible touching after allegedly groping a woman.

NEW YORK POST

Times Square rant bigot Elmo says groping isn't his character flaw

Julia Marsh
December 28, 2012



He may be a bigot — but he's no pervert.

Times Square “Elmo” Adam Sandler, who pleaded guilty to disorderly conduct for an anti-Semitic rant in September, said yesterday he is leaving New York City for Hawaii, because he doesn't want to be associated with costumed creeps like the Super Mario impersonator busted for allegedly fondling a woman last week.

“I'm not the groper,” pouted Sandler after a Manhattan Supreme Court judge OK'd his six hours of Sandy-cleanup community service.

Sandler said he's been dismayed to find out that online searches for his name are now linked to Damon Torres, who was busted for allegedly grabbing a New Jersey woman in Times Square.

“I saw my name came up in relation to [the alleged Mario grope], but my situation was different,” said Sandler, who is no relation to the movie star. “They're rehashing me because there are some big problems with the cartoon characters.”

Sandler also said the voice of the “Sesame Street” character, Kevin Clash, has smeared the furry red Muppet's reputation. Clash resigned in November over an underage-sex scandal. Clash denies having sex with a minor.

“I had people yelling slurs at me, calling me a pedophile, saying I couldn't be trusted around children,” he said.

“That . . . had some effect on my business,” said Sandler, who had continued to appear as Elmo after he was arrested for yelling, “I hate Jews,” and resisting arrest in Times Square in September.

“I've had women wanting to wrap their legs around me. When we're in the costume, women want us. One woman asked me to touch her breast. I wouldn't do it.” Sandler — who is Jewish — pleaded guilty to disorderly conduct.

Yesterday, he said he would be moving to sunny Hawaii, where he would do his costumed act for tourists in Waikiki. But he insists he's a gentleman.

“I've had women wanting to wrap their legs around me,” he said. “When we're in the costume, women want us. One woman asked me to touch her breast. I wouldn't do it.”

"I'm moving to Honolulu to do Elmo," he said. "There's too many people doing it here."

Sandler's contemplating changing his costume to Woody the cowboy from Toy Story.

"I could wear high-end fashion jeans with the Woody mask," he said. "If I get any other costume I'll do that. Right now I'm sticking with Elmo."

He also claimed he's no anti-Semite, although his argument seemed only to dig him a deeper hole.

"I'm Jewish myself," Sandler told The Post as he went on to say that on the day of his rant, he was mobbed by people posing for pictures without tipping. He claimed those mobs represented "Jewish business interests."

Sandler said that if anything, he's a gentleman.

DAILY NEWS

Times Square performer dressed as Super Mario arrested after allegedly groping woman

Rocco Parascandola, Kerry Burke, Denis Slattery

December 22, 2012



A Times Square street performer dressed as nerdy video game character Super Mario groped a woman Wednesday night and quickly found himself behind bars, police said.

Damon Torres, 34, is one of three or so Marios who work the Crossroads of the World, earning their keep by posing for pictures.

But about 5 p.m., Torres apparently took his enthusiasm too far, grabbing the thigh of a 58-year-old woman as she walked past 4 Times Square, better known as the Conde Nast building, on West 42nd St., authorities said.

"He walked up to her and touched her private parts," said a Times Square Alliance security guard to whom the woman reported the incident. "She said she had similar encounters with the character. She said she was offended."

The guard, who wouldn't identify himself, said he took the woman to the Alliance's nearby office, where police were notified.

Torres, dressed to the hilt as the mustachioed video game character, was arrested a few minutes later and charged with forcible touching and unlawful possession of marijuana.

His video game brother, Luigi, was nowhere in sight.

The North Bergen, N.J. resident was being held at the Midtown South Precinct late Wednesday. On the short side and wearing a striped sweater under his coat, Torres noticed the media when he was perp-walked with other criminal suspects.

"They're here for me," he said to his fellow members of the chain gang. He declined to answer questions, however.

People in Times Square found the alleged groping repellent, but not surprising.

"Oh my God. I'm glad I didn't get a picture with him," said tourist Savannah Lee, 24, a hairdresser visiting from Georgia, when told of the alleged assault. "Creeps are everywhere, but now we're in a city full of them."

"They're always putting their hands on you," said street vendor Betty Ford. "Half of them are drunk. The police should keep them all out."

Stan Renton, a street hawker, called them "nothing but bums in costumes."

"They should get real jobs," he said. "I can't believe people let them near their kids."

Last December, police backed off a summons spree aimed at Super Mario, Elmo, Mickey Mouse and a host of other characters who call Times Square home.

In doing so, officers were told to leave the characters alone, as long as they don't block traffic or sell products or pictures.

They are allowed to pose for pictures with passersby and can accept tips.

In September, one of the Elmos went on an anti-Semitic rant. Adam Sandler, 48, — not the comedian — pleaded to disorderly conduct and was sentenced to community service.

DAILY NEWS

Marriott Marquis Times Square shooting: Cops kill armed street peddler in parking lot

Katie Nelson, Edgar Sandoval, Rocco Parascandola, Bill Hutchinson

December 11, 2009



Bullets whizzed through Times Square Thursday when a street hustler armed with a fearsome MAC-10 lost a gunfight with a veteran cop as tourists and shoppers screamed and dove for cover.

A hotel driveway at the Crossroads of the World was transformed into a wild shooting gallery at 11:15 a.m., prompting sightseers to turn their cameras from the bright lights to the bloodshed on Broadway.

Killed in a burst of gunfire was Raymond Martinez, 25, of the Bronx, who just moments before the shooting was trying to rip off tourists with a street scam involving illegal DVDs and CDs, cops said.

Police Commissioner Raymond Kelly said it was a miracle no innocent bystanders were caught in the crossfire that erupted in the most bustling part of the city. "We're lucky that ...the officer was prudent and no one else was in the immediate area," Kelly said.

In the aftermath of the violence, cops shuddered to think how much worse the incident could have been when they found a Virginia gun shop's business card on Martinez's body with an ominous handwritten note on the back.

"I just finished watching 'The Last Dragon,'" the note read. "I feel sorry for a cop if he think [sic] I'm getting into his paddy wagon."

It was unclear if Martinez, an aspiring rapper who dubbed himself Ready, wrote the note, but the message was in keeping with the expletive-laced, anti-cop lyrics he and his group, Square Free, posted on YouTube.

In one video posted earlier this year, Martinez, who was wanted in a Bronx assault and had an outstanding warrant in a disorderly conduct case, and his crew are seen being booted out of Times Square by police.

In another video, Martinez seems to rap an eerie premonition of his death, freestyling about "police lines," "multiple [gun] clips" and weapons that "jam on me."

Stunned witnesses watched in horror as Martinez's lyrics played out in real life.

He pulled the stolen semi-automatic murder machine from inside his coat and whirled around in a deadly faceoff with plainclothes Sgt. Christopher Newsom, 41.

Newsom, a 17-year NYPD veteran, had confronted Martinez and his brother, Oliver, 28, in front of the MTV studios on Broadway between W. 44th and 45th Sts. moments earlier.

The pair was spotted scamming tourists into buying CDs by writing their names on the disks and demanding money, officials said. When asked to show a tax stamp required of legitimate street peddlers, Raymond Martinez bolted north on Broadway, zigzagging through the crowds.

He turned onto 45th St. and was cornered in the covered breezeway of the 1,900-room Marriott Marquis Hotel. Martinez spun and fired two shots at Newsom, who was wearing a bulletproof vest, before his gun jammed, police said.

Newsom, who had never fired his service weapon in the line of duty, crossed his left arm over his heart for added protection and squeezed off four rounds from about 7 feet away, cops said.

Martinez was hit at least three times, including once in the chest and arm, police said. Despite being gravely wounded, the gunman continued to fight as Newsom moved closer and yelled, "Stop! Stop! Show me your hands!"

The Times Square shooting at the Marriott Marquis hotel has put CD peddlers in the spotlight, some of whom, cops say, use music as a ruse for shakedowns and theft.

"He was on the ground and he was still resisting," said British tourist John Grisewood, 65.

Martinez, who had been summonsed for illegal peddling in the same location earlier this year, was taken to St. Luke's-Roosevelt Hospital Center, where he was pronounced dead.

The MAC-10 recovered from the scene had a 30-bullet magazine still loaded with 27 bullets.

Kelly said the shooting appeared to be within department guidelines.

Sources said Martinez had a bag of marijuana on him and number of business cards from gun shops, including the one with the threatening note on it from Gary's Guns & Transfers in Manakin-Sabot, Va., a suburb of Richmond.

Cops said the MAC-10 was stolen in Richmond Oct. 28.

Gary Lewis, owner of Gary's Guns, said Martinez's name did not ring a bell, and insisted his shop did not deal MAC-10s. "He may have picked my card up from a gun show or something," Lewis said.

Video surveillance cameras at the Marriott captured part of the shootout, including showing Newsom taking a defensive stance as he aimed and fired, sources said.

"Remarkable," one police official who viewed the footage said of Newsom's grace under fire.

One of Martinez's shots shattered the front window of the Broadway Baby gift shop on the ground-floor of the Marriott.

"We jumped behind the counter to wait until it stopped," said shop owner, Yoni Erlich, 23.

Erlich said the bullet that entered his store penetrated a souvenir book from the musical "Wicked" and lodged in a baseball commemorating the Yankees' World Series victory.

Newsom said nothing as six NYPD colleagues escorted him into his Queens apartment building last night.

Martinez's friends and relatives said he dreamed of being on Times Square billboards like Jay-Z and Diddy. The closest he got was a photo with the Rev. Al Sharpton taken in Times Square that he posted on his MySpace page.

"I don't know what happened. My brother is gone," Martinez's brother, Oliver, 28, told the Daily News after being questioned at the Midtown South Precinct. "He was a good guy. He was not evil."

DAILY NEWS

What the h-Elmo, man? Surly man dressed as 'Sesame Street' character hassles Times Square tourists

Matt Lysiak, Leo Standora

August 22, 2009



Elmo no like tourists, tightwads - or photographers.

At least a rogue version of the lovable "Sesame Street" character hassling passersby outside Planet Hollywood in Times Square Friday night didn't.

The dirty and creepy character demanded money from people and, when he didn't get it, swore and jostled them.

"No picture. No picture. You have to tip Elmo. You have to tip Elmo or Elmo gets angry," the imposter shouted as he stuck a filthy red paw over a Texas tourist's camera lens.

"What the hell, Elmo? Keep your hands to yourself," shouted Victoria Vought, 47, pulling away.

Wide-eyed at the loud to-do, Vought's son, Dylan, 4, asked, "What's wrong with Elmo, Mommy?"

"That's not the real Elmo. That's a bad Elmo," she quickly explained.

The explanation stuck because any kid will tell you the real Elmo, a furry red monster with large white eyes and an orange nose, is very upbeat and giggles a lot. And he's clearly not grungy.

Friday night's cut-rate imitation nearly got his orange nose bloodied by Ken Ross, a 32-year-old insurance agent from New Mexico, after he grabbed at Ross' camera.

"It's just a picture. Don't be rude, and don't touch me," Ross warned, adding, "Somebody should rap you."

The phony's temper finally got the best of him when a Daily News reporter and photographer tried to find out who he was.

He angrily lunged at the photographer but came up empty and then apologized.

"Look man, Elmo needs to make a living, too," he said.

06

Data & Documentation of Street Closings

Times Square Street Closures Due to Street Fairs

Location	Apr – Nov 2009	Apr – Nov 2015
6 th Avenue	7	8
7 th Avenue	7	0
Broadway	0	5
8 th Avenue	2	2
9 th Avenue ¹	1 (2 Day)	1 (2 Day)
41 st Street	0	2
44 th Street	2	2
45 th Street	2	6
46 th Street ²	2	7
50 th Street	0	1
52 nd Street	2	5
Total	25	39

Footnotes

¹ Touches the border of the Times Square Alliance district boundaries

² For 46th Street: 3 between 6th and 7th Avenues
 2 between 8th and 9th Avenues
 1 between 8th Avenue and Broadway
 1 between 7th and 9th Avenues

In addition to the above street closures, these parades effect Times Square's side streets:

- 4/9/15 Tartan Day Parade (44th Street between Broadway and 7th from 2:00pm to 4:30pm)
- 6/20/15 International Immigrants Parade (44th Street from Broadway to 6th Avenue from 8:00am until noon)
- 9/12/15 Labor Day Parade (44th, 45th, 46th and 47th closed from Broadway to Vanderbilt from 10:00am until 6:00pm)
- 11/26/15 Thanksgiving Day Parade (42nd to 59th from 7th Avenue to 5th is closed from 4am until 4pm)

Times Square Events

July 1, 2012 - June 30, 2013

Small	57
Medium	56
Large	59
TOTAL	172

July 1, 2013 – June 30, 2014

Small	66
Medium	73
Large	73
TOTAL	212

July 1, 2014 –June 30, 2015

Small	19
Medium	26
Large	30
TOTAL	75

May 29, 2015

Mr. Emil Lissauer
Director, Street Activity Permit Office
Mayor's Office of Citywide Events, Coordination & Management
City of New York
100 Gold Street, 2nd Place
New York, NY 10038

Dear Mr. Lissauer:

Last weekend yet another one-block street fair closed down 45th Street between 6th and 8th Avenues. This is just one of a proliferation of one-block street fairs on 45th Street that caused tremendous problems on an extremely busy street in an extremely busy neighborhood on the busiest days of the week.

We urge your office in conjunction with the Department of Transportation to conduct an objective traffic analysis looking at the number of theaters, hotels and parking lots on this street as well as the amount of traffic in this particular area on a Saturday when there are two Broadway shows in most theaters and heavy weekend hotel drop-off and pick-up traffic relative to other possible locations in the City.

We understand that the City has been challenged by operators in its efforts to curtail street fairs in midtown Manhattan. We feel that such analysis and examination of the intense demand on this street will help the City justify a decision that is more responsive to specific neighborhood conditions and facts rather than be subject to accusations of acting in an arbitrary and capricious manner.

In the meantime, while such study is being performed, we urge the City to temporarily suspend or significantly curtail street fairs on this block for the balance of summer and fall. Given that construction is strangling Times Square traffic at this time, in any event, we respectfully suggest that the City also consider suspension or curtailment of any daytime, full street closures in the area (subject to study findings) during the full course of the Times Square construction project.

In addition, we understand that Community Board 5 and the Midtown North/South Precincts have approved these streets fairs in the past. We are also approaching them to request that they disapprove street fair requests on this block going forward.

Sincerely,

A handwritten signature in black ink, appearing to read 'Philip Stamm', with a long horizontal flourish extending to the right.

Philip Stamm
General Manager
Hyatt Times Square

On behalf of the Co-Signers on page 2

Co-Signers:

Scott Nadeau
General Manager
Marriott Marquis

Joseph Yu
Owner
Cranberry

Alan Rosen
Owner
Juniors Restaurant

Larry Lipman
Owner
Manhattan Parking

Mike Khan
Owner
Today's Mobile Wireless

Peter Philis
General Manager
Bobby Van's Grill

Eli Chetrit
Owner
AB & Sons Group, LLC
Real Estate Development & Investment

Roisin Toner
General Manager
Connolly's Pub & Restaurant
The Perfect Pint

Meredith Lake
Asset Manager
Ferrado QT, LLC and Room Mate Grace Hotel, Inc.

Alvaro Díaz Martos
Assistant Hotel Director
Room Mate Grace Hotel

Maureen O'Lunney
Manager
O'Lunney's Times Square Pub

Antonio Romero
General Manager
Bond 45

Toni Edwards
Store Manager
Starbucks

Peter Philis
General Manager
Bobby Van's Grill

Robert Wankel
President & CEO
The Shubert Organization
Booth Theater
Gerald Schoenfeld Theater
Music Box Theater
Bernard B. Jacobs Theater
Imperial Theater
John Golden Theater

Larry Lipman
Owner
Manhattan Parking

cc: Polly Trottenberg, Commissioner, New York City Department of Transportation
Vikki Barbero, Chair, Community Board Five
Tim Tompkins, President, Times Square Alliance

Hyatt Times Square

Street Fair June 7th, 2015

45th Street between 6th and 7th

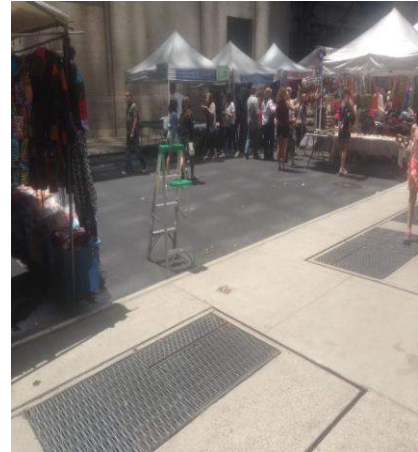
Setup: 6:30AM -9AM

- 6:30AM - 9AM- Set up begins. Street closes at 9AM
- Sidewalks are full of setup equipment (blocking walk ways-vendors should be in the street not be on the sidewalk)
- Debris all over and intruding on business owner's property.



Street Fair Hours: 9-5PM

- The overall foot traffic and added debris/garbage
- Smoke from Vendor Tents permeating into the hotel lobby (we have to shut off smoke heads)
- Door Staff needing to take guest luggage to 6th and 7th avenue for Valet Car pickup
- Added departure time to guest needs to departure at normal time.
- No Taxi/Car Service available for guests, we need to send them to either avenues(6th & 7th)
- Added strain for vendors and purveyors-Hotel Deliveries
- Road Blockage for any Emergency Vehicles
- Additional staffing required for Door
- Additional staffing for Security due to large volumes of people wanting to use the hotel's restroom for "public bathrooms."
- Additional staff needed for outside/curb appeal for maintaining the cleanliness of the front drive.
- High volumes of loitering by ticket sales, TS Characters and homeless people due to the crowd of people.



Break Down: as of 5:00PM

- Multiple Vendors still breaking down their booths
- 45th Street is still closed as of 5:30PM
- Doormen still running to 6th and 7th Ave. to assist with luggage and arrivals until this point
- Tons of garbage and debris on the street and sidewalk



Conclusion: Having the Street Fair on 45th street is clearly a negative impact on Hyatt Times Square. Seen in the above notes, photos and comments business is affected monetarily, service wise and most importantly, safety and security. As a hotel we are forced to add staff and potentially lose money due to uncontrollable service impacts to our paying customers. Security is the main issue we are faced with as Smoke Heads need to be disabled due to the street smoke permeating into our building.

Hyatt Times Square Street Fair May 9th 2015 45th Street between 6th and 7th

Setup: 8-9AM

- 8-9AM- Set up time. No cars allowed (memo says 9AM-street is closed an hour earlier)
- Sidewalks are full of setup equipment(blocking walk ways-vendors should be in the street not the sidewalk)Debris all over and intruding on business owner's property.



Street Fair Hours: 9-6PM

- The overall foot traffic and added debris/garbage
- Smoke from Vendor Tents permeating into the hotel lobby (we have to shut off smoke heads)
- Door Staff needing to take guest luggage to 6th and 7th avenue for Valet Car pickup
- Added departure time to guest needs to departure at normal time.
- No Taxi/Car Service available for guests, we need to send them to either avenues(6th & 7th)
- Added strain for vendors and purveyors-Hotel Deliveries
- Road Blockage for any Emergency Vehicles
- Additional staffing required for Door

- Additional staffing for Security due to large volumes of people wanting to use the hotel's restroom for "public bathrooms."
- Additional staff needed for outside/curb appeal for maintaining the cleanliness of the front drive.
- High volumes of loitering by ticket sales, TS Characters and homeless people due to the crowd of people.



Break Down as of 7:30PM

- Multiple Vendors still breaking down their booths
- Debris AFTER seeing the street sweepers pass through (again still not done)
- 45th Street is still closed as of 7:30PM; we informed our guests that it was over at 6PM.
- Doormen still running to 6th and 7th avenue to assist with luggage and arrivals.



Breakdown Continued 8:00PM:



Breakdown Continued: 8:15PM



Street Open Finally: 8:30PM.

Conclusion: Having the Street Fair on 45th street is clearly a negative impact on Hyatt Times Square. Seen in the above notes, photos and comments business is affected monetarily, service wise and most importantly, Security. As a hotel we are forced to add staff and potentially lose money due to uncontrollable service impacts to our paying customers. Security is the main issue we are faced with as Smoke Heads need to be disabled due to the street smoke permeating into our building. We welcome any and all feedback.

Street Fair 08/30/15-45th Street between 6th and 7th

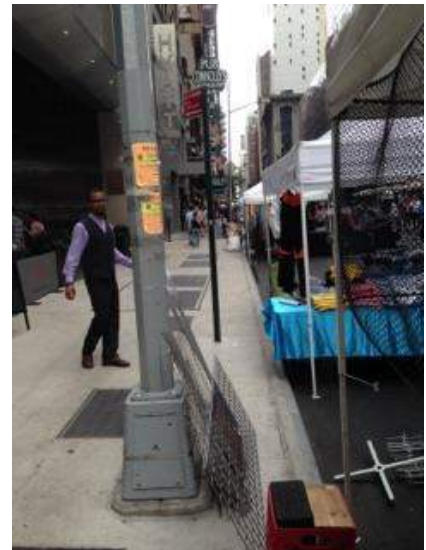
Setup: 8-9AM

- 8-9AM- Set up time. No cars allowed (memo says 9AM-street is closed an hour earlier)
- Sidewalks are full of setup equipment(blocking walk ways-vendors should be in the street not the sidewalk)
- Debris all over and intruding on business owner's property.
- Police office was threatening to write tickets for double parked cars earlier in the morning. No cars were ticketed with associate to Hyatt Times Square.



Street Fair Hours: 9-4PM

- The overall foot traffic and added debris/garbage
- Smoke from Vendor Tents permeating into the hotel lobby (we have to shut off smoke heads)
- Door Staff needing to take guest luggage to 6th and 7th avenue for Valet Car pickup
- Added departure time to guest needs to departure at normal time.
- No Taxi/Car Service available for guests, we need to send them to either avenues(6th & 7th)
- Road Blockage for any Emergency Vehicles
- Additional staffing required for Door
- Additional staffing for Security due to large volumes of people wanting to use the hotel's restroom for "public bathrooms."
- Additional staff needed for outside/curb appeal for maintaining the cleanliness of the front drive.
- High volumes of loitering by ticket sales, TS Characters and homeless people due to the crowd of people.



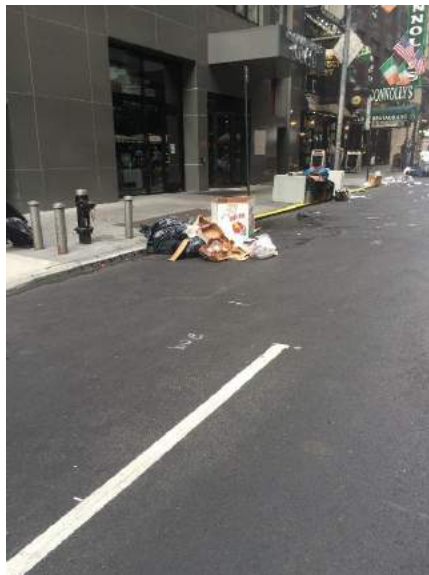
Break Down: as of 4:30PM

- Multiple Vendors still breaking down their booths
- Debris AFTER seeing the street sweepers pass through



Breakdown Continued 5:30PM:

- After street sweepers had passed by hotel



Street Open Finally: 5:45PM

Conclusion: Having the Street Fair on 45th street is clearly a negative impact on Hyatt Times Square. Seen in the above notes, photos and comments business is affected monetarily, service wise and most importantly, Security. As a hotel we are forced to add staff and potentially lose money due to uncontrollable service impacts to our paying customers. Security is the main issue we are faced with as Smoke Heads need to be disabled due to the street smoke permeating into our building. We welcome any and all feedback.

07

Alliance Studies & Surveys



The Impact of **TIMES SQUARE**

HR&A
Analyze. Advise. Act.



March 2012

Key Findings: Overview

- In only **0.1%** of New York City's total land area, Times Square generates **11%** of the city's economic output and **10%** of the city's jobs.
- Economic output surpasses that of mid-sized American cities such as **Portland** and **Pittsburgh**.
- The district's **\$110 billion** in economic activity is up **22%** since 2007, outpacing city growth of **9%** during the same period.

Key Findings: Role of Tourism

- Times Square's **expanding tourism sector** diversifies NYC economy and drives higher growth than the rest of the city.
- Annual direct spending on **hotels, entertainment, and retail** in Times Square is **\$4.8 billion**.
- Broadway ticket sales topped **\$1 billion** in 2010; **83%** of theatergoers came from **out of town**.
- Times Square – with **21% of NYC hotel rooms** – added **2,000 rooms** since 2007; direct hotel spending increased **13%**.

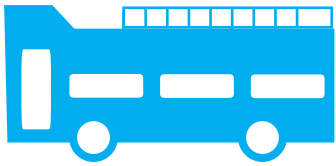
Key Findings: Employment

- Times Square supports **385,000** jobs, **170,000** of which are within the district.
- Times Square's **29 million square feet** of office space – up **33%** from 2007 – is comparable to the markets of Philadelphia, Austin, and Portland.
- In 2010, workers in and immediately around Times Square earned **\$18 billion** in **wages**.
- These earnings are **distributed throughout the city**, with **61%** of Times Square NYC employees living outside Manhattan or north of 110th street.

Key Findings: Revenue

- Times Square contributes **\$4.6 billion** in New York State and New York City taxes each year.
- The district's **\$2.1 billion** fiscal contribution to New York City is enough to fund **46%** of the NYPD budget or the Parks Dept. budget **seven times over**.

LABOR MARKET ANALYSIS: CULTURE AND TOURISM



The culture and tourism industry represents 177,245 direct jobs and 40,330 indirect jobs, and has a \$28 billion total annual impact on the NYC economy.



Culture and tourism fared better after both the 2001 and 2008 recessions than the city's economy as a whole. Jobs in these industries rose 1.5%, even as citywide jobs dropped 3%.

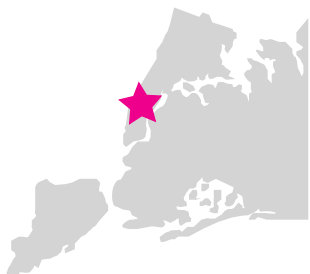
In 2010, The NY Department of Labor predicted that tourism jobs would grow by 7,100 in 10 years. Tourism figures had surpassed that goal by the end of 2013.

The industry offers employment for many skill sets and experience levels, with 32% of jobs not requiring a college degree.



Culture and tourism generate 25% more direct jobs than the tech industry, with a lower barrier to entry in terms of education and skills.

These jobs also pay, on average, in excess of the calculated living wage*, and 85% of sector employees come from all five boroughs of the city.



Times Square's two zip codes have the city's highest concentration of culture and tourism firms.

One out of every three jobs in New York's Culture and Tourism industry is located in or around Times Square.

The district represents 21% of the city's hotel rooms, attracts 12 million annual Broadway patrons, and generates \$1.7 billion in annual retail sales.



The tourism industry is a powerful driver for the New York economy, and the city benefits from investment in its well-being.



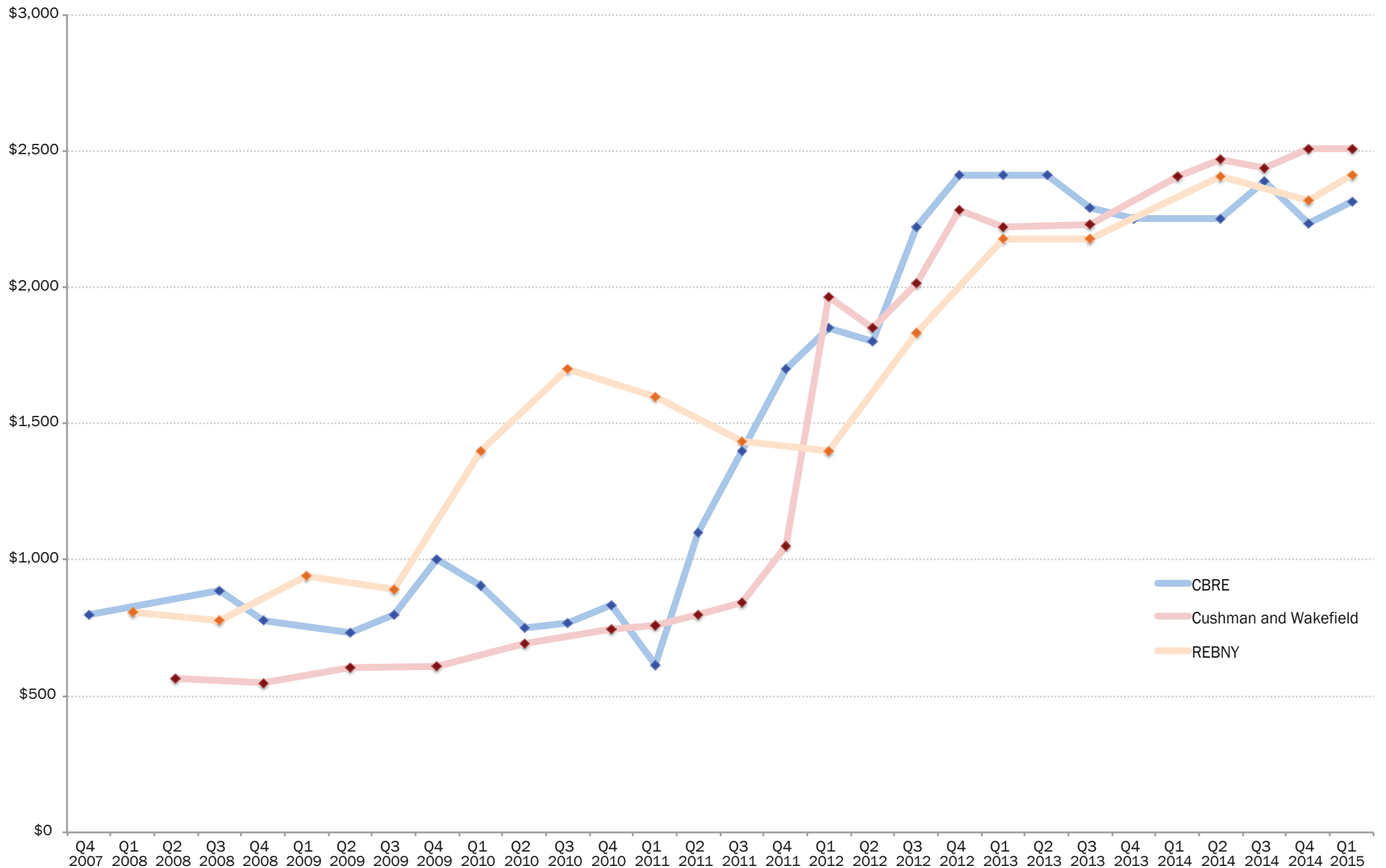
**TIMES
SQUARE
ALLIANCE**

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NEW YORK, NY 10036
T 212 452 5237 F 212 768 0233
RZURIER@TIMESSQUARENYC.ORG
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CUNY Center for Urban Research - New York Labor Market Information Service, 2014

*Based on the MIT living wage calculator

Times Square Average Retail Asking Rents



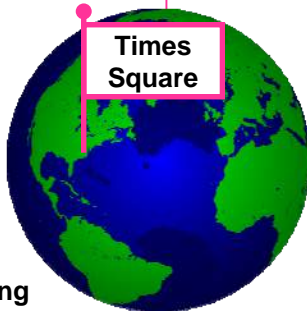


Times Square Perceptions Audit: Summary of Key Themes

- Americans rank Times Square among top ten tourist destinations in the world

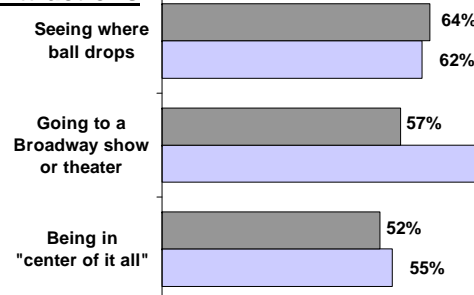
Top Tourist Destinations in World

- 1 Statue of Liberty
- 2 Pyramids of Egypt
- 3 Eiffel Tower
- 4 Disney World/Land
- 5 Great Wall of China
- 6 Taj Mahal
- 7 **Times Square**
- 8 Vatican City
- 9 Buckingham Palace
- 10 Empire State Building

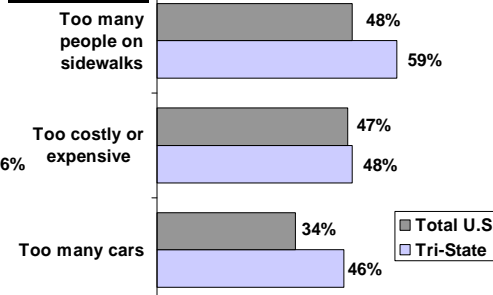


- Broadway, New Year's Eve and visual spectacle are biggest attractions while congestion and crowding are the biggest drawbacks

Attractions

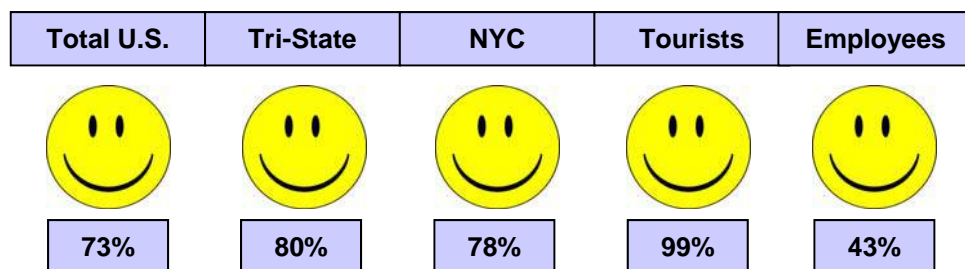


Drawbacks



- Satisfaction with Times Square experience is highest among tourists visiting the area

Satisfaction Among Those Who Have Visited or Work in the Area



Satisfaction = Top 2 Box Very Satisfied/Somewhat Satisfied

- Alliance initiatives are in line with priorities for improvement among Times Square employees and Tri-State residents

Times Square Alliance Initiatives

Widening the sidewalks

Sprucing up the streets and sidewalks, making them more attractive

Restricting traffic on certain streets during certain days/times of the week so that pedestrians can walk where they want



goal>audience>messenger>message>measurement

Source: StrategyOne conducted a survey among 662 adults in U.S. (margin of error = $\pm 3.8\%$ at 95% confidence). Sample includes 340 Tri-State residents (margin of error = $\pm 5.3\%$ at 95% confidence). Data collected: December 2007-- January 2008



TIMES
SQUARE
ALLIANCE




Times Square: A New Yorker's Perspective

October 2007



Methodology

Focus Groups

- ❑ Two focus groups were conducted among New Yorkers
 - ❑ Group 1 consisted of 8 New Yorkers who work or reside in Times Square
 - 6 Times Square Employees; 2 Times Square Residents
 - ❑ Group 2 consisted of 9 NYC Residents who work in Manhattan and do not reside or work in Times Square
 - ❑ Groups represented a cross-section of New Yorkers (by age, ethnicity, job type, etc.)
 - ❑ Each group lasted 90-minutes and panelists were paid an honorarium for their participation
- Experienced StrategyOne researchers moderated and facilitated the focus groups

In-Depth Interviews

- ❑ A total of 5 30-minute in-depth interviews were conducted with HR managers of Times Square area companies (5 more to be completed)
- ❑ A list of HR and corporate managers with direct experience in dealing with employee recruitment, retention, attrition and incentive programs was provided by the Times Square Alliance
- ❑ All in-depth interviews were conducted by experienced StrategyOne researchers, and lasted 30-40 minutes

Qualitative Caveat

- ❑ Since qualitative research is conducted among a small sample of respondents, findings should be viewed as directional

Times Square Report Card

- ☐ Residents and workers of Times Square are much more positive about area and appreciate the amenities.
- ☐ Street traffic, people traffic and noise are issues for all.

Areas	Grade by Times Square Workers & Residents	Grade by NYC Residents & Workers
Broadway Theatres	Excellent	Good
Shopping	Good	Poor/Fair
Nightlife:	Good	Fair/Good
a. music/concerts	Good	Fair/Good
b. bars	Good	Fair/Good
c. comedy clubs	Good	Good
Restaurants	Good/Excellent	Fair
Cleanliness	Good	Fair
Street traffic	Fair	Poor
People traffic	Poor/Fair	Poor
Noise	Fair	Poor
Public Safety	Excellent	Fair/Good
Look and feel of Times Square	Good/Excellent	Poor/Fair
A place to entertain clients or guests	Good/Excellent	Fair

Traffic—Sidewalk and Street

Pros

- "Diversity."
- "It's congested but it moves."
- "Usually clogged but not gridlocked."

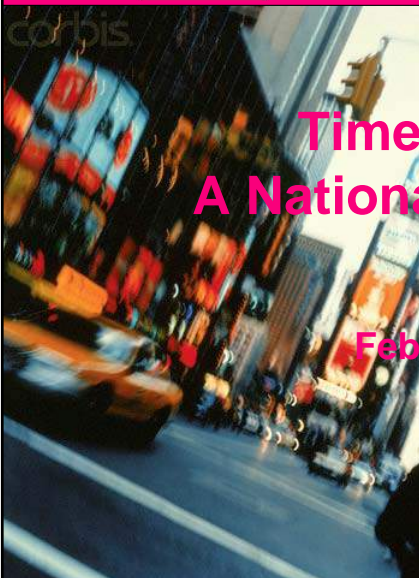


Cons

- "Too crowded."
- "You can't move."
- "Bad traffic control"
- "Cops and construction are a problem"
- "Too much gawking. Inconsideration."
- "All the cars, buses, the exhaust you're breathing in."
- "No personal space."



TIMES
SQUARE
ALLIANCE



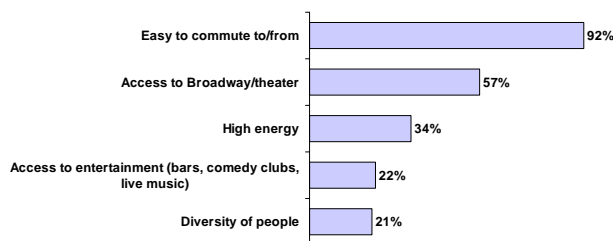
Times Square: A National Perspective

February 2008

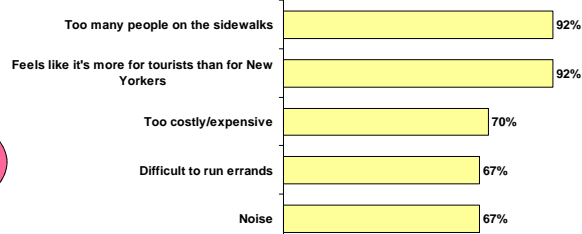


Advantages/Drawbacks of Working in Times Square

Top 5 Advantages



Top 5 Disadvantages



43% of
employees are
satisfied* with
working in
Times Square

Satisfaction = Top 2 Box Very Satisfied/Somewhat Satisfied

Base: Times Square Employees

Times Square Employee Coping Mechanisms

Which of the following have you ever done?

Used a building thruway or internal walkway to avoid traffic on the sidewalk (84%)



Walked in the street instead of the sidewalk (96%)

Avoided certain areas of Times Square at certain times (88%)

Best Times To Be in Times Square

Best Season: Winter (January–March), Spring (April–June)
Best Day of Week: Sunday, Monday, Tuesday
Best Time of Day: Early morning, Late evening, After midnight

Base: Times Square Employees

Ranking Times Square Alliance Initiatives

Times Square Alliance Initiatives	Total U.S.	Tri-State	Employees
Sprucing up the streets and sidewalks, making them more attractive	1	2	3
Restricting traffic on certain streets during certain days/times of the week so that pedestrians can walk where they want	2	2	1
Widening the sidewalks	3	1	2
Adding more greenery, trees, benches	4	4	4
Reducing the number of phone booths, newspaper racks and other sidewalk-blocking items	5	5	5
Reducing the number of street vendors	6	6	6

1 = Top Priority 6=Lowest Priority

BROADWAY PLAZA SURVEYS
COMMISSIONED BY TIMES SQUARE ALLIANCE



Highlights of Findings

A majority of New Yorkers, suburban residents, and people who work in Times Square approve of the plazas. In an independent online survey of 600 tri-state residents, **76% of New Yorkers and 75% of suburban residents said they would like to see the plazas made permanent.** In an online survey of 503 local employees, **63% of those who work in Times Square would like the plazas to be made permanent.**

The percentage of people who work in Times Square who said they were “satisfied with their experience in Times Square” shot up from **43% to 74%** from 2007 to 2009, and satisfaction among New Yorkers and tri-state residents increased by 11%. A majority of Tri-state residents (66%), NYC residents (74%), and Times Square employees (60%) **believe that “Times Square has improved dramatically”** over the past year. Asked another way, **65% of New Yorkers and 53% of Times Square employees feel the plazas had a positive effect on their “overall experience in the neighborhood.”**

68% of the 148 retail managers surveyed (by name) would like the plazas to remain permanent. Among those that felt the plazas had affected their business, 43% felt the effect was positive while 15% said it was negative.

70% of recent theatergoers felt the plazas had a positive effect on their theater-going experience.

32% of theater patrons felt the closure improved access to theaters vs. 11% who felt it did not; among theatergoers who drove **28% said access was improved vs. 16% who said it was worse.**

71% of the Times Square Alliance Board members support making the plazas permanent; 48% stated strong support, and 10% stated strong opposition.

68% of the district’s major commercial tenants favored making the plazas permanent.

Among retail owners and property owners who replied, a smaller majority favored the plazas (55% to 45% among retail owners; 53% to 40% among property owners); unfortunately the sample sizes for these groups were much smaller. Those who explained their negative sentiments were concerned about the appearance and regulation of the spaces.

Sign industry representatives overwhelmingly support the plazas becoming permanent, provided the Macy’s parade stays in place (see below). If it does not, then they oppose the plazas becoming permanent. In addition, the continued ability to service signs and maintain sight lines is essential.

Hotel Managers were split 52% for vs. 33% against, if the Macy’s parade stays. Permitting left turns on 44th and 46th streets would lead to a larger majority in favor. Moving the Macy’s parade to 6th Avenue would lead to opposition.

72% of New Yorkers, 66% of suburban residents, 66% of Times Square workers, and 61% of retail managers felt that the plazas needed to be better designed to reflect their use by pedestrians rather than vehicles. Key stakeholders repeatedly commented that they look poor, do not reflect well on the neighborhood, and must also be managed and programmed creatively. In addition, traffic enforcement and crossing guards, allowing turns on 44th and 46th Streets, and ensuring adequate regulation of plaza activities were raised by many key stakeholders.

The minority who do not want the plazas to remain tend to be passionately opposed for reasons ranging from a general feeling that some quality of Times Square has been lost, to a sense that business has been hurt either because the plazas disrupt normal pedestrian flows or that drivers avoid Times Square out of concern for worsened traffic.

Background, Methodology & Outreach

In measuring opinions, we have tried to be thorough and objective. The Alliance engaged StrategyOne, an independent research firm, to conduct surveys across diverse Times Square stakeholder groups. The following were asked to take the survey and distribute it to their tenants or employees: 200 HR Managers, 791 key stakeholders who receive our e-mail "Flash," 422 building managers and business executives and 56 Alliance Board Members. The following were directly asked to take the survey: 10,156 Alliance email subscribers, 4,444 Alliance "Crossroads" Card Holders, 250 Event attendees, and 954 business executives and property owners (via regular mail). For our survey of retailers, our Public Safety Officers went in person to all ground-floor businesses on 7th Avenue and Broadway between 40th and 53rd Streets as well as business on side streets between 42nd and 47th Streets. They asked for the senior on-site manager to fill out the survey and made sure that they recorded that person's name.

We also called or emailed over 150 key business stakeholders to personally ask their opinion about the core issue of making the plazas permanent. That group includes every member of the Alliance Board of Directors, every major property owner, every retail owner (or senior on-site manager, in the case of national chains) in the Bowtie, as well as the chief executives of the 25 largest employers in our District, and the general managers of every hotel. We did not get a reply in every instance, but we reached out multiple times and got representative data within most segments.

We also conducted a separate study outside seven Broadway theaters on two different days, with Philip Habib & Associates asking Broadway theater patrons about transportation choice and level of convenience in reaching Times Square and theaters.

TIMES SQUARE ALLIANCE: BROADWAY PLAZA OPINION SURVEY RESULTS

	Respondent Group	N=	Methodology (or sub-group)	Make plazas permanent?¹	Times Square improved?²	More appeal if better design?³	Impact on shopping/business?⁴
Tabulated by StrategyOne	NYC residents	300	Online; StrategyOne random sample	76% yes 18% no	74%	72%	78%
	Tri-state residents	600	Online; StrategyOne random sample (includes 300 NYC residents)	75% yes 14% no	66%	66%	80%
	Times Square employees	503	Online; TSA outreach to HR managers, Crossroads members, Board and building mgr. contacts asking to distribute	63% yes 28% no	60%	66%	45%
	Plaza “users”	177	In-person interviews by Beloved Experiential; sample of people sitting in or walking through plaza	88% yes 7% no	92%	36%	–
	Recent theater-goers	176	Online StrategyOne tri-state, NYC resident samples; respondents who attended a Broadway show in last 6 months	–	–	–	70% + 7% – 20% no effect
	Retail managers	148	In-person; TSA Public Safety Officers distributing paper survey to managers of ground-floor businesses on Broadway and 7 th Ave b/w 40 th -53 rd Sts and side streets b/w 42 nd -47 th Sts	68% yes 21% no	71%	61%	43% + 15% – 29% no effect
	Property Owners / Business Owners and Executives	40	Online and mail-in survey; Property owners in TSA district	53% yes 40% no	53%	55%	40% + 40% – 8% no effect
Tabulated by Times Square Alliance	Times Square Alliance Board and Other Stakeholders (via phone or email) ⁵	88	Online and mail-in survey; Executives of commercial office tenants in TSA district	64% yes 32% no	65%	60%	33% + 32% – 25% no effect
		48	Times Square Alliance Board of Directors ⁶	71% yes 21% no	–	–	–
		12	Executives of top 25 largest employers	83% yes 8% no	–	–	–
		21	Hotel General Managers	52% yes 33% no	–	–	–
		11	Retail and restaurant owners or district managers	55% yes 45% no	–	–	–
		8	Sign industry executives	100% yes 0% no	–	–	–
		22	Executives of major commercial office tenants ⁷	68% yes 18% no	–	–	–

¹ All respondents were asked if they agreed with the statement, “I hope the pedestrian plaza area becomes a permanent fixture in Times Square.”

² New Yorkers, tri-state residents, and employees were asked if “Times Square has improved dramatically in the last year.” Plaza users, retail managers, property owners, and business executives were asked if the plazas “improve the look and feel of the neighborhood.”

³ All respondents were asked if they agreed with the statement, “The plazas would be more appealing to me if they were designed better.”

⁴ New Yorkers, tri-state residents, and employees were asked if “the pedestrian plazas make Times Square a better place to shop.” Those respondents who were recent theatergoers were asked, “What impact has the Broadway pedestrian plaza had on your theater-going experience?” Retail managers, property owners, and tenant executives were asked if the “pedestrian plazas [are] having a positive impact, a negative impact, or no impact” on their company or store’s “ability to conduct business.”

⁵ The Times Square Alliance President contacted via phone or email 150 senior management representatives of stakeholders in the Times Square Alliance district. Some companies are represented in more than one sub-group (e.g., as both a hotel and as one of the district’s 25 largest employers). In cases where hotel general managers and senior representatives of retail businesses and restaurants could be identified from the StrategyOne online and mail-in survey, their responses were included with email responses for the corresponding sub-group in order to broaden the sample size.

⁶ The New York Times Company declined to give a response and was not counted in any part of this tabulation.

⁷ Major commercial tenants were defined as those companies leasing more than 50,000 SF of Class A or B office space according to CoStar Group, Inc.

BROADWAY PLAZA OPINION SURVEY RESULTS

February 2010

Comparison with 2007 Survey: The Alliance engaged StrategyOne to conduct surveys about the Broadway plazas in 2009 in part as a follow-up to a 2007 study the firm conducted to measure attitudes about Times Square. The following table compares responses to questions asked in opinion surveys conducted by StrategyOne in 2007 and 2009. Responses from 2009 are written in red:

Respondent Group	<i>Satisfied w/Times Square experience?</i> 2009 / 2007	<i>Wish for more "New York" in Times Square?</i> 2009 / 2007	<i>Word Association</i> 2009 / 2007		
			"Crowded"	"Unique"	"Touristy"
NYC residents	89% / 78%	60% / 67%	63% / 91%	39% / 38%	63% / 83%
Tri-state residents	91% / 80%	54% / 64%	65% / 84%	41% / 30%	64% / 73%
Times Square employees	74% / 43%	67% / 83%	84% / 95%	28% / 14%	91% / 96%

Theater Patron Survey Results: In October 2009, Philip Habib & Associates conducted intercept surveys of 367 Broadway theater patrons.⁸ The following table compares responses by transportation mode and place of residence. The percentage of respondents reporting a positive (+) effect is written in green, and the percentage listing a negative effect (-) is in black:

Respondent Group	N=	Effect of Broadway closure on...	
		<i>Accessibility to theaters</i>	<i>Walking through Times Square</i>
NYC residents	149	37% + / 11% -	57% + / 6% -
Tri-state residents	56	27% + / 11% -	54% + / 13% -
Transit users	166	31% + / 9% -	54% + / 7% -
Car/taxi users	83	28% + / 16% -	52% + / 12% -

The following table compares responses by Broadway theater patrons to surveys conducted by Philip Habib & Associates after the Broadway closure (October 2009, in red) and before the Broadway closure (in May 2009):

Respondent Group	Survey	N=	Convenient to travel to Times Sq.?
NYC residents	Oct 09	149	92%
	May 09	114	95%
Tri-state residents	Oct 09	56	96%
	May 09	70	98%
Transit users	Oct 09	166	97%
	May 09	100	92%
Car/taxi users	Oct 09	83	87%
	May 09	98	97%

⁸Theater-goers were surveyed outside seven different theaters on 44th and 45th Streets before Friday evening and Saturday matinee and evening performances (October 9th and 10th, respectively).



TIMES
SQUARE
ALLIANCE



Times Square Alliance

Times Square Pedestrian Plaza Audit January 2010



1

Background

- ❑ The Times Square Alliance commissioned a multi-phase research program to:
 - Gauge awareness and perceptions of the pedestrian plaza in Times Square
 - Evaluate the impact on overall perceptions of Times Square
 - Inform communications about, and programs for, Times Square
- ❑ Research being conducted by StrategyOne, an independent, applied research consulting firm

2

Methodology

1. Surveys Among Tri-State Area Residents and Times Square Employees:
 - ❑ Online surveys conducted among 600 Tri-State area residents in and around New York City (300 NYC residents/300 non-NYC residents) as well as among 503 employees working in T.S.
2. Plaza User Surveys
 - ❑ Surveys conducted face-to-face among 177 T.S. Pedestrian Plaza dwellers
3. Retail Manager Surveys
 - ❑ 148 surveys conducted face-to-face among retail managers in T.S.
4. Executive Surveys
 - ❑ 128 surveys conducted online and via mail-in survey among executives of T.S. companies and T.S. property owners

Key Findings

- Feelings About the Plaza
 - Tri-State Area residents are feeling good about the plazas in Times Square
 - Plaza Users, who are "locals" and non-locals alike, are especially positive about them
- Changing Behaviors and Attitudes Toward Times Square
 - The plazas are improving overall perceptions of Times Square and making people more likely to shop and spend time in the area
 - Times Square is also starting to feel more like "New York"
- Still Some Work to Do
 - Despite positive feelings and opinions, better design is desired

Awareness & Perceptions



5

Awareness & Perceptions

- There is a strong sense that Times Square is improving
 - The majority of Tri-State area residents, NYC residents and Times Square employees believe that the neighborhood, in general, has improved dramatically over the past year
- Most Tri-State area residents are aware of the pedestrian plazas in Times Square and many have already seen them and sat in them
 - Awareness and engagement levels are greater among NYC residents and even greater among Times Square employees
- Overall, people are feeling good about the pedestrian plazas
 - Most constituents, including theater-goers, are positive about the pedestrian plazas and use positive words to describe them, including “nice,” “good,” and “cool”

Awareness & Perceptions (cont.)

- The plazas are also improving time spent in Times Square
 - Most Tri-state area residents and New Yorkers believe that the plazas have a positive impact on neighborhood activities they engage in, including live entertainment, theater-going, shopping and dining out
 - The majority of constituents, including employees, believe that the pedestrian plazas have had a positive impact on their overall Times Square experience.
 - Most believe the plazas have made Times Square a better place to go out and work.
- Improved experiences leads to more frequent experiences
 - Many constituents admit they are engaging in activities, such as going out, shopping, and spending time in Times Square on the weekends more than they were before
 - One in four employees are more likely to leave the office for lunch than they were before the pedestrian plazas were established
- Awareness of and engagement with the plazas makes people feel more positive toward them.
 - Virtually all residents who have actually sat in the plazas (95%) are positive about them

Perceived Improvements Abuzz

Times Square has improved dramatically over the past year

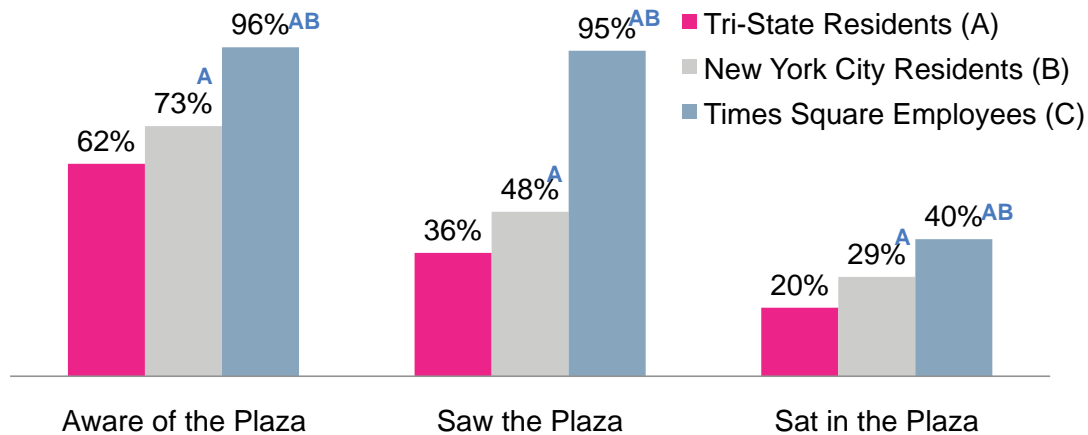
66% of Tri-State Area Residents Agree

74% of New York City Residents Agree

60% of Times Square Employees Agree

New Yorkers tuning in at varying levels

Times Square Pedestrian Plaza Engagement



A/B/C = Statistically significant at 95%



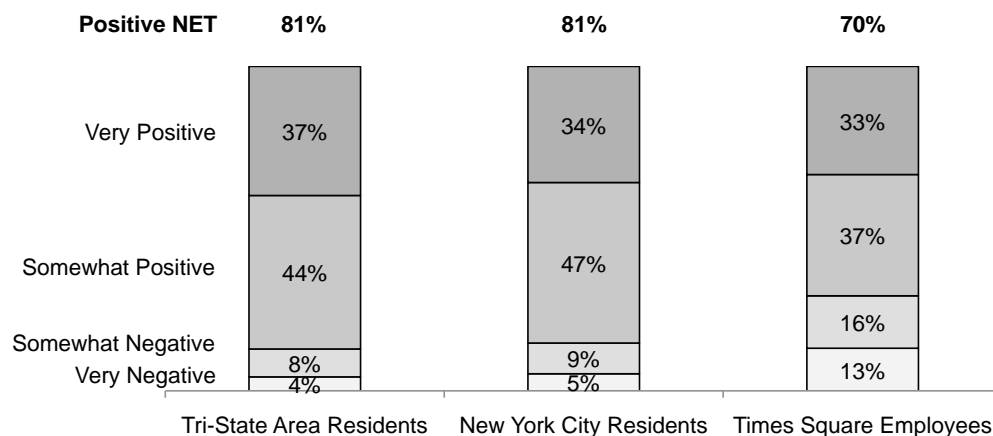
StrategyOne

Q32. Have you seen, read or heard about the Broadway pedestrian plazas in Times Square?
 Q33. Have you, yourself, actually seen the pedestrian plazas in Times Square in the last few months?
 Q35. Did you actually sit down in the pedestrian plaza area?

9

Overall Opinion is Overwhelmingly Positive

Overall Opinion of Times Square Pedestrian Plaza



StrategyOne

Q36. What is your overall opinion of the pedestrian plazas in Times Square?

Does not include "Don't Know" 10

Plazas also Linked to Pedestrian Safety

Plazas make area safer for pedestrians

84% of Tri-State Area Residents Agree

84% of New York Residents Agree

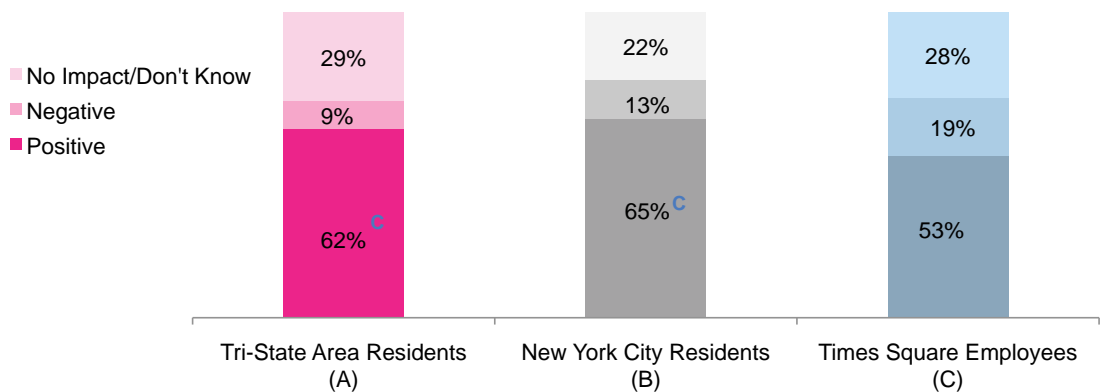
72% of Times Square Employees Agree



Q42. Please indicate how much you agree or disagree with each of the following statements about the pedestrian plazas in Times Square.

Plaza Positively Impacts Experiences in Times Square

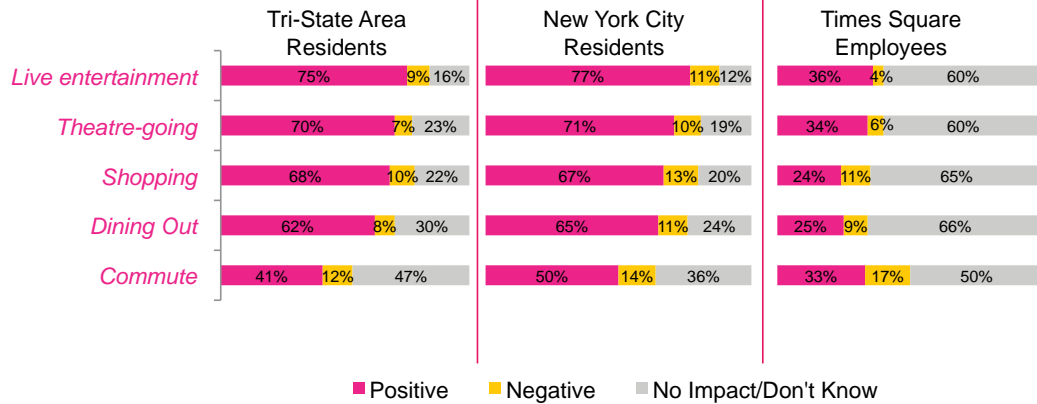
Overall Experience in Times Square...



Q72 What impact has the Broadway pedestrian plaza had on each of the following...
Your overall experience in the neighborhood

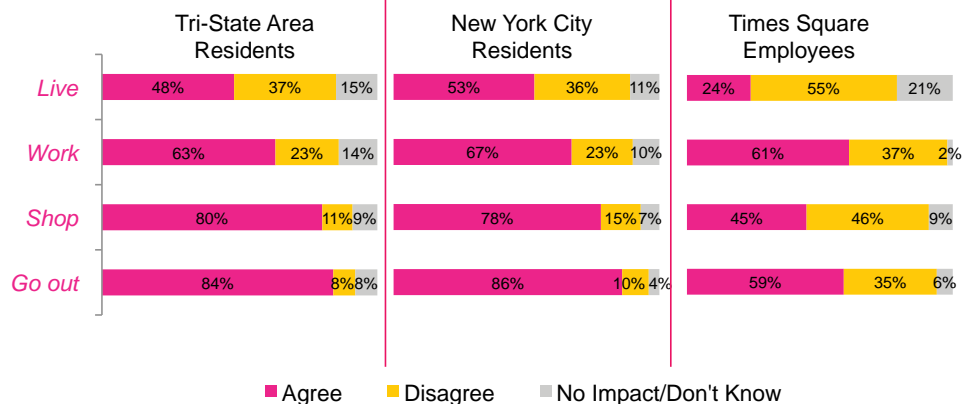
Plaza Positively Impacts Experiences in Times Square

Plaza impacts....



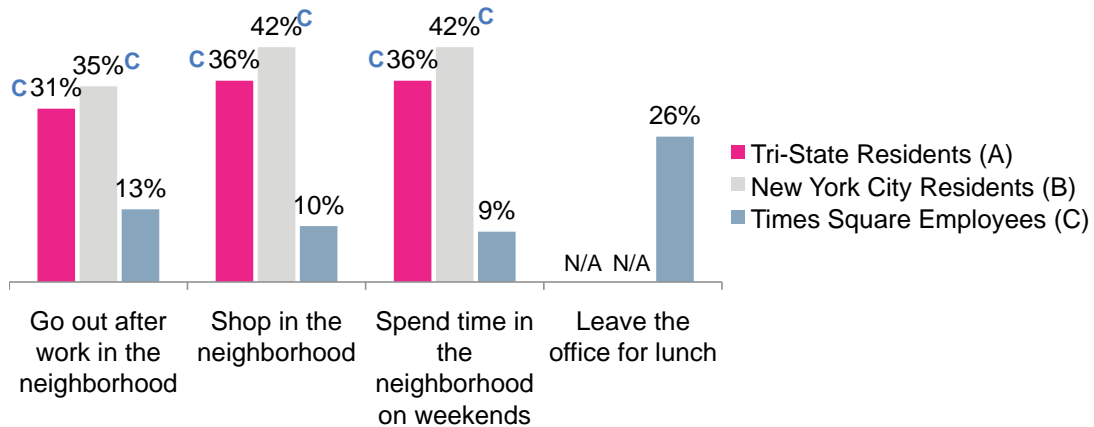
Plaza Positively Impacts Experiences in Times Square

Times Square is a better place to...



Locals & Non-Locals Increasing Patronage; Employees Going Out for Lunch

Activities Engaged in *More Often*



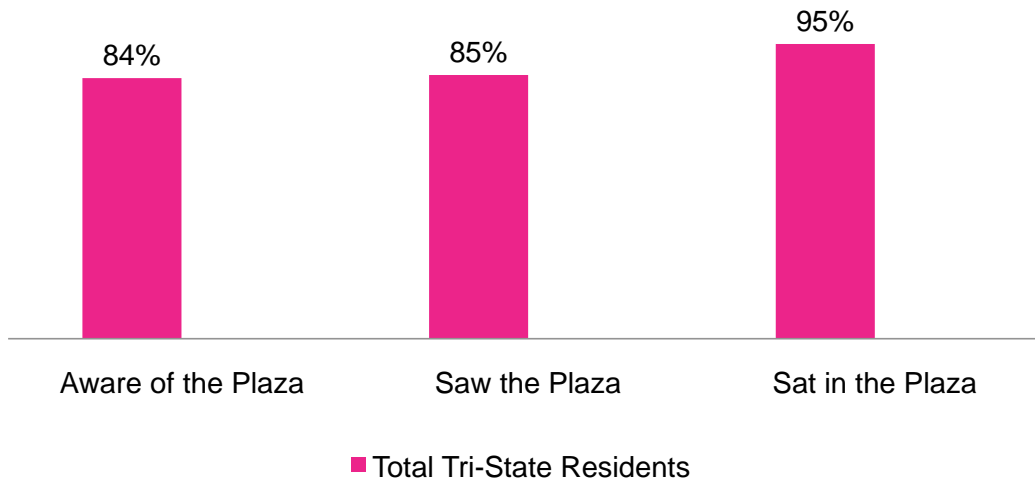
Q63-65. Compared to before the pedestrian plazas were established, would you say that you do the following more, less, or about the same as before:

A/B/C = Statistically significant at 95%

17

Overall Tri-State Opinion Strongest Among Plaza “Users”

Positive Opinion of Times Square Pedestrian Plaza By Level of Engagement



Q36. What is your overall opinion of the pedestrian plazas in Times Square?

18

Deeper Dive on Plaza Users

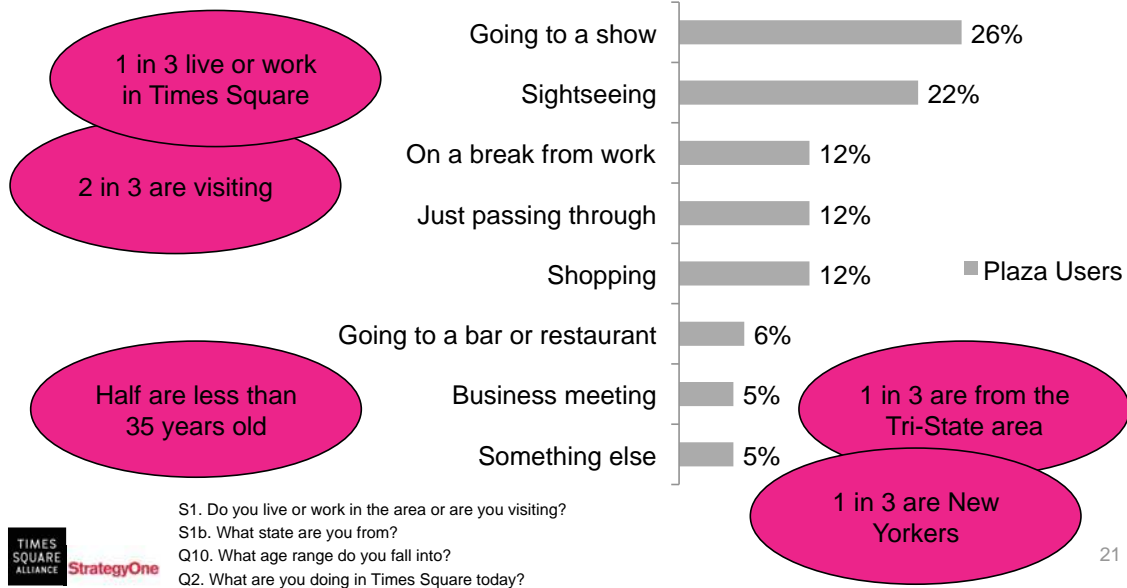


Deeper Dive on Plaza Users

- Who Uses the Plazas?
 - Plaza users are not just tourists; they are people who spend time in the area regularly
- Positive Feelings About the Plazas
 - Users are overwhelmingly positive about the plazas– particularly in the areas of improved safety and reduced congestion.

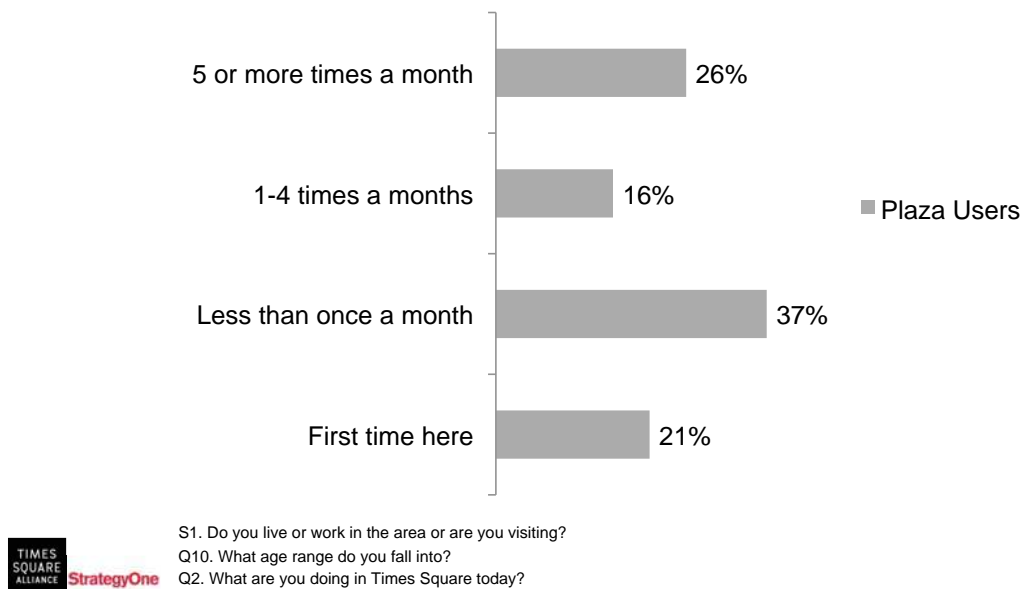
The Plazas Draw a Young, Diverse Crowd, Not Just Tourists

Profile of the Plaza Users



Plaza Users Range from the “Regulars” to the “Newbies”

Frequency of Plaza Visits



Positive Feelings Toward Plaza Abound

First-Hand Opinions

9 in 10 Plaza Users say:

- *This is an attractive place*
- *I like being out on the street here*
- *The plazas make Times Square a **better** place to be*
- *The plazas make Times Square a **nice** place to be*
- *I would feel comfortable bringing children with me into this area*
- *I hope the pedestrian plazas become a permanent fixture in Times Square*



8 in 10 Plaza Users say:

The plazas make Times Square feel more like New York



StrategyOne

Q7A,B,E,F, G, H. Please indicated how much you agree or disagree with the following statements about the pedestrian plazas in Times Square. Agree Strongly/Somewhat

Q9. How comfortable would you be brining children with you into this area? Very/Somewhat comfortable

23

Plazas Improving the Overall Times Square Experience

Plaza Impact on Times Square Experience



88%

of plaza users said that the pedestrian plazas had a positive impact on their overall Times Square experience.

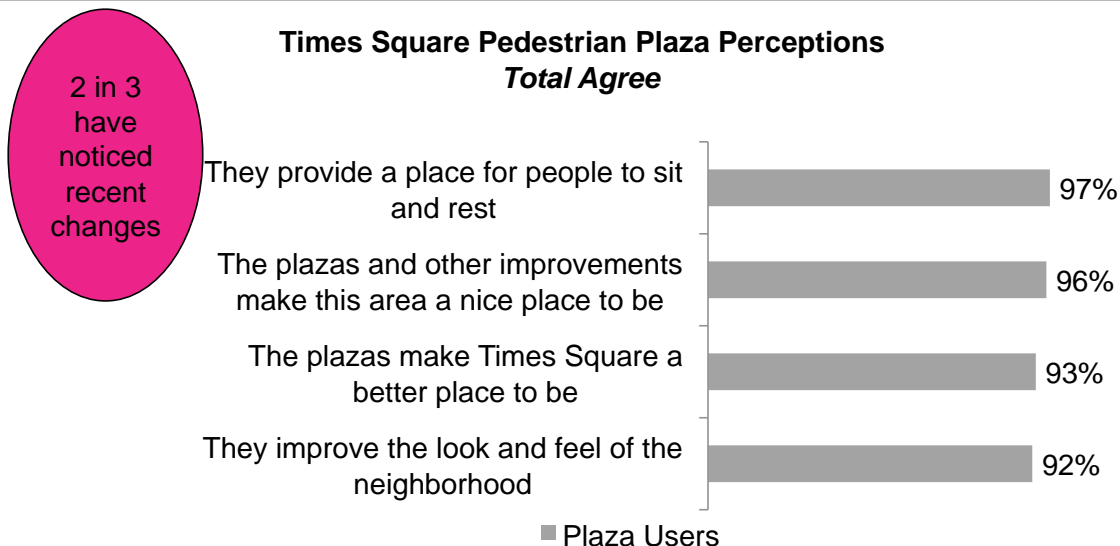


StrategyOne

Q6. What impact has the pedestrian plazas had on your overall experience in Times Square?

24

Plaza Users Recognize and Appreciate Changes



StrategyOne

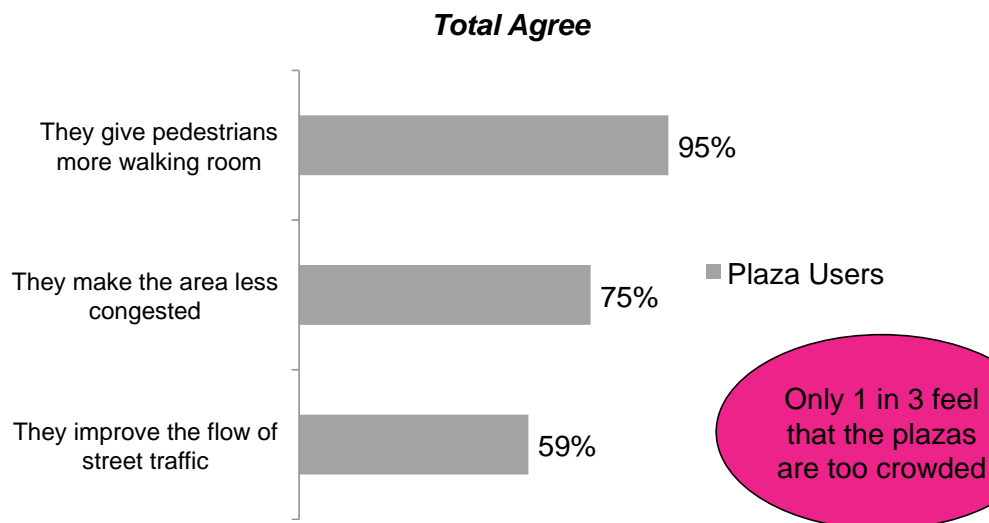
Q5D, 5E, 7E, 7G. Please indicate how much you agree or disagree with the following statement: Agree Strongly/Agree Somewhat

Q4. Have you noticed any changes made in the Times Square area in the past few months?

Q3. How often do you come to this part of Times Square?

25

Most Plaza Users See Less Congestion

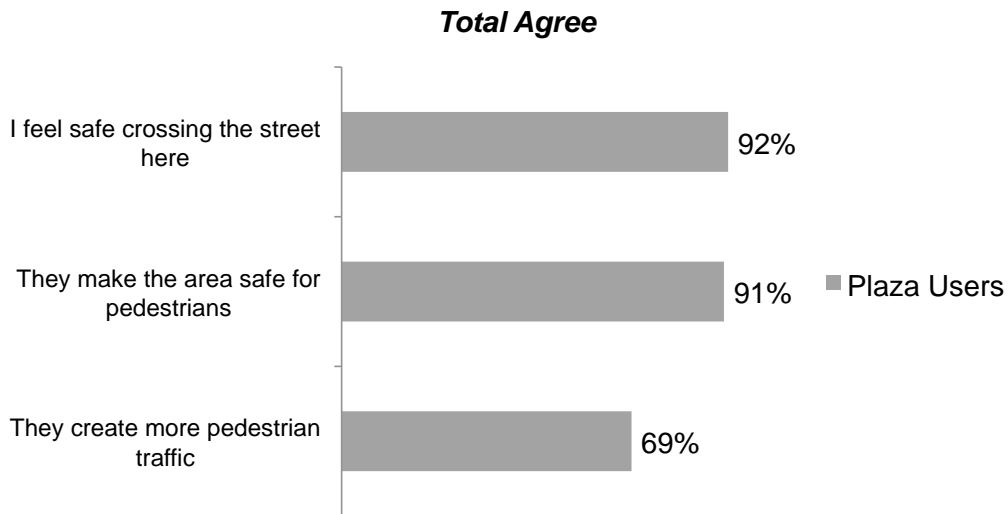


StrategyOne

Q5A,5B, 5C, 7D. Please indicated how much you agree or disagree with the following statements about the pedestrian plazas in Times Square...

26

Plaza Users Recognize Safety Benefits



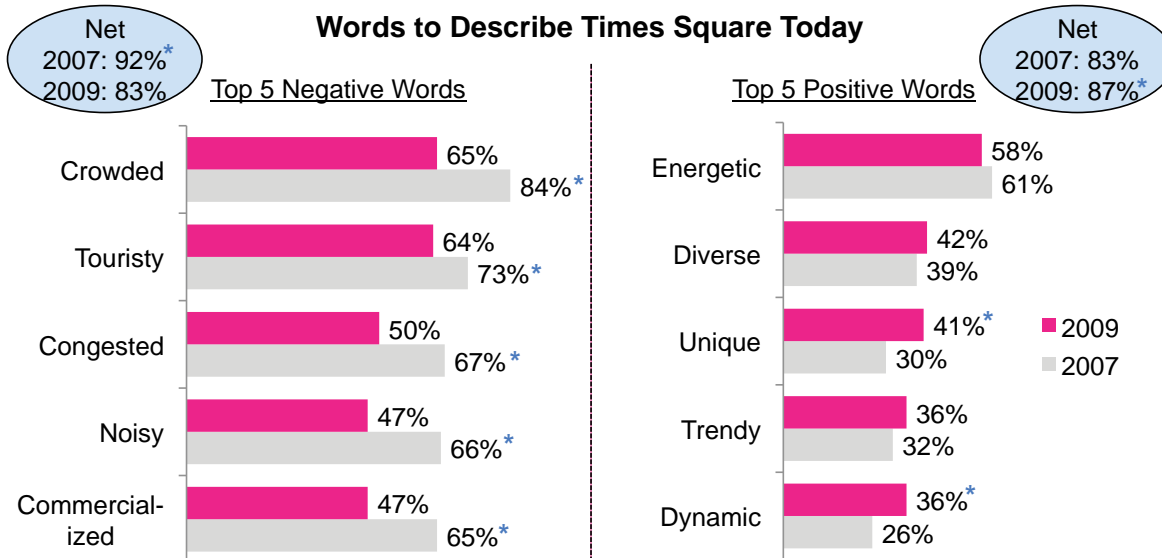
Impact on Overall Perceptions of the Neighborhood



Impact on Overall Perceptions of the Neighborhood

- Positive opinions toward the pedestrian plazas are also driving improved perceptions of Times Square, itself
- Negative word associations with the neighborhood have softened compared to 2007
- The pedestrian plazas are also bringing the “New York feel” back into the neighborhood
- Across constituencies, satisfaction with experiences in Times Square have improved since 2007
 - Employee satisfaction has nearly doubled
- Most constituents believe that the plazas are “a huge step forward” for Times Square
- As a result, the majority would like to see them become permanent

Negative Associations with Times Square Softening, Positive Ones Improving



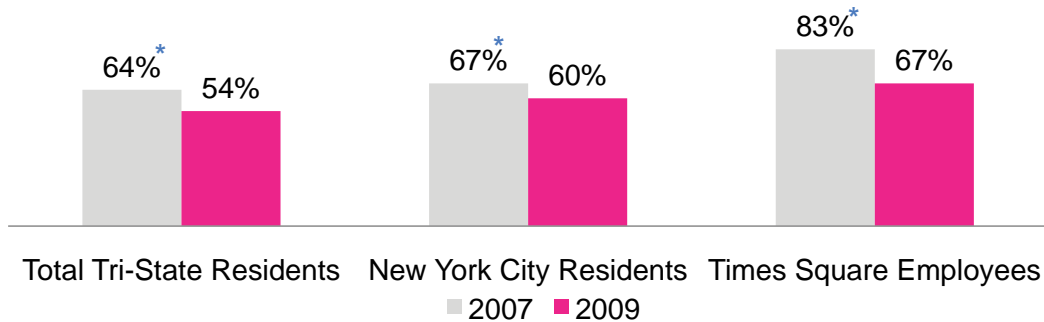
Base: Tri-State Area Residents

* Statistically significant at 95%

"New York" is Tiptoeing Back into Times Square

Longing for New York

I wish they would put more "New York" back into Times Square



8 in 10 Plaza Users say:

The plazas make Times Square feel more like New York

* Statistically significant at 95%



StrategyOne

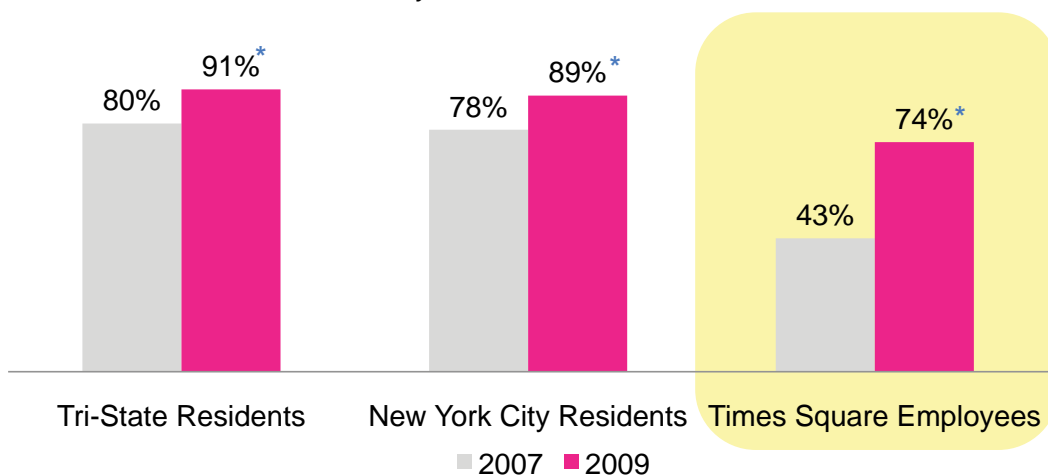
Q24/Q7F. Please indicate how much you agree or disagree with the following statements.

31

Times Square Satisfaction is Improving

Satisfaction with Times Square Experience

Very/Somewhat Satisfied



* Statistically significant at 95%



StrategyOne

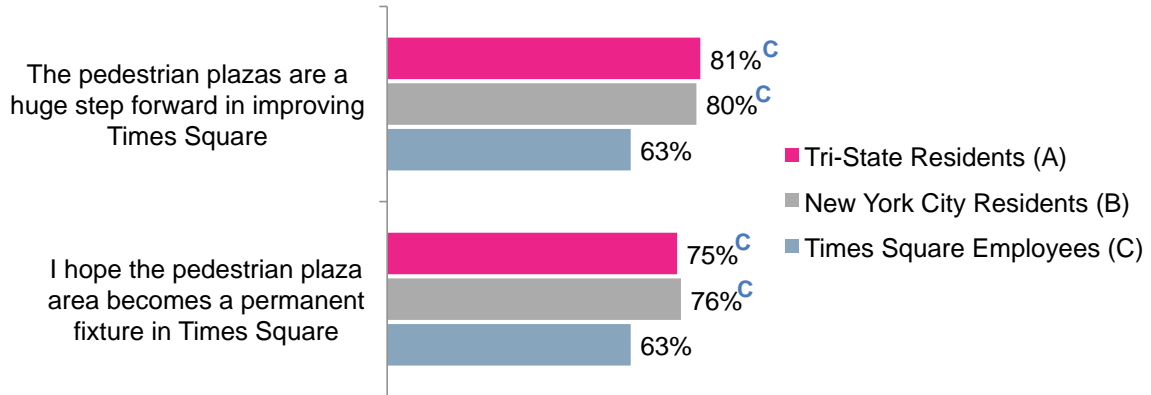
Q17a. Please think of the last time you went to Times Square. How satisfied were you with your experience? (Tri-State area and NYC residents)

Q19. How satisfied are you with Times Square as a place to work? (T.S. Employees)

32

Plaza Making Strides for Times Square

Times Square Perceptions *Total Agree*



The Future of Times Square

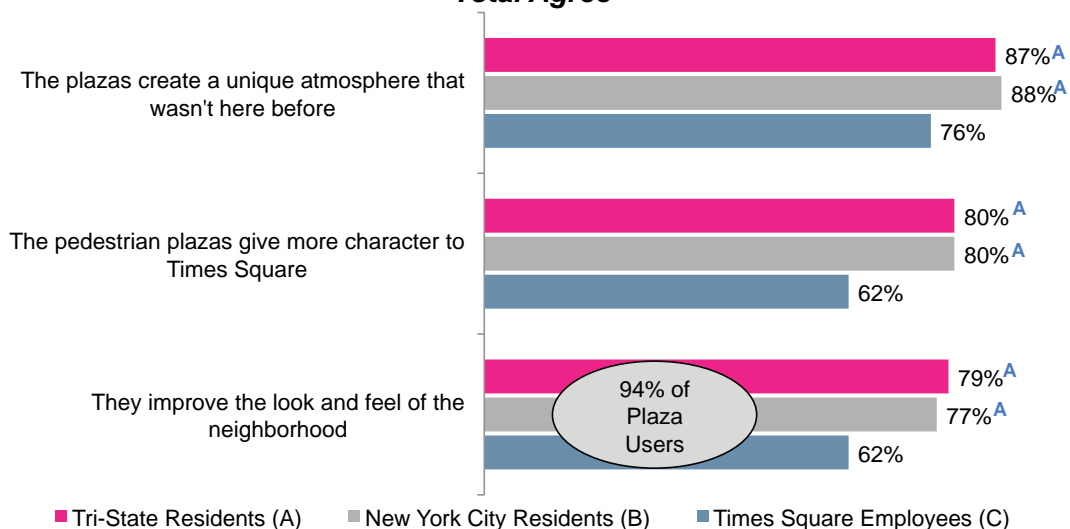


The Future of Times Square

- The plazas are lending a new sense of uniqueness and character to Times Square
- Therefore, it's no surprise that locals want the plazas to become permanent
- However, locals want to see improved design, specifically in terms of the furniture
- Live music is the amenity locals would most like to see on the plazas
- Communications about plaza and other Times Square events should go out via email and the Alliance Web Site

Plazas Are Adding Uniqueness and Character to Neighborhood

Times Square Pedestrian Plaza Perceptions
Total Agree

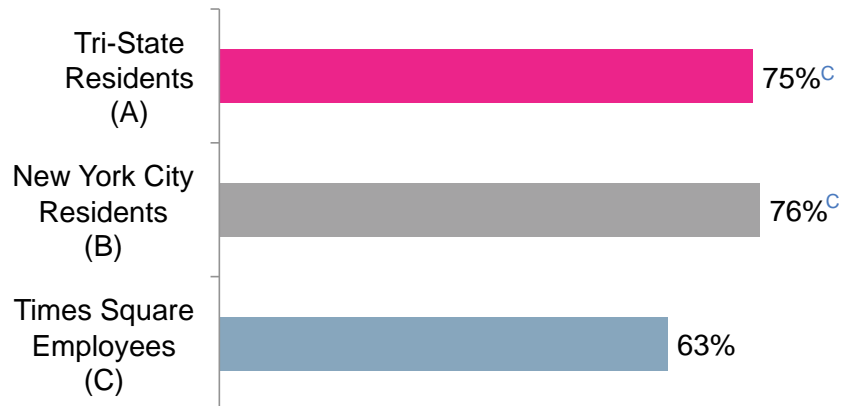


Locals Want Plaza as Permanent Fixture

Plaza Design Perceptions

Total Agree

I hope the pedestrian area becomes a permanent fixture in Times Square



A/B/C = Statistically significant at 95%



StrategyOne

Q80. Please indicate how much you agree or disagree with the following statement. (Strongly agree/Somewhat agree)

37

Improved Design Desired by Most...

Plaza Design Perceptions

Total Agree

The plazas would be more appealing to me if they were designed better



StrategyOne

Q52. Please indicate how much you agree or disagree with the following statement. (Strongly agree/Somewhat agree)

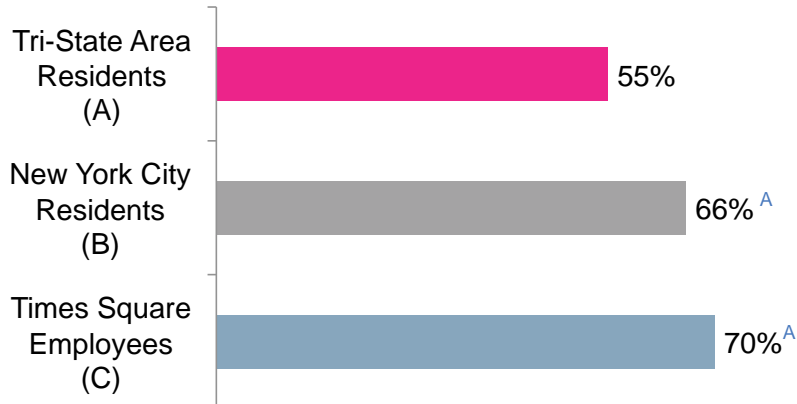
38

...Specifically furniture

Plaza Design Perceptions

Total Agree

I wish they would improve the furniture in the pedestrian plaza area



A/B/C = Statistically significant at 95%



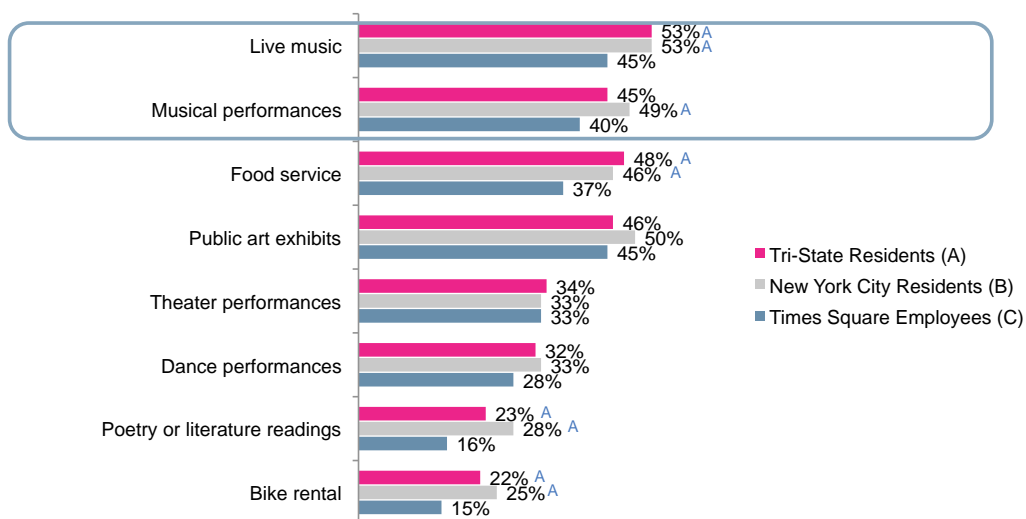
StrategyOne

Q52. Please indicate how much you agree or disagree with the following statement. (Strongly agree/Somewhat agree)

39

Locals Would Most Like to See Live Music on the Plaza...

Future Plaza Amenities



A/B/C = Statistically significant at 95%



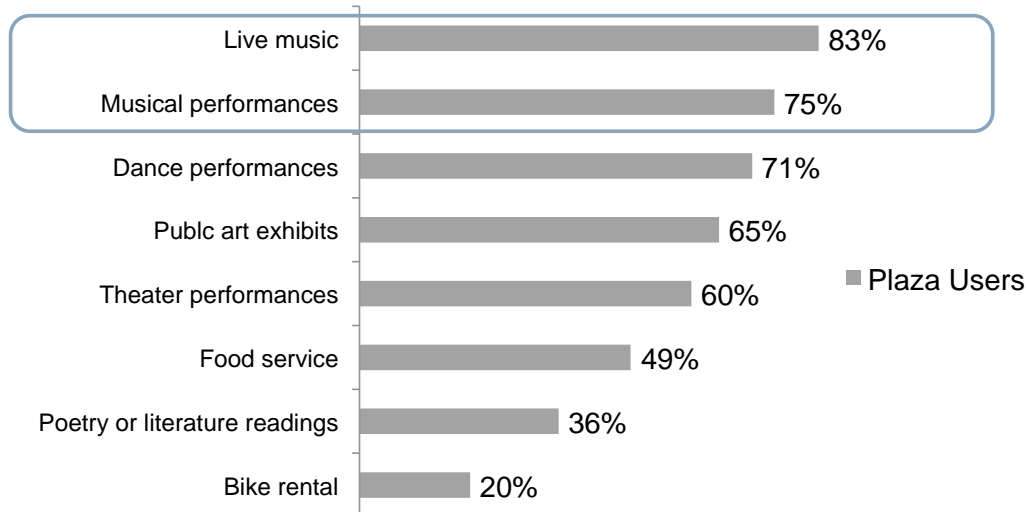
StrategyOne

Q77. Which, if any, of the following do you believe would improve the pedestrian plazas in Times Square?

40

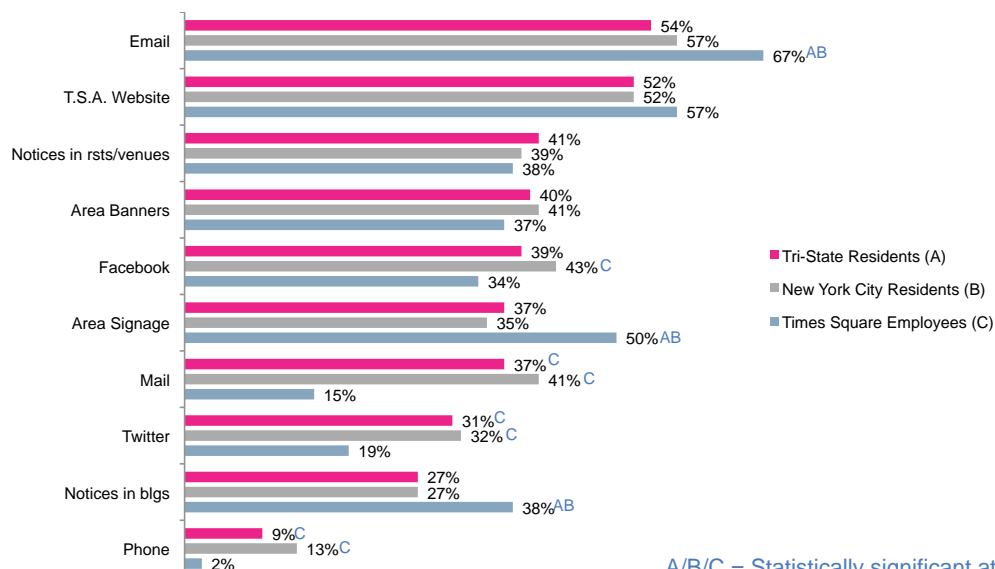
...As Well As Users

Future Plaza Amenities



Email and the Alliance Web Site are Top Ways to Communicate Events

Preferred Method of Communication for Times Square and Plaza Events



A/B/C = Statistically significant at 95%

In a Nutshell

- Key constituencies are positive about the Broadway pedestrian plazas
- These positive feelings spill over into increased engagement in the neighborhood, better experiences and improved perceptions of Times Square itself
- While live music and permanent, aesthetically appealing furniture would improve the area, the look and feel of the plazas do not seem to be hindering engagement with the space



Appendix



Opinions Among Times Square Retail Managers



Opinions Among Times Square Retail Managers

- Compared to this time last year 32% of 148 Retail Managers say that their business is doing better, 27% say it is worse, or 36% say it is about the same
- Two-thirds (68%) are positive overall about the Pedestrian Plazas in Times Square: 26% are very positive and 43% are somewhat positive
 - 77% believe they make the area safe for pedestrians
 - 71% believe they improve the look and feel of the neighborhood
 - 53% believe they make the area less congested and improve the flow of street traffic
- Forty-three percent of retail managers believe the pedestrian plazas having a positive impact on their store's ability to conduct business in Times Square; only 15% are seeing a negative impact
- Forty-nine percent believe the pedestrian plazas are having a positive impact on their customers' shopping experiences while only 8% are seeing a negative impact
- Two-thirds (68%) of retail managers agree: *I hope the pedestrian plaza area becomes a permanent fixture in Times Square*



Opinions Among Times Square Executives and Property Owners



Opinions Among Times Square Executives and Property Owners

- Compared to this time last year 23% of 128 T.S. Property Owners and Business Executives say that their business is doing better, 31% say it is worse, and 44% say it is about the same
- A majority (63%) are positive overall about the Pedestrian Plazas in Times Square: 31% are very positive and 32% are somewhat positive
 - 44% believe they improve the flow of street traffic
 - 55% believe they make the area less congested
 - 61% believe they make the area safe for pedestrians
 - 61% believe they improve the look and feel of the neighborhood
- Among 88 executives surveyed, 33% believe the pedestrian plazas are having a positive impact on their employees' ability to conduct business in Times Square, and 32% believe they are having a negative impact
- Of the 40* owners surveyed, 16 are seeing a positive impact on business for their tenants and 16 are seeing a negative impact (*Caution: low base size)
- Nonetheless, (60%) of executives and owners agree: *I hope the pedestrian plaza area becomes a permanent fixture in Times Square*



Demographics



Demographic Profile

	% OF TOTAL TRI-STATE	% OF NYC RESIDENTS	% OF TOTAL EMPLOYEES
Gender			
Male	43	49	46
Female	57	51	54
Age			
18-24	9	9	6
25-34	27	32	29
35-44	21	21	25
45-54	20	18	23
55-64	18	16	17
65+	6	14	12

Demographic Profile- cont'd.

	% OF TOTAL TRI-STATE	% OF NYC RESIDENTS	% OF TOTAL EMPLOYEES
Education			
Less than college	46	40	18
College degree	54	60	80
Income			
Less than \$49,999	37	37	16
\$50,000 or more	62	61	71
Ethnicity			
Caucasian	64	57	72
Hispanic	17	22	9
Black/African American	12	12	5
Employment Status			
Employed	69	74	100
Not employed	31	26	-

Demographic Profile- cont'd.

	% OF TOTAL TRI-STATE	% OF NYC RESIDENTS	% OF TOTAL EMPLOYEES
Marital Status			
Single	43	47	48
Partnered	57	53	52
Children Under 18 Living in Household			
Yes	44	49	25

Demographic Profile- cont'd.

	% OF TOTAL TRI-STATE	% OF NYC RESIDENTS	% OF TOTAL EMPLOYEES
<i>Attended Broadway Show</i>			
Last 6 months	57	63	76



TIMES SQUARE ATTITUDE SURVEY APRIL – JUNE 2012



TIMES
SQUARE
ALLIANCE

TIMES SQUARE SURVEY

Thinking about the last Times you visited Times Square,
how satisfied were you with your experience?

	% Satisfied		
	2012	2009	2007
NYC	75%	89%	78%
Tri-State	82%	91%	80%
Nationwide	84%	N/A	73%
Employees*	54%	74%**	43%

* Employees asked about satisfaction with Times Square "as a place to work."

** Neutral option not provided in 2009.



TIMES SQUARE SURVEY

What is your opinion of the Broadway Pedestrian Plazas?

	Very/Somewhat Positive	
	2012	2009
NYC	70%	81%
Tri-State	78%	81%
Nationwide	78%	N/A
Employees	80%	70%



TIMES SQUARE SURVEY

Which, if any, of the following words, best describe Times Square today?

- Top 3 Negative

<u>Tri-state</u>	<u>Nationwide</u>	<u>Employees</u>	<u>NYC</u>
Touristy	Crowded	Touristy	Crowded
Crowded	Touristy	Crowded	Touristy
Noisy	Commercialized	Commercialized	Noisy



TIMES SQUARE SURVEY



“Crowds, tourists, ticket hackers, 500 gentlemen selling tour bus seats, need I go on?”

“The crowds, and most recently the dingy costumed characters begging for handouts...it makes it feel sad, cheap, and more like the Atlantic City boardwalk or Hollywood Boulevard than Times Square. Sure Naked Cowboy, the creepy Statues of Liberty and that embarrassing red-legged busker for CHICAGO are there too, but at least they are local and appropriate to the venue.”

“Too crowded, recent influx of ‘characters’ – there is an Elmo on every corner.”



“Too crowded...There are some street vendors who are illegally working on the streets.”

“Food carts that take up the sidewalks, the smell, annoying street vendors, the people on the corners begging for money for the homeless.”

“It has become over run with street vendors, pan-handlers, and disgusting costume characters. It becomes very congested in the summer because everyone is trying to sell more kitschy items to tourists.”



“It has become so geared towards tourists. I know that is important because they bring in huge revenue but between the chain stores, chain restaurants, and the fake cartoon characters everywhere there’s not much here for residents/workers.”

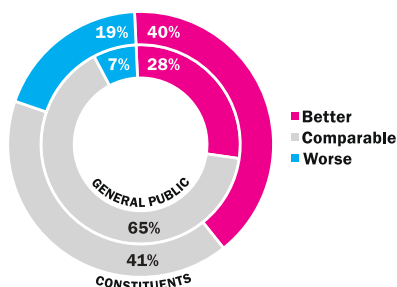
“So crowded. So many huge chain stores. So many elmo-naked cowboy-batman-tourist bus –comedy central-dora the explorer-flyer-pushing people!”

“Too crowded. Hate the people on the street dressed up as cartoon characters to take pictures with. Who are these people?”



LOCAL USER SURVEY

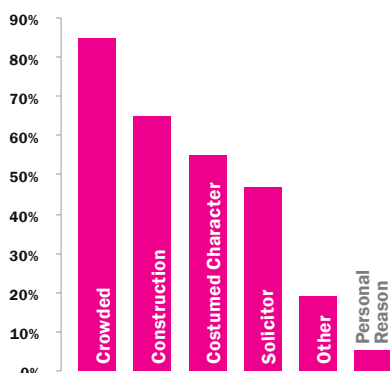
EXPERIENCE COMPARED TO ONE YEAR AGO



Most visitors, employees and residents remain satisfied.

55% of Alliance constituents and 53% of the general public were either satisfied or very satisfied with their most recent visit to Times Square.

CITED REASONS FOR DISSATISFACTION



Despite this, there is growing dissatisfaction.

Roughly one quarter of Alliance constituents and one in seven members of the general public were dissatisfied or very dissatisfied with their most recent visit to the district.

The overwhelming reason for dissatisfaction were **crowds** and **construction**, closely followed by **costumed characters and solicitors**.



45% of those surveyed have had an unpleasant interaction with a costumed character or solicitor. 31% of constituents feel less safe around costumed characters.

On an average Friday in May, Alliance staff counted 57 costumed characters, 32 CD sellers and 103 ticket sellers on Times Square's plazas and sidewalks.

66% of constituents would like to see fewer solicitors and 73% would like to see fewer costumed characters.



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*TURNKEY INTELLIGENCE, APRIL 2014
N=988



Who We Surveyed

982 Total Respondents

12% work in Times Square

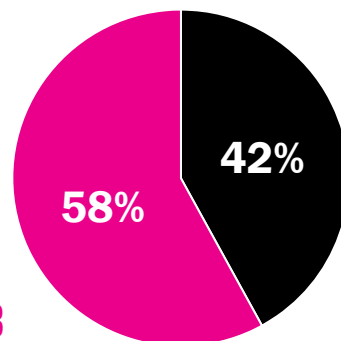
2/3 are New Yorkers

Zagat = 409

Zagat mailing list (diners)

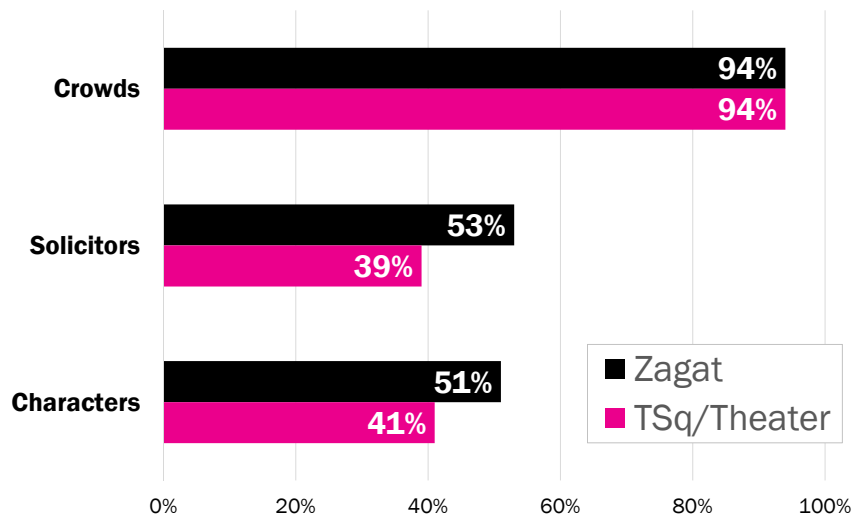
TSq/Theater = 573

Alliance, TDF,
Broadway lists



■ Zagat ■ TSq/Theater

Why were people dissatisfied?



How could Times Square improve?

67% Zagat
64% TSq/Theater

**Fewer solicitors and
 costumed characters**

48% Zagat
33% TSq/Theater

**More diverse and/or less
 expensive dining options**



08

Documents Relating to a
Draft Vision for Times Square

TIMES SQUARE: WHAT'S IN ITS FUTURE

In response to a survey asking respondents to share their vision for the future of Times Square, New Yorkers from across the city said Times Square should...

BE CURRENT AND CHANGING AND RELEVANT but don't lose what connects us to our past

- "My fantasy for Times Square is that it reclaims more of its history" – *OHNY Panel Attendee*
- "My fantasy for Times Square is more relationship with the historical life of Broadway." – *Alliance Board Member*
- "I hope that a decade from now, Times Square will surprise and delight visitors, remind them of a uniquely American experience and connect them to history and continuity of a great place." – *Alliance Board Member*

BE COMMERCIAL but not if it overwhelms civic activity

- "I hope that, a decade from now, Times Square will reflect the vibrancy and diversity of New York's economy: commerce AND art." – *CB5 Member*
- "I hope that, a decade from now, Times Square will hold local craft and cultural events and exhibits and avoid commercial events that serve as brand advertising." – *CB5 Member*
- "I'd love to see more of the arts, more creative expression of multimedia and dance in Times Square. Times Square needs to maintain the commercial element but also needs to elevate the senses as well." – *Alliance Board Member*

CREATE SPACE FOR RELAXING but don't make it sterile, banal or ordinary

- "My fantasy for Times Square is New York's most iconic public space that carefully balances a broad dichotomy of being a relaxing, refreshing place to pause, as well as a frantic, high energy space that represents the city and the United States." – *MAS Summit Attendee*
- "My fantasy for Times Square is a place that is both bustling but has a place of calm/quiet too. Can there be an opportunity of retreat in Times Square?" – *MAS Summit Attendee*
- "My fantasy for Times Square is that it remains a vibrant urban streetscape, interesting and attractive to a diverse population of uses." – *Alliance Board Member*

CREATE AND CURATE ORIGINAL PROGRAMMING but allow for the random, unexpected and organic

- "I'd love to see other performance art and demonstrations, beautifully presented." – *CB5 Member*
- "I hope that Times Square, a decade from now, will still promote the integration of art and culture into the public space and public life, using all of the tremendous assets." – *Alliance Board Member*
- "My fantasy for Times Square is events that bring people together in a meaningful and unexpected way." – *Annual Public Meeting Attendee*

BE FREE, TRANSPARENT AND DEMOCRATIC but don't let it become a free for all

- "My fantasy for Times Square is to make it more of a true 'town square'--soap boxes, a space for people to gather to express their ideas." – *MAS Summit Attendee*
- "My fantasy for Times Square is a place to be proud of to gather." – *Annual Public Meeting Attendee*
- "My fantasy for Times Square is a place where high and low culture meet and form a representation of "our culture." – *Annual Public Meeting Attendee*

WELCOME THE VISITOR but make sure New Yorkers feel it's theirs

- "I'd love to see a better balance between local community and visitors in Times Square." – *MAS Summit Attendee*
- "My fantasy for Times Square is innovative and exciting spaces and activities that attract other activities besides tourism." – *MAS Summit Attendee*
- "I hope that Times Square, a decade from now, will be a go-to destination, for those who are visiting the city but for full-time residents as well." – *Alliance Board Member*

Mission

The Times Square Alliance works to improve and promote Times Square - cultivating the **creativity, **energy** and **edge** that have made the area an icon of **entertainment**, **culture** and **urban life** for over a century.**

Vision for Times Square

**A thriving town square,
innovatively designed and beautifully
maintained,
that celebrates its commerce and culture,
its past and its future,
and reflects the best of New York City,
America and the world.**

Principles and Admonitions



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Be current and changing
and relevant
BUT
Don't lose what connects
us to our past**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Allow for spontaneity,
surprise and randomness**

BUT

**Stay safe and don't spin
out of control**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

It's okay to be commercial

BUT

**Not if it overwhelms civic
activity**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Celebrate theater, signs &
all of our unique assets**

BUT

**Nurture the new and what
hasn't been here**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

Create space for relaxing

BUT

**Don't make it sterile, banal
or ordinary**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

Welcome the visitor
BUT
Make sure New Yorkers
feel at home



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

We don't need to attract
MORE people
BUT
We want new, diverse and
multigenerational
audiences



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Make it a true hub for
global conversation**

BUT

**Make it a town square for
New Yorkers**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Create and curate original
programming**

BUT

**Allow for the random,
unexpected and organic**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Allow it to be a great civic
gathering place**

BUT

**Don't allow that to
overwhelm the space for
those who are here daily**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Allow for commercial
activity on the plazas**

BUT

**Do everything possible to
make offering distinctive**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Nurture quality, not
quantity
BUT
Don't let limits dampen
creativity**



**TIMES
SQUARE
ALLIANCE**

**DESIGN TRUST
FOR PUBLIC SPACE**

**Allow for regular
programming
BUT
Constantly surprise and
experiment**



**TIMES
SQUARE
ALLIANCE**

**DESIGN TRUST
FOR PUBLIC SPACE**

**Be a spot for the
neighborhood**

BUT

**Reflect what is best about
all five boroughs of NYC**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Be free, transparent and
democratic**

BUT

**Don't let it become a free
for all**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Make sure it's clean, safe
and welcoming**

BUT

**Don't make it controlled
and sterile**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Be consistent in managing
the space**

BUT

**Vary approach based on
time, place and season**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Exercise creative
leadership; don't just react
BUT
Facilitate a multitude of
voices**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Recognize that Times Square
is a resource for the entire city
BUT
Respect and represent the
community when making
decisions**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

Times Square is global

BUT

Not just for tourists



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Times Square is a place of
exchange**

BUT

**It's not just about
commercial transactions**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Times Square is a place to
present the new**

BUT

**Is also a platform for
what's the best from the
city and the world**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Times Square is a global stage
for new ideas and innovations**

BUT

**Whatever is here should
reflect and respect the
context**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

**Design should be visible
and unique to Times
Square**

BUT

**Be mindful of too much
clutter**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

Secure and protect

BUT

**Don't inhibit free speech or
movement**



TIMES
SQUARE
ALLIANCE

DESIGN TRUST
FOR PUBLIC SPACE

I'm a Times Square Comedy Club Ticket representative. I want you to know that we provide a vital service for the entertainment industry in NYC. Not only do we insure a living for ourselves, we furnish customers for a huge number of Comedy Clubs in the city. New York City comedy clubs are valued worldwide and are a common destination for visitors to what is "the entertainment capitol of the world". These clubs are businesses that depend on ticket sellers to keep their venues filled. Comedy clubs hire cooks, waiters, managers, etc. who work for low pay but keep the vitality of NYC as an entertainment mecca alive. Comedy clubs also employ performers, comedians. NYC based comedians are some of the hardest working underpaid, greatly needed cogs of the performing arts community.

As ticket sellers we steer people to this resource in a professional, courteous, manner. We are honest, hard working New Yorkers, who not only sell tickets, but without compensation give directions, suggest restaurants, suggest Broadway Shows, steer people to historic sites, 30 Rock, Empire State bldg etc. We also support local businesses, restaurants, copy shops.

Many products are promoted in Times Square, with huge signs, billboards, that use millions of kilowatts to project their message.

We use not a watt of electricity. We are human beings, who employ only a small sign and our personalities to insure that our customers have a fully rounded New York City entertainment experience. I urge you not to adversely impact our ability to do business, I urge you not to harm the comedy establishment's ability to function. We are just as important as any other play or movie of corporation that advertises in the crossroads of the world.

Respectfully,

John Carney
East Village

Atlantic Avenue BID Testimony regarding New York City Council Intro 1109

In support of our fellow BID organizations that have plazas as part of their districts, the Atlantic Avenue BID supports the framework and intent of this legislation, Intro 1109, but urges the Council to amend it to ensure expeditious rulemaking and meaningful consultation with community partners.

While we generally support the legislation, we urge the Council to make the following changes:

- 1) Plaza partners and other key City agencies should be included in discussions regarding general rules of conduct before they are adopted. Because many of the nuanced details of the rules do not appear directly in the legislation, it is imperative that plaza partners are consulted.
- 2) We need a timeline that outlines when the rulemaking for all plazas will begin and end. The plaza partners need to be true partners in this process.
- 3) Events that take place on public plazas should, to the maximum extent possible, reflect the unique characteristics of the plaza and its environs, and that event permitting should be made in consultation with the assigned plaza partner, given their inherent familiarity with the plaza and its surrounding environment.

Thank you.

Josef Szende
Executive Director



ATLANTIC AVE BID

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March 30, 2016



**HEARING TESTIMONY FROM
THE BUILDING OWNERS AND MANAGERS ASSOCIATION OF GREATER NEW
YORK:**

**INT. NO. 1109-A: A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF
NEW YORK, IN RELATION TO PEDESTRIAN PLAZAS.**

The Building Owners and Managers Association of Greater New York (BOMA/NY) represents more than 750 owners, property managers, and building professionals who either own or manage 400 million square feet of commercial space. We are responsible for the safety of over 3 million tenants, generate more than \$1.5 billion in tax revenue, and oversee annual budgets of more than \$4 billion. BOMA/NY is the largest Association in the BOMA International Federation, the world's largest trade organization.

BOMA/NY supports and endorses the intent and purpose of this legislation, which aims to make pedestrian plazas safer, more functional, and friendlier to the public using or moving through them. BOMA/NY has members adjacent to pedestrian plazas in and around Times Square, as well as at other locations throughout the City. Because the details of the legislation will be worked out through the rulemaking process both Citywide and at individual plazas, we look forward to working with the Department of Transportation to insure that those rules do not displace problematic behaviors in pedestrian plazas to new locations outside of Times Square, or to locations within pedestrian plazas that might compromise the safety or access of users of adjacent buildings. Once rules are in place, we will also work with NYPD to help enforce those rules.

Once again, we thank and applaud the Council and the City for taking on these issues and look forward to working with you moving forward.

Subject: NYC Council vote on library funding

I could not sign the shameful petition from the BPL. It is one more attempt to fool the public. In the petition they ask for a measly amount for operating costs. What they need is an amount to repair the libraries throughout Brooklyn. The BPL knows that the city is awash in funds now. The budget surplus alone is \$4.5 billion for 2015.

Yet the BPL does not request any funds for repair because they have a plan, according to Linda Johnson, to tear down and shrink libraries throughout the city, using private developers. The example of Brooklyn Heights is what she wants. So does de Blasio. The fix was in from the start, and the NYC Council went along with Steve Levin who betrayed his communities. According to him, and he is on video tape making this statement, 95% of his constituents do not want our library destroyed. They love this library, a solid, strong, excellent library, enlarged, completely renovated and updated for modern technology only 22 years ago. It serves not only Brooklyn Heights, but all the surrounding communities and beyond throughout Brooklyn. Its patrons are a beautiful racial, ethnic, religious mix. All it needs is some repair to its HVAC, but they intentionally keep it non-working, just as they do the elevator. Even in in any decent apartment building, a broken elevator is fixed in one day! This library elevator works for two days, but then breaks again. Steve Levin has not helped, except when the calls to his office reach high-pitch anger. Then it's repaired for a couple of days, before it breaks down again. The elderly and disabled who cannot use the stairs do not have a library any more. It is off limits to them.

Nor does the community want that luxury condo sitting above a useless, new library, shrunk to less than half the size of ours. We have a growing population. The library will be too small to be effective. It will no longer be able to serve Brooklyn Heights as it should, and certainly not all the people who depend on it in our surrounding communities. As for the so-called affordable housing connected to the condo, it will be pushed two miles away into a financially deprived district. And only 5 units are large enough for families at the lowest level of affordability. And that level is not even affordable to people most in need.

There is no reason for me or any informed person to sign that absurd petition, no reason for you to have held that bogus hearing meant to fool the public. The BPL, the NYC Council, de Blasio are hand in hand with the aim to destroy and shrink libraries, while making sure developers get richer and richer. This mayor promised to close the gap between rich and poor, even told us on the steps of the 42nd Street Library while campaigning, to beware the greedy developers just waiting to grab our valuable public assets. Look at him now, and see how he has widened that gap between rich and poor. As soon as he was elected he simply gave them our Brooklyn Heights Library and ignored our pleas for appropriate funding to save it. He did this to allow the BPL to insist on sacrificing it, pretending that they would have a net profit of \$40 million to repair four other libraries! The lie, the absurdity of that figure is an outrage. The need

to sacrifice it altogether is beyond credibility; it is a glib, arrogant false claim that only intensifies the outrage in our communities.

And we all know now that the BPL is sitting on funds held over from other years while they pretend utter poverty. And we know now that the BPL accepted one of the lowest bidders, Hudson Companies, who gave a donation to de Blasio while their application to build was still pending. And the higher bidders, one of them as much as 20% higher and several at least 12% higher, all promised to put the affordable housing inside the luxury condo. The corruption is too much to bear. The BPL thinks this petition will get the sympathy of the public. The BPL, and the NYC Council, who goes along with their devious plans, will perhaps have the sympathy of those who are not yet informed of the truth. Eventually the truth will come out. Those involved in the corruption will suffer the consequences.

If the NYC Council continues to support the destruction of the Brooklyn Heights Library and other libraries throughout the city, it will be a devastating loss to the public. Just think of what excellent, full-size libraries, abundant with books and computers and a large staff of intelligent licensed librarians can do to offer the necessary education required of people to be respected citizens of this country, capable of contributing to its health and prosperity in all kinds of interesting ways. Just think of that, and you will know the devastating loss when you destroy and shrink even one library, especially an excellent library like ours that has served us with such strength and has always received our immense gratitude.

Sincerely,
Marilyn Berkon

Brooklyn, NY 11201

RANKING MINORITY MEMBER
ENVIRONMENTAL CONSERVATION
INVESTIGATIONS &
GOVERNMENT OPERATIONS

COMMITTEES
AGING
CULTURAL AFFAIRS, TOURISM,
PARKS & RECREATION
HEALTH
JUDICIARY
LOCAL GOVERNMENT



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**TESTIMONY OF STATE SENATOR BRAD HOYLMAN TO THE NEW YORK CITY COUNCIL
COMMITTEE ON TRANSPORTATION REGARDING INTRO 1109**

MARCH 30, 2016

Thank you for the opportunity to testify. I am grateful to Council Members Garodnick and Johnson for their introduction of this legislation, as well as Council Members Lander, Rodriguez, Torres and Chin for their cosponsorship of the bill. I am also grateful to Manhattan Borough President Brewer, Community Board 5, and the Times Square Alliance for their collaboration in this effort. As the State Senator representing the Times Square area, as well as a number of smaller pedestrian plazas throughout my district, I fully support this legislation and encourage the Council to vote in its favor.

Pedestrian plazas demonstrate our city's commitment to creating spaces for the public good, and have proliferated citywide over the last decade. As more streets close to vehicular traffic to make way for plazas, we must carefully consider how we inhabit and regulate them. Rules currently in place have not kept pace with the reality of development and commerce, and Intro 1109 is an important step towards modernizing our ability to maintain and enhance these public spaces.

Intro 1109 provides a useful road map for addressing our problems in a manner that appropriately balances the interests of local residents, businesses, and visitors while continuing to respect the rights of free assembly and expression. As such, it will also help make Times Square a more welcoming destination for the millions of tourists who visit it every year, as well as local residents and businesses.

Under current law, pedestrian plazas that consist of formerly active streets remain classified as streets for the purposes of management and regulation. This leaves the Department of Transportation (DOT) unable to regulate them as the true multifunctional public spaces they are, since DOT's current powers relate to managing traffic flow, from the creation and maintenance of turning lanes to the designation of parking spaces. DOT does all of this very well, but it is not what we need in order to

reduce the chaos of pedestrian plazas. Intro 1109 fills in this gap by giving DOT a similar authority for place, time and manner zoning in the plazas.

This would impact 71 existing plazas and give DOT the ability to designate new pedestrian plazas in the future. Once designated, DOT would have rulemaking authority around site-specific use and the flexibility to create individualized frameworks that account for the needs of local stakeholders. For example, Intro 1109 notes factors DOT should take into account before designating rules, including the individual needs of a plaza, pedestrian traffic and congestion, public safety, size, current and potential uses, competing uses, plaza aesthetics, economic development, and the regulation of commercial activity or expressive matter vending. Additionally, Intro 1109 specifically mandates public notice for the designation of any pedestrian plaza and allows for the consideration of comments from Council Members, Community Boards, and Borough Presidents regarding such pedestrian plazas. Moreover, the legislation notes that the DOT must consult with any pedestrian plaza partners in developing rules for a specific plaza. Of course, each of these elements will take on varying weights depending on the plaza in question. As the Senator representing the Times Square area, I am particularly concerned about the regulation of commercial activity or expressive matter vending.

Activities like panhandling, solicitation, and street performance are protected by the First Amendment, and Intro 1109 does not ban these activities from public spaces and does not specify how to regulate any expressive activities. Rather, the legislation simply gives DOT the authority to determine where and when, within the relevant spaces, such expressive activities are appropriate. Any specific regulations proposed under this framework would still have to pass constitutional muster.

Bestowing a city agency with rulemaking authority over a public space has ample legal precedent. In the 1981 Supreme Court case *Heffron v. International Society for Krishna Consciousness*, the Court determined that a state may require an organization seeking to distribute literature and solicit donations to conduct those activities only at an assigned location. This decision noted that a place and manner restriction may exist if the “venue” provides reasonable alternative channels for expressive activity. The ability of DOT to designate activity zones would not unnecessarily limit the right of an individual or group to engage in protected speech in the Times Square area. The *Heffron* decision emphasized that regulations “must be assessed in light of the characteristic nature and function of the particular forum involved,” and I believe Intro 1109 specifically grants DOT the flexibility to abide by this requirement.

Various Second Circuit cases have affirmed the government’s significant interest in regulating public spaces for the common good. *Bery v. City of New York* (1996) noted that New York City “has a significant interest in keeping its public spaces safe and free of congestion,” and *Mastrovincenzo v. City of New York* (2006) reiterated that “reducing

sidewalk and street congestion in a city with eight million inhabitants, constitute[s a] 'significant governmental interest.'" *Bery* further acknowledged the reality that a city can limit expressive activities through targeted regulations intended to address "particular areas of the City where public congestion might create physical hazards and public chaos." In a later case, *Lederman v. New York City Department of Parks & Recreation* (2013), the Second Circuit ruled that, even in public spaces, "the government may impose reasonable content-neutral restrictions on the time, place, or manner of protected speech." Intro 1109 is explicitly content-neutral.

We have a responsibility to protect our public plazas and the ability of diverse communities and stakeholders to use them. Intro 1109 will empower DOT to engage in targeted regulation, as laid out in the *Bery*, *Mastrovincenzo*, and *Lederman* cases, to best organize the active and passive functions that make our public plazas the destinations they are.

The legislation you are considering today is an important step towards ensuring our public plazas are maximally utilized by the public they were built to serve. Intro 1109 balances the need to preserve, enhance, and optimize our public spaces with the need to anticipate and appropriately plan for future street developments. Most importantly, this legislation will not infringe anyone's First Amendment rights. Without such a regulatory framework, the very plazas meant to benefit surrounding communities become chaotic and burdensome. As pedestrian spaces proliferate throughout New York City, this legislation will give our city the flexibility it needs to make each pedestrian plaza true assets for their communities.

Thank you for your time and consideration of my comments.



Testimony on Introduction 1109-2016

A Local Law to amend the administrative code of the city of New York, in relation to pedestrian plazas

New York City Council Committee on Transportation

March 30, 2016

My name is Vincent Pellecchia, and I am the Associate Director for the Tri-State Transportation Campaign, a non-profit organization working toward a more balanced, transit-friendly and equitable transportation system in New York, New Jersey and Connecticut. Thank you for the opportunity to submit testimony on this proposal to amend the administrative code of the city of New York in relation to pedestrian plazas.

Part of the Tri-State Transportation Campaign's work involves making streets safer and more accessible for all users. The pedestrian plaza program in New York City has achieved both of these goals, making the areas around them safer as well as more inviting and accessible for the millions of pedestrians throughout the City. An example of the success of this program is found in a survey conducted by the manager of the Times Square Pedestrian Plaza, the Times Square Alliance:

- 68% of the district's major commercial tenants favored making the plazas permanent.
- 76% of New Yorkers and 75% of suburban residents said they would like to see the plazas made permanent.
- 65% of New Yorkers and 53% of Times Square employees feel the plazas had a positive effect on their "overall experience in the neighborhood."

For all of these reasons, Tri-State supports this Introduction with the following exceptions:

- In addition to this Introduction's requirement to give 60 day notice of plaza designation, notice should also be provided to the public on the City DOT website.
- In addition to community boards, council members, borough presidents, and non-profit organizations, corporations should be included in the list of entities permitted to submit proposals for plaza designation. For example, last summer Vornado Realty Trust funded the installation of a successful yet temporary pedestrian plaza on 33rd Street next to Penn Station. Corporate entities like this that have experience with property management are good candidates to propose and manage, as well as fund and maintain pedestrian plazas. These efforts should be encouraged and allowing corporations to submit proposals would do just that.

- This Introduction does not adequately spell out the process for rescission of pedestrian plaza designation. This section should include, at a minimum, the following:
 - In addition to providing notice to the parties listed, notice of a decision to rescind pedestrian plaza designation should be posted on the City DOT website,
 - Factors the City DOT must consider in making its decision to rescind,
 - At least one public hearing where the public can provide oral or written comment regarding the decision to rescind, and
 - The issuance of a written decision detailing the reason for rescission.

Everyone in New York City is a pedestrian at some point in the day. The pedestrian plaza program is an important part not only of the City's effort to protect all roadway users, including pedestrians, through its Vision Zero Plan but also its economic prosperity by making the streetscape more inviting and attractive to residents and visitors.

MYRTLE AVENUE BUSINESS IMPROVEMENT DISTRICT RIDGEWOOD LOCAL DEVELOPMENT CORPORATION

Hearing before the New York City Council re: Int. # 1109.A to amend the administrative code of the city of New York in relation to pedestrian plazas

March 30, 2016

Good Day – My name is Theodore M. Renz, Executive Director of both the Myrtle Avenue Business Improvement District and Ridgewood Local Development Corporation

Ridgewood is a dynamic neighborhood on the border of Brooklyn and Queens. It offers a beautiful and affordable housing stock in a historic landmarked district. With a balanced mix of retail and services, it is a destination for families, artists and recent immigrants, coming together to create a culturally rich and vibrant community.

The Myrtle Avenue Business Improvement District (BID) was established in 1988 to provide supplemental services and programs for an enhanced shopping environment on Myrtle Avenue from Wyckoff Avenue to Fresh Pond Road in Ridgewood and contiguous side streets.

The Myrtle Avenue BID is the community partner for the 71st Avenue Plaza within the Myrtle Avenue Business Improvement District which operates now as a DOT temporary plaza. Construction will commence later this year for a permanent plaza which will feature a wide array of amenities; rain garden features, wayfinding signage, tables, chairs, and umbrellas, drinking fountain, permanent plantings, new shade trees, historic markers sign, etc.

The Myrtle Avenue BID maintains this plaza by setting up the tables and chairs, umbrellas, daily sweeping, seasonal plantings. In addition the BID maintains one other DOT plaza Venditti Square and with Parks two other plazas. The BID sponsors a youth green market with GROWNYC at Ridgewood Memorial Triangle. Various events are held throughout the year at these plazas such as Make Music New York, etc.

The Ridgewood Local Development Corporation is the community partner for the Myrtle Avenue Cooper Plaza (also known as Glendale Veterans Triangle). This project will improve the public realm by reclaiming and redesigning under utilized right of way and to improve traffic operations and enhance pedestrian safety. The scope of work includes the construction of a new pedestrian plaza with sitting areas, walkways/sidewalks and landscaping (grass/planting spaces), a drinking fountain, permanent art, new trees, relocated flag pole and other amenities and be the focus point for year round events and programming.

We support Intro 1109 which creates a new legal framework for New York City's public plaza program and allows the Department of Transportation (DOT) to promulgate rules to govern both conduct and commercial activity within these spaces. We believe this bill has the ability to impact all plazas citywide, and it includes language that affects the framework of the overall program and the role for plaza partners.

We support the framework and intent of this legislation, but urge the Council to amend it to ensure expeditious rulemaking and meaningful consultation with community partners.

Accordingly, we want to be sure that rules developed for our local plazas consider the individual circumstances and opportunity for each plaza including the needs and opportunities of local, adjacent stakeholders who could become viable partners with us. We want to insure that plaza partners are included in the development of rules and event permitting process every step along the way.

Thank you again. We look forward to a continued working relationship with DOT and the city making our neighborhood and city as a whole a better place to shop, work and live.

Respectfully Submitted,

Theodore M. Renz

Testimony by Marshall Lowe on of behalf of Ruby Tuesday Times Square on Intro 1109

Thank you Council member Rodriguez and members of the committee on transportation.

Plenty of my restaurant guests complain that they are being harassed and swindled by the characters in Times Square. What's most disturbing is that they are targeting little kids, then harassing parents for money.

Our sales are down significantly and it has everything to do with these issues. With rents being as high as they are in Times Square, I am not surprised when a business has to close due to the decline in tourism in Times Square. I wouldn't want to bring my family down here either.

Marshall Lowe
GM
Ruby Tuesday
7 Times Square



129 Montague Street
Brooklyn, NY 11201
T: 718.522.3649
F: 718.522.3652
info@montaguebid.com

Montague St. BID Testimony to New York City Council Intro 1109

The Montague St. BID supports the framework and intent of this legislation, but urges the Council to amend it to ensure efficient rulemaking and efforts to engage community partner in open discussions.

The plaza program has allowed diverse communities to improve and enliven the streetscape in various ways, and this legislation ensures the health and longevity of that program.

The current framework is “one size fits all.” When the plazas were created, they were not properly defined and are still subject to the rules of streets and roadbed. This bill defines plazas and allows for the collective and the individual needs of plazas and plaza partners to be addressed.

The bill ensures that the plazas continue to function as successful community amenities and are managed in the context of each specific community. As local partners, BIDs are committed to their neighborhood and to distinctive programming that reflects the special character of the place, and the rules should provide an appropriate amount of flexibility.

Plaza partners and other key City agencies should be included in discussions regarding general rules of conduct before they are adopted. Because many of the nuanced details of the rules do not appear directly in the legislation, it is imperative that plaza partners are consulted.

Individual circumstances of each plaza need to be considered, including the needs of the surrounding neighborhood, congestion, safety, size, as well as the need to regulate commercial activity.

We need a timeline that outlines when the rulemaking for all plazas will begin and end. The plaza partners need to be true partners in this process.

Events that take place on public plazas should, to the maximum extent possible, reflect the unique characteristics of the plaza and its environs, and that event permitting should be made in consultation with the assigned plaza partner, given their inherent familiarity with the plaza and its surrounding environment.

Regards,

Kate Chura
Executive Director



CONTACT

POLICY DEPARTMENT

MARIA CILENTI

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ELIZABETH KOCIENDA

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**TESTIMONY OF ELIZABETH REINER PLATT
MEMBER, SEX AND LAW COMMITTEE
OF THE NEW YORK CITY BAR ASSOCIATION**

**NEW YORK CITY COUNCIL COMMITTEE ON TRANSPORTATION
HEARING ON INT. 1109-2016, PROVIDING THE DEPARTMENT OF
TRANSPORTATION AUTHORITY OVER PEDESTRIAN PLAZAS**

March 30, 2016

My name is Elizabeth Reiner Platt, and I am a member of the Sex and Law Committee of the New York City Bar Association. I am testifying today on behalf of the Sex and Law Committee. We thank the Committee on Transportation for this opportunity. Our Committee collectively represents a broad cross-section of the legal community, including civil rights and liberties attorneys, public defenders, prosecutors, and attorneys with expertise in discrimination and gender equity. My testimony today is based on the expertise of our members. We wish to urge that special attention be paid in passing a bill which ensures that any resulting regulations of speech within New York's pedestrian plazas be both written and implemented in a non-discriminatory manner.

This bill seeks to give the Department of Transportation the ability to designate space as pedestrian plazas, and regulate speech and other activities in these plazas. The legislative intent does not recognize the discriminatory background from which this issue grows or the potential for abuse in the resulting regulations.

To begin, while neutral on its face, the motivation for and history of this bill has focused overwhelmingly on the regulation of women, specifically topless performers or "desnudas." The alarm over nudity as expressed by members of city government, certain media outlets, and the Times Square Task Force Report, including the condemnation of desnudas as "wrong" and requiring an "aggressive" response were not previously voiced about male performers. Indeed, Times Square's "Naked Cowboy," who, like the desnudas, performs near-nude for tips, has been a local fixture for well over a decade and there has never been a bill introduced to address his presence.

Further, government officials including Police Commissioner William J. Bratton have specifically criticized the desnudas, and the written complaints that were included in the Task Force Report issued this fall called the desnudas an offense to religious faith, a display of "low class behavior," and even as "disgusting tramp[s]." Given this background, we question whether

the implementation of the bill, and any subsequent regulations issued by the DOT, will suffer from the same gender-based disparities. In particular, we are concerned that the bill's requirement that nearly all activities within pedestrian plazas require an activity permit granted by the DOT leaves ample room for discretion that will result in unequal treatment.

Further, the 1992 New York Court of Appeals decision *People v. Santorelli* clarified that women have the same right as men to be bare-chested in public. The City Council must therefore ensure that the right to equal protection is not violated through discriminatory enforcement of any regulations that result from this bill, including unequal enforcement of penal laws criminalizing public exposure. We also urge that all police officers patrolling Times Square be trained to understand and comply with equal protection principles, including the right of women to be topless in public.

Accordingly, the Sex and Law Committee recommends that the City Council amend the bill to (1) take legislative notice that, by law, both men and women in New York are permitted to be topless in public; (2) require that activity permits be issued on a non-discriminatory basis; (3) require that any time, place, and manner restrictions on speech adopted by the DOT be written and enforced in a non-discriminatory manner; and (4) recommend that police officers patrolling pedestrian plazas be trained in public exposure laws and free speech rights.

Finally, it is beyond the scope of this testimony to opine as to the likely outcome of any claim that may be brought against the City on First Amendment grounds as a result of promulgated rules and regulations should this legislation be enacted. Certainly, a potential challenge cannot be ruled out. Given the "traditionally open character of public streets and sidewalks," the government's ability to restrict expressive conduct in such areas is very limited.¹ Reasonable restrictions on the time, place, or manner of protected speech may be imposed in a public forum only if those restrictions "are justified without reference to the content of the regulated speech, that they are narrowly tailored to serve a significant governmental interest, and that they leave open ample alternative channels for communication of the information."² In addition to our above recommendations, we urge that any DOT-implemented restrictions take into account these important First Amendment guideposts.

In conclusion, we thank the Committee for providing us the opportunity to voice our concern about the potential discriminatory effect this bill may impose on women and gender nonconforming people, and to urge that any restrictions imposed on Times Square be carefully crafted so as not to create de facto categories based on gender, or disproportionately target and restrict the movement of female performers.

¹ *McCullen v. Coakley*, 134 S. Ct. 2518, 2529 (2014) (striking down buffer zones outside abortion clinics).

² *Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989).



get going

**Testimony for NYC City Council Transportation Committee
Car-Free Earth Day Hearing
April 4, 2016**

Citi Bike is proud to support Councilmember Rodriguez, the New York City Council and the New York City Department of Transportation in creating a greener, more sustainable New York City.

Citi Bike was launched in May 2013, and we've served over 25 million trips since then, providing a convenient, healthy and sustainable way to move around New York City.

We've also helped to change the perception of who bikes. Before you might have thought biking was just for messengers or fitness freaks. Now you see all sorts of people riding Citi Bike, businessmen and women, moms and dads, people just like you. It's really become a quintessentially New York way to get around.

And that's great news. It means cleaner air, healthier New Yorkers, and frankly, happier New Yorkers too. Don't take my word for it, hop on a bike and cruise down the West Side Greenway on a sunny day and see how you feel.

When bicycling is safe, and easy it provides a real alternative for New Yorkers. Can you believe that in New York City, 10% of auto trips are under one-half mile, 22% are under 1 mile and 56% are under 3 miles? These are distances readily served by bicycle.

As a little incentive to get more New Yorkers to try out the fun and convenience of getting around by bike, Citi Bike will be offering free 24-hour passes to anyone who wants to give bike share a try as part of Car Free NYC on Earth Day. More details will be coming shortly about how to take advantage of that offer.

We are also pleased to announce that we've taken steps to green our own operations and reduce the number of vehicles we use in our operations. We use 36% less vehicles to do "rebalancing" -- that's moving bikes from stations that are too full to stations that are too empty -- than we did when we launched.

So again, a big thanks to Councilmember Rodriguez for his vision for this event, and to DOT for helping make New York City streets safer, and better for biking.

5202 Third Avenue
Brooklyn NY 11220

motivateco.com



get going

We look forward to seeing lots of New Yorkers out on Citi Bike on Earth Day, and everyday.

Dani Simons
Director of Communications & External Affairs
Motive, operators of the Citi Bike program
danisimons@motivateco.com

5202 Third Avenue
Brooklyn NY 11220

motivateco.com



Testimony by Marc Matsil, NYS Director, The Trust for Public Land before the NYC Council in Support of Car Free Day, April 4, 2016

Good Afternoon. My name is Marc Matsil, and I'm the New York State Director for the Trust for Public Land. For more than 40 years the Trust for Public Land, a national non-profit organization with a robust presence in NYC, has conserved land for people to enjoy as parks, playgrounds, gardens and other natural places, ensuing livable and resilient communities for generations to come. More than four million NYC residents now live within a 10-minute walk of a Trust for Public Land park, playground, garden or natural area.

We are so delighted to participate in—and serve as a sponsor for the premiere NYC Earth Day event: Car Free Day on April 22, 2016. The Trust for Public Land applauds Council Member Rodriguez and the NYC Council—and the many co-sponsors for their commitment to Car Free Day. In the face of rapidly changing climate trends, exacerbated by significant sea level rise, greater intensity of storms that pose threats to all New Yorkers and the City's infrastructure—Car Free Day is a reminder that our personal habits must change. Car Free Day—coupled by needed venues that encourage alternative transportation like the QueensWay in central Queens--will greatly reduce local car traffic and the carbon footprint in our neighborhoods,. Projects like these are great companions to the NYC CitiBike program, which provides alternative, carbon free transportation to thousands of New Yorkers daily.

The QueensWay will transform 3.5 miles of abandoned rail line into a vibrant park greenway. The QueensWay will provide much-needed green space for the 322,000 people who reside within a mile of the abandoned rail line. The QueensWay will address park equity disparities, provide safe, off-road bicycle and pedestrian paths, and connect six neighborhoods. These areas are among the City's leaders in pedestrian and automobile fatalities. The QueensWay is book-ended by Queens and Woodhaven Boulevards—known locally by residents as the *boulevards of death* and criss-crossed by Union Turnpike. Construction of the QueensWay addresses a number of the City's priorities

The intensity of traffic in central Queens makes pedestrian and bicycle commuting almost impossible. The unsafe roads compel residents to visit Forest Park (which sits at the center of the QueensWay) by car. In fact, more than 70% of the 900,000 visitors to Forest Park arrive by car, adding to local congestion. The QueensWay will open up cycling and walking opportunities, allowing residents to safely access Forest Park (which currently suffers from low usership). The QueensWay will also provide a new, non-motorized commuting option for the 54,000 jobs within one-half mile of the QueensWay. Initial estimates show that the QueensWay would decrease local air pollution and reduce carbon emissions by thousands of metric tons per year.

Council Member Rodriguez and honored members of the NYC Council, we applaud you for your efforts to encourage healthy communities, alternative transportation and reduction of the City's carbon footprint. Bravo!

APRIL 4, 2016

HON. COUNCILMEMBER YDANIS RODRIGUEZ

CITY HALL, NEW YORK, 10007

Dear Mr. Rodriguez –

Thank you for this hearing on press parking and consideration of this measure.

Allowing access to commercial and metered zones are vital to helping us cover the news New Yorkers need to know. There are more commercial zones than ever, many that were changed from regular civilian parking spaces during the Bloomberg Administration. Because of that, we lost many locations to park without getting a ticket or getting towed . The fines and fees are prohibitive and often out of the newsperson's pocket. Now, more than ever, many reporters and photographers work out of their cars – they have become a defacto "office" – as we use technology to write , produce and file stories , photos and videos from laptops. And we need our cars to drive to various locations for our stories – often several locations per day.

If the restrictions are lifted, I hope there is a plan for a clear-cut method of understanding and acknowledgement by the city agencies involved, so that there is no confusion as to what is allowed and not allowed. Perhaps a windshield placard in acceptable vehicles would give notice to police, traffic enforcement agents, etc that indicates that this press vehicle has the permission needed. It could be as simple as that.

Your consideration on this matter is much appreciated –

Juliet Papa, Reporter, (via email) papa@wins.com

1010 WINS Radio and 1010WINS.com

345 Hudson Street

NY NY 10014

646-739-7905

To the members of the transportation committee ,

Never before have I felt the "little guy" was more disrespected than in the 10am pedestrian plaza zoning bill hearing this morning. Most of us comedy and bus ticket sellers were there 2 hours early and five hours after the meeting began we were still not given a chance to speak.

Thus, as many of us had to work or tend to important matters; almost all had to leave. You had council people asking questions that could have been answered if you read the bill, condescending speech about our industries and the impact it would have on us, and constant praise for the perceived powerful elite who have no idea or care of the consequences this unconstitutional bill will have on our lives.

Thus, it was painfully obvious that you care more about those with perceived worldly power than understanding that this bill will increase unemployment and those on welfare until people can transition to find other jobs.

The ironic part is the good and ethical sellers will leave and you'll be left with all the people who started problems in the first place. And, wouldn't a politician who is caring and fair meet with the people whose rights he or she would soon restrict or violate? No, for that would take fairness and courage.

Below is my speech that I never got to give. No matter though; it was obvious the bill was already passed when the Romney style crowd walked through the door. As an artist, in the actors union, I hope you all listen to the song by Leonard Cohen, "Everybody Knows," and realize you and this punishing bill are what he is singing of. My speech is as follows:

My name is Dana and I am a comedy promoter in Times Square. This job provides a decent life until I pray I am blessed to get my big break. This bill would destroy the livelihood of both comedy and bus sellers; most of whom are minorities. The people you say you want to "remove barriers for."

Why? For the most part comedy promoters get along well because we all have our own areas. If you put many of those same sellers in the space (of the areas proposed) you will have fights and constant conflict. You will also have people jumping into sales and giving free tickets. Thus, by restricting promoter space, you will have created more problems, than you can imagine.

I pay my taxes. I work for 7 different comedy clubs and believe in complete honesty with customers. In fact, with their permission, I would be more than willing to share the phone numbers of my repeat customers. Thus, you could hear directly if they have had a good experience with me.

Being an honest promoter means writing down the exact lineup, for every show, for each different showtime, every single night.

As an independent voter who leans a tad left, I try to be fair with both parties views. For example, I like (in many instances) the republican philosophy of pulling yourself up by your bootstraps; the problem is this bill steals our boots. I also align with the liberal sentiment of not judging all, by the actions, of some. Yet, this bill shows your hypocrisy. It is completely true that some comedy promoters lie to sell tickets. I despise this. I would welcome their absence. Yet, the simple solution is not about telling promoters where to stand or not. A fair and cost effective way is:

1. Enforce false advertising to the greatest extent possible. After due process, ban that individual from selling tickets, period.
2. Support comedy clubs by allowing managers (with police if needed) to take tickets back from those they receive more than two complaints about; that can be verified. Currently, police say they can not take tickets back from a person, who was given tickets, from a third party. Change this.

Enforcement should also notify club staff of those found guilty of false advertising and those who are banned.

3. Require comedy clubs to hand out a "printed" monthly lineup to all promoters. Then, mandate promoters, have exact lineups, on person, when selling. Have undercover enforce.

If you implement these interventions instead of focusing on promoter location and credentials; the problem will be solved.

Instead of these simple solutions which would reward honest promoters and hold accountable unethical ones; you are punishing those who work with integrity every single day. It's amazing and heartbreaking to me that you are doing the same thing most of you condemn Donald Trump for. Perhaps instead of condemning him (who I am not a supporter of) you should look in the mirror.

Thus, why the police have to worry about ISIS, drugs, slashings, disturbed souls; you are wasting taxpayer money having a cop measure how far a promoter's foot is from the curb. And the next day an over zealous officer will arrest the person standing in that same spot.

And the sad comical irony is before you kick us out (and you can spin it all you want that is your intent) you have the nerve to charge us for a license. For we have seen in cases far more tragic than this; the city must always get their money.

One final thought that either politicians don't get or have forgotten. The hardcore working class in America want nothing from you people. So take, your undeserved raises and pass bills such as this that satisfy your donors and big business friends. We expect that. All we ask of you is to stay out of our lives and let us work, and pursue our greater dreams in peace. You are not our parents and we are not your children.

Dana Fuchs

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MICHAEL LAMBERT

Address: 221-34 113TH AVENUE QUEENS NY 11425

I represent: THE RED-JOY GATEWAY B.I.D.

Address: 1368 FULTON STREET 3RD FLOOR

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: EMILY WEIDENTHOF

Address: _____

I represent: NYC DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109A Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/66

(PLEASE PRINT)

Name: Jim Caras

Address: Manhattan Borough President

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3-30-16

(PLEASE PRINT)

Name: Clayton Smith

Address: 1633 Lexington Ave #5, 10029

I represent: CBS - Manhattan

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Scott Grimm - Lyon

Address: 820 E. 10th St, Brooklyn NY 11236

I represent: Douglaston LDC

Address: 42-32 235th St, Douglaston NY 11363

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109-A Res. No. _____

☐ in favor ☒ in opposition

Date: 3/30

(PLEASE PRINT)

Name: Craig Buckley

Address: 457 West 50th St

I represent: Street Meet Promotions

Address: 264 W 40th street, Suite 505

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

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THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 3/30/16

(PLEASE PRINT)
Name: JAMES MOESSIG

Address: _____

I represent: TREASURER TWU 225

Address: 108 W 83rd St NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/10

(PLEASE PRINT)
Name: David Gillorist

Address: _____

I represent: Project FIND

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30

(PLEASE PRINT)
Name: George Ntim

Address: _____

I represent: Marriott Margolis

Address: _____

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

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/10

(PLEASE PRINT)

Name: Leah O'Kin

Address: _____

I represent: Local 764

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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☒ in favor ☐ in opposition

Date: 3/30

(PLEASE PRINT)

Name: Christopher Sprouse

Address: _____

I represent: ABNY

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30

(PLEASE PRINT)

Name: Tom Carpenter

Address: _____

I represent: Actor's Equity

Address: _____

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

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30

(PLEASE PRINT)

Name: Greg Charles

Address: _____

I represent: Carolines on Broadway

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30

(PLEASE PRINT)

Name: Amy Parker

Address: _____

I represent: Center for an Urban Future

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Dana Amendola

Address: _____

I represent: Disney Theatricals

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109-2016 Res. No. _____

☐ in favor ☐ in opposition

Date: 3/30/2016

(PLEASE PRINT)

Name: Elizabeth Reiner Platt

Address: 110-34 73rd Rd. Apt 4E Forest Hills, NY 11375

I represent: New York City Bar Ass'n Sex & Law Committee

Address: 42 W. 44th St. NY, NY 10036

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Tamela Boyd, Deputy General Counsel, DCA

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109A Res. No. _____

☐ in favor ☐ in opposition

Date: 3/30

(PLEASE PRINT)

Name: Polly Trottenberg

Address: Commissioner DOT

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: Commissioner DCA

(PLEASE PRINT)

Name: Alba Pico, Acting Commissioner, DCA

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109-A Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Paul Steely White

Address: _____

I represent: Transportation Alternatives

Address: 111 John Street, Ste. 260, NY, NY 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 A Res. No. _____

☐ in favor ☒ in opposition

Date: 3-30-2016

(PLEASE PRINT)

Name: MICHELIN HALL

Address: 457 W. 4th Street S.O.R. 2

I represent: theatre MAMA SDN

Address: same

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

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109A Res. No. _____
☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jessica Lappin

Address: _____

I represent: Downtown Alliance

Address: 120 Broadway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1099 Res. No. _____
☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Robert O'Hare, Captain

Address: 1 Police Plaza

I represent: NYPD

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Daniel Albano, Lieutenant

Address: 1 Police Plaza

I represent: NYPD

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Amit Bagga, Deputy Commissioner, DCA

Address: _____

I represent: _____

Address: Alba Rico Action Committee

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/10

(PLEASE PRINT)

Name: Tom Ferrugia

Address: _____

I represent: Broadway League

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/2010

(PLEASE PRINT)

Name: Tim Tompkins

Address: _____

I represent: Times Sq. Alliance

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Laura Hansen

Address: _____

I represent: Neighborhood Plaza Partnership

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Brian Miles

Address: 295 E 25th St #18 D NY NY

I represent: TWU 225

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 3/30/2016

(PLEASE PRINT)

Name: Yanildy Taveras

Address: 1887 Ellwood St 4F NY NY 10040

I represent: Transport workers Union 225

Address: 10 Banta Pl 105 Hackensack, NY

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: SHEILA BRAND

Address: 164 ST. ANNS AVE

I represent: ~~Greenwich Village~~ TWU 225

Address: 777 8 AVE

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 03/30/16

(PLEASE PRINT)

Name: SUMAILA ASAMED

Address: 1055 SHERMAN AV. 2B BK NY

I represent: TICKET SELLERS

Address: TWU 225

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: LENWOOD MCKAY

Address: 175 HIGH ST

I represent: TWU 225 LOCAL 1

Address: 10 BANTA PLACE HACKENSACK NJ

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 3/30/2016

(PLEASE PRINT)

Name: MARC A. Ruiz

Address: 1601 BEVERLY RD Apt 2E

I represent: T.V.V. 225

Address: 10-20 BANTA PLACE Suite 105 Hackensack
N.J. 07601

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Christopher Barron

Address: 248 McKibbin Street, Brooklyn

I represent: TWV 225

Address: 10 Banta Place 105 Hackensack, NJ
07601

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109-A Res. No. _____

☐ in favor ☒ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Gary Rothman

Address: 3-W. Main St - Ste. 200, Elmsford NY 10523

I represent: Unifed Service Workers Union

Address: 138-50 Queens Blvd, Briarwood NY-11435

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☐ in favor ☒ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Tim Wooster

Address: 459 W. 44th St. #A NY 10036

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Joe UCLAM

Address: 950 Kent BRIM

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 2474-2016

(PLEASE PRINT)

Name: DAVA FUCHS

Address: 65 W. BROADWAY

I represent: myself

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: At Marta

Address: 139 Bridge Ave

I represent: Broadway Comedy Club

Address: 318 West 53rd St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3-30-16

(PLEASE PRINT)

Name: David Giliczki

Address: 100 West 71st St #2F NYC 10023

I represent: PROJECT FIND

Address: SAME AS ABOVE

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Paul Rosa

Address: 346 E 49th

I represent: Bway Comedy Club

Address: 318 W 53rd

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1099 Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: Barbara Blair Randall (PLEASE PRINT)

Address: Garment District Alliance

I represent: 209 W 38 10018

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/2016

Name: Alexandria Sica (PLEASE PRINT)

Address: _____

I represent: DUMBO IMPROVEMENT DISTRICT

Address: 20 Jay St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 30 March 16

Name: Thomas Carpenter (PLEASE PRINT)

Address: 165 W. 46th St, NY NY 10036

I represent: Actors Equity Assn.

Address: 165 W. 46 St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Rachel Thiene

Address: 92 Dupont St Brooklyn

I represent: Sunnyside Skippers BID

Address: 45-56 43rd St Sunnyside

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109A Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Leah Ohin

Address: 545 W. 45th St, 2nd floor

I represent: Theatrical Warehouse Union, Local 764, IATSE

Address: 545 W. 45th St, 2nd floor

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Kayleigh Moran

Address: 416 Midwood St

I represent: Broadway comedy club

Address: 318 W 55

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Dan Biederman

Address: 5 Bryant Park

I represent: 34TH St Partnership

Address: 5 Bryant Park

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: Wilma Alonso

Address: _____

I represent: Fordham Road BID

Address: 2488 Grand Concourse 4B

Bronx NY 10458

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MICHAEL LAMBERT 221-34 1137th Ave

Address: 1368 FULTON STREET Brooklyn NY 11216

I represent: THE BEST-OF-CATEWAY BID/MTC BID ASSOCIATION

Address: 1368 FULTON STREET, BROOKLYN NY 11216

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: PHILLIP KELLOGG

Address: 251 CARLTON AVENUE

I represent: FULTON AREA BUSINESS ALLIANCE (FAB)

Address: 896-900 FULTON ST., BKLYN

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 3/30/2016

(PLEASE PRINT)

Name: Cora Cohen

Address: _____

I represent: New 42nd Street

Address: 229 W 42nd Street, NY, NY 10036

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109 Res. No. _____

☒ in favor ☐ in opposition

Date: 03/30/16

(PLEASE PRINT)

Name: Ellen Baer

Address: _____

I represent: NYC BID Association

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109-2016 Res. No. _____

☐ in favor ☒ in opposition

Date: 3/30/2016

(PLEASE PRINT)

Name: NICHOLAS S. PATTI

Address: 111 E. 14th St. #374, New York, NY

I represent: SELF-MEMBER OF INDUSTRIAL WORKERS ¹⁰⁰⁰³

Address: OF THE WORLD (IWW); NATL. WRITERS UNION
(NWW)

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 03-30-16

(PLEASE PRINT)

Name: Thana Jesus

Address: 511 W 159 St AP 9

I represent: IWW 225

Address: 10 Banta Place Haver, Sack NJ

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Richard Concepcion

Address: 99-05 58 Ave Hill Corona NY 11368

I represent: Rod L. Falut + Friends TV Show

Address: Same as above

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1109A Res. No. _____

☒ in favor ☐ in opposition

Date: 3/30/16

(PLEASE PRINT)

Name: ERIC McLEURE

Address: 423 4th ST. BROOKLYN 11215

I represent: STREETSPAC

Address: 17 BATTERY PLACE, SUITE 204 NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Ryan Grew

Address: _____

I represent: Downtown Brooklyn Partnership

Address: 1 Metro Tech Center North St 10023
BK NY 11201

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: March 30th 2016

(PLEASE PRINT)

Name: Keith Albahae

Address: ~~300~~

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: ABDELAAMINE ELKHEZZAWI

Address: 30-44 23 ST 4E

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Yamil morales

Address: Van Clief St Crown Heights

I represent: Artistas Unidos for the struggle

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)
Name: JOSE ESCALONA MARTINEZ

Address: _____

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: MARCH 30, 2016

(PLEASE PRINT)
Name: ERIK GILSON

Address: _____

I represent: FRIENDS OF DIVERSITY PLAZA

Address: JACKSON HEIGHTS, NY 11372

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