

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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June 12, 2018  
Start: 10:10 a.m.  
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HELD AT: Council Chambers - City Hall

B E F O R E: YDANIS A. RODRIGUEZ  
Chairperson

COUNCIL MEMBERS: Fernando Cabrera  
Costa G. Constantinides  
Chaim M. Deutsch  
Ruben Diaz, Sr.  
Rafael L. Espinal, Jr.  
Peter A. Koo  
Stephen T. Levin  
Mark Levine  
Carlos Menchaca  
I. Deneek Miller  
Antonio Reynoso  
Donovan J. Richards  
Deborah L. Rose  
Rafael Salamanca, Jr.

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

Margaret Forgione, Chief Operations Office  
New York City Department of Transportation

Josh Benson, Deputy Commissioner, Traffic Operations  
New York City Department of Transportation

Rebecca Zach Assistant Commissioner  
Intergovernmental and Community Affairs  
New York City Department of Transportation

Deputy Chief Michael Pilecki  
Commanding Officer, NYPD Traffic Enforcement District  
New York City Police Department, NYPD

Oleg Chernyavsky, Director of Legislative Affairs  
New York City Police Department, NYPD

Chief Ed Grayson, Director  
Bureau of Cleaning of Collection  
New York City Department of Sanitation, DSNY

Robert Roth, Journalist and Attorney

Tom Mison

Jane Tillman Irving, President New York Press Club

Peter McGowan, Director of New Operations, WCBS

David Ganshu, Freelance Photographer/Photo Journalist

Bruce Cotler, President  
New York Press Photographers Association

Meredith Phillips Almeida, Executive Director  
Myrtle Avenue Brooklyn Partnership, Co-Chair, BID  
Association

Michelle Birnbaum, Resident Manhattan Upper Eastside

Stephen Chan, Bard Member, Chinatown BID

David Eisenbach, Friends of the Small Business Job  
Survival Act, SBJSA

Leslie Ramos, Executive Director  
82<sup>nd</sup> Street Partnership, Jackson Heights BID

Elizabeth Lara, Battery Park City

Shelly Hagen, Resident of 35<sup>th</sup> CD



2 [sound check] [background comments,  
3 pause] [gavel]

4 CHAIRPERSON RODRIGUEZ: Good morning and  
5 welcome to today's hearing of the City Council  
6 Transportation Committee. I'm Ydanis Rodriguez the  
7 Chair of this committee. We have a busy day today.  
8 As you know, we have the hearing now, another press  
9 conference going outside, and also we have a press  
10 conference later on celebrating the Fair Fare victory  
11 that the Mayor and the Speaker and all of us we've  
12 been able to include in our budget. Before we  
13 proceed, I would like to recognize my colleagues who  
14 are here, Council Member Menchaca and Council Member  
15 Diaz. Today, we are hearing a series of bills  
16 related to one of the most common issues many of us  
17 hear about from our constituents, parking. We not  
18 ignore the way our city treats parking has a big  
19 impact on the efficiency and fairness of our  
20 transportation system at large. We are interested  
21 today in exploring a wide variety—variety of ways  
22 that we might be able to make parking in our city a  
23 little easier and more fair for New Yorkers, and  
24 let's be clear, I am incentivizing car owners. On  
25 the contrary, what I want is that the city put a plan

2 that we reduce the number of New Yorkers who own  
3 vehicles from 1.4 million New Yorkers who own  
4 vehicles today to 1 million by 2030. We are hearing  
5 three bills related to establishing a residential  
6 parking permit existing in New York City. Intro 857,  
7 which I have introduced would direct DOT to establish  
8 a residential parking permit program throughout the  
9 city. Residential parking permits have been  
10 successful in many of the cities including San  
11 Francisco and Boston since the 1970s, Washington, DC  
12 and right across the river in Hoboken. So many of  
13 our neighborhoods are overrun with people from other  
14 places taking up parking space for a wide variety of  
15 reasons such as using neighborhood streets as free  
16 park and ride lots for mass transit. By limiting  
17 parking in certain residential neighborhoods to  
18 verified residents we cannot only make it even just a  
19 little easier for residents to find parking in their  
20 own neighborhood especially those who live in  
21 transportation deserts in places such as in—in the  
22 Bronx, Queens, Brooklyn and in Staten Island, but  
23 also it would reduce the number of cars driving  
24 around looking for a spot. Thereby, making our  
25 streets safer and less congested. Intro 848 is

2 sponsored by Council Levine and Intro 898 is  
3 sponsored by Council Member Moya would similarly  
4 authorize the creation of residential parking  
5 programs in Northern Manhattan and East Elmhurst  
6 respectively. I have also introduced two bills that  
7 aim to make parking more fair and sensible—sensible  
8 and varied to different circumstances. Intro 910  
9 would allow people to park their vehicles during  
10 alternative side parking once the street sweeper has  
11 passed, and there's no longer a need to keep the curb  
12 clear. It doesn't make sense that in those areas  
13 that we dedicate the 8:30 to 10:00 or three hours for  
14 the Sanitation truck to clean the streets, but after  
15 they clean the streets, those residents are not able  
16 to park the vehicle. It is my hope that especially  
17 as technology has quickly improved in recent years we  
18 can finally make this happen. I have also introduced  
19 Intro 332, which will restore parking rights that  
20 members of the press have traditionally enjoyed  
21 essentially to covering the news and informing the  
22 public. We're talking about less than 1,500. We're  
23 not talking about thousands, and we're not talking  
24 about privilege, but we're talking about rights of  
25 members of the press to be able to park their

2 vehicles to cover the news. It is their right to be  
3 able to be able to report the news. We have  
4 witnessed how the press and freedom of speech has  
5 been on the attack in our nation, and we have also  
6 witnessed how important they have been in protecting  
7 the truth. I know that the NYPD have been trying to  
8 work with this issue, and I hope that we can continue  
9 conversations with DOT, NYPD and the Mayor, and  
10 members who represent the men and women of the press  
11 to address this issue. If passed, this bill will  
12 allow members of the press for must car—who must  
13 carry heavy equipment to the sites on news work  
14 event—work the events sometimes at a moment's notice  
15 to their job keeping all of us informed. Today, we  
16 are also hearing a package of bills aimed at  
17 combatting what has come to be known as placard  
18 abuse. The extent of this program is obvious.  
19 Whether we see it first hand on the streets of our  
20 district or on our Twitter account and that also  
21 includes many people taking a spot that would be  
22 reserved for members of the media also abusing those  
23 areas. People who use fake parking placards or who  
24 use their legitimate placard to try to get away with  
25 parking where they are not supposed to, are in effect



2 stealing city resources and unfairly taking advantage  
3 of the system at the expense of everyone else who  
4 follows these rules. Too often these individuals  
5 also pose a safety hazard such as when they block  
6 fire hydrants or crosswalks or bus-or bus stop area  
7 or interfere with pedestrian flow when they block  
8 sidewalks not to mention the impact on congestion,  
9 and we all know that enforcement is too often lacking  
10 with drivers who put items as simple and as  
11 unofficial as vests and hats on their-on their  
12 dashboards sometimes being allowed to park wherever  
13 they want without fear or any consequences. Intro  
14 927 sponsored by Speaker Johnson would direct the  
15 creation of an electronic tracking system that would  
16 allow traffic enforcement agents to verify that the  
17 validity of a placard in real time. This could not  
18 only cut down on the effectiveness of fake placards,  
19 but also limits people's ability to improperly share  
20 placards and park beyond the scope of their assigned  
21 placard. Intro 932 as sponsored by Council Member  
22 Chin will require the city employees who abuse their  
23 placard have been revoked. Proposed Intro 596-A as  
24 sponsored by Council Member Williams would increase  
25 the penalty for using a fake placard. Intro 314,

2 which I have introduced would require quarterly  
3 reporting on placard abuse and Intro 942 as sponsored  
4 by Council Member Koo, would require DOT to publish a  
5 comprehensive plan evaluating the current placard  
6 program in order to make sure that placards are being  
7 issued only when necessary. Intro 887 introduced by  
8 Council Member Gjonaj will require that communities  
9 be informed and consulted whenever potentially  
10 disruptive change will be made to their streets  
11 whether the changes are permanent or temporary. DOT  
12 is already required to perform similar notification  
13 before changes involving bike lines, parking meters  
14 and major transportation projects. Council Member  
15 Deutsch has introduced Intro 84, which will require—  
16 will require DOT to post information about when the  
17 school zone parking regulations are in effect for a  
18 particular school in an attempt to clarify a common  
19 source of confusion to drivers, And finally Intros  
20 445 and 925 also sponsored by Council Member Deutsch  
21 would sustain alternative side parking areas where a  
22 film shoot and street resurfacing limits the normal  
23 amount available parking. I would now like to invite  
24 Council Member Levine to say a few words. We'll try

2 to keep it short because we also have a press  
3 conference at 12:00.

4 COUNCIL MEMBER LEVINE: Thank you,  
5 member—thank you Chair Rodriguez for this hearing on  
6 so many important topics. I want to speak on the  
7 crisis of congestion that's afflicting the city.  
8 It's affecting our economy, our environment, our  
9 health and safety. It is partly driven by the flood  
10 or commuters who bring their cars into the city every  
11 morning, dump them on the streets and hop on our  
12 subways. They are taking advantage of free curb  
13 space in our residential neighborhoods. They are  
14 adding to congestion, and they are displacing local  
15 residents, and they're doing it for free. These  
16 commuters could take the sub—could take commuter  
17 trains or commuter buses or carpool or simply pay for  
18 a parking garage like others, and they don't, and we  
19 want to change that residential parking permits are  
20 the tool to do it. Cities around the country have  
21 such programs and New York is almost alone in not  
22 offering this as an option to communities who want  
23 it, and we're going to need it more than ever if and  
24 when we pass congestion pricing and I hope we do  
25 because the coordinate 60<sup>th</sup> Street is going to create

2 yet a more-a stronger incentive for commuters to dump  
3 their cars north of the line on the west side, on the  
4 east side in Northern Manhattan, in Washington  
5 Heights. You see it already. It's going to be  
6 accelerated by congestion pricing. So the time to  
7 act is now, and that's why I'm pleased to be  
8 sponsoring Intro 848, which would allow for the  
9 creation of residential parking permit zones  
10 according to community demand in Manhattan north of  
11 60<sup>th</sup> Street, which is the area that would be covered  
12 by congestion pricing. I want to thank the Chair for  
13 holding this hearing today, and for including this  
14 Intro on the docket. Thank you.

15 CHAIRPERSON RODRIGUEZ: Thank you,  
16 Council Member. Before we start hearing testimony  
17 from the Administration, I would like to ask again  
18 the Administration, NYPD and DOT to please be sure  
19 that you leave your representative here as after we  
20 finish, we will hear testimony from members,  
21 advocates of the press including Thomas Saul.(sp?)  
22 Robert Rolf and Jane Tillman Irving who is also the  
23 President of the New York Press Club. So, with that,  
24 I would like to welcome the representative of the  
25 Administration who are here with us today. Thank you

2 for being here, and I will ask the Committee Counsel  
3 to administer the affirmation, and then invite you to  
4 deliver your testimony.

5 LEGAL COUNSEL: Good morning. Please  
6 raise your right hand. Do you affirm to tell the  
7 truth, the whole truth and nothing but the truth in  
8 your testimony before this subcommittee and to  
9 respond honestly to Council Member questions?

10 MARGARET FORGIONE: I do.

11 LEGAL COUNSEL: Thank you.

12 CHAIRPERSON RODRIGUEZ: We'll ask-[pause]

13 MARGARET FORGIONE: Good morning, Chair  
14 Rodriguez and members of the Transportation  
15 Committee. I am Margaret Forgione Chief Operations  
16 Officer at the New York City Department of  
17 Transportation. With me today are Deputy  
18 Commissioner for Traffic Operation, Josh Benson, and  
19 Assistant Commissioner for Intergovernmental and  
20 Community Affairs Rebecca Zach. Together with our  
21 colleagues, Deputy Chief Michael Pilecki and Oleg  
22 Chernyavsky, NYPD and Chief Ed Grayson, Director of  
23 DSNY's Bureau of Cleaning of Collection, we are  
24 please to be here to testify on behalf of Mayor de  
25 Blasio on a number of bills before the Council on the

2 issue of parking. I will begin by talking about the  
3 three proposals to require DOT to create residential  
4 parking permits or RPP. I will then address several  
5 bills that deal with preventing misuse of city-issued  
6 parking permits or placards before turning to the  
7 remaining bills. First, a little background DOT's  
8 administration of curbside parking in New York City.  
9 With approximately 76 million linear feet of curb in  
10 New York City, DOT believe curb space is a shared  
11 public resource that should be managed to safely  
12 benefit multiple users including local businesses,  
13 bus riders, pedestrians, bike riders and drivers,  
14 both visitors and residents alike. When it comes to  
15 parking DOT maintains over 85,000 metered spaces.  
16 Additional non-metered parking may be subject to  
17 alternate side parking or ASP regulations or with no  
18 posted restriction, but still subject to general  
19 provisions of the law on parking on public streets,  
20 and just as population density land use and car  
21 owners spread very widely over the city the amount of  
22 type of available parking varies widely by  
23 neighborhood type as well, but the vast majority of  
24 curb space citywide is available for residential  
25 parking. In many areas the greatest percent of curb

2 space is provided for the storage of personal  
3 vehicles. In recent years, we have accomplished one  
4 major transformation of our metered parking system,  
5 one of the largest in the world through the  
6 transition to muni-meters. We are not exploring a  
7 second transformation toward an integrated license  
8 plate based electronic payment and permit management  
9 and enforcement solution. The rollout of the Park  
10 NYC Pay by Cell Program was the first step in this  
11 process, which could allow for much more efficient  
12 and fraud resistant parking enforcement. Now,  
13 residential parking permits. Intros 848 by Council  
14 Member Levine, 857 by Chair Rodriguez, and 898 by  
15 Council Member Moya each directs DOT to create an RPP  
16 system in Manhattan north of 60<sup>th</sup> Street citywide and  
17 in East Elmhurst, Queens respectively. Each of the  
18 otherwise identical bills would direct DOT to  
19 determine areas, times of days and days of the week  
20 in which such a system would apply as well as the  
21 fees while requiring that at least 20% of spaces  
22 within such areas are available to non-residents for  
23 short-term parking, and that permits may not be  
24 required for streets adjacent to commercial, office  
25 or retail use. An RPP system for New York City has an

2 understandable appeal and is not a new idea.

3 However, I would caution that DOT has consulted with  
4 our counterparts around North America and report that  
5 for cities with such programs the benefits are  
6 elusive, and in many cases they have downsized for  
7 some residents, businesses and visitors that can be  
8 challenging to manage. So, today we'll put forward  
9 several cautions for anyone considering such  
10 proposals. First, while we are always receptive to  
11 reviewing varying interpretations of the law, the  
12 city's long held understanding is that any RPP  
13 program would require state authorization. The New  
14 York Court of Appeals has made it clear that in the  
15 absence of specific authorization, localities are  
16 prohibited from restricting highway use including  
17 parking based on residency. Consistent with our  
18 judicial determination, more than a dozen other towns  
19 and cities have implemented residential parking  
20 programs in New York State after receiving express  
21 approval from the State Legislature. Setting aside  
22 the legal limitations, RPP programs pose a  
23 significant question of equity. They favor local  
24 residents' ability to store their cars in the program  
25 area, often one with good access to transit while



2 restricting the ability of others to park in the  
3 area. These others can include those who may lack  
4 access to good transit and maybe more car dependent,  
5 and are driving to the area in order to then access  
6 transit or nearby jobs, schools or services. Now,  
7 turning to the all important question of efficacy.  
8 The appeal of the RPP program is based on the idea  
9 that if a significant portion of parkers are non-  
10 residents, prior to the introduction of the program,  
11 requiring permits can make it easier for residents to  
12 find parking. However, previous observations by DOT  
13 have indicated that there may be fewer outsider  
14 vehicles in New York City neighborhoods than people  
15 may perceive with many actually belonging to local  
16 residents. Rather, in New York City on-street  
17 parking scarcity is mainly driven by the large number  
18 of resident owned vehicles compared to the number of  
19 spaces available. If a supply or permits  
20 significantly exceeds the number of parking spaces in  
21 a zone, the permit is no guarantee of parking  
22 availability. Just a permit that residents must now  
23 obtain for the privilege of circling the block  
24 looking for parking exactly as they did before. In  
25 this case, only a system that incorporates either

2 rationing or pricing to control the number of permits  
3 will actually ease the search for parking meaning  
4 waitlists or mechanisms such as auctioning.

5 Designing a permit system would involve many other  
6 difficult decisions and management issues. First,  
7 would be weather and how communities opt in based on  
8 criteria, and what the size and location of zones  
9 would be. Hours of operation would need to be  
10 determined, day time, overnight, weekdays, weekends,  
11 and would have a lot to do with the intended goals of  
12 the program. Decisions about drawing zone boundaries  
13 would also be key to the goals and operations of any  
14 program, but could also become entangled in the  
15 politics of perceived neighborhood boundaries. Any  
16 system would best—would be best targeted to where it  
17 is most likely to produce a benefit. Areas with high  
18 parking demand driven chiefly by out-of-area parkers  
19 rather than the high number of cars owned by  
20 residents themselves, and ideally, there would be  
21 other transportation options equitably available to  
22 those out-of-area drivers. But this reality might not  
23 prevent residents of neighborhoods that are not good  
24 candidates from campaigning for permits nonetheless  
25 were the city to have a program. Furthermore, in

2 much of the city, the division between clearly  
3 residential and commercial areas is less defined than  
4 in many other places, and even in purely residential  
5 areas there are many legitimate uses of the curb that  
6 are challenging to deal with in an RPP system. Home  
7 healthcare workers, people making deliveries and  
8 building repairs, family visiting from out of town,  
9 local residents who rent a car from time to time and  
10 people shopping at nearby businesses, and if demand  
11 for permits exceeds supply, or if the price is  
12 significant, we would have to consider various claims  
13 for hardship or other exemptions as well as the  
14 question of whether an applicant's possession of off-  
15 street parking should be a factor in whether they  
16 receive a permit. Likewise, managing any system of  
17 visitor passes would be logistically complicated. In  
18 speaking with the other cities with RPP, this is one  
19 of the biggest challenges. This is an area where  
20 fraud is an issue and other cities have had to  
21 contend with illicit trade of permits. Finally,  
22 while costs would depend heavily on exactly what  
23 approach is used and for how much of the city, any  
24 system would be a significant and costly undertaking,  
25 and would require substantial new enforcement. With

2 numerous trade-offs and limits the potential  
3 benefits, DOT would caution against an RPP program.  
4 Now, turning to the topic of placard misuse. This  
5 Administration shares the goal of comprehensive  
6 electronic tracking of permits as well as clear  
7 policies for their distribution and welcomes the  
8 conversation about increased penalties for misuse.  
9 We, therefore, support the intent of Intros 927 by  
10 the Speaker, 932 by Council Member Chin, 942 by  
11 Council Member Koo, and 596-A by Council Member  
12 Williams. DOT is taking the necessary steps to track  
13 all the permitted issues electronically in a data  
14 base that can be made available to enforcement  
15 agents. The technology upgrades to our Parking  
16 Permit application funded in the Fiscal 19 Budget  
17 will advance that. I would note that Intro 927  
18 charges DOT with tracking all city issues placards,  
19 but should recognize the role of both NYPD and DOE as  
20 issuing agencies as well, and if the city built any  
21 such system, it would have to be done hand-in-hand  
22 with NYPD as the enforcement agency that would  
23 actually utilize it. Placard reform is a citywide  
24 effort. Likewise, Intro 942, which requires a  
25 comprehensive plan for a permit distribution

2 necessary for essential government services should  
3 also recognize the role of these two agencies, and of  
4 the 13,849 agency placards DOT issues, only 497 are  
5 for our own vehicles. The several dozen other  
6 agencies for whom we issue the remainder would need  
7 to be consulted. When it comes to placard misuse, on  
8 May 22<sup>nd</sup>, DOT held a public hearing on a proposed  
9 traffic rule to create a new violation for misuse of  
10 placards and the use of fraudulent placards. As a  
11 parking violation, having this rule available to  
12 NYPD's agents to use when conducting parking  
13 enforcement, would allow a charge specific to the  
14 placard use rather than just the parking infraction  
15 as is currently the case. This will allow us to  
16 capture data on the extent of a problem and more  
17 readily take action to revoke permits for misuse.  
18 Now, turning to the other bills before the committee  
19 today, first on Chair Rodriguez's bill to provide  
20 parking privileges for press vehicles, Intro 332, we  
21 defer to NYPD on the significant enforcement  
22 questions they raised in previous testimony about  
23 this version of the legislation, and we are willing  
24 to continue our dialogue with you, Chair Rodriguez to  
25 explore if there are workable solutions to address

2 the intention of the bill. Second, three bills deal  
3 with enforcement and suspension of ASP, or Alternate  
4 Side Parking regulations. Intro 910 by Chair  
5 Rodriguez would allow drivers to remain parked on the  
6 restricted side of the street as long as the driver  
7 remains in the vehicle and readily moves for an  
8 approaching sweeper as well as to re-park their  
9 vehicle on the restricted side of the street before  
10 the 90-minute street cleaning period expires provided  
11 the sweeper has already cleaned the street. Intro  
12 445 by Council Member Deutsch would temporarily  
13 suspend ASP regulations on streets adjacent to a  
14 filming permit that results in a loss of parking  
15 while Intro 935 also Council Member Deutsch would  
16 suspend alternate side regulations within a five-  
17 block radius of DOT resurfacing operations that  
18 likewise results in temporary parking loss. I will  
19 start by saying the impact of these proposals on  
20 sanitation operations is the first consideration.  
21 Sanitation believes that their street sweeping  
22 vehicles are the most effective tool in the city's  
23 street cleaning arsenal. Clean streets are a vital  
24 part of healthy vibrant communities, and Alternate  
25 Side Parking Regulations are a critical part of

2 Sanitation's work to keep our streets clean.

3 Sanitation believes that these bills would severely  
4 hamper their ability to clean our streets, and would  
5 be difficult to operationalize. Intro 910 also does  
6 not account for the fact the sweepers sometimes pass  
7 more than once during the ASP period, and I likewise  
8 defer to NYPD on the very significant enforcement  
9 problem raised by Intro 910. All three bills  
10 introduced uncertainty among drivers, enforcement  
11 officers and adjudicators about whether a particular  
12 regulation is or was enforced, and the Department of  
13 Finance believes that it would be challenging to  
14 verify if the circumstances presented in the  
15 legislation actually took place. Regarding Intro 445  
16 and 935 to temporarily suspend ASP rules, the  
17 Department of Finance believes these bills would  
18 raise serious adjudication issues due to the  
19 difficulty of knowing whether or not the regulation  
20 was, in fact, suspended at a particular time and  
21 place and DOF has previously testified on these  
22 concerns regarding this version of Intro 445. Unlike  
23 temporary citywide suspensions on certain holidays  
24 for example, both film permits and street closures  
25 associated with DOT resurfacing are at very specific,

2 varied and constantly changing times and locations  
3 across the city. On the side of the administering  
4 agency, DOT in the case of 935, it may sound like a  
5 basic task to determine which blocks are subject to  
6 temporary suspension under the proposed laws in order  
7 to post notices or to direct our permittee to post  
8 them or film—the Department of Films permittee to  
9 post them in the case of film permits. But each  
10 determination requires a parking loss analysis and  
11 interpretation of what ASP regulations are affected  
12 given the city's varied street grid and geography,  
13 and temporary signs could be subject to fraud or  
14 tampering and would need to be removed promptly as  
15 well. Third, Intro 84 by Council Member Deutsch deals  
16 with parking regulations associated with school  
17 hours. This bill seeks to make it easier and clearer  
18 for motorists to know if a school day's based  
19 regulation is enforced or not, and DOT is willing to  
20 explore this issue with the Council member. However,  
21 it could be challenging to compile an online list of  
22 exact days and times each individual school in the  
23 city is in session. DOT would depend on DOE for this  
24 information, and in the case of non-DOE schools a  
25 feasible mechanism to obtain it may not exist.



2 Another route DOT could take would be standardize the  
3 definition of school day, but the Council should be  
4 warned that this would likely result in net loss of  
5 allowed non-school parking availability. Finally, I  
6 would like to discuss Intro 887 by Council Member  
7 Gjonaj regarding the notice and contents before  
8 certain street changes. On the Notice and Comment  
9 periods for community boards, Council Members and  
10 BIDs, for certain types of street uses—street use  
11 changes lasting more than a week proposed by the  
12 legislation, I will say the following: Overall DOT  
13 incorporates different levels of community input and  
14 dialogue often extensive on many projects because it  
15 can result in better designs and implementations.  
16 However, lengthy comment and discussion before taking  
17 any is not always the best or most appropriate  
18 approach, and statutory notice and comment  
19 requirements can delay needed improvements and make  
20 it difficult for the agency to respond in an agile  
21 and responsive way to community and Council Member  
22 requests. Should this move—should this bill move  
23 forward, attention should be paid to avoid creating  
24 duplicative and conflicting requirements with  
25 existing law and Ad Code, particularly 19-101.2, the

2 Major Transportation Projects Law; 19-167.4, the Muni  
3 Meter Requirement; and 19-187, the Bike Lane  
4 Requirement, and to avoid an increasingly complicated  
5 set of notice and comment requirements for different  
6 types of projects. I will finish by saying that with  
7 so much density of people and activity, we all know  
8 competition is very fierce for the many uses of the  
9 curb in New York City. At DOT we are continually  
10 improving and innovating how we manage this valuable  
11 resource safely and efficiently for the greatest  
12 benefit while balancing all of those competing uses.  
13 After you hear from my NYPD colleagues, I would be  
14 happy to answer any questions. Thank you.

15 CHAIRPERSON RODRIGUEZ: [off mic] Thank  
16 you-[on mic] and we will continue, and also I would  
17 like to acknowledge that we've been joined by Council  
18 Members Espinal, Levin, Rose, Cabrera, Gjonaj, Koo,  
19 Deutsch, Chin, Richards and Powers.

20 OLEG CHERNYAVSKY: Good morning Chair  
21 Rodriguez and members of the council. I am Oleg  
22 Chernyavsky the Director of Legislative Affairs for  
23 the New York City Police Department. In addition to  
24 my colleagues from the Department of Transportation  
25 and the Department of Sanitation, I'm joined here

2 today by Deputy Chief Michael Pilecki, Commanding  
3 Officer of the NYPD Traffic Enforcement District. On  
4 behalf of Police Commissioner James P. O'Neill, I  
5 wish to thank the Council for the opportunity to  
6 comment on a few of the bills that are before the  
7 Council today. Before discussing several of the  
8 bills under consideration, I want to discuss one of  
9 the topics of today's hearing. At its core, the  
10 issuance of parking permits to our personnel is for  
11 the purpose of aiding in the delivery of public  
12 services. We acknowledge that at times there have  
13 been abuses of these permits by personnel from our  
14 department as well as other agencies. We take this  
15 seriously because taking advantage of this system  
16 erodes faith in the integrity of local government and  
17 violates the public trust. Moreover, when drivers  
18 misuse these parking permits and block crosswalks,  
19 fire hydrants, or bicycle or bicycle lanes they  
20 endanger public safety as well. Preventing the  
21 misuse of permits is important to keep a healthy flow  
22 of traffic, and to ensure the citizens can safely  
23 traverse the city. The department is working to help  
24 stem incidents of abuse. In 2017, the department  
25 dedicated a 116 personnel to ticketing those who

2 abuse their parking permits and those who  
3 fraudulently obtained parking permits. When city  
4 employees park their automobiles illegally, including  
5 members of this department, and it is clearly not  
6 necessary to further the mission of their agency, our  
7 personnel will issue a summons for the parking  
8 violation. If it is a fraudulent placard or traffic-  
9 our traffic enforcement agents are directed o have  
10 the car towed at which point—at which point the  
11 placard is seized. Over the last year we have nearly  
12 doubled the amount of summonses issued to vehicles  
13 parked illegally with the city issued parking placard  
14 including a substantial jump in summonses for the  
15 misuse of law enforcement placards. While we have  
16 more work to do, we are undertaking these efforts to  
17 help ensure city streets are kept clear and that  
18 privileges are not abused. I would like to provide  
19 my comments on the following bills under  
20 consideration that are of interest to the department.  
21 Intro 314 would require the department to compile  
22 quarterly reports regarding the misuse of parking  
23 permits. As you may know, over the last 4-1/2 years  
24 the department has worked with the Council to enact  
25 numerous reporting bills. While we are supportive of

1 increase in transparency, we would like to engage in  
2 conversations with the Council on the frequency of  
3 this report and we look forward to working with the  
4 Council on including data points that the department  
5 currently has or could reasonably begin collecting.  
6 Requirements in this bill to report on the number of  
7 complaints received in regard to and descriptions of  
8 parking permit misuse cannot currently be  
9 accomplished with our existing capabilities. Intro  
10 332 would permit press vehicles to park anywhere  
11 except where standing or stopping is prohibited to  
12 all vehicles if they are covering a news event or a  
13 matter of public concern. The bill also prohibits  
14 city employees from parking in spaces dedicated to  
15 the press unless—unless it is their on-duty emergency  
16 vehicle. The department testified on a similar bill  
17 in 2016, and at the time raised significant  
18 operational concerns. These concerns have not been  
19 addressed by this legislation. As was stated in  
20 2016, it will be impossible for an officer or a  
21 traffic enforcement agent to determine whether  
22 parking press—whether a parked press vehicle is  
23 covering a news event or a matter of public concern.  
24 The determination as to what is or is not a news  
25

2 event should not be left to a patrol-patrol officer  
3 of TEA. I believe we can all agree that the commands  
4 for the First Amendment could be frustrated if we  
5 have to rely on an ad hoc determination of what  
6 constitutes a newsworthy—what counts—what counts as  
7 newsworthy. While the department currently makes  
8 accommodations for members of the press covering news  
9 events as a matter of routine, moving forward we  
10 remain committed to working with stakeholders to  
11 further improve press access. Additionally, while  
12 non-emergency vehicles are already prohibited from  
13 parking in spots designated for press vehicles, we  
14 are committed to reminding our personnel about this  
15 parking prohibition, and can increase enforcement to  
16 ensure compliance if necessary. Intro 887 would  
17 require city agencies to provide notice whenever  
18 there is a major traffic change that eliminates one  
19 or more lanes for at least four days of—four hours a  
20 day, or at least a week—for at least a week. The  
21 department understands the goals behind this  
22 legislation, but it's concerned that it may  
23 potentially inhibit the department's ability to  
24 effectively control traffic. The department needs  
25 the flexibility to amend traffic patterns as needed

2 especially during large scale events such as when the  
3 United Nations General Assembly is in session or a  
4 presidential visit is taking place in the city.  
5 These instances sometimes require fluid and ongoing  
6 assessments of traffic needs, which this bill could  
7 prevent from occurring. We think that the goals of  
8 this legislation can be accomplished with a broader  
9 exemption in the bill that addresses these concerns.  
10 Intro 910 would prohibit the issuance of parking  
11 summonses to vehicles parked on a roadway during  
12 street cleaning times when either the driver is  
13 inside the car and can move it, or the street has  
14 already been cleaned beneath the vehicle. This bill  
15 presents some operational challenges for the  
16 department. Generally TEAs do not know when the  
17 street sweeper has already passed through unless they  
18 happen to observe it. It is not possible for TEAs to  
19 follow a sweeper as a sweeper can finish a block in-  
20 in the time it takes to write a single summons.  
21 Additionally, the Department of Sanitation may  
22 require certain streets get swept more than once, a  
23 scenario no accounted for in the legislation. Intro  
24 942 would require the Department of Transportation to  
25 develop a comprehensive plan for the issuance of

2 parking permits. The department believes in  
3 reforming the parking-parking permit system.  
4 However, we're concerned with the legislation as it  
5 leaves the determination of how many parking permits  
6 the NYPD requires to another agency. Moreover, we're  
7 additionally concerned that this plan can freeze in  
8 place the number of permits that the department is  
9 permitted to use, which would inhibit our often  
10 needed flexibility in allocating our resources.  
11 While we value the partnerships we have developed  
12 with DOT, the department has significant security  
13 concerns with Intro 927 as it would place information  
14 about our vehicles and police officers in a  
15 centralized database that is not in the department's  
16 control. The system proposed in the legislation—in  
17 the legislation, outsources the department's ability  
18 to control the confidentiality of these records.  
19 Setting aside these concerns, as a significant amount  
20 of work would need to be done to build out a backend  
21 system that would allow traffic agents access to such  
22 a database through their handheld devices and we  
23 would need to consider how police officers would gain  
24 access to this data—to this data as they do not use  
25 handheld devices. Finally, Intro 932 would as a



2 matter of law require that the revocation of a  
3 parking permit--would require the revocation of a  
4 parking permit if a driver is found guilty of  
5 misusing their parking permit three or more times in  
6 a year, using a fraudulent permit or other  
7 violations. While the department embraces increased  
8 enforcement and accountability for those who abuse  
9 the parking permit system, the revocation of an  
10 agency issued permit is best left for the agency's  
11 internal disciplinary process. In addition, the NYPD  
12 has a large contingent of pool cars that are used by  
13 a wide variety of personnel. In these instances,  
14 parking permits are issued to the vehicle not the  
15 individual. The NYPD cannot revoke a permit issued  
16 to a vehicle that is used by multiple personnel  
17 without disrupting agency operations. Thank you for  
18 the opportunity to discuss these bills today. My  
19 colleagues and I are happy to answer any questions  
20 you may have.

21 CHAIRPERSON RODRIGUEZ: So, I have a few  
22 questions--many questions, but I'm only going to be  
23 asking a few. My colleagues also has questions.  
24 First of all, with the press--with the press parking

2 permit, how many vehicles do we have raised here  
3 today with New York City press plates? [pause]

4 OLEG CHERNYAVSKY: Yeah, I think that's  
5 data that the DMV has, the state agency. We can try  
6 to get a hold of that for you after the hearing. I  
7 don't have that data with me.

8 CHAIRPERSON RODRIGUEZ: Okay, and just  
9 for the record the last information that we got like  
10 six years ago was that in the whole state of New York  
11 only 2,300 vehicles has New York Press plates, and  
12 for the city of New York in the five boroughs there  
13 was only 1,300. So, for the conversation especially  
14 of those of us that understand that congestion is a  
15 problem that we got thousands and thousands of new  
16 car being added with the app taxi services and other  
17 industry. We are talking about restoring the rights  
18 of members of the press in our city, which number is  
19 not more than 1,500. We are not talking about  
20 providing placard. We are talking about members of  
21 the press that they have the New York City plate to  
22 be allowed to park in the same are that I as a  
23 Council Member is allowed to park. I'm allowed to  
24 park in meters in the commercial area, in those areas  
25 that say no parking except the loading or unloading.

2 I'm not allowed to park in those stops. I'm not  
3 allowed to park in those standing. (sic) I'm just  
4 allowed to park in certain areas. So, while we are  
5 calling this, is to be in the same place. It's about  
6 we especially since this has been covering the social  
7 media, and I know that someone I've been working with  
8 the Vision Zero with a PA and Families for Safer  
9 Streets If we don't work the message right, we've  
10 been thinking about or we're talking about adding  
11 thousands and thousands of placards in the street. We  
12 are addressing an issue that we have right now, which  
13 is members of the press and again, the number—I'm not  
14 getting into the number, how high or low those  
15 numbers are. I know that the NYPD is also open to  
16 have this conversation, but for the city of New York  
17 to be part of this conversation, we're talking about  
18 restoring the rights of members of the press to park  
19 their vehicles when they're covering the news in  
20 those areas in the street that is designated for  
21 commercial for meters for those that say no parking  
22 unless it's a loading or unloading. So, we're clear  
23 with that call right?

24 OLEG CHERNYAVSKY: Yes.

2 CHAIRPERSON RODRIGUEZ: Okay, and—and we  
3 also understand that and again, you need to check  
4 with the number, we had the number. The last one  
5 that we got was like 5, two years ago, and I will  
6 share and I know that you can check with the—the  
7 Department of Motor Vehicles, but we—it's a low  
8 number of vehicles that we're talking on this issue.  
9 With the parking after Sanitation clean the streets,  
10 this is not about if we can do it or no. This is  
11 about \$25 million that count in revenue with a ticket  
12 that we give everyday to hardworking New Yorkers,  
13 Commissioners. We had this conversation under the  
14 previous administration, and there was, you know, the  
15 moment when we established designating those—that  
16 time for Sanitation, the men and women of Sanitation  
17 Department to clean the streets there was not GPS.  
18 Before the snow storm, there was no GPS. When we are  
19 confused because we didn't know when will we do a  
20 plot in the snow, and the previous administration  
21 installed GPS in all sanitation trucks with apps  
22 being part of our city. Knowing when a Sanitation  
23 truck in the street. Let's assume it is some  
24 challenges, but first of all, all of them they had  
25 GPS. We should be able to know when they clear

2 because you both, they know when they're cleaning.  
3 You keep track of those information. So the  
4 challenges are knowing when the street is clean. You  
5 know, let's take it out of the conversation because  
6 the technology is being already installed in all  
7 sweeping trucks, and we should be able to know when  
8 those sweeping trucks are in the streets. Please  
9 don't use the argument that it goes twice to clean  
10 the street because ask any neighborhood when the  
11 Sanitation trucks go trucks, and that's my question.  
12 How often does that happen? [pause]

13 EDWARD GRAYSON: Good morning.

14 CHAIRPERSON RODRIGUEZ: Please say your  
15 name?

16 EDWARD GRAYSON: Oh, I'm Edward Grayson,  
17 Director of BCC, Bureau of Cleaning and Collection  
18 for DSNY. Thank you. To address your question,  
19 technology does exist in a portion of our fleet that  
20 does new tracking. With regard to how many times  
21 empirically do we make a second pass, in all  
22 honestly, sir, that is conditioned prevalent wherein  
23 sometimes a street needs a second pass. Sometimes it  
24 doesn't. It happens. That's how the routes are  
25 designed to give us the flexibility to go back

2 because for example in the fall season when we have  
3 the leaves that fall, you know, sometimes we have to  
4 make multiple passes or use a second broom to go out  
5 and collect all the leaves that are in the—the  
6 parking line. Our primary mission is just clean  
7 streets. We—with the reduction from years ago from  
8 three hours down to 90 minutes or what the segments  
9 are that was already a concession. We the Department  
10 of Sanitation completely understands the need of the  
11 citizens for parking. We completely respect it. It  
12 impacts us. I'm a lifelong Queens residents who has  
13 had Tuesday and Wednesday. I've been moving my car  
14 my whole life. My father has been doing it for 55  
15 years. So, I get it, we get it, the department, but  
16 our primary goal is to clean the street, and the  
17 opportunity to go back or give additional service as  
18 needed. Condition prevalent is critical for our  
19 mission.

20 CHAIRPERSON RODRIGUEZ: 100%, quality of  
21 life is a top priority for our city, and I think that  
22 at the time when we put the law in place that doesn't  
23 allow drivers to park their vehicle during those nine  
24 minutes. There was not technology at that time, and—

2 and again, my question is how often does the sweeping  
3 truck go twice in our city?

4 EDWARD GRAYSON: I wouldn't have a—a  
5 statistic I could quote because like I said, it is  
6 really contingent on the day. It could be on every  
7 route in a single day that a single block needed a  
8 second pass, and the key thing with the technology,  
9 sir, that you mentioned is that while the technology  
10 would certainly offer us the ability to see where the  
11 truck has passed, it wouldn't tell us whether or not  
12 the street was cleaned. Just that the—the broom has  
13 passed. It is the operator who reports back to his  
14 supervisor via two-way radio that is also equipped in  
15 all of our trucks whether or not there was compliance  
16 on the block or there were parked cars impeding the  
17 way and/or whether or not there was the—the sediment  
18 or the debris on it that needed address—you know  
19 addressing. That would be lost in legislation that  
20 solely relied on a GPS pane. We could certainly  
21 probably devise a system to say where we've been like  
22 the plow trucks. However, it would not tell us  
23 whether or not the street was actually clean.

24 CHAIRPERSON RODRIGUEZ: Can we agree that  
25 during those 90 minutes, when drivers are not allowed

2 to park even though Sanitation is cleaning the  
3 street, if we're worrying about it's clear, it  
4 doesn't make sense for drivers to be allowed to park.  
5 [pause]

6 EDWARD GRAYSON: If the street were  
7 clean, our main goal for Sanitation is that the  
8 street is clean. However, I wouldn't—I can't argue  
9 that and nor would I nor would anybody rationally.  
10 However, I wouldn't know on any given moment when  
11 that exactly was the case as opposed that the street  
12 was cleaned and they should go back or what. I don't  
13 know how that would be managed on such a global  
14 scale.

15 CHAIRPERSON RODRIGUEZ: But do we agree  
16 that let's say the driver takes a chance, and the  
17 driver parked the car in the street that he thought  
18 that it was clean, but it was not, and he got a  
19 ticket. Does it make sense that we've been  
20 comfortable the street is clean already, and the  
21 driver parked the car. A police officer—again that  
22 is my daily (sic) boroughs. Sanitation should not be  
23 given a ticket when they know that the street is  
24 cleaned?



2 EDWARD GRAYSON: I would agree that a  
3 clean street is our main priority. I don't know that  
4 on any given day again condition prevalence or I  
5 wouldn't know. We—we—one can argue that at the right  
6 time of day when a mechanical broom passes, there is  
7 somewhat of a wet trail. I think many could argue  
8 that they've seen that in their area where—because we  
9 used the water on the sides for dust suppression and  
10 whatnot. However, in the afternoon during the summer  
11 on a 90-degree day does that still exist about five  
12 minutes when the sun has had a chance to evaporate  
13 that wet trail. So, again, I would agree with you  
14 that that when all things are perfect, a clean street  
15 should probably allow curb access especially if I  
16 have it clean. I'm—I'm—that's mine—that's the  
17 department's main concern. However, I think that  
18 will be a tough thing to actually apply unilaterally  
19 2 months a year throughout the city to have parking  
20 regulations.

21 CHAIRPERSON RODRIGUEZ: I understand it  
22 but, you know, we did the hand shake yesterday for  
23 our budget, and I know that we rely on the men and  
24 women of Sanitation like to do traffic to go out and  
25 raise their revenue, and we know that those 90

2 minutes represents \$25 million in tickets and we are  
3 the ones as a city that is saying you got to go out  
4 and give those tickets. My question is if the street  
5 is clean, and the men and women in the Sanitation  
6 Department and traffic and the NYPD know that it's  
7 clean, why should we give the ticket?

8 EDWARD GRAYSON: Sir, I don't know that  
9 in all cases—the agents are not robots. I think that  
10 some of them clearly indicate discretion. I know  
11 that the men and women of Sanitation since our main  
12 priority is cleaning the street, many times show  
13 discretion all the time when people—you don't just  
14 blindly write tickets. It's only when there was an  
15 obstruction something that prevented us from  
16 achieving the goal. So, I would agree personally  
17 that when all things are great and it's clean and  
18 everything happened, what I would say to you, sir, is  
19 that it would very hard for anyone who's an enforcing  
20 authority of that rule to pull that off, and further,  
21 the 90-minutes is—surely has a dollar value. You  
22 would know it probably better than I do. However,  
23 that 90 minutes is actually how I can try to clean  
24 the streets. The dollar value is not my--

2 CHAIRPERSON RODRIGUEZ: [interposing] I-  
3 I-I just-I just believe that, you know, I'm going  
4 stop there on that question because for me it's about  
5 we as a city are balancing and giving more value to  
6 those \$25 million that we raised giving tickets.  
7 Even though we send the men and women, we give  
8 instructions to go out and hoping to raise the  
9 revenue by giving, taking a street even though we  
10 know that the street has been cleaned. So, that  
11 we're giving the most value to those \$25 million than  
12 the time of the hard working New Yorkers that had to  
13 be going around sitting in the car, idling the car.  
14 If it's winter to have the heat, even the air  
15 condition if it's hot. Yes, because we need to raise  
16 those \$25 million. So, I hope again that we can work  
17 on this. Technology is there, that we understand  
18 that challenge is always is part of our city, but we  
19 understand that in 2018 when we have the technology  
20 we should allow derivers to park the car after  
21 Sanitation cleans the street. We are even giving  
22 tickets to drivers who are inside the car waiting.  
23 Even though the sweeping truck is passing by, we are  
24 going now sending people to give tickets to those  
25 drivers that they are inside the car ready to move it

2 when the sweeping truck will pass by. So, I just hope  
3 that we can continue this conversation. This is very  
4 important citywide because, you know, we understand  
5 that we need this money, but at the same time the  
6 technology is there, and we need to be able to, you  
7 know, I hope to come out with some conclusion on how  
8 to allow New Yorkers to able to park the car after  
9 Sanitation truck clean the street. How can we—how  
10 can we deal with the placard abuse that we have in  
11 our city, and I know that we heard from the Mayor. We  
12 were in the press conference, and just said that  
13 there's going to be one of the probably new  
14 announcement that we will make in a couple of weeks.  
15 Some plan with this. Can you highlight to us what  
16 direction are we going on potential solution to the  
17 placard abuse that we have in our city.

18 MARGARET FORGIONE: Okay, thank you  
19 Chair. So, first and foremost we very much share  
20 your concerns and those of the other Council Members  
21 and the—the city at large about placard issues and  
22 abuse and we're very committed as the Mayor has said  
23 on several occasions to making some good strides in  
24 this area, and we will have in the coming weeks some  
25 announcements with more specifics, but I would just

2 like to review what we have done so far. So, we have  
3 done several things. First of all, we have reduced  
4 the number of permits issued to various plates.  
5 Various plates are just what they sound like. They  
6 can be used on different types of vehicles. There  
7 are some good reasons for various plates, but at the  
8 same time, it can open the pathway to-to more abuse.  
9 So, we have reduced the numbers of various plates.  
10 We've also improved accountability among the city's  
11 apartments. We now require a Commissioner or First  
12 Deputy Commission sign off on certain types of  
13 permits, and what we have seen this year with that  
14 sort of sign-off is reduction in permits when a  
15 Commissioner is actually looking him or herself at  
16 the numbers of the applications being sent to DOT.  
17 They're saying well I'm really not comfortable  
18 signing my name to this, and so we have reduced some  
19 permit numbers because of that-that new requirement.  
20 We've also done some enhanced tracking. We no longer  
21 give out new permits until we have the old one in our  
22 hands. So, we won't have permits from 2017 floating  
23 around 2016, you know, in the year 2018. So, we are  
24 getting back all the old permits before a new one  
25 will be issued. We always had that requirement, but

2 we're sort of playing a little more hard ball with  
3 the departments on that regard. Then, we've also  
4 enhanced security. So, we have better holograms now  
5 that are very difficult if not impossible to  
6 duplicate. We also have a new sleeve that will come  
7 shortly that every permit will be put into, which  
8 prevents duplicating and--and things of that nature.  
9 The last thing I'd like to mention, and then my  
10 colleague may remember something that I've forgotten  
11 is that we also are advancing our fraudulent permit  
12 rule where now a summons can be issued by NYPD to a  
13 vehicle where they see a fraudulent permit. This was  
14 not the case before, and this--this rule is advancing  
15 and that's going to give PD another tool in their  
16 toolbox, and then Josh. Yeah, go ahead.

17 DEPUTY COMMISSIONER BENSON: I'll just  
18 jump in and add a couple more points. I'm Josh  
19 Benson, Deputy Commissioner of Traffic Operations,  
20 DOT. There's an area of collaboration between PD and  
21 DOT I just want to emphasize on this point and that's  
22 in training. So, we do a lot of training together,  
23 but we've really ramped up over the last year. One  
24 of the elements of that is we produced an Enforcement  
25 Guide, and this is what it looks like and it goes in

2 the Summons Book of traffic enforcement agent, and  
3 it—it walks them through all of the—the different  
4 placards, which ones are valid, where they're valid,  
5 and it helps them identify fraudulent placards.  
6 We've also done in-person training both at the Police  
7 Academy and then different field locations with over  
8 500 members of NYPD to help them identify valid and  
9 phony placards, and so that's—we think that's really  
10 bearing a lot of fruit and helping in PD's efforts to  
11 actually go out and—and do the enforcement to—to get  
12 these back placards off the street or the misused  
13 placards back in line.

14 CHAIRPERSON RODRIGUEZ: Can you—do you  
15 have the number and if by—if by any chance you have  
16 it here, can you share with all of us how many  
17 vehicles were towed last year because there were  
18 parking areas that they were no--illegal parked—a  
19 placard.

20 DEPUTY CHIEF PILECKI: Good morning  
21 distinguished Council Members, Chairman Rodriguez.  
22 I'm Deputy Chief Michael Pilecki, Commanding officer  
23 of the Traffic Enforcement District, and I'll just  
24 elaborate on a couple of things that we've been doing  
25 over the past year with regard to permit abuse.

2 CHAIRPERSON RODRIGUEZ: But can you share  
3 with me the number first?

4 DEPUTY CHIEF PILECKI: It's-it's about 90  
5 to 100.

6 CHAIRPERSON RODRIGUEZ: [interposing] How  
7 many vehicles---placard vehicles have been towed last  
8 year?

9 DEPUTY CHIEF PILECKI: 90 to 100 and I  
10 believe it's 96.

11 CHAIRPERSON RODRIGUEZ: How many?

12 DEPUTY CHIEF PILECKI: I believe it's 96.

13 CHAIRPERSON RODRIGUEZ: It was in--

14 DEPUTY CHIEF PILECKI: [interposing] No,  
15 I'm sorry. 89.

16 CHAIRPERSON RODRIGUEZ: 89 this year or  
17 last year?

18 DEPUTY CHIEF PILECKI: within the past  
19 year, within the past rolling 12 months.

20 CHAIRPERSON RODRIGUEZ: In the past  
21 months 89?

22 DEPUTY CHIEF PILECKI: Yes.

23 CHAIRPERSON RODRIGUEZ: Which we  
24 understand is too low, right?

25 DEPUTY CHIEF PILECKI: Which is what?



2 CHAIRPERSON RODRIGUEZ: It's a low number  
3 of vehicles being--

4 DEPUTY CHIEF PILECKI: I don't know that  
5 it's necessarily a low number. I can tell you that  
6 the directions we give out to our traffic agents in  
7 the field is to not only focus on the traffic flow  
8 violations, that impact our congestion but all of our  
9 agents are encouraged to take enforcement against  
10 vehicles that abusing their permits. The NYPD  
11 started a Permit Enforcement Unit in July of 2017.  
12 Since then, they've issued 51,000 summonses to  
13 permittee--

14 CHAIRPERSON RODRIGUEZ: [interposing]  
15 Before--before we continue, I would like to encourage  
16 any New Yorkers who is following hearing or anyone  
17 who have social media to invite New Yorkers to please  
18 share with us any photos they are seeing right of any  
19 vehicle that they seen using in--in an illegal park--  
20 placard because, you know, I understand and the Mayor  
21 is ready to work. The--the Police Department is ready  
22 to work. But we know that these numbers is in the  
23 thousands that we--this is a big issue, and that's why  
24 we are, you know, working together, and we hope to  
25 have a press conference very soon with the Mayor a

2 week from now to announce how we are addressing abuse  
3 of placards. So, every day in any corner of our city  
4 we see someone using an illegal placard, or using a  
5 hat or using something that tries to use an agency in  
6 order to be parked illegal in our city. So, to see  
7 only 89, you should be alert to all that. We need to  
8 address this issues seriously. [background comments]  
9 Yes, go ahead.

10 DEPUTY CHIEF PILECKI: So, Council  
11 Member, I-I think you're-you're mistaken. The 89 is-  
12 is with respect to tows, right? There are  
13 approximately 52,000-52,000 summonses that were  
14 issued in the last 12 months for illegal use of  
15 placards. So, it's-it's not right to attribute 89 as  
16 being the universe of enforcement. The universe of  
17 enforcement is about 52,000 summonses, and then there  
18 were 89 occasions on where the vehicles was parked in  
19 violation and it was such that it required the  
20 vehicle to get towed, right. So, it's just like any  
21 other vehicle that sometimes you could correct it  
22 with a summons. Sometimes the vehicle is parked is  
23 parked in way that you would tow it, and our policy  
24 and the Chief could elaborate further is that if  
25 based on the training that we get from DOT, based on

2 the literature that our traffic agents get from DOT,  
3 if our traffic agents identify that a placard is a  
4 false or fraudulent placard then that vehicle is  
5 towed, and then the placard—the fraudulent placards  
6 is then removed, and we seize the fraudulent placard.

7 CHAIRPERSON RODRIGUEZ: I and just hope  
8 that—I agree that you're trying to do the best, and I  
9 know that this has been an important issue for you.  
10 I just know, I can give an example. 93<sup>rd</sup> and  
11 Riverside Drive I have seen—I used to go there to the  
12 Montessori taking my daughter there in that area that  
13 says no parking. You know, the—the Traffic Department  
14 they—everyday they were towing vehicles there, just  
15 looking at any vehicle that was parking there, any  
16 parent getting inside the school. I know that if we  
17 will have the same approach of towing any vehicle,  
18 that they are using illegal placards, placards that  
19 they should not be using the numbers should be much  
20 higher than 89. That's a point that I would like to  
21 make. I'm sorry, sir.

22 DEPUTY CHIEF PILECKI: Okay. So, just  
23 again what we're doing with regard to placard  
24 enforcement from June 1, of '17 to May 31<sup>st</sup> of '18  
25 again it was roughly 52,000 summonses issued to

2 placarded vehicles. For the same prior the prior  
3 year it was 29,400. So, it's-it's a large increase  
4 in the number of permitted vehicles that we're  
5 summonses to.

6 CHAIRPERSON RODRIGUEZ: Last before I call  
7 my colleague is we do agree that we're going to be  
8 working together trying at least. We are open to  
9 continued discussions about restoring the rights of  
10 members of the press to have the right to park their  
11 vehicle? Right?

12 DEPUTY CHIEF PILECKI: Correct.

13 CHAIRPERSON RODRIGUEZ: Okay. So, Council  
14 Member Levine and then [coughing] and then-

15 FEMALE SPEAKER: Good.

16 COUNCIL MEMBER LEVINE: Thank you, Mr.  
17 Chair. I do want to respond to the arguments that  
18 you made in opposition to there Residential Parking  
19 Permit Program. You started with legal rationale.  
20 The Council's legal team actually says this is not a  
21 subtle matter, but regardless, we'd be happy to go to  
22 Albany with you, if-if state legislation is required.  
23 The Administration is doing that on half a dozen  
24 other fronts or more, and we'd be happy to add this  
25 to the list of-of the city's agenda. You talked

2 about the equity issue and -and ways that I found  
3 somewhat strange. You talked about people who are  
4 living in transit deserts needing to drop their cars  
5 on places like the Upper West Side, and I think good  
6 transit policy will stipulate if they drop their cars  
7 at their commuter train stop, or at the commuter bus  
8 and ride, you want to drop your car outside of the  
9 city's core. You don't want to drive into the city's  
10 core into crowded congested neighborhoods and drop  
11 your car. And-and frankly, I'd invite you to come up  
12 to Washington Heights one morning, and watch all the  
13 luxury and Mercedes and BMWs with their Jersey plates  
14 coming across the bridge driving around looking for  
15 parking. Kind of hard to make the equity arguments  
16 on-on behalf of those individuals. You talked about  
17 some difficult operational decisions and I don't  
18 think any of them are very difficult. You said how  
19 would we decide what-which communities opt in? Well,  
20 we could have the community board and the Council  
21 Member elect to update, and as we're doing with many  
22 other programs. We just wrote a great program in car  
23 sharing where that's almost exactly similar  
24 methodology. You talked about how difficult it would  
25 be to determine what hours this would be in

2 operation. In Manhattan it's going to be in the  
3 morning rush. If you can limit the morning rush,  
4 you're going to eliminate most of this problem, and-  
5 and I could go through the-the remaining practical  
6 objections that you raised none of which I think  
7 would be difficult to resolve, but I do want to get  
8 to a couple of questions. How many private cars  
9 enter Manhattan a day currently? [pause]

10 MARGARET FORGIONE: Sorry, we don't have  
11 that number handy.

12 COUNCIL MEMBER LEVINE: I'm told it's  
13 about a million. Would that be a ballpark estimate?

14 MARGARET FORGIONE: I would-I would think  
15 so.

16 COUNCIL MEMBER LEVINE: And how many on-  
17 street parking spots are there in Manhattan?

18 MARGARET FORGIONE: In Manhattan alone I  
19 don't have that information here.

20 COUNCIL MEMBER LEVINE: I'm told it's  
21 about 30,000. Would that be a ballpark?

22 MARGARET FORGIONE: I don't know.

23 COUNCIL MEMBER LEVINE: Right. It's not  
24 going to be much more than that. So, if we-we-we  
25 don't need to use advanced calculus to determine that

2 we have too many cars coming into Manhattan for too  
3 few parking spots, and people who live in  
4 neighborhoods like Washington Heights and the Upper  
5 East Side, and—and West Harlem, know that  
6 instinctively every morning when they walk out of  
7 their apartments. Can you estimate how many  
8 commuters are parking in outlying neighborhoods and  
9 then getting on the subway?

10 MARGARET FORGIONE: We do not have those  
11 numbers.

12 COUNCIL MEMBER LEVINE: And what would  
13 you anticipate would be the impact on this phenomena  
14 by the—by the implementation of congestion pricing  
15 with the coordinate 60<sup>th</sup> Street?

16 MARGARET FORGIONE: Right, so many years  
17 ago during the first time that we were discussing  
18 congestion pricing we were discussing residential  
19 parking permits. So, it's possible that, you know,  
20 this discussion can really be revived if congestion  
21 pricing does come to be, but the one thing I want to  
22 point out that residential parking permits really at  
23 a very—there's a lot of issues and concerns, but at a  
24 very basic level it has to be two things: One there  
25 has to be a substantial number of people from outside

2 of that community coming in, and what we've done in  
3 two very small studies looking at near the Barclay  
4 Center and near Yankee Stadium is we have determined  
5 that people perceive a lot more outsiders coming in  
6 than there actually are. So, plenty of New Yorkers  
7 register their cars, and they should not outside of  
8 the city. So, and the—and the reason we know that  
9 this is this is the case is because we study these  
10 vehicles during the day. We took down plate numbers  
11 and all of that plate, you know, during the day, at  
12 night over several days up to I believe even a week  
13 and we saw that the same cars were consistently  
14 parking day and night, which indicates that those are  
15 residential vehicles. So, in many cases when—when  
16 there's a belief that there's a lot of outsider  
17 vehicles that really may not be the case. So, that's  
18 one thing we'd really have to confirm that there  
19 truly are outsider vehicles. The other one is the  
20 basic question of how many spots are available versus  
21 how many residential people do own cars, and if the  
22 numbers are way out of whack, the program will not be  
23 successful. So, we liken it to like a fishing  
24 license. You have—you have your permit, which gives  
25 you some degree of confidence that you might get a



2 spot, but in actuality you're quite unlikely. You're  
3 still going to be doing what you're doing now,  
4 jockeying and circling and all of that business. So,  
5 even beyond all the other concerns I outlined in my  
6 testimony, those are sort of the basic things that we  
7 would have to really establish.

8 COUNCIL MEMBER LEVINE: I hear you on  
9 that, and my time is up. If we don't deal with this  
10 now, then we're going to face major practical and  
11 political challenges in approval of congestion  
12 pricing with outlying neighborhoods who I think  
13 rightly fear that this flood will only increase once  
14 you put a charge on 60<sup>th</sup> Street. Thank you and thank  
15 you, Mr. Chairman.

16 CHAIRPERSON RODRIGUEZ: Thank you.  
17 Council Member Koo.

18 COUNCIL MEMBER KOO: Thank you, Chair  
19 Rodriguez. I have a couple of questions one for the  
20 NYPD. So, mainly I want to ask the parking policy  
21 around—for these pieces because in my neighborhood,  
22 you know, 109 Precinct. I'm not criticizing him. I  
23 just asked you the policy, okay but this is—you know,  
24 there's a—like a bigger than bodegas store, right,  
25 supermarkets. They always have had time to get

2 delivery because when the truck comes they're loading  
3 in the loading zone for there. Because with the  
4 Office of the Police Station all the parking spots  
5 are taken up by police. So, my question to this is  
6 a long time problem, a long time problem. Now, what  
7 is the official policy for all the police personal  
8 parking around the police precincts. That's my first  
9 question, and my second question is addressed to DOT.  
10 So I want to know that how many parks there in the  
11 city in circulation now, and then what about those  
12 permits issued by other agencies, not controlled by  
13 the city like, you know, the federal, like the state,  
14 are they all allowed to park in the city? Because I  
15 notice that some people they even permits from the  
16 FBI and they disguise him. He doesn't fork for the  
17 FBI. He for a volunteer of the FBI where he gets  
18 some kind of permit. He can park like in a lot of  
19 places. So there are all these different permits by  
20 different agencies even outside the control of the  
21 city. So, how-what-what-what are going to do with  
22 it? So, Can you answer the first question first from  
23 the NYPD? Thank you.

24 OLEG CHERNYAVSKY: Sure. Thank you,  
25 Council Member. So, in terms of policy with respect

2 to parking around-around precincts around the city.  
3 So, we—we always try to be good neighbors, and  
4 through our community Council meetings where  
5 individuals in the community whether they be business  
6 owners or residents in the community come forward and  
7 speak to us about parking issues with our vehicles.  
8 We always strive to address them. There are parts-  
9 there are spots that are designated for police  
10 parking by DOT by street signs. So those are  
11 certainly spots that are allocated to a particular  
12 precinct. Many of the precincts have parking spots as  
13 part of the territory, the footprint of the precinct.  
14 So there's parking there. To the extent that parking  
15 occurs outside of those two zones, that's the type of  
16 parking [bell] that we strive to encourage our and  
17 educate our members of the service that are assigned  
18 to the precinct to follow the parking regulations.  
19 When necessary, if necessary those are—we issue  
20 summonses for those vehicles and potentially  
21 discipline for—for violation those rules.

22 COUNCIL MEMBER KOO: Okay, but—but how  
23 often do you really do enforce this? How often? I  
24 mean how much is too often?

2 OLEG CHERNYAVSKY: No, I mean the—I think  
3 the—the Chief had mentioned with the creation of the  
4 parking placard unit that that was created I think it  
5 was around June 1<sup>st</sup> of last year, the number of  
6 parking placards citywide went up about 76 to 80%,  
7 right, the parking placard enforcement I mean. So,  
8 we went from numbers around 29,000 to around 52,000  
9 for the year. So there's a steady increase. We have  
10 a dedicated force that handles parking placard  
11 enforcement, right, and we always encourage members—  
12 members of the public that reside or have businesses  
13 around a particular precinct if there are issues of  
14 the type that you mentioned, trucks delivering to  
15 businesses to the Community Council meeting. Let—let  
16 us know about it. Come to the precinct. Let us know  
17 about it, and we're going to work with the community  
18 to alleviate that problem.

19 COUNCIL MEMBER KOO: [interposing] [off  
20 mic] Yeah, I'll talk with you afterwards.

21 OLEG CHERNYAVSKY: Thank you.

22 COUNCIL MEMBER KOO: [off mic] I'll talk  
23 with you afterwards.

24 OLEG CHERNYAVSKY: Thank you.

25 CHAIRPERSON RODRIGUEZ: Thank you.

2 DEPUTY COMMISSIONER BENSON:

3 [interposing] Okay, Council member.

4 CHAIRPERSON RODRIGUEZ: Council Member  
5 Deutsch.

6 DEPUTY COMMISSIONER BENSON: Oh, the—the  
7 question about the number of—

8 COUNCIL MEMBER KOO: [interposing] The  
9 DOT, yeah.

10 DEPUTY COMMISSIONER BENSON: Yeah.

11 COUNCIL MEMBER KOO: About the—

12 DEPUTY COMMISSIONER BENSON: There—there  
13 are cards--

14 COUNCIL MEMBER KOO: --what is the city  
15 to do with the other promise from other agencies?

16 DEPUTY COMMISSIONER BENSON: Sure.

17 COUNCIL MEMBER KOO: From the state, from  
18 the federal?

19 DEPUTY COMMISSIONER BENSON: So, as Chief  
20 Operating Officer testified, there's about 14,000  
21 permits that we issue to agencies, but you're—you're  
22 very right to point out there's this universe of  
23 other, you know, they're—they're not always  
24 legitimate permits. So, if someone is pretending to  
25 work for the FBI, that's something we take very

2 seriously. That's why we started this training  
3 program with PD to make sure that we can do our best  
4 to identify what is a real permit and what's not, and  
5 so, you know, again, we—we have the enforcement  
6 guide. There is a federal law enforcement permit  
7 that's legitimate and then there are those that, you  
8 know, people are—are making up and some of them are  
9 more sophisticated than others, but that's what the  
10 training gets at us, identify what's—what's real and  
11 what's fake, and—and try to, you know, take some of  
12 these really bogus permits off the street.

13 CHAIRPERSON RODRIGUEZ: Thank you,  
14 Council Member. Council Member Deutsch.

15 COUNCIL MEMBER DEUTSCH: Thank you,  
16 Chair. Good morning, everyone. So, first I'd like  
17 to speak about Intro 84, if you could—if you want to  
18 take a look at that. Okay. So, Intro 84 this bill  
19 requires the Department of Transportation to post on  
20 its website when parking regulations in school zones  
21 are in effect. So, this would allow—this would also  
22 require DOT to clarify when regulations are in effect  
23 in specific schools zones thereby freeing the parking  
24 spots normally reserved for school employees on  
25 holidays or during the summer months. So, as you

2 know, that each public school and many private  
3 schools have signage outside and no parking on school  
4 days from 8:00 a.m. to 4:00 p.m. and during the  
5 summer months and holidays, but specifically during  
6 the summer months, many of these schools don't have  
7 session, and we don't—we have no clue of how many  
8 schools don't have sessions. So, technically if a  
9 school doesn't have session, you are permitted to  
10 park adjacent to that school. Traffic agents don't  
11 know when school is in session and a motorist would  
12 not know either. So, physically, the motorist would  
13 have to walk and knock on the door, and make sure the  
14 school is closed, and then he or she would be allowed  
15 to park adjacent to the school. Now, when the  
16 traffic agent comes, let's say the school is closed  
17 during the summer months, the traffic agent would  
18 have to do probably the same thing, and knock on the  
19 door, but they don't usually get out of the vehicle.  
20 They would write the summons, and go fight it. Have  
21 a nice day. So, we have approximately 900 public  
22 school buildings throughout our city, and we have  
23 about two or three hundred private school buildings  
24 throughout our city. So, I would all or most of them  
25 have signage outside: No parking during school

2 hours. When you call 311 to find out if a school is  
3 in session, the operator is totally dumb struck  
4 because there's no information on the 311 system, and  
5 they keep on looking for it. I'm sorry, we have no  
6 information on it. So, my bill is an easy fix. It  
7 would have DOE reporting all the schools that are—are  
8 closed during the summer season, and the same thing  
9 would be for private schools. So, how do you  
10 determine it? You mentioned in your testimony DOT is  
11 going to explore this issue with the Council Members.  
12 So, I'm willing to explore the issue right now  
13 because the summer months—the summer is just around  
14 the corner. So, a private school who has summer  
15 session is required to take out a DOH permit. So,  
16 DOH would have the information of which summer—which  
17 private schools have summer sessions. They're  
18 required to take out a permit with the Department of  
19 Health. Public schools, you mentioned that it's very  
20 hard to determine which schools are in session. So  
21 shame on DOE if they don't know which school  
22 buildings are in session or are—have no—have no  
23 summer session during the summer. A very easy fix.  
24 DOE needs to figure out which schools are closed  
25 during the summer and DOT would have to work with DOH



2 to find out which private school buildings that have-  
3 currently have that signage does [bell] don't—doesn't  
4 have a DOH permit. So, all you need to do is a  
5 little collaboration, a little partnership, and if we  
6 do that, we could free up thousands of parking spots  
7 throughout the city of New York. So, that's my first  
8 question to you. So, you said you wanted to talk  
9 about it, so I have some solutions to that, but I'd  
10 like to hear from you.

11 MARGARET FORGIONE: Okay, you—the number  
12 you mentioned are a little different than the number  
13 that we have. We have about 2,400 schools in total.  
14 About two-thirds are DOE, and one-third are private  
15 and parochial. So, we would, you know, we would  
16 obviously get straight on the numbers, but we—we  
17 believe it's a bigger universe making it that much  
18 more complicated. Everyday when I drive my kids to  
19 school I pass a private school. They're out of  
20 school already. My kids are still in school.  
21 They're not in a public school, and I know the public  
22 schools go even later, and I know that all within the  
23 private schools and the parochial schools are not all  
24 sort of created equal. So, all Catholic schools  
25 don't have identical schedules. All private schools

2 don't have identical schedules. So, all of a sudden  
3 we're entering a really complicated universe that we  
4 believe would be extremely difficult to track. If  
5 you're more concerned with the summertime, that might  
6 be a place that we could focus, but I know that  
7 certain programs have summer camps that are sort of  
8 construed as school. It gets enormously complicated  
9 and we don't think it's feasible to be able to track  
10 it. So, if we did go down that path, what we'd  
11 probably do is pick DOE, who probably has the most  
12 number of school days in session, and apply that to  
13 the whole universe, which might mean that in the case  
14 that I just mentioned the private school that I pass  
15 every day, they were out at the beginning of June.  
16 My might lose the whole month of June as a local  
17 resident, and not be able to park there because we're  
18 going to sort of have like a blanket guideline for  
19 everybody for simplicity's sake. So, it becomes very  
20 complicated. We'd be happy to talk with you more  
21 about how to figure it out.

22 COUNCIL MEMBER DEUTSCH: So, do you have  
23 much a summons—how much a summons you would know—how  
24 much, what's the amount of the summons if someone

2 parks in front of the school? Do they have sessions  
3 during those hours?

4 DEPUTY CHIEF PILECKI: Not off the top of  
5 my head.

6 COUNCIL MEMBER DEUTSCH: Over \$100?

7 DEPUTY CHIEF PILECKI: No, not off the  
8 top of my head.

9 COUNCIL MEMBER DEUTSCH: So, we're  
10 talking about if a summer school, let's say a private  
11 school, the hours. Let's say your signage outside  
12 says 8:00 to 5:00 and they end at 4:00. That's fine.  
13 They have summer sessions. So, you should not be  
14 parking there anyway the whole day because there's  
15 summer sessions. You cannot determine if they leave  
16 early, if they end at 5:00. That's fine. I'm not  
17 talking about that. I'm talking about if there is a  
18 building the school building that is closed for the  
19 summer, right. If they are open, if it's a non-  
20 public school they are required to have a DOH permit.  
21 So, DOH would have old information of every private  
22 school. Let's—let's finish with that. Now, public  
23 schools. If a public school building has no summer  
24 session, there's no day camp there. There's no  
25 school, after school program, there's no summer

2 school, that building is closed. It's closed. The  
3 only one you would find there is the custodian. The  
4 custodian can find himself or herself a spot. So, if  
5 a building is closed for the summer, that building  
6 should--that--adjacent to that school, you should be  
7 allowed to park there. End of Story. So, it's DOH  
8 for private schools. It's DOE for public schools.  
9 All that needs to be done is to report it, and once they report  
10 it online 311 would then have that information.

11 MARGARET FORGIONE: Okay. So, we are  
12 more than happy to talk more with you and with DOE,  
13 and DOH to see how to potentially manage this.

14 COUNCIL MEMBER DEUTSCH: But do you agree  
15 with me? I just want--

16 MARGARET FORGIONE: [interposing] I love  
17 the concept of more--more parking availability for  
18 everybody. Absolutely.

19 COUNCIL MEMBER DEUTSCH: Okay, thank you.  
20 So, that is one. My second, though, is Intro 445.  
21 So, Intro 445 is the board requires the Department of  
22 Transportation to suspend alternate side parking  
23 within 200 feet of a film shoot site. Film shoots  
24 can often occupy dozens of community parking spots  
25 and providing drivers with spaces that would not

2 otherwise be available will reduce the negative  
3 impact upon the neighborhood. So, when—when the city  
4 issues the permits for a film shoot so that block  
5 gets signage, right. You post signs on the block  
6 saying that the street is closed. Who does the  
7 posting?

8 MARGARET FORGIONE: So, my understanding  
9 with film permits is that the Mayor's Office of Media  
10 and Entertainment allows the permittee, the film  
11 company to post that signage.

12 COUNCIL MEMBER DEUTSCH: Okay. Do you  
13 know how much the city gets paid for a film shoot  
14 permit?

15 MARGARET FORGIONE: I do not know.

16 COUNCIL MEMBER DEUTSCH: Okay. So, you  
17 said that whoever takes the permit hangs up the  
18 signage. Who determines the days the permits get—get  
19 issued?

20 MARGARET FORGIONE: The Mayor's Office of  
21 Film in this case.

22 COUNCIL MEMBER DEUTSCH: Do they work  
23 with DOT on that?

24 MARGARET FORGIONE: On occasion certain  
25 areas that need more coordination. Yes.

2 COUNCIL MEMBER DEUTSCH: Okay. So, I  
3 believe it's a substantial amount of money that the  
4 city receives when a street is closed. We don't have  
5 no one here—anyone here from the Mayor's Office. We  
6 cannot determine how much that is, but when you  
7 receive money or—and when you—when you issue a  
8 permit, and to a film company, and they have the  
9 money to pay because the city gets a substantial  
10 amount of money for that, and now they are required  
11 to hang up signage on their block. You take the same  
12 person or you hire someone else, and you just—if the  
13 streets adjacent to that area has street suspensions,  
14 ASP, then that same—those same individuals would work  
15 with DOT, and part of the—their requirement would be  
16 to hang up signage 200 feet in each direction and  
17 basically saying that the street is suspended. So,  
18 that's one option. Option No. 2 is that the city  
19 should not issue permits in the area during the times  
20 when street cleaning is in effect. So, we could go  
21 both ways. Either my bill is a good bill because  
22 then you will hang up signage if alternate side of  
23 the street parking is in effect. You'll have them  
24 put up signage and you could determine what kind of  
25 signs, plastic cover signs. This way it doesn't fall

2 down in the rain, or just issue a permit and I will  
3 pull back my bow if you only issue a permit when  
4 alternate sides is already—is already suspended in—in  
5 those areas. So, this way people don't have to  
6 driver around looking for parking. Now, when people  
7 driver around looking for parking, Vision Zero you're  
8 putting bike lanes all over the place, right. Bikers  
9 need bike lane. It has to make sense. DOT is  
10 putting Select Bus Services all over the city. They  
11 have a whole team of people working on that. We're  
12 improving it. We're trying to [coughs]—we're trying  
13 to reduce the amount of tragedies and the amount of  
14 accidents. So, just six months ago I went to this  
15 event, and I had to drive around, and we're talking  
16 about permits here. With the permit I always look  
17 for legal spots. Okay, and I will challenge the  
18 press if they could find new parking at a pump or  
19 fire hydrant or a bus stop. I always look for a legal  
20 spot. I drove around 15 times, and I—walking to the  
21 event. There were 400 people there. So, I just  
22 thought to myself if half of those people were  
23 driving like me looking for legal spots, you have 200  
24 people driving around. It causes congestion. It  
25 causes pollution. Puts more people at risk, puts

2 bicyclists at risk, puts pedestrians at risk, and  
3 just increases accidents because you have more cars  
4 driving around. So, we need to reduce the amount of  
5 time people are driving around, and a way to do that  
6 and I could say in Southern Brooklyn you could do  
7 whatever you want to improve the transportation. We  
8 have cars in Southern Brooklyn. You're not taking  
9 away their cars. We just--the City Council just put  
10 money into Transportation to improve the MTA, and all  
11 that is a process. People have vehicles. You're not  
12 going to tell people, you know, you can't drive. You  
13 go use a bike. Many people in my district use bikes  
14 and I commend them for that, and I think it's a good  
15 idea, but many people, many other people have cars.  
16 We need to reduce the amount of people--of--of time  
17 people are driving around, and by suspending this,  
18 would help, you know, those motorists and pedestrians  
19 and the pollution, everything the congestion and  
20 everything else because you're not restricting  
21 parking around this. So, you're going to mention  
22 that--

23 CHAIRPERSON RODRIGUEZ: [off mic] Council  
24 Member, can you--



2 COUNCIL MEMBER DEUTSCH: Yeah, it's going  
3 to be brief. Yes.

4 CHAIRPERSON RODRIGUEZ: Yeah, thanks.

5 COUNCIL MEMBER DEUTSCH: Yeah. So,  
6 you're going to mention that Sanitation needs to  
7 clean. Many areas don't have ASP, right? They don't  
8 have it. So, when there's a film shoot, let it be  
9 suspended for those few days, and the same thing  
10 when—my other bill when there's milling and paving  
11 the same thing—the same people that go out there  
12 hanging up signage for that block should just hang up  
13 signage within 200 feet in each direction. So, you  
14 know, we're making things too difficult. Sometimes I  
15 look at the agencies. They are destroying the city.  
16 People have so much stress. Someone in my district  
17 just committed suicide. There's stress all around.  
18 We need to reduce that stress, and sometimes I look  
19 at the agencies you are destroying, destroying our  
20 city. I have phone calls from Sanitation workers  
21 complaining. So, you know, you work with Sanitation.  
22 You have to advocate for Sanitation. You have to  
23 defend Sanitation being here, but if you take up your  
24 uniform maybe after you retire, and you'll be sitting  
25 with us, you would be on our side. So, you have to

2 defend. You all understand that. You have to defend  
3 your agencies and the same goes for everyone up here.  
4 So, I would like to see these bills. I mean you  
5 don't have answers of how much a film shoot would  
6 cost. We don't have anyone here from the Office—the  
7 Mayor's Office of Films. So, you don't support this  
8 bill, I'm going to ask the Chair if we could have  
9 another hearing on this because we need to expand  
10 parking. We need to improve our bike lanes. We need  
11 to improve transportation, and we have to have less  
12 cars driving around for parking on our streets.

13 MARGARET FORGIONE: Okay, and Chair may I  
14 make a brief response? Do we have time?

15 COUNCIL MEMBER DEUTSCH: I—I—I only got  
16 three minutes. You have the floor.

17 CHAIRPERSON RODRIGUEZ: Yes, and—and--

18 MARGARET FORGIONE: I don't have much  
19 time. Just—just to quickly respond. Both of these  
20 bills require a lot to take place operationally.

21 COUNCIL MEMBER DEUTSCH: Okay.

22 MARGARET FORGIONE: So, first and  
23 foremost, we would need to have a very good tracking  
24 system for the Department of Finance if a person were  
25 issued a ticket where it could be looked up that

2 there's a film shoot on Avenue A, but parking was  
3 suspended, alternate side was suspended on Avenue B  
4 from here to here, and Avenue C from here to here.  
5 You know, we'd need an excellent, excellent system.  
6 That's one thing. The other thing is that it's high  
7 open to fraud. Generally, what we do is we have  
8 people post paper signs. It's very—it's fairly easy  
9 to duplicate. That would be a concern that that  
10 would happen, and then let me just speak a moment  
11 about the resurfacing bill, suspended alternate side  
12 five blocks around our resurfacing location. So, DOT  
13 knows and paves 1,300 lane miles a year. It's a  
14 tremendous number of locations, and each location  
15 it's a two-step process, and unfortunately, you know,  
16 what we try to tell the public is that we understand  
17 there's inconvenience. Sometimes there's noise.  
18 Bear with us. We won't be back for a long time, and  
19 you'll have a gorgeous street when you're done, but  
20 it does entail two disruptions. First is the milling  
21 where we need under your bill to post for the milling  
22 exercise and then several weeks later when we come  
23 back and pave, we would need to do so again. So, on  
24 any given night, we have a quit or a day. We have  
25 equipment breakdown. We have at times a worker

2 injury. We have a weather event. So, if we're  
3 planning to--to mill five blocks that day we might  
4 only do three blocks. So, we--we need a very, very  
5 good system so that again the 1,300 lane miles we're  
6 talking about impacting a lot of people, and a lot of  
7 streets. The Department of Finance can look  
8 something up and tell when we were there, and if it's  
9 legitimate or not, and we think that given all the  
10 factors that come into play, and change around what  
11 we do, that's not feasible for us.

12 CHAIRPERSON RODRIGUEZ: Okay,

13 COUNCIL MEMBER DEUTSCH: Okay, thank you  
14 very much. I just want to end up by saying that  
15 Margaret, I would love to collaborate with you after  
16 the hearing if you could reach out to my office--

17 MARGARET FORGIONE: Absolutely.

18 COUNCIL MEMBER DEUTSCH: --and if we  
19 could try to see how we could work out these three  
20 things if possible.

21 MARGARET FORGIONE: Okay. Great.

22 COUNCIL MEMBER DEUTSCH: Thank you very  
23 much.

24 CHAIRPERSON RODRIGUEZ: Thank you,  
25 Council Member I know that it's an important issue

2 for you and for all of us. So, I would like to  
3 acknowledge that Council Member Salamanca was here,  
4 and now I'm calling Council Member Powers, Chin and  
5 Gjonaj.

6 COUNCIL MEMBER POWERS: Thank you. Thank  
7 you being here. Thank you for your testimony. It  
8 must be a New York City Council hearing if we're  
9 talking about parking in such a spirited way. I  
10 wanted to ask some more questions. We talked about  
11 residential parking. So, so I think some of my  
12 questions are covered on that, but on the placard  
13 issue, our numbers have about 160,000 city issued  
14 placards, 114,000 that are city employees. Are those  
15 card numbers by your estimation?

16 MARGARET FORGIONE: Well, we'll give you  
17 the numbers for DOT. The--the bulk of the permits  
18 that DOT issues are for people with disabilities,  
19 both the city permit and the state permit. The state  
20 permit should be noted as quite a big number. We can  
21 give you that number, but they're all off-street. So,  
22 for purposes of this discussion, I don't think we'll  
23 worry about them. So, DOT issues about 13,000  
24 permits to government vehicles.

2 COUNCIL MEMBER POWERS: 13,000 and those  
3 are for any agency that needs it including DOT?

4 MARGARET FORGIONE: Correct.

5 COUNCIL MEMBER POWERS: Right, and how-  
6 how many are citywide NYPD, DOE, DOT? What's the  
7 total?

8 MARGARET FORGIONE: I'll let PD answer  
9 their information.

10 DEPUTY CHIEF PILECKI: The NYPD issues to  
11 department vehicles and outside agencies, law  
12 enforcement agencies 10,039.

13 COUNCIL MEMBER POWERS: 10,039. That's  
14 different than the 44,000 for the NYPD that we have.

15 DEPUTY CHIEF PILECKI: So, in addition to  
16 that, there were what I call restricted parking  
17 permits and those are the permits that are given to  
18 the police officers that work in the precincts.

19 COUNCIL MEMBER POWERS: Right.

20 DEPUTY CHIEF PILECKI: And various  
21 department units. That's 35,000.

22 COUNCIL MEMBER POWERS: So, okay. So,  
23 we're in the 44,000 range. Who—who—who is central—I  
24 guess my question is do we have to go agency by  
25 agency? Is there not—perhaps it should be DOT that

2 has a centralized focus or understanding or tracking  
3 of placards? I mean it seems like we even just to  
4 get the basic answer of 160,000 to pass the mic  
5 around it seems like we're—we're doing something  
6 wrong around tracking placards. Is there an—does the  
7 DOT have any centralized authority over tracking them  
8 or actually it's agency by agency?

9 MARGARET FORGIONE: Well, at this time,  
10 it is the three departments that do track their own.  
11 We collaborate closely on all issues of permits,  
12 though.

13 COUNCIL MEMBER POWERS: But DOT does  
14 other agencies and then does—why is NYPD and DOE  
15 taken out of that mix for the DOT?

16 MARGARET FORGIONE: I think a lot of that  
17 are historical reasons.

18 COUNCIL MEMBER POWERS: Okay, and who are  
19 the 46,000 non-city employees? So, 13,000 are people  
20 with disabilities. I have 60,000 that—55,000, sorry,  
21 that—Sorry, I have 160,000 that are city issued and  
22 114,000 that are city employees leaving a gap of  
23 about 46,000 and I'm trying to figure out who we're  
24 giving placards to that are not city employees. Some

2 are people with disabilities it sounds like. Who are  
3 the other tens of thousands?

4 DEPUTY COMMISSIONER BENSON: The  
5 disability placards are about 28 to 30,000 but that  
6 fluctuates because as people become qualified [bell]  
7 for them, we issue more, and it's a medical-

8 COUNCIL MEMBER POWERS: Yeah.

9 DEPUTY COMMISSIONER BENSON: --  
10 qualification and so those are--they--some of them  
11 could be sitting in place. So, it's not relevant to  
12 the--the criteria to attain that particular permit.  
13 Right, you're just--

14 COUNCIL MEMBER POWERS: [interposing]  
15 Right and is there--is there a contingent of folks  
16 that are not receiving disability permits, placards  
17 rather who are not city employees that are--that are  
18 getting them, and then who would be--who would be in  
19 that category?

20 DEPUTY COMMISSIONER BENSON: Non-City  
21 employees. I don't--I don't do--I am not sure there  
22 would be another category.

23 COUNCIL MEMBER POWERS: So, everybody  
24 receiving a placards is a non--is a city employee? Is  
25 that correct?



2 DEPUTY COMMISSIONER BENSON: I'm sorry.  
3 Say that again.

4 COUNCIL MEMBER POWERS: Are there non-  
5 city employees that are people with disabilities that  
6 receive placards.

7 DEPUTY COMMISSIONER BENSON: Yeah, there-  
8 so the-right, the agency business placards that are  
9 issued some are to state entities, federal entities.

10 COUNCIL MEMBER POWERS: So, so state and  
11 federal don't do their own placards. We issue them  
12 for them? Is that correct? That's more questions  
13 there.

14 DEPUTY COMMISSIONER BENSON: Yeah, we  
15 issue placards to some federal entities.

16 COUNCIL MEMBER POWERS: Okay, and just a  
17 couple more questions because I know we-we are time  
18 sensitive. Do, I know since I got-I represent  
19 Midtown, and there's a lot of-a lot of-a big  
20 international-a big international presence that also  
21 have plates. Do-the-is there a-on top of the  
22 placards is there a population that are plated to  
23 allow them to park that don't have to receive a  
24 placard? I mean they have a license plate that  
25 allows them to park.

2 DEPUTY COMMISSIONER BENSON: Yes, so  
3 there are—are diplomatic plates that—and—and we have  
4 diplomatic—we have assigned spaces for them. There  
5 are the New York Press Plates that the Chairman was  
6 referring to earlier, and there are designated spaces  
7 for those.

8 COUNCIL MEMBER POWERS: Yes, yes.

9 DEPUTY CHIEF PILECKI: So, there are—to  
10 your point, there are plates that match up with  
11 parking areas.

12 COUNCIL MEMBER POWERS: Okay.

13 DEPUTY COMMISSIONER BENSON: Oh, and--

14 COUNCIL MEMBER POWERS: [interposing]  
15 And—and two more questions and this is all it's my—  
16 it's going toward my support for having a reduction  
17 of placards that we are issuing, a tracking system  
18 for knowing where they are, better enforcement of  
19 them, and a number of the bills that are in here that  
20 I think would create clarity, of course, with the DOT  
21 and NYPD to make sure that they meet all your  
22 different requirements and that we are tracking with,  
23 you know, not giving away confidential information.  
24 Just two questions. One is how many placards do we  
25 have today 2018 issued? I think the answer is

2 160,000. How many were issued in 20--how many were--  
3 when this mayor came in in 2014, how many placards  
4 were there when we came in? It seems like we've  
5 increased and that seems to me we're going in the  
6 wrong direction. Second, that was my first question.  
7 Second is how many revocations of placards did we  
8 have let's just say last year?

9 MARGARET FORGIONE: Okay, we will--we will  
10 confirm how the numbers have changed in one direction  
11 or the other for you. Okay. One other thing I want  
12 to mention there's another category of permits that  
13 we issued, which are clergy parking permits, which we  
14 didn't mention.

15 COUNCIL MEMBER POWERS: How many?

16 MARGARET FORGIONE: About 5--let's just  
17 600.

18 COUNCIL MEMBER POWERS: 600. Okay, and  
19 the last question how many did we revoke in 2017?  
20 How many placards did we revoke for, you know,  
21 constant misuse--

22 MARGARET FORGIONE: [interposing] Misuse.

23 COUNCIL MEMBER POWERS: --or yeah.

24 MARGARET FORGIONE: Right, we will get  
25 you that number.

2 COUNCIL MEMBER POWERS: Any estimate?

3 MARGARET FORGIONE: No.

4 DEPUTY CHIEF PILECKI: We don't have an  
5 estimate.

6 COUNCIL MEMBER POWERS: Okay, thank you.

7 DEPUTY CHIEF PILECKI: There is a process  
8 for it, though.

9 COUNCIL MEMBER POWERS: Thank you.

10 CHAIRPERSON RODRIGUEZ: Thank you.

11 Council Member Chin. Council Member Gjonaj.

12 COUNCIL MEMBER CHIN: Thank you, Chair.

13 Thank you for the bearing on this important topic.

14 My district is overrun by placard parking, right

15 because we have course, we have the civic center, we

16 have City Hall, we have 1PP. So, I introduced 332

17 that will reset some ground rules that if you violate

18 parking rules that you park in front of a hydrant,

19 park in a no-standing zone, if you get caught at

20 least three times in a year your permit is going to

21 be revoked or, if you use a fake placard permit you

22 will never get another one. I think that we really

23 have to have some strong enforcement on this issue

24 because there's just so many out there, and we want

25 to make sure that the trust between the government

2 and our citizens is there. I mean residents and  
3 workers they see this abuse everyday. We got to do  
4 something, right? So, right now are keeping any kind  
5 of statistics? Are you tracking anyone who has been  
6 misusing their permits? They're parking in places  
7 they shouldn't be parking, in front of a fire  
8 hydrant, in a bike lane, a bus stop. All those  
9 things that a regular ordinary citizen would get a  
10 ticket or get their car towed, but if someone with a  
11 city, you know, placard permit is getting away with  
12 it. So, are we tracking them, and have we ever taken  
13 away a permit from someone who's using a fake permit?  
14 Are we tracking those statistics? Because really  
15 want to send a strong message that this is a  
16 privilege. It's not a right.

17 DEPUTY CHIEF PILECKI: Yeah. So, what we  
18 do is out in the field we encourage all of our agents  
19 when they see what they believe to be I would say a  
20 bogus permit to immediately request a tow truck and  
21 and remove it from the street. Once they do that, we  
22 seize the permit and the person never gets it back.  
23 We've received the training as was previously  
24 mentioned from the Department of Transportation. So,  
25 we're doing a whole lot better in identifying some of

2 those bad permits out there in the field. Other than  
3 that with regard to the tracking, I mean we have the  
4 summons database itself. So, we're working on a way  
5 now to I guess establish a database, if you will, on  
6 permits when they are issued summonses. We can't  
7 currently do it right now, but when we issue a  
8 summons to a permit, we're going to put that permit  
9 number on the summons itself, and we want to be able  
10 to track that data base using that permit number, but  
11 currently, we're not capable of doing it.

12 COUNCIL MEMBER CHIN: When will you be  
13 able to do that? [pause] [bell]

14 OLEG CHERNYAVSKY: Yeah, give me one  
15 second. [pause] So I just want to clarify one point.  
16 So, currently the handhelds, I just don't want what  
17 the chief said taken out of context. Currently, the  
18 traffic agents have handhelds, and when they scan the  
19 registration in order to issue a parking permit,  
20 there is a field in the handheld that says: Is there  
21 a permit? Right, and you can check yes or no with  
22 respect to whether or not there was a permit, and  
23 then there is a field that—that you can enter a  
24 permit number. Okay. The problem—I don't know if  
25 it's a problem, but the—what we're currently building

2 out and developing is an accurate way of attributing  
3 summonses to actual permits, and the—some of the  
4 difficulties that we need to overcome, and I think  
5 that that's—your question was to get good data, and I  
6 think the data right now would be imprecise in that  
7 there are parking placards that are put in the  
8 windshield that may not have a number attributed to  
9 them. Right, so there—it's hard to link it back.  
10 There are certain placards that may not be issued to  
11 an individual or—could be issued to an individual,  
12 but not a license plate number. So, these are all of  
13 the different kind of variables that we're trying to  
14 work out to accurately track it, but there is a  
15 capability to do it—to record a placard number,  
16 but it's not going to give you an accurate data  
17 result on the back end yet, but that's what we're  
18 working towards, and I think these are—that's the  
19 issue that you're trying to capture in your  
20 legislation.

21 COUNCIL MEMBER CHIN: DOT just recently  
22 had your meeting there on May 22<sup>nd</sup> that you talk  
23 about in your testimony. So that you can track  
24 better in terms of if a permit is—is a fraudulent one  
25 or not?

2 MARGARET FORGIONE: Right. So, we are  
3 advancing this rule, which we will then have tangible  
4 numbers for violations given for fraudulent or  
5 misused permits. So, we think that's an excellent  
6 first step in really capturing the problem.

7 COUNCIL MEMBER CHIN: I mean do you agree  
8 that it is a big problem--

9 MARGARET FORGIONE: [interposing] I know  
10 this--

11 COUNCIL MEMBER CHIN: --and we got to do  
12 something about it.

13 MARGARET FORGIONE: --very well. You do  
14 have a challenging district.

15 COUNCIL MEMBER CHIN: And also, I think  
16 one last point is do we know how much fines have we  
17 collected from people who has been misusing the  
18 permits? I mean because we don't see tickets given  
19 that often, but when a ticket is given, do we have  
20 any way of fining out are we collecting those fines?

21 MARGARET FORGIONE: Well, what we--if I  
22 can speak on PD's behalf. What they current give a  
23 ticket for if you have a fraudulent permit and you're  
24 parked in a no standing 7:00 a.m. to 10:00 a.m. and  
25 the permit, you know, is bogus, and you should not be



2 parking there, PD will issue a violation for parking  
3 in a no-standing 7:00 to 10:00. It doesn't go on  
4 record as bogus permit. They often make a not on  
5 their summons that there--there--you know, they'll make  
6 a little not about it, but in terms of the ability to  
7 track, it's not very simple at the present time, but  
8 in the future once we do have this rule, they'll get  
9 two tickets. They'll get the note that you're  
10 parking where you shouldn't be, and that you have a  
11 bad permit or--or you're misusing your permit, and  
12 then we'll be able to track that very well.

13 COUNCIL MEMBER CHIN: Thank you. Thank  
14 you, Chair. We're going to have to follow up on  
15 this.

16 CHAIRPERSON RODRIGUEZ: We will once  
17 again, and in that direction going back to the press  
18 parking bill even though I hope again that we will  
19 restore their right to park the vehicle as they cover  
20 the news. I also want to highlight that something  
21 that has been brought to my attention, which is the  
22 police vehicle parked right down in a--in a New York  
23 City press zone is on Pearl (sic) Street for nearly  
24 two weeks. Can we work together to be sure that those

2 bills are not from those areas so that that area is  
3 only used by the New York City Press?

4 DEPUTY CHIEF PILECKI: What was that  
5 location again there?

6 CHAIRPERSON RODRIGUEZ: It's at Pearl  
7 Street.

8 DEPUTY CHIEF PILECKI: [off mic] It's on  
9 Pearl Street. On Pearl Street. CHAIRPERSON  
10 RODRIGUEZ: Okay.

11 DEPUTY CHIEF PILECKI: [on mic] Okay,  
12 we'll take a look at it.

13 CHAIRPERSON RODRIGUEZ: And—and again, I—  
14 it's the same thing. I know that we don't have many  
15 press parking designated areas in the outer borough  
16 areas, but one of the areas of this issue we've been  
17 able to work with a better plan. I think it is  
18 important that as we announce for sharing car  
19 programs, that we will have zero tolerance for any  
20 one who park those—any vehicle that will not be a Zip  
21 car or enterprise. I think it is important also that  
22 we work together with this plan to be sure that  
23 unless it's a vehicle from the, you know, related to  
24 public safety the NYPD or ambulance or whatever that  
25 we also send a message loud and clear that no one

2 should be parking their vehicle in the press parking  
3 area until we, you know, put a plan—a better plan  
4 together. Can have some understanding?

5 DEPUTY CHIEF PILECKI: Absolutely, Mr.  
6 Chairman. We sure will.

7 CHAIRPERSON RODRIGUEZ: [interposing]  
8 Thank you. Gjonaj. I'm sorry.

9 COUNCIL MEMBER GJONAJ: Thank you,  
10 Chairman, colleagues and I want to thank you for your  
11 testimony. I want to make a quick statement, and I  
12 know that time is a concern, but this is a very  
13 sensitive issue for me. Intro 887 Protect New York  
14 City jobs and business that requires before any  
15 significant changes are made to a street usage,  
16 traffic flow, and parking on our streets and roadway  
17 the Administration has to consult, engage and ask for  
18 feedback from the very people that will be impacted  
19 the most, the residents, business owners and civic  
20 leaders that live in the area and know it best.  
21 Recently, the city launched a six-month pilot program  
22 in an attempt to alleviate congestion. The pilot  
23 completely changed parking and loading and unloading  
24 regulations on two major commercial corridors of  
25 Brooklyn and Queens and an entire zone in Mid-Town

2 Manhattan. While well meaning, I think we often  
3 agree that we need to do more to tackle congestion,  
4 and the main problem with the pilot is that  
5 businesses were simply not—did not know what was  
6 happening. The pilot started on Monday and some  
7 business reported to us that they did not find out  
8 until Thursday before. With little or no time to  
9 prepare, businesses were not able to reschedule  
10 delivery times, transportation drivers not able to  
11 pick up or drop off passengers and store with a quick  
12 grab and go business model were all harmed with some  
13 businesses reporting more than 22% loss in revenue.  
14 The Administration may argue they made attempts to  
15 reach out, but the reality is that the street teams  
16 have proven to inefficient and their marketing  
17 unreliable. This bill aims to make sure that no one  
18 is every caught off guard again. This is about  
19 creating a better love between local stake holders  
20 and the city government, and just emphasizing on some  
21 of the comments that were made in your testimony.  
22 However a lengthy comment and discussion before  
23 taking any step is not always the best or most  
24 appropriate approach. A statutory notice and comment  
25 requirement can delay needed improvements and make it

2 more difficult for the agency to respond. Folks,  
3 this is the interruption of business models, and what  
4 you may consider as an inconvenience, undermines the  
5 entire business practice and I simplify it to a small  
6 coffee shop where the business of 7:00 to 10:00 a.m.  
7 is when people stop to get their breakfast on the go.  
8 It there's no stopping, no standing, no delivery and  
9 no pick-up opportunities, you have just destroyed a  
10 business model. So the lack of communication and  
11 hearing from stakeholders and those that are truly  
12 impacted by what you perceive government knows best  
13 mindset, which is not normally the case. Without  
14 stakeholder involvement, and I mean just not  
15 notification, but to hear from actual stakeholders in  
16 communities of how this will impact the very  
17 neighborhood that they live in, reside in and invest  
18 in is unfair, unjust. We're public servants. We're  
19 not dictators and we're not here to pick and choose  
20 who should succeed, and what business they continue  
21 to operate under normal marketing principles and  
22 which cannot. In addition, before I get to my  
23 questions, what is the DOT protocols on deliveries  
24 when there is a parking lane? It's my understanding  
25 that delivery trucks are supposed to double park,

2 that they cannot park in parking lanes, and I'll let  
3 you answer that question if possible.

4 MARGARET FORGIONE: Okay. First I would  
5 like to mention that DOT is absolutely committed to  
6 the public outreach process. We do a tremendous  
7 amount of outreach. Our five borough commissioners  
8 offices have staff out amongst the communities, town  
9 halls, community boards every single night of the  
10 week, and the statement—the statement that I did make  
11 I want to just clarify it. Overall, for the vast  
12 majority of our projects we plan to continue to  
13 engage in a very deep public outreach process, which  
14 I would state very openly almost always improves the  
15 projects and almost always modifies them. So it gets  
16 us in a better place by going through these meetings  
17 even though they're—they can be arduous. We would  
18 probably—some of them can be arduous. The only  
19 reason we stated that it may not always be in the  
20 best interest to do what—what you're outlining is  
21 that there could be a situation that might have an  
22 unintended consequence of some utility work in a  
23 roadway, and we immediately to be able to go out and  
24 make the curd no standing to be prevent gridlock in a

2 community. Sometimes we have things that weren't  
3 anticipated.

4 COUNCIL MEMBER GJONAJ: I appreciate  
5 that. This is not an emergency. This was well  
6 thought out and planned and then implemented with  
7 very little outreach or feedback from the actual  
8 stakeholders. This isn't an emergency utility line,  
9 which services the whole area, and [laughs] in closed  
10 meetings the agencies and departments admitted that  
11 maybe the rollout could have been better.

12 MARGARET FORGIONE: Okay, so--

13 COUNCIL MEMBER GJONAJ: [interposing] So,  
14 this--this notion that this is going to prevent  
15 emergency work from being done.

16 MARGARET FORGIONE: Okay.

17 COUNCIL MEMBER GJONAJ: The city and  
18 government and the department never moves quickly,  
19 and under emergency scenarios, which we can make an  
20 exclusion for, and no one plans for an emergency.  
21 This is a plan that for six months you have decided  
22 which businesses are going to fail and succeed.  
23 There's a--there's a huge difference.

24 MARGARET FORGIONE: Okay, and--and just  
25 one more point on that. We did do dozens of meeting

2 prior. I believe I did send you the list of the  
3 meetings we've done, and we—and since we have had a  
4 number of meetings, in fact, we're talking further to  
5 the North Flatbush Avenue BID next week and the  
6 Roosevelt Avenue folks sometime this month as well.  
7 So, we're continuing. It's a six-month pilot. We  
8 have lost of different ways we're evaluating it  
9 including a survey that we're trying to get out to as  
10 many people as possible to get their feedback. So, I  
11 just want to sort of emphasize that it's a six-month  
12 pilot. There might be aspects of it that are working  
13 well. There might be aspects that aren't, and as we  
14 get closer to that time frame, we want to have the  
15 conversation about what makes sense to reach that.

16 COUNCIL MEMBER GJONAJ: [interposing]  
17 What do we do with business that we undermine their  
18 ability to survive?

19 MARGARET FORGIONE: Okay. So, in some  
20 cases--

21 COUNCIL MEMBER GJONAJ: [interposing]  
22 Julia's Juices (sic) that has reported A 22% loss in  
23 revenue.

24 MARGARET FORGIONE: Uh-hm.



2 COUNCIL MEMBER GJONAJ: What survey or  
3 what feedback is going to determine—help him as he  
4 decides whether or I can continue to keep my doors  
5 open?

6 MARGARET FORGIONE: Okay, so what I, and  
7 what we're doing right now is, and what I want to  
8 make sure we speak to this person. So, if you have  
9 specific information maybe I can get, but what we  
10 want to see is on a side street can we help him? Can  
11 we put something in on a side street where people can  
12 then access there--

13 COUNCIL MEMBER GJONAJ: [interposing] But  
14 isn't it what we're supposed to do before we  
15 implement something not afterwards?

16 MARGARET FORGIONE: [interposing] Well,  
17 we—we have—we have done that to quite a degree--

18 COUNCIL MEMBER GJONAJ: Uh-hm.

19 MARGARET FORGIONE: --but we're going--  
20 there might be more to do. We've also engaged  
21 extensively with SBS, the Select Bus Services who  
22 have put people on the ground to help these  
23 conversations with merchants that you're--

24 COUNCIL MEMBER GJONAJ: [interposing] With  
25 all due respect, that's what we do before we

2 implement something not after we implement something,  
3 and we're into months later, and I just want to point  
4 that in a couple of the—in the first three days of  
5 the program officers issued 3,000 tickers and towed  
6 36 vehicles in the area according to the NYPD.

7 MARGARET FORGIONE: Uh-hm.

8 COUNCIL MEMBER GJONAJ: In most cases,  
9 the resources that are used just to enforce this no  
10 parking, no stopping, no standing, looks more like a  
11 raid with NYPD traffic agents and tow truck quietly  
12 interred consumers, taking over complete  
13 neighborhoods. See, I understand and we agree that  
14 there is a real issue here with congestion, and the  
15 sensible thing to do, if know that there's  
16 congestion, and we have two lanes that we add a third  
17 lane. I'm with you. We don't take away parking  
18 lanes, but there is a protocol that should be taken  
19 before anything that is done that undermines  
20 neighborhoods, communities, and businesses alike.  
21 Three thousand tickets and 36 vehicles in one area in  
22 the first three days. [background comments]

23 MARGARET FORGIONE: Okay, and that—that  
24 should have been after a grace period, and if-if

2 you're thinking that's not the case, we will confirm  
3 that. Okay?

4 COUNCIL MEMBER GJONAJ: I'm looking at  
5 something that was reported, and it's according to  
6 the NYPD, and I'm happy to provide the testimony to  
7 you.

8 MARGARET FORGIONE: Okay, and just one  
9 more thing on Roosevelt. We are scheduling with your  
10 office a walk-through of the area in the coming  
11 weeks.

12 COUNCIL MEMBER GJONAJ: I've offered.  
13 We've gone through this.

14 MARGARET FORGIONE: I understand

15 COUNCIL MEMBER GJONAJ: You're—you're  
16 looking at this the wrong way. You're grabbing the  
17 bull by the tail and not the horns. We just have to  
18 be real partners when it comes to communities,  
19 residents, and small businesses. Government doesn't  
20 always know best, and departments and agencies should  
21 be looking at this not as an inconvenience, but as a  
22 detriment practice, and it impacts the lives of  
23 residents and stakeholders.

24 CHAIRPERSON RODRIGUEZ: Thank you,  
25 Council Member. I apologize for rushing on this one.

2 We're just trying to move in—move right now. I just  
3 hope that even though I heard the challenges many  
4 times with the residential parking bill, with the  
5 press parking and other, you know, allowing a driver  
6 to park after Sanitation clean the street that we  
7 live in a city that we deal with challenges everyday,  
8 and that we continue being open to discuss this bill.  
9 And I would like also to ask, you know, for at least  
10 a—the idea would be for you to stay when the first  
11 panel that will have Jane Irving from the New York  
12 Press Club and others will be testifying for you to  
13 at least listening to what they can say about the on  
14 the Press Parking Bill. If you cannot stay around  
15 for the next ten minutes until ten—for ten minutes  
16 and during the time that they testify, it will be  
17 very important, and with that, thank you and I'm  
18 calling the next panel. Jane Tillman Irving from the  
19 New York Press Club; Tom Mison, Robert Roth, Peter  
20 Markford Bruce and [background comments, pause]  
21 Townsend Davis. [background comments, pause] Thank  
22 you, and again as many members of the agency can stay  
23 around to hear at least from this group is very  
24 important, and are going to say around for as much as  
25 is possible. We also have a press conference with

2 the Mayor and the Speaker, but my colleague here  
3 Council Member Deutsch also will be doing a favor to  
4 help me. We will hear the testimony, and to this  
5 group and others. We will have a follow-up meeting  
6 to strategize to give the Press Parking Bill the  
7 right to re-established in our city. So, with that  
8 let's begin.

9 LEGAL COUNSEL: Quiet in the Chambers,  
10 please. Quiet in the Chambers. [background  
11 comments, pause]

12 JANE TILLMAN IRVING: [background  
13 comments, pause]

14 ROBERT ROTH: Forgive me.

15 CHAIRPERSON RODRIGUEZ: [off mic] And  
16 also, I-[on mic] So, I'm putting the timer on two  
17 minutes. Summarize as much as possible, as also we  
18 have the document.

19 ROBERT ROTH: I-I will do my best. Mr.  
20 Chairman, members of the committee and members of the  
21 Council. My name is Robert Roth. I have been a  
22 journalist since 1977 and an attorney since 1980. I  
23 have been working pro bono since 2009 to set aside a  
24 wrong done against the news business and the press by  
25 the previous administration, but this is not about

2 me. This is about the news business. The founders  
3 of this country considered freedom of the press so  
4 important that they placed it in the first amendment.  
5 In order to exercise that freedom, journalists need  
6 certain tools. Here is one tool, a press card. Here  
7 is another one, a New York Press license plate  
8 beginning with the letters NYP. Going back to 1952  
9 that's more than 60 years the state believed that  
10 cars used by the news business should have a special  
11 type of license plate so that police and other law  
12 enforcement would know and be able to assist  
13 journalists covering the news. After all, you don't  
14 want the grocery delivery van parking at the scene of  
15 a fire, but you do want to have journalists there,  
16 photographers especially to be able to cover the  
17 news. NYP license plates are used on satellite and  
18 microwave trucks so that live television news can be  
19 transmitted. They're also used on cars, vans and  
20 SUVs to transport reporters, photographers, producers  
21 and other journalists and their equipment to  
22 locations where news is happening. For more than 50  
23 years, it is understood that it was not enough merely  
24 to drive to a news event. Journalists also need to  
25 park there. After all, how else can you cover the

2 news, but in 2009, with no notice and no opportunity  
3 to be heard by journalists, the city ended the  
4 practice of allowing press parking at news events.  
5 This was done without due process by discontinuing  
6 the press [bell] vehicle permits that had been issued  
7 by the Police Department. Think about this for just  
8 a moment. If a TV crew comes to any of you Council  
9 Members' offices at 250 Broadway for a press  
10 conference or to interview you or another important  
11 news event of public concern, they cannot legally  
12 park in front of the building, but the plumber can  
13 park in front the building because his business has  
14 commercial plates. Since--

15 CHAIRPERSON RODRIGUEZ: [interposing]  
16 Sir, can you please summarize in 30 seconds?

17 ROBERT ROTH: Okay. I'm-I'm sorry, Mr.  
18 Chairman, the-obviously the-the city representatives  
19 took a huge amount of time.

20 CHAIRPERSON RODRIGUEZ: No, but I-I'm  
21 sorry. I mean they wouldn't have this, okay.

22 ROBERT ROTH: There are less. As you  
23 pointed out, Mr. Chairman, there are less than 2,000  
24 New York Press license plates in the city. There are  
25 more than 160,000 permits and numerous other license

2 plates, official plates and other kinds that give de  
3 facto parking privileges. This is a drop in the  
4 bucket. The news business deserves at least the same  
5 right as every other business. Thank you for your  
6 time, Mr. Chairman.

7 CHAIRPERSON RODRIGUEZ: I'd like to  
8 continue Tom Mison (sp?) and then Irving. Again,  
9 Robert and myself that you're being besides everyone  
10 supporting you. You've been very instrumental on  
11 this. So, Mison and then Irving.

12 TOM MISON: Mr. Chairman, thank you very  
13 much for your support and for your help with this.  
14 It's Ground Hog Day, guys. I'm back again, and the  
15 same people were here. Inspector Fulton was still  
16 and I said to myself oh, my God, it's Groundhog Day.  
17 Well, anyways, I didn't bring any pictures. I didn't  
18 bring any gear. You know what, we already did that.  
19 We did that. So, what we need to do is have an  
20 agreement because the NYPD is unable to police  
21 themselves. That is obvious. They have not been  
22 able to bet on top of the fake placards. They say  
23 they do, they say they're gonna. Yeah, okay. I  
24 don't believe them. We need to—I don't even care  
25 where they park. I don't care where they park. They



2 got to leave us alone, and they haven't and that's  
3 why legislation is necessary. It has to happen.  
4 It's time. As we speak, you can go outside there  
5 right now and you'll find police cars there, city  
6 vehicles. Go down to Wall Street. You'll find the  
7 DOT parked in the—in the spaces where they made spots  
8 for us. Go down to Pearl Street. There—there are  
9 police cars sitting there for two weeks in the NYPD  
10 zone. Yeah, emergency vehicles? What are they doing  
11 there for two weeks? In addition, there are no spots  
12 in there at all. They're taken by city vehicles  
13 and/or other vehicles with fake placards. Anywhere  
14 you go. 36<sup>th</sup> Street. Go up there now. You will find  
15 the same situation. I'm not going to waste any more  
16 of your time. I'm going to let any—everyone else  
17 speak.

18 JANE TILLMAN IRVING: [off mic] Thank  
19 you, Mr. Chairman. [on mic] Am I on? Yes. My name  
20 is Jane Tillman Irving. I represent the New York  
21 Press Club. I'm the President of the New York Press  
22 Club, and I am speaking in favor of Intro No. 332.  
23 The New York Press Club represents hundreds of  
24 working journalists, radio, television, print,  
25 internet, photographers and this an issue that has

2 affected us all. We all have horror stories of  
3 reaching the story, reaching the locations, circling  
4 the block because we have no place to put the  
5 vehicle, and in this situation obviously everyone  
6 loses. The person holding the news conference, the  
7 event and, of course, the public because the public's  
8 right to know is our business. Reporting the news is  
9 one of the foundations of our free society, and it's  
10 also a sacred trust. We feel that we are doing  
11 something highly significant, the work that we do is  
12 important, and it's really very simple. If we can't  
13 get to the story, we can't cover it, and then you  
14 don't know what is happening, and the public is not  
15 served. The job we do as a free press is enshrined  
16 in the Constitution, but we're also a business as we  
17 have been saying. As our employers will tell you, we  
18 have a two-pronged mandate as it were, and what we  
19 are hoping for is to be able to have the same  
20 opportunity to park in the same spaces, et cetera as  
21 other businesses in New York City. Thank you very  
22 much.

23 TOWNSEND DAVIS: Thank you, Mr. Chairman.  
24 Thank you, Members of the Council. My name is  
25 Townsend Davis. I'm Assistant Chief Counsel at ABC,

2 Inc. and I'm here representing WABC Channel 7. WABC  
3 is one of the leading news organizations in this  
4 city. They produce and broadcast more than six hours  
5 per day of original news programming. In fact,  
6 they're here right now covering this hearing. That's  
7 the camera operator over there, and when I asked him  
8 coming into this chamber where he parked, he said  
9 well, I wanted to park over in park row in one of the  
10 two NYPD designated spots for the press, but both  
11 were occupied by NYPD vehicles, and they're probably  
12 still there now. As a result, in order to cover this  
13 hearing our camera operator was forced to park in a  
14 bus zone running the risk of high priced ticket, and  
15 this is not an isolated incident. WABC incurs  
16 thousands of dollars or parking tickets per year many  
17 of which are challenged and overturned on appeal.  
18 However, what if this was a breaking news situation?  
19 What if there was a fire in this building today?  
20 What if there was something worse than that? WABC  
21 would be down here covering it as would many others  
22 of the working press here in New York, and they would  
23 be spending valuable minutes perhaps hours circling  
24 this location looking for a parking space instead of  
25 covering the event, and that means that this directly

2 impacts the quality and the volume of news that is  
3 produced in this city every single day. So, I speak  
4 in strong support of the Intro 332. Thank you.

5 CHAIRPERSON RODRIGUEZ: And with that, I  
6 need to—we will continue, but my colleague here  
7 Council Member Deutsch and he's going to be  
8 continuing chairing this hearing. You know, we had  
9 the Fair Fare that I—that I championed that's here.  
10 The Mayor over there. This is something especially  
11 if there's an incident would like to let DOT, you  
12 know, NYPD know I want to get this bill moved during  
13 the summer.

14 TOWNSEND DAVIS: Sure.

15 CHAIRPERSON RODRIGUEZ: And I hope that  
16 we can--

17 TOWNSEND DAVIS: [interposing] We can get  
18 the funding real quick on behalf of CBS and my  
19 colleagues and ABC over there. Just I'd like to  
20 thank you as well. We're heavily invested, interest  
21 in this. WE have a lot of entities, and sure thank  
22 you for your time on this.

23 CHAIRPERSON RODRIGUEZ: Okay. Thank you.  
24 [background comments, pause]

2                   ACTING CHAIRPERSON DEUTSCH: Good  
3 afternoon everyone. So, I'm just taking over for the  
4 Chair Ydanis Rodriguez. Of course, it's always my  
5 luck to chair a hearing when the press is testifying.  
6 So, I won't end up in the press today. Anyway, I  
7 just want to—I—I agree with—with the people who are  
8 testifying that when there are situations that happen  
9 across our city, we need to get the news. We need to  
10 get the news right away, and I understand that the  
11 few spots you spoke about at 1 Police Plaza we will  
12 reach out to 1 Police Plaza, and let them know that  
13 those two spots are designated for NYPD. So, we need  
14 to work bottom-up and sometimes education is  
15 important. So, we'll begin with that, and we'll  
16 continue with the test—the testimonies here. Who's  
17 next?

18                   PETER MCGOWAN: I'll just keep this  
19 brief. My name is---

20                   ACTING CHAIRPERSON DEUTSCH:  
21 [interposing] Okay.

22                   PETER MCGOWAN: --Peter McGowan and I'm  
23 Director of New Operations at WCBS, TV Channel 2 but  
24 I'm also here representing all of the CBS entities.  
25 We thank you very much for your time and

2 consideration on this. I—I have almost 30 years  
3 experience of dealing with these operations in New  
4 York City and again 15 years at CBS, 10 years at NBC.  
5 You name it and I shudder to think of how many  
6 thousands of dollars and hours we spend on parking  
7 tickets and tickets and tows and boots and the whole  
8 thing, and you've heard it all before in terms of  
9 operations, and just how difficult that is. So, we  
10 need relief. We'd love to work with our friends at  
11 the NYPD. It is unfortunate that it seems we've lost  
12 half our audience to this. I hope that's not an  
13 indication of how this is going to go. I testified  
14 two years ago. We're back again, and I'll echo the  
15 sentiment of my colleague Tom over here that I hope  
16 we're not back here in another two years down  
17 thousands of dollars, and—and time and man hours  
18 again. That's money we'd much rather spend on gear  
19 at B&H. We go to B&H and there you go, and hiring  
20 people, et cetera, et cetera. It's—I'll tell one  
21 anecdote. I told it two years ago. I'll tell it  
22 again. We all got invited by the NYPD to cover an  
23 arrest of a rape suspect in the South Bronx. We went  
24 up there. It was an important story to tell. The  
25 NYPD wanted the information out. We did the whole

2 thing, came outside, 20 cars and 20 tickets including  
3 on towed. It gets brutal, and we need help. So,  
4 thank you.

5 ACTING CHAIRPERSON DEUTSCH: So, I have a  
6 question for you. So, first of all, this whole  
7 hearing is off the record, right?

8 PETER MCGOWAN: Yes. [laughs]

9 ACTING CHAIRPERSON DEUTSCH: Okay, so  
10 when you--when you receive a summons, who's  
11 responsible for that summons while you're on the job?  
12 Is the person responsible?

13 PETER MCGOWAN: You know, it--that's--  
14 that's--that's a great question, sir. It's going--  
15 that's because it's kind of e-surf amenity. (sic) CBS  
16 is fortunate. We're a large company and we have to  
17 get the job done. So, CBS takes care of it. We have  
18 it as actually a budget item every year. In fact, in  
19 August we'll be doing our projections again, and it  
20 will be a line item, and it's a very frustrating one  
21 because we spend X--I mean I'll throw a number out,  
22 \$10,000.

23 ACTING CHAIRPERSON DEUTSCH: So is that a  
24 cost of business or--

25 PETER MCGOWAN: A cost of business.

2 ACTING CHAIRPERSON DEUTSCH: Or, you get  
3 for reprimanded for doing your job?

4 PETER MCGOWAN: [interposing] No, I—the  
5 one thing we tell our folks is do not park at fire  
6 hydrants. Do not puss in bus stops. You know, we—we  
7 have zero interest in inhibiting or endangering the  
8 public rather, but we have a job to do and, you know,  
9 we can't very well charge our people, you know, \$200  
10 for doing their job. So, we just resigned ourselves  
11 to it. Sometimes we fight it like my colleagues  
12 said. I could give up, but this fellow WABC said  
13 they go and fight it and sometimes you do if there's  
14 time and sometimes you don't have time. In these  
15 days the tickets go to judgment very quickly, and if  
16 you don't take care of it, you get booted. One of  
17 the problems we have a CBS--not to get too far into  
18 the weeds--is CBS is--has various entities, and often  
19 what will happen is, you know, we'll have our little  
20 division, not little, but we'll have WCBS-TV but as  
21 far as the city is concerned and the state, if WCBS  
22 Radio or WFAN Radio gets a ticket, you can be  
23 responsible for that as well, and we all wind up  
24 paying each other's tickets. But again, to answer  
25 your question, it's a corporate expense, but I--if--if



2 I were a freelancer, I would not do business in this  
3 town. There's no way because you go and shoot one  
4 photo, you know, and it's, it could be disapproved  
5 for all you know. You walk back to your car, it's  
6 200 bucks. You've just worked for free, and—and  
7 that's really where it becomes intolerable, but even  
8 for us it hurts because we all have our—our budgets  
9 and we have our divisions, and we have literally made  
10 decisions in some months: Should we buy a camera or  
11 should we pay those tickets. We pay the tickets.

12 ACTING CHAIRPERSON DEUTSCH: Just to ask  
13 the question to everyone on the panel: Do you recall  
14 any of your vehicles that are getting booted?

15 PETER MCGOWAN: Sure, absolutely.

16 ACTING CHAIRPERSON DEUTSCH: So, does it  
17 happen often?

18 PETER MCGOWAN: No, not often. You've  
19 got to stay on top of it, but the--

20 ACTING CHAIRPERSON DEUTSCH: Because  
21 yeah, that's a question I would have asked the NYPD.  
22 I mean they should have—I mean there has to be  
23 records of it right?

24 PETER MCGOWAN: Yeah, we've been booted,  
25 we've been towed, you know, and again it's an agency—

2 an entity as large as CBS you could wind up getting  
3 booted or towed for somebody else's tickets that you  
4 have no idea that, you know, whose they are. I  
5 remember one time I went to Parking Violations down  
6 to pay what I thought was going to be about \$1,500 or  
7 \$2,000 worth of tickets and meet with the judge and  
8 the whole thing, and the person behind the counter  
9 said, Okay, that will be \$14,000 and I put my credit  
10 card away and I said there's no way we have that many  
11 tickets, and it was all the various entities. That  
12 is a CBS specific problem because of just how much,  
13 you know, we own in the city but it's still a very  
14 practical problem particularly when you're, you know,  
15 you're calling your reporters trying to get back to  
16 the station, and they come back and they find a boot  
17 on their car or the car has been towed.

18 ACTING CHAIRPERSON DEUTSCH: So, just to  
19 better understand. So if there is let's say like if  
20 you come to City Hall. So, it's helpful to have a  
21 permit because you would be parking—you'd—you'd need  
22 a NYPD press designated spot, right?

23 PETER MCGOWAN: Yeah, and—and the--

24 ACTING CHAIRPERSON DEUTSCH: But—but when  
25 there's an emergency like a fire or something you're

2 not going to be looking for an NYP spot, and you  
3 don't have that anywhere across the city. So, you  
4 would have to probably just park your truck anywhere?

5 PETER MCGOWAN: Anywhere. I mean, we're--  
6 we're television.

7 ACTING CHAIRPERSON DEUTSCH: [interposing]  
8 And then you would just have to--just have to be at  
9 the scene right?

10 PETER MCGOWAN: Yes, we're--we're  
11 television. So, if it's big enough we're--we're just  
12 getting on television and we will pay the summons.  
13 That's what it is, particularly if it's--it's a  
14 compelling enough story where it's in the media. For  
15 example, if it's in 2:00 in the afternoon, and this  
16 is the story--I mean I'll just throw out the Port  
17 Authority bombing that you saw it, yeah, blow up the--  
18 the package in that--that causeway. We're not waiting  
19 until noon to report that story. That's an immediate  
20 story, and you're getting that truck down there, and  
21 you're--you're parking in the Mayor's spot if you have  
22 to. You know, you're doing to get that story on the  
23 air, and sometimes someone will slap summons on the  
24 truck for it, and you just pay it.

2 ROBERT ROTH: Mr. Chairman, just to—just  
3 to correct a point if I may. We are not asking for  
4 money—=

5 ACTING CHAIRPERSON DEUTSCH: No, I'm not  
6 the Chairman. I'm the Chairman of the Veterans  
7 Committee. I'm the Acting Chair. Okay, okay.

8 ROBERT ROTH: Yes, Council Member, thank  
9 you for the correction, but just—just to be clear, we  
10 are not asking for placards of permits of any kind.  
11 We are asking that our New York Press license plates  
12 be accorded the same parking privileges as those  
13 accorded to commercial vehicles. That's all. Not  
14 any special parking permit. Not any special placard.  
15 We found that as Peter has noted the spaces  
16 designated for us, the only spaces are the NYP spaces  
17 and there are just not enough, and everyone seems to  
18 have free license to use our spaces whenever they  
19 want for as long as they want including maybe a  
20 couple of weeks with impunity because people have  
21 learned already that if you want to park in the press  
22 zone, and if you have anything backing you up even  
23 remotely whether it's a fake placard, whether it's a  
24 city of New York license plate, whether it's—whether

2 it's a license plate for the Housing Authority, feel  
3 free to park in a press zone.

4 PETER MCGOWAN: And—and again, the news  
5 doesn't happen in NYPD zones. The news happens  
6 anywhere and everywhere.

7 ACTING CHAIRPERSON DEUTSCH: Do we have a  
8 number of how many NYP New York press parking spots  
9 there are across the city?

10 PETER MCGOWAN: Not enough.

11 ACTING CHAIRPERSON DEUTSCH: Where are  
12 they?

13 ROBERT ROTH: May I respond to that,  
14 please?

15 ACTING CHAIRPERSON DEUTSCH: Yeah,  
16 because the question is if—if we eliminate the NYP  
17 and just thinking out loud and if DOT would allow  
18 you, if they would give you a permit to park like at  
19 meters or truck loading and unloading, then we could  
20 eliminate those NYP spots, right because most of the  
21 time--

22 ROBERT ROTH: Well, the city seems to be  
23 on the way to be eliminating NYP zones gradually.  
24 It's death by a thousands cuts. For example, north  
25 of Madison Square Garden on 33<sup>rd</sup> Street between 7<sup>th</sup>

2 and 8<sup>th</sup> Avenue, there was—which happens to be the  
3 north side of the Madison Square Garden, there used  
4 to be approximately 20 parking spaces because after  
5 all it seems to be very evident that—that the press  
6 covers events inside the garden. A couple of years  
7 ago, a real estate developer asked that those spots  
8 be removed so they could leave the block open as a  
9 pedestrian mall. Those spots were moved. It's a  
10 pedestrian mall. You can't park in front of the  
11 garden now. There are a few spaces nearby as was  
12 mentioned before by Mr. Maisel on 36<sup>th</sup> Street. They  
13 happen to be conveniently located for the—near the  
14 Midtown South Precinct. So, guess what? Most of the  
15 time they're unavailable. There have been NYP's—NYP  
16 parking was available until a few weeks ago at the  
17 address 1211 Sixth Avenue. An obscure news  
18 organization called the New York Post has its offices  
19 there along with Fox News and News Corp. All those  
20 spaces are now gone. Sometimes of the day there are  
21 no standing supposedly for the DOT's Clean Curbs  
22 Program, but at other times of the day they are  
23 available. They're available not to the post, to Fox  
24 News and to News Corp. They are available to  
25 commercial vehicles. I find this a bit strange.

2 ACTING CHAIRPERSON DEUTSCH: But in that  
3 area are there loading and unloading spots and are  
4 there meters around that area?

5 JANE TILLMAN IRVING: Uh-hm.

6 ACTING CHAIRPERSON DEUTSCH: So, so my  
7 question again is so I don't know the number of how  
8 many NYP designated parking spots there are.

9 PETER MCGOWAN: If-if I may.

10 ACTING CHAIRPERSON DEUTSCH: Yes, sure.

11 PETER MCGOWAN: With that being-being-

12 ACTING CHAIRPERSON DEUTSCH: This is a  
13 conversation.

14 PETER MCGOWAN: Sure, absolutely.

15 ACTING CHAIRPERSON DEUTSCH: It's also  
16 helpful.

17 PETER MCGOWAN: I would say for every one  
18 just off the top of my head and personal experience.  
19 For every one NYP spot, you're looking at 100  
20 commercial. So, and-and-and that's probably not an  
21 exaggeration.

22 ROBERT ROTH: [interposing] Um, then-

23 PETER MCGOWAN: The two were going to-

24 ROBERT ROTH: To answer your question  
25 directly Council Member Deutsch, the-the-the

2 Department of Transportation no longer makes  
3 available to we in the—in the press corps the list of  
4 NYP zones in the city. They used to, but they  
5 stopped doing it a few years ago. The last one I had  
6 is more than tens old. So, you just happen to come  
7 across them and you see them and you—either they're  
8 there or they're no longer there, but the last time I  
9 counted, which again is a few years ago, there were  
10 several hundred. I believe it was under 400. In the  
11 borough of Staten Island for example there were four  
12 spaces allocated for the entire borough. I guess the  
13 DOT figured news doesn't happen in Staten Island. If  
14 you-

15 ACTING CHAIRPERSON DEUTSCH: So, so—so  
16 let me ask—let me ask you something now. You know,  
17 again I'm not arguing with you because I don't argue  
18 with the press, but if—let's assume we eliminate the  
19 NYPD parking spots. You have 200 across the city  
20 right? And we allow for you to park at meters or  
21 truck loading and unloading, right. That's two  
22 locations where like other—the Council members who  
23 have placards are allowed to park, but then at the  
24 hydrants so many times you have a van, a news van.  
25 You always have someone sitting in the van. So, even



2 at a fire hydrant you're technically allowed to park  
3 at a fire hydrant if someone is sitting in the  
4 vehicle. So, that would open up more space because  
5 you usually have unless two people are running out,  
6 you always have one person in the vehicle. That  
7 would open up even the—the fire hydrants because you  
8 are legally allowed to park at hydrants. So, if we  
9 asked the asked the Administration to eliminate the  
10 NYPD because they're being abused anyway by others,  
11 and if they would allow you to park at the other  
12 areas I just mentioned, and that would free up like  
13 literally thousands, tens of thousands of spots.

14 PETER MCGOWAN: If you were to tell me,  
15 I—I don't want to speak for everybody, but if were to  
16 tell me that you're going to take away NYP but allow  
17 us the same privileges in those standing commercial  
18 loading for us that would be huge, and I think for a  
19 lot of other folks as well. I would be very afraid  
20 and reluctant to go down that path because again our  
21 friends from the NYPD aren't even here any more. I  
22 think that my fear would be that we'd lose NYP and  
23 not gain any advantages. That would be my big  
24 concern, but I mean it's—yes, to be fair—it's—it's no  
25 contest. I mean there's—there's such a small

2 percentage of NYP zones and to tell us that--the  
3 reason I'm here today was--is because of the idea  
4 being able to park in those commercial areas because  
5 that's the whole city. I mean let's say I--I can't  
6 speak for, you know, ten hours certainly but, you  
7 know, most of the city has got that. That's means we  
8 could really park anywhere and get our job done and  
9 that--that would be huge for us.

10 ACTING CHAIRPERSON DEUTSCH: So, so with  
11 a plaque--with a placard it becomes an NYPD license  
12 plate, right?

13 PETER MCGOWAN: Well, no, I mean to tell  
14 you the truth, I didn't know--I mean I meant to yell  
15 that up here, but I didn't look at any placards per  
16 se. You know, the placards are obviously used for  
17 fraud. NYP plates are a very rigorous process.

18 JANE TILLMAN IRVING: I have plates.

19 ROBERT ROTH: Since 2--in 2009--up until  
20 2009 there existed various forms of a credential from  
21 the NYPD called the Press Vehicle Card. I have a  
22 copy of one, if you would like me to send it up. In  
23 2009, the NYPD announced suddenly when people were  
24 renewing their press cards, we can't--we can't get you  
25 your placard yet. We can't get you your permit. We

2 have a problem, and it turned out they never were  
3 renewed.

4 ACTING CHAIRPERSON DEUTSCH: Got it okay.  
5 So, I-I-I'll get that information from you. So,  
6 we're-we're not talking about placards?

7 ROBERT ROTH: No, sir.

8 ACTING CHAIRPERSON DEUTSCH: No. So,  
9 we're talking about NYP Plates?

10 ROBERT ROTH: License plates.

11 ACTING CHAIRPERSON DEUTSCH: License  
12 plates. Okay, that makes sense. We need to push the  
13 -the Administration because if there's an NYPD  
14 vehicle sitting at expired meter or a truck loading  
15 or unloading, right, and you're on official business,  
16 right, unless they see you like, you know, if you  
17 have a commercial vehicle double parking, and someone  
18 is not there loading or unloading, right, then they  
19 could get a summons because there's nothing going on.

20 ROBERT ROTH: Right.

21 ACTING CHAIRPERSON DEUTSCH: So, if they  
22 see NYPD plates and they see the guy doing inside  
23 shopping or they're doing something else, then maybe  
24 you might get a summons, but they-if you're on  
25 official business, it makes sense that the

2 Administration they should not issue any summonses  
3 because you're on official business.

4                   ROBERT ROTH: Exactly. Council Member  
5 you—you—you brought up something that touches upon an  
6 issue raised before by the Chief from the NYPD. In  
7 his objection along with the Legislative Affairs  
8 Director they said the same thing that was said two  
9 years ago by inspector—then Inspector Fulton, which  
10 was how do we know that the press is using this for  
11 the purpose outlined by the statute? To which I say  
12 the same response I said then, which is: How do you  
13 know that anyone with any permit of any kind and any  
14 license plate of any kind is using it for the proper  
15 purpose?

16                   ACTING CHAIRPERSON DEUTSCH: [interposing]  
17 Absolutely because they--

18                   ROBERT ROTH: The answer is they don't  
19 know.

20                   ACTING CHAIRPERSON DEUTSCH: Exactly  
21 unless the traffic agencies or the police officer  
22 observes you doing something else other than, you  
23 know, doing something for that—that's it's meant to  
24 be.

2           ROBERT ROTH: I—I can tell you, Council  
3 Member, I—I feel with reasonable certainty that when  
4 I see a vehicle with New York City Housing Authority  
5 plates parked in front of Rockefeller Center that it  
6 quite likely that the—the driver of the vehicle is  
7 not there on Housing Authority business. However, he  
8 gets the benefit of the doubt because the police  
9 officers don't hold him to the same standard that the  
10 chief wants to hold the members of the Press Corps to  
11 an impossible standard. One can never, and, in fact  
12 as Peter indicated before, you can come to an event  
13 at the invitation of the Police where clearly there  
14 is breaking news, and they will ticket you anyway.

15           PETER MCGOWAN: Councilman, let me give a  
16 good example, too, because I've gotten a number of  
17 summonses that make me scratch my head that written,  
18 written on the summons said no press activity. With  
19 all due respect, how the heck do they know, you know.

20           ACTING CHAIRPERSON DEUTSCH: And you know  
21 something, I would—I would love if you get a summons  
22 and you're on the job, you're doing your work, and  
23 you get a summons, I would love for you to call my  
24 office. I would write you a support letter.

25           PETER MCGOWAN: Sure.

2 ACTING CHAIRPERSON DEUTSCH: I would  
3 write you a support letter.

4 PETER MCGOWAN: But let me give you an  
5 example.

6 ACTING CHAIRPERSON DEUTSCH: We have to--  
7 we have to move on.

8 PETER MCGOWAN: Just one--one quick example  
9 of that.

10 ACTING CHAIRPERSON DEUTSCH: Yeah, we got  
11 a lot of people.

12 PETER MCGOWAN: But one quick example to  
13 flesh that out. Anderson Cooper interviewed Stormy  
14 Daniels for 60 Minutes about a month ago, and that  
15 was done in the Manhattan Hotel. I guarantee it was  
16 upstairs. There were press vehicles downstairs. How  
17 do they know? They're looking at the press vehicle,  
18 and the standard they have now is I don't see a  
19 police siren and I don't see a fire truck. I'm going  
20 to slap a summons on this things. It was one of the  
21 biggest stories in the past six months. Twenty  
22 Million people watched that interview. That's news,  
23 you know what I mean? You know what I mean?

24 ACTING CHAIRPERSON DEUTSCH: Yes, so  
25 it's--

2 PETER MCGOWAN: [interposing] And—and the  
3 solution of having the commercial zones for us huge.  
4 That—that—that's the end of the game for me.

5 JANE TILLMAN IRVING: But Council Member  
6 I don't think that you—you mentioned removing NYP  
7 zones. I don't think that would be a productive road  
8 to follow because we have—that is at the moment the  
9 only thing that we have, and so, therefore, removing—  
10 -

11 ACTING CHAIRPERSON DEUTSCH: Yes.

12 JANE TILLMAN IRVING: --NYP zones without  
13 making it absolutely positive that we had the ability  
14 to park in commercial zones would be defeating the  
15 purpose.

16 ACTING CHAIRPERSON DEUTSCH: 100 times.

17 JANE TILLMAN IRVING: [interposing] I—I  
18 think that's—that's a very dangerous thing to do.

19 ACTING CHAIRPERSON DEUTSCH: Yeah. No,  
20 no.

21 JAMES MACON: [interposing] It's the fear  
22 of losing and not gaining.

23 ACTING CHAIRPERSON DEUTSCH:  
24 [interposing] I don't talk about removing before  
25 implementing, you know, the other—the other parking--

2 ROBERT ROTH: But again, I would stress  
3 that you look at the state of the NYP plate.  
4 Placards can be made by anybody.

5 PETER MCGOWAN: The NYP plate only comes  
6 from Albany and it's a pretty rigorous standard. So  
7 I would go by that.

8 ACTING CHAIRPERSON DEUTSCH: Alright,  
9 listen I agree. We're going to fight for you guys  
10 and girls.

11 ROBERT ROTH: Thank you, sir.

12 PETER MCGOWAN: Thank you so much.  
13 Appreciate it.

14 ACTING CHAIRPERSON DEUTSCH: It makes  
15 sense. [background comments, pause]

16 DAVID GANSHU: Hi. Just some kind words.

17 ACTING CHAIRPERSON DEUTSCH: First, let  
18 me hear your wise words.

19 DAVID GANSHU: Hi, my name is David  
20 Ganshu. I'm a freelance photographer.

21 ACTING CHAIRPERSON DEUTSCH: Oh, it's  
22 David.

23 DAVID GANSHU: I spent more than 40 years  
24 as a photo journalist here in New York. Some cold  
25 hard facts to your earlier questions. We surveyed



2 our members over the past two months just to give you  
3 this information. Seventy percent of our members at  
4 the New York Press Photographers are freelancers.  
5 They're independent business people who are trying to  
6 make a living New York City. The average daily  
7 salary for a freelance news photographer is between  
8 \$150 and \$300 a day. You lose one-third to taxes.  
9 If you have—happen to get \$115 summons, you have  
10 worked for nothing the entire day. Fifty-eight  
11 percent of our members not reimbursed for their gas,  
12 for their tools, for the wear and tear on their  
13 automobiles or their summonses. It is quite a large  
14 expense to do the business in photo journalism in New  
15 York City, and we're not yet talking about buying  
16 very expensive camera equipment, computers, et  
17 cetera. Ironically, 15% of our members who responded  
18 to the survey have actually received summonses with  
19 NYP license plates in NYP zones. They are just  
20 broadly written with any body spending the time to  
21 look and see what the sign is, and 85—85% of our  
22 members report that they have been unable to park  
23 legally near their assignments. I missed a photo  
24 shoot the other day with the new Attorney General of  
25 the State of New York because every single NYP zone

2 in Lower Manhattan was jammed with non-NYP vehicles  
3 and before coming in here this morning we walked  
4 through the NYP zone outside of City Hall right  
5 outside this hearing room at 9:34 a.m. There were 14  
6 NYP vehicles legally parked in the NYP zones. There  
7 were two marked NYP vehicles taking up two spots.  
8 [background comments, pause] I'm sorry, there were to  
9 marked NYPD vehicles, police cars from the Seventh  
10 Precinct who were taking up spots that belonged to  
11 NYP vehicles. There was one city-owned vehicle and  
12 one handicapped placard parked right next to City  
13 Hall. Thank you for your time and your support of  
14 the bill.

15 ACTING CHAIRPERSON DEUTSCH: [interposing]  
16 Thank you, thank you very much, and Mr. Mayor, if  
17 you're watching, we got to get this done. So, we  
18 have to push this, and we have to get this done  
19 because it only makes sense. Let's get to our next  
20 panel. Let's see if we get—oh, we have Bruce here?  
21 [background comments, pause] Okay, then that's you.  
22 (sic) [laughter] [background comments]

23 BRUCE COTLER: I'd like to thank the City  
24 Council for listening to us. It's been a long  
25 battles. I just want to say this is a common sense

2 bill. We just want to work and be able to park  
3 without being harassed. I'm the President of the New  
4 York Press Photographers Association. I represent  
5 over 300 photographers, and the majority of our  
6 photographers are freelances, and they want some  
7 assurances. I mean we have photographers who have  
8 been on assignment and their cars have been towed,  
9 have been booted, and the first thing when I hear if  
10 they're booted, I ask them if they have over \$300 in  
11 tickets, and they say they have none. We are being  
12 targeted and I just don't think that's fair. All of  
13 our panel up here has expressed everything that I-I  
14 believe in, and we really need your help get this  
15 done.

16 ACTING CHAIRPERSON DEUTSCH: Thank Bruce.  
17 I just want to say for the record that you don't have  
18 to wait for a hearing to bring up all these issues  
19 that affect--

20 BRUCE COTLER: [interposing] We have  
21 tried--

22 ACTING CHAIRPERSON DEUTSCH: --the press.  
23 Hold on one second. Let me just finish. So, when,  
24 you know, you have a Council Member where you live.  
25 I have people from the press who live in my

2 districts, and people should reach out to their local  
3 elected official and have these complaints voiced to  
4 their elected official and the—and it would have to  
5 addressed. So this way, you know, we—we don't wait  
6 for a hearing, and also we've involved the  
7 administration saying we need to get this done. They  
8 need to hear it from—from us all year round. So,  
9 when—when there's things that are—are being done, and  
10 people's livelihoods are being affected, especially,  
11 you know, you have paid \$150 and I don't believe—I  
12 think \$150 is a lot because I know photographers that  
13 get paid by the job and they get paid [bell] like  
14 really nothing. We need to hear—we need to hear from  
15 you throughout the year, and bring this information  
16 to the administration and to the agencies, and this  
17 way we know what we're dealing with. So, I always  
18 tell my constituents don't wait for a town hall  
19 meeting. Don't wait for when you meet me at a  
20 meeting to discuss things you bring up. You know,  
21 sometimes when you come home, you know, your spouse  
22 would stop, you know, one day if she's quiet—quiet,  
23 but one day she'll bring up 15 things. I always  
24 tell—I always tell my wife, and she's very good, that  
25 when you have a—when I do something wrong, tell me

2 right away, right and it happens a lot. You've got  
3 to bring these issues when it happens. We need to  
4 address those issues, and then we could do—we could  
5 have a bigger push and we could and we need to have  
6 that.

7 BRUCE COTLER: [interposing] I will get  
8 the word out to them.

9 ACTING CHAIRPERSON DEUTSCH: But it makes  
10 sense. We're going to be working with the Chair  
11 Ydanis Rodriguez and we're going to make sure we're  
12 going do it. We're going to give a big push to make  
13 sure that we're able to get you guys the parking  
14 sports you need to—this way you could report these--

15 BRUCE COTLER: [interposing] Thank you  
16 very much.

17 ACTING CHAIRPERSON DEUTSCH: --spots  
18 effectively. Okay, let's go to the next panel.  
19 David Eisenbach, Wellington Chin, Steven—if I—Chung,  
20 Meredith Phillips Almeida, John Davis, and Michelle  
21 Birnbaum. I hope you have enough chairs up there.  
22 [pause] We're getting—we're going to go clockwise.  
23 So, ladies first. Let's try to be brief because you  
24 have other people testifying. We're going to listen  
25 to every say. You know, let's try not to be

2 redundant on some of the issues. We get the point.  
3 We'll start with you.

4                   MEREDITH PHILLIPS ALMEIDA: Good  
5 afternoon. Thank you Acting Chair and members of the  
6 committee. Thanks for the opportunity to testify on  
7 behalf of the New York City Business Improvement  
8 District Association. My name is Meredith Phillips  
9 Almeida and I'm the Executive Director of the Myrtle  
10 Avenue Brooklyn Partnership, but today I'm here as  
11 the current co-chair of the BID Association. I am  
12 here to testify in support of Intro 887, which would  
13 amend the Administrative Code to require DOT to  
14 provide Council Members, Community Boards and BIDs  
15 with notice and an opportunity to be heard prior to  
16 implementing major traffic change. The BID  
17 Association represents the 75 BIDs across all five  
18 boroughs. As you know, New York City has the largest  
19 and most comprehensive BID program in the country.  
20 Together, our members provide their communities with  
21 over \$100 million in supplemental services annually,  
22 all through assessment funds paid by property owners  
23 in the districts. BIDs represent neighborhoods in  
24 all five boroughs, and our business stakeholders are  
25 as diverse as the city itself ranging from small

2 family run corner stores to department stores, to  
3 restaurants, and airport storage facilities and  
4 everything in between. It's this reach that allows a  
5 BID association to serve as an effective an advocate  
6 for the city's small businesses. So, recently we  
7 watched with dismay as the well-intended traffic  
8 calming program, the Clear Curbs Initiative was  
9 implemented in a fashion that harms stakeholders in  
10 our BIDS. Intro 887 would prevent another such  
11 occurrence by ensure that the relevant city agency  
12 would have to advance notice to Council members,  
13 community boards and BIDs before proceeding with any  
14 program that would eliminate a traffic or parking  
15 lane for 500 feet for at least a week. Given the vast  
16 amount of congestion within our city, of course, we  
17 support creative efforts to develop new solutions,  
18 but we need to take local businesses' concerns and  
19 the impacts on businesses into consideration in  
20 advance when crafting these solutions. The BID  
21 Association appreciates that Intro 887 explicitly  
22 recognizes the role of the BID in facilitating these  
23 conversations and we're pleased to support this bill.

24 [bell]

25

2 ACTING CHAIRPERSON DEUTSCH: Thank you  
3 and I agree with you. Consulting is one thing.

4 MEREDITH PHILLIPS ALMEIDA: Yes.

5 ACTING CHAIRPERSON DEUTSCH: Partnership  
6 is something else, and with this administration we  
7 don't see their partnership. You know, you could  
8 consult, have a nice day. We sent you an email.

9 MEREDITH PHILLIPS ALMEIDA: Right.

10 ACTING CHAIRPERSON DEUTSCH: Right, I'm  
11 assuming you know, but we sent you an email. I have  
12 the record of it. There needs to be partnerships.  
13 So, when—when there's major change, we need to have a  
14 conversation and more than a conversation.

15 MEREDITH PHILLIPS ALMEIDA: I agree.

16 ACTING CHAIRPERSON DEUTSCH: So, I agree  
17 with you 100%. Alright, let's go to the next.

18 MEREDITH PHILLIPS ALMEIDA: Thank you.

19 ACTING CHAIRPERSON DEUTSCH: Yeah.

20 MICHELLE BIRNBAUM: My name is Michelle  
21 Birnbaum. Thank you very much, Council Members for  
22 hearing my testimony today. I'm a resident of the  
23 Upper Side of Manhattan since 1967 and I've had at  
24 least one car in my possession for all these years.  
25 I had garaged them for most of the years, but as



2 garages became too costly, I began to park on the  
3 streets, with that necessity having increased when  
4 the City Planning Commission lifted the requirement  
5 that new development includes substantial on-site  
6 parking, a decision without wisdom as it only served  
7 to benefit the existing garage owners with one garage  
8 spot reportedly being sold for a million dollars. I'm  
9 a member and founder of many community organizations,  
10 and have worked on behalf of residents and businesses  
11 in my community for over 40 years. I currently  
12 remain very active. There is not a day that goes by  
13 that I am not advocating for or trying to improve the  
14 quality of life of our city. As a car owner, you  
15 would think that I would be in favor of resident  
16 permit parking. However, after much thought and  
17 careful reading of Intros 848 and 857, I am not.  
18 These bills are sorely lacking in detail and as we  
19 know, the devil is in the details. While the Council  
20 members are well meaning, I don't believe it would be  
21 wise for them to consider these as these are only  
22 conceptual, and prior to even a conceptual bill, I  
23 believe that all would have been better served if the  
24 sponsors came to their constituents first to find out  
25 if they wanted permit parking. These intros presume

2 that we are getting permit parking, and now you're  
3 asking for some input on the details, but these  
4 details should have been offered and worked out  
5 prior-prior to drafting any legislation. The order  
6 of things is wrong. The public should have been  
7 consulted first, as to its interest and asked to  
8 offer details, which then could have been included.  
9 Permit parking will have unintended consequences, and  
10 will inconvenience more than it will help. Building  
11 staffs most of whom live outside the city and cannot  
12 afford local garage space will not have a place to  
13 park. Even the friendly passing of parking spaces  
14 from building shift to shift has its charm and is  
15 very New York. Since these permits would be for  
16 residents only, they-they would be inconvenienced.  
17 Many use their vehicles for deliveries and private  
18 transports having to garage their vehicles, the  
19 businesses could negatively impact their bottom  
20 lines. Hospital workers are integral part of our  
21 community, and they provide invaluable around the  
22 clock service, but they do not necessarily live here.  
23 They'll be heavily impacted by having to add the cost  
24 of a garage to their personal budgets. Contractors  
25 who stream in every morning to do building work for

2 residents and park in alternate side of the street  
3 spots or at muni-meters will be reluctant to do the  
4 work in the area because the cost is too high. It's  
5 hard to get contractors to do work in the areas now,  
6 as they cite the inconvenience of coming in, the  
7 traffic, dealing with elevators, supers, building  
8 rules and they charge for those inconveniences.  
9 These costs will go up or there will be a dearth of  
10 contractors as many won't want to do business here at  
11 all. Also, what would be the cost of such a permit?  
12 Will it be revenue generating, which is collect fees  
13 to cover administrative costs. If it's revenue  
14 generating, then the money should be designated for  
15 road maintenance and not go into general city funds,  
16 but wouldn't this meant that residents are being  
17 doubly taxed as we already pay taxes for that  
18 purpose.

19 ACTING CHAIRPERSON DEUTSCH: [interposing]  
20 Yeah, I'm sorry. We have to—I have to cut you off.

21 MICHELLE BIRNBAUM: Okay, I was just  
22 going to say--

23 ACTING CHAIRPERSON DEUTSCH: [interposing]  
24 Well, I—I just want to say that it's catch 22 with  
25 this. So, we have—we have a problem in our city.

2 First of all, Uber. Uber has over 60,000 vehicles.  
3 So, if you look back before we raised the—the cap on  
4 Uber, let's say there are only 10,000 vehicles. Now,  
5 you could say another 50,000 people bought vehicles  
6 just to drive Uber or the companies bought them a  
7 vehicle—bought them a car. So, Uber parks all over  
8 the place. Like I know, in my neighborhood in my  
9 district, you'll find like five or six Uber cars  
10 parking on the block. You don't find any parking.  
11 That's one issue. Number 2 is that I have just towed  
12 out of my district within eight square blocks  
13 vehicles that are being sold off our streets. That  
14 means one person who is not a dealer, who just buys  
15 cars, puts on out-of-state plates, parks on the  
16 streets. Now, cars with out-of-state plates have no  
17 problem parking in the streets, but when the plate  
18 number doesn't match the VIN number and they're  
19 taking up much needed parking spaces, it becomes a  
20 problem. So, then the permitted parking plays a role  
21 in that because now you cannot sell your cars,  
22 private owned—private owned cars on the streets. So  
23 I know within eight square blocks I had 62. I  
24 counted 62 vehicles parked within eight square  
25 blocks. I knew something was wrong because I knew

2 that you don't have eight people from—from  
3 Massachusetts living on one block. So, I know that  
4 something was wrong, and I finally got the NYPD to  
5 tow these vehicles. So, when you have permitted  
6 parking we have to make sure the fee is low because  
7 especially people cannot afford the higher cost of  
8 parking, but we also eliminate and expend the parking  
9 because I have a—I have a bill in the Council, and  
10 Uber is not—not pretty happy with it, but would make  
11 them a commercial vehicle, and they would need to  
12 find off-street parking. You know, there's too much  
13 congestion in the streets, and—and also there's no  
14 parking any more. So, permitted parking would—would  
15 eliminate a lot of that throughout the city, and  
16 there's a problem there. We have to get to the next  
17 one because we the sponsor of our bill who wants to  
18 say a few words. You're going and let's try to be  
19 exactly—if you could go under two minutes I'll give  
20 you a nice big thank you.

21 MALE SPEAKER: Okay. Thank you Council  
22 Member and no pun intended. So now the partnership  
23 here, Chinatown Partnership. We will create the  
24 other 9/11. We're still in the first zone. The back  
25 road is still closed on the SoHo (sic), and during

2 that time the on-street parking has pretty much been  
3 given up along with the municipal garage that 1PP,  
4 450 spaces along with the GSA garage another 150  
5 spaces, along all the 100 spots. A few years ago,  
6 our summer interns conducted a survey in the middle  
7 of summer when everyone is away and much to our  
8 surprise we found an additional 728 partner parking  
9 in BID district, the Chinatown BID District, and why  
10 am I saying that? Because we need breathing room.  
11 It has been the testimony by others earlier today  
12 it's very demoralizing. It's very discouraging, and  
13 it's acting as a deterrent for customers to shop in  
14 our stores because no one wants to go around 15 times  
15 looking for a parking space knowing that they are not  
16 going to find one, and be subject to ticketing. So,  
17 and so I just want to remind the—all the people that  
18 we are pleading on humanitarian grounds that you do  
19 not want Bin Laden to win. This is the one area  
20 that's still recovering, trying to recover 16 years,  
21 17 years later in a chokehold. Any litigation, any  
22 breathing room, any relaxation is what I'm here for  
23 today. A public servant is here to help the public.  
24 We take the subway every morning jammed in. To the  
25 degree that you can relax maybe one day a week, take

2 time off and not use your car and give up that  
3 parking spot, we are extremely grateful, but that one  
4 spot means ten hours. It means ten parkers, right?  
5 And thine on top of that, you know, we—we are here  
6 to—to help trying to see that Bin Laden does not  
7 laugh in his grave. So, one of the suggestions we  
8 would like to say is that you need the check and  
9 balance. You want good government. It means that it  
10 is a fair and equitable administrative justice, [bell]  
11 and so, to that end, I think it's best to turn the  
12 enforcement back to DOT like in the old days because  
13 a rooky will never give a sergeant a ticket. Thank  
14 you very much.

15 ACTING CHAIRPERSON DEUTSCH: Thank you.  
16 Thank you. You actually were over two minutes. I  
17 was going to give you this gavel as a gift, but you  
18 don't get it now. [laughter] I just want to mention  
19 that if you're in a commercial area, and these are—  
20 these are some—this is some of the things that I have  
21 brought up over and over again. So, if you take a  
22 look at if you have 200 commercial stores on the  
23 strip, every store owner has employees who bring in  
24 cars. So, if you have 200 and lets' say every store  
25 has three cars, let's round it off. So, that's 600

2 vehicles that they bring into that are and park and  
3 sometimes feed the meter. If we could give the  
4 workers an incentive to come by mass transit or even  
5 by taxi the Yellow Cab then we free up—you can  
6 imagine how many hundreds of spots we could free up  
7 in every area, and then people could find parking in  
8 our commercial areas. So this is something that we  
9 need the BIDs to get together, speak to all stores,  
10 get together and work on it, and if we could do it in  
11 one neighborhood and be as a pilot program, we could  
12 be, you know, we could show the city that listen it  
13 could be done. The problem is getting people  
14 together. So, as—as a BID director, this is  
15 something on Myrtle Avenue. You could use all that  
16 parking. So, if we can get people to give an  
17 incentive to their employees to take a mass  
18 transition, or to take a cab, that would free up a  
19 lot of spots. So, if we could like a little survey  
20 to see how many vehicles are being brought by the  
21 employer and employees. Every store will always need  
22 one car in case like you mentioned to bring  
23 merchandise back and forth or something. So, that's  
24 fine, but then the employees they've coming. You  
25 can't force them to keep their cars at home, but you



2 could offer them and speak to them and offer them an  
3 incentive. Yes, you'll go next.

4           STEPHEN CHAN: Hi. [off mic] My name is  
5 Stephen Chan of the [on mic] sorry. My name is  
6 Stephen Chan. I'm the Board member of Chinatown BID.  
7 As a detail of the what Lennon Tony (sic)described  
8 700 illegal parking in our China Town little  
9 community where there are only 200-2,000 street  
10 parking space in Chinatown area, and that they occupy  
11 one-third of our total parking space. It-it chokes  
12 our economy, local economy, and it distress our  
13 business projects. I'll give you a little detail of  
14 the congregation. Eight hours parking each date and  
15 two hours each turnaround for customers it will be  
16 four times. Let's say \$40 minimum costs that each  
17 customer spent in the Chinatown area. The total is  
18 \$112,000 a day lost for the business, the local  
19 business. You will see so many store close. You  
20 know six years ago when I was sitting at the BID what  
21 I already mentioned that a commercial close, it will  
22 cost everybody's, you know, financially, and I just  
23 have a suggestion that we should not let-issue too  
24 many the placards for anyone. Only necessary, only  
25 commercial vehicles use those placards, not abuse

2 those systems, and hurting—hurting business and  
3 choking the street, choking our business.

4 ACTING CHAIRPERSON DEUTSCH: Thank you.

5 STEPHEN CHAN: I'm finished early.

6 ACTING CHAIRPERSON DEUTSCH: That's good.

7 See, I didn't know if you would gavel. The deal  
8 with—how are you. [bell] Yeah, I know you were  
9 going to finish early. I saw your paper. You only  
10 had one sheet. There you go.

11 How you doing? My name is David  
12 Eisenbach. I represent the Friends of the Small  
13 Business Job Survival Act. I'm looking forward to  
14 working with—with the Chairman as well as the  
15 committee on that. I'm here today in support of  
16 Intro 887, which will give the community input on  
17 issues like parking spaces and bike lanes. Like the  
18 Chairman of the Small Business Committee said,  
19 government doesn't know everything. This week we  
20 were sad to see the loss of Ben's Best Delicatessen  
21 out in Rego Park. It's been around for 73 years, and  
22 when I clicked on the article, I fully expected it to  
23 be about the rent, right? I mean this is what we've  
24 been fighting against. We've been fighting for the  
25 SBJSA, but it was bike lanes. Bike lanes put him out

2 of business. This should not happen. This is why we  
3 need community input. Now, I know it's very  
4 important for safety reasons. I know that the  
5 mission of the-the Department of Transportation to  
6 protect people's lives is very important, but I have  
7 another story. On Sunday I was at an event in  
8 Sunnyside, and I spoke to a senior who experienced  
9 anaphylactic shock twice and had to be hospitalized,  
10 picked up by an ambulance. She was saying because  
11 her building is on Skillman Avenue because of the new  
12 pan-the planned protected bike lane the ambulance  
13 would not have gotten to her building or it would  
14 have been seriously delayed, and she was fearful that  
15 is she has another attack like this with those bike  
16 lanes there, her life will be in jeopardy. So, it's  
17 not so simple as to say okay, we have the bike lanes.  
18 It's a sacrifice we all need to make to protect  
19 lives. In some cases because we don't have enough  
20 community input with the details on the ground, lives  
21 could be lost. Thank you.

22 ACTING CHAIRPERSON DEUTSCH: Yes, thank  
23 you very much, and firstly in Karen Koslowitz's  
24 district, one of my colleagues there is a business  
25 that is closing up after many, many years. I think

2 maybe five decades [bell] because of a bike lane they  
3 had to eliminate parking. Also in my district on  
4 Kings Highway, the city wanted to put in this bus  
5 service without getting enough input from the  
6 community, and we came out in hundreds if not  
7 thousands against the DOT, against putting in this  
8 implementation of the SBS lane by eliminating 130  
9 spots, and DOT they told me oh don't worry. The  
10 businesses won't be affected, but when you tell me  
11 that you will pay the business owner if they close  
12 up, what that business was worth, then we will agree  
13 with you. Until then, how can you possibly say, oh,  
14 it's not going to affect the businesses. By the time  
15 you put it in, that Select Bus Service lane will be  
16 there for our great, great grandkids. So, it's not a  
17 one-shot deal. There's no turning back. So, we came  
18 out strongly against it. We were united and we want  
19 better transportation, but it has to be like you all  
20 mentioned a partnership, and that's what's important.  
21 So, now I want to give the mic over. I'll stop  
22 talking. I'll give it over to my colleague from the  
23 Bronx. Right? The Bronx, Mark Gjonaj.

24 COUNCIL MEMBER GJONAJ: Thank you,  
25 Chairman. First of all I want to thank you all for

2 taking the time to be here today. Your testimonies  
3 and these hearings are very important because not  
4 only do you speak for yourself and those that you  
5 represent, but you're speaking for the entire city  
6 that perhaps doesn't have the luxury of being here.  
7 [coughs] So, I'm grateful to you in that regard, and  
8 it sounds like overwhelming. It is about feedback  
9 from stakeholders, and when you bring the  
10 stakeholders together to sit and address the issues  
11 at hand, you will come up with a constructive plan  
12 that will have very little undermining of a  
13 particular business or a community or the residents  
14 or the stakeholders overall. That's why these  
15 hearings are so important, and I'm glad to hear that  
16 you—your arguments, which weight heavily on this  
17 body, but more importantly Meredith, I want to thank  
18 you for representing the BIDs. What is the purpose  
19 of a BID? If you can help me understand and some of  
20 my colleagues.

21 MEREDITH PHILLIPS ALMEIDA: What is the  
22 purpose of a BID?

23 COUNCIL MEMBER GJONAJ: Yeah.

24 MEREDITH PHILLIPS ALMEIDA: So, there is  
25 currently 75 BIDs across the city and they are all

2 shapes and sizes and geographies. Some with very,  
3 very tiny budgets, some with every large budgets, but  
4 all sort of represent coming together of the  
5 businesses and property owners for the purposes of  
6 providing supplemental services, district marketing,  
7 support to small businesses, management of public  
8 space and things like that.

9 COUNCIL MEMBER GJONAJ: So managing  
10 public space, helping out our small businesses,  
11 improving our commercial corridors and the  
12 environment that our small businesses are operated  
13 in?

14 MEREDITH PHILLIPS ALMEIDA: Correct.

15 COUNCIL MEMBER GJONAJ: We—I would  
16 imagine that would entitle you to a seat at the table  
17 before an initiative like Clear Curbs get put into  
18 effect?

19 MEREDITH PHILLIPS ALMEIDA: We would hope  
20 so and this is what we have been fighting for not  
21 just with DOT, but with any agency.

22 COUNCIL MEMBER GJONAJ: And of the 75  
23 BIDs, how many were invited to the meetings to  
24 discuss Clear Curbs before the plan was implemented?

2 MEREDITH PHILLIPS ALMEIDA: To my  
3 knowledge, I don't believe there were—I—I really  
4 can't speak to that because the Clear Curbs has not  
5 rolled out in my district specifically. So, I was  
6 finding out about it much, you know, much later in  
7 the process and after the fact, but I believe that  
8 all the meetings that took place were sort of either  
9 days before roll-out or once roll-out or once roll-  
10 out took place in the impacted communities with the  
11 districts representing businesses in those  
12 communities.

13 COUNCIL MEMBER GJONAJ: Doesn't it  
14 undermine the complete purpose of BIDs?

15 MEREDITH PHILLIPS ALMEIDA: I—I tend to  
16 agree. I think this is what we're here for. I mean  
17 we want to present the opportunity for allyship, for  
18 partnership like you both have mentioned. This is an  
19 important role we can play. We have built  
20 relationships within our districts and, you know,  
21 like you mentioned, the small businesses in my  
22 district aren't able to come to hearing like this  
23 because they're in their businesses. So, it's my job  
24 to make sure that I am aware of anything that's  
25 coming down the pipe that's going to impact them so I

2 can at the very minimum prepare them so not normal  
3 business operations are not interrupted, but what we  
4 hope for is the opportunity for them to provide some  
5 input and feedback in that space of advance notice so  
6 that we can influence what's happening and perhaps  
7 mitigate the impact on our corridors.

8 COUNCIL MEMBER GJONAJ: Just so you know,  
9 I full support BIDs. I truly believe they're a voice  
10 for those small businesses, but they are actually the  
11 ears that bring back the information to them that  
12 otherwise they will not know, and only find out  
13 unfortunately through a little pink ticket that says  
14 you're in violation and pay X factor. So I want to  
15 thank you for your partnership, and I agree with you:  
16 New York City is not an environment that is conducive  
17 or inviting to small business. We undermine the very  
18 people that we hope we'll rely on. Thank you,  
19 Meredith--

20 MEREDITH PHILLIPS ALMEIDA: Thank you.

21 COUNCIL MEMBER GJONAJ: --and I  
22 congratulate you as well for speaking up the  
23 commercial corridor that you represent, and David you  
24 represent?



2 DAVID EISENBACH: Friends of Small  
3 Business Job Survival Act.

4 COUNCIL MEMBER GJONAJ: Excellent and you  
5 can see that certainly we have a lot to here, and  
6 it's just not about rent. There are other factors  
7 that determine the viability of a small business, and  
8 it's very simple. Our small businesses survive day  
9 to day between consumer behavior changes, box store  
10 competition, which undermines the very existence, and  
11 the Internet. So, if you're meeting these challenges  
12 day in and day out, you would hope that government  
13 would be by your side to help ease some of the other  
14 pains, and those would be real estate taxes, changes  
15 in traffic patterns or at least invite your table to  
16 be heard to understand what-how possible legislation  
17 would impact your business, and then perhaps we can  
18 implement a plan collectively that would improve your  
19 viability, but thank you and thank you, Chairman.  
20 I'm grateful to you. Forty years of community  
21 service. God bless you.

22 MEREDITH PHILLIPS ALMEIDA: Oh, thank  
23 you.

24 ACTING CHAIRPERSON DEUTSCH: Alright,  
25 thank you and I just want to thank our panel. Thank

2 you for coming down. I'm sure you all have jobs, and  
3 you take the time to come down here. So, I really  
4 want to thank each and every one of you, and it's  
5 really a diverse—a diverse crowd there. So, we all  
6 agree, which is great, because here in New York City  
7 when—when issues come up there's no Jewish way,  
8 Muslim way, Chinese way or—or African-American way to  
9 deal with issues. All these issues affect all of us,  
10 and it's really nice to see this really diverse panel  
11 up here. So, thank you very much.

12 DAVID EISENBACH: Thank you.

13 ACTING CHAIRPERSON DEUTSCH: And have a  
14 safe trip back.

15 DAVID EISENBACH: Thank you.

16 ACTING CHAIRPERSON DEUTSCH: Alright, our  
17 next panel Harry Malakoff, John Davis, Elizabeth  
18 Lara, Steve Sands, Shelly Hagen, Leslie Ramos, and I  
19 also want to acknowledge we have here—I think we were  
20 joined before by Council Member Margaret Chin, and  
21 thank you for—for being here and not leaving.  
22 Keeping me company, and we're also joined by Council  
23 Member Steve Levin. Thanks again. [pause] Okay, I  
24 think—I'm sorry. Can you just state your names?

2           LESLIE RAMOS: I'm Leslie Ramos with the  
3 82<sup>nd</sup> Street Partnership.

4           ACTING CHAIRPERSON DEUTSCH: Okay,  
5 Leslie.

6           ELIZABETH LARA: I'm Elizabeth Lara a  
7 resident in North Battery Park.

8           ACTING CHAIRPERSON DEUTSCH: Elizabeth.  
9 Okay, and who else have we got? I'm sorry. What's  
10 your name?

11           SHELLY HAGEN: My name is Shelly Hagen.

12           ACTING CHAIRPERSON DEUTSCH: Shelly.  
13 Okay.

14           SHELLY HAGEN: Yeah.

15           ACTING CHAIRPERSON DEUTSCH: Okay. So  
16 three people skipped out on this. Okay. I'm sorry  
17 that they couldn't wait any more. Okay, Leslie,  
18 we'll start with you.

19           LESLIE RAMOS: Okay. Good afternoon  
20 Acting Chairman and members of the City Council. My  
21 name is Leslie Ramos and I am the Executive Director  
22 of the 82<sup>nd</sup> Street Partnership, a Business  
23 Improvement District in Jackson Heights and Elmhurst  
24 in Queens. I'm also here representing the roots  
25 (sic) of our new business coalition a group of small

2 business owners outside of the BID district being  
3 affected by the city's Clear Curbs Initiative. I am  
4 here to give you an example of why Intro 887 is  
5 important and why it is each is also required the  
6 city to conduct an impact study before implementing  
7 regulations that drastically affects the business  
8 districts. On Monday, March 19 of this year, the  
9 Department of Transportation implemented Clear Curbs  
10 along Roosevelt Avenue. Businesses were not given  
11 notice until that Thursday or Friday before the plan  
12 went into effect. Roosevelt Avenue is known as a  
13 vibrant commercial corridor for its many restaurants  
14 and other small businesses serving primarily people  
15 from Latino—from Latin America and East Asia  
16 countries. They attract clients from all over the  
17 city and the Tri-State Area who are seeking products  
18 (sic) for—from this country, or are in need of  
19 services in their native language. Given the wide  
20 regional reach, a significant number of their client  
21 drive. Had DOT in conjunction with the Department of  
22 Select Bus Services done a proper study to understand  
23 not only traffic patterns, but the sources of the  
24 traffic and the business need, they would have  
25 discovered that. They would also have learned that

2 the main reason for congestion is people driving  
3 around taking parking. The City's Clear Curb  
4 Initiative has been the restating for this community  
5 of mostly immigrant and family owned businesses.  
6 Their clients have stopped coming since there's no  
7 parking and many of them have received \$115 fine and  
8 their vehicles—I will make it quick—and their  
9 vehicles being towed. They're afraid nobody on  
10 Roosevelt. 'Don't go to Roosevelt Avenue' is rapidly  
11 spreading among their clients. Some businesses have  
12 reduced their service hours meaning that workers are  
13 losing income where other businesses are struggling  
14 to make rent. It is also incomprehensible that for  
15 the city to assume that small businesses can survive  
16 without curbside deliveries. Prohibiting—prohibiting  
17 deliveries for six hours per day has put an undue  
18 burden on our small businesses. Restaurants no  
19 longer are able to receive deliveries prior to  
20 opening their doors to the public, and blood samples  
21 picked up from doctors' offices are nearly  
22 impossible. DOT claims that the program is aim is to  
23 stop the congestions along Roosevelt Avenue. Yet,  
24 puts a burden solely on those small businesses to  
25 find solutions to delivery networks and client

2 schedules they do not control. We agree that  
3 congestion has eased, but now we have a depressed  
4 commercial district whose business owners' pleas are  
5 being largely ignored. To this day, there's no  
6 outreach plan to help the small businesses recoup  
7 their financial--the steep financial losses or  
8 clients.

9 ACTING CHAIRPERSON DEUTSCH: Yes.

10 LESLIE RAMOS: Thus, I'm asking the  
11 Council to not only approve but to also expand this  
12 legislation to make sure that the businesses needs  
13 are taken into account before any regulations are  
14 implemented. Our small businesses are not to be  
15 treated like rocks used and discarded at the city's  
16 whim. Thank you for giving me the opportunity to  
17 speak today.

18 ACTING CHAIRPERSON DEUTSCH: Thank you.  
19 Very well said. [speaking Spanish]

20 LESLIE RAMOS: [speaking Spanish]

21 ACTING CHAIRPERSON DEUTSCH: Okay,  
22 [speaking Spanish] Leslie. Thank you very much.

23 LESLIE RAMOS: [speaking Spanish]

24 ACTING CHAIRPERSON DEUTSCH: [speaking  
25 Spanish]

2 LESLIE RAMOS: [speaking Spanish]

3 ACTING CHAIRPERSON DEUTSCH: Very good,  
4 very comprehensive. Very good. Thank you very much.  
5 We'll take that information back. We also—Steve, do  
6 you have anything to say? Okay. Okay, Elizabeth.

7 ELIZABETH LARA: Hi. Thank you. I'm  
8 very new to this. I was invited by Margaret Chin's  
9 office to provide some Information regarding our  
10 situation in Battery Park City with regard to placard  
11 parking. It is going to be tremendously anecdotal  
12 considering all of the testimony that was provide  
13 here today, but considering the uniqueness of our  
14 neighborhood, it may be an outlier or I'm not sure,  
15 but I'll provide it, and you with it as you wish.  
16 So, thank you for having me today. I'm here to  
17 testify about a situation that's gone unchecked in  
18 North Battery Park City for the past four years. One  
19 day I show up at my door and my doorman informs me  
20 when I inquire what are these vehicles doing parked  
21 in no-standing any time zones where we haven't been  
22 allowed to park ever before and we're so swiftly  
23 punished? And they said it's going—an officer came  
24 by today and told us it was going to be that way for  
25 the foreseeable future. Let's be clear, no standing

2 any time zones are not permitted for permitted  
3 parking. They represent 80% of our neighborhood.  
4 They are packed back-to-back. We are six-block  
5 radius neighborhood, which includes Stuyvesant and  
6 PS89, which were the target of the terrorist attack  
7 on 10/31 that mothers were squeezing between these  
8 illegally parked cars in front of our school in order  
9 to escape with their children under their arms and  
10 their strollers. We also have Goldman Sachs and the  
11 ferry terminal that is nearby. We have a senior  
12 citizens home that occupies an entire frontage of an  
13 entire block, and these are there parked back-to-  
14 back-to back. What we have a failure to enforce in  
15 our neighborhood. No standing any time only are not  
16 allowed for placard parking. Yet, these guys park  
17 there back-to-back 24/7 unabated. We have  
18 communicated with everybody in the neighborhood that  
19 we possibly and informed our community board about  
20 it, and to give you a sense of money, this a \$50  
21 million to \$130 million arbitrage that you all have  
22 left us exposed to in the community [bell]. Between  
23 zero and any one of those numbers is the amount of  
24 value that people are actually capturing in kind by  
25 parking where they're not supposed to or in visible



2 ways that we just can't put our fingers on, and in  
3 the meantime residents like myself who try to record  
4 and provide their seats for what's going on, are  
5 threatened by people who identify themselves as law  
6 enforcement officers. That's what we're exposed to,  
7 the blocking of infrastructure, schools, school  
8 buses, can't access the library or the schools.  
9 Senior citizens can't walk around. This is not a  
10 commercial issue. This is very much a residential  
11 and safety issue, and it's a mystery as to why these  
12 laws that are already in place can't be enforced, and  
13 why it's been taking four years. And also, one thing  
14 I would like to very much point out, we have been  
15 told in response to 311 complaints that our  
16 neighborhood is a self-enforcement zone. That is not  
17 true. The police are going around say that we have  
18 a—that our neighborhood is a self-enforcement zone.  
19 That has not been approved by the DOT. We are led to  
20 believe that it is a way that can provide an excuse  
21 for having these cars be permitted to park in the  
22 NYPD. I don't know what it means, but please help us  
23 also to try and prohibit any kind of attempt to  
24 convert our neighborhood into a self-enforcement  
25 zone. I've seen the application, and it's for all of

2 the no-standing areas in our neighborhood, and it  
3 would convert our neighborhood into an official  
4 parking lot for multi-state agencies, for anti-terror  
5 groups with whom we can't get in contact because they  
6 won't share who the commander is, but they're  
7 overrunning our neighborhood.

8           ACTING CHAIRPERSON DEUTSCH: Thank you,  
9 Elizabeth. So, first of all in no-standing, even a-  
10 even if you have a placard you cannot park in a no-  
11 standing. So, to me it seems like it's an  
12 enforcement issue.

13           ELIZABETH LARA: 100%.

14           ACTING CHAIRPERSON DEUTSCH: So, my  
15 recommendation is not only the community board, but  
16 you should go to the local precinct Community Council  
17 meeting. Where you speak directly to the Planning  
18 Officer.

19           ELIZABETH LARA: I've attended two. I've  
20 attended two, and this is on the record also at BPCA  
21 and Community Board 1.

22           ACTING CHAIRPERSON DEUTSCH: And have-  
23 have your-have your friends and neighbors go down as  
24 well. When you go down with the large crowds, your  
25 voice is a lot louder, and--

2 ELIZABETH LARA: [interposing] You're an  
3 abandoned neighborhood.

4 ACTING CHAIRPERSON DEUTSCH: Yeah, but  
5 you seem—you seem too nice. So, I think you need  
6 someone who has like a louder voice.

7 ELIZABETH LARA: Yeah.

8 ACTING CHAIRPERSON DEUTSCH: So, you need  
9 to make your voice heard, and have a lot of people go  
10 down to the local precinct council, speak directly to  
11 the commanding officer.

12 ELIZABETH LARA: [interposing] People—  
13 people—people also won't go because this is a  
14 ridiculous luxury that I just did today. It is 1:13  
15 and I—I—I have to go to work in order to afford to  
16 live in the most expensive neighborhood in New York  
17 City, and people don't want to talk out against the  
18 police. They don't want to do it, and they also see  
19 it as a futile exercise. So, while I do take all of  
20 your comments to heart, I also want to provide  
21 feedback that all of that has been attempted, and  
22 there won't be scale in the kind of way that you're  
23 talking about in order to get anything done in that  
24 way. I'm here to provide you with the facts. The  
25 largest—the largest infractions in our low-crime

2 neighborhood are—are committed by law enforcement  
3 agents themselves, and if you want actual receipts of  
4 this, you can--

5 ACTING CHAIRPERSON DEUTSCH:

6 [interposing] Oh, so they're—they're not like, you  
7 know, like—Oh, I thought that the placards were like  
8 non-legit.

9 ELIZABETH LARA: No, we're talking about  
10 legitimate placards parked in no-standing any time  
11 zones back-to-back. They even help each other  
12 squeeze into these spots in front of our school. The  
13 whole stretch of the west side of River Terrace,  
14 which is an entire street. It's not a block, a  
15 street.

16 ACTING CHAIRPERSON DEUTSCH: What—what  
17 precinct is it?

18 ELIZABETH LARA: It's the first precinct.

19 ACTING CHAIRPERSON DEUTSCH: It's the  
20 first precinct. So, I could definitely work  
21 together. You have a strong advocate Margaret—  
22 Council Member Chin. I—she's my Chair in the Aging  
23 Committee, and she—she has a loud voice. I mean I  
24 have heard her yell. So, I will definitely work  
25 together with her, and we could reach out to the

2 First Precinct. The First Precinct actually covers  
3 City Hall.

4 ELIZABETH LARA: They could also tell you  
5 that his is a multi-agency situation that there is  
6 the DEA and Anti-Terror group and that they are—I  
7 don't know why. It's some sort of invisible forces  
8 not compelling the First Precinct to help us here or  
9 there are a lot of cities resources that have to be  
10 ushered to compel the first--

11 ACTING CHAIRPERSON DEUTSCH: [interposing]  
12 Alright, so we could definitely reach out to the law  
13 enforcement, let-let them know that we had a hearing  
14 today, you came out here. You voiced your concern.  
15 I mean this is online. So this is public, this  
16 haring, and-and we'll definitely, you know, we'll  
17 partner with your Council Member, and reach out and  
18 just let them know that's a concern. You know, I-I  
19 don't like going, you know, in my communities and my  
20 districts, you know, to the Police Department. It's  
21 unfortunate because they don't have-they have a lack  
22 of parking even for themselves, and we need a place  
23 for our first responders to park especially just like  
24 you mentioned on the West Side Highway we had that

2 terrorist attack not too long ago. So, they need the  
3 vehicles to be accessible to them--

4 ELIZABETH LARA: [interposing] If I-I--

5 ACTING CHAIRPERSON DEUTSCH: --but, but  
6 on the other hand, we also need to make sure that  
7 people in the neighborhood community, you know, if  
8 God forbid something happens, they have a way for an  
9 out. So, we'll definitely--definitely work with your  
10 Council Member, and we'll reach out to these  
11 agencies, and speak with them. Don't be frustrated.  
12 This is, you know--we will--we will work with them and  
13 see what we can do, and we'll take it from there.  
14 Okay, and if you still have an-an issue that  
15 continues any specific problems, you can always reach  
16 out to your Council member, and she has a lot of  
17 partners here in the City Council, and usually when  
18 there's issues, we all stick together. We all fight  
19 together and we all try to resolve issues together.  
20 So thank you because if not for people like you, and  
21 if not for people who come here to testify, we are  
22 really nothing. We just get paid as elected  
23 officials, but you are our voice, and the power that  
24 have is from our constituents. So, thank you very

2 much. So, thank you, Elizabeth for coming here  
3 today, and taking the time. So, let's go to Shelly.

4 SHELLY HAGEN: Yes.

5 ACTING CHAIRPERSON DEUTSCH: Did I  
6 pronounce it right? Yeah, okay.

7 SHELLY HAGEN: My name is Shelly Hagen.  
8 I'm a long time resident of the 35<sup>th</sup> CD. Thank you  
9 for sponsoring 887, a bill that includes the needs of  
10 small businesses as worthy of DOT consideration. On  
11 Fulton Street in Forth Greene and Clinton Hill, the  
12 stores are the last to know when the DOT has a new  
13 regulation in the pipeline, and when the stores do  
14 find out, it's not from the DOT or from the BID.  
15 It's from the grapevine. When word got out that the  
16 DOT had decided to put an exclusive bus lane down  
17 Fulton Street, the neighborhood got a petition  
18 together and sent it to the Brooklyn DOT  
19 Commissioner. He petition said the bus lanes would  
20 hurt business. About 800 people signed it including  
21 about 80 stores. I have a copy of the store section  
22 to leave with you if you're interested. The DOT  
23 didn't answer. It never does. There seems no  
24 requirement it has to leave even or else has to make  
25 even an acknowledgement. The bus lanes came in about

2 six weeks ago, and cars have been ticketed and towed  
3 every day. The lanes aren't speeding the buses. In  
4 fact, you can see buses forced into the traffic lane  
5 because tow trucks are at work in the bus lanes. The  
6 bus lanes constitute a traffic sting, a reliable  
7 revenue stream for the city. Meantime, the sores are  
8 losing money. They lanes are hurting business. The  
9 stores I was able to inform about 887 want you to  
10 know you have their support. They want to be  
11 included in your thinking. A ten-day notice by the  
12 DOT is a good first step, If in those ten days the  
13 response is negative is the DOT required to go back  
14 to the drawing board or will notification be just a  
15 check-off under the law. Thank you.

16 ACTING CHAIRPERSON DEUTSCH: Thank you  
17 Shelly. What is--what is--you said 35 CD. That's my  
18 initials.

19 SHELLY HAGEN: 35<sup>th</sup> CD Oh--

20 ACTING CHAIRPERSON DEUTSCH: Yeah that's  
21 my initial isn't it, Chaim Deutsch. You mean Council  
22 District, right.

23 SHELLY HAGEN: Council District.

24 ACTING CHAIRPERSON DEUTSCH: That's a  
25 joke. I'm kidding.



2 SHELLY HAGEN: I know.

3 ACTING CHAIRPERSON DEUTSCH: So, you live  
4 in Council Member Laurie Cumbo's district.

5 SHELLY HAGEN: I do.

6 ACTING CHAIRPERSON DEUTSCH: She--

7 SHELLY HAGEN: [interposing] The Majority  
8 Leader.

9 ACTING CHAIRPERSON DEUTSCH: She's a  
10 great advocate. She's my sister. She's a very close  
11 friend. So, when it comes to DOT issues and you're  
12 absolutely right, we need to fight city hall  
13 sometimes. So, when a plan comes forward, we need to  
14 get together and ban together because if we don't  
15 stick together then they're just going to do whatever  
16 they want. So, I had a Select Bus Service. They  
17 were supposed to come to Kings Highway in my  
18 district, and we--like I mentioned before, we had  
19 thousands of people that came out rallying in the  
20 streets, go to town hall meetings, send emails. So,  
21 we need to rally up the residents when we have a plan  
22 that doesn't make sense because when the city has a  
23 new department, so they have people working on it all  
24 day, that's all they do. So, you know, they don't  
25 really--they--they have a race of which borough gets

2 more of these traffic enhancement plans and it's, you  
3 know, when you have a race on our backs it's not a  
4 good things. So we need to have more partnership,  
5 and we need to get the community riled up, community  
6 board meetings. The community boards need to get  
7 people together, send emails to the administration  
8 and to let them know that we are not satisfied with  
9 it. Otherwise, by the time you turn around that plan  
10 is done. There are several proposals in my district  
11 alone, and we're going to make sure that our voices  
12 are heard loud and clear. So, again, I want to thank  
13 Leslie, Elizabeth and Shelly for coming here today,  
14 and I hope you feel better now that you let  
15 everything out because I know I definitely do when I  
16 let it out. I know that Elizabeth is still a little  
17 anxious. She had a little anxiety over that, but you  
18 could always speak to—we have my colleague Margaret  
19 Chin. I also have my staff member Toba Chasanoff  
20 (sp?) who's here, and I want to tell you that all—  
21 thank you very much really for coming down and taking  
22 of your time and I want to thank Mark Gjonaj for  
23 being here today also with introducing his common  
24 sense bill. You know, common sense is not always so  
25 common, but today we have the Common Sense Caucus

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2 here in the New York City Council. So, thank you all

3 very much. Have a great day. [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 22, 2018