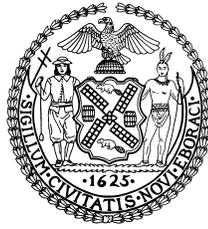


Alida Camp
Chair

Will Brightbill
District Manager



505 Park Avenue, Suite 620
New York, NY 10022
(212) 758-4340
(212) 758-4616 (Fax)
info@cb8m.com – E-Mail
www.cb8m.com – Website

The City of New York
Community Board 8 Manhattan
Transportation Committee
Wednesday February 5, 2020, 6:30 PM
New York Blood Center - Auditorium

Minutes

Present: Michele Birnbaum, Lori Bores, Billy Freeland, Craig Lader, Rebecca Lamorte, Rita Popper, Barry Schneider, Tricia Shimamura, Cos Spagnoletti, Jack Zimmerman, Jordan Wouk (public member)

Absent (Excused): Lowell Barton, Rebecca Dangoor, Valerie Mason, Charles Warren, Peter Borock (public member)

Absent (Unexcused): None

Resolutions for Approval:

***Item 2: Change of parking regulations on East 92nd Street between First and Second Avenues**

***Item 3: Change of parking regulation on East 63rd Street between Lexington and Third Avenues**

**unanimous*

The meeting was called to order at 6:35 PM.

Item 1: NYC TLC Updates on Agency Initiatives and Programs

Sonia Guior, Director of External and Intergovernmental Affairs for the New York City Taxi and Limousine Commission, provided an update on the following agency initiatives and programs:

- Wheelchair Accessibility - As of 2019 For all vehicles regulated by NYC TLC (including Yellow/Green Taxis, ridesharing vehicles such Uber/Lyft/Via, and other livery vehicles and limousines), all must provide a wheelchair accessible vehicle when requested, at the same price or rate of a regular trip. For Uber/Lyft/Via, maximum wait times should not exceed 15 minutes; for Yellow/Green Taxis, it should be even less. By 2022, it will be mandated that 90% of all requested wheelchair trips meet this threshold. Booking through accessible dispatch will allow users to request a vehicle that can accommodate larger motorized wheelchairs.
- The TLC's Office of Inclusion is a new office focused on reducing and eliminating service refusals, which is when an TLC licensed operator doesn't pick up a passenger based on their race, gender, sexual orientation, disability, or other protected class of persons.
- Plate Safe is a new promotional campaign that encourages passengers using an app-based service to look at the vehicles license plate and match it up with the confirmation they are provided by the app.

Committee Co-Chair Craig Lader noted that a paper titled "Report of the Taxi Medallion Task Force" was released on January 31st, and includes various recommendations that may have significant impacts on future operations of NYC taxis, including reassessments of the various surcharges levied and operating in manners more similar to app-based providers such as Uber and Lyft, including surge pricing. The report

is available at <https://council.nyc.gov/data/wp-content/uploads/sites/73/2020/01/Taxi-Medallion-Task-Force-Report-Final.pdf>.

Item 2: Request for a change of parking regulations on East 92nd Street between First and Second Avenues

Rabbi Uriel Vigler of the Chabad Israel Center of the Upper East Side described a request to change the parking regulations along the 92nd street frontage of 1766 2nd Avenue. The facility hosts a synagogue with daily religious services, as well as a preschool and other daily programming. The building has 2 entrances, one located on 2nd Avenue, the other on 92nd Street. Rabbi Vigler explained that the parking regulations along 2nd Avenue are not able to be changed due to the presence of the bike lane and turning lane, thus the request for the change along 92nd Street. Due to the presence of a fire hydrant that limits parking for the first 20 feet of building frontage closest to 2nd Avenue, and in seeking to minimize the extent of the parking changes, it was determined that changes to the first 2 spaces would be needed in order to keep the curbside clear directly adjacent to the entrance of the Center.

There were local residents and business owners who spoke in opposition to the request, expressing concerns about the potential loss of parking and the potential impacts it could have on deliveries for local businesses. Board members did not express any concerns, viewing this request in a similar manner to other no parking requests by religious institutions that have been granted.

WHEREAS; The Chabad Israel Center of the Upper East Side is a religious institution located at 1766 2nd Avenue;

WHEREAS; The Chabad Israel Center holds daily religious services, hosts a preschool and conducts other daily programming; and

WHEREAS; The Chabad Israel Center is seeking no parking signage in front of their 92nd Street entrance to facilitate passenger loading and unloading, similar to regulations provided to other religious institutions holding daily religious services;

THEREFORE BE IT RESOLVED that Community Board 8 requests that NYCDOT change the parking regulations of the first two parking spaces on the north side of 92nd Street between 1st and 2nd Avenues directly in front of 1766 2nd Avenue to No Parking Anytime.

Yes (10+1): Birnbaum, Bores, Freeland, Lader, Lamorte, Popper, Schneider, Shimamura, Spagnoletti, Zimmerman, Wouk (public member)

No (0): None

Item 3: Request for a change of parking regulation on East 63rd Street between Lexington and Third Avenues from "Commercial Vehicles from 7am to 7pm" to "No Standing"

A group of homeowners on the block of East 63rd Street between Lexington and 3rd Avenues, described how a change in parking regulations to allow commercial vehicles to park between 7AM and 7PM has resulted in dirty streets. Previously, the north side of the block had no standing anytime regulations, allowing street cleaning to occur. Since changed to commercial metered parking, no cleaning can take place, resulting in the accumulation of garbage, especially by contractors and taxi operators. In addition, the need for commercial parking was questioned, since there are no commercial businesses located on that block. This request is similar to those made by residents of neighboring blocks in recent months, who have encountered similar issues.

Sonia Guior of NYC TLC acknowledged that they are aware of the issue as it relates to taxi operators littering, and that NYC TLC enforcement officers have been dispatched to the area. They are also

working with the NYPD and the office of Councilman Keith Powers. She encouraged recording medallion numbers, and sending them to her and reporting it to 311. She also suggested a taxi stand be established to provide a dedicated area for taxi drivers to take relief. Colleen Chattergoon, NYCDOT's CB8 Liaison, suggested that street cleaning regulations be implemented for this block. Board members concurred with this approach.

WHEREAS; there is an existing Commercial Metered Parking from 7AM to 7PM Except Sundays regulation on the north side of East 63th Street between Lexington and Third Avenues, and

WHEREAS; residents are requesting changes to allow street cleaning on the block to mitigate food and beverage debris that regularly accumulates on this block; and

WHEREAS; illegally parked taxis and lack of traffic enforcement exacerbate the issue of garbage accumulating on the block, and

WHEREAS, the New York City Department of Transportation has indicated that providing alternate side parking on this block can be done in coordination with the Department of Sanitation without the need for additional study;

THEREFORE BE IT RESOLVED that Community Board 8 Manhattan requests that the New York City Department of Transportation change the weekday parking regulations on the north side of East 63rd Street between Lexington Ave. and Third. Avenue from Commercial Metered Parking to alternate side parking;

BE IT RESOLVED that Community Board 8 Manhattan requests NYCDOT coordinate with the Department of Sanitation to determine the hours and days in which street cleaning regulations are in effect for this block.

Yes (10+1): Birnbaum, Bores, Freeland, Lader, Lamorte, Popper, Schneider, Shimamura, Spagnoletti, Zimmerman, Wouk (public member)

No (0): None

Item 4: Discussion of parking regulations and street cleanliness along curbsides without any posted street cleaning restrictions (Joint item with Environment and Sanitation Committee)

This item is in response to recent requests from residents living on blocks where parking regulations prevent street cleaning from occurring, such as the request addressed in item 3 of this meeting. Given the frequency of the recent requests, the committee looked to consider whether there was a more holistic approach that could be applied district-wide when changes to parking regulations for the purpose of allowing street cleaning are requested.

According to NYCDOT Community Coordinator Colleen Chattergoon, there are existing signs in the NYCDOT inventory that can be placed along curbsides that currently lack street cleaning regulations, similar to regulations in place along the Avenues within CB8, but only if in response to a request or complaint submitted by a constituent or the Community Board. However, it is unclear whether there is a current list of such streets where there is a curbside that is not regularly cleaned due to other parking needs. Board members also raised the issue of sidewalk cleanliness, including from the accumulation of garbage in tree guards, and from e-commerce activity where trucks are using sidewalks to organize deliveries for distribution and leaving behind plastic wrapping and other waste.

In response to these issues, the following actions are to be taken: 1) a letter will be written to the Department of Sanitation requesting a list of all blocks within Community District 8 in which a curbside is not scheduled to be cleaned by a street sweeper; and 2) a street and sidewalk cleanliness forum, to be

held jointly by the Transportation Committee and the Environment & Sanitation Committee, will be planned. The forum should aim to include representatives from NYCDOT, DSNY, Parks (Tree Services) and other pertinent agencies to address cleanliness issues.

Item 5: A discussion on proposed changes to New York State laws regarding e-bikes and e-scooters as described in the Governor's Proposed FY 2021 Executive Budget

Following the passage of legislation by the State Legislature in 2019 regarding the legality of e-bikes and e-scooters, Governor Cuomo declined to sign the bill into law. However, a revised proposal was included in the Governor's Proposed FY 2021 Executive Budget (Section P), which would legalize e-bikes and e-scooters in New York State. The proposal defines three classes of e-bikes – Class 1 pedal assist with a maximum speed of 20 MPH, Class 2 throttle assist with a top speed of 20MPH, and Class 3 throttle assist with a top speed of 25 MPH. The proposal, as stated in a press release from the Governor's Office, would allow local municipalities to “create further regulations, including but not limited to setting a maximum speed that is lower than the statewide requirement, setting clothing requirements for riding in dark hours, and opting out entirely of allowing these bicycles”, and includes the following provisions:

- Setting a maximum speed limit of 20 miles per hour on Class 1 and Class 2 e-bikes and 25 miles per hour on Class 3 e-bikes
- A maximum speed limit of 15 miles per hour on scooters,
- Prohibiting e-bike and scooter use on sidewalks,
- Requiring e-bike and scooter users to be 16 years of age or older
- Mandating all Class 3 e-bike riders to wear helmets
- Mandating all e-scooter riders under 18 to wear helmets
- Empowering localities to mandate helmet requirements for Class 1 and Class 2 e-bikes

The proposed language described in the Executive Budget deals with many of the same issues regarding e-bikes and e-scooters addressed in a series of resolutions passed by CB8 in February 2019, which at the time was in response to City Council proposed e-bike/e-scooter legalization legislation; Board Members and the public audience in attendance seemed to express similar sentiments to what CB8 passed in 2019 regarding e-bikes and e-scooters.

Given the commonality of the issues on the state and local levels, the Committee felt it was important to advise both City and State elected officials representing CB8 of the Board's past action, and thus it was recommended that a letter be written to the appropriate City and State officials containing the resolutions regarding e-bikes and e-scooters. The Committee also decided that this item should be revisited at the March 2020 meeting, at which time members will have had ample opportunity to review the language within the Executive Budget to allow for potential action to be taken by CB8 in advance of the April 1, 2020 State Budget deadline.

Item 6: Fairway Market 86th Street - Discussion Concerns regarding Curbside and Sidewalk Loading Activities

Fairway Market 86th Street, located at 240 East 86th Street, has generated ongoing complaints from constituents regarding their operations in front of their storefront. When they were first preparing to open in 2011, Fairway came before CB8 and committed to keeping sidewalks clear in front of their retail space, including agreeing to not sell groceries alongside the sidewalk (as they do at their Upper West Side location) and storing forklifts within their store's internal loading area at night. In return, they were permitted to have a curbcut to facilitate the removal of forklifts from the sidewalk at night; they were also granted a 125 foot loading zone in effect 7 days a week between 5AM and 10PM.

The commitments Fairway made to keep the sidewalks clear have not been honored. Fairway's operation interferes with traffic and pedestrian flow, and produces visual blight and an unwelcoming streetscape

environment. Palates filled with inventory, along with forklifts both empty and containing palates, remain outside all throughout the day, lining the curb and at times blocking much of the sidewalk. The overflow of goods onto the street into the loading zone also interferes with delivery trucks, resulting in them being forced to park in the moving lane of 86th Street. During overnight hours when general parking is permitted, the forklifts often remain parked in front of the store, preventing the spaces from being used by other vehicles.

As this issue has been persistent and seems to be getting worse, and since there is no indication that they are being held accountable for their activities or are getting fined for any violations that they are clearly committing, it was decided that a letter from the Chairwoman of CB8 should be sent to the company and 86th Street store manager (with copies sent to the 19th precinct, NYCDOT, Department of Buildings and Department of Health). The letter will include photos highlighting their transgressions, emphasize that there have been many community complaints and that CB8 is observant of their lack of protocol, request that truck deliveries be timed to avoid overlapping, request that the sidewalks and curbside be kept clear except during active delivery arrivals, and request that activities be swiftly moved to the interior of their store. It will also put Fairway on notice that NYCDOT will revisit the current commercial loading zone regulations if the issue continues and if the loading zone hours are not truly reflective of their delivery activities.

Item 7: Updates from the NYC Department of Transportation

Colleen Chattergoon, NYCDOT Liaison to CB8, provided the following updates:

- The presentation on the upcoming project to replace the upper roadway deck of the Queensboro Bridge will take place at the March CB8 Transportation Committee; Community Board 6 will also be provided the same presentation
- NYCDOT is revisiting the scope and breadth of the long delayed York Avenue Traffic Study. The study had been requested by CB8 for the entirety of York Avenue between 60th and 96th; NYCDOT is now looking to study the most problematic intersections individually or in small groups rather than on a corridor-wide basis, and asked for input from CB8 members regarding the identification of key stakeholders and priority intersections. This approach was strongly opposed by CB8 members in attendance; it was also noted that MSK has set aside \$250,000 they are ready to hand over to help fund the broader study once NYCDOT commits to providing matching funds for the project. As a result of this discussion, Ms. Chattergoon will advise the Borough Commissioner of the Board's position, and this item will be included as old business on the March 2019 CB8 Transportation Committee Agenda.

Items 8 and 9: Old and New Business

There was no old or new business.

There being no further business, the meeting was adjourned 8:55 PM.

Respectfully submitted, Charles Warren & Craig Lader, Co-Chairs