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**The City of New York
Manhattan Community Board 8
Transportation Committee**
Wednesday, Sept. 7, 2016, 6:30 PM
Church of the Holy Trinity, Draesal Hall
316 East 88th Street

Minutes

Present: Michele Birnbaum, Barbara Chocky, Jim Clynes, A. Scott Falk, Andrew Kalloch, Craig Lader, David Menegon, Sharon Pope, Rita Popper, Peggy Price, Hattie Quarnstrom-Figueroa, David Rosenstein, Barry Schneider, Tricia Shimamura, Debbie Teitelbaum, Charles Warren; Devin Gould (public member), Jordan Wouk (public member)

Excused: Lori Bores, Daniel Dornbaum

The meeting was called to order at 6:34 PM.

Item 1: A request to close East 76th Street between Second and Third Avenues during recess and lunch hours for Wagner School (*joint item with the Youth, Education & Libraries committee*)

Nesli Ciner, co-president of Wagner Middle School's PTA, appeared to seek the Committee's support for the school's request to close East 76th Street between 2nd and 3rd Avenues from 11 AM to 2 PM daily when school is in session, for the duration of a major construction project at the school. Construction is expected to last until the end of 2017.

Some members of the public expressed concern that there is a parking garage on that block, although Ms. Ciner stated that there was no garage on that street. (It appears that there may be one or more private garages on the block, but no public parking garages.) The Committee passed a resolution to Approve the request by a unanimous vote.

WHEREAS MS 167-Robert F. Wagner Middle School, located at 220 East 76th Street between Second and Third Avenues is requesting to close that block of East 76th Street from 11 AM to 2 PM on school days, for the duration of a major construction project at the school; and

WHEREAS the construction project is expected to be complete by the end of 2017;

THEREFORE BE IT RESOLVED that Community Board 8M approves the temporary closure of East 76th Street between Second and Third Avenues as a play street for Wagner Middle School, from 11 AM to 2 PM on school days for the duration of their current construction project, but no later than December 2017.

Approved, 12 Yes, 0 No, 0 Abstain; plus 2 Public Members voting Yes.

Yes (12+2): Birnbaum, Chocky, Falk, Lader, Menegon, Quarnstrom-Figueroa, Popper, Rosenstein, Schneider, Shimamura, Teitelbaum, Warren; Gould & Wouk (Public Members)

Item 2. A request for a new Revocable Consent to install a fenced-in area and steps at 110 East 78th Street. (Requested by DOT, Division of Franchises, Concessions and Consents)

Petition Details: "Steps and fenced-in area not used for planting or parking"

Petition Purpose: "Protection of the entryway to private residence."

Bruce Kinlin, architect for the owners of 110 East 78th Street, presented a request for a new revocable consent to install a new front court outside the two entrances to this single-family home. Some Committee Members expressed concern about a new pinch point between a tree pit and the new fence, where there will be only 5' 10" of clearance.

Two motions were voted on unsuccessfully. First, a motion to Disapprove **failed**:

BE IT RESOLVED, Community Board 8M DISAPPROVES the application for a new Revocable Consent to install a fenced-in area and steps at 110 East 78th Street.

Motion Failed by a vote of 5 Yes, 6 No, 3 Abstain, plus Public Member votes: 1 Yes, 1 No.

Yes (5+1): Birnbaum, Chocky, Falk, Shimamura, Warren; Gould (Public Member)

No (6+1): Clynes, Kalloch, Lader, Menegon, Popper, Schneider; Wouk (Public Member)

Abstain (3): Pope, Price, Rosenstein

Next, a motion to Approve also **failed**:

BE IT RESOLVED, Community Board 8M APPROVES the application for a new Revocable Consent to install a fenced-in area and steps at 110 East 78th Street.

Motion Failed by a vote of 6 Yes, 6 No, 2 Abstain, plus Public Member votes: 1 Yes, 1 No.

Yes (6+1): Clynes, Kalloch, Lader, Menegon, Popper, Schneider; Wouk (Public Member)

No (6+1): Birnbaum, Chocky, Falk, Rosenstein, Shimamura, Warren; Gould (Public Member)

Abstain (2): Pope, Price

Both motions having failed, **the Committee took no position on this application.** Note: Following the meeting, the applicants informed the Board Office that they would be presenting a revised proposal at the September 21 Full Board Meeting, with increased clearance between the fence and the tree pit.

Item 3. A request for a new Revocable Consent to install a fenced-in area and planters at 48 East 82nd Street. (Requested by DOT, Division of Franchises, Concessions and Consents)

Petition Details: "Proposed fenced-in area & planters"

Petition Purpose: "For protection and beautification of the property."

Rick Azar presented an application for a new Revocable Consent to install a fenced-in area and planters at 48-50 East 82nd Street. The presenter explained that they are constructing a new front areaway behind a decorative, gated wrought-iron fence running the 32-foot width of the property, extending 4' 3-5/8" in front of the building, and include planters behind the fence. He also noted that the adjacent buildings at 46 and 52 East 82nd Street each have areaways with wrought-iron fences.

Although some Board Members expressed support for the application, several Committee Members expressed concern about the size and impact of the fence.

The Committee passed the following resolution to DISAPPROVE the application:

WHEREAS the applicant seeks a new Revocable Consent to install a fenced-in area and planters at 48-50 East 78th Street; and

WHEREAS the property and proposed fence are 32 feet wide, and the fence will extend 4' 3-5/8" in front of the residence;

THEREFORE BE IT RESOLVED, Community Board 8M DISAPPROVES the application for a new Revocable Consent to install a fenced-in area and planters at 48-50 East 78th Street.

Motion carries: 10 yes, 4 no, & 0 abstain, plus Public Members voting 1 Yes & 1 Abstain.

Yes (10+1): Birnbaum, Chocky, Clynes, Falk, Menegon, Popper, Price, Rosenstein, Shimamura, Warren; Gould (Public Member)

No (4): Kalloch, Lader, Pope, Schneider

Abstain (0+1): Wouk (Public Member)

Item 4. A request to relocate a Citi Bike docking station from East 91st Street to Second Avenue between East 90th and East 91st Street.

Board Member David Rosenstein, chair of CB8's 91st Street De-mapping Task Force, presented a request to relocate a Citi Bike station that was recently installed in the roadway on the closed block of East 91st Street, west of Second Avenue. His proposal on behalf of several area senior citizens is to move the station around the corner, onto the sidewalk alongside Ruppert Park on the western sidewalk of Second Avenue between 90th and 91st Streets.

Other CB8 members expressed some surprise at the proposal to relocate the station onto the sidewalk, rather than in the "floating" parking lane on the east side of Second Avenue, adjacent to the new protected bike lane, but Mr. Rosenstein and others expressed concern about how the reduction in these recently restored parking spaces might impact local businesses.

Councilmember Ben Kallos supports relocating the station, but suggests that the Committee might approve either or both of the options for new station locations on Second Avenue (i.e., putting it against the fence on the sidewalk, or in the parking lane), to avoid getting bogged down in a dispute over the specific location.

Although a Committee Member put forth a pair of motions either to move the docking station from its current location (without specifying the new location), or to move the station to the floating parking lane on the east side of Second Avenue, the Committee passed a substitute motion to support the original proposal for the station to be placed on the Second Avenue sidewalk alongside Ruppert Park.

WHEREAS East 91st Street between Second and Third Avenues has been closed to motor vehicle traffic for approximately four decades, and serves as an oasis for New Yorkers of all ages; and

WHEREAS Community Board 8 Manhattan has urged our elected officials and the City of New York to permanently close this block to vehicular traffic; and

WHEREAS NYC DOT has installed a Citi Bike docking station in the roadway on this block, which has had negative impacts for some users of this street, particularly for seniors using the benches closest to Second Avenue;

THEREFORE BE IT RESOLVED that Community Board 8 Manhattan urges NYC DOT to relocate the East 91st Street Citi Bike docking station around the corner, onto the western sidewalk of Second Avenue between 90th and 91st Street, alongside Ruppert Park.

Approved by a vote of 10 yes, 4 no, 0 abstain, plus 2 Public Members voting Yes.

Yes (10+2): Birnbaum, Chocky, Clynes, Menegon, Popper, Price, Rosenstein, Schneider, Shimamura, Warren; Gould, Wouk (Public Members)

No (4): Falk, Kalloch, Lader, Pope

Item 5. A continued discussion of LinkNYC towers.

Following up on the discussion at our July 6 meeting with Ruth Fasoldt from LinkNYC/CityBridge, the Committee invited a representative from the Dept. of Information Technology & Telecommunications (DoITT), the city agency overseeing the program. Patrick Fergus, DoITT's Director of Community Affairs, made a presentation regarding the history of the city's payphone replacement, and City Bridge's successful bid for the franchise. The LinkNYC kiosks include a tower providing free wifi, free phone calls, and free tablet access. In discussing the proliferation of kiosks in Manhattan, Mr. Fergus noted that Manhattan had many locations where payphones had previously been located, and therefore where kiosks could reuse infrastructure to access conduits and also would not need further siting approval, and he also acknowledged that Manhattan advertising is critical to the program's value in order to fund the continuing build-out. In the outer boroughs, there aren't as many existing payphone locations, and siting of new fiber plus access to the conduits will be a major issue and expense.

Jordan Wouk, a Public Member of the Committee, then introduced a motion he had prepared, before making his own presentation on negative impacts of the LinkNYC towers, including concerns regarding size, privacy, and community input.

In response to complaints about loitering at the kiosks, DoITT indicated that they had a serious plan coming to deal with those issues. (It was subsequently announced that LinkNYC will shut off browser access for the tablets until they can propose further long-term solutions.)

A resident noted that payphones served a critical role when cellular service was interrupted after Superstorm Sandy, and asked provisions there are for the LinkNYC system to work during power outages and other emergencies. There are battery backups for 24, include power to display emergency notices to the public (e.g., shelter locations, evacuation instructions, etc.)

The Committee passed the following resolution:

WHEREAS a key benefit of LinkNYC kiosks is the free high-speed Wi-Fi access to the Internet; and

WHEREAS the plan for future installation does not show good coverage for Isaacs Houses and Holmes Towers; and

WHEREAS the LinkNYC kiosks have three cameras; and

WHEREAS one needs to supply an email address in order to use the free high-speed Wi-Fi to access the Internet; and

WHEREAS the LinkNYC system silently extracts data from smartphones; and

WHEREAS when the built-in tablet in the 35" LinkNYC kiosks is being used, over five feet of sidewalk are blocked;

THEREFORE BE IT RESOLVED that Community Board 8 Manhattan requests that New York City and CityBridge meet with the Isaacs Houses and Holmes Tower communities to address their needs and implement those needs before any further LinkNYC kiosks are installed in the District; and

BE IT FURTHER RESOLVED that CB8M requests that within the district, except as requested by Isaacs Houses and Holmes Tower communities, cameras in current LinkNYC kiosks be removed and not included in any future installations; that the requirement to provide an email address not be required to use any features of current or future LinkNYC kiosks in the District, including access to the Internet; and that no data be extracted by LinkNYC kiosks within the District from smartphones without an affirmative approval by the user and an easy ability to revoke approval; and

BE IT FURTHER RESOLVED that CB8M requests that within the District, except as requested by Isaacs Houses & Holmes Tower communities, 35" LinkNYC kiosks be installed only on sidewalks that are at least 20 feet wide and that 16" LinkNYC kiosks be installed only on sidewalks that are at least 15 feet wide; and

BE IT FURTHER RESOLVED that CB8M requests that within the District, the location and type of all current and future installations will be reviewed by and receive input from the Community Board.

Approved by a vote of 9 yes, 3 no, & 1 abstain, plus 2 Public Members voting Yes.

Yes (9+2): Birnbaum, Chocky, Clynes, Menegon, Pope, Popper, Rosenstein, Schneider, Warren; Gould, Wouk (Public Members)

No (3): Falk, Kalloch, Lader

Abstain (1): Shimamura

Item 6. A request to change the signage from No Parking, 7AM to 7PM to Street Cleaning regulations, except in front of medical facilities, on the north side of East 68th Street between First & Second Avenue.

Mr. Martin Fox presented a request to restore standard alternate side parking regulations on the north side of East 68th Street, between First and Second Avenues, except in front of the medical facilities on this block. Following his recent successful efforts to persuade the Committee to support the restoration of parking spaces in this area, Mr. Fox explained the history of placard abuse and other issues resulting from unnecessary no parking zones, and contended that restoring standard parking regulations will allow better turnover of parking spaces.

Committee Member Michele Birnbaum noted that she would like to see a similar discussion of 70th Street between 1st & York on a future agenda.

The Committee passed the following resolution:

WHEREAS the majority of the north curb of East 68th Street between First & Second Avenues is currently restricted to No Parking on Weekdays from 7 AM to 7 PM; and

WHEREAS these parking regulations in front of the medical facilities on the north curb of East 68th Street between First & Second Avenues is currently restricted to No Standing Any Time;

THEREFORE BE IT RESOLVED that Community Board 8 requests that DOT change all parking regulations on the north curb of East 68th Street between First & Second Avenues to standard Alternate Side Parking, except in front of the medical facilities.

Approved by a vote of 11 yes & 2 no, plus Public Members voting 1 no & 1 abstain.

Yes (11): Birnbaum, Chocky, Clynes, Falk, Menegon, Pope, Popper, Rosenstein, Schneider, Shimamura, Warren

No (2+1): Kalloch, Lader; Gould (Public Member)

Abstain (0+1): Wouk (Public Member)

Item 7. Old Business.

DOT was supposed to get back to us about restriping the block of First Avenue between 72nd & 73rd Streets, as per our June 2016 resolution regarding Matter of Health (1347 First Ave.). The co-chairs will follow up with DOT to confirm the status.

It was reported that two recent CB8 resolutions—to ban left turns for northbound traffic from York Avenue onto 79th Street, and to reverse two bus stops on Fifth Avenue south of 79th Street—have both been implemented.

8. New Business.

David Rosenstein, chair of CB8's 91st Street De-mapping Task Force, asked about getting MTA Capital Construction to replace the temporary Jersey barrier that closes 91st Street at Second Avenue with the original bollards that had been removed during subway construction. Barry Schneider, co-chair of CB8's Second Avenue Subway Task Force, agreed to follow up with MTA CC. (MTA CC has subsequently confirmed in writing that they are committed to reinstalling the bollards and have DOT authorization to do so, but cannot yet confirm the timing on this.)

There being no further business, the meeting was adjourned at 9:07 PM.

Respectfully submitted,

A. Scott Falk & Charles Warren, Co-Chairs