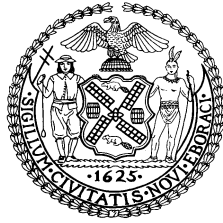


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**The City of New York**  
**Community Board 8 Manhattan**  
**Transportation Committee**  
Wednesday January 9, 2019, 6:30 PM  
*New York Blood Center - Auditorium*

## **Minutes**

**Present:** Michele Birnbaum, Lori Bores, Craig Lader, Valerie Mason, Rita Popper, Barry Schneider, Tricia Shimamura, Cos Spagnoletti, Charles Warren.

**Absent (Excused):** Billy Freeland, Rebecca Lamorte, and David Menegon.

**Absent (Unexcused):** Sharon Pope-Marshall, Peter Borock (Public Member), Jordan Wouk (Public Member).

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

### **Item 1: Further Discussion of e-Bikes and e-Scooters**

Draft legislation was introduced in the New York City Council in late November 2018 that seeks to legalize both e-bikes and e-scooters, address some of the ongoing issues regarding safety and the speeds at which they can be operated, legal penalties, and certain equity issues. The Transportation Committee held an initial discussion in December 2018 on the topic; a full depiction of the discussion and summaries of the proposed legislation are available in the December 2018 Transportation Committee minutes.

Although the Committee has expressed long-standing concerns regarding motorized bikes and scooters and was clearly opposed to the many facets of the proposed legislation, there were unresolved questions that emerged at the December 2018 meeting regarding whether the proposed legislation was inconsistent with current law regarding bikes and scooters at the State level that members wished to further investigate before taking potential action.

Committee Co-Chair Chuck Warren cited language from State law that clearly defines bicycles as being powered by human power, and motor vehicles defined as being propelled by any power other than muscular power, which suggests that e-bikes and e-scooters would be classified as motor vehicles that require registration, with the possible exception of pedal-assist e-bikes (Class 1 e-bikes). Although State law permits local jurisdictions to impose laws regarding bicycles, they must not be in conflict with state law. Thus, it would seem that the language proposed in the City Council legislation may be inconsistent with State statutes since e-bikes and e-scooters are not clearly permissible under State law.

Members of the Committee and the public continued to express opposition to e-bikes and e-scooters. Speakers emphasized concerns regarding the speed at which e-bikes and e-scooters operate, and the threat they pose operating at speeds of 15 or 20 MPH in crowded pedestrian environments such as in Manhattan. The question of whether e-scooters would be permitted on sidewalks or relegated to bike lanes was also raised, as was the continuing use of e-bikes for food deliveries, often performed by 3rd

party delivery companies where the cyclist does not wear a vest that identifies the business. Police enforcement for non-motorized bikes and scooters was also a common theme as an issue, which speakers suggested would be even more important if e-bikes and e-scooters were permitted. One member expressed strong opposition to any bike-share or scooter-share program that is dockless, as other cities that have introduced them have had issues with visual blight and pedestrian safety when they are left on or along sidewalks. Another member suggested the use of vacant storefronts for bike/scooter docking. The lack of helmet laws for cyclists or scooter users was also a concern. There was some support for pedal assist e-bikes subject to further discussion.

With the issue evolving, especially given the unknown implications of the potential cancellation of the “L” train shutdown that was one of the motivating factors for the proposed e-scooter proposal, the Committee did not take action. However, it is anticipated that the Committee will revisit the issue again in February with the most recent version of the proposed bills in hand with the intention of passing a resolution.

## **Item 2: DOT Updates**

*Note: DOT updates will be a standing item on the Transportation Committee agenda going forward.*

Colleen Chattergoon, NYCDOT liaison to Community Board 8, responded to inquiries and provided updates on various items of interest:

- 2<sup>nd</sup> Avenue Bike Lane (CB8 resolution passed in September 2018): DOT has held internal meetings preparing for construction; the implementation date has yet to be finalized, but is estimated at this time to be in the spring/summer 2019 timeframe.
- 79<sup>th</sup> Street/Madison Ave. Intersection Safety Improvements (CB8 resolution passed in November 2018): DOT is conducting a site visit on January 16<sup>th</sup> with Councilman Keith Powers. Committee members were invited to attend.
- East 88<sup>th</sup> Street between Park and Lexington Avenues (CB8 resolution passed in May 2017): DOT advised CB8 in December 2017 that they were unable to fulfill the request made by CB8 to remove and relocate the Citi Bike Station situated on the north side of East 88th Street near the northeast corner of Park Avenue, and to make various parking regulation modifications to accommodate the Robert F. Kennedy School’s pick-up and drop-off needs. CB8 is now seeking further information regarding why the request was denied, and for DOT to revisit the matter. Colleen indicated that she would take the issue back for further discussion at DOT.
- A new DOT policy for requesting speed humps has been implemented that no longer includes Community Board approvals. As of January 1<sup>st</sup>, DOT will no longer request letters of support for speed should they be determined to be feasible. DOT will now notify Community Boards in writing when a speed hump has been approved and scheduled for installation. There was some discussion of trying to get notification to the Board before the speed hump was actually installed and Colleen indicated that she would have further discussion at DOT on the issue.
- A resident identified an ongoing issue with garbage in the alleyway behind 25 and 33 East End Avenue, which is a DOT road and was used as a staging area for the 81<sup>st</sup> Street Pedestrian Bridge. The issue will be communicated to DDC.
- A member asked about regulation of winter entranceways that restaurants install that extend into the pedestrian right of way on sidewalks. An example is at the northwest corner of 79<sup>th</sup> Street and 3<sup>rd</sup>

Avenue (Eli's Night Shift). DOT will bring this matter to the Department of Buildings, which is responsible for oversight of such temporary entranceways.

- A resident noted that there is an electric problem at the M79 stop at 79<sup>th</sup> Street and 1<sup>st</sup> Avenue, resulting in stanchions and a streetlight on the Northwest corner remaining unlit. DOT is investigating the matter, which is electrical in nature.
- A resident asked about the M79 ticket vending machine located at the eastbound stop at 79<sup>th</sup> Street and York Avenue, which she indicated was generating tickets for the westbound direction.
- A member noted ongoing pooling of water at 72<sup>nd</sup> Street/2<sup>nd</sup> Avenue following the repaving of the street, and ponding between 68<sup>th</sup> and 74<sup>th</sup> Streets. Members also asked whether there is an after-action review after a road is regraded and catch basins are installed or relocated to determine whether the pooling has been resolved. Pooling under the sidewalk shed by the construction site on the northwest corner of 86<sup>th</sup> Street and Lexington was also noted; it was suggested that the matter be brought to the attention of the Department of Buildings and the on-site construction manager.
- A member noted recommendations that emerged from the NYC Parks Department's East Harlem Resiliency Study regarding the flood-prone nature of 2<sup>nd</sup> Avenue.
- A member asked if the construction of a new building on the northeast corner of 79<sup>th</sup> Street and 1<sup>st</sup> Avenue will require temporary relocations of bus stops; there were no definitive plans as of yet to do so, and if it were needed the determination would be made by New York City Transit.
- A member noted that mid-block lighting was restored along 2<sup>nd</sup> Avenue near 91<sup>st</sup> Street following wiring issues that were resolved, but the wiring took power from a nearby light, resulting in dimmed lighting. Colleen indicated she would look into the matter.
- A resident noted that articulated buses operating on 3<sup>rd</sup> Avenue at 72<sup>nd</sup> Street and stopping on the northwest corner often block the pedestrian signal at the corner. This is a matter to be raised with New York City Transit.
- A resident brought up concerns regarding the newsstand on 79<sup>th</sup> Street near 1<sup>st</sup> Avenue.

There being no further business, the meeting was adjourned at 8:13PM.

**Charles Warren & Craig Lader, Co-Chairs**