

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON TRANSPORTATION

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November 16, 2009
Start: 11:10 am
Recess: 11:31 am

HELD AT: Council Chambers
City Hall

B E F O R E:
JOHN C. LIU
Chairperson

COUNCIL MEMBERS:

- Council Member Maria del Carmen Arroyo
- Council Member Gale A. Brewer
- Council Member Leroy G. Comrie, Jr.
- Council Member Simcha Felder
- Council Member Lewis A. Fidler
- Council Member Daniel R. Garodnick
- Council Member Vincent J. Gentile
- Council Member Vincent M. Ignizio
- Council Member Robert Jackson
- Council Member G. Oliver Koppell
- Council Member Jessica Lappin
- Council Member Darlene Mealy
- Council Member Diana Reyna
- Council Member Joel Rivera
- Council Member Larry B. Seabrook
- Council Member Eric A. Ulrich
- Council Member David I. Weprin

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[gavel]

CHAIRPERSON LIU: Good morning.

Welcome to today's hearing of the City Council's Committee on Transportation. My name's John Liu, I have the privilege of chairing this Committee. Today we'll be voting on a package of bills intended to raise the fairness of parking regulations in the City. Proposed Intro Number 662-A, introduced by Council Member Robert Jackson, would make improvements to the way clergy parking permits are issued and used, among other things, by eliminating a requirement that clergy member derive his or her principal income from working as a member of the clergy, which does not recognize that many communities cannot afford fulltime clergy members, and allowing clergy to park near funeral homes while performing clergy duties, which recognizes the important role that clergy members perform during funerals. Proposed Intro 907, introduced by Council Member Felder, would create a five minute grace period for MUNI meters, as well as other types of parking regulations, where a post-it sign governs the time allowed for parking at such a location, such as

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2 alternate side street parking. Proposed Intro
3 1017-A, also introduced by Council Member Felder,
4 would require certain types of notice before
5 temporary and permanent parking restrictions can
6 be instituted. And finally, Proposed Intro 1076-
7 A, introduced by Council Member Gentile, would
8 require at least 30 days notice of parking meter
9 rate changes, and changes in parking meter types,
10 such as the replacement of single coin operated
11 meters with MUNI meters. We're joined by Council
12 Member David Weprin of Queens; Council Member
13 Jessica Lappin of Manhattan; Council Member Simcha
14 Felder of Brooklyn; Council Member Diana Reyna of
15 Brooklyn and Queens; Council Member Vincent
16 Gentile of Brooklyn; Council Member Danny
17 Garodnick (Diana set the precedent for that) of
18 Manhattan; and Council Member Larry Seabrook of
19 The Bronx; and also Transportation Committee
20 Member Vince Ignizio of Staten Island. And also
21 Council Member Lew Fidler of Brooklyn; Council
22 Member Leroy Comrie of Queens; Council Member Joel
23 Rivera of The Bronx; Council Member Maria Arroyo
24 of The Bronx; Council Member Robert Jackson of
25 Manhattan. We have, and we have a number of

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2 opening statements from the prime sponsors of
3 these bills. In deference to some schedules, I
4 want to open the roll right now. Will the clerk
5 open the roll for Council Member Lappin.

6 CLERK: Council Member Lappin.

7 COUNCIL MEMBER LAPPIN: Aye, thank
8 you very much, Mr. Chair.

9 CHAIRPERSON LIU: And also for
10 Council Member Seabrook.

11 CLERK: Seabrook.

12 COUNCIL MEMBER SEABROOK: Aye on
13 all.

14 CHAIRPERSON LIU: Thank you. We
15 have an opening statement from Council Member
16 Robert Jackson.

17 COUNCIL MEMBER JACKSON: Thank you,
18 Mr. Chair. My colleagues, let me thank you for
19 being here this morning. This proposed
20 legislation has been a long time coming. In fact,
21 approximately two years ago, a member of a
22 synagogue in my district indicated to me that the
23 rabbi was receiving parking tickets as a result of
24 him carrying out his duties in our neighborhood,
25 because his vehicle was not registered in New York

1 State. He lived right across the bridge, ten
2 minutes away in New Jersey. To me, knowing New
3 York City is a metropolitan area, and that many
4 individuals, as far as live in New York City, live
5 in Long Island, live in New Jersey or Connecticut,
6 to me it was kind of crazy that a clergy member,
7 someone in Buffalo, Buffalo, New York, or
8 Rochester, or up near the Canadian border, could
9 have a permit to come and park in New York City,
10 but someone who works fulltime in New York City,
11 and only lives five minutes away in New Jersey
12 could not. That didn't make sense. And with
13 that, that's what started what we call the "Clergy
14 Parking Bill." And I've been joined by Reverend
15 Wilson who is the President of the Metropolitan
16 Region of Ministers, approximately 57 ministers
17 and about 46,000 congregants. And we've met with
18 many clergy from all religious backgrounds as to
19 what their needs are. And in fact, this bill,
20 it's going to be several changes, Mr. Chair. One
21 would be to use non-gender language by changing
22 reference to clergymen, to clergy member. And
23 number two, to eliminate a requirement that a
24 member of the clergy had to derive their principal
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2 income from being a clergy member and replacing it
3 with the requirement that a clergy member would
4 have to work an average of 20 hours per week or
5 more as a member of the clergy. And number three,
6 allow cars lawfully registered in any state to
7 qualify. Number four, allow cars owned,
8 registered or leased by a religious corporation or
9 association, employing a clergy member, to apply
10 for a permit. Five, increase the number of hours
11 that a clergy member may park at his or her house
12 of worship to five hours, which previously was
13 four hours. And last but not least, six, allow
14 clergy members to park for up to four hours
15 adjacent to a funeral establishment, while the
16 clergy member is performing services. To me, this
17 is a no brainer, common sense approach to allowing
18 the clergy of New York City to take care of the
19 business that we, that they are sworn to do, and
20 they do with the name of a lord or god or Jehovah,
21 or whatever we call our religious leader. So, I
22 ask all of the members of this Committee to vote
23 yes on this particular matter. And let me just
24 thank the Counsel to this Committee, Phil Hom,
25 where's Phil, for everything that you have done to

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2 move this bill along. I appreciate it. Thank
3 you, Mr. Chair.

4 CHAIRPERSON LIU: Thank you very
5 much, Council Member Jackson. And we have worked
6 for quite a bit of time on this important
7 legislation. Again, at the end of the day, when
8 these clergy members are having a difficult time
9 getting into churches and religious institutions,
10 it is the members of the congregation, our
11 constituents, that suffer the most. And so it
12 makes perfect sense for us to enact this
13 legislation today. I will recommend the yes vote
14 when, when we call the role, and I do want to
15 especially recognize a number of the clergy
16 leaders who have joined us here today, who have
17 been instrumental in helping us pass this
18 legislation. Reverend Melvin Wilson of St. Luke
19 AME, Reverend D. Albert Turk of Emmanuel AME,
20 Reverend Kim Anderson of Metropolitan AME, and
21 Reverend Joe Walston of Calvary Fellowship AME.
22 Thank you very much for joining us today. I also
23 do want to give a great deal of credit to Carrie
24 Mobley, she worked on this a great deal, on behalf
25 of Speaker Quinn. Thank you very much. We have

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2 an opening statement from Council Member Felder.

3 COUNCIL MEMBER FELDER: Thank you.

4 I don't--thank you very much. Good morning
5 everybody. Have another one? Another mic?
6 Alright. No, no, it's good. It's good. Alright.
7 You have one more? Good morning everybody. It's
8 really, really probably one of the best days that
9 I've had being an elected official, because the
10 bill, or the bills that we're about to vote on are
11 extraordinarily important to the average person in
12 New York person, the average Joe Shmoe, including
13 myself. All the bills, really, that are being
14 sponsored today, and are going to, god willing, be
15 passed on, have the same root issue and the same,
16 have the same theme. And this theme is about a
17 little saykhel which is what we call common sense
18 and decency. That's what these bills are about.
19 Whether it's the bill for notifying parking
20 restriction changes, so that you don't wake up one
21 day where there used to be regular parking and
22 find that suddenly that parking has been changed
23 and nobody knows about it. So that you have time,
24 at least five days, for people in the neighborhood
25 to start talking about that the fact there's been

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2 a change. Again, we're talking about a little
3 decency and common sense. It's not something that
4 we should have to legislate, some people say why
5 are we making all these laws? We shouldn't have
6 to make this, these laws. These are pieces of
7 legislation that should be, should be in place by
8 the Administration and by the agencies themselves.
9 But since sometimes they have a hard time figuring
10 out what to do, we're going to help them today, by
11 passing these laws. Second piece of legislation
12 that deals with the parking grace period of five
13 minutes, I want to clarify because a lot has been
14 discussed about the MUNI meters, which of course
15 is part of the legislation. But the real purpose
16 of the legislation is to help the average person
17 in the City that has to go out and get ticketed on
18 an alternate side of the street parking day. The
19 facts are 28,000 tickets last year were issued
20 exactly the moment that the sign went into effect.
21 So for, from 9:00 to 10:30, at 9:00 o'clock,
22 28,000 tickets were issued in the City. 300,000
23 tickets were issued within the first five minutes
24 that the sign was in effect, so it said 9:00 to
25 10:30, between 9:00 o'clock and 9:05, the agents

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2 in the City had nothing else to do, but to ticket
3 people between 9:00 and 9:05. Now, I know that
4 there are a lot of people in the City who think
5 that they're perfect, or certainly in government,
6 I'm not perfect, and I don't think most people
7 are. I would say God is perfect, but other than
8 that, coming five minutes late to a meeting is
9 considered on time. And we shouldn't penalize
10 taxpayers by telling them that they deserve a
11 ticket if they came out a minute or two late. So
12 this bill primarily helps taxpayers with alternate
13 side of the street days, and that affects people
14 in every neighborhood in the City, and again this
15 is not something that we should have to pass a law
16 for. And the proof to that is that in discussions
17 with the honorable Chair of this Committee,
18 Comptroller-Elect Liu, the, we found out that the
19 Department had a policy, and it was an informal
20 policy that said, "Don't ticket people within the
21 first five minutes." That policy somehow
22 disappeared. That policy somehow disappeared.
23 So, should we have to pass a law? No. The agency
24 should do it on its own. But since it cannot find
25 the way to do it, we're going to help them do

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2 that. And finally, I just want to thank my
3 colleague, Councilman Gentile, who will speak of
4 his own bill. But again, all the legislation,
5 whether it's Councilman Jackson's, my own,
6 Councilman Gentile's, revolve around one thing, it
7 revolve around giving the people in this City a
8 break and not issuing "gotcha" tickets and having
9 a little saykhel, a little common sense and
10 decency, by allowing people enough time to do what
11 they have to do, and notifying them on time in
12 advance. I thank the Speaker for her support, I
13 thank Councilman Liu for his support, and of
14 course Phil Hom who worked so, so diligently on
15 this project. Than you.

16 CHAIRPERSON LIU: Thank you very
17 much, Council Member Felder. We have opening
18 statement from Council Member Gentile.

19 COUNCIL MEMBER GENTILE: Chairman
20 Liu, thank you for your strong support of my bill
21 and to the rest of the Committee for recognizing
22 the importance of 1076-A to local communities and
23 to our community boards. Much like Councilman
24 Felder just described, this bill is really about
25 mandating agency courtesy to local residents, and

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2 about giving them and giving community boards the
3 heads up they deserve when, when it comes to
4 changes on the streets that impact day-to-day
5 lives of everyday New Yorkers. Before the
6 Department of Transportation changes parking meter
7 rates, or replaces existing meters with a
8 different type of meter, under this bill they will
9 need to notify the Council Member and the
10 community boards in the affected neighborhoods at
11 least 30 days prior to the changes implementation.
12 Notification must also be posted on the
13 Department's website. Getting an orange colored
14 ticket on your windshield should not be the first
15 notification you have of a change in a parking
16 meter, or a parking rate. This is a simple bill,
17 but the concept of alerting local communities to
18 changes on their streets and in the prices
19 associated with parking meters is a no brainer.
20 How many of us have gotten complaints from
21 residents who, who found out, because they got a
22 ticket, that the parking meter rate went from 25
23 cents for 30 minutes, to 25 cents for 20 minutes.
24 That is, that is what this bill hopes to address
25 in part. Residents should never be taken by

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2 surprise when it comes to changes in the
3 neighborhood. This bill's a step towards making
4 sure the courtesy of prior notification is given.
5 So I thank again Chairman Liu, Phil Hom, and his
6 staff, and I ask the fellow Committee Members for
7 your support. This really underscores,
8 underscores the courtesy in courtesy,
9 professionalism and respect of the NYPD traffic
10 enforcement. Thank you.

11 CHAIRPERSON LIU: Thank you very
12 much, Council Member Gentile. Once again, I urge
13 a yes vote on all four of these bills before this
14 Committee today. These bills are a continuation
15 of this Committee's efforts to make the parking
16 system, the parking regulations, and the
17 enforcement thereof, fairer in this City. In a
18 time of budget deficits, there could be an
19 increasing propensity to raise revenue through
20 issuing these tickets. We want to make sure that
21 New Yorkers are following the rules. But that the
22 rules themselves make sense, and that's why it is
23 necessary to adjust the City's law in a way that
24 makes parking and regulations and subsequent
25 possible violations fairer for all New Yorkers.

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2 These bills make sense, they are following on a
3 number of other rule changes this Committee has
4 enacted, such as fixing the broken meter rule,
5 such as suspending alternate side street parking
6 on certain snow days, and this will help make New
7 York City a little bit more livable, and it will
8 help make New York City government a little bit
9 more accountable. I will ask the clerk to call
10 the role on these bills. And I will, we will
11 couple the vote on these four items. Clerk,
12 please call the roll.

13 CLERK: William Martin, Committee
14 Clerk, roll call on the Committee on
15 Transportation. Council Member Liu.

16 CHAIRPERSON LIU: Yes.

17 CLERK: Ignizio.

18 COUNCIL MEMBER IGNIZIO: Yes.

19 CLERK: Reyna.

20 COUNCIL MEMBER REYNA: Yes.

21 CLERK: Brewer.

22 COUNCIL MEMBER BREWER: I'm voting
23 yes. I must admit, my constituents do, when they
24 double park, to let children off in the Manhattan
25 streets, they often get tickets. They're in the

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2 car, even, when they get the tickets. I do wonder
3 if we don't give tickets at 9:00 o'clock in the
4 morning, we're going to give them at 9:06, so I
5 wonder how these individuals who are giving out
6 the tickets, have a tough job. And I don't know
7 if this is going to enable them to be more
8 reasonable and use, as Simcha Felder has said his
9 favorite term, common sense. And it is a common
10 sense kind of job. And I don't know if this bill
11 will allow them to use common sense, any more than
12 they are now, 'cause it is a tough job. On the
13 other hand in Manhattan, I know we want cars not
14 to block the lanes in the morning, because we have
15 a rush hour situation constantly. I may be the
16 only Council Member without a car, so I don't have
17 this same ticket problem that the, many, but my
18 constituents do. So I'm voting yes. I have some
19 concerns about this legislation, because I don't
20 know how enforceable it is. And I, but I do think
21 that common sense should prevail. And as Council
22 Member Felder said, we really shouldn't need this
23 legislation. Thank you very much.

24 CLERK: Garodnick.

25 COUNCIL MEMBER GARODNICK: Mr.

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Chair, a moment to explain my vote?

CHAIRPERSON LIU: Please do.

COUNCIL MEMBER GARODNICK: Thank you. I just want to thank my colleagues for introducing a package of bills that are intended to lighten the burden somehow on New Yorkers. Obviously, we all feel that there's been a certain amount of aggressiveness by parking agents, and I agree with Council Member Brewer, that, that they do have a difficult job. Unfortunately, at the end of the day, with great respect to the sponsor, I'm going to vote no on Intro 907, because I think that you cannot legislate the issue of good judgment, common sense, and grace. So, while I respect and support the goals, I think that we should be encouraging the Mayor to direct the agents to act practically and with good judgment, and I certainly will continue to do that with or without legislation on the subject. So, with that I vote aye on all, except 907, I vote no.

CLERK: Ulrich.

COUNCIL MEMBER ULRICH: I vote aye on all and ask that my name be added as a cosponsor to Intro 907.

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2 CLERK: By a vote of eight in the
3 affirmative, zero in the negative, no abstentions,
4 all items are adopted, with the exception of
5 Introduction 907, which is adopted by a vote of
6 seven in the affirmative, one in the negative, no
7 abstentions. Council Members please sign the
8 Committee reports.

9 CHAIRPERSON LIU: Thank you very
10 much, Council Members. I will also ask now the
11 Clerk to keep the roll open until 12:00 noon for
12 additional Committee members who are en route from
13 other Committee assignments. Thank you.

14 [pause]

15 CLERK: Council Member Koppell.

16 COUNCIL MEMBER KOPPELL: Yes.

17 CLERK: Council Member Mealy.

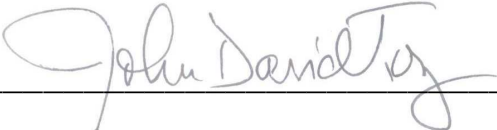
18 COUNCIL MEMBER MEALY: Yes.

19 CLERK: Final vote on the Committee
20 on Transportation is now ten in the affirmative,
21 zero in the negative, and no abstentions, with the
22 exception of Introduction 907, which is adopted by
23 a vote of nine in the affirmative, one in the
24 negative, and no abstentions.

25 [pause]

C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature  _____

Date November 24, 2009