

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Selvena N. Brooks-Powers,
Chairperson

COUNCIL MEMBERS:

Joann Ariola
Chris Banks
Gale A. Brewer
Carmen N. De La Rosa
Amanda Farias
Farah N. Louis
Mercedes Narcisse
Sandy Nurse
Carlina Rivera
Julie Won

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

Margaret Forgione
First Deputy Commissioner of the New York City
Department of Transportation

Paul Ochoa
Executive Deputy Commissioner

Eric Beaton
Deputy Commissioner of Transportation Planning
and Management

Rick Rodriguez
Assistant Commissioner for Intergovernmental and
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Jean Ryan
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Michael Capasso
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Christopher Leon Johnson
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Philip Miatkowski
Interim Deputy Executive Director at
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Miriam Fisher
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Caleb Smith
Resiliency Coordinator at We Act For
Environmental Justice

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

Andrew Rigie
The New York City Hospitality Alliance

Glen Bolofsky
Self

1 COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE 4

2 SERGEANT AT ARMS: Testing one, two, one two.

3 Today's date is January 21, 2025. Today's hearing is
4 the Committee on Transportation and Infrastructure
5 being recorded in the Chambers by Keith Polite.

6 SERGEANT AT ARMS: Good morning and welcome to
7 today's New York City Council hearing for the
8 Committee on Transportation. Please silence all cell
9 phone electronic devices. Please do not approach the
10 dais. If you need assistance, we will be more than
11 happy to help you. If you wish to submit testimony,
12 you may do so online at testimony@council.nyc.gov.
13 Once again, that's testimony@council.nyc.gov.

14 Chair, we are ready to begin.

15 CHAIRPERSON BROOKS-POWERS: [GAVEL] Good morning
16 and welcome to this morning's Committee on
17 Transportation and Infrastructure hearing. My name
18 is Selvena Brooks-Powers and I am the Chair of this
19 Committee.

20 Today's hearing will focus on the Department of
21 Transportation's Capital Plan. New York City's
22 infrastructure and the future of street repair. In
23 addition, we will be hearing the following related
24 legislation: Intro. Number 145, sponsored by myself
25 in relation to placing a cap on the correlated color

2 temperature of new and replacement streetlights;
3 Intro. Number 552, sponsored by Council Member
4 Brannan in relation to the street resurfacing
5 timeline; Intro. Number 928, sponsored by Council
6 Member Nurse in relation to requiring the Department
7 of Transportation to conduct a pilot project on the
8 use of cool pavement; Intro. Number 1105, sponsored
9 by myself in relation to tracking progress made
10 towards the requirements of the streets master plan;
11 Intro. Number 1114, sponsored by Council Member Won
12 in relation to requiring the Commissioner of
13 Transportation to create an online capital project
14 tracker; and Intro. Number 1160, sponsored by Council
15 Member Brannan in relation to repainting of payment
16 marking lines.

17 The Department of Transportation manages an
18 annual operating budget of \$1.4 billion and a ten
19 year \$33 billion capital program. Along with 6,300
20 miles of streets and highways, over 12,000 miles of
21 sidewalk and approximately 800 bridges and tunnels.

22 The Department is tasked with maintaining the
23 city's infrastructure and ensuring that people and
24 goods can move effectively throughout New York City.
25 Over time, road ways that our city relies on will

2 deteriorate from wear and tear, requiring frequent
3 pavement condition assessments and DOT led repairs.
4 For problems like potholes, cracking, hummocks, bumps
5 and patches of street cuts, DOT utilizes street
6 resurfacing which is a corrective measure to address
7 smaller surface level problems.

8 Over time, the Department has implemented a
9 number of sustainable street resurfacing techniques
10 including recycle asphalt, pavement technology, warm
11 mix technology and recycle classic waste technology.
12 All these measures reduce pollution and help our
13 environment.

14 Another important aspect of the city's
15 infrastructure that falls primarily under the
16 Department of Transportation's purview is our bridges
17 and tunnels. DOT owns and operates and maintains 789
18 bridges and tunnels, 24 moveable bridges and 4
19 vehicular tunnels throughout New York City.

20 As part of DOT's maintenance of this work, it
21 executes bridge construction projects that range from
22 preventative maintenance to install entirely new
23 bridges. Current projects like the Belt Parkway
24 Bridges reconstruction and the replacement of the
25 Brooklyn Queens Expressway are ongoing and vital to

2 the city's transportation network. Under federal
3 law, bridge structures must be inspected at least
4 once every two years. State assessments are done for
5 all bridge structures within the state with some
6 exceptions but the Department of Transportation
7 further inspects bridges not inspected by New York
8 State.

9 The New York City Charter requires DOT to publish
10 a bridges and tunnels annual condition report, which
11 contains a description of all capital and revenue
12 budget funds appropriated for the rehabilitation and
13 maintenance of bridges and tunnels. As opposed to
14 complying with the annual requirement, DOT published
15 only one report for 2022 and 2023 combined, which was
16 released on December 31, 2023. According to this
17 report, .87 percent of the city's bridges were rated
18 poor, 63.81 percent were rated fair, 27.86 percent
19 were rated good and 7.46 percent were rated very
20 good.

21 In addition to ensuring a good state of repair
22 for the city's infrastructure, we also want to ensure
23 our city streets and roads are safe. It is important
24 that - it is more important than ever that the city
25 fulfills the legal mandate of the Streets Plan.

2 Local Law 195 of 2019 was passed in October 2019 by
3 the Council to expand the city's biking, bus and
4 pedestrian safety infrastructure. But as we have
5 seen since then, the Department has not satisfied
6 many of the legally mandated benchmarks in the
7 Streets Plan. Largely in regards to protected bus
8 lanes, bus stop upgrades and transit signal priority
9 intersections, this was evident in the 2024 update
10 and in the Committees past hearing on the Streets
11 Plan.

12 I want to better understand what the city has
13 accomplished in 2024, how we can ensure that the
14 mandated benchmarks are actually achieved, and what
15 funding has been allocated to the second phase of the
16 Streets Plan to ensure its success. In terms of
17 legislation today, I will allow the sponsors of
18 Intro.'s Number 552, 928, 1114, and 1160 to speak
19 when they arrive. Aside from the pieces of
20 legislation, today's hearing will focus on how the
21 Administration can ensure good state of repair of the
22 city's infrastructure, how the Administration is
23 implementing the Streets Plan and street improvements
24 to ensure safety on streets and how the city will
25 utilize and apply for federal funding made available

1 COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE 9
2 in the Infrastructure Investment and Jobs Act from
3 2021.

4 Before we begin, I would like to thank my staff
5 and Committee Staff for their hard work, Kevin
6 Kotowski, Senior Policy Analyst, John Basile, Senior
7 Policy Analyst, Mark Chen, Senior Counsel to the
8 Committee, Adrian Drepaul, Senior Financial Analyst,
9 Julian Martin, my Policy and Budget Director and
10 Renee Taylor, my Chief of Staff. I would also like
11 to take a moment to recognize Connor Mealey, who was
12 previously Counsel to the Committee and wish him the
13 best of luck in his new endeavors. Connor, thank you
14 for all of the work you have done for our Committee
15 and for the Council. I always say that the
16 Transportation and Infrastructure Committee has the
17 best team in the Council and yes, I am bias and we
18 wish him well.

19 I will now ask Committee Counsel to swear in the
20 Administration.

21 COMMITTEE COUNSEL: Our next panel will be from
22 the Department of Transportation, Margaret Forgione,
23 First Deputy Commissioner, Paul Ochoa, Executive
24 Deputy Commissioner, Eric Beaton, Deputy Commissioner
25 of Transportation Planning and Management, Rick

2 Rodriguez, Assistant Commissioner for
3 Intergovernmental and Community Affairs.

4 I will now administer the oath. Please raise
5 your right hands. Do you affirm to tell the truth,
6 the whole truth and nothing but the truth before this
7 Committee and to respond honestly to Council Member
8 questions?

9 PANEL: I do.

10 COMMITTEE COUNSEL: Thank you. You may begin
11 when ready.

12 MARGARET FORGIONE: Good morning Chair Brooks-
13 Powers and members of the Committee on Transportation
14 and Infrastructure. I am Margaret Forgione, First
15 Deputy Commissioner of the New York City Department
16 of Transportation. With me today are Paul Ochoa,
17 Executive Deputy Commissioner, Eric Beaton, Deputy
18 Commissioner of Transportation Planning and
19 Management and Rick Rodriguez, Assistant Commissioner
20 for Intergovernmental and Community Affairs. Thank
21 you for the opportunity to testify on behalf of Mayor
22 Adams and Commissioner Rodriguez on capital planning
23 and the future of street repairs.

24 DOT is responsible for operating and maintaining
25 6,300 miles of streets and highways. This includes

2 maintaining roadways, curbs, and pedestrian ramps.

3 Over 800 bridges and 5 tunnels, nearly 400,000 street
4 lights and jurisdiction over 12,000 miles of
5 sidewalk.

6 DOT's \$33.5 billion capital plan makes this work
7 possible, with \$5.7 billion dedicated to DOT's
8 Capital Street Reconstruction program. This program
9 advances a broad range of agency priorities. Among
10 them, enhancing safety conditions for all street
11 users, increasing accessibility, improving pedestrian
12 cyclists connectivity and bus operations, keeping the
13 road network in a state of good repair, and
14 addressing flooding and ponding.

15 DOT identifies street reconstruction needs
16 regularly and through a variety of stakeholders,
17 including community members, elected officials, other
18 agencies, as well as proactively through our internal
19 operational and planning teams. As part of the
20 capital planning process, DOT evaluates perspective
21 street projects using statistical prioritization
22 frameworks that include metrics to quantify safety
23 needs, roadway conditions, mobility improvements,
24 climate considerations and community demographics.
25 Equity is one of the largest considerations in

2 determining how projects rank. Our most recent ten
3 year capital plan for street reconstruction invests
4 the most money ever in communities of color
5 throughout the five boroughs, including cycling and
6 safety improvements in Northern Manhattan, Mott Haven
7 and Hunts Point, drainage improvements in Southeast
8 Queens, the Rockaways and South Brooklyn, and
9 pedestrian and transit projects on the north shore of
10 Staten Island and along Southern Boulevard in the
11 Bronx.

12 DOT's capital street reconstruction projects
13 undergo a rigorous scoping process that includes
14 various multi departmental reviews, both from within
15 DOT and across the wider city administration. DOT
16 coordinates closely with other agencies and entities
17 working within the city's right of way, including the
18 Department of Environmental Protection, New York City
19 Parks, Utilities, the MTA to ensure that resulting
20 reconstruction project is thoroughly scoped, meets a
21 range of stakeholder needs, and has been sufficiently
22 coordinated to prevent follow up work and repeated
23 community disruption. This approach ensures that the
24 roadway is not disturbed twice unnecessarily. The
25 capital scoping process includes collaborative

2 dialogue between DOT and the Department of Design and
3 Construction who are generally ultimately responsible
4 for managing the projects implementation during its
5 design and construction phases.

6 Once a project scope consensus has been reached,
7 DOT transfers the project and its funding to DDC for
8 implementation. After assuming management of the
9 project, DDC brings on a design consultant directly
10 oversees design activities, facilitates design
11 reviews and leads the community engagement process.
12 When design is complete, DDC then procures a
13 construction contractor for the project build out
14 while maintaining contact with the community
15 throughout the projects construction phase. Beyond
16 capital street reconstruction projects, DOT also
17 implements a wide array of street improvement
18 projects to enhance safety connectivity and
19 accessibility for New York City streets.

20 Last week, we released an equity and street
21 safety report to analyze how we are prioritizing
22 these projects and to ensure they are benefiting the
23 neighborhoods with the greatest needs. I'm happy to
24 say that the report found that since the start of
25 Vision Zero, neighborhoods with high shares of non-

2 White residents or high poverty rates have received
3 more street improvement projects per mile.

4 Now turning to the legislation before us today.

5 First, Intro. 145, sponsored by Chair Brooks-Powers.

6 This bill would limit the correlated color

7 temperature of new and replacement lamps installed to

8 illuminate streets, highways, parks, or any other

9 public space to 3000 Calvin. 3000 Calvin is already

10 DOT's lighting standard based on engineering

11 guidance, and so, we all understand what this means.

12 Calvin refers to how warm or cool a light is, ranging

13 from orange to white to blue. This is different from

14 wattage, as wattage refers to how bright a light is.

15 All new or replacement lamps that the agency installs

16 are 3000 Calvin unless the agency is complying with

17 the intent of the bill. However, it is critical that

18 we are able to adjust our practices in the future if

19 engineering standards change.

20 For this reason, we do not support legislating an

21 engineering standard but we would be happy to have

22 further discussions with the Council about the

23 standard and our operations.

24 Next, Intro. 552 sponsored by Council Member

25 Brannan. This bill would require DOT to finish

2 resurfacing within two weeks from the start of the
3 work. If the work is not finished within two weeks,
4 DOT would be required to notify the surrounding
5 community of reasons for delay and provide a new
6 timeline. DOT resurfaces roadways to address
7 problems on the surface, including cracking, patching
8 and peeling by replacing the top layer of asphalt
9 pavement. This extends the roadways lifespan and
10 helps prevent potholes. The more we pay for the
11 fewer potholes we need to fill.

12 DOT's budget has baseline funding for resurfacing
13 1,100 lane miles and up to 50 miles of protected bike
14 lanes per year. We do not support this bill as
15 written. While DOT works hard to mill and pave as
16 quickly as possible, our process must give sufficient
17 time for utility companies, plumbers, and our sister
18 agencies to make repairs under the asphalt. We
19 conduct extensive coordination efforts with sister
20 agency and utility partners throughout the city to
21 ensure the time when a street is milled is well used.

22 Without this necessary time for repairs, more
23 cuts would need to be made to roadways in the future,
24 which would make the whole process less efficient.
25 We all want to avoid the situation where a newly

2 resurfaced street needs to be cut in two for a repair
3 right after the work is finished. To have smooth
4 streets for years to come, we need to give sufficient
5 time for these repairs.

6 Moreover, it is critical that we maximize our
7 capacity to ensure we can resurface 1150 lane miles
8 annually. The pace of resurfacing is faster than
9 that of milling, so we must have enough areas to mill
10 - milled to spend our resurfacing dollars well. This
11 helps the department maximize the number of paved
12 lane miles.

13 Next, Intro. 928 sponsored by Council Member
14 Nurse. This bill would require DOT in partnership
15 with DOHMH to conduct a pilot on the use of cool
16 pavement. This Administration shares the Council's
17 goal of enhancing resiliency and addressing heat
18 vulnerability throughout New York City and we support
19 the bills intent.

20 DOT is already taking a number of steps to
21 enhance resiliency and to address heat. Since the
22 Unified Stormwater Rule came into effect in 2022, DOT
23 has also embraced installing precast porous concrete
24 panels in capital projects. Roadway reconstruction
25 projects that disturb over an acre of the subbase of

2 the roadway or any project that adds 5,000 square
3 feet of impervious surface, are required to include
4 stormwater management practices to reduce impervious
5 space. DOT and DEP have either completed or plan to
6 complete in the relative near term approximately 92
7 linear miles of porous pavement that will result in
8 approximately 450 million gallons of stormwater
9 managed per year. The vast majority of which has
10 been installed as part of DEP projects. We would be
11 happy to discuss this work with the Council further.

12 Other than porous pavement, DOT is looking at
13 other ways to beat the heat. Our cool corridor study
14 completed in 2024 was a first in the nation
15 capability and capacity building grant from FEMA to
16 study the types and efficacy of heat mitigation and
17 heat released strategies through the lens of a
18 benefit cost analysis. The study identified many
19 types of physical interventions, including street
20 trees, drinking fountains, surface treatments and
21 seeding that can address the growing seasonal issue
22 of extreme heat.

23 Through analysis and discussions with sister
24 agencies and sister cities, we evaluated on a
25 conceptual level the feasibility of these

2 interventions and the dense New York City context.
3 DOT is advancing our mission to make streets
4 comfortable and safe, especially in the summer. We
5 are seeking federal funding to advance the cooling
6 interventions identified in the study and working to
7 integrate heat vulnerability assessments and heat
8 resilience into capital planning and prioritization.

9 Given how multifaceted heat health is, we are
10 grateful for the Mayor's Office of Climate and
11 Environmental Justice and New York City Emergency
12 Management who have served as organizers for many of
13 these efforts and also to DOHMH who has been an
14 incredible technical partner in understanding heat
15 health. Regarding the pilot that the bill would
16 require, the Administration supports advancement and
17 additional research into the use of cool pavements.
18 DOT is aware that other municipalities have tested
19 cool pavement and seen some promising results, but
20 New York City is a dense and complicated place and
21 implementing cool pavement here will have its unique
22 challenges and any studies and recommendations must
23 consider the wide array of factors at play on the
24 city's street scape in adjacent buildings. Including
25 in areas outside of DOT's jurisdiction.

2 Such a pilot would also require an understanding
3 of heat impacts that are outside of DOT's expertise.
4 We look forward to future discussions with the
5 Council and other appropriate agencies about how to
6 best achieve the bills aims as well as the city's
7 broader efforts to reduce heat.

8 Next, Intro. 1105, sponsored by Chair Brooks-
9 Powers. This bill would require DOT upon submission
10 of the Annual Streets Plan update to post on our
11 website a description of all the planned projects for
12 the year and describe how each would contribute to
13 the Streets Plan mandates.

14 This bill would also require that DOT give
15 monthly updates on each projects progress. DOT does
16 not support the bill as written. Community
17 engagement is a vital part of DOT's work. We are
18 concerned that by putting out a list of projects in
19 the beginning of the year, it could hamper community
20 engagement if community members feel the projects
21 will be moving ahead regardless of their input.

22 Additionally, when the Streets Plan was negotiated
23 into law, the annual February update was intended to
24 serve as the agencies chance to publicly account for
25 the previous years' work and it continues to serve

2 that purpose. That date was specifically negotiated
3 to require our planners to focus on this accounting
4 in the winter months outside of our construction
5 season. We are concerned that requiring such
6 accounting throughout the year will divert our
7 planners time away from actual project implementation
8 and engagement to bureaucratic paperwork, slowing
9 down our projects during peak construction season.

10 Monthly updates will also be of limited utility,
11 as many of our projects are completed in the last
12 quarter of the year.

13 Next, Intro. 1114 sponsored by Council Member
14 Won. This bill would require DOT to create a capital
15 project tracker and provide quarterly updates on all
16 projects that are not part of the Streets Plan.

17 I'm happy to say that the Mayor's Office of
18 Operations already maintains a citywide capital
19 projects dashboard that includes all of DOT's capital
20 projects. We would be happy to have further
21 discussion with the Council about this dashboard and
22 how it can be improved.

23 Finally, Intro. 1160 sponsored by Council Member
24 Brannan. This bill would require DOT to repaint all
25 pavement markings within one week of repaving or

2 resurfacing a street. If the work is not finished
3 within one week, DOT would be required to notify the
4 surrounding community of reasons for delay and
5 provide a new timeline. DOT does not support this
6 bill as written, although we agree with the intent.
7 DOT has been working to shorten the time between
8 repaving or resurfacing our streets and repainting
9 markings.

10 Once paving is complete, DOT issues a work order
11 right away. Then the vast majority of markings or 86
12 percent begin within five days and nearly all or 96
13 percent begin within ten days. While much better
14 than past practice, we agree that there is room for
15 improvement but operational flexibility is important
16 to reflect real world conditions. DOT needs to be
17 able to respond to other urgent priorities and if
18 necessary redirect the contractor. In order to get
19 the painting done within one week, we would need to
20 know the completion date a few weeks before the
21 repaving work is completed in order to update plans
22 and schedule contractors and that is not always
23 possible, as weather and other unexpected conditions
24 can change resurfacing schedules. Environmental
25 conditions can also play a role as extended periods

2 of wet or cold weather may prevent marking
3 installation within any set time period.

4 In conclusion, I would like to thank the Council
5 for the opportunity to testify before you today. We
6 would now be happy to answer any questions.

7 CHAIRPERSON BROOKS-POWERS: Thank you
8 Commissioner. We have been joined also by Council
9 Members Rivera, Louis, Farias, Narcisse, Banks,
10 Ariola, Nurse and Brewer.

11 Before we get started with my questions, I want
12 to give an opportunity to Council Member Nurse to
13 give some remarks about her bill.

14 COUNCIL MEMBER NURSE: Good morning and thank you
15 Chair. On January 10th Climate Scientists confirmed
16 a silvering milestone, which is that the earths
17 average temperature has surpassed 1.5 degrees Celsius
18 above preindustrial levels for the first time in
19 recorded history. And this terrible milestone
20 signals a point of no return for our planet and will
21 lead to untold devastation and suffering. New York
22 City is the nation's largest urban heat island and
23 exemplifies the urgent need for action.

24 On an average summer, our average summer high
25 temperatures are already five degrees above what it

2 was 50 years ago and without significant
3 interventions and emission reductions, projections
4 indicate an additional increase of 3.5 degrees by
5 2063.

6 While reducing our reliance on fossil fuel is
7 essential, we must also implement policies that can
8 mitigate the immediate effects of our warming
9 climate. With 6,000 miles of asphalt, New York City
10 street absorb and radiate heat, often making the city
11 feel up to eight degrees hotter. This exacerbates
12 the risk of heat related illnesses and contributes to
13 the growing annual average of 350 heat related
14 deaths. Data from the DOH, the Department of Health
15 Heat Vulnerability Index highlight the severe risk in
16 communities like mine; Brownsville, East New York,
17 Bushwick, and Cypress Hills, which rank among the
18 highest for heat vulnerability.

19 Eastern Queens and much of the Bronx also face
20 significant risks. This data provides a roadmap for
21 where DOT could and should prioritize cool pavement
22 pilot projects. Beyond reducing heat, according to
23 the US Environmental Protection Agency, cool pavement
24 offers additional benefits including decreased
25 stormwater runoff, improved water quality, enhance

2 street safety and better night time visibility
3 depending on the treatment. Moreover, cool pavement
4 treatments could also improve commercial activity
5 where you are able to achieve the cool corridor
6 effect.

7 Last summer, I visited the San Antonio Department
8 of Transportation and observed their cool pavement
9 pilot program and with just \$1 million investment,
10 they piloted various products costing approximately
11 \$14 per yard across ten districts covering a mile.
12 So, I think they did a block, one block in ten
13 districts. They collaborated with the University of
14 Texas at San Antonio Civil Engineering and
15 Environmental Departments and it yielded impressive
16 results. A single treated block reduced surface
17 temperatures by ten degrees and ambient temperatures
18 by three degrees just on a single block. And
19 although humidity sensitivity was noted, it was
20 believed that increased demand could drive the
21 development of more resilient treatments that would
22 be more less sensitive to humidity.

23 Notably products like the GAF and I don't know
24 how to say it properly, reclaimant(SP?), have shown
25 promise in handling winter conditions like salt use

2 and extending asphalt life. San Antonio and New York
3 City are very different. We have an expansive tree
4 canopy, which provides summer leave; however, many
5 areas lack sufficient green cover making them ideal
6 candidates for a cool pavement pilot. And frankly,
7 we also cannot guarantee that our current city tree
8 scape will hold up as ongoing extinction events
9 across the world negatively impact our local
10 biodiversity.

11 Fighting climate change means mitigation,
12 adaptation and most importantly resiliency. So,
13 integrating multiple layers of heat mitigation into
14 our landscapes will be critical for New Yorkers with
15 chronic health issues and vulnerabilities to enjoy
16 public space for as long as possible.

17 The pilot is calling for - a pilot for heat
18 vulnerable neighborhoods. I am eager to hear your
19 thoughts on this. I have a lot of questions based on
20 your feedback. I apologize that we weren't able to
21 connect before this hearing, so I understand this
22 will be like a cold conversation but looking forward
23 to talking more. Thank you. Thank you Chair.

24 CHAIRPERSON BROOKS-POWERS: Thank you. Okay, we
25 can go ahead and get into the questions here. I'll

2 start by asking a few questions and then I'll yield
3 to my colleagues and then come back for round two.
4 So, starting off with New York City streets and
5 roads. Does DOT have any idea of how many times the
6 agency may repair the same location? So, for
7 example, my Laurelton Office is located on 222 and
8 Merrick and we've worked with DOT a couple of times
9 to come back to the very same site to address a
10 massive like pothole that's there. And so, I'm
11 curious to know how many times or if the agency is
12 tracking how many times they have to go back to a
13 particular location?

14 MARGARET FORGIONE: So, in our system we do have
15 the ability to track work orders and locations of
16 work orders but using the example that you gave
17 Chair, there's sort of two different borough based
18 divisions that could potentially be very involved in
19 those repairs. So, if that issue was caused by a
20 utility or another city agency, it would be our
21 inspection division, Highway Inspection Quality
22 Assurance.

23 They very much pinpoint locations and what is the
24 history of them because if something syncs once or
25 has a problem once, it's usually caused by that same

2 utility or that same issue. The other entity is our
3 street maintenance unit, which has all the staffing
4 for that borough. There's a limited number of
5 supervisors in our street maintenance unit so they
6 tend also to be very well aware of reoccurring
7 problems so they can address them, including having
8 that location paved.

9 CHAIRPERSON BROOKS-POWERS: So, I'm glad to know
10 that you all are tracking that. Do we know what that
11 impact is to the agencies budget?

12 MARGARET FORGIONE: I don't think we have any
13 number that would correlate to the budget. You know
14 what I will say is if it's simply like wear and tear
15 in a road, cracking, patching, just typical you know
16 road that's past its useful life, we will make sure
17 it gets paved in the next cycle. We're really on top
18 of that.

19 If it something more systemic, like a leak
20 underground or some kind of subsidence that might
21 require some capital work, that's on a different
22 track but by and large, anything that just requires
23 paving would get incorporated into the program, so
24 we're not wasting resources going back over and over.

2 CHAIRPERSON BROOKS-POWERS: To your point in
3 terms of wasting resources going over and over,
4 because I've seen this a number of times. Like even
5 in moments when there is a systemic issue, instead of
6 going ahead and addressing that, it's still paved
7 over, so I think to Beach 19th Street in Far
8 Rockaway, which we've been in communication with DOT
9 on, we know that it's something happening underground
10 that continues to make the roadway itself collapse.
11 And every time my constituents call 311, DOT comes
12 out really quickly to uhm, you know put some you know
13 - to come and repair it and then it happens again.
14 And so, one, we're now wasting man power. Then in
15 terms of resources. So, I've always questioned the
16 type of materials being used, especially on certain
17 roads where you know it's going to be like a lot of
18 utility vehicles or trucks that go on that roadway.

19 So, when I travel other states, I'm always
20 looking at like how their roads look, how they're so
21 smooth and not broken down as much as ours. And so,
22 I've questioned if we're using the appropriate type
23 of material for our roadways to ensure that the wear
24 and tear is not as frequent as we're seeing it.

2 MARGARET FORGIONE: Right, so what I will say is
3 if you or your constituents are seeing the exact same
4 spot, literally over and over, something is happening
5 underneath. It's not the quality of the asphalt;
6 it's below the surface.

7 So, many, many years ago when that street was
8 being built, it's possible something was put in there
9 that degraded, like wood and now it's sinking.
10 That's a possibility. There could be a leak
11 underground and it keeps washing away and washing
12 away and then the road keeps collapsing or sinking.
13 It could be one of those things that we have to
14 troubleshoot. Sometimes it's not that easy to know
15 what's going on underneath but we do get out our
16 partners like DEP. We will bring in Con Ed or
17 National Grid or whoever we think may be involved to
18 troubleshoot it.

19 CHAIRPERSON BROOKS-POWERS: But how quickly does
20 that happen, right? Because whether it's 222nd
21 Street in Merrick Boulevard or if it's Beach 19th by
22 St. John's Hospital. Either way those are just two
23 of a number of roads that in my district that I've
24 seen it and I've also heard the same from my
25 colleagues. So, that's why I thought it was

2 important to bring up before you kind of bring
3 everyone else in. Because even with Beach 19th, from
4 the very beginning, I asked for it to be interagency
5 because the way in which it collapsed and after that
6 first time of repairing it and how quickly it
7 collapsed again, I knew through learning from you all
8 in the past hearings that when it collapses in a
9 certain way, that means something else is happening
10 underground but the agency wasn't the one that said
11 let's bring in DEP now. Like I said like, can we
12 have a holistic conversation? But again, it's been
13 about three years now and that road is still not
14 repaired.

15 Right now, 222nd is repaired but like in the
16 summer months is when I notice that that part of the
17 roadway caves by my office. And so, in terms of
18 having limited resources and man power, I'm just
19 interested in understanding what that fiscal impact
20 is on the agency and how we can be able to do a
21 better job to have less trips to the same site
22 because we're fixing it the way it needs to be fixed
23 the first time if at most the second time.

24 MARGARET FORGIONE: Right, okay so I will check
25 into both of these locations and find out what has

2 happened and I just want to say we totally agree with
3 you, multiple trips back doesn't make sense.

4 Sometimes there is a challenge in actually detecting
5 what is the underlying problem but we will find out
6 what has happened at these two locations.

7 CHAIRPERSON BROOKS-POWERS: Okay and I'll have
8 more - oh, go ahead sorry Commissioner.

9 PAUL OCHOA: And Chair, if it something that
10 requires a street reconstruction, we can begin a
11 street reconstruction capital project, which as you
12 know takes five to seven years but it is the long
13 term fix that may be needed in case of repaving,
14 where repaving is not working.

15 CHAIRPERSON BROOKS-POWERS: But we've spent three
16 years waiting, so one would have hope that we would
17 have been half way through that timeline.

18 PAUL OCHOA: Well, so for example, when we
19 repave, we can't go back and touch that same street
20 within five years for the same capital eligibility
21 purposes but I think as First Deputy Commissioner
22 said, we can really look into initiating a capital
23 project if that's going to be the permanent solution
24 for you and your constituents.

2 CHAIRPERSON BROOKS-POWERS: Thank you for that.

3 I was going to say, I'm going to come back to the
4 streets and roads because some of my colleagues may
5 have questions on that and I'll catch whatever they
6 don't ask. I'm going to pivot to capital streets
7 projects. So, how many current capital street
8 projects are going on right now and what are your
9 biggest projects?

10 PAUL OCHOA: We have about 20 street
11 reconstruction projects currently underway. They
12 vary in size but we have Queens Boulevard. We have
13 Grand Concourse. We have projects all over the city
14 and across five boroughs. By the time the
15 construction starts, it's usually anywhere from two
16 to four years of construction for us to - for DDC to
17 finish these projects.

18 CHAIRPERSON BROOKS-POWERS: In terms of
19 sustainable technologies, DOT is a national leader in
20 the use of recycled asphalt pavement. It also
21 implements warm mix recycle tire rubber and recycle
22 plastic waste technology. What are the advantages of
23 each of these technologies?

24 MARGARET FORGIONE: Thank you for the question.
25 We at DOT, we love talking about wrap, which is

2 recycled asphalt pavement. So, as everybody knows
3 before we pave, we remove the top layer of the
4 street. That's what we call wrap. In our current in
5 house, we have two in house asphalt plants where we
6 utilize this product. We use the wrap, so we don't
7 have to purchase what we call virgin, aggregate and
8 new materials.

9 CHAIRPERSON BROOKS-POWERS: And what are those
10 sites?

11 MARGARET FORGIONE: Our Harper Street Plant and
12 our Hamilton Avenue Plant. So, in our Harper Street
13 Plant, we currently use about 35 percent wrap or
14 recycled asphalt. We're in the process of rebuilding
15 that site. It's a very, very old site. Once we
16 rebuild it we expect to use about 50 percent recycled
17 asphalt. And then currently in our Harper Plant, I'm
18 sorry, in our Hamilton Avenue Plant, we use about 40
19 percent recycled asphalt. We've also experimented
20 just this year with going up to 50 percent. So far
21 that product that work product that we put down in
22 Brooklyn is looking good. We're going to keep
23 watching it. We all know that our streets need to
24 last for many years. So, it's fine if it looks good
25 for one or two years but does it hold up in the long

2 run? That is really the question. You also and then
3 one other thing I wanted to mention that we purchased
4 about 50 percent of our asphalt for our resurfacing
5 operation and we have four contractors. They use
6 anywhere from about 20 to 40 percent of the wrap that
7 we dig up in that asphalt mix.

8 So, what we do is rather than paying for disposal
9 of the material, we uhm we give it to them and it
10 goes back into the mix and then comes back into our
11 streets.

12 So, you also mentioned an additive that we
13 sometimes put in the warm to keep asphalt warmer in
14 colder months. The additive is an interesting thing
15 that allows us to basically pave longer in colder
16 weather. So, that is something that we also use but
17 we have to be very well aware of how that effects the
18 mix. I mean you have to always make sure that our
19 mix is of a certain durability and high quality.

20 CHAIRPERSON BROOKS-POWERS: Thank you. What is
21 the net effect of DOT's use of warm mix and how long
22 does it extend DOT's repaving season? And how many
23 more roads has it repaved due to the use of warm mix?

24 MARGARET FORGIONE: Okay, our paving season is of
25 a set time period. It's March through December.

2 That's because for many, many years, for decades,
3 we've designed a program that does not pave in the
4 coldest months and so we do have part of our
5 workforce is seasonal. So, we have seasonal
6 assistants, city highway repairers that we lay off in
7 March and we rehire I'm sorry in December and we
8 rehire them in March. And that kind of works well
9 because then what we do with the rest of our
10 workforce is all winter long, we do pothole repair.
11 We do other work like we try to catch up on speed
12 humps and work like that with the rest of our
13 workforce.

14 The other thing, having a seasonality to our
15 operation is a benefit and that we can do work on the
16 vehicles over the winter. The vehicles get a
17 beating. We have milling machines with like lots of
18 teeth. We have our paving machines that are
19 constantly in use day and night throughout the year.
20 So, having a downtime in the winter allows us
21 literally we take apart those machines. We
22 thoroughly clean them and we put them back together
23 and we get them in good shape for the season. So,
24 the additive that you mentioned allows us to do work
25 at the beginning of the season or maybe at the end of

2 the season when it's cold and to keep paving so that
3 the material stays pliable enough to put down but we
4 don't extend the season because of it right now.

5 CHAIRPERSON BROOKS-POWERS: But how long does it
6 extend DOT's repaving season or it doesn't phase it
7 at all?

8 MARGARET FORGIONE: It doesn't.

9 CHAIRPERSON BROOKS-POWERS: So, it does not.

10 MARGARET FORGIONE: But it allows us to do a
11 better product in the colder parts of the season
12 where we're already working.

13 CHAIRPERSON BROOKS-POWERS: Yeah, I'll come back
14 to this area if my colleagues don't pick that up.
15 Going to bridges and tunnels. As you may recall, I
16 was fighting trees on this topic the last time we
17 talked about it.

18 So, as of calendar year 2023, DOT owns, operates
19 and maintains 786 non-movable bridges, 23 movable
20 bridges and 4 vehicular tunnels throughout New York
21 City. As of December 31, 2023, the condition of the
22 city's bridges in the 2022 to 2023 bridge and tunnel
23 annual conditions report, indicated as I mentioned in
24 my opening remarks, the different ratings. So, this
25 is the first year that DOT's bridge and tunnel

2 conditions report has implemented the new condition
3 rating scale. Can you please provide the Committee
4 with an overview of the new rating system?

5 MARGARET FORGIONE: Yes, thank you for that
6 question. So, it's been a little complicated over
7 the last years to develop and to issue our bridge
8 ratings but first and foremost, I want to emphasize
9 that at every moment we are well aware of the
10 condition of all of our bridges. So, we do
11 inspections. The state does inspections and we've
12 been on top of the conditions of every bridge at all
13 times. But in 2016, the Federal Highway
14 Administration mandated a new system of guidelines
15 from Ashdod(SP?) that we needed to comply with and
16 this really changed how we reviewed the bridge
17 inspections and issued the bridge ratings.

18 As you know, the City Charter requires a single
19 bridge rating where this FHWA system did not. So, we
20 have spent some time translating the ratings into a
21 single rating, which as you know, we have put out for
22 2022 and 2023. And now that we have developed a
23 better system and we really have a very good handle
24 on this and we feel confident of it, the next bridge
25

2 report, which will cover 2024 will come out much more
3 quickly this year.

4 CHAIRPERSON BROOKS-POWERS: Did you also report
5 on the individual component ratings?

6 MARGARET FORGIONE: I have the bridge ratings
7 which should match what you have. Is that what you
8 mean?

9 CHAIRPERSON BROOKS-POWERS: The super and
10 substructure.

11 MARGARET FORGIONE: Right, oh the different
12 components of the bridge. Yeah, so we have all of
13 the different components of the bridge, yes.

14 CHAIRPERSON BROOKS-POWERS: Now, why was this
15 report delayed to the point that it needed to
16 encompass the two years' worth of ratings?

17 MARGARET FORGIONE: Right, so as I mentioned, we
18 were working hard to develop a single rating that we
19 believed properly expressed the condition of the
20 bridge. So, you know we have now been using this
21 FHWA system, which has many different components of
22 the bridge but we had to produce as per the charter,
23 we needed to produce one rating for the bridge. So,
24 we have spent a number of years going back and forth
25 with the federal government and with the state

2 government, you know the state DOT to review our
3 methodology of translating these ratings. So, that
4 definitely took some time but we're now in a place
5 that we feel much more confident with that.

6 CHAIRPERSON BROOKS-POWERS: Can you give us an
7 update on the status on the following projects: The
8 Belt Parkway Bridges reconstruction; the BQE
9 replacement; John Finley Walk Rehabilitation;
10 Riverside Drive Viaduct Rehabilitation?

11 MARGARET FORGIONE: Absolutely. Okay, so the
12 Belt Parkway Project is our first bridge design build
13 project. We're very excited about that. We issued
14 our RFQ last year and we're planning to issue the RFP
15 in the first half of this year. So, that would mean
16 that notice to proceed would be in Fiscal 2027. And
17 that Belt Parkway Project includes four bridges and
18 the connecting highway between them roughly from
19 Sheepshead Bay Road to Nostrand Avenue.

20 Next, the Riverside Drive Viaduct, this project
21 rehabilitates Riverside Drive Viaduct from 153rd to
22 161st. We're replacing the deck and the sidewalk.
23 We're rehabilitating the super structure, the
24 concrete piers, the bearings and substantial
25 completion should be in early next year, early 2026.

2 Okay, John Finley Walk will rehabilitate the FDR
3 promenade from 81st to 90th Streets. The scope is
4 reinforced concrete repairs, water proofing,
5 resetting the papers and installation of benches.

6 We're obviously working very closely with the
7 Parks Department on this work. Final design has just
8 started and then the construction is in - the notice
9 to proceed is in Fiscal 2028. And then last, the
10 status of the BQE replacement work, we are working
11 closely with FHWA and state DOT. We're now
12 completing a very comprehensive traffic study and
13 we're preparing the documents to enter environmental
14 review this spring. Construction would begin after
15 the two year environmental review process.

16 But I would like to say as far as BQE, we have
17 been doing a lot to make sure the structure is still
18 constantly safe for the traveling public. We
19 completed interim repairs this past year on spans 4
20 and 34. We had a successful deck and wall coring
21 program begin and we also installed our Staten Island
22 bound weigh and motion sensors in addition to the
23 previously installed Queens bound weigh and motion
24 sensors.

2 CHAIRPERSON BROOKS-POWERS: Going into street
3 safety and Streets Plan. DOT has implemented a
4 number of tools to address vehicular safety such as
5 speed cameras, speed humps, red light cameras, all
6 the things but what steps has the agency taken to
7 ensure measures to protect pedestrians and motorists
8 from micromobility users, recognizing while that it
9 may not be at the same frequency as a car, that there
10 are still incidents of crashes as it pertains to
11 micromobility. As we saw in the last hearing we had,
12 9 hours 40 minutes, there was a lot of passion and
13 concern from the public in terms of safety as it
14 relates to e-scooters, e-bikes. And so, I'd like to
15 understand what steps DOT has taken to address the
16 safety as it pertains to micromobility.

17 MARGARET FORGIONE: Thank you Chair. So, I will
18 have Eric Beaton, Deputy Commissioner jump in on this
19 as he has been championing a lot of that work.

20 ERIC BEATON: Sure and see this is something we
21 do take very seriously. Pedestrian safety is
22 important whether they are getting struck by cars or
23 by micromobility and we've had a real focus on
24 micromobility over the past couple years or you know
25 as you say it's getting a lot of attention and

2 deservedly so as micromobility and biking has been on
3 a rise in the city. But we think that broadly that's
4 a good thing. We like seeing people getting around
5 outside of cars but we do need to make sure the
6 street is safe for everyone.

7 So, I will mention a few of the things that we do
8 first on the enforcement side. We work very closely
9 with NYPD where we use data to identify the corridors
10 where the most crashes are happening. Then NYPD does
11 a real focused effort on those corridors and you see
12 that you know if you go out once you catch someone,
13 you know maybe they learn, maybe they don't. But if
14 you do a lengthy focused area in a corridor, people
15 really start to learn and change behavior. So, we've
16 been seeing that being effective.

17 We've done a very strong education campaign where
18 we've worked with the community at large but also
19 very specifically with the delivery worker community
20 to try to make sure both that they are operating safe
21 equipment but also that they know the rules of the
22 road. And you know as people come in and they start
23 working without necessarily knowing everything about
24 how the city functions.

2 CHAIRPERSON BROOKS-POWERS: But do you focus on
3 like riders outside of the delivery system because
4 not everyone riding a scooter or bike are necessarily
5 using it for work.

6 ERIC BEATON: That's right, we do do both. The
7 delivery worker community, you know has a very
8 focused particular set but we do work with the larger
9 you know advertising and other ways to get at the
10 larger community. And then we're working on the
11 design side as well because ultimately you know
12 enforcement cannot be everywhere at all times. We
13 want to make sure that the streets are designed to be
14 safe and that's why we've looked to change the design
15 of our bike lanes in some cases making them wider so
16 that the passing is safer. Installing things like
17 pedestrian refuge islands so that it's clear where
18 pedestrians where need to wait or not.

19 As we've been installing our new sets of bike
20 lanes, we've been incorporating more and more of
21 these elements to reflect the changing nature of
22 micromobility in the city.

23 CHAIRPERSON BROOKS-POWERS: Now you raise a good
24 point in terms of how the roads are designed and this

2 is something I've said in the past before as well in
3 terms of when you talk about motor vehicles.

4 One would argue that they move the way a road is
5 designed when you don't have a breakup of the
6 traffic. When you may have like a mile stretch with
7 no stop sign, no traffic light. However, DOT is
8 often very punitive in how they address safety
9 related to motor vehicles but there's an emphasis on
10 design for micromobility. So, there's a great
11 disparity in the agencies approach to safety for
12 pedestrians and you know uses of the road, and how
13 we're able to find a greater harmony amongst the
14 different modes of transportation.

15 So, what I'm hearing from you in terms of what
16 the agency has done is the agency has put resources
17 in funding and addressing the infrastructure of the
18 roads to address this. But there is no real
19 accountability I'm hearing in terms of the
20 micromobility motorists and how they are using it
21 because how will an officer - like, because we saw
22 that the numbers in terms of the NYPD issuing these
23 summons are not significantly high. From what I hear
24 from some of the local employees sometimes they can't
25 even catch up with them, right in terms of their

2 patrol, of their own foot patrol for example? So, it
3 is something that obviously the Committee is looking
4 at in terms of ways to make the road safe for
5 everyone and so, would love to work with DOT and I
6 know we have a couple of bills that are looking at
7 that now that we will continue to have discussions
8 around.

9 Streets Plan, Local Law 195 of 2019 also known as
10 the Streets Plan or the Transportation Master Plan
11 was to ask again in October 2019 by the Council and
12 in September 2023, the Committee on Transportation
13 and Infrastructure, with the Committee on Oversight
14 and Investigations, held an oversight hearing to
15 receive an update on the Streets Plan. During that
16 hearing and regularly throughout the year, the
17 Committee has asked DOT to provide information about
18 progress being made towards the Streets Plan mandate
19 and was not provided any meaningful information.

20 So, 2024 has come and gone. The construction
21 season is over and I'd like to know how many
22 protected bus lane miles were implemented in 2024 out
23 of the 30 mile mandate. I'd also like to say
24 Commissioner, I heard you in terms of your thoughts
25 on my bill that's being heard today as well and not

2 being in support of it. However, the rationale for
3 that bill came out of one of our previous hearings
4 where Commissioner Rodriguez indicated that we only
5 get that information because the law requires DOT to
6 give us that annual report and if we wanted it to be
7 more frequent than the law would need to be changed.

8 And so, that is where that bill is coming from.
9 That was through the words of Commissioner Rodriguez
10 in our hearing under oath. So, I'd like to
11 understand where we are with the bus lanes.

12 MARGARET FORGIONE: Okay, let me start by saying
13 that you know at any point throughout the year with
14 any communities, with yourself and any communities,
15 if people are interested in an update on what you
16 know we're thinking of in that community and we would
17 like their feedback of what is being planned. We are
18 always ready to do that, so you know I know
19 Commissioner Rodriguez was not trying to imply like
20 we shut the door and we only talk about this once a
21 year. The current February timeframe for the report
22 works well because that is the off season of our
23 construction seasons where our planners can really
24 focus on developing these numbers and making sure
25 that they're correct. So, that's what we're doing

2 right now Chair. We're putting together all of those
3 numbers and as you know, next month we will be
4 providing those. So, we don't currently have those
5 numbers for you. I don't want to give you any
6 numbers today that are going to be you know
7 readjusted. We have so many projects out there and
8 sometimes they're in final states of being completed.
9 So, as I mentioned, we're tabulating that right now
10 and we'll have that information for you next month.

11 CHAIRPERSON BROOKS-POWERS: Well, I will just say
12 that this case and point, when we try to get
13 information, we're unable to get it at any of the
14 point, which indicates why we need this bill.

15 And how many intersections did DOT implement
16 transit signal priority out of the 1,000 mandated by
17 the Streets Plan?

18 MARGARET FORGIONE: Okay, I'm going to turn to
19 the MMR where I know - I think we have that there but
20 if any of my colleagues find it first, oh go ahead
21 Eric.

22 ERIC BEATON: Yes, last year or in 2023, we did
23 about 750 intersections. We're still getting the
24 final number for 2024 as Commissioner Forgione said
25 but we expect it to be in that same range.

2 CHAIRPERSON BROOKS-POWERS: Thank you. How many
3 accessible pedestrian signals were installed out of
4 the mandated 500?

5 MARGARET FORGIONE: So we will have the number
6 for you but I can tell you, you know we'll have the
7 number for you in the next several weeks and I will
8 tell you that we're probably exceeding the goal.
9 We've been doing very well on accessible pedestrian
10 signals and last year in 2023, we completed 866,
11 which well exceeded our goal.

12 And the way we have an agreement with the court,
13 we're also allowed to bank the additional accessible
14 pedestrian signals that we have completed. So, we're
15 looking very good in this area.

16 CHAIRPERSON BROOKS-POWERS: Thank you for that.
17 So, it's no secret that DOT has consistently failed
18 to meet the requirements of the Streets Plan and has
19 fallen further and further behind the aggregate five
20 year target. Is DOT treating this with the urgency
21 that it demands?

22 MARGARET FORGIONE: Yes Chair, we are working
23 extremely hard in this area. We have constant
24 dialogue with you know you, your colleagues, the
25 Community Boards, the public in order to identify and

1 get their input on projects. We're also as you know
2 a very data driven agency and we're constantly
3 looking at where we would like to do projects and
4 where we should focus our resources.
5

6 One thing I do want to mention and then
7 Commissioner Beaton can elaborate a little bit on
8 this. One thing the Streets Plan does not take into
9 account is a lot of recent initiatives, fairly recent
10 initiatives that have taken our time and attention
11 and produced amazing results for the City of New
12 York.

13 One of those is the Dining Out program. We're
14 not in the middle you know we stepped that up during
15 COVID and now we're in the middle of implementing the
16 permanent program.

17 CHAIRPERSON BROOKS-POWERS: To be clear, that was
18 a program that DOT supported and fought very
19 tirelessly to have that within its agency, and when
20 there was hesitation of it being within DOT, and
21 instead going to DWCP, DOT affirmed that they had the
22 capacity and bandwidth knowing that they have to meet
23 the goals of the Streets Plan to be able to fulfill
24 that requirement with that program.
25

2 MARGARET FORGIONE: So, we have received - and
3 you're right, we love the Dining Out program. We
4 believe we're doing a very good job with that program
5 and we also did get additional resources to help us
6 continue and step up to the program. I'm pointing
7 out also that yes, you're right, that is two separate
8 things. There are other programs that sort of are
9 all part of similar buckets. For example, our Open
10 Streets Program, which is very well loved in many
11 communities.

12 CHAIRPERSON BROOKS-POWERS: Also at DOT requested
13 a program.

14 MARGARET FORGIONE: Right, but these are also
15 still new initiatives that are really contributing to
16 how we use our public space and how the lives of New
17 Yorkers can be made better for them. So, I'm just
18 pointing out that these are additional programs that
19 are happening now.

20 CHAIRPERSON BROOKS-POWERS: And I received that
21 but the thing that DOT has to understand is, the law
22 was in place when these programs and initiatives were
23 being pushed. DOT knew that they had the obligation
24 to fulfill the Streets Plan, even when advocating for
25 these programs. And still under oath in a number of

2 hearings have affirmed that they had the capacity and
3 bandwidth to see these programs through understanding
4 what the law was. However, DOT has failed to meet
5 the goals of the Streets Plan and continues to push
6 these programs and initiatives as priority without
7 meeting the requirements of a law.

8 So, with that, what plans are in place to not
9 only satisfy those mandates going forward but to
10 exceed them in order to compensate for the earlier
11 shortfalls?

12 MARGARET FORGIONE: Okay, and I can give you our
13 word Chair that we're not letting up on any of these
14 goals and any of these initiatives.

15 CHAIRPERSON BROOKS-POWERS: Yeah, give me - and I
16 apologize Commissioner and I appreciate you. You
17 know I do but DOT gives us our word in every hearing
18 and most of the time we hardly get answers that we're
19 looking for and we have not seen the results.

20 MARGARET FORGIONE: Okay and what I'm giving you
21 my word is that we are deeply committed to these
22 programs. That's all I can give you and that is what
23 I am telling you that we will continue to push hard
24 on doing as much work in these areas as possible and
25

2 we will have all the information for you within a few
3 weeks exactly of what was achieved in 2024.

4 CHAIRPERSON BROOKS-POWERS: And the Streets Plan
5 is one of those programs you have committed to also?

6 MARGARET FORGIONE: Absolutely.

7 CHAIRPERSON BROOKS-POWERS: Okay, I just want to
8 make sure that that was on the record too.

9 MARGARET FORGIONE: No question.

10 CHAIRPERSON BROOKS-POWERS: I'm going to yield
11 right now and allow my colleagues to ask some
12 questions and then I'll come back for round two. I'm
13 going to start with Council Member Brewer followed by
14 Council Member Nurse.

15 COUNCIL MEMBER BREWER: Thank you very much. I'm
16 a huge supporter of you Deputy Commissioner as you
17 know, so thank you for all your responsiveness. One
18 of my questions is on the truck weight because I know
19 you mentioned it for one specific location but
20 generally at least I see in Manhattan these massive
21 trucks and I'm wondering, do they get weighed? How
22 do they impact the roads etc.? Because I just don't
23 think they're complying.

24 MARGARET FORGIONE: Right, I'll start and then
25 Eric Beaton can chime in if I've left anything out.

2 So, NYPD does have a unit that focuses on overweight,
3 over dimensional trucks. They have the ability to
4 arrange for weighing as well with portable weigh
5 stations but as you can imagine, that's a tricky
6 operation. You need a lot of space to do it. You
7 need places to pull them over.

8 COUNCIL MEMBER BREWER: I've been talking about
9 it for 30 years, so I'm aware.

10 MARGARET FORGIONE: Yeah, you're very well aware.
11 It's very challenging. What I can tell you is that
12 we have worked very, very well with NYPD on the BQE
13 prior to the way in motion. We had arrangement with
14 them for where they could pull off vehicles and how
15 we could support them with those efforts.

16 So, if you have, I know you see them out and
17 about in your district. If there's certain
18 locations, that would be helpful to have and we can
19 do our best to work with NYPD to see if some
20 enforcement could happen.

21 COUNCIL MEMBER BREWER: My question would be just
22 without belaboring it, more discussion, but it seems
23 to me that they're not getting weighed. I don't know
24 how NYPD is going to be able to keep up with it and
25 my question to you is from your roads, because NYPD

2 is not going to care about your roads. How does it
3 impact? Do you have any sense of how many of them
4 there are? There are very few weighing stations.
5 These things take up an entire block, an entire block
6 not to mention you know tying up traffic. So, my
7 question would be is there weighing going on? Do you
8 have any sense of it? Don't you care because of the
9 road situation?

10 MARGARET FORGIONE: We do care and I'll ask Eric
11 Beaton to elaborate a little bit more.

12 ERIC BEATON: Sure and what we do see is heavy
13 trucks have an outsized effect on because it's our
14 streets right? And we know you know realistically
15 NYPD particularly the operation like this can't be
16 everywhere.

17 COUNCIL MEMBER BREWER: They're nowhere on this
18 topic. Go ahead.

19 ERIC BEATON: We're just very excited that we're
20 able to work with our state legislature to get weigh
21 in motion on the BQE. We know we're stilling showing
22 the results of that but I think that's something that
23 in the future, we'd like to have more automated
24 ability and we'd need to work with our state
25 colleagues to do that.

2 COUNCIL MEMBER BREWER: They're called motion
3 sensors. So, that means that would weigh the truck
4 as it's going through because the BQE is obviously,
5 you have to or the BQE is going to collapse but so
6 you could put on motion sensors. Is that something-
7 I thought with these weigh stations on the highway
8 but these trucks can't fit on those tiny little weigh
9 stations.

10 ERIC BEATON: No, so it's called weigh in motion,
11 which means literally like as they go - they weigh as
12 they go over. There's also a camera that records the
13 number of axils on the truck because the bridge
14 formula is actually based on the number of axils on
15 the vehicle.

16 COUNCIL MEMBER BREWER: Okay, so we don't have
17 that many of these devices right? Just for the BQE?

18 ERIC BEATON: So, we can only enforce on the BQE,
19 the Port Authority and NYZDA(SP?) has had other
20 locations through the years where we've collected
21 data but we only have enforcement ability -

22 PAUL OCHOA: Council Member, specifically, we're
23 only - New York State has only authorized that
24 corridor along Atlantic to Sans and the Governor has
25 proposed as a part of a congestion pricing package,

2 mitigations that would cover the entire state where
3 scales could potentially be installed throughout the
4 -

5 COUNCIL MEMBER BREWER: Oh, it has to pass a
6 state law just like the red light cameras etc. in
7 order to get more. We need to work on that.
8 Alright, thank you.

9 Next question is, I don't know what they're
10 called. The covers, alright, so who is overseeing? I
11 guess it's Quality Assurance. You fix the road or
12 temporarily put down those yellow covers and then my
13 phone rings off the wall because they're not properly
14 placed and then in Manhattan, it goes right up to the
15 23rd floor and they start complaining.

16 So, my question is, who oversees the placement
17 and then maybe drive over it yourself to see if it's
18 properly placed etc..

19 MARGARET FORGIONE: Yes.

20 COUNCIL MEMBER BREWER: 311 calls must be off the
21 charts.

22 MARGARET FORGIONE: Okay, so our Highway
23 Inspection Quality Assurance division does this, so
24 if a utility company has a loose metal plate, a loose
25 utility cover or I think what you're referring to is

2 what we call yellow jackets that aren't properly
3 secured.

4 COUNCIL MEMBER BREWER: Correct.

5 MARGARET FORGIONE: That's up to us to ensure
6 that they're keeping them in safe condition so no one
7 trips over it, plus a non-quiet condition. Any of
8 those we jump on, we're very effective at getting the
9 utility companies out there to address those
10 locations. We issue violations. They're pretty good
11 about responding. One very important thing for metal
12 plates is that they have to be ramped with asphalt to
13 make them smooth. So, if you see any of those -

14 COUNCIL MEMBER BREWER: Believe me, we call in
15 but I'm just saying I'm trying to think of proactive
16 because literally the men, the yellow jackets or
17 whatever the hell you call them, go down, there's -
18 it just - it never seems to work. So, something to
19 suggest so that I don't get the call, 311 doesn't get
20 the calls and you don't get the call. It's just an
21 idea because they are definitely never seem to me on
22 the first try, correct.

23 ERIC BEATON: And Council Member if I may, this
24 is another reason why we don't like Council Member
25 Brannan's bill about resurfacing immediately because

2 we want to avoid those conditions. We want to let
3 utilities do their work ahead of us.

4 COUNCIL MEMBER BREWER: I don't like his bill
5 either. I'll be honest, so I didn't sign on it.
6 Because that's my other question, so you mill and I
7 do think with milling, one other suggestion in terms
8 of the community would be let them know. They think
9 that's the end of the project. They're going to be
10 tripping on it for years. I do think website
11 community communication; we milled on Tuesday. I'm
12 making this up. It will be done in two weeks or
13 whatever. Some general idea. They don't know what
14 milling is. They don't know what's next etc..

15 So, that's a communication issue that I think
16 could be improved. But what is the timing generally
17 between milling? I don't know if that's the same
18 thing is wrap. I always call it milling, I don't
19 know.

20 MARGARET FORGIONE: That's right.

21 COUNCIL MEMBER BREWER: That whole thing needs
22 some improvement. I understand that you need some
23 flexibility on time and that's why I'm not signing on
24 it but you need some help there. Go ahead.

2 MARGARET FORGIONE: Okay. Yes, these are good
3 questions, so first you asked about how do people
4 know what's going on. We have a pretty robust
5 process for informing the community. Every week, we
6 send out notifications to the Community Boards.
7 Often times they do send them out to their lists. We
8 post these schedules about when milling is happening,
9 when paving is happening on our website and then we
10 also give Community Boards like quarterly updates on
11 what to expect that's coming up.

12 If we can do more and better there -

13 COUNCIL MEMBER BREWER: We can talk about it
14 because there are some ideas.

15 MARGARET FORGIONE: And then as far as exactly
16 how long it takes between milling and resurfacing,
17 about one quarter of our projects are done,
18 completely paved within two weeks of the milling and
19 then about 54 percent more are done that third week.
20 So, in a nutshell, 80 percent of roads are completed
21 within a three week time period. So, that's the vast
22 majority and then we have uhm, the rest are mainly
23 one more week, need about one more week. And as
24 we've mentioned in our testimony it's really
25 important that the utilities have an opportunity to

2 come in. Sometimes like leaks, it could be a gas
3 leak, it could be a water leak are detected during
4 that mill stage. It is very important for them to
5 come in and address that. We also had the utility
6 companies come down milled streets and measure for
7 gas. Measure with their instruments to make sure the
8 street is safe and that could also trigger some of
9 that work.

10 COUNCIL MEMBER BREWER: Okay, more communication
11 on that because as the Chair said, everybody
12 complains. You were here last week, now next month
13 is torn up blah, blah, blah. So, any communication,
14 you know it's like talk more about it, that's what I
15 would suggest in general. Thank you.

16 CHAIRPERSON BROOKS-POWERS: Thank you. Next,
17 we'll hear from Council Member Nurse followed by
18 Council Member Narcisse.

19 COUNCIL MEMBER BREWER: Alright, thank you.

20 COUNCIL MEMBER NURSE: Thank you Chair. So,
21 because I was late, I got a chance to read your
22 testimony before I give mine but you mentioned a lot
23 around stormwater management. It's part of your kind
24 of resiliency work, which is really important and
25 great. However, the bill is really primarily focused

2 on heat reduction and you've mentioned that you had
3 conversations with other municipalities and looked at
4 the feasibility of it and I was wondering if you
5 could share on the record some of your takeaways.
6 This is the second time this bill was heard and I
7 went back to the transcript from last year and I
8 realize that actually the person from DOT who
9 testified was thinking of the cool corridor instead
10 of cool pavement. So, we actually haven't really
11 been able - like haven't really had a public
12 conversation about it. So, just to get on the record
13 some of your takeaways from past conversations.

14 MARGARET FORGIONE: Okay and what I would suggest
15 Council Member is that we get together with our more
16 technical team who can best get into all of the
17 details of that with you but you know we very much
18 support reducing the heat and having our agency do
19 whatever our part can possibly be in that area.

20 So, as I mentioned, we are working with DEP. 92
21 miles of porous pavement panels are being installed
22 in various neighborhoods within the city right now.
23 We're working with DEP and Sanitation. It's a
24 multiagency effort to figure out how they will remain
25

2 clean because they have to be able to absorb how they
3 will be tested to make sure they're working.

4 COUNCIL MEMBER NURSE: Which ones are related to
5 heat reduction?

6 MARGARET FORGIONE: I'm sorry. Oh you're talking
7 about heat specifically. Let me mention a few
8 different things then. Thank you. So, a lot of our
9 pedestrian work, our plazas, our new pedestrian
10 spaces are painted. They are painted a light color.
11 That is something that you know will reflect the
12 heat. One thing that we're very aware of while we're
13 talking about this issue is how would the work that
14 we do in the street effect the heat of the
15 neighboring building? Like for example, does it
16 deflect it? Does it reflect it? That is one
17 challenge in this area. That is something that we
18 would like to talk about further. We've looked at
19 more drinking fountains in our public spaces,
20 seating, that can also help with cooling, and you
21 know if we're talking about like a coating on the
22 streets in general, we need to be aware of whether or
23 not that coating reduces the life of the pavement.
24 If we can still mill and pave our streets the way we
25 normally would. So, these are some of the things

2 that we've considered that we would like to talk to
3 you - you know sit down and talk through with you.

4 COUNCIL MEMBER NURSE: Yeah. All the - from what
5 I understand, the treatment is done right as you're
6 resurfacing or as you're already repaving, you put
7 the treatment right on. You could either do it the
8 same day. Some treatments you can wait a few days.
9 You're already there, and so you do it at the time
10 you're repaving anyway, so it would just go on your
11 normal schedule of how you're dealing with repaving
12 the roads.

13 Some of them have been found as I mentioned to
14 extend the life of the asphalt and they're continuing
15 to do studies on that. So, there is quite a bit of
16 research already done. I mean, you mentioned you
17 know there's a lot of research needs to understand
18 how to do this. That's the point of the pilot. You
19 would study four blocks or four areas and conduct the
20 pilot and there's an abundance of research around now
21 available to you all. So, I - you know from what I'm
22 seeing - from what I'm hearing, you're not
23 specifically testifying that you are against the bill
24 but that you would like to work it out. Is that
25 correct?

2 MARGARET FORGIONE: We'd like to - yes, we'd like
3 to talk to you more about it.

4 COUNCIL MEMBER NURSE: Okay, that would be great.

5 So, then I won't ask too many more questions of that

6 and we can do that offline but I do have a separate,

7 one separate question since we are talking about

8 repaving and things like that. When you are just on

9 your normal schedule repaving and you're approaching

10 a set of blocks that you are doing, does DOT

11 proactively consider any new speed mitigation

12 infrastructure and proactively install it? For

13 example, if you are coming up on a series of blocks

14 that you are paving that have had requests, multiple

15 requests for speed bumps and those studies; they're

16 eligible streets but they didn't meet the speed

17 criteria according to DOT. Is this something that

18 you would proactively look at and just say hey,

19 they've studied this before? People have asked for

20 it. Let's just go ahead and put in the speed bump.

21 MARGARET FORGIONE: Yes, so it's an excellent

22 question, so every time we mill and pave it's an

23 opportunity to have a blank slate on the street and

24 so, Deputy Commissioner Beaton works very closely

25 with our resurfacing division to coordinate any new

2 street designs during repaving and in fact, sometimes
3 he'll ask that division, hey, when are you planning
4 on paving so and such a street because we'd really
5 like to have a new safety project.

6 So, we coordinate very carefully and whenever we
7 mark, it's an opportunity to put down a new street in
8 effect. So, that is something we do each and every
9 time. We also - our paving crew is different than
10 our speed hump crew, for reasons probably too tedious
11 to go into. It doesn't make sense to do that at the
12 same time. The speed hump crew comes after the
13 paving crew. The paving crew is just moving, moving,
14 moving. The speed hump crew takes a little bit
15 longer and they have a specialized skill, so they
16 come in afterwards. So, we don't actually have to
17 unite those together. So what I would instead say is
18 if there are roads that you need speed humps, we want
19 to evaluate them as quickly as possible at this body
20 and the Chair is urging, we have been doing more
21 speed humps than we ever have before.

22 CHAIRPERSON BROOKS-POWERS: I want to take a
23 moment and acknowledge the great work. They have
24 gotten a lot better.

2 COUNCIL MEMBER NURSE: I haven't got a single
3 speed bump.

4 CHAIRPERSON BROOKS-POWERS: It could be a five
5 year wait and so we can work together to make sure
6 yours is getting prioritized.

7 COUNCIL MEMBER NURSE: Every time ours get denied
8 and I'm just wondering how we can weave this more
9 proactively into the planning process. If you're
10 already hitting the streets; I understand those are
11 different. I'd love to learn more about those. The
12 units being different and how they could potentially
13 talk to each other, if not already in a very like
14 structured way because if you're already hitting a
15 place, if not a speed bump, then here are the - the
16 speed bump study was failed, fine, here's three other
17 options to reduce speed. Because what the
18 frustration is and I'm sure you hear this all the
19 time, it's just that they're constantly denied. They
20 are constantly denied and you know it would be nice
21 to get a single one in my district up and running.

22 MARGARET FORGIONE: Okay, then let's talk with
23 you separately because if you give us corridors or
24 areas that -

2 COUNCIL MEMBER NURSE: We have but we'll talk to
3 you directly.

4 MARGARET FORGIONE: Right and I would like to
5 hear it myself because what we can do is rather,
6 sometimes the public, they think this is the answer.
7 Maybe we can offer something else that can help
8 address the problem, so.

9 COUNCIL MEMBER NURSE: I mean I think it would be
10 great for when a study fails that you all proactively
11 offer those neighbors uhm, okay it failed? You're
12 saying we can't do a study for x-amount of years.
13 Fine, here's what we can do. So that there's
14 something that lets them know the safety of their,
15 you know the people on the block. It's being
16 carefully considered and that their anecdotal stories
17 about their experience on those blocks are given more
18 weight than necessarily some criteria that is super
19 technical.

20 MARGARET FORGIONE: Understood.

21 COUNCIL MEMBER NURSE: That they don't care
22 about.

23 MARGARET FORGIONE: Thank you.

24 COUNCIL MEMBER NURSE: Thank you. Thank you
25 Chair.

2 COUNCIL MEMBER NARCISSE: Thank you Chair and
3 thank you for being here. You know you're one of my
4 favorite agencies because I have a lot of work. So,
5 uhm, talking about speed bumps, I want to start with
6 this. I have a senior that died recently, January
7 10th and her name is Ester Sealey. So, she was
8 crossing the street, just crossing the street and the
9 car just hit her and she passed. It is unfortunate
10 that we have - and let me honest by looking at the
11 video, I don't think that person was really speeding
12 but it's an unfortunate situation that happen but how
13 we can reimagine those large corners when people are
14 turning, which I was talking to my Chair about that.
15 We have the little bump that we put at the corner,
16 some of the corners. Some of them they shift;
17 they're not steady.

18 MARGARET FORGIONE: A left turn treatment.

19 COUNCIL MEMBER NARCISSE: Left turn. So, can we
20 actually invest in more steady speed bumps at the
21 corner? Which I think I'm going to push for that.
22 Chair, I think we have to work on that seriously
23 because I have visited some other country, which I
24 have seen it and where you have a large corner like
25 this, we don't have a light. Maybe we can consider

2 to have that steady speed bump, not those little
3 flimsy things that can turn. I'm sorry to say that
4 but I have seen them moving all over. So, when we
5 have people crossing the path, are we considering
6 that?

7 MARGARET FORGIONE: Yes and uhm, Commissioner
8 Beaton will elaborate a little bit but so those are
9 our turn calming treatments and Council Member,
10 they're designed not to function as a speed hump. We
11 want cars to go around them rather than over them and
12 we always have to weigh when we install these things,
13 we have to put in devices that won't introduce a new
14 hazard. So, if it was really jarring and if it was
15 directly in the path of a vehicle, they could
16 actually - an injury could take place because of
17 that. So, the devices we have down are designed to
18 have a car avoid them and go around them. If they
19 shift, that's not what we want. We have to go out
20 and repair them in snow season, especially with snow
21 plows, that can sometimes happen.

22 So, maybe we need to look at like different
23 devices or how we're maintaining them but that is the
24 concept of them, so Eric, would you like to add a
25 little bit to that?

2 ERIC BEATON: Yeah, I would just like, we share
3 that goal. We do a tremendous amount of maintenance
4 on these and as we put more and more out, like that
5 is a big part of the work we do is having to go out
6 and maintain them. So, we do look around and look
7 for better materials. If you've seen things, please
8 share them with us and we'll look into them. The
9 thing that's most often a restriction is that we
10 can't attach them to the sidewalk in a way that would
11 block drainage.

12 So, a lot of the things that we might see
13 elsewhere don't work with the way drainage is handled
14 at many of our corners so, but if there's better
15 things out there, we're always-

16 COUNCIL MEMBER NARCISSE: I have some pictures
17 for you. I can show you because whenever I visit any
18 place and I see something working, I want to bring it
19 back to my city because we have to be the best city
20 in the world, right?

21 So, I love that. We can come back to that and
22 we're going to work on that with my Chair. Potholes,
23 what's the operation - sink holes, sorry, not
24 potholes, sink holes. What's the collaboration
25 between DEP and DOT? I would like to see that more

2 because if you have a pothole, I mean a sink hole,
3 the DEP come and do their part, DOT come, and then it
4 seems like you can never get them together on the
5 same page and it takes so long, and by the time they
6 get it, guess what? It's already sinking again.

7 MARGARET FORGIONE: Okay and that is not at all
8 what we would like to happen. We have a very strong
9 relationship with DEP. I have an excellent
10 relationship with my counterpart there. When we see
11 conditions that we think may be due to some
12 underground water situation, they are pretty good
13 about getting out very quickly but as I mentioned
14 earlier, sometimes these are pretty complicated
15 issues. The water may be coming from a house
16 connection. It may be coming from some city
17 infrastructure and sometimes it's hard to detect
18 exactly what is going on but if you are ever seeing a
19 situation where something is delayed and is not being
20 addressed, it is something that we you know, I'd
21 definitely like you to bring to the Borough
22 Commissioners attention or my attention and we will
23 make sure everyone gets out there. They can get out
24 together.

2 COUNCIL MEMBER NARCISSE: And I have something
3 that I need to continue talking and you already
4 before about church lanes in my district next to the
5 cemetery. The Commissioner came with me, did the
6 visit. I'm still not having a solution for church
7 lanes and that's been a problem for decades. We need
8 to address it. We say it's a private street but
9 something that would be done to remap it because
10 those folks can get tickets on that street but yet
11 the DOT, our government not taking responsibility for
12 it. So, something has got to be done and it's icy
13 right now, dangerous in that area.

14 One more, one last thing I'm going to ask. The
15 canopy in our streets, we don't have that in many
16 areas and like the Council Member Nurse mentioned,
17 the temperature is rising, right? We know
18 temperature is rising. That's global warming right?

19 So, how do - any study done to see what's the
20 difference between when you use - I mean, uhm, cool
21 asphalt comparing to regular? And what is the
22 difference in that temperature? Has any data been
23 done?

24 MARGARET FORGIONE: I don't have that off hand.
25 I think other jurisdictions probably have that. So,

2 you're saying like a light color on top of the
3 asphalt versus regular asphalt?

4 COUNCIL MEMBER NARCISSE: Hmm, hmm.

5 MARGARET FORGIONE: I don't have that with me but
6 I'm sure we have access to that information.

7 COUNCIL MEMBER NARCISSE: Alright, thank you.
8 This isn't my hearing; I'm going to leave it alone
9 and we have to reimagine transportation by the way.

10 COUNCIL MEMBER BANKS: Thank you Madam Chair and
11 thank you to the Administration. I have some
12 district related questions, strictly pertaining to
13 the gateway mall area in the 42nd Council District.
14 We, for some reason, none of the streets are
15 regulated. There's no alternate side parking. No
16 street cleaning that takes place and I want to know
17 is if they have planned to regulate the streets?
18 It's been like that for quite a couple of years.
19 Since you know that is the - we've had a lot of
20 development that has taken place on that side of the
21 district and obviously folks are getting used to not
22 having to move their cars but we need the streets
23 cleaned. So, I want to find out exactly what's the
24 plan by DOT to assist or possibly regulate those

2 streets back there, so they can get the alternate
3 side parking?

4 And also two, the streets are in disrepair. We
5 definitely need assistance with having those streets
6 repaired back there all up and down Alton, [INAUDIBLE
7 [01:26:53], Mandela. So we definitely want you to
8 possibly take a look into - see how we can get those
9 streets regulated with street repairs.

10 MARGARET FORGIONE: Thank you for the question.
11 It's a really important question. So, over recent
12 years, we have been working with HPD on this
13 development. The area was built but it is not built
14 exactly to city standards so we have not yet taken
15 those streets. And we could clarify off line exactly
16 what streets we're talking about but we have not
17 taken them into our ownership. So, if there are
18 asphalt repairs that are needed, that is not
19 something we would do if the city doesn't own them.
20 But my understanding is that there is now a contract
21 with DDC to address all of those issues, so then the
22 city can then take them, those streets over. But we
23 can, offline, we can confirm everything with you and
24 then just as far as Sanitation sweeping, they may not
25 do it if the streets are not owned by the city but we

1 can check with them as well but once they are owned
2 of course, that can be discussed putting them in the
3 rotation and then putting up street cleaning
4 regulation.
5

6 COUNCIL MEMBER BANKS: Yeah, we definitely want
7 to have a side bar on that so we can get briefed and
8 just have more conversation on that.

9 MARGARET FORGIONE: Good.

10 COUNCIL MEMBER BANKS: Now, with the
11 implementation of congestion pricing. Has anything
12 budgetarily capital-wise that's been taken into
13 consideration as far as the outer boroughs where
14 there would be more traffic or more stress placed on
15 those communities?

16 MARGARET FORGIONE: Right, so I'll start and then
17 Eric can jump in. So, as part of congestion pricing
18 we of course are working closely with the MTA. We
19 are doing a study of impacts, particular to parking
20 in all of the communities. The ones just on the edge
21 of the congestion pricing zone, but then also ones
22 further afield and we can provide you which
23 communities those are to see how those communities
24 are being impacted. There's also a lot of
25 information being collected on speeds and impacts

2 around you know all the bridges and tunnels and
3 either further afield in the borough. So, I know we
4 don't want to conclude anything from two or three
5 weeks. Over time, that information will be shared so
6 we can understand other districts.

7 COUNCIL MEMBER BANKS: And street maintenance as
8 well. Obviously with the high usage -

9 MARGARET FORGIONE: I see what you're saying, so
10 if there's an increase in traffic in a certain area?

11 COUNCIL MEMBER BANKS: Correct.

12 MARGARET FORGIONE: Agree.

13 ERIC BEATON: If I could just add, as part of the
14 congestion pricing program and part of the law, there
15 was an outer borough transportation fund created
16 that's funded largely by these on TLC vehicles. That
17 fund is controlled and run by the MTA. The city does
18 not have a role in distributing the money but there
19 is a dedicated fund for improving transportation
20 outside of the congestion pricing zone. And if you
21 have ideas, that may be worth discussing with the
22 MTA.

23 COUNCIL MEMBER BANKS: Okay, you know we'll
24 definitely have a side bar conversation on that. The
25 - oh yes, when it comes to bike lanes, there are

2 certain parts in my district where bike lanes have
3 been placed and you know we are all in support of
4 protecting the cyclists, but are there any studies
5 being done once bike lanes have been placed to look
6 at the possible congestion it has caused? I know two
7 particular areas in my district along Fountain
8 between Blake and Newitts and then, which is located
9 in front of a school. It's heavy congestion up and
10 down that street and this is something that didn't
11 exist you know prior to the bike lanes being placed
12 and also along Van Siclen all the way up from
13 Haldeman(SP?) down to I think Stanely and all the
14 areas where there's schools, there's heavy, heavy
15 congestion that never existed before.

16 So, we definitely want to find out what's being
17 done to assess you know how effective placing a bike
18 lane you know as far as also cutting down congestion
19 or just making it more safer for bikers and
20 pedestrians to travel.

21 Is there anything being done or studies being
22 done?

23 ERIC BEATON: Yes, it's an important part of our
24 program that we don't just put in these projects and
25 walk away. We do look at both broad data, you know

2 whether speeds or safety but we do go out and follow-
3 up. We can't be there every hour of every day so if
4 you're saying that there's an issue around the
5 schools, we'll absolutely go back and take a look.

6 COUNCIL MEMBER BANKS: Well, with congestion,
7 with congestion.

8 ERIC BEATON: With congestion.

9 COUNCIL MEMBER BANKS: That wasn't there before.

10 ERIC BEATON: So, we look broadly at the corridor
11 and traffic speeds over the course of the day but
12 that might not tell us that there's something
13 happening at a particular location at a particular
14 time.

15 COUNCIL MEMBER BANKS: Well, it's obvious that
16 with the bike lane being placed, it has caused less
17 space for cars to travel.

18 ERIC BEATON: Yes and we take the congestion
19 seriously. It is one of the things that we look at
20 that and care about but we will go take a deeper dive
21 into those locations that you mentioned.

22 COUNCIL MEMBER BANKS: Well, that's why I think
23 it's important when we talk about bike lane placement
24 that you have strong community engagement when those
25 things are being done because I served on the

2 Community Board, Community Board 5 for close to 12
3 years and I know we probably wouldn't have supported
4 putting in a bike lane in that particular location,
5 knowing the area and the amount of traffic that comes
6 through there. Because now it's been reduced
7 obviously to one lane when it was two lanes before
8 and we also lost parking for our NYCHA residents and
9 the sidewalks.

10 So, hopefully we can get on the record some type
11 of assessment that's done after these bike lanes are
12 placed and the environmental impact that's happened.

13 And just to touch back on speed bumps. We've had
14 multiple speed bumps that have been denied in my
15 district. Also, traffic lights that have been denied
16 and with no other solution. They are just denied but
17 still the homeowners and residents are complaining
18 about the speeding that's taking place on some of
19 these blocks. What's done so if a speed bump is
20 denied on a particular block, is there any further
21 talk about any other type of devices that can be put
22 in place to reduce speeding or is it just a denial
23 and come back to us later?

24 MARGARET FORGIONE: So, speed humps can be denied
25 for a few reasons. One, generally the reason is that

2 we are not finding the incidents of speeding.

3 Another challenge sometimes can be if the street
4 itself has a lot of driveways or other places that
5 make it difficult to place the speed hump. But if
6 the community - especially if we do see speeding and
7 we can't put in a speed hump, we will look to see
8 what other measures potentially could be put into
9 place. There's other traffic calming that we have in
10 our toolbox that we can do that.

11 So, if you know of certain ones yourself -

12 COUNCIL MEMBER BANKS: We can get you those, yes.

13 MARGARET FORGIONE: Get us the list.

14 COUNCIL MEMBER BANKS: And when is a speed cam
15 taken in consideration? Is that an alternative to a
16 speed bump or?

17 MARGARET FORGIONE: Well, we may not - we have to
18 of course be mindful of where a school is situated
19 for putting in a speed camera and then we also need
20 to make sure it's a street. We look at the crash
21 data. We do of course look at the speeds and we
22 usually don't put them; if we're talking about a
23 small side street, that may not be the first place
24 that we're going to put them. So, that is something
25 we would want to have a conversation about.

2 COUNCIL MEMBER BANKS: Please and this is my last
3 question. When it comes to we had gotten
4 notification or correspondence from DOT about a
5 placement of a traffic light on Miller and Lynden
6 Boulevard, which is actually you know, it crosses
7 over to Gershman Park which is heavily, a lot of foot
8 traffic uses that particular route.

9 We have yet to see the device placed, so how long
10 is it going to take? Another year or two?

11 MARGARET FORGIONE: Okay, I will get back to you
12 with the date of that. We have a queue. We do them
13 in order. They go to a contractor. They do take a
14 little bit longer than what we would like but I will

15 -

16 COUNCIL MEMBER BANKS: How long does it normally
17 take?

18 MARGARET FORGIONE: Uhm, it's not years. It's
19 more in the range of a number of months.

20 COUNCIL MEMBER BANKS: So, the study was done.
21 We get notification that it's been approved and that
22 was maybe about hmm, about six months ago, yeah, six
23 or seven months ago.

24 MARGARET FORGIONE: Okay.

25 COUNCIL MEMBER BANKS: So I guess uh -

2 MARGARET FORGIONE: It should be very soon at
3 this point but I will get you the exact -

4 COUNCIL MEMBER BANKS: Well, we need the light
5 there.

6 MARGARET FORGIONE: I understand.

7 COUNCIL MEMBER BANKS: Because there's two
8 schools there and uhm, that's a heavily traffic, foot
9 traffic area to go into Gershman Park and to cross on
10 the other side of Lynden Boulevard. So, we look
11 forward to you paying attention to that and hopefully
12 getting that device there as soon as possible. Thank
13 you Madam Chair and thank you to the Administration.

14 MARGARET FORGIONE: Thank you.

15 COUNCIL MEMBER BREWER: Thank you very much. The
16 Chair is allowing a few more questions and I
17 appreciate it. I know very well about the post
18 congestion pricing study. 18 months, is that what
19 it's going to be? That's what it's supposed to
20 according to the legislation. Is it on track?

21 ERIC BEATON: So yes, we've been working with the
22 MTA but I think what we'd say is we're not going to
23 wait 18 months if we're seeing an issue, right?
24 Like, there can be a full study and report that comes
25

2 out at that point but if we're seeing issues before
3 that, we're going to be ready to respond.

4 COUNCIL MEMBER BREWER: Okay, number two, I was
5 talking about resurfacing. How many streets were
6 resurfaced in '24? How many constructed? And how
7 does this compare to previous years, just generally?

8 MARGARET FORGIONE: As I mentioned earlier, our
9 target is 1,150. In Fiscal 2024, we resurfaced
10 1,176. We always try to have some overage because we
11 hate, hate, hate to lose that, miss that target. The
12 year before in 2023, we did 1,200 lane miles and in
13 2022, we did 1,192, so it's always around there
14 between 1,150 and 1,200.

15 COUNCIL MEMBER BREWER: Alright, that's very
16 helpful and then secondly, in terms of my trucks,
17 obviously you got condition pricing. You're going to
18 pay when you go in as a truck. My fear is bigger
19 trucks mean less fees. So, I'm still concerned about
20 this truck problem. Have you seen - obviously the
21 study will indicate this but do you have a sense of
22 people are using bigger trucks, less fees? That kind
23 of situation.

24 ERIC BEATON: Yeah, it's not something we've
25 particularly observed yet but we're very early in. I

2 think people are still reacting, so it's a good thing
3 to keep an eye on.

4 COUNCIL MEMBER BREWER: Okay and then
5 daylighting. I'm very supportive. Does this take
6 into consideration as you're resurfacing and so on
7 daylighting, in terms of doing it as a project and a
8 plan and a policy?

9 ERIC BEATON: Yeah, so as Commissioner Forgione
10 mentioned, like the resurfacing effort is not you
11 know, it's not embedded with the other things but
12 every time we resurface a street, it goes to our
13 traffic design engineers and they look at that street
14 and see if there's anything else that needs to be
15 done. So, daylighting isn't the only tool but it's
16 one of the tools we can look at as part of that
17 effort.

18 COUNCIL MEMBER BREWER: Okay and it makes things
19 safer, is that true? Or I'm just living with it in
20 complaints and parking spaces?

21 ERIC BEATON: That's a good question because
22 there's actually some nuance to it. What we found
23 and we put a study out just last week is that Harden
24 daylighting, like where we put in a neck down, we put
25

2 in bike racks. We find that to definitely be
3 effective in reducing injuries.

4 COUNCIL MEMBER BREWER: Okay.

5 ERIC BEATON: What we find is we just put up
6 signs. It has essentially no effect and if we do it
7 just sort of universally, we've actually found
8 locations where it has a negative effect. So, we
9 think it's done well, it's positive and we just want
10 to make sure we keep doing it well.

11 COUNCIL MEMBER BREWER: Okay. 79th Street, go
12 ahead.

13 MARGARET FORGIONE: Sorry, one other thing we
14 want to add.

15 COUNCIL MEMBER BREWER: About daylighting?

16 PAUL OCHOA: Yeah, thanks for your advocacy and
17 the Mayor's Office. We've received a new need in
18 just this January plan that was released for more
19 daylighting work, both to the Traffic Planning team,
20 the Transportation Planning team and also our roadway
21 teams who are the ones who are dropping off the
22 Harden daylighting barriers and removing them on
23 repaving operations. So, we did get a new need,
24 which we're very thrilled about.

2 COUNCIL MEMBER BREWER: Right, okay. Two things
3 quickly. 79th Street, can you update me on the
4 construction? I know the Chair has some good lists
5 of major projects. That's one of them, so if you
6 could rotunda update me and second, trees. I have
7 speed humps. I always could use more but I got a lot
8 of them. I got a lot of dead trees. The Parks
9 Department takes forever. Can you get infrastructure
10 money to say trees provide cooling and that would be
11 something that could be included in your
12 infrastructure? Just an out of the box idea.

13 MARGARET FORGIONE: Interesting. So, let's talk
14 about that more and if we can get with Parks and we
15 can strengthen applications to help them, we would be
16 very interested in doing that.

17 COUNCIL MEMBER BREWER: Okay, so in other words,
18 infrastructure could perhaps pay for trees in terms
19 of street repaving blah, blah, blah for heat
20 reduction. Something to think about.

21 MARGARET FORGIONE: Right.

22 COUNCIL MEMBER BREWER: They die.

23 MARGARET FORGIONE: We'll have to see like how
24 where that nexus is and how we could be involved but
25 we'd be interested in exploring that.

2 COUNCIL MEMBER BREWER: Okay and then 79th Street.
3 Do you have any updates?

4 MARGARET FORGIONE: You know what, I don't have
5 that update with me. We can get it to you today.

6 COUNCIL MEMBER BREWER: Great, that's fine.
7 Thank you Madam Chair.

8 CHAIRPERSON BROOKS-POWERS: Thank you Council
9 Member and Commissioner. So, just revisiting a few
10 of the areas that I had already spoken on. I went
11 into touch base on the Columbia Waterfront district.
12 So, has DOT studied whether there are negative local
13 effects, for example, air pollution attributed to
14 these facilities?

15 PAUL OCHOA: Thanks Chair. We've actually
16 received - we've been fielding a lot of comments from
17 the community and the elected officials at all
18 levels. We did see in a couple of occasions dust.
19 On high wind days, dust pile up. We've made a lot of
20 efforts to reduce that. We've done a couple of
21 things. Just, we've wet our piles. That means so it
22 doesn't create dust. We've lowered our piles over 90
23 percent at this point and we've actually moved our
24 piles in ways that they could - any gust wind would
25 not you know blow up any dust. We are monitoring.

2 We are in constant communication with that group of
3 electeds and Community Boards. In fact, Commissioner
4 Rodriguez, Deputy Mayor, Mayor Oshe(SP?) and a couple
5 of us at DOT were just in a meeting with them last
6 week to discuss all the mitigation efforts for this
7 operation. Obviously, the operation is key to the
8 work we do. It is our [INAUDIBLE 01:42:40] crews in
9 concrete recycling but we are monitoring and we are
10 constantly talking to the electeds about any
11 mitigation efforts.

12 CHAIRPERSON BROOKS-POWERS: So, the concrete
13 recycling facility in the Columbia Waterfront
14 District that was moved from the South Brooklyn Army
15 Terminal, it was supposed to be temporary initially.
16 However, local residents have reported concerns about
17 concrete dust being admitted by the facility. Does
18 the city have plans to relocate this facility back to
19 its original location?

20 PAUL OCHOA: It's not going to be back to the
21 original location. The South Brooklyn Marine
22 Terminal is now being used for the wind turbine
23 project, which is obviously very important for the
24 city's electrification goals. We are in active
25 conversation with DCAS about a new site. We hope to

2 secure the new site in the coming months. It would
3 start as a licensing phase moving towards a long term
4 lease in the near future.

5 CHAIRPERSON BROOKS-POWERS: So, the plan is to
6 keep it there?

7 PAUL OCHOA: No, no, we're looking for a new
8 site. Just not the old site because the old site is
9 being repurposed for the wind turbine project.

10 CHAIRPERSON BROOKS-POWERS: And does DOT employ
11 dust mitigation efforts to lessen the negative
12 effects on the local communities?

13 PAUL OCHOA: Yeah, I mentioned the irrigation
14 system. In fact, we're going to have automated
15 sprinklers coming in in the next month or so.

16 CHAIRPERSON BROOKS-POWERS: So you haven't done
17 it yet, you're preparing?

18 PAUL OCHOA: We're doing both. We're using water
19 trucks, just water down the piles. We're lowering
20 the piles but also we're going to have an automated
21 irrigation system that we placed an order about a few
22 months back and we should get it in the next month or
23 so.

24 CHAIRPERSON BROOKS-POWERS: Okay. I want to talk
25 a little bit about the federal funding. So, on

2 November 5, 2021, the US House of Representatives
3 passed the IIJA to invest in the nation's
4 infrastructure including providing funding for roads
5 and bridges, rail transit ports, airports, the
6 electric grid water systems broadband and other
7 priorities. The legislation has provided \$1.2
8 trillion in total spending in over five years,
9 including \$550 billion in new funding. With about
10 half of the total and the new funding going to the
11 United States Department of Transportation, how much
12 funding, how much federal funding from the IIJA has
13 been allocated to New York City to date?

14 PAUL OCHOA: I have the DOT numbers. The city as
15 a whole and City Hall has been leading this effort
16 have been applying for all types of competitive
17 applications. It is usually not just at DOT. EDC
18 may have a project, EEP may have a project, HPD may
19 have projects. So, uhm but in terms of DOT, we've
20 received over \$300 million worth of federal funding.

21 CHAIRPERSON BROOKS-POWERS: Million or billion?

22 PAUL OCHOA: Million, million but this is just
23 DOT. I know for a fact the city has surpassed the
24 billion dollar mark. If we count EDC, actually two
25 billion dollar mark if we count the other parks has

1 also received a good chunk of federal funding. So,
2 actually it's \$2.3 billion that the city has secured.

3
4 CHAIRPERSON BROOKS-POWERS: How much federal
5 funding is being utilized by DOT?

6 PAUL OCHOA: So, a lot of our funding projects
7 were projects that were already underway. So, we've
8 essentially what we do is we replace or displace the
9 city tax funding and we put in federal funding.

10 There are a couple of pilots though that we won and
11 we are in the process of starting. One of the just
12 very pertinent to this topic is our automated paving
13 assessment. Essentially, we are going to be
14 overhauling the way we assess our streets using
15 automated artificial intelligence technology, which
16 we're very excited about. We received about \$4.4
17 million for that grant and that, we are working on a
18 grant agreement at this point. We're going to go
19 through the federal procurement process and we're
20 going to secure a vendor to implement that but it is
21 very exciting.

22 I would say the vast majority of the funding that
23 we've received has already been spent if you will
24 because they've been placed in capital projects.

25 CHAIRPERSON BROOKS-POWERS: Just not all of it?

2 PAUL OCHOA: Not all of it, no because we have
3 other pilots, which is the one I mentioned that we
4 either have started or will start very soon.

5 CHAIRPERSON BROOKS-POWERS: What type of grants
6 has DOT applied for and which have been awarded?

7 PAUL OCHOA: Oh boy, we have like so many
8 different sort of grants. So, we've applied for
9 bridge grants. We've applied for street
10 reconstruction grants. We've applied for pilot.
11 We've applied sort of traffic related grants. The
12 way it worked is, every time there is a NOFO or a
13 notice or I'm sorry I'm blanking on the acronym.
14 Notice of Funding Opportunity, we would look to see
15 what projects in our - that we would want to
16 undertake could fit under that criteria. And then
17 we've been really, really aggressive at applying at
18 all the funding opportunities. We usually have a
19 huddle internally. We come up with ideas, ship them
20 over to City Hall. They would tend to approve and
21 then we would start on the application but its run
22 the gamut from across all our operations I would say.

23 CHAIRPERSON BROOKS-POWERS: Are there any
24 additional grants that DOT expects to be granted?

2 PAUL OCHOA: I think we are all expecting
3 infrastructure grants to continue but we don't know
4 yet. There are some long standing grants that we
5 don't expect they'll be canceled but it's hard to
6 anticipate.

7 CHAIRPERSON BROOKS-POWERS: Okay. How will DOT
8 utilize federal funding to improve and maintain their
9 bridges?

10 PAUL OCHOA: Yeah, most of the federal funding
11 that we received have been on the capital side,
12 meaning we've asked for a lot of funding for our
13 capital projects in our bridges division. That's how
14 we've used the grants because that's how the notice
15 of funding opportunities have come out. Your
16 question is about like improving the way we maintain
17 our bridges? I mean, we improve them by rebuilding
18 them, so I would say that's how we are using the
19 grants.

20 CHAIRPERSON BROOKS-POWERS: Uhm, well when I say
21 that, how do you plan to utilize federal funding to
22 improve it? Like for example, is it to your point,
23 rebuilding a particular part of a bridge? I know in
24 Council Member Farias's district, when we did our
25 transportation infrastructure tour, there's a lot of

2 opportunity there that kind of cap off some of the
3 overpasses there and those type of dynamics. So, I'm
4 trying to see how DOT is envisioning leveraging
5 federal dollars to improve and maintain bridges.

6 PAUL OCHOA: Yeah, one good example of a bridge
7 that we've received federal funding is the Grand
8 Street Bridge. It's a very old bridge. It's over
9 100 years old, is my understanding. It's one of the
10 moveable bridges that we have in our repertoire and
11 it needs a lot of improvement. It is safe but it is
12 the rebuilding of that bridge was part of our Capital
13 Reconstruction Plan and it ended up being a
14 competitive bridge for us to apply and we did get
15 funding for it.

16 MARGARET FORGIONE: And maybe just to add to
17 that, when we approach the condition of our bridges,
18 we always look if we need to fully rehabilitate the
19 bridge or if we can just do what we call component
20 rehab, which is rehabilitation of specific components
21 to give the bridge another 15 years of life or
22 whatever before you would have to replace it. So,
23 things fall in different buckets. Some of it is not
24 a full replacement or rehabilitation. Some of it is
25 and then there are other projects that you are like;

2 when you were talking about if you were referring to
3 the Cross Bronx Expressway. Those are sort of in a
4 separate category. Those are less about state of
5 good repair and they're more about initiatives that
6 will achieve other results. And that would probably
7 follow a different funding path than the first two.

8 CHAIRPERSON BROOKS-POWERS: So, the federal
9 funding wouldn't have been - it wouldn't have been a
10 qualifier for it?

11 MARGARET FORGIONE: No, it potentially could have
12 been, although the Cross Bronx gets you know a little
13 bit interesting because we don't own the Cross Bronx
14 Expressway, the state does.

15 CHAIRPERSON BROOKS-POWERS: Right, the state hmm,
16 hmm. Uhm, and to that point, I imagine that the City
17 DOT and the State DOT are working hand and hand with
18 these applications anyway?

19 MARGARET FORGIONE: Correct.

20 CHAIRPERSON BROOKS-POWERS: Hmm, hmm. How will
21 DOT utilize federal funding to implement more Vision
22 Zero street improvement projects?

23 PAUL OCHOA: I'm pleased to report that our
24 street reconstruction projects have been very, very
25 competitive in securing federal funding. They

2 usually meet every single criteria that the federal
3 government laid out for competitive applications.

4 One of the projects is the Lancey Street, which has
5 received, I believe, a reconnecting communities

6 grant. We've also received funding in our upper

7 Manhattan Greenway, over \$96 million worth of federal

8 funding for that project, so our Street

9 Reconstruction projects, which usually come with some

10 component of a bike lane or pedestrian improvement

11 have been incredibly successful securing federal

12 grants just because they tend to meet other criteria

13 that the federal government is hoping to fund with

14 projects.

15 CHAIRPERSON BROOKS-POWERS: And how will DOT

16 utilize federal funding to implement resiliency

17 upgrades within the city's infrastructure?

18 PAUL OCHOA: Yeah, I mean just in similar ways,

19 Queens Boulevard, one of the reasons, what I - it

20 also received federal funding is because there are

21 components to a lot of our Street Reconstruction

22 Projects. We mentioned porous pavement. I know when

23 we were talking earlier about porous pavement as a

24 cooling effect but what we really use porous pavement

25 is for stormwater management and that fits squarely

2 into the resiliency portion. We've also received
3 funding for planning grants. Snake Road is a good
4 example of a planning grant that we've received. It
5 is not quite ready for a capital implementation
6 grant, what they're called but they are very
7 important for us to really study what a potential
8 solution or what a potential reconstruction or
9 capital project could be in the future. So, we've
10 actually received both types of grants from federal
11 government.

12 CHAIRPERSON BROOKS-POWERS: And how will DOT
13 utilize federal funding to especially now with the
14 change of Administration, implement EV charging
15 infrastructure?

16 PAUL OCHOA: Yes, we - last month to two months,
17 we've been working on securing the grant agreement
18 for us to move forward with the EV charging. A grant
19 that we received. We did finalize the grant
20 agreement like last week I believe so that's going to
21 be moving forward or we hope it moves forward. We
22 have a lot of projects in the pipeline in terms of
23 electric vehicle. Both electric vehicle and
24 micromobility charging are two of the things that
25 we're going to be tackling with federal funding.

2 CHAIRPERSON BROOKS-POWERS: And then how will DOT
3 utilize federal funding to shift reliance on diesel
4 trucks with deliveries to rail and freight?

5 PAUL OCHOA: Yeah, or freight collaboration lab
6 was one of the projects that we seek funding and
7 actually received funding. Eric's freight team has
8 been doing a lot of work thinking that, using either
9 moving them towards blue highways or barging but also
10 exploring new technologies within our roads. I don't
11 know Eric if you want mention anything else but we
12 have - that type of work has also been successful in
13 receiving federal funding.

14 CHAIRPERSON BROOKS-POWERS: And then how will DOT
15 utilize federal funding to implement and improve the
16 green way network in the city?

17 PAUL OCHOA: Ah, so the Manhattan Greenway, which
18 connects the Inwood portion of the division to go
19 around Manhattan was successful in receiving \$96
20 million in federal grants. I know we're working with
21 our partners at EDC and Parks for other funding
22 opportunities on the sort of Harlem side of the
23 greenway but it has been a pretty competitive project
24 for federal funding opportunities.

2 ERIC BEATON: And I would just add on the
3 planning side, we also got a federal grant that let
4 us really take on the next generation of greenway
5 planning around the city. So, the Harlem River
6 Greenway, Queens Waterfront Greenway, Jamaica Bay,
7 like there's a whole set of new greenways that are
8 actively in planning because of that federal grant
9 and we're very excited about that and that's the work
10 we have to do to be able to get the future
11 construction grants and line ourselves up that way.

12 CHAIRPERSON BROOKS-POWERS: And how will DOT
13 utilize federal funding to improve Ferry service?

14 PAUL OCHOA: Actually we receive a lot of federal
15 funding for our Ferry operations. Most of the
16 salaries of our Ferry team is funded through federal
17 funding. We've received actually a couple of federal
18 competitive applications. I think we're improving
19 the CCTV in our Whitehall Terminal. There is a
20 pretty large project that EDC is managing with MOCJ
21 to potentially move Whitehall just a bit. It is in
22 the community stage of the process but the Ferry team
23 and the Ferry projects have also been pretty
24 competitive. Yeah, we had a storage facility
25

2 rehabilitation for \$3 million and then I mentioned
3 the CCTV upgrades that we did on Whitehall.

4 CHAIRPERSON BROOKS-POWERS: When passed, IIJA was
5 expected to increase New York City's federal formula
6 funding by at least \$50 million a year, providing
7 more than \$1 billion in total formula funds to DOT
8 over the next five years. What is the current total
9 of New York City's federal formula funding broken
10 down by year?

11 PAUL OCHOA: Oh I would have to get that to you.
12 I'm sure we can pull that.

13 CHAIRPERSON BROOKS-POWERS: I thought you had the
14 answer.

15 PAUL OCHOA: Hmm, hmm, yeah so we get about \$250
16 million of formula funding every year. That's
17 usually a program in various visions, Ferry takes a
18 good chunk, traffic operations does as well,
19 emergency management, transportation planning. It
20 usually - we program it depending on the type of
21 formula requirements that are set by the federal
22 government.

23 CHAIRPERSON BROOKS-POWERS: Got it and how is
24 this funding expected to change in the out years?

2 PAUL OCHOA: It will not change. We are very
3 hopeful everything will continue to be exactly the
4 same.

5 CHAIRPERSON BROOKS-POWERS: Okay. Going back to
6 my bills starting with Intro. 145. Does DOT
7 currently believe that a color temperature of 3,000
8 Kelvin is appropriate for our city street lights?

9 MARGARET FORGIONE: Yes Chair we do. So, about
10 ten years ago, there was a different standard. We
11 follow standards by the society of illuminating
12 engineers. These are sort of federal guidelines that
13 we use for our lighting and about ten years ago
14 roughly, there was a standard of 4,000 Kelvin, which
15 we started implementing and then around that time,
16 the standard was reduced to 3,000 Kelvin, which of
17 course is like a more yellowish light, less of a
18 glaring type of light.

19 So, in all we have 400,000 street lights out
20 there in the city and about 140,000 still do have the
21 4,000 Kelvin in them but what we plan to do - they're
22 really reaching the end of their useful life. So,
23 rather than try to find tens of millions of dollars,
24 it would be \$65 million in particular to go out and
25

2 replace them. As they burn out, we will replace them
3 with a 3,000 Calvin.

4 CHAIRPERSON BROOKS-POWERS: What are the
5 advantages of color temperature of 3,000 Calvin?

6 MARGARET FORGIONE: Right, so people seem to find
7 the 3,000 Calvin more pleasing and less glaring.
8 However, there are different standards so like if you
9 have a parks ball field, the Calvin will be much
10 higher. It can be as high as I think like 5,000 or
11 6,000 Calvin and that is like a much brighter light,
12 almost like direct sunlight so that people can see
13 better in certain environments but we do agree that
14 the standard, the look of it is appropriate for
15 basically everything that we are lighting in the
16 city.

17 CHAIRPERSON BROOKS-POWERS: Is DOT currently
18 evaluating or considering implementing street lights
19 with a different color temperature at all?

20 MARGARET FORGIONE: At the present time, we are
21 not.

22 CHAIRPERSON BROOKS-POWERS: Going back to Intro.
23 1105, you testified Commissioner that you were
24 concerned that local communities could misinterpret
25 the progress of these projects but I think our

2 communities are definitely more savvy than that. If
3 a project is listed as awaiting community feedback,
4 why would local community members feel like they are
5 not being heard?

6 MARGARET FORGIONE: Even having a project on a
7 list leads a community to feel like our mind has been
8 made up and it's something that we plan to implement
9 when in actuality that isn't the case. There are so
10 many projects we go and we start a conversation about
11 and we start to just say, you know how does this
12 community feel about the conditions on so and such an
13 avenue or a street and get feedback. That's really
14 important to us to try to build the trust of the
15 community and for our planners to really start
16 hearing what the community feels about that street.
17 So, if there's a list that comes out every year that
18 says all the many things that we're thinking about
19 looking at, we enter those communities already having
20 developed like a lot of ill will because they're
21 going to feel that we've already made up our minds.
22 So, we're really reluctant to do that.

23 CHAIRPERSON BROOKS-POWERS: I would argue that
24 even when you don't publish it, people feel like DOT
25 has made up their minds but uhm, you testified that

2 monthly updates would have limited utility due to
3 projects being completed in the last quarter, but
4 that's precisely why we need monthly updates. We
5 want to track the progress of projects even before
6 they are complete. Is this data that DOT has?

7 MARGARET FORGIONE: So, we have information on
8 which projects we are engaging with the community
9 about and then that's pretty much at that point very
10 public information where those projects are and
11 sometimes you know years before anything ever happens
12 we start engaging to have the dialogue. And then
13 we're very clear with communities if we've had a
14 number of meetings usually about a project and the
15 design, we're very clear about like if it is moving
16 into the construction phase, and we formally notify
17 them at that as well. So, those are the kinds of
18 things that we have at a given time.

19 CHAIRPERSON BROOKS-POWERS: So, DOT is tracking
20 and has the information, you saying?

21 MARGARET FORGIONE: Yes, we are working on
22 different projects with communities and we certainly
23 have that information.

24 ERIC BEATON: If I could say, we track the broad
25 status, right? This one is in community engagement.

2 This one is actively being implemented. It isn't
3 something that converts easily into a percentage,
4 where 23 percent of the way for community outreach
5 because you know the amount that is needed is a
6 little bit undoable. It depends how it goes. So, I
7 wouldn't want to say that we have information on like
8 percentage complete for every project that could be
9 provided and frankly, we're not sure how we would
10 convert some of these things into percentages
11 appropriate for a monthly update.

12 CHAIRPERSON BROOKS-POWERS: Commissioner, you
13 testified that the Streets Plan was negotiated to
14 include an annual February update. It was also
15 negotiated to include many mandates, which have not
16 been fulfilled. If DOT cannot meet those mandates,
17 then we need DOT to be more transparent about its
18 project pipeline so that we can better understand the
19 bottleneck preventing these projects from being
20 completed. And as I mentioned earlier in the
21 hearing, that's where this Committee's concern lays,
22 is that one part of it is that DOT is not meeting the
23 mandates but more so, that DOT is not communicating
24 with us or being transparent as to why they're not
25 meeting the mandates, where the bottlenecks are. So,

2 we have no real line of site. We just know that we
3 have to wait till February to be told we're not
4 meeting our mandate. And so, in order to make sure
5 that the Streets Plan is successful, we think having
6 greater transparency and greater frequency would be
7 most helpful and useful to making sure that we're
8 meeting these goals. And I haven't heard in any of
9 the responses today how the Department of
10 Transportation is working to not only meet the goals
11 for this past year but how they plan on catching up
12 for being behind for several years now.

13 And you know I just want to on the record
14 emphasize the Streets Plan is a top priority of this
15 Committee. We fully expect the DOT to comply with
16 the law and we have continued to extend ourselves to
17 work in partnership with DOT to try and iron out
18 whatever those challenges may be that the agency has
19 met with to meet the goals. Because the question
20 becomes, were the goals not realistic in the first
21 place? Why DOT is not meeting the goals, which I
22 know that Commissioner Rodriguez wouldn't say that
23 because he was a part of one of the sponsors for it,
24 right?

2 So, help us as a Committee help DOT in achieving
3 the goals of this law. And so, I'm looking forward
4 to having further conversations on my bill that I am
5 looking forward to moving forward so that we can see
6 a better outcome from the goals established in that
7 law.

8 And so, with that being said, I do not have any
9 more questions. I thank you for your patience and
10 your participation today.

11 MARGARET FORGIONE: Thank you Chair.

12 CHAIRPERSON BROOKS-POWERS: Thank you.

13 MARGARET FORGIONE: We appreciate it.

14 CHAIRPERSON BROOKS-POWERS: I now open the
15 hearing for public testimony. I remind members of
16 the public that this is a government proceeding and
17 that decorum shall be observed at all times. As
18 such, members of the public shall remain silent at
19 all times. The witness table is reserved for people
20 who wish to testify. No video recording or
21 photography is allowed from the witness table.
22 Further, members of the public may not present audio
23 or video recordings as testimony but may submit
24 transcripts of such recordings to the Sergeant at
25 Arms for inclusion in the hearing record.

2 If you wish to speak at today's hearing, please
3 fill out an appearance card with the Sergeant at Arms
4 and wait to be recognized. When you are recognized,
5 you will have two minutes. You will have two
6 minutes. You will have two minutes to speak on
7 today's hearing topic.

8 Oversight DOT Capital Planning in the future of
9 street repair, Intro. Number 145, a Local Law to
10 amend the Administrative Code of the City of New York
11 in relation to placing a cap on the correlated color
12 temperature of new and replacement street lights.
13 Intro. Number 552, a Local Law to amend the
14 Administrative Code of the City of New York in
15 relation to the street resurfacing timeline. Intro.
16 Number 928, a Local Law in relation to requiring the
17 Department of Transportation to conduct a pilot
18 project on the use of pavement.

19 Intro. Number 1105, a Local Law to amend the
20 Administrative Code of the City of New York in
21 relation to tracking progress made towards the
22 requirements of the Streets Master Plan. Intro.
23 Number 1114, a Local Law to amend the Administrative
24 Code of the City of New York in relation to requiring
25 the Commissioner of Transportation to create an

1 COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE 109
2 online capital project tracker. Intro. Number 1160,
3 a Local Law to amend the Administrative Code of the
4 City of New York in relation to repainting a pavement
5 marking line.

6 If you have a written statement or additional
7 written testimony you wish to submit for the record,
8 please provide a copy of that testimony to the
9 Sergeant at Arms. You may also email written
10 testimony to testimony@council.nyc.gov within 72
11 hours of this hearing. Audio and video recordings
12 will not be accepted.

13 We will now call the first panel. Jean Ryan,
14 Michael Capasso, Michael Acevado(SP?), Michael Ring
15 and Christopher Johnson.

16 Jean, you can begin when you are ready, just turn
17 on your mic please.

18 JEAN RYAN: Hi, I'm Jean Ryan, President of
19 Disabled in Action of Metropolitan New York and I am
20 a wheelchair user. We have members with all kinds of
21 disabilities. I am submitting a longer version of
22 this testimony online.

23 We are in favor of the bills being presented
24 today. Pedestrian ramps and sidewalk safety: The
25 pace is too slow to make new pedestrian ramps and to

2 fix the remaining ones that are broken and or too
3 steep, yet they are all over; the broken ones.

4 Despite my complaints, the crossing between 2
5 Broadway, which is MTA headquarters and Bowling
6 Green, has a boulder in the crosswalk and the whole
7 crossing needs to be redesigned because people in
8 wheelchairs and blind people are unsafe. We're
9 falling off the curbs there. We don't know where to
10 go.

11 The sidewalks on both sides of Shore Road and Bay
12 Ridge Brooklyn are mostly impossible with raised
13 [INAUDIBLE 02:11:02] and poor repair and no access to
14 and from the sidewalks.

15 Trees are lifting up the sidewalks all over the
16 city with no action. DOT and Parks need to get
17 together on this or I suggest DOT use an arborist and
18 fix the sidewalks themselves. They become like steps
19 and then wheelchair users can't get down the
20 sidewalk, and it's a tripping hazard for everybody
21 else.

22 Inaccessible bus stops: It's unbelievable that
23 there are quite a few inaccessible bus stops and they
24 continue year after year. Why? Some are on Shore
25 Road and Bay Ridge and also on 86th Street and

2 Bensonhurst. Brooklyn under the L, Staten Island has
3 some too.

4 Outdoor Dining: We are glad that the mostly
5 inaccessible sheds are gone but with the new outdoor
6 dining plan, we are against any inaccessible set ups
7 with a ramp because it usually means we won't be
8 dining there.

9 That happened even on a DOT tour of a prototype.
10 Scooter rental: The scooters are being littered all
11 over the sidewalks. I'm calling it scooter litter
12 and it's not right and there's no sound on the
13 scooters.

14 APS and Daylighting: Some accessible pedestrian
15 signals are too quiet to hear and until all are done.
16 Blind people say they are minimally useful in new
17 places because how do you know they are there?
18 Daylighting isn't mandatory all over in New York City
19 but that doesn't mean that DOT can't do more. In my
20 neighborhood in Bay Ridge Brooklyn, cars turn so
21 sharply and so close to the curb that crossing the
22 street is a safety gamble. When I go to or from my
23 family -

24 CHAIRPERSON BROOKS-POWERS: If you could wrap up
25 please.

2 JEAN RYAN: Yeah, I worry every time that I will
3 be hit by a turning car. Preventing the loss of life
4 is worth way more than a few parking spaces. Thank
5 you.

6 CHAIRPERSON BROOKS-POWERS: Thank you.

7 MICHAEL CAPASSO: Good morning. Thank you for
8 having me Council Chair Brooks-Powers. I'm just here
9 to talk about the wrap content that the First Deputy
10 Commissioner of DOT discussed in producing hot mix
11 asphalt for the City of New York, and that green
12 asphalt can in fact produce 100 percent recycled
13 asphalt to provide to the city, which would reduce
14 the cost to New York City DOT and afford them the
15 opportunity to increase their lane mileage output per
16 year from their target of 1,150 lanes miles by 25 to
17 30 percent. And we will submit written testimony
18 based on that within 72 hours as you instructed
19 before.

20 She pointed out that at the Harper Street Plant,
21 they manufactured 35 percent recycled and at the
22 Hamilton Plant 40 percent and we in fact recycle 100
23 percent.

24 And at the four producers, private producers that
25 supply to New York City DOT, she used an estimated

1 range of 20 percent recycled to 40 percent recycled,
2 and again reminder in fact we could do 100 percent
3 recycled, all while meeting the performance standards
4 of the New York State specifications and the New York
5 City DOT specifications and we're just looking for an
6 opportunity to provide that benefit to the City of
7 New York while reducing carbon footprint emissions
8 all at the same time. Thank you.

10 CHAIRPERSON BROOKS-POWERS: Just a quick question
11 because this is the question I asked the Commissioner
12 also. Wanting to understand how the recycled asphalt
13 could help extend I guess the lifeline of the road.
14 So, you're saying now 100 percent where she was
15 saying 50 percent. Does the recycled asphalt have
16 the strength to be able to extend the life of the
17 roadways that there are?

18 MICHAEL CAPASSO: The testing requirements that
19 we use on the 100 percent recycled are identical to
20 the testing requirements that New York City DOT uses.
21 So, the lifespan is the same.

22 CHAIRPERSON BROOKS-POWERS: Thank you. Mike, I
23 realize there's three of you up there, three Mike's.

24 MICHAEL RING: Welcome to my world. It's all
25 Michaels. My name is Michael Ring. I'm Vice

2 President of Disabled In Action for anyone who needs
3 a verbal description of my appearance. I'm a 61-year
4 old White guy that needs to shave more than usual and
5 I'm wearing a blue hoodie.

6 I'd really like to reiterate what Jean said about
7 the scooters. When we met with the scooter operators
8 way back before COVID, they were talking about little
9 parking spots that they'd have for them. They even
10 mentioned like the thing next to the ice machine at
11 the bodega. They were going to pay the bodega owners
12 money so they can use a little bit of sidewalk and
13 require people who rent the scooters to return it to
14 a good spot that people won't trip over them.

15 I don't live in a neighborhood where there's
16 scooters but when I go to those parts of Queens or
17 the Bronx, it is litter. It's hard to walk down the
18 street. Also, while I'm here, I hate to switch into
19 the complaining mode from being an advocate but I
20 live on the corner of 8th and Union in Park slope and
21 it has become the wild west. 8th Avenue is a one way
22 street. Cars are continually making a right turn
23 from the left lane because there's gridlock, people
24 going through the lights all the time. I walk out of
25 my way to avoid crossing that intersection and the

2 big culprit of it is a car rental agency on union
3 street that fills the sidewalk with their inventory
4 and they use the travel lane on Union Street to store
5 all their vehicles because they don't have enough
6 staff to get them into the car rental place.

7 This morning I made a 311 complaint. There was
8 seven cars with no one in them in the right lane of
9 Union Street and a car parked on the sidewalk. So,
10 anyone on the sidewalk had to walk on the ice or in
11 the street to get passed it.

12 CHAIRPERSON BROOKS-POWERS: On that point, did
13 you do a 311 for it?

14 MICHAEL RING: Today and 50 times in the past
15 year.

16 CHAIRPERSON BROOKS-POWERS: So, I would just
17 suggest and this is how I handle my office, I always
18 have my constituents reach out with the 311 so that I
19 can then follow up with DOT. If this is something
20 that's persistent that is more of a global issue,
21 then before you leave, you can talk to a member of
22 the Committee staff so we can look into it a bit
23 further but going back to you and Jean's point in
24 terms of the scooters and how they're kind of
25 littered. Like, this is something that I hear in

2 Southeast Queens pretty often and either you or Jean
3 can answer this question. In terms of the corrals,
4 DOT has been pushing the corrals thinking that that
5 would be a fix to seeing them kind of scattered all
6 over the place. From the disability communities
7 perspective, would that be effective? Would that
8 address those concerns? Are there any concerns that
9 you have?

10 MICHAEL RING: If the scooter rider were required
11 to use it. I mean, I have kids. They use the
12 scooters, they're great but there's no reason for
13 them not to just stop and lean them on a wall outside
14 the subway entrance and it's going to fall over.

15 JEAN RYAN: We had asked for -

16 CHAIRPERSON BROOKS-POWERS: The mic please.

17 JEAN RYAN: We had asked for geo fencing they
18 call it. We met with DOT for one year.

19 CHAIRPERSON BROOKS-POWERS: I believe the geo
20 fencing -

21 JEAN RYAN: And the manufacturers of the
22 scooters. DOT and the scooter manufactures were our
23 monthly meetings and I feel like - we all feel like
24 we didn't accomplish anything. We kept pushing for
25 safety and they kept saying well, we come around with

2 people and we pick them up. Well, that doesn't do
3 any good if you're there and you're trying to get on
4 the curb cut and the scooter is there. Nobody is
5 going to help you at the moment and they said, oh the
6 technology isn't good enough but they can set the
7 technology so you can't take a scooter now and throw
8 it in the Bronx River because people were doing that.
9 So, I think they have the technology and they just
10 don't want to spend the time on doing it because we
11 heard about people in Europe. They prevent them from
12 -the scooters from going to like places where there
13 are a lot of pedestrians or a park or something like
14 that. Are they preventing the scooters from going
15 into parks in the neighborhoods that they're in even
16 now? Because they could do that.

17 So, we just think, we're not against scooters, we
18 just think it's such a mess now and the people are
19 just leaving them all over and riding them on the
20 sidewalks and they don't make any sound and we
21 complained about that every month too. And there
22 were blind people on that meeting with DOT also but
23 it's not just blind people who can't hear the
24 scooters, nobody can and if they're behind you,
25 you're never going to see them. So, why can't they

2 make a noise that you know not a loud noise but
3 enough so that you can hear them and you know that
4 they're there and then they should not ever be on the
5 sidewalks. We don't think they should be parked by a
6 bodega either. They should be in the curb; you know
7 by the curb.

8 CHAIRPERSON BROOKS-POWERS: So the corrals you
9 think is better, a better solution?

10 JEAN RYAN: Yes, yes.

11 CHAIRPERSON BROOKS-POWERS: Okay, thank you.

12 JEAN RYAN: You're welcome.

13 CHAIRPERSON BROOKS-POWERS: Mike three. No,
14 press the button.

15 MICHAEL ACEVADO: I'm sorry. I'm a Manhattan
16 resident in Chelsea. I'm with 27th and 6th. There's
17 a building, I mean a facade that's for construction
18 that has never been started. There's nothing at the
19 site. You have to go in the gutter to go around and
20 the DOT I was told was responsible and they're not
21 there. There's no signs up or nothing. It's a core
22 street from the hotel venti. It's on 6th Avenue and
23 I have pictures; unfortunately you won't let me show
24 you but the problem is it's been over two years and
25 there still doing nothing. There's no signs up,

1 nothing and it goes into the gutter and when they go
2 by, water goes in there and if it's not in the right
3 spot, the water stays there. And you know, just not
4 me with my walker or someone with a wheelchair,
5 anybody going by can get wet. So, that's the issue
6 and you know the bikes and everything but she's
7 right, they should have made horns. You don't know
8 they're coming. I almost got hit a couple of times
9 already in the gutter with those bike, e-bikes,
10 whatever they are. That's the issue also.

12 Going down Chelsea on 6th Avenue, those bikes
13 speed like SOB's, so she's right. Something has to
14 be done. They have to have a horn or something that
15 you know you accidently step off and boom you know.
16 So, the bike thing they should have to do something
17 with too. A horn or something because they scream at
18 you and curse at you, so that's the issue also, the
19 bikes.

20 CHAIRPERSON BROOKS-POWERS: Thank you.

21 MICHAEL ACEVADO: You're welcome. Chris.

22 CHRISTOPHER LEON JOHNSON: Yeah good morning,
23 good afternoon. My name is Christopher Leon Johnson.
24 I'm here to show opposition to Intro. 1105 introduced
25 by Council Member Julie Won. Everybody know that

2 Julie Won was the one that got sent by Trans All to
3 introduce the bill. The only reason they made you
4 the prime sponsor is because a lot of people are
5 scared of you and they don't want to cross you, so
6 they made you prime sponsor of the bill that they do
7 with Farah Louis and Council Member Williams, to
8 introduce bills to make sure people don't really
9 oppose them because of retaliation.

10 But I want to make this clear about the Intro's,
11 about Intro. 1105 is that this is nothing but a sham
12 bill just about data instead about real action. The
13 reason Eric Adams does not want to really implement
14 the Street Masters Plan is because of his donors that
15 don't really want these bike lanes and bus lanes,
16 especially on Flatbush Avenue and they don't want
17 delivery hubs right outside City Hall and especially
18 on upper west side where the power from upper west
19 side constituents went against the deliveries hub.
20 That's really introduced by Worker Justice project.
21 Let's make this clear that Eric needs to be endorsed
22 by Streets Pack. I'm calling on Eric McClure and
23 what's his name? John Warcutt(SP?) to endorse Eric
24 Adams for the Streets Pack endorsement. If you don't
25 endorse him for Streets Pack for reelect for Mayor

1 COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE 121
2 for 2025, you're not going to get your Street Masters
3 Plan. You guys are back at Brad Lander for
4 reelection for Mayor, you have to endorse Eric Adams
5 number one. I'm not here to really endorse - uhm,
6 this is my time to speak okay. This is my time to
7 speak okay.

8 CHAIRPERSON BROOKS-POWERS: Please keep going.

9 CHRISTOPHER LEON JOHNSON: Yeah okay but I'm not
10 here to endorse a candidate but this is my advice to
11 cut and Eric McClure of Streets Pack endorsed Eric
12 Adams for Mayor ranking number one.

13 CHAIRPERSON BROOKS-POWERS: Bring it back -

14 CHRISTOPHER LEON JOHNSON: No, no, no, you'll get
15 your Street Masters Plan. You'll get your Street
16 Masters Plan. You'll get your Street Masters Plan.
17 I understand you guys want this stuff. I'm not
18 totally against Street Masters Plan but the only way
19 you're going to get your Street Masters Plan, endorse
20 Eric Adams, rank him number one. Thank you so much.
21 Enjoy your day.

22 CHAIRPERSON BROOKS-POWERS: Thank you. Now,
23 we'll go online to Glen Bolofsky followed by Philip
24 Miatkowski, and I apologize Philip if I messed up
25 your last name.

2 SERGEANT AT ARMS: You may begin. Glen, you're
3 unmuted. It doesn't look like he's on.

4 CHAIRPERSON BROOKS-POWERS: Okay, we'll go to
5 Philip Miatkowski and followed by Miriam Fisher.

6 SERGEANT AT ARMS: Yeah, you may begin. You're
7 unmuted.

8 PHILIP MIATKOWSKI: Thank you to Chair Brooks-
9 Powers and members of the Transportation and
10 Infrastructure Committee for holding today's hearing.
11 My name is Philip Miatkowski and I'm the Interim
12 Deputy Executive Director at Transportation
13 Alternatives. We are the keeper of safe and
14 equitable streets across the five boroughs.

15 TA strongly supports Intro. 1105, which would
16 require DOT to publicly track progress on a monthly
17 basis made towards the Streets Hub. New York City
18 Streets Plan is a guiding document for New York
19 street improvements and yet the city continues to
20 fall short of meeting the legal requirements. With
21 transparent and clear information on the Streets Plan
22 progress, everyone can see the status of urgent
23 lifesaving improvement projects and hold DOT
24 accountable of legal requirements.

2 Currently New Yorkers are forced to rely on a
3 bike lane tracker graded from the volunteer advocate
4 who bikes the city in a pre-time instead of an
5 official, not from the city. We also strongly
6 support Intro. 1114, which requires a public online
7 tracker for DOT's Capital project. New Yorkers
8 deserve to know what capital projects are in the
9 works whether they are on time, reasons for delay and
10 when they can expect to see lifesaving improvements
11 in their neighborhoods.

12 We also would strongly support an amendment to
13 the bill to increase tracking of all DOT projects
14 presented to community ports.

15 These two bills will increase transparency and
16 public accountability and we hope the Council passes
17 them quickly. Additionally, TA supports Intro. 552
18 which sets a two week deadline for street
19 resurfacing. Intro. 145, which caps the correlated
20 color temperature of street lights. Intro. 928,
21 which creates a pilot for using cool pavement and
22 Intro. 1160, which sets a one week deadline for
23 repainting pavement markings.

24 Finally, in the upcoming budget season, the city
25 must further ensure -

2 SERGEANT AT ARMS: Thank you for your testimony.
3 Time has expired.

4 CHAIRPERSON BROOKS-POWERS: Thank you. Next,
5 we'll hear from Miriam Fisher followed by Caleb
6 Smith.

7 SERGEANT AT ARMS: You may begin.

8 MIRIAM FISHER: Good afternoon. In our
9 commitment to improve bus service, we always forget
10 to include improvements in bus stops where people
11 wait. This has already been mentioned this
12 afternoon. In some boroughs, subways don't extend to
13 the outer region. People are dependent on buses to
14 work, medical appointments, personal recreation,
15 social connections. We have 15,000 bus stops in New
16 York City but only 20 percent have shelters and only
17 17 percent have benches.

18 The worst statistics are in the poorer
19 neighborhoods, especially parts of Queens and the
20 Bronx. For people with disabilities, the seniors,
21 this presents another difficulty in transportation.
22 Edmund Asiedu, ADA coordinator for the DOT informed
23 me that the DOT is installing benches at bus stops in
24 all five boroughs. Great but that doesn't directly
25 address shelters, which we all need from bad weather,

1 heat, snow, heavy rain. It's hard for anyone to wait
2 in the snow for 20 minutes for the next bus and with
3 climate change more extreme weather is expected.

4 I presented the need for improved bus stops in
5 December at Manhattan Community Board CB4 for
6 Transportation Committee, which is my district. Got
7 a vote of 100 percent support. CB4 sent a letter
8 January 13th to Ed Pincar at DOT, Demetrius Crichlow
9 of the MTA and Edmund Asiedu at DOT.

10 CB4 concentrated on specific stops on West 23rd
11 Street. It's all detailed in the letter, including
12 seats with back support for those with spinal
13 disabilities like myself. In CB4, there was a
14 growing population of seniors, many with disabilities
15 including a [INAUDIBLE 02:29:48], which has hundreds
16 of residents with -

17 SERGEANT AT ARMS: Thank you for your testimony.
18 Your time has expired.

19 MIRIAM FISHER: Okay, thank you for listening.

20 CHAIRPERSON BROOKS-POWERS: Thank you. You could
21 submit an extended testimony via email if you have
22 anything further to add. Caleb Smith.

23 SERGEANT AT ARMS: You may begin.
24
25

2 CALEB SMITH: Good afternoon Committee Chair
3 Selvena Brooks-Powers and Committee on Transportation
4 and Infrastructure. Thank you for the opportunity to
5 testify in support of Introduction 928.

6 My name is Caleb Smith, Resiliency Coordinator at
7 We Act For Environmental Justice. We Act for
8 Environmental Justice, a community based organization
9 headquartered in Harlem at the city, state and
10 federal level for more than 30 years. We ask theory
11 of change empowers environmental justice communities
12 to build healthy neighborhoods by ensuring that they
13 are full of color and low income meaningfully in the
14 creation of sound and fair environmental policies.

15 As global temperatures continue to shatter
16 records, New York City must take every opportunity to
17 defend against extreme heat impact. New Yorkers are
18 especially vulnerable with 83 percent, that's 7.2
19 million people of the population exposed to the urban
20 heat island effect. Generations of policy decisions
21 have caused communities of color to live in the
22 hottest parts of the city. Black New Yorkers are
23 twice as likely to die from heat related illness
24 compared to white residents and the EJNYC report
25 found that environmental justice areas have access to

2 19 percent less accessible green space than other
3 neighborhoods. Cool pavement is a critical form of
4 green infrastructure that can provide direct relief
5 to neighborhoods with limited practical canopy.

6 Pavement from a lower surface temperatures, improve
7 thermal comfort, energy savings, decrease dimension,
8 mall production and mitigate damage to local water
9 sheds.

10 Introduction 928 lays the foundation for us to
11 convert streets that currently exacerbate the urban
12 heat island effect and the climate mitigation. It is
13 necessary and cost effective multi-hazard mitigation
14 but not overlooked. Findings from this pilot will be
15 instructive to improving heat health equity
16 throughout New York City. We support the passage of
17 this bill with equity in mind. Thank you.

18 SERGEANT AT ARMS: Thank you for your testimony.

19 CHAIRPERSON BROOKS-POWERS: If we have
20 inadvertently missed anyone that has registered to
21 testify today and has yet to have been called on,
22 please use Zoom hand notification if you are
23 testifying remotely and you will be called on in that
24 order if your hand is raised. If you are testifying

2 in person - okay, we have Andrew Rigie followed by
3 Glen Bolofsky.

4 SERGEANT AT ARMS: You may begin. Andrew, you
5 are unmuted.

6 ANDREW RIGIE: Thank you so much. Good afternoon
7 Chair. Sorry I'm not there in person and members.
8 My name is Andrew Rigie. I am the Executive Director
9 of the New York City Hospitality Alliance. We
10 represent restaurants and bars across the five
11 boroughs. I am submitting comments on Intro. 552.
12 You've received my written comments but just from a
13 high level, I wanted to say we think it's a good bill
14 on street resurfacing, giving notice but we do have
15 some amendments to help reduce some of the burdens
16 that street resurfacing can cause for small
17 businesses, like restaurants. For example, it could
18 close their outdoor dining, particularly with the new
19 roadway dining program. It can impact and reduce
20 foot traffic, create delivery issues and all this can
21 also add up to reducing hours for workers.

22 So, we have a few points we think the bill should
23 be amended just to strengthen it. One, instead of
24 the two week notice for resurfacing, we think
25 providing one month notice would be better. It gives

2 businesses more time to adjust their operations.

3 There should be a requirement that the agencies

4 coordinate between the resurfacing and the city's

5 roadway café program to help prioritize, minimizing

6 any disruptions. For example, we have a seasonal

7 roadway café program. Restaurants can set up there

8 street structures in April. It would be a real shame

9 if they go through the time, the large expense,

10 setting up the roadway café in April to only be told

11 a month later that they're going to resurface the

12 street and they have to remove it and store it again.

13 So, we think that you know they should prioritize

14 doing them in the off season when possible to make

15 you know these disruptions or if they are going to

16 resurface mid-April or in May, at least tell the

17 restaurant that say in March, so they don't set

18 everything up in April just to have to take it down

19 you know a month or a few weeks later and go through

20 the headaches and all that expense.

21 SERGEANT AT ARMS: Thank you for your testimony.

22 Time has expired.

23 ANDREW RIGIE: Restaurants are paying for the

24 sidewalk café or the roadway café consent fees. When

25 there's road resurfacing going on, they should get a

2 prorated refund for those fees when it's not
3 operational. Thank you.

4 CHAIRPERSON BROOKS-POWERS: Thank you. Next,
5 we'll hear from Glen Bolofsky.

6 SERGEANT AT ARMS: You may begin.

7 GLEN BOLOFSKY: Thank you. Can you hear me out
8 there?

9 CHAIRPERSON BROOKS-POWERS: Yeah, we can hear
10 you.

11 GLEN BOLOFSKY: Alright, good afternoon Madam
12 Chair and Majority Whip Selvena Brooks-Powers. How
13 are you today? I want to thank you and the Committee
14 behind you, the Transportation and the legislative
15 staff and all the people who are going to making this
16 first - it's the first hearing of the new year, so I
17 want to complement you for bringing this to
18 everyone's attention and these terrific bills that
19 will help improve the quality of life for all of us.
20 So, thank you and that is my testimony today.

21 CHAIRPERSON BROOKS-POWERS: Thank you Glen. I'm
22 sorry, you all were [INAUDIBLE 02:36:03] and I
23 apologize. We went to the virtual but thanks for
24 being a part of today's hearing. So, with that being
25 said and I believe everybody's hearts and minds are

2 clear. We are going to go ahead and gavel out of
3 this hearing. I just want to thank everyone who took
4 part today in testifying and being a part of this
5 conversation that I think is very important. And
6 with that, this Committee is adjourned. [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 JANUARY 29, 2025