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Antony Wong, *Treasurer*  
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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

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September 25, 2015

Margaret Forgione  
Manhattan Borough Commissioner  
NYC Department of Transportation  
59 Maiden Lane, 35<sup>th</sup> Floor  
New York, NY 10038

Comptroller, Scott Stringer  
Office of the Comptroller City of New York  
One Centre Street  
New York, NY 10007

Dear Manhattan Borough Commissioner Forgione and NYC Comptroller Stringer:

At its Full Board meeting September 24, 2015, Community Board #2, adopted the following resolution:

### **Resolution in support of Comptroller Scott Stringer's ClaimStat Report on Defective Roadways.**

**Whereas** Andrew Kalloch, Deputy Policy Director for NYC Comptroller Scott M. Stringer, presented the Comptroller's recently released ClaimStat Alert addressing claims on personal injury and property damage from defective roadways, much of this caused by potholes and also other roadway damage such as cracked streets and sinkholes; and

**Whereas** ClaimStat Alerts were created by the Comptroller's office as a data-driven approach for analyzing claims reported to the office in order to "identify patterns and practices that lead to lawsuits against the City... to flag troubling patterns as they occur" (<http://comptroller.nyc.gov/reports/claimstat/>); and

**Whereas** this ClaimStat report covers defective roadway claims for the last six fiscal years (July 1, 2009-June 30, 2015) which in total cost New York City over \$138 million; and

**Whereas** within that time there have been over 12,000 claims for car and truck damage and nearly 6,000 personal injury claims, with the highest number of trip and fall claims (1,832) occurring in pedestrian-heavy Manhattan; and

**Whereas** the data provided by this ClaimStat Alert can serve not only as a guide for saving the City money, but also as a valuable tool to direct NYC Department of Transportation (DOT) actions and resources to areas in need of repair and remediation, while also helping to establish priorities; and

**Whereas** DOT has laudably initiated steps to improve pothole maintenance, such as weekly pothole blitzes, targeted repaving, material enhancements, and testing of rubberized asphalt and other surfaces for greater resistance, but the Comptroller's office suggests additional steps that may help avoid damaging road impacts, including re-evaluation of DOT protocols to ensure proper restoration after utility/street work, quicker sequencing between milling and repaving, and particularly consideration of complete reconstruction of some streets rather than piecemeal patching, for a longer-lasting, more cost-effective solution; and

**Whereas** this ClaimStat report indicates that 2011, 2014 and 2015, the years in the study with the greatest snowfalls, had the greatest number of claims, suggesting a correlation between heavy snows and ensuing potholes, and future profusely snowy winters are anticipated entailing preparation to minimize damage; and

**Whereas** although it is shown that more pedestrians have been affected with personal injury than other transportation modes, the report does not have a breakdown of the specific number of pedestrians affected or between pedestrians, autos and other transportation modes, which could help assess areas and types of needed repair;

**Therefore be it resolved** that Community Board 2, Manhattan (CB2) thanks Comptroller Stringer's office for presenting their ClaimStat Alert on Defective Roadways and commends and welcomes this report for its data-based identification of trouble spots and practices that will help guide actions to repair and remediate damage to our streets and roadways; and

**Be it further resolved** that CB2 encourages DOT to make full use of the information this ClaimStat Alert provides in performing street repairs and improvements, and supports the cooperative efforts and further coordination between DOT and the Comptroller's office to ensure optimum street and roadway repair and restructuring; and

**Be it further resolved** that CB2 asks that DOT seriously consider the ClaimStat report's recommendation for complete reconstruction of some streets rather than piecemeal patching, as well as its suggestions for reviewing protocols to ensure proper street restoration after utility work, and for quicker sequencing between milling and repaving; and

**Be it finally resolved** that CB2 suggests that this detailed report also include a breakdown of the specific number of pedestrians affected by defective roadways as well as between pedestrians, autos and other transportation modes.

**Vote:** Unanimous, with 42 Board Members in favor.

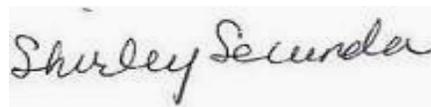
Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Tobi Bergman, Chair  
Community Board #2, Manhattan

TB/EM



Shirley Secunda, Chair  
Traffic & Transportation Committee  
Community Board #2, Manhattan

c:

Hon. Jerrold L. Nadler, Congressman  
Hon. Carolyn Maloney, Congresswoman  
Hon. Nydia Velasquez, Congresswoman  
Hon. Daniel Squadron, NY State Senator  
Hon. Brad Hoylman, NY State Senator  
Hon. Deborah Glick, State Assembly Member  
Hon. Sheldon Silver, Assembly Member  
Hon. Gale Brewer, Manhattan Borough President  
Hon. Corey Johnson, Council Member  
Hon. Margaret Chin, Council Member  
Hon. Rosie Mendez, Council Member

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September 25, 2015

Margaret Forgione  
Manhattan Borough Commissioner  
NYC Department of Transportation  
59 Maiden Lane, 35<sup>th</sup> Floor  
New York, NY 10038

Dear Manhattan Borough Commissioner Forgione:

At its Full Board meeting September 24, 2015, Community Board #2, adopted the following resolution:

**Resolution requesting a split phase traffic light cycle at W. 4<sup>th</sup> St. and 6<sup>th</sup> Ave. (Ave. of the Americas) intersection and other traffic safety improvements on W. 4<sup>th</sup> St. leading to that intersection.**

**Whereas** this past July a man crossing with the light on 6<sup>th</sup> Ave. (Ave. of the Americas) at W. 4<sup>th</sup> St. was struck and seriously injured by a double-decker tour bus that was turning left onto 6<sup>th</sup> Ave. from W. 4<sup>th</sup> St.; and

**Whereas** W. 4<sup>th</sup> St. is highly irregular as it approaches 6<sup>th</sup> Ave. from the west, widening in a flare as it comes east after Jones St. toward the intersection, creating a confusing, hazardous crossing for pedestrians, as well as a highly dangerous turn onto 6<sup>th</sup> Ave., compounded by the traffic light turning green for both pedestrians crossing 6<sup>th</sup> Ave. and vehicular traffic turning left onto 6<sup>th</sup> Ave. at the same time; and

**Whereas** vehicular traffic feeding into W. 4<sup>th</sup> St. from Cornelia St. on the south serves to further exacerbate confusion as well as vehicle/vehicle and vehicle/pedestrian conflicts and threats, despite a Stop sign at Cornelia and W. 4<sup>th</sup> Sts.; and

**Whereas** according to the National Highway Traffic Safety Administration, New York State has the most pedestrian fatalities caused by left-turning vehicles, and according to the NYC Dept. of Transportation (DOT), left-turn pedestrian collisions outnumber right-turn collisions 3-1 (CHEKPEDS 08/29/15); and

**Whereas** recent research (Li Chen, Cynthia Chen, Reid Ewing – Journal of Transport Policy) has shown that “split-phase timing” of signals involving a third phase of the traffic cycle that stops all turns so pedestrians can cross (but not vehicular movement in all directions as in a “Barnes Dance”) is extremely effective in protecting crossing pedestrians; and

**Whereas** a significant amount of ponding occurs on W. 4<sup>th</sup> St. from Cornelia St. to 6<sup>th</sup> Ave.; and

**Whereas** there is an extensive number of double-decker tour buses that come down W. 4<sup>th</sup> St. all at once. In the course of five minutes, eight tour buses were observed (most from the same company) turning left from W. 4<sup>th</sup> St. onto 6<sup>th</sup> Ave.;

**Therefore be it resolved** that Community Board 2, Manhattan (CB2) urges DOT to change the traffic light signal phase for the left turn from W. 4<sup>th</sup> St. to 6<sup>th</sup> Ave. to “split phase timing” for a separate, conflict-free pedestrian crossing on 6<sup>th</sup> Ave., i.e., so that crossing pedestrians and turning vehicles don’t get green “go” signals at the same time there, but instead an exclusive green light phase for pedestrians crossing 6<sup>th</sup> Ave, that operates concurrently with a red left-turn arrow on W. 4<sup>th</sup> St. preventing vehicles from turning left/north from W. 4<sup>th</sup> St. on to 6<sup>th</sup> Ave. at the same time pedestrians are crossing, but allowing through traffic to proceed east on W. 4<sup>th</sup> St. with a green light); and

**Be it further resolved** that CB2 asks that DOT study the area to assess the suitability of the following suggested traffic safety improvements on W. 4<sup>th</sup> St. and install the most suitable and mutually reinforcing ones;

- Add a crosswalk across W. 4<sup>th</sup> St. from Cornelia St. to 6<sup>th</sup> Ave. to slow approaching motor vehicles.
- Add striped "box" in box-shaped area between stop lines & crosswalk at 6<sup>th</sup> Ave (crossing W. 4<sup>th</sup>, west of 6<sup>th</sup> Ave).
- Add bollard, planter, or other physical impediment at northwest corner of 6<sup>th</sup> Ave. & W. 4<sup>th</sup> St. to prevent vehicles from "cutting the corner."
- Add striping on W. 4<sup>th</sup> St. to designate two lanes of traffic.
- Add word "STOP" painted before stop lines on W. 4<sup>th</sup> & Cornelia Sts.
- Put an additional traffic signal light on W. 4<sup>th</sup> St. west of the "box", replacing the Stop sign. This light could be timed to establish a phase for traffic from Cornelia to move through the intersection without having to always "mix" with traffic from W. 4<sup>th</sup> St.
- Install a speed hump at Cornelia St. where the Stop sign now is located.; and

**Be it further resolved** that CB2 asks DOT to look at re-grading W. 4<sup>th</sup> St. from Cornelia St. to 6<sup>th</sup> Ave. to remedy ponding; and

**Be it finally resolved** that CB2 requests that DOT strongly consider reducing the number of double-decker tour buses that travel W. 4<sup>th</sup> St. to 6<sup>th</sup> Ave.

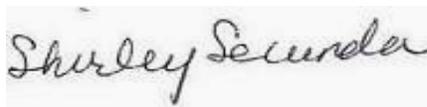
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Sincerely,



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