



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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COREY JOHNSON
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

March 29, 2013

Mr. Steve Napolitano
Port Authority of New York & New Jersey
625 Eighth Avenue
New York, New York 10018

Re: Bus idling on 33rd Street Parking Lot

Dear Mr. Napolitano:

Manhattan Community Board 4 (CB4) requests your help in curbing the illegal bus idling that takes place on the Port Authority of New York and New Jersey (PANYNJ) property, adjacent to the west side of a Public School, the Clinton School for Writers and Artists, at 425 West 33rd Street.

Last year, this property was turned in a parking lot for up to 10 Coach Commuter Buses. When they arrive in the morning and leave in the evening, each of the buses idle for 10 to 15 minutes at a time while in the parking lot, just under the windows of the school and of 430 and 440 West 34th Street's residents.

While having large buses maneuver on a narrow street shared by many small children is less than ideal for the drivers or the children, there is no excuse for these drivers to idle for more than one minute and violate daily Section 24-163 of the administrative code of the city of New York New York City idling laws:

“(f) No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than one minute if such motor vehicle is adjacent, as determined by rule, to any public school under the jurisdiction of the New York city department of education {...} while parking as defined in section one hundred twenty-nine of the vehicle and traffic law, standing as defined in section one hundred forty-five of the vehicle and traffic law, or stopping as defined in section one hundred forty-seven of the vehicle and traffic law...”

In response to the complaints of many neighbors, some of them who have asthma, CB4 will be working with the Department of Environmental Protection to obtain compliance with the laws.

Although we assume that all of your leases currently have a termination clause that could be invoked in case of illegal behavior, we are also asking you to incorporate a “no idling clause” in your long term and short term leases to bus companies, as this occurrence is not isolated. We

have already complained of the parking lots on 37, 38 and 39th Streets between 9th and 10th Avenues, where hundreds of New Jersey Transit buses idle every day for up to 30 minutes each at departure times.

We can only imagine the difficulty of operating a large bus terminal in the midst of a residential neighborhood. Ensuring that all your contractors and employees respect the laws will go a long way to minimize the health hazards to our residents and children alike. We appreciate your help on this important issue.

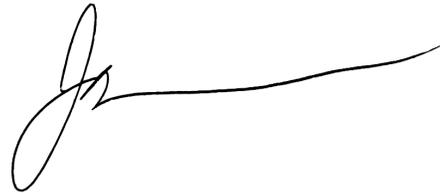
Sincerely,



Corey Johnson
Chair



Christine Berthet, Co-Chair
Transportation Planning Committee



Jay Marcus, Co-Chair
Transportation Planning Committee

Attachments:

Cc : Residents
DEP, DEC, School PTA, DOE