



Community Board 12 - Manhattan Washington Heights & Inwood

530 West 166th St. 6th Floor, New York, NY 10032

Phone: (212) 568-8500, Fax: (212) 740-8197

Website: www.nyc.gov/mcb12

Richard R. Lewis, Chairperson
Ebenezer Smith, District Manager

May 10th, 2019

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Geoffrey Berman
US Attorney Southern District
86 Chambers Street / 3rd Floor
New York City, NY 10007

Hon. Andy Byford
President MTA New York City Transit
2 Broadway
New York, NY 10004

Hon. Fernando Ferrer
Acting Chairman
2 Broadway
New York, NY 10004

Re: CALLING UPON THE MTA TO ADD ADA COMPLIANT ACCESIBILITY TO ANY PLANNED SUBWAY RENOVATIONS

Dear: President Byford and Chairman Ferrer:

At the General Meeting on Tuesday, April 23, 2019, with a vote of 35 in favor, 0 opposed, 0 abstention, Community Board 12 Manhattan, passed a resolution insisting that full ADA compliant accessibility from street to platform to train be included immediately in the five subway stations in Upper Manhattan, and **any** and **all** other subways stations, where full replacement of elevators and additional substantial rehabilitation are underway and/or being planned.

WHEREAS: MTA has begun on January 5, 2019 a project for full replacement of the elevators and substantial rehabilitation of other parts of the 168th Street "1" train station; and

WHEREAS: The project is scheduled projected for completion on January 5, 2020, with 78% of the project timeline remaining after today, March 26, 2019; and

WHEREAS: These station platforms are not now and have not been accessible; and

WHEREAS: The plans for full replacement of the elevators and substantial rehabilitation of other parts of the 168th Street station do not include the provision of ADA accessibility to the station platforms; and

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WHEREAS: Columbia Irving Medical Center and New York-Presbyterian Hospital are located immediately by the 168th Street station, and serve approximately 12,000 people per day; and

WHEREAS: Over 28,000 seniors live within Community Board 12; and

WHEREAS: Approximately 2,400 people with disabilities live within Community Board 12 and use public transportation daily; and

WHEREAS: Over 35 senior-serving facilities, including two nursing homes are located in Washington Heights and Inwood, and

WHEREAS: Full replacement of elevators and substantial rehabilitation of four other subway stations in Upper Manhattan's Community District #12M is planned within the next three years; and

WHEREAS: The New York Daily News reported on March 6, 2019 that US District Judge Edgardo Ramos issued a ruling that the MTA violated the Americans with Disabilities Act by failing to put in an elevator when it renovated a Bronx subway station in 2014, a ruling that is identified as setting the stage for other possible challenges from disabled rights groups; and

WHEREAS: U.S. Attorney Geoffrey Berman said, in response, that "The MTA is now on notice that whenever it renovates a subway station through its system so as to affect the station's usability, the MTA is obligated to install an elevator, regardless of the cost, unless it is technically infeasible"; and

WHEREAS: Michelle Caiola, managing director at Disability Rights Advocates, said that "The ADA requires today...that when you have station renovations, you make them accessible at the same time we think the MTA has been thumbing its nose at this requirement"; and

WHEREAS: Bronx Independent Living Services Executive Director Brett Eisenberg added that "Clearly we believe as a disability rights organization that everyone should be able to use the subways, regardless of their disability....This is a step in the right direction"; and

WHEREAS: An additional lawsuit is pending with a 2017 filing in state court arguing that the subway's lack of accessibility violates the anti-discrimination requirements of the New York City Human Rights Law; Therefore, be it

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RESOLVED: Community Board 12 Manhattan insists that full ADA compliant accessibility from street to platform to train be included as of today for the five subway stations in Upper Manhattan, and **any** and **all** other subways stations, where full replacement of elevators and additional substantial rehabilitation are underway and/or being planned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Lewis', written over the word 'Sincerely,'.

Richard Lewis
Chairperson

cc Hon. Bill de Blasio, Mayor
Hon. Jumaane Williams, Public Advocate
Hon. Scott M. Stringer, Comptroller
Hon. Gale Brewer, Borough President
Hon. Brian Benjamin, State Senator
Hon. Robert Jackson, State Senator
Hon. Al Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member



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May 14th, 2019

Hon. Polly Trottenberg
Commissioner
Department of Transportation
55 Water Street, 9th Floor
New York, NY 10041

Re: Supporting the Proposed designation of the Amsterdam Avenue Pedestrian Plaza.

Dear Commissioner Trottenberg:

At the General Meeting on Tuesday, April 23, 2019, with a vote of 33 in favor, 1 opposed, 1 abstentions, Community Board 12 Manhattan, passed a resolution supporting the proposed designation of the Amsterdam Avenue Pedestrian Plaza.

Whereas: On February 4, 2019, Community Board 12-Manhattan's ("CB12M") Traffic and Transportation Committee was presented with a proposed pedestrian plaza on Amsterdam Avenue and 185th Street ("the Plaza") by Yeshiva University. Held a public hearing related to the designation of a pedestrian plaza along Amsterdam Avenue; and

Whereas: The Traffic and Transit Committee provided feedback to Yeshiva University which included the following points of interest: 1) Installed signage informing the community that 185th Street is a public space and would incorporate measures to ensure the public would be well-informed of its public access status if approved and 2) Considered wheelchair accessibility for the Plaza and 3) Informed the public by adequately publicizing the public space via public meetings, and distributing flyers with adequate information related to the Plaza; and 4) Provided warm-weather programming for the Plaza; and

Whereas: On March 4, 2019, Yeshiva University presented an updated proposal for the Plaza, incorporating changes suggested by the Traffic and Transportation Committee; and a public hearing was suggested to receive feedback directly from community members; and

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Whereas: On April 1, 2019, CB12M held a public hearing at Yeshiva University to receive feedback, questions, concerns, and comments from members of the Washington Heights and Inwood communities related to the overall impact of the Plaza, the Plaza's history, the Plaza's proposed maintenance and operation plans, and the process in which the City of New York and Yeshiva University will continue to keep the Plaza as a functioning public amenity; therefore be it

Resolved: Community Board 12-Manhattan supports the proposed designation of the Amsterdam Avenue Pedestrian Plaza.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Lewis', written over the word 'Sincerely,'.

Richard Lewis
Chairperson

cc: Hon. Edward F. Pincar Jr. Manhattan Borough Commissioner
Hon. Bill de Blasio, Mayor
Hon. Jumaane Williams Public Advocate
Hon. Scott M. Stringer, Comptroller
Hon. Gale Brewer, Borough President
Hon. Adriano Espaillat, Congressman
Hon. Robert Jackson, State Senator
Hon. Brian Benjamin, State Senator
Hon. Al Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member