

**PERMANENT CITIZENS ADVISORY COMMITTEE TO THE MTA**  
**MINUTES OF DECEMBER 5, 2013**

A meeting of the Permanent Citizens Advisory Committee (PCAC) to the MTA was convened at 12:00 noon on December 5, 2013, in the 5th floor Board Room, at MTA Headquarters, 347 Madison Avenue, New York City. The following members were present:

Andrew Albert	Ira Greenberg
James F. Blair	William K. Guild
Gerard Bringmann	Marisol Halpern
Sheila Carpenter	Trudy Mason
Francis T. Corcoran	Maureen Michaels
Mike Godino	Raymond Pagano
Randy Glucksman	Bryan Peranzo
Stuart Goldstein	Edith Prentiss
Christopher Greif	Burton Strauss, Jr.

The following members participated by telephone:

Francena Amparo	Larry Rubinstein
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The following members were absent:

Richard Cataggio	Thomas Jost
Owen Costello	Matthew Kessler
Mark Epstein	Steve Mayo
Rhonda Herman	Michael Sinansky
Sharon King Hoge	Neal Zuckerman

In addition, the following persons were present:

William Henderson	-PCAC Executive Director
Ellyn Shannon	-PCAC Associate Director
Karyl Berger	-PCAC Research Associate
Phyllis Silvestri	-Lindenwood Alliance
Roger Herz	-Time
Ann Guild	-Concerned citizen
Richard Schulman	-Concerned citizen
Ken Stewart	-Concerned citizen

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### **Approval of Agenda and Minutes**

The agenda for the December 5, 2013 meeting was approved. The minutes of the September 12, 2013 meeting were approved.

### **Chairs' Reports**

The PCAC, LIRRCC, MNRCC and NYCTRC Chairs' Reports are attached to these minutes.

### **LIRRCC**

Ira Greenberg presented the LIRRCC Chair's report.

Maureen Michaels noted that even though customers are not supposed to walk through cars while the train is in motion, as a practical matter riders often must cross between cars of moving trains, as there are many stations where not all of the train cars platform.

Stuart Goldstein said that something needs to be done to oppose the plan to convert all LIRR Brooklyn service into trips with a transfer to scoot service. He said that capital work has started on Track 8 and 9 at Jamaica, which would be used to provide the scoot service. He suggested that the LIRRCC make a statement.

Andrew Albert said that all of the PCAC's MTA Board Members spoke out about the plans for LIRR scoot service to Brooklyn at the MTA Board's committee meetings. Bill Henderson said that the LIRRCC has expressed its misgivings about the scoot plan to LIRR management as well. Mr. Glucksman proposed that PCAC craft a resolution disapproving of the plan to implement the scoot service. Mr. Henderson said that he will write something up in consultation with LIRR Chair Mark Epstein.

Ms. Michaels remarked that for riders traveling to and from Brooklyn, implementing scoot service means changing trains. She said that there have been reports of plans to use scoot service in other parts of the LIRR and that she believes that plans for scoot service are probably in the future of the Port Jefferson Branch east of Huntington and the Montauk Branch.

Mr. Albert said that scoot service is a trade-off between the inconvenience of having to change trains and more frequent service on less heavily traveled lines, according to LIRR President Helena Williams. Mr. Greenberg commented that this strategy will reduce ridership unless fares are reduced and, in the end, the service provided may not be much more frequent. Mr. Goldstein commented that service

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plans depending on riders using scoot service and changing trains are designed to fail. Mr. Albert said that it is important to acknowledge the increased service, but to state that the inconvenience associated with changing trains outweighs the benefits of the additional service. Ms. Prentiss suggested that comments on the scoot service should include difficulties encountered by riders who must use elevators to travel. Mr. Henderson said that he would discuss the matter with the PCAC Executive Committee.

### **MNRCC**

Randy Glucksman welcomed Francena Amparo, who was participating in the meeting by telephone, to the Committee.

### **NYCTRC**

Mr. Albert presented the NYCTRC Chair's Report.

Mr. Henderson noted that there is a pilot program testing bus countdown clocks on Staten Island.

Chris Greif said that riders are complaining about the lack of an Avenue L stop on the B44 SBS line. Mr. Albert responded that he has not had success in getting stops added to SBS routes.

Ms. Michaels said that the NYCTRC should watch carefully the new pop-up stores in subway stations. She said that at Penn Station merchant kiosks have been added and that they are crowding the corridors in the Station. Ms. Prentiss commented that the impact of retail uses on station corridors is an issue that the disability community has been discussing for some time. She said that when retail uses are established in stations, their impact on accessibility needs to be considered.

### ***New Business***

#### **Reduced Fare**

Mr. Henderson presented the recommendations of the reduced fare subcommittee that had been established by the PCAC. In summary, the conclusion of the committee is to recommend that the MTA allow all persons having a disability as defined by the Americans with Disabilities Act (ADA) to receive reduced fares. This would be accomplished by providing applicants with an option to claim reduced fare eligibility based on their disability status consistent with the provisions of the ADA, subject to the MTA's right to obtain independent verification of their status.

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Ms. Michaels asked how many customers would be impacted by this change. Mr. Henderson responded that the number of persons affected would be a small relative to those currently eligible for reduced fare. Ms. Prentiss said that in her experience working with ADA issues it is very difficult to find reliable statistics about the number of persons who are considered to have a disability as defined by the ADA.

Mr. Goldstein asked whether having to claim eligibility on the basis of having a disability as defined by the ADA would be a disincentive for riders to apply for reduced fare. He said that some riders might be concerned about the records that might be kept of the process. Mr. Henderson replied that the issues surrounding an application on the basis of ADA would not be appreciably different from those surrounding an application that includes current eligibility criteria, in that both types of application would raise similar issues of personal privacy.

The PCAC adopted the subcommittee's proposal to recommend these changes to MTA reduced fare eligibility unanimously.

### **Schedule**

Mr. Glucksman said that the 2014 calendar for PCAC and Council meetings had been developed and distributed. He asked whether everyone had received a copy and said that anyone needing the calendar should contact a member of the PCAC staff. Sheila Carpenter noted that Deborah Morrison is very good in making sure that members receive calendars and meeting materials.

### **By Laws**

The PCAC considered for a second time a proposed change to its by laws that would adjust Executive Committee representation for Councils whose officers hold multiple PCAC and Council leadership positions. Mr. Glucksman asked for discussion, and upon hearing none the change was voted upon and approved unanimously.

### **PCAC Budget**

Mr. Henderson presented the proposed 2014 PCAC budget. Eilyn Shannon commented on the salary line in the budget, noting that there was difficulty in hiring an Associate Director because of the authorized salaries. She said that a meeting had been held with MTA Chief of Staff Catherine Rinaldi to discuss changes to the Memorandum of Understanding between the MTA and PCAC, including provisions to ensure the PCAC's independence and salary issues. As a part of these discussions, the PCAC is seeking to reallocate the funds from the unfilled Associate Director position.

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Ms. Michaels commented that she believes that web redesign will cost more than \$10,000. Mr. Greif suggested that there should be additional funds available for the website. Randy Glucksman remarked that more funds are available and if necessary the budget can be modified and these funds added.

Ms. Michaels wanted to know if there is funding for the move. Mr. Henderson responded stating that there is a small amount for supplies but that the MTA would be moving the occupants of 347 Madison to their new space.

Jim Blair commented that MTA should fund the website redesign. He said that the PCAC should bring this need to their attention.

Bryan Peranzo wanted to know why the 2014 budget for personnel is different from the version that was previously circulated. Mr. Henderson said that the version of the budget that was previously circulated reflected labor expense levels as they stand on December 5, 2013, while the revisions circulated at the meeting reflect staffing levels and costs that PCAC is currently pursuing with the MTA.

### **Metro North Derailment**

Mr. Glucksman said that Congressman Sean Patrick Maloney has proposed federal financial assistance for positive train control (PTC) implementation in the form of Railroad Rehabilitation and Improvement Financing loans.

Mr. Albert stated that PTC would have prevented the December 1 Metro-North derailment, but so would many other technologies and changes in procedures. He said that he was shocked that alerters were not installed in cab cars on Metro-North. Mr. Greenberg added that he was shocked that the cars without alerters were ordered by Metro-North.

Bill Guild asked whether it makes a difference that some cars involved in the derailment were part of Metro-North's Connecticut fleet. Mr. Glucksman responded that it made no difference, that the coaches are used as needed on the East of Hudson lines, and that it is not unusual for these cars to be used on the Hudson and Harlem lines.

Ms. Michaels requested that PCAC look in greater depth at what emergency equipment worked well during the December 1 derailment. She said that that these issues need to be explored and suggested that the PCAC should talk to riders on the train and ask them for their accounts of the accident. She noted that she and Larry Rubinstein had raised with the LIRR issues of design flaws in the M7 emergency exit windows. Mr. Glucksman stated that the PCAC will ask about this.

Trudy Mason asked whether the PCAC could become involved in a lawsuit if it began interviewing the riders. Mr. Greenberg said that anything the PCAC would find out would be considered hearsay and not usable in a lawsuit. Ms. Mason also

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commented about the question of sleep deprivation that has been raised with regard to the engineer of the derailed train. She said that this may be a consideration because the engineer had recently experienced a change in shifts. Mr. Glucksman said that investigators will go back over the engineer's activities and rest time for 72 hours before the accident.

Francis Corcoran suggested that the PCAC insist that there is enough time built into schedules to get sufficient rest. Mr. Glucksman replied that there are rules in place to make sure sufficient rest time is provided. Mr. Greenberg noted that the issue may be the change of work hours and not the time available for rest. He said that a change in work hours can produce results similar to jet lag.

Mr. Rubinstein suggested that the PCAC write a letter to the NTSB and ask that we be involved in the investigation. He made a motion to send this letter Mr. Henderson said that the PCAC would send such a letter. Mr. Goldstein said that the NTSB conclusions will not be released for about a year and that riders need a quicker answer. It was noted that the NTSB makes interim recommendations in a shorter time frame when there is a safety issue involved. Mr. Greenberg said that the PCAC should request information from MTA about issues that had been raised by the accident that might inform the design of new equipment.

Gerry Bringmann stated that he was surprised that PCAC did not issue a statement on the accident. Mr. Henderson responded that the MNRCC and LIRRCC had issued statements based on the information that was available and that the PCAC can comment on issues raised in the investigation of the incident. Francena Amparo said that the profile of the PCAC and Councils should be raised and that there is a need to interact with commuters. She said that she will send the staff information about commuters who are interested in joining the MNRCC and that prior to the process of becoming a member she did not know about the MNRCC and PCAC.

Mr. Albert asked whether the commuter rail Councils are involved in the design of new cars. Mr. Henderson said that the car designs are far advanced in the process before the railroads share them with the Councils. Mr. Albert responded that the Councils need to be involved in the process earlier. Marisol Halpern said that she also believes that the Councils should be more involved in design of the new cars.

Ms. Carpenter said that one issue is that PCAC and Councils' roles are not well defined and members do not always know what they can do. Ms. Michaels said that the LIRRCC was asked about the features needed in the M9 cars. She also said that there is no real plan about how the organization responds to crises and suggested that a consultant be engaged to assist in developing a process.

Ms. Mason said that all Councils should work together and that they should immediately call upon the NTSB to establish focus groups to bring into the accident investigation the perspective of riders who were on the train. Ms. Amparo asked

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whether the PCAC should hold a press event. Ms. Mason responded that a press event is not likely to be effective but that a strong letter with an accompanying press release would work better. Mr. Greif suggested that the PCAC and Councils need to do more and different outreach.

Mr. Blair said that a delay before looking at rider issues may not be a bad thing. He said that an appropriate role for the PCAC would be to address rider needs that are not covered by the NTSB investigation. Mr. Blair believes that conducting focus groups are not in PCAC's capabilities and that, while we are not best suited to do this, the PCAC and Councils can call on the MTA operating agencies and the NTSB to conduct these sessions. He noted that some of the issues in the LIRRCC's press release should also be addressed.

Mike Godino asked who was in charge of the alternative transportation after the derailment, as it was not provided in an organized fashion.

Mr. Bringmann suggested that the PCAC and Councils should have a policy on following up on NTSB investigations because we tend to forget about them. He cited the derailment that took place at Jamaica a few years ago. Mr. Glucksman said that stated that staff would look at this incident.

Mr. Goldstein wanted to know whether MTA Board members were briefed about the accident. Mr. Blair responded that Board members were provided information from Tom Prendergast, but that the memos that they received from the Chairman contained essentially the same information contained in media reports. Mr. Goldstein said that the PCAC needs to focus on the MTA, when they provide us with information, and what information they provide.

Ms. Michaels commented that the last paragraph of the first page of the Federal Railroad Administration's letter to the MTA is instructive and indicates that there are problems at Metro-North Railroad. Mr. Greenberg said that he had previously requested that the MTA set up a confidential reporting system, but was told that this was not a popular view among MTA management. Mr. Albert noted that he once asked Metro-North President Howard Permut about monitoring operating personnel. Mr. Permut replied that there is a window in operating cabs, but management does not use it to observe their crews.

Ms. Mason noted that here is a new transit reporter at NY1 and that he has told Ms. Mason that he will work with us.

### ***New Business***

Mr. Greif said that schedules for the B44 SBS service are now available.

Ms. Prentiss commented on Mr. Albert's remarks on the Fulton Center tour that was provided to NYCTRC members. She said that the issue of accessibility of the

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site was raised several months ago and at that time MTA Capital Construction said that all elevators were installed. When the event was rescheduled, MTA Capital Construction first stated that she could not go on the tour and then said that she could go if she would be carried up to the mezzanine level of the station. Ms. Prentiss said that there have been repeated choices of tours for the NYCTRC where accommodations were not made for her mobility.

### ***Adjournment***

The meeting was adjourned at 2:00 pm.

Respectfully submitted,

William Henderson  
Executive Director