

**TESTIMONY OF  
PAUL VISCONTI, ASSISTANT CHIEF OF CLEANING  
OPERATIONS  
NEW YORK CITY DEPARTMENT OF SANITATION  
NEW YORK CITY COUNCIL COMMITTEE ON  
TRANSPORTATION  
MONDAY, JUNE 30, 2014 – 10:00 A.M.  
CITY HALL – COMMITTEE ROOM**

**Intro No. 20 - A LOCAL LAW to amend the administrative code of the city of New York, in relation to allowing vehicles to park on the restricted side of the street which is subject to alternate side parking rules without being ticketed if the owner is in the vehicle and able to move it or if the street has already been cleaned**

Good morning Chair Rodriguez and members of the Committee on Transportation. I am Paul Visconti, Assistant Chief of Cleaning Operations for the New York City Department of Sanitation. I am here today to testify on Intro No. 20 under consideration today by the Committee. With me on his last day before retirement is Douglas Marsiglia, the Department's current Chief of Cleaning, who will join me in answering your questions. Also joining us here this morning is Inspector Dennis Fulton, Chief of Transportation, and Captain Richard Avignone, Executive Officer, Traffic Enforcement District for NYPD.

As written, Intro No. 20 would authorize drivers to park their vehicles in the parking road lane scheduled for street cleaning so long as the driver is occupying the vehicle and ready to move it when the Department's mechanical broom arrives. Intro No. 20 would also allow drivers to re-park their vehicles in the parking road lane before the 90-minute street cleaning segment expires provided the mechanical broom operator has cleaned the street. The Department appreciates the intent of the bill to make on-street parking available more quickly for motorists, but respectfully opposes this bill for the reasons I will explain.

Since the early 1950s, the Department has provided mechanical broom cleaning along the parking lanes of roadways in 54 of the City's 59 community districts for health and environmental reasons. Litter

accumulation in the curbs and streets is unsightly and attracts rodents and creates a health nuisance. Rain and melting snow carries street litter into the sewer catch basins, becoming floatables that can pollute the City's waterways and beaches. Noxious odors caused by unknown sources, as well as parked vehicles that accidentally leak motor oil or other fluids onto the curbsides, are sprayed, scrubbed and cleaned by the Department's mechanical brooms.

Litter-free and odor-free streets enhance the aesthetic appearance of street blocks, and significantly improve the quality of life in such communities. Street cleanliness also promotes a positive image of the City that boosts tourism and attracts new businesses which help our City's economy. The responsibility for clean streets in New York City's neighborhoods rests on the Department's uniformed men and women, who work with pride to deliver essential sanitation services daily to every community across the City.

The Department schedules a daily average of 196 mechanical brooms to sweep nearly 6,000 linear miles of City streets in 54 districts. Our strategic approach of assigning personnel and equipment to regular 90-minute street cleaning segments, combined with other cleaning programs and enforcement, has resulted in consistently high scorecard ratings of City streets. Despite their lack of popularity with the public, the importance of the City's alternate side parking rules cannot be understated. They were created for the distinct purpose of providing unobstructed curbside accessibility to the Department's mechanical broom operators in order to spray and clean the curbside areas in parking lanes.

An average street cleaning route consists of twelve curb miles per 90-minute segment. For mechanical broom operators, vehicular traffic inadvertently becomes a part of the 90-minute route, such as school buses stopped temporarily to pick up or let off children, or private delivery trucks temporarily standing to deliver early morning packages or to deliver fuel to residences. These slow down the progress of the broom considerably. This traffic sometimes requires the sanitation worker to maneuver the mechanical broom in and around these vehicles, whose operators are simply trying to do their job too, and greatly impedes the broom operator's ability to clean the entire segment within 90 minutes safely. Add to this vehicles parked at the curb whose owners either forgot or chose not to move them, or attended by motorists talking on their cell phones or waiting

to pick up a passenger who refuse to move from the broom path, and the challenge for the Department broom operator to complete all of his or her routes on time becomes even greater.

In recent years and working with the Council, the Department has adopted several changes to its street cleaning program to help minimize some of the program's effects on vehicle owners. The list of ASP holiday suspensions has grown significantly from the original twelve holidays, and use of the green stickers on the rear side windows was discontinued. We also suspend street cleaning during the winter season even when there's as little as two inches of snowfall predicted. We've also reduced the street cleaning frequency schedule in five sanitation districts from twice a week cleaning per side, to once a week cleaning per side. The single largest change to our program was when the Department reduced street cleaning hours from 3 hours to just 90 minutes in residential areas, and from one hour to just 30 minutes along metered commercial curb areas early in the morning before store-owners customarily open their businesses. Any modification to the City's current alternate side parking rules must be carefully considered by weighing the benefits of community street cleanliness against the erosion of regulations that were purposefully put in place to ensure the Department is able to effectively clean the City's roadways. Ultimately, the Department's primary objective is to keep and maintain high standards of street cleanliness. It is not to issue summonses.

Turning now to Intro No. 20, the first part of this bill would prohibit the issuance of a summons to a person sitting inside a vehicle when the mechanical broom approaches. There is a misconception that the Department automatically issues parking tickets to persons sitting in their vehicle when the mechanical broom operator approaches. This is simply is not true, and we want to make clear to this Committee that the Department does not issue summonses when the vehicle is occupied by an operator who will readily move his or her vehicle. When a sanitation worker operating the broom observes somebody sitting in a car ahead in the broom's cleaning path, the sanitation worker alerts the person that the broom is approaching by honking the horn, and often the person moves the vehicle cooperatively. If a sanitation supervisor proceeds ahead of the broom operator to ensure curbside accessibility, the supervisor will courteously ask the person sitting in the vehicle to move the vehicle so the broom operator can access the curb for cleaning.

The only time a Department supervisor will issue a summons is when the operator, on request by the supervisor, refuses to move his or her vehicle from the path of the broom. In some areas of the City where the ASP fine is set at \$45.00, a vehicle operator may choose not to move the vehicle and accept the penalty, rather than paying a significantly higher charge to move the vehicle to a private parking garage or lot. Consequently, the broom operator is forced to move around the parked vehicle of an uncooperative motorist in addition to other vehicles temporarily standing and obstructing the broom path.

We also believe two unintended and detrimental effects of this provision were overlooked. Persons allowed to sit in their vehicles awaiting the mechanical broom to arrive will naturally run their engine during winter and summer months for heating and air-conditioning in violation of the City's traffic idling law. Given the important vehicle emissions reductions achieved in the City over the past decade, we believe Intro No. 20 conveys the wrong message by encouraging persons to sit outside in their vehicles that they would be compelled to run for their own comfort, thus erasing the gains made in achieving cleaner air quality especially in high density neighborhoods.

Additionally, permitting attended vehicles to remain parked at the curbside until the mechanical broom arrives will result in those vehicles moving into and occupying the driving lane until the broom operator completes the block. Not only will this obstruct the free flow of traffic, but it will jeopardize public safety if emergency vehicles are unable to pass, particularly on narrower streets.

The second provision of Intro No. 20 prohibits the issuance of a summons to the vehicle owner if the street has been cleaned and the vehicle is re-parked at the curb before the 90-minute cleaning segment expires. We caution the Committee against loosening the current restriction and insist that curbside accessibility remain available to the broom operator for the full 90-minute period. First, the Department must reserve itself the discretion to return back to any street block along the route to service a previously obstructed dirty area that the broom operator could not service earlier due to an obstruction, such as moving vans loading or unloading, fuel trucks making oil deliveries to homes, or vehicles that were not moved at the onset of the route. Ensuring unimpeded access

becomes compromised if motorists are allowed to re-park their vehicles before the 90-minute period expires.

Additionally, along moderate to heavy tree-lined streets during the autumn season, the Department must send out two mechanical brooms to collect the large volume of leaves that accumulate in the streets despite the best efforts by many residents to sweep up and contain the leaves. Because the mechanical brooms end up picking up large amounts of leaves, the brooms often fill up quickly, thus requiring the use of a second broom to pass over the same street blocks to capture the remaining leaves and street litter, and re-clean the curbsides. Motorists who re-park their vehicles may only observe the first broom pass, unaware that a second broom will return to finish servicing the block and run the risk of receiving a summons.

The Department also believes that allowing this practice would cause undue confusion among vehicle owners since they would not know whether their block was already serviced during the cleaning segment, or if the Department is retuning for a second sweep. Apart from its current GPS availability which currently works within a 1 to 3 hour range, the Department does not currently possess advanced technology to provide broom cleaning information via the Department's website in up-to-the-minute real time. Moreover, the Police Department is currently unable to ascertain when a Department broom has passed the first time or when the broom will return a second time during the cleaning segment.

While our uniformed supervisors would not issue summonses to those drivers who re-park their vehicles at the curb if the street was completely serviced, we caution the public against doing so and object to codifying such practice into law under Intro No. 20.

For all of the reasons I have highlighted, the Department of Sanitation must oppose Intro No. 20. We will be happy to answer any questions you have.