



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

## Addabbo: City Should Avoid Costly Lawsuits and Address Street Safety

JOSEPH P. ADDABBO JR November 10, 2011

**Queens, NY, November 10, 2011** – In light of a recent monetary court decision against the City, **NYS Senator Joseph Addabbo** wants to build awareness to the problem of dangerous conditions on streets within our communities. Before more fatalities or life-altering injuries occur, the Senator urges City agencies to reconsider their procedures when monitoring unsafe conditions on local streets and intersections when such information and requests for road signs or traffic signals are forwarded by residents. Says Addabbo, “Listening to the people when they complain of a hazardous street situation or intersection is what government should do. If we don’t keep on top of such hazards, we’ll see an increase in juries ordering more enormous settlements to be paid by the City to compensate tragic victims of such government neglect.”

Addabbo was reacting to last month's news reporting that New York City was ordered to pay \$19 million by a Brooklyn jury to a bicyclist who suffered brain damage at age 12 when he was struck by a speeding car going about 55 mph in a 30 mph zone in Gerritsen Beach. The jury noted that its decision to have the City pay was based on the previous warnings it had received from the residents of the area about the dangerous roadway. The entire jury award was \$36 million, with 40 percent to be paid by the City, 50 percent to be paid by the driver,

who had a suspended license at the time, and 10 percent the responsibility of the teen. This is believed to be the largest legal payout in New York City's history. The City filed a motion to set aside the verdict saying its "failure to perform a traffic-calming study or to install certain traffic-calming measures was not a substantial factor in causing the accident." It should be noted that two years before the 2004 accident, the local Councilman and others sent letters to the Department of Transportation urging a traffic light on Gerritsen Avenue—calling it a "potentially fatal situation." The New York City Department of Transportation (DOT) would not comment on the news of the historic jury award but launched a five-year study after the accident and took the roadway down from two lanes each way to one lane.

"We would all like to see the elimination of vehicular accidents that maim or kill so many people in our city and state each year. According to the AAA, there are more deaths and injuries caused by motor vehicles on our roadways each year than from gunshots. These are difficult financial times for our city and state; we can no longer afford such enormous jury awards demanded of municipalities to compensate victims of vehicular accidents who bring lawsuits for their pain and suffering they believe were caused by municipal neglect," Addabbo noted.

The Senator added, "I would like to put the hard-working taxpayers' money back into the own neighborhoods, improving the streets and intersections to prevent deaths and substantial injuries to young and old. This is an important quality-of-life issue for my constituents. My two district offices frequently hear from constituents about many such dangerous streets and intersections." In addition to requests for turning narrow two-way streets to one-way, where parking is allowed on both sides, below are some recent requests Addabbo's staffers are monitoring with DOT:

Grand Ave. and Page Place in Maspeth (traffic light needed);

73<sup>rd</sup> Place off Metropolitan Avenue in Middle Village (street humps needed);

133<sup>rd</sup> Ave. and 84<sup>th</sup> Street in Ozone Park (stop sign or speed hump needed);

Rockaway Blvd., Liberty Ave., 103<sup>rd</sup> Street in Ozone Park (speed hump needed);

Crossbay Blvd. @ 156<sup>th</sup> going east in Howard Beach (delayed green, turn arrow denied);

Crossbay Blvd. @157<sup>th</sup>, 158<sup>th</sup>, 160<sup>th</sup> Avenues in Howard Beach (countdown clock needed, instead of "Walk/Don't Walk" because while a traffic study maintains it takes 38 seconds to walk across the boulevard's 112 feet = 2.9 feet per second, many elderly people and mothers with strollers do not walk across at that pace);

156<sup>th</sup> Ave. and 96<sup>th</sup> St. in Howard Beach (stop sign needed).

"Such constituent complaints are treated as priorities by my staffers, all of whom work hard all year to resolve these problems quickly for my people with the various City and State agencies," concluded Addabbo.

For further information on the above, please call Senator Addabbo's office in Howard Beach at 718-738-1111 or in Middle Village at 718-497-1630.

Follow Senator Addabbo online at <http://addabbo@nysenate.gov> or on Facebook at 'Senator Joe Addabbo'.

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