



City of Cambridge

14.

IN CITY COUNCIL

November 9, 1992

COUNCILLOR WOLF
COUNCILLOR DUEHAY

WHEREAS: Public pay toilets have been a success in New York, as described in the attached article from the New York Times; and

WHEREAS: Several years ago, the City Council requested that the City Manager find a way to develop public toilets in the business areas of the city; and

WHEREAS: This would benefit residents, tourists, and the business community; now therefore be it

ORDERED: That the City Manager be and hereby is requested to work with the appropriate departments, the Cambridge Chamber of Commerce, various business associations, and possibly also the MBTA to develop a plan to install public toilet facilities on an experimental basis in at least Central and Harvard Square.

In City Council November 9, 1992.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script that reads "D. Margaret Drury".

D. Margaret Drury
City Clerk



Chester Higgins Jr./The New York Times

The test of pay toilets has worked well. Their French owner plans more than 100, but after a wait to iron out approvals. "They put it in as an experiment and it works, so now they're going to take it out?" asked Jeff Lichtenbaum on West 34th Street.

Pay Toilets a Success, but They're Still Closing

By STEVEN LEE MYERS

The six tall elegant sidewalk pay toilets — praised as a clean, inexpensive and long overdue solution to one of New York City's most vexing and enduring irritants — are to be closed today, then dismantled and shipped back to France, where they came from.

"Everybody needs it," said the owner of sports memorabilia shop in midtown, Azam Khan, as he waited for his turn at one of the toilets on the bustling sidewalk along West 34th Street in Manhattan. "I need it right now. They have to put more, instead of taking them away."

Not to worry, though. City officials said the six coin-operated self-cleaning toilets installed in Manhattan in a four-month experiment had worked so well that the city would move ahead with plans to install more than 100 on busy sidewalks in all five boroughs.

If all goes according to plan, the officials said, the toilets would be ready by, say, the spring of 1994.

"I know it's frustrating to the people on the street," said Daniel P. Orlando, special assistant to Deputy Mayor Barbara J. Fife, who coordinated the project. "But that's the

Kiosks may return in '94, after legal and community hurdles.

but for other projects, as well. In the end, it protects the public."

The long effort to install the European-style booths to ease the shortage of public toilets began early last year, when a coalition of civic groups and foundations approached JCDecaux a company in a suburb of Paris. The company has made and operated more than 4,000 such toilets in 700 European cities.

From the start, though, the effort became so mired in legal, political and bureaucratic knots that at several points it appeared doomed. Advocates for the disabled complained that the plans amounted to discrimination.

The city had to appeal to the State Legislature to waive a ban temporarily on public pay toilets that was enacted in 1975 amid complaints that they discriminated against

American city to try the toilets, would accept them.

In June 1991, after much wrangling, Mayor David N. Dinkins approved the test of the six kiosks, three of them accessible solely to people in wheelchairs. The cost, nearly \$1 million, was paid by JCDecaux and several foundations, including the 34th Street Partnership and the J. M. Kaplan Fund.

A year later the experiment began. "In this city," the project coordinator for JCDecaux, Suzanne Davis, said, "getting something done in a year is pretty good."

By all accounts the toilets — two each on Chambers Street near City Hall, 34th Street near Macy's and 125th Street at Frederick Douglass Boulevard — have been an overwhelming success. More than 40,000 people have used the green or gray kiosks, which cost a quarter and are free for disabled people with a special card.

Despite the heavy use, fears about vandalism and lurid activity proved unfounded, Ms. Davis said.

An attendant who minds the two toilets on 34th Street, Dragomir Livic, said he had heard just positive comments. To prove that he displayed a stack of customers' suggestion cards. "What a great relief,"



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If all goes according to plan, the officials said, the toilets would be ready by, say, the spring of 1994.

"I know it's frustrating to the people on the street," said Daniel P. Orlando, special assistant to Deputy Mayor Barbara J. Fife, who coordinated the project. "But that's the way we do business in the city. It's a process, not only for this particular project

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but for other projects, as well. In the end it protects the public."

The long effort to install the European-style booths to ease the shortage of public toilets began early last year, when a coalition of civic groups and foundations approached JCDecaux a company in a suburb of Paris. The company has made and operated more than 4,000 such toilets in 700 European cities.

From the start, though, the effort became so mired in legal, political and bureaucratic knots that at several points it appeared doomed. Advocates for the disabled complained that the plans amounted to discrimination.

The city had to appeal to the State Legislature to waive a ban temporarily on public pay toilets that was enacted in 1975 amid complaints that they discriminated against women. Executives of JCDecaux worried whether people in New York, the first

American city to try the toilets, would accept them.

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"I'm not glad nor sad, confusing to begin with."

The mild evening air, Jewish and residents walked up and down streets on their way home from shopping. Most of the black moved along briskly, their straight ahead, some declining comment on the verdict. But members of the Jewish community lined the corners, talking with one another and with police officers posted on many streets.

A dozen vans full of police officers were parked around Eastern Parkway and Kingston Avenue, while they cruised through the neighborhood looking for any signs of trouble.

Tears of Joy

The office of the defense lawyer, Jack Nelson and members of his family gathered for a low-key celebration, one marked more with tears of jubilation.

"He was crying, he was crying," said the Evans, Mr. Nelson's mother. "He's going to need some good food. As a first thing, he's going to have a good human bath." He said he was planning to send his son to live with relatives in Atlanta over the weekend, and when he gets a passport will move to Trinidad and Tobago to finish secondary school.

The father also spoke of his community and the victim's family. "We have to work out a system to have harmony between blacks and Jews in Crown Heights. There's been tension here for the past 12 years here." And, referring to Norman Rosenbaum, he said: "I have no hatred against him. I feel bad about his brother."

Nelson made only a few brief remarks, saying he was "in a state of shock" when the verdict was read, referring to Mr. Lewis: "He's a lawyer."

Prosecution Case

The prosecutors — Sari Kolatch and James Leeper — argued that the case was simple, straightforward and conclusive. After the Gavin was struck, they said, groups of black youths marched through Crown Heights throwing bottles, burning cars and shouting anti-Semitic slurs.

Rosenbaum, a 29-year-old rabbinical student from Melbourne, Australia, was in Brooklyn researching the Holocaust, and was attacked by a group of about a dozen blacks who kicked and stabbed him. The prosecution contended that Mr. Nelson whipped into a frenzy by the mob wielded the knife.

Mr. Rosenbaum lay bleeding on the ground, Mr. Nelson was arrested as he ran from the scene; the said he had a bloody knife in his hand and the blood was later found on the same type as the victim's. Police took him to Mr. Rosenbaum, who identified him as the as-



"Jewish blood is not cheap," shouted Norman Rosenbaum yesterday as he emerged from St. Paul's Hospital after being acquitted the defendant accused of killing his brother, Yankel Rosenbaum, last Aug 19, during the Crown Heights riot.

sailant. City ambulance technicians confirmed this at the trial. Mr. Nelson was then taken to a police station and was said to have confessed.

Mr. Lewis, whose contentious cross-examinations and arguments provided high drama at the trial, attacked the credibility of the police witnesses. With his booming voice and scowl, the 59-year-old lawyer repeatedly questioned their ability to tell the truth and brought out inconsistencies in their testimony.

He suggested that Mr. Nelson's confession was either coerced or fabricated. He accused the arresting officers of sloppy police work for putting the bloody knife in a paper bag with three dollar bills taken from Mr. Nelson. At the same time, he introduced a variety of theories to sow reasonable doubts.

He suggested, for example, that Mr. Rosenbaum might have provoked the attack and that, under pressure from Jewish groups, police officers from three precincts, the medical examiner's office and medical experts all colluded to frame Mr. Nelson.

Behind the violence that led to the case were years of anger and distrust between blacks and Jews in Crown Heights. To many blacks there, the Hasidim seemed always to be given special treatment by the police and other city agencies, while the black community bore the brunt of the neighborhood's crime, drugs and poor schools. Many Hasidim said they felt blacks were largely responsible for the neighborhood's crime and violence.



Lemrick Nelson Jr. gripping his brother yesterday after being read after hundreds of police officers were deployed at the trial.

Appeals Court Upholds Dismissal of Libel Suit

By SAM HOWE VERHOVEK

Special to The New York Times

ALBANY, Oct. 29 — The state's highest court today upheld the dismissal of a libel suit in which a former Chief Medical Examiner of New York City, Dr. Elliot M. Gross, accused The New York Times of defaming him in a series of articles published in 1985 and 1986.

The Court of Appeals declined to hear Dr. Gross's appeal of two lower-court decisions. The court issued no written opinion today, ruling only that it would not hear the case "upon the ground that no substantial constitutional question is directly involved."

about a public figure and were protected by state constitutional guarantees of freedom of the press.

Police Cases Involved

The Times articles said that pathologists and colleagues in Dr. Gross's office had accused him of ineptitude and misconduct for producing misleading autopsy and forensic reports in several cases involving the police. Dr. Gross contended that since all the charges against him were dismissed by the State Board of Regents and other agencies, the Times articles were libelous.

In June, the Appellate Division of the State Supreme Court in Manhattan ruled that the criticisms of Dr.

"not statements of fact but expressions of opinion, protected. That is the decision of the Court of Appeals, the highest state court, let stand today."

Dr. Gross was dismissed as Chief Medical Examiner in 1987, and as a pathologist in the coroner's office in 1988. There he said he had since moved to Cincinnati. A directory of coroners there said there was no Elliot Gross, but that there was an Elliot Gross, but unpublished.

Appeal Hope H

A lawyer for Dr. Gross, Leon Segal, said he was ruling. "We're not



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WHEREAS: Public pay toilets have been a success in New York, as described in the attached article from the New York Times; and

WHEREAS: Several years ago, the City Council requested that the City Manager find a way to develop public toilets in the business areas of the city; and

WHEREAS: This would benefit residents, tourists, and the business community; now therefore be it

ORDERED: That the City Manager be and hereby is requested to work with the appropriate departments, the Cambridge Chamber of Commerce, various business associations, and possibly also the MBTA to develop a plan to install public toilet facilities on an experimental basis in at least Central and Harvard Square.

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NON-CONSENT ORDER #14

Quibary
F-495
Councillor Wolf re: Development of public
pay toilets in the business areas of the
city.

In City Council,

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Order Adopted