

THOMAS P. DINAPOLI  
COMPTROLLER



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ALBANY, NEW YORK 12236

STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER

June 15, 2017

Mr. Fernando Ferrer  
Interim Chairman  
Metropolitan Transportation Authority  
2 Broadway  
New York, NY 10004

Re: MTA - Staten Island Railway:  
Safety at Stations  
Report 2016-S-91

Dear Mr. Ferrer:

Pursuant to the State Comptroller's authority as set forth in Article X, Section 5 of the State Constitution and Section 2803 of the Public Authorities Law, we examined safety at stations at the Staten Island Railway, a unit of the Metropolitan Transportation Authority, for the period January 1, 2014 through June 15, 2016. The objective of our audit was to determine whether the Staten Island Railway has taken appropriate steps to address safety-related issues at all of its train stations, including determining if "Customer Assistance Intercoms" are operational and accessible to all.

**Background**

Staten Island Railway (SIR) was created as a public benefit corporation subsidiary of the Metropolitan Transportation Authority (MTA) in 1970. SIR is responsible for the operation of a rapid transit railroad system on Staten Island pursuant to a lease and operating agreement with New York City. Administratively, SIR is a separate operating unit, reporting to NYC Transit's Department of Subways.

SIR operates a single rapid transit line which runs the length of Staten Island (about 14 miles) from St. George Terminal to the southern terminal at Tottenville. Riders can connect with NYC Transit system buses at many of SIR's 22 stations or to the Staten Island Ferry. SIR operates 24 hours a day with service every 30 minutes, and more frequently during weekday rush hours.

In addition to regular operations and facility maintenance, SIR has a capital program which currently includes: the repair and improvement of station security mechanisms; station structural components and bridges; and the initial phases of the rehabilitation of the St. George Interlocking.

## **Results of Audit**

Generally, SIR documented its inspections of facilities where safety-related incidents occurred and the actions taken to remediate conditions that might have contributed to such incidents. However, in certain instances, responses to safety-related incidents were not documented. A lack of pertinent policies and procedures as well as staffing shortages likely contributed to lapses in documenting incidents and the related SIR responses. Also, we noted that SIR's Customer Assistance Intercom system is not operational system-wide, and SIR does not have a formal timetable of when the system (in whole or in part) will become operational.

### ***Incident Response Policies and Activities***

SIR does not have written policies or procedures pertaining to its response to safety-related incidents at its stations. However, SIR officials verbally advised us that when a safety-related issue arises, they apply the following protocols:

1. The SIR conductor, field personnel, or MTAPD (Metropolitan Transportation Authority Police Department) notifies the Rail Control Center Dispatcher (RCC).
2. The RCC logs the incident into an Exception Report.
3. The RCC notifies the SIR Maintenance of Way (MOW) and/or the Engineering Department.
4. The MOW Infrastructure Department sends a foreman to investigate and/or informs the Infrastructure Superintendent of its findings, and the outcome is logged into an Exception Report.
5. The MOW Infrastructure Department tracks the information related to the issue on a work order and, depending on priority, repairs it accordingly. Once the repair is made, the work order is closed out. Also, in response to preliminary audit findings, SIR officials indicated that: "If the reported defect(s) is immediately repaired, the actions taken to remedy the condition are reported to the Train Dispatchers' Office and the incident is considered closed without a work order being created."

Based on our testing, we found that SIR does not always document the responses to safety-related issues. Further, although the protocol provided by SIR officials indicated that the SIR responds to every reported incident, officials indicated that a lack of resources precludes the SIR from sending staff to each incident noted on the Exception Report.

For the period January 2014 through April 2016, we selected 32 of 33 safety-related incidents from the Exception Reports. We requested documentation (station inspection reports and work orders) to support SIR's response to each incident. Our testing found that:

- SIR could not provide supporting documentation for three of the 32 safety-related incidents. For two incidents, there was no documentation, such as station inspections

or cleaning logs, to support that the condition was reviewed and appropriate action was taken. Without proper supporting documentation, there is limited assurance that issues are addressed properly and in a timely manner.

- Moreover, for one of three incidents wherein a passenger fell, the Exception Report indicated four inspections were performed of the pertinent platform area with different and apparently conflicting observations. Although one inspection cited no defects or tripping hazards, the second inspection identified a large gap, as well as a height discrepancy, between the platform and the train car's sill. Further, the third inspection determined that the platform was within tolerance limits, and the fourth revealed the vertical gap between the car sill and platform was less than 6 inches, and thus was within the tolerance limit. Nonetheless, SIR provided only one station inspection form that stated no defects or tripping hazards were found and could not provide the station inspection reports for the other three inspections referenced in the Exception Report.

In response to preliminary audit findings for the aforementioned case, SIR officials indicated the inspection results were properly documented on the Exception Report and no further documentation, or follow-up, was required. However, although the Exception Report stated four inspections were performed, the findings were not consistent and the discrepancies were not reconciled. Further, because the supporting documentation was unavailable for three of the four inspections (including the inspection that identified potential tripping hazards), it was unclear why inconsistencies existed among the reports.

In responding to preliminary findings on August 8, 2016, SIR officials also indicated that SIR received budget approval for a supervisor position to improve oversight of deficiencies and management of the station defect protocols. Further, at the audit's closing conference (on October 28, 2016), SIR officials stated that the new supervisor started work on these functions in September 2016.

### ***Customer Assistance Intercom System***

SIR has Customer Assistance Intercoms (CAIs) at its stations to enable SIR passengers to readily obtain assistance from SIR personnel, whenever needed. However, the CAIs are not yet operational, except for a CAI at the Tompkinsville station. According to SIR officials, at the time of our audit fieldwork, there were technical issues with the CAI system's voice-over video function. Specifically, because of software issues, the CAIs did not operate properly. Thus, until the CAIs are operational, people who require assistance have to: call SIR's RCC using a phone; speak to the MTAPD; and/or dial 911.

SIR officials indicated that the CAI system has generally been in a test mode since March 2015. In response to the audit's preliminary findings, officials indicated the CAI system changes are currently part of SIR's Capital Program Management, and officials are proceeding with upgrades to CAI operating systems prior to full implementation. Nonetheless, although SIR officials indicated that the CAI system should go live sometime in the near future, officials had no formal timetable or schedule when the system (either in whole or in part) would be operational.

## **Recommendations**

1. Develop written policies and procedures pertaining to SIR's response to safety-related incidents at the stations, including, but not limited to:

- How the incident is routed to the Engineering Department, MOW, or other unit;
- Supporting documents required for all incidents, including those where the incidents are addressed immediately and no work order is issued; and
- When multiple inspections of an incident area result in different findings, reconcile the differences, and document what final conclusion has been reached.

(In response to our draft report, the MTA stated that it will memorialize its protocols in writing by the end of the second quarter of 2017.)

2. Establish a formal timeline for the complete activation of the CAI system.

(In response to our draft report, the MTA stated that the projected completion date for the CAI system is by the end of the second quarter of 2017.)

## **Audit Scope, Objective, and Methodology**

The objective of our audit was to determine whether the SIR has taken appropriate steps to address safety-related issues at all of its train stations, including determining if CAIs are operational and accessible to all. Our audit covered the period from January 1, 2014 through June 15, 2016.

To accomplish our objective, we interviewed SIR officials to obtain policies, procedures, and guidelines related to safety at stations. Further, we reviewed various documents and reports supporting SIR's efforts to ensure customer safety at stations. We performed analyses of data and conducted observations of station safety activities. Also, we interviewed SIR officials to obtain an understanding of the internal controls related to SIR safety at stations.

We selected a total of 28 dates from SIR's Exception Reports. We picked a date from each month from January 2014 through April 2016 for our sample. We reviewed Exception Reports for incidents related to slips, trips, falls, or other potential safety issues. During our review of Exception Reports for the selected dates, if the Exception Report for the date selected did not have any incidents/accidents related to slips, trips, falls, or other potential safety issues, we then went to the next date that had a slip, trip, fall, or other safety issue. For an Exception Report with two incidents/accidents related to slips, trips, falls, or safety issues, we selected both incidents for review. For an Exception Report with three or more incidents/accidents related to slips, trips, falls, or safety issues, we selected the first and last incidents to review.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

### **Reporting Requirements**

We provided a draft copy of this report to MTA officials for their review and formal comment. Their comments were considered in preparing this final report and are attached in their entirety to this report. In their response, MTA officials indicated the actions they will take to address the report's recommendations, as previously noted.

Within 90 days after final release of this report, as required by Section 170 of the Executive Law, the Chairman of the Metropolitan Transportation Authority shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising them what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons why.

Major contributors to this report were Robert C. Mehrhoff, Myron Goldmeer, Robert Tabi, and Jonathan Bernstein.

We wish to thank the management and staff of the Metropolitan Transportation Authority - Staten Island Railway for the courtesies and cooperation extended to our auditors during this audit.

Very truly yours,

Carmen Maldonado  
Audit Director

cc: M. Fucilli, MTA Auditor General  
D. Jurgens, MTA, Audit Director  
NYS Division of the Budget

# Agency Comments

2 Broadway  
New York, NY 10004  
212 878-7000 Tel

**Thomas F. Prendergast**  
Chairman and Chief Executive Officer



**Metropolitan Transportation Authority**

State of New York

January 20, 2017

Ms. Carmen Maldonado  
Audit Director  
The Office of the State Comptroller  
Division of State Government Accountability  
59 Maiden Lane – 21<sup>st</sup> Floor  
New York, NY 10038

**Re: Draft Report #2016-S-91 (MTA – Staten Island Railway: Safety at Stations)**

Dear Ms. Maldonado:

This is in reply to your letter requesting a response to the above-referenced draft report.

I have attached for your information the comments of Veronique Hakim, President, New York City Transit, which address this report.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Prendergast", written over a horizontal line.

Thomas F. Prendergast  
Chairman and Chief Executive Officer

c: Donna M. Evans, MTA Chief of Staff  
Naomi Renek, Chief of Staff, NYC Transit

Attachments

*The agencies of the MTA*

MTA New York City Transit  
MTA Long Island Rail Road

MTA Metro-North Railroad  
MTA Bridges and Tunnels

MTA Capital Construction  
MTA Bus Company

# Memorandum



## New York City Transit

**Date** January 19, 2017

**To** Thomas F. Prendergast, Chairman and CEO

**From** Veronique Hakim, President, New York City Transit *VH*

**Re** **NYCT Response: SIR Safety at Stations Report 2016-S-91**

The aforementioned audit involved an examination of safety stations within the Staten Island Railway ("SIR"), a unit of the Metropolitan Transportation Authority that is run by the New York City Transit Authority's ("NYCT") Department of Subway's ("DOS"), for the period of January 1, 2014 through June 15, 2016 to determine whether the SIR has taken appropriate steps to address safety-related issues at all of its train stations, including determining if "Customer Assistance Intercoms" ("CAI") are operational and accessible to all. The following is DOS's response to the above referenced audit findings issued by the State Comptroller's Office.

*Recommendation #1: Develop written policies and procedures pertaining to SIR's response to safety-related incidents at the stations.*

DOS Response: SIR already has established protocols to address safety-related incidents at stations and trains its employees on the use and implementation of such protocols. To further enhance its existing protocols, SIR will memorialize those protocols in writing, with full implementation expected by the end of the 2<sup>nd</sup> Quarter of 2017.

*Recommendation #2: Establish a formal timeline for the complete activation of the CAI System.*

DOS Response: All physical installation work required to build the CAI system, including the installation of the fiber optic network, SIR Command Center and CCTVs is complete. Software modifications necessary to activate the voice-over video, the audio subsystem and the main system are on track to be installed for the first quarter of 2017, with a projected final completion date of such system in its entirety occurring by the end of the second quarter of 2017.

### Attachment

cc: D. Anglero  
M. Cresci  
W. Habersham  
M. Hellman  
D. Jurgens  
J. Kuhls  
S. Librera  
B. Thomas