

# Ferry crash victim settles with city for \$1M

DOT worker suffered 'serious and severe' injuries in 2010 mishap of Barberi, which left 50 hurt

By TOM WROBLESKI  
ADVANCE POLITICAL EDITOR

A Department of Transportation (DOT) worker injured in the 2010 crash of the luckless ferryboat Andrew J. Barberi has received a \$1 million settlement from the city, Comptroller John Liu's office said.

Seaman Daniel M. Sylvester had initially sought \$5 million for the injuries he suffered during the 2010 crash of the Barberi, which injured 50 passengers and crewmembers, three of them seriously.

According to court papers, Sylvester suffered "serious and severe injuries" in the crash, which the plaintiff's side blamed on the city's

"negligence" and failure to ensure the ferry's seaworthiness.

Court papers said Sylvester was "violently thrown about and generally injured and wounded" in the crash. The filing also said Sylvester's "bones, muscles, nerves, ligaments, tissues, tendons and vital organs" were "fractured, wrenched, bruised, sprained and otherwise injured."

In addition to internal and other injuries, the filing said Sylvester suffered "great mental anguish, suffering and terror" as a result of the crash.

Sylvester could not be reached for comment.

Bernard Friedman, a member of the Manhattan-based Friedman, James and Buchsbaum law firm, who represented Sylvester, declined to comment on the case. The National Transportation Safety Board recently ruled a faulty valve caused the crash.

"We are pleased to have

settled this in a manner that is fair and equitable to Mr. Sylvester and the city's taxpayers," a Liu spokesman said.

"The settlement is in the interest of the involved parties and appropriately resolves the matter," said Kenneth Sasmor, a senior counsel with the city Law Department, which responded on behalf of DOT.

The crash occurred on May 8, 2010, when the Barberi slammed into Pier 7 in St. George at around 9:20 a.m. In addition to the injuries, the crash caused \$182,238 in damage to the boat and the pier.

The Barberi has been plagued with problems throughout its history, including the infamous Oct. 15, 2003 crash that killed 11 and injured 71. On its maiden voyage, in 1981, the \$16.5 million boat's engine died, causing it to drift toward Governors Island, where it ran aground.