

CITY COUNCIL  
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON PARKS AND RECREATION

-----X

September 22, 2008

Start: 10:10am

Recess: 1:40pm

HELD AT: Council Chambers  
City Hall

B E F O R E:  
HELEN D. FOSTER  
Chairperson

COUNCIL MEMBERS:  
Joseph P. Addabbo, Jr.  
Gale A. Brewer  
Alan J. Gerson  
Letitia James  
Melissa Mark-Viverito  
Helen D. Sears

## A P P E A R A N C E S (CONTINUED)

Paul Cosgrave  
Commissioner  
Department of Information Technology and  
Telecommunications, DoITT and New York City CIO

Eugenia Simmons-Taylor  
Ex-President, Board Member  
District 4 President's Council, Class Size Matters

Leoni Haimson  
Executive Director  
Class Size Matters

Norman Seagul  
General Counsel

Geoffrey Croft  
President  
New York City Park Advocates

Don Cook  
Faculty Member  
Bank Street College

Bobby Hoffman  
Executive Director  
Manhattan Youth Baseball Program

Zak Ivkovic  
Executive Director  
CUNY Athletic Conference

Christian D. Palermo  
Executive Director  
New Yorkers for Parks

Marino Ortiz  
Resident, Owner  
East Harlem, [EastHarlemPreservation.org](http://EastHarlemPreservation.org)

William Crain  
Professor of Psychology, President

## A P P E A R A N C E S (CONTINUED)

City College of New York, Citizens for a Green  
Riverside Park

David Giordano  
Children's Aid Society

Robert Jureski

Robin LeBarron  
Executive Director  
Hope Community

Harry Bobbins

1  
2 IBIERTO CORIASO: Testing one, two,  
3 three. Testing one, two, three. Today's  
4 Committee is going to be on Park and Recreation.  
5 Today's date is September 22, 2008. And it's  
6 recorded by Ibierto Coriaso [phonetic].

7 CHAIRPERSON HELEN D. FOSTER: Good  
8 morning, I'm Helen Diane Foster, Chair of the  
9 Parks and Recreation Committee. This morning we  
10 are going to hear testimony on the development  
11 that's going on at Randall's Island. We will hear  
12 from both the Parks Department and the advocates,  
13 and see, hopefully, how we can come to one accord  
14 and make this a win-win situation for everyone.

15 We've been joined by Helen Sears, a  
16 member of the Committee from Queens, Letitia  
17 James, a member of the Committee from Brooklyn,  
18 Melissa Mark-Viverito, who is not a member of the  
19 Committee but is very concerned about this issue  
20 given that Randall's Island is in her district.  
21 We have Joe Addabbo from Queens, who just stepped  
22 out for a minute. We have Patrick Chima and Lyle,  
23 who are counsel to the Committee. That being  
24 said, we will start with the Parks Department.

25 Our first panel is Commissioner

1  
2 William Castro. If the light's off, it's on.

3 COMMISSIONER WILLIAM CASTRO: Thank  
4 you. Since I was last a staff person for  
5 Councilman Antonio Libieri; it's been a few years  
6 so I'm not used to this. Good morning Chair  
7 Foster and members of the Parks Committee. My  
8 name is William Castro and I'm the Manhattan  
9 Borough Commissioner for the New York City  
10 Department of Parks and Recreation.

11 On behalf of Mayor Bloomberg, First  
12 Deputy Mayor Patty Harris and Parks Commissioner  
13 Adrian Benepe, I want to thank you for the  
14 opportunity to discuss some of the recent  
15 developments on Randall's Island. I have with me  
16 here is Michael Schnall our Director of  
17 Intergovernmental Relations, who many of you know,  
18 Alessandro Libieri, our general counsel, Amiee  
19 Boden, our administrator of Randall's Island and  
20 Joshua Ladd, our assistant commissioner for  
21 planning and also a long time council chief of  
22 staff to the late councilman Stanley Michael,  
23 Steven Simon, who is my chief of staff. So it's  
24 good to see you all.

25 As you've heard Commissioner Benepe

1  
2 say many times Parks' mission is to provide active  
3 recreation to all New Yorkers. We manage one of  
4 the largest networks of athletic fields and  
5 facilities in the nation. Each of our facilities,  
6 whether it be a small neighborhood basketball  
7 court or the large Icon stadium, is essential to  
8 that mission.

9 Today I will discuss how we plan to  
10 make sure that Randall's Island, one of the  
11 largest recreational spaces in New York City  
12 reaches its full potential.

13 Randall's Island was once two  
14 separate islands. If you look to your left you  
15 can see our Power Point presentation. It was once  
16 two separate islands, Randall's and Ward's,  
17 located at the convergence of the Eastern Harlem  
18 Rivers. In 1830, New York City purchased  
19 Randall's Island from Jonathan Randalls Zairs and  
20 used it as a potters field, an alms house, a  
21 reformatory and a hospital.

22 It's remarkable geography  
23 discouraged commercial and residential  
24 development, helping to preserve the green, open  
25 spaces that moved Parks Commissioner Robert Moses

1  
2 to formally designate the Island as a public park  
3 in the 1930s. Yet it's relative isolation allowed  
4 for more than two centuries of haphazard  
5 institutional use and development even after its  
6 designation as park land.

7 In 1930, the Metropolitan  
8 Conference on Parks recommended that both  
9 Randall's Island and Ward's Island be cleared of  
10 existing uses and devoted to recreational  
11 activities. However the recommendation was not  
12 fully carried out as, among other facilities, the  
13 Department of Environmental Protection waste water  
14 treatment plant was built in 1937 and the  
15 construction of the Manhattan State Psychiatric  
16 Center, which was approved in 1954.

17 With the opening of the Triborough  
18 bridge in 1936, access to the Island however was  
19 greatly improved. Parks Commissioner Moses seized  
20 the moment and launched a comprehensive program to  
21 build recreational spaces such as ball fields,  
22 playgrounds and a stadium, named Downing Stadium  
23 in 1955 for former Director of Recreation, John J.  
24 Downing.

25 Moses evacuated the original

1 children's hospital, called The House of Refuge.  
2  
3 And over the next 30 years the City gradually  
4 filled in the space between Randall's and Ward's  
5 Islands to allow for even greater recreational  
6 areas. Randall's Island representing a great  
7 opportunity for meeting a growing city's active  
8 recreation needs, something that we are now in as  
9 well.

10 Yet by the 1980s it became clear  
11 that the park still needed improvement. The  
12 existing fields did not have any irrigation to  
13 keep them green and the soil uncompacted or a  
14 decent drainage system to allow play after rain.  
15 Basic amenities were lacking such as public  
16 restrooms throughout the park or parking to  
17 accommodate visitors. In fact, it was the norm to  
18 see cars parked on the grass or driving down paths  
19 meant for pedestrians or bicyclists.

20 Even Downing Stadium, the sight of  
21 Jesse Owens' victory in the 100-yard dash in the  
22 1936 Olympic trials, Palay's American debut and a  
23 concert by Jimmy Hendrix in 1970, it caused the  
24 stadium to deteriorate beyond repair. Randall's  
25 Island, a place of great promise sorely needed

1

2 help.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

The Randall's Island Sports

Foundation, RISF, was founded in 1992 as a public

private partnership with the New York City

Department of Parks to improve Randall's and

Ward's Island. RISF in conjunction with Parks and

the local community works to develop and expand

sports and recreational facilities, protect

natural environments, maintain park land and

sponsor community programs for children of New

York City.

In 1999 with these goals in mind,

the Randall's Island Sports Foundation and the

Parks Department researched and created a

comprehensive management restoration and

development plan. This plan now guides the

creation of an accessible and well organized

sports and recreational complex. The surrounding

communities, park goers and elected officials were

instrumental in the development of the master

plan.

Community meetings were held to

determine need and interest in all three

surrounding boroughs. The Sports Foundation and

1  
2 Parks Department worked with planning staff from  
3 the office of local elected officials, including  
4 former borough president, Fernando Ferrar, C.  
5 Virginia Fields and Claire Shulman.

6 We heard from the community that  
7 they wanted more recreational opportunities,  
8 better amenities and improved access to the  
9 island. As a result, the plan focused on  
10 improving fields, park stewardship, increasing  
11 access to the island and water front and  
12 developing additional athletic facilities for  
13 sports including golf, tennis and track and field.

14 Parks and the Randall's Island  
15 Sports Foundation are in the process of making the  
16 plan a reality. Today, I would like to focus on  
17 four key components of the plan: environmental  
18 preservation, recreational opportunities,  
19 amenities and community access.

20 As part of the improvements on the  
21 island two natural environments: a salt marsh and  
22 a fresh water wetland have been established.  
23 Through the process of excavating over 20,000  
24 cubic yards of debris, installing clean sand and  
25 planting native marsh grasses, four acres of a

1  
2 remarkable salt marsh have been created  
3 surrounding the little hell gate inlet on the  
4 western edge of the island. Just across from the  
5 salt marsh, four acres of fresh water wetlands  
6 were also restored.

7           After the removal of almost 15,000  
8 cubic yards of debris and filth, the fresh water  
9 wetlands site was planted with native herbaceous  
10 shrub and tree species such as switch grass,  
11 asher, dogwood and oak.

12           The restored salt marsh and fresh  
13 water wetland are strategically located in the  
14 middle of New York City's urban landscape in which  
15 few natural undeveloped areas remain. As such,  
16 these areas will be critical sites for  
17 reintroducing wildlife including birds,  
18 crustaceans, mollusks, fish and small mammals.  
19 The close proximity of the two types of wetlands  
20 to each other as well as the diversity of their  
21 habitat types increases their ecological  
22 functionality and their value.

23           In addition, the restoration  
24 projects play a crucial role in an innovative  
25 parkwide filtration system. As it collects storm

1  
2 water from the adjacent sports fields, pathways  
3 and paved areas and channels it through the  
4 wetlands, the new plants will naturally filter  
5 pollutants before reaching the East River and the  
6 Long Island Sound.

7           Providing active recreation space  
8 is perhaps the most significant part of the master  
9 plan. The construction of Icon Stadium, which was  
10 open in April 2005 at the former site of Downing  
11 Stadium was an important first step. The premier  
12 track and field venue has a 400 meter track,  
13 seating for 5,000, a modern scoreboard timing  
14 system, fitness, exercise and meeting rooms and a  
15 FEFA certified soccer field with lighting and  
16 bleachers adjacent to the stadium.

17           The stadium is the site of both  
18 world class and major college meets as well as  
19 public and private high schools meets, the PSAL  
20 Championships and Mayor's Cup events. We also  
21 built a state of the art soccer field which holds  
22 citywide public schools soccer and lacrosse  
23 championships. For those non-runners among us,  
24 and I include myself, there is also tennis and  
25 golf on the island.

1  
2 Four years ago after a competitive  
3 process, Parks awarded the tennis center  
4 concession to Sport Time, which is now  
5 constructing a new tennis facility with a total of  
6 20 courts, both covered and opened. The facility  
7 will also have a café and meeting rooms and will  
8 host expanded and improved youth programs.

9 The golf center re-opened in May of  
10 2008 and consists of a two-tiered driving range  
11 with approximately 80 stalls. Together, these  
12 facilities have been operated by concessioners on  
13 the island for over 25 years.

14 Randall's Island kids' sports  
15 programs are run by the foundation in partnership  
16 with dozens of public schools and community based  
17 organization in Harlem and the Bronx and offer  
18 free year round athletic programs. These programs  
19 began in 1993 with the inception of a summer camp  
20 offering sports instruction to children from  
21 neighborhoods adjacent to the park.

22 Building on this success, RISF  
23 began an after school program in 1999, which in  
24 recent years has offered thousands of children  
25 formalized training through the camp as well as

1  
2 through Randall's Island Kids Soccer, Randall's  
3 Island Tennis and RIK golf, dance fitness and of  
4 course the Jesse Owens Track and Field Club.

5 Every year thousands of children  
6 from community based organizations come to  
7 Randall's Island for free programs. But while  
8 those programs are given without charge, the costs  
9 are all underwritten by private donations raised  
10 by the Randall's Island Sports Foundation.

11 To fully achieve the goals  
12 established by the plan and realize the  
13 community's wish for increased active recreation  
14 on Randall's Island, we still need to expand and  
15 improve the island's athletic fields. The  
16 Randall's Island Sports Field Development Project  
17 will do just that.

18 The Sports field development  
19 project will construct 63 new baseball, softball  
20 and soccer fields. These new fields replace the  
21 previously existing over utilized fields, which  
22 lacked adequate landscaping and drainage and were  
23 difficult to maintain. The project will occupy  
24 roughly 209 acres of parkland out of a total of  
25 500 acres.

1  
2           The new fields have been deigned  
3 specifically for their respective sports:  
4 baseball, little league, softball and soccer.  
5 Some of the soccer fields will be synthetic turf,  
6 which will allow for more playing time and reduce  
7 maintenance demands. The natural grass fields  
8 will be fully irrigated in order to keep them  
9 available for use throughout the playing season.

10           The sports field development  
11 project is projected to yield a total of 13  
12 baseball fields, 2 little league fields, 20  
13 softball fields, 7 regulation soccer fields and 21  
14 varsity soccer/lacrosse fields. Nine of these new  
15 soccer fields will overlap with the new ball  
16 fields. Six in the sunken meadow area, two at the  
17 central fields area and one at the hell gate  
18 fields.

19           These new fields will serve in  
20 addition to the one existing regulation soccer  
21 field near Icon Stadium referred to as the Harlem  
22 River Event Area. And two existing varsity soccer  
23 lacrosse fields at Hell Gate Fields. When the  
24 project is complete, the new and existing fields  
25 will total 66 athletic fields on Randall's and

1  
2 Ward's Islands and eight of these fields will be  
3 lit for night time play.

4           Because the fields overlap, 51  
5 fields will be available for use during the fall  
6 season and 57 will be available for use during the  
7 spring and summer seasons. The sports field  
8 development project is a phased three year project  
9 which began in June of 2007. The project is  
10 scheduled to be completed by the end of 2009. The  
11 phasing, of course, is dependent on weather and  
12 soil conditions on the island and is susceptible  
13 to change.

14           Five fields, though, have already  
15 been completed and are open. And a comparable  
16 number should be completed in the next month. The  
17 remainder of the field work will occur during  
18 2009.

19           We need these fields because of the  
20 spiraling demand that we are trying to meet for  
21 sports facilities throughout the city. I just  
22 want to give you some figures to illustrate this  
23 point. In 2006, we issued permits for 140,000  
24 youth games and 71,000 adult games on our fields.  
25 In 2007, a year later, the number of permitted

1  
2 youth games increased by 27% to 178,228 and  
3 permitted adult games increased by 22% to 87,473.  
4 And there is no question that we need the  
5 additional fields that we will gain from this  
6 project and of course, the sooner the better.

7           Now new and expended athletic  
8 fields are certainly a key to the island's success  
9 but we know from talking with the community that  
10 we must also improve amenities to make this a  
11 destination for families, school leagues and of  
12 course athletic groups. That is why we're adding  
13 picnicking areas, comfort stations and drinking  
14 fountains and improving the overall flow of  
15 traffic around the island and also increasing  
16 signage and upgrading the island's old  
17 infrastructure.

18           In the past, there were two  
19 informal areas with picnic tables in a few areas  
20 of the park; a small section at Sunken Meadow and  
21 an area adjacent to the playground near Hell Gate.  
22 The new design offers several more designated  
23 picnic areas, which will include picnic tables,  
24 water fountains and adjacent restrooms. A large  
25 site near the Bronx Shore fields, a few small

1  
2 areas of Sunken Meadow, areas along the Ward's  
3 Island shore front near 103rd Street foot bridge  
4 and a particularly scenic spot just north of the  
5 ferry dock along the Harlem River. It's an area  
6 where you can see a lot of fisherman and they  
7 enjoy that area as well.

8 In all, the new picnic areas are  
9 much more aesthetically pleasing, they contain  
10 necessary amenities and they are located  
11 strategically to maximize easy pedestrian and non-  
12 vehicular access.

13 Now currently there is only one  
14 comfort station on the island. As part of the  
15 project, six restrooms will be constructed on the  
16 island at Bronx Shore, Sunken Meadow, Central  
17 where there will be two, Hell Gate where we are  
18 rehabilitating a restroom and between East River  
19 and Ward's Meadow. Besides bathrooms, the comfort  
20 stations will offer convenient storage for  
21 maintenance equipment and central locations for  
22 general information and staffing in the park.

23 In order to support the new  
24 irrigated and lighted fields, comfort stations and  
25 park amenities, the island's infrastructure must

1  
2 be upgraded. Presently there are only two  
3 electrical vaults with no spare capacity that  
4 serve the park's facilities. The first serves  
5 Icon Stadium and the second vault services the  
6 park's five borough garage and police building and  
7 lighting on existing roadways and pathways.

8           These vaults have an adequate  
9 capacity and can not maintain the existing tennis  
10 and ball field lights. The construction of a new  
11 sub station will help alleviate this strain on the  
12 existing network and provide power for the new  
13 part amenities.

14           An important aspect of this project  
15 is making sure that park goers can easily and  
16 safely access the fields. Currently many of the  
17 pedestrian pathways are used by cars and  
18 bicyclists. Randall's Island has a circulatory  
19 road system in the northern portion of the island  
20 that is accessible from all of the Triborough  
21 Bridge ramps.

22           The existing circulatory road  
23 accommodates two lanes of traffic in each  
24 direction, separated by a center median. As part  
25 of the current project, the circulation pattern

1  
2 will be extended so that the visitors can access  
3 all of the field clusters without having to drive  
4 on pedestrian pathways and that's important.

5 New signage will assist visitors in  
6 reaching all of the island's facilities.

7 Directional signs will mark the primary loop and  
8 field loop roads with the purpose of eliminating  
9 the confusing system that currently exists. And  
10 believe me, it is confusing.

11 Other signs will identify major  
12 facilities such as the tennis center, the golf  
13 center, Icon Stadium and destinations including  
14 specific fields, comfort stations and designated  
15 parking. Currently there is a lack of parking  
16 spaces on the island, leaving vehicles to park on  
17 fields damaging the playing services.

18 The project includes designated  
19 partaking areas closer to these fields. Near the  
20 Bronx Shore fields there are plans for two  
21 designated parking areas for a total of 200  
22 spaces. Around Sunken Meadow fields, the loop  
23 road will have approximately 125 spaces for  
24 visitors. There will also be about 75 parking  
25 spaces available in front of the new tennis center

1  
2 and along the access road to this field area.

3           On the southwest portion of the  
4 island, about 84 spaces will be included in the  
5 roadway design for the loop road accessing the  
6 East River fields and 24 spaces around Sunken  
7 Garden fields. In the southeast, nine spaces will  
8 also be included in the loop road circling Ward's  
9 Meadow fields, Hell Gate fields and Central  
10 fields. There will also be a larger designated  
11 parking lot for Ward's Meadow fields with about  
12 230 spaces.

13           As part of the project, dedicated  
14 bicycle and pedestrian pathways are being  
15 constructed to travel nearly the entire five mile  
16 circumference of the island, offering improved  
17 shore line access and views in all directions.  
18 Many pathway sites involve reclamation of  
19 previously neglected or inaccessible waterfront  
20 parkland and that's also a very important part of  
21 this project.

22           These new routes will redirect  
23 pedestrian and bicycle traffic away from the major  
24 roadways by creating a variety of safe, inviting,  
25 non-vehicular routes. And it will encourage non-

1  
2 vehicular traffic like bicycling by connecting  
3 access points to facilities and providing clear  
4 circulation fro island visitors.

5                   Now the first phase of the  
6 Randall's Island waterfront pathway opened in  
7 April 2006, it connects Manhattan to the island by  
8 leading from the east, 103rd Street pedestrian  
9 footbridge over the East River along the island's  
10 western shoreline to the little Hell Gate inlet,  
11 where an educational boardwalk brings visitors  
12 directly to Icon Stadium. It is by far the best  
13 bicycle and pedestrian route from Manhattan to the  
14 park and is easily visible and accessible to  
15 residents of East Harlem. Participants of the  
16 Randall's Island Kids program use this pathway to  
17 access the free sports and environmental education  
18 activities.

19                   Further sections of the pathway are  
20 in various stages of completion from development  
21 to design to construction. A bicycle and  
22 pedestrian route along the island's busy central  
23 roadway is already in place. And new pathways  
24 connect the boardwalk to the central roadway as  
25 well as to the stadium. A route is also in

1  
2 development to run from the park's ferry dock  
3 along the northwestern shoreline and long the  
4 Bronx shoreline to the Hell gate bridge tressil.

5 Design has also been completed for  
6 a further section running under the tressil and we  
7 are looking forward to its construction. Finally  
8 a pathway section accessing the new salt marsh  
9 sports fields and tennis center at Sunken Meadow  
10 is in construction and is expected to be completed  
11 in the next eight months.

12 In addition to improving facilities  
13 on the island, Parks and the Sports Foundation  
14 have been working with the community to improve  
15 access to the island. The new Queens pedestrian  
16 access ramp was opened last spring and leads from  
17 the Triborough Bridge down to the sports fields in  
18 the center of the island, shortening the length  
19 Queens residents have to walk by a half a mile.

20 A new Bronx pedestrian and bicycle  
21 access path under the Amtrak bridge that will be  
22 at grade to allow Bronx residents to walk or bike  
23 by two routes instead of the existing one from the  
24 Triborough Bridge, is in the final planning stage.

25 East Harlem residents can now walk

1  
2 over the 103rd Street pedestrian bridge and enjoy  
3 the new fields with magnificent views to the  
4 Harlem River and the Manhattan skyline. From  
5 Manhattan, we have brought the ball fields closer  
6 to the residents in East Harlem and made the  
7 immediately accessible to ball players who walk  
8 over the 103rd Street pedestrian bridge with six  
9 new fields that are now open in the East River  
10 fields area in the south west corner of the park.

11 The new waterfront path along the  
12 western shore of Randall's Island, and I spoke  
13 about earlier, has dramatically improved access  
14 for East Harlem residents by giving them a much  
15 quicker and direct route to the center of the  
16 park, the stadium, the tennis courts, the ball  
17 fields.

18 The Harlem River events site, which  
19 is just north west of Icon Stadium is accessible  
20 by public transportation and bike and pedestrian  
21 paths. We are working with community groups to  
22 expand the variety of events at this site and  
23 revenue from these events help Randall's Island  
24 Sports Foundation to maintain operations and  
25 provide free use programming at Randall's Island.

1  
2           Randall's Island is certainly at a  
3 significant point in its history. I am pleased to  
4 update you on the important work underway and our  
5 efforts to realize the goals of the master plan.  
6 As well as Parks' mission to provide active  
7 recreation for all New Yorkers. Thank you for  
8 your time and I'm happy to take your questions.

9           CHAIRPERSON FOSTER: Thank you.  
10 We've been joined by Council Member Gerson from  
11 Manhattan. I was about to say Queens. I know you  
12 like Queens but you're from Manhattan. Before I  
13 get into the bulk of my questions, tell me the  
14 make up of the Randall's Island Sports Foundation  
15 in terms of who's on it and what the partnership  
16 is with the Parks Department in terms of who makes  
17 the ultimate decisions, hiring, firing, that type  
18 of thing.

19           MR. COSGRAVE: Sure. The City  
20 entered into a license agreement with the  
21 Randall's Island Sports Foundation in 2007 and  
22 it's a five year term. The Parks Department, the  
23 Parks Commissioner, myself works with the Sports  
24 Foundation and it's very clear in the license  
25 agreement that the ultimate authority rests with

1  
2 the Parks Commissioner and the City of New York.  
3 It's spelled out; it's very clear.

4 The administrator is the Parks  
5 employee as well, which I should mention. So the  
6 administrator and executive director is a Parks  
7 employee, Ms. Boden. Throughout the license  
8 agreement, Chair Foster, it states this several  
9 times that decisions and authority stem from the  
10 City and from the Parks Department.

11 CHAIRPERSON FOSTER: What is the  
12 Board made of in terms of how many people from the  
13 community and how were they chosen? How does that  
14 work?

15 MR. COSGRAVE: The Board itself has  
16 21 general trustees, it has three Mayoral  
17 appointees and four ex-officio trustees including  
18 the Manhattan borough president and the Parks  
19 Commissioner. Several members of the Board over  
20 the years have been from community institutions  
21 and I can get those for you. We also have [no  
22 audio] that's one element of it.

23 The other thing that we have done  
24 is we created in 2006 the Randall's Island  
25 Community Council. The Council was created to

1  
2 definitely provide the local communities around  
3 the items and the parks a forum to give us the  
4 input that people rightly want to have. The  
5 members consist of representatives from the  
6 community boards of East Harlem, South Bronx,  
7 Astoria Queens as well as community based  
8 organizations. We're asking elected officials to  
9 choose staff representatives to this Council as  
10 well.

11 Several members of the Board of  
12 Trustees over the time have represented a local  
13 community. I wanted to say who they were.  
14 Include Dorothy Hamai, Assistant Principal of  
15 Frederick Douglas Academy in Central Harlem, who  
16 served on the Board for eight years until 2005.  
17 Current members include Hector Disaldo, Executive  
18 Director of Espina and Shina Wright, President of  
19 the Abyssinian Development Corporation.

20 CHAIRPERSON FOSTER: So of the 21  
21 general members--let me ask this. Do the 21  
22 general members include the three Mayoral  
23 appointees and the four...

24 MR. COSGRAVE: It's in addition.

25 CHAIRPERSON FOSTER: Or it's in--

1  
2 MR. COSGRAVE: [interposing] Yeah.  
3 It's in addition.

4 CHAIRPERSON FOSTER: In addition  
5 to. So of the 21, two right now are community  
6 representatives?

7 MR. COSGRAVE: Yeah. Mm hmm. I  
8 understand your point and what I'm saying is that  
9 it's not unusual for boards to be developed in  
10 order to raise funds. They bring people on boards  
11 to raise funds and then a natural outgrowth of  
12 that is to bring on the community and get them  
13 much more involved then initially. And that's  
14 what we've been doing and I think it's going well.

15 CHAIRPERSON FOSTER: Okay. Now  
16 that I have an understanding of the Board makeup  
17 and this Council that you said was started in  
18 2006?

19 MR. COSGRAVE: Yes.

20 CHAIRPERSON FOSTER: Every process  
21 or step you went through today in terms of  
22 development and the process how much of those  
23 projects came through land use, were ULURPed?

24 MR. COSGRAVE: They did not go  
25 through ULURP. It was not necessary to go through

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ULURP.

CHAIRPERSON FOSTER: And it was not necessary to go through ULURP in the Parks Department opinion because...?

MR. COSGRAVE: It did not meet the legal criteria for a ULURP. What we did do is we went to the community board and presented every project, just as we would if we were doing a small playground. We went repeatedly to the community board, Community Board 11, presented just as we do the schematic on--

CHAIRPERSON FOSTER: [interposing] So it went through like the scope and the design?

MR. COSGRAVE: Yes.

CHAIRPERSON FOSTER: For each phase?

MR. COSGRAVE: Yes.

CHAIRPERSON FOSTER: And--

MR. COSGRAVE: [interposing] And was recommended approval by the Board each time.

CHAIRPERSON FOSTER: But the approval or let me not say but the. So the approval for each phase that went through, this was even the phase with the ball fields, what is

1  
2 it? The Sports Development Project, the 63 ball  
3 fields and that set up, was approved by the  
4 community board when introduced?

5 MR. COSGRAVE: Yes. And the other  
6 thing I wanted to say is that it didn't just stop  
7 there. We have almost shown unprecedented  
8 communication on the status of the project. The  
9 Randall's Island Sports Foundation, mails, through  
10 email, through regular old snail mail, to all the  
11 elected officials in the area, to the community  
12 boards, community groups, schools. I'll hand out,  
13 actually, what they send out. It's a very nice--I  
14 have about I want to say, I think, enough for all  
15 of the Council Members here.

16 So you get a sense of what they're  
17 sending out. It goes out monthly. It's in  
18 English and Spanish. It is illustrated and what  
19 it does is it gives an actual update on the fields  
20 completed. You can see this one was back in  
21 February 2008, percentage complete 23% right up to  
22 the more recent one. And it goes on up to 38% and  
23 it's very helpful. It's a two page thing; it's  
24 very informative. We'll get that to you so you  
25 can take a look at it during the hearing.

1  
2 Not only do we just send out  
3 something, though, we also meet every month with  
4 Community Board 11 to give them updates. We have  
5 contacted schools superintendents, the Presidents  
6 Councils of the different school district, those  
7 are the PTA associations. And we've brought  
8 people out on tours to see it. We have actually  
9 recruited and gone repeatedly to recruit public  
10 schools to use the fields because we want them to  
11 use them more. But we've done a lot of outreach  
12 on what this project is because we're very proud  
13 of it and we want everybody to know. We also want  
14 everybody's input on it.

15 CHAIRPERSON FOSTER: Okay.  
16 Patrick, do they have an English version for me?  
17 I'm sorry. I was looking at the-- So you in  
18 essence feel comfortable with the community  
19 involvement?

20 MR. COSGRAVE: Yes, I do.

21 CHAIRPERSON FOSTER: Okay. And  
22 with the ball fields, given that the major  
23 concession part of it was struck down, what I  
24 would assume, I'm not sure that there have been  
25 changes to the scope and design of the ball

1  
2 fields?

3 MR. COSGRAVE: No. The ball fields  
4 have not changed. The ball field proposal is  
5 still the same size and its design. The Board  
6 over there shows the design. We have a hand out  
7 of that for each Council Member? Yes? Okay, very  
8 good.

9 CHAIRPERSON FOSTER: And you were  
10 saying it shows...

11 MR. COSGRAVE: It shows the  
12 configuration of the fields, which has not  
13 changed.

14 CHAIRPERSON FOSTER: Okay. I just  
15 have a--on the map you have letters: O, A, K, L.

16 MR. COSGRAVE: Okay. Go ahead.

17 CHAIRPERSON FOSTER: When you were  
18 doing your testimony I referred to it but what do  
19 the letters indicate on the map, just correlating  
20 something is something and I don't have the other  
21 piece?

22 MR. COSGRAVE: Oh, I get it. O is  
23 Orientation sign, that means a directional sign  
24 when you drive or walk around or bike around, you  
25 want to know where the comfort stations or the

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Ward's Meadow fields are, that kind of thing.

CHAIRPERSON FOSTER: And the rest of the letters...

MR. COSGRAVE: Sorry. Okay, sure.

CHAIRPERSON FOSTER: I don't need to know what specifically just do I have another piece that can go with this that will tell me later what G is, what H is?

MR. COSGRAVE: Sure, we can get that for you. I'd be happy to do that.

CHAIRPERSON FOSTER: Yes. That would help just so I know when I don't have the testimony in front of me or when it's not fresh in my head, what everything is.

MR. COSGRAVE: Sure. I'd be happy to do that.

CHAIRPERSON FOSTER: Let me just ask a question and I know that Council Member Viverito has tons of questions but let's go to the environmental preservation on page two. When we talk about the four acres of the salt marsh, how was it decided that this was going to be the four acres that we saved for the salt marsh or was that just right for...? Did it go through an

1  
2 environmental review process that this was the  
3 area?

4 MR. COSGRAVE: My understanding is  
5 that it was an obvious area. It had been an area  
6 that had been degraded over time. It went through  
7 the normal review process the Parks does similarly  
8 with the fresh water. We've complied with all  
9 permits or anything else that was needed.

10 We worked also with our  
11 environmental agencies in these projects. These  
12 are joint projects it's [no audio] so we were  
13 working with them on this. So it's a great  
14 opportunity and it's a really great project.

15 CHAIRPERSON FOSTER: Before I let  
16 Council Member Viverito ask questions, explain to  
17 me what, if anything, has changed with the  
18 development of the fields and portions of  
19 Randall's Island or the foundation due to the  
20 litigation and the court striking it down? Has  
21 anything changed in what the plan looks like now?

22 MR. COSGRAVE: Right, I understand.  
23 It's likely that the percentage of fields--you're  
24 talking about the design of the fields?

25 CHAIRPERSON FOSTER: I'm talking

1  
2 about the outcome of the litigation in general.  
3 What has changed in reference to the plan, the  
4 everything?

5 MR. COSGRAVE: Okay. I think I  
6 understand. As I said earlier, there's nothing  
7 that has changed in terms of the designs of the  
8 field and the construction plan. In terms of any  
9 possible concession, there is no concession right  
10 now. So it's premature to say what will be. We  
11 have to seek approval by the FCRC to negotiate for  
12 a concession.

13 If they permit that, then of course  
14 if we conclude a negotiation we have to go back to  
15 them on a hearing on whether they will approve it.  
16 So we're at that point to see whether or not we  
17 will do that. If we do, the percentage of the  
18 fields in the past will probably be reduced but  
19 we're not at a point where we know what that is  
20 yet.

21 CHAIRPERSON FOSTER: When we talk  
22 about the percentage, we talk about the percentage  
23 of time that the fields will be used by the  
24 private schools?

25 MR. COSGRAVE: Yes.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON FOSTER: Thank you.  
Just one minute. How often does the Community  
Council of the Foundation meet?

MR. COSGRAVE: Once every three or  
four months.

CHAIRPERSON FOSTER: And with the  
tennis--let me just flip to the tennis.

MR. COSGRAVE: Sure.

CHAIRPERSON FOSTER: The  
concessionaire for the tennis has been decided,  
correct?

MR. COSGRAVE: Yes. It was awarded  
several years ago.

CHAIRPERSON FOSTER: So this is not  
a new concessionaire?

MR. COSGRAVE: There's been a  
concession there for many years at that site. And  
then there was a open competitive bid, as we do,  
for this concessionaire, which was awarded several  
years ago. And that will be open next year.

I also wanted to say that there's  
also a sub-committee of the group of Community  
Board 11 as well that meets monthly. So that's  
another aspect of our public involvement. Thanks.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRPERSON FOSTER: I'm sorry.  
There's a sub-committee of the Community Council  
that meets--

MR. COSGRAVE: [interposing] No.

CHAIRPERSON FOSTER: The Community  
Board that meets monthly just on Randall's Island.

MR. COSGRAVE: No, the Community  
Board. I'm sorry; it's a separate one, of the  
Community Board 11. They have a task force that  
they've set up and we meet monthly with them.

CHAIRPERSON FOSTER: To just  
discuss Randall's Island?

MR. COSGRAVE: Yes.

CHAIRPERSON FOSTER: Okay. Can you  
discuss the difference between a license agreement  
and a concession agreement?

MR. COSGRAVE: Well I'm not an  
expert at it but my years at Parks. Basically a  
license and concession agreement is the same  
thing, as we use it, for what we're talking about.  
We give license agreements; we don't give leases  
when we give concessions or concession licenses to  
the things that we're talking about today so it's  
the same thing.

1  
2 CHAIRPERSON FOSTER: Interesting.  
3 All right. Thank you. Council Member Viverito.

4 MR. COSGRAVE: Oh, wait. Here.  
5 It's like something when you take the GREs or  
6 something. All concessions are licenses but not  
7 all licenses are concessions. That's like reading  
8 comprehension.

9 CHAIRPERSON FOSTER: Yeah. Okay.

10 MR. COSGRAVE: Sorry.

11 COUNCIL MEMBER MELISSA MARK-

12 VIVERITO: Thank you Madam Chair for holding this  
13 hearing, which I believe is a very important one.  
14 When we look at the amount of construction and  
15 activity that is happening on Randall's Island and  
16 I feel very strongly, which has been voiced in a  
17 joint letter. That the Chair and I wrote to our  
18 Speaker that what happens on Randall's Island is a  
19 potential a precedent for what may happen at other  
20 parks in the City of New York.

21 We've had many hearings in  
22 Waterfronts Committee around Governor's Island.  
23 We know there's a lot to happen on Governor's  
24 Island in the future. I hope that putting  
25 scrutiny and attention to what's happening on

1  
2 Randall's Island and holding the activities on  
3 Randall's Island on what's happening and holding  
4 the City accountable to that is important as we  
5 move forward.

6 I have a lot of questions but I'm  
7 going to hold off and take the lead of Gerson when  
8 you were doing the hearing the other day and try  
9 to limit my questions to ten minutes so that other  
10 people can also ask questions and we can keep  
11 going back and forth.

12 My concerns are primarily in the  
13 land use matters and what is happening and what,  
14 in fact, may trigger actually land use review.  
15 You indicated with regards to the ball fields that  
16 your interpretation is that that did not have to  
17 go to ULURP yet. A court case indicated that the  
18 City was in violation of the land use review or  
19 the land use process and the concession had to be  
20 knocked down because of that. So I guess there's  
21 a difference of interpretation with regards to  
22 that.

23 MR. COSGRAVE: I think that what  
24 we'll be able to do if we proceed, ask for a  
25 concession and we proceed with that in all other

1  
2 regards, that we will be in compliance with the  
3 court's ruling. So I think it's more--

4 The court case was really only  
5 referred to the concession, not the construction  
6 and what they felt the concession, how the law  
7 applied to the concession. So if we do go back to  
8 the FCRC and get approval, negotiate and get the  
9 approval by the FCRC, we feel that that concession  
10 would comply with the court's order.

11 MS. MARK-VIVERITO: Now you also  
12 indicated that there have been no changes to the  
13 plan of doing construction of the fields and  
14 that's inaccurate if I'm not mistaken. Just two  
15 things that I think you are inaccurate. This is  
16 my interpretation of the facts.

17 One is that in all of your material  
18 you indicate that it's 170 acres that's going to  
19 take place in terms of the expansion and  
20 renovation of the fields. I sat with First Deputy  
21 Commissioner William Cavanaugh recently and he  
22 indicated that in fact there has been a  
23 reconfiguration of the ball field renovation that  
24 you basically originally had slated to put fields  
25 in the Harlem River event area. And that when the

1  
2 water park was knocked down you moved the fields  
3 that were going to be put there, up into the Bronx  
4 Shore fields. That reconfiguration seems to have  
5 expanded the number of acres.

6 You're now at 209 acres of the  
7 renovations of fields, so that's an increase of  
8 over 40 acres. Has that gone for any additional  
9 review with either the community or any other  
10 discussions that you've engaged in?

11 MR. COSGRAVE: That's fine if he  
12 said that; I stand corrected. But the fields that  
13 are going where the water park--

14 MS. MARK-VIVERITO: [interposing]  
15 But do you acknowledge the reconfiguration of the  
16 ball fields?

17 MR. COSGRAVE: Hold on one second.  
18 My understanding that was a year and a half ago  
19 and it had to do regarding the water park issue.  
20 We'll get some clarification for you but I still  
21 say that, my understanding is over some time now  
22 it has not changed. But your point is one that I  
23 need to respond to and get clarification on it,  
24 which I'm happy to do.

25 In terms of the water park, the

1  
2 ball fields are currently there so what we're  
3 doing instead of putting the water park there,  
4 we're just going to restore the fields that are  
5 already there so it's not a change in use.

6 MS. MARK-VIVERITO: But it's a  
7 change in plan. You talk about the master plan  
8 that was discussed with community review and  
9 input. And there have been a lot of changes, I  
10 believe, with regards to what's in the master plan  
11 and what in fact is happening. I guess the  
12 question is what additional community input and  
13 review is happening?

14 I don't believe it's really  
15 happening--

16 MR. COSGRAVE: [interposing] It  
17 happens every month Council Member.

18 MS. MARK-VIVERITO: I would have  
19 all different interpretations on what in fact  
20 happens every month. So I don't believe that  
21 those conversations are really the kind of  
22 community input that you should be gathering. So  
23 I think it should go a little beyond that.

24 The Randall's Island Sports  
25 Foundation was given a concession, correct, for

1  
2 the managing or is it a license agreement?

3 There's a distinction of the definition.

4 MR. COSGRAVE: It was a license  
5 agreement. Yes, the distinction comes in. Yes,  
6 there is a license agreement.

7 MS. MARK-VIVERITO: But for the  
8 issue of the ball fields in particular, was there  
9 a separate agreement with Randall's Island on that  
10 matter?

11 MR. COSGRAVE: No.

12 MS. MARK-VIVERITO: Okay. So it  
13 just falls under the privy of their  
14 responsibilities?

15 MR. COSGRAVE: Yes.

16 MS. MARK-VIVERITO: Okay. So  
17 that's an issue of concern with regards to the  
18 other site. The other major land use concern that  
19 I have is--and there's more questions on the  
20 sports fields but again I want to get to something  
21 else that I think is very pertinent right now and  
22 that's the tennis concession.

23 According to the materials that  
24 even Sports Time is putting out, that concession  
25 is going through a major, major expansion. What

1  
2 is your interpretation of the expansion of the  
3 concession as it stands and where it's going?  
4 What are we talking about in terms of square feet  
5 and in terms of amenities that are being brought  
6 onto that concession?

7 MR. COSGRAVE: They've been fairly  
8 clear I think for some time now. The current  
9 courts are 11 tennis courts and there are  
10 concession facilities there as well. We're  
11 increasing it so that there'll be now 20 tennis  
12 courts, which will allow us to serve more of the  
13 public, do more youth groups and have a first  
14 class center there.

15 The expansion therefore goes, I  
16 think, from three to four acres. I think I'm  
17 right about that. So it's an increase of an acre.  
18 As I said earlier, it's an existing site that has  
19 been used for decades for tennis and as a  
20 concession.

21 MS. MARK-VIVERITO: But would the  
22 bringing in of the clubhouse, bringing in the  
23 auditorium or the number of seats that are being  
24 brought in, which is I think is about 3,500. It's  
25 close to 4,000.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. COSGRAVE: No, it's not.

MS. MARK-VIVERITO: It's not. How many seats is it?

MR. COSGRAVE: Permanently it's 1,000 or 1,500.

MS. MARK-VIVERITO: It's not going to grow? With all of these new tennis courts it's not going to grow the number of people that can--

MR. COSGRAVE: [interposing] You can expand for a special event as you can do anywhere temporarily, but it's not permanent.

MS. MARK-VIVERITO: How large is the clubhouse?

MR. COSGRAVE: I believe it's 20,000 square feet for all around. 950 permanent seats. How big is the clubhouse area? I'll check back. Before this hearing is over, I'll get you the answer on that.

MS. MARK-VIVERITO: My understanding is that it's above the threshold that is defined in a major concession. According to a major concession definition it says use for which a new building of more than 15,000 square feet of gross floor area will be constructed when

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

such building will be located on parkland.

If in fact it is more than 15,000 square feet would that not be considered a major concession and therefore fall under ULURP?

MR. COSGRAVE: No because under Section 703, the one that follows 702, it states that a concession that has been an existing concession, even if you then bid it out for a new concession does not need to be considered as a major concession.

MS. MARK-VIVERITO: Repeat that part.

MR. COSGRAVE: It says in Section 703 of the City Planning rules that which follows 702, that in a park if an exiting concession and this is certainly an area that has been an existing concession. This has been for many years. Even if it's a new concession, somebody new but it's in a site where there has been existing concession that that new concession is not considered a major concession.

MS. MARK-VIVERITO: I guess when we have the other panels that will come, they may have a different interpretation of that because

1  
2 that, to me, is considered quite an extensive  
3 addition. Not only that but the concession,  
4 again, it's a concession which is going to  
5 generate a lot of private revenue and probably a  
6 lot of private use that is going to be encouraged.

7 I think we've had some people that  
8 will testify with regards to the fees that are  
9 being charged by this concession, which are  
10 extremely exorbitant. The kind of encouragement  
11 which is being brought onto Randall's Island of  
12 private use, which again, I think makes it  
13 unavailable to the larger surrounding community.

14 But that kind of expansive use, I  
15 would think would warrant some additional  
16 scrutiny. And maybe at minimum an Environmental  
17 Impact Statement, which is the other concern that  
18 we had with regards to the ball fields that  
19 there's absolutely been no environmental review  
20 that has been triggered by all of the activity on  
21 the island.

22 How many trees would you say have  
23 been destroyed in the renovation of the fields?

24 MR. COSGRAVE: Hang on one second.  
25 A little over 1,000 trees were removed. I want to

1  
2 state on this, the Parks Department, one of its  
3 mission is to keep trees alive and thriving and we  
4 spend a great deal of money to plant trees. We  
5 had the Mayor's A Million Tree initiative, which  
6 is planting trees.

7 Many of them as a first initiative  
8 in your council district as I know you've know and  
9 you've been very much involved with that and we  
10 thank you for that. The increase in population in  
11 New York City, we talked about it in my remarks in  
12 the 1930s but we've seen it now again, as you  
13 know. There's a booming student population,  
14 there's a great demand in other words for ball  
15 fields and recreational activity.

16 In an island like Manhattan, as we  
17 all recognize, there are few open areas to do  
18 that. Certainly, also not in the number that we  
19 would like to have. Randall's Island offered,  
20 therefore a very unique in this case opportunity  
21 to really start to meet some of the current needs  
22 and to plan for the future for the needs of kids,  
23 primarily, but also adults that need recreation as  
24 well.

25 Here what we're doing is while we

1  
2 regret having to take trees down, the benefits are  
3 enormous for the youth and the community. And  
4 we're also planting over 5,000 trees, 1,000 of  
5 which will be planted in this October. If you've  
6 gone out to the island, you can see the number of  
7 trees that are there now is still enormous and add  
8 great beauty to the ball fields and the area  
9 around it.

10 With the 5,000, so that's five  
11 times the number that was removed. And these were  
12 areas where we had to build new ball fields. The  
13 benefit far outweighs the cost, we believe. And  
14 in a few years you'll see over 5,000 trees each  
15 year and we think that overall, the tremendous  
16 benefit to the public is worth it.

17 MS. MARK-VIVERITO: How long does  
18 it take? I've seen some of the photos of what was  
19 there and when the trees were destroyed. It's  
20 pretty devastating I believe. You're talking  
21 about mature, fully grown trees that are providing  
22 shade and are providing a benefit to our  
23 environment. When you destroy those, you're  
24 putting in for the most part saplings. How long  
25 would it take for a tree of that size that you

1  
2 plant to mature to what was there? Over ten years  
3 I would think.

4 MR. COSGRAVE: Sure. But don't  
5 forget, we're planting trees that are actually  
6 larger in diameter than the street trees that we  
7 plant normally. So they will grow large, sooner  
8 than you think in a few years. They do provide  
9 shade immediately.

10 And again, I'd have to say you  
11 can't take it in isolation. You have to look at  
12 what the benefits are and we believe that the  
13 benefits are outweigh this temporary loss of the  
14 trees with a quick increase of 5,000 trees.

15 MS. MARK-VIVERITO: That's your  
16 position. I understand that. But it speaks to  
17 that, I guess one of other points of contention  
18 with regards to the whole renovation of the fields  
19 was the fact that I believe that Parks did not  
20 accurately present what it was that you were doing  
21 as a way of triggering an Environmental Impact  
22 Statement.

23 For instance, you issued a type two  
24 letter, which I think really greatly undervalued  
25 the number of picnic areas, the number of trees,

1  
2 et cetera. In underestimating that you, in fact,  
3 were able to get under the radar so to speak and  
4 not have to go for an Environmental Impact  
5 Statement.

6           Whereas a type one letter, if you  
7 accurately put in there what it was that you were  
8 going to do, the number of park areas, the number  
9 of acres in essence that you were going to use. I  
10 think you yourself stated that it was 12 acres  
11 that were going to be renovated or altered, that  
12 in and of itself would have triggered an  
13 Environmental Impact Statement. So why did you  
14 feel you didn't have to go through an  
15 Environmental Impact Statement for this project?

16           MR. COSGRAVE: Because when our  
17 planning people, who have a lot of experience in  
18 this, particularly as it relates to parkland, many  
19 years of experience. They went through it, they  
20 did look--

21           CHAIRPERSON FOSTER: [interposing]  
22 Excuse me just a minute. I know tensions are  
23 running but we need the choir in the back with the  
24 psst. We're going to let everybody be heard.  
25 Okay?

1  
2 MR. COSGRAVE: Thank you Chair. We  
3 looked into this and we concluded prior to doing  
4 any other work on it that it did not meet the  
5 requirements for an environmental review. We are  
6 however, because of the interest in this and  
7 statements that you made, and we take them  
8 serious. We are doing an environmental review.  
9 When the EIS is completed, we will release it.

10 MS. MARK-VIVERITO: But it's after  
11 the fact. Is it not? It's after the trees have  
12 been taken down, it's after the marshes have been  
13 moved or whatever it--

14 MR. COSGRAVE: [interposing] Have  
15 been improved. The marshes have been improved.

16 MS. MARK-VIVERITO: Actually you're  
17 creating marshes.

18 MR. COSGRAVE: I've explained it  
19 again that we did not feel that it required it.  
20 Why? In part because we renovate ball fields all  
21 the time, that's our mission. And under the  
22 requirements it was not required but in abundance  
23 of caution and because of concern, we're  
24 conducting a review and it will be released fairly  
25 soon.

1  
2 MS. MARK-VIVERITO: I know Council  
3 Member Gerson had questions. I will allow others  
4 to ask questions. I will come back as well and  
5 ask additional questions. So I thank you up to  
6 now for your answers.

7 CHAIRPERSON FOSTER: Council Member  
8 Gerson's not here.

9 MS. MARK-VIVERITO: He stepped out  
10 a second.

11 CHAIRPERSON FOSTER: Let me just  
12 switch a little. Can you talk to me and show me  
13 on the map, if possible, the access that is being  
14 created to get people from the Bronx to the  
15 island?

16 MR. COSGRAVE: Sure.

17 CHAIRPERSON FOSTER: I'm sorry.  
18 You got to...

19 MR. COSGRAVE: Thank you very much.  
20 Okay. So the first one, as I said, is on the  
21 existing Triborough Bridge and there is a way to  
22 get down for pedestrians or bicyclists from there.  
23 The second one, which is in design and we will  
24 soon start construction, is an at grade crossing  
25 under the Amtrak. And that will allow you also to

1  
2 access from there, hook up with the Bronx  
3 Greenway.

4 CHAIRPERSON FOSTER: Both of those  
5 are either pedestrian or bicycle?

6 MR. COSGRAVE: Yes.

7 CHAIRPERSON FOSTER: And what way  
8 would I access the island if I was coming from the  
9 Bronx via car and walking?

10 MR. COSGRAVE: Sure. The  
11 Triborough Bridge has both a vehicular access of  
12 course on the bridge but also two pedestrian ramps  
13 that lead down. One on the north right about here  
14 and also one on the south. The 103rd Street  
15 pedestrian--

16 CHAIRPERSON FOSTER: [interposing]  
17 And that is from Manhattan correct?

18 MR. COSGRAVE: Yes. That also is,  
19 as I said earlier, the 103rd Street pedestrian  
20 access which is right here, brings you on to those  
21 beautiful new fields. I would recommend you take  
22 a look at them some time if you get a chance;  
23 they're really, really wonderful.

24 Then Queens right here, this is the  
25 new ramp. It used to be to go all the way over

1  
2 and then come down for pedestrians. Now you come  
3 down and it brings you right down about here. And  
4 there will also be, when it's finished, a new way  
5 for Bronx residents to come in on car, a more  
6 direct and safer route where instead of going like  
7 this and coming out. They have their own ramp to  
8 pretty much come down more centrally into the  
9 island.

10 CHAIRPERSON FOSTER: Currently, how  
11 do buses access? Public transportation or the  
12 private school buses, how do they get on to the  
13 island now?

14 MR. COSGRAVE: There is the M35  
15 bus, which departs from 125th Street and Lexington  
16 Avenue. It runs from about 6:00 in the morning  
17 until after midnight. It runs very frequently.  
18 It's a 10 minute trip. They dispatch them  
19 obviously during the morning and evening rush  
20 hours I think every 10 to 12 minutes. Then during  
21 the sort of midday, it's every 15 minutes or  
22 something; it's very frequent.

23 CHAIRPERSON FOSTER: And where does  
24 it drop you on the island?

25 MR. COSGRAVE: It takes you to the

1  
2 different facilities there. Primarily the  
3 psychiatric center, the shelter, it stops right in  
4 front of the Charles Gay Shelter. And then it  
5 makes a loop back and it does this every few  
6 minutes.

7 In addition, as you asked about bus  
8 service, the Department of Education has worked  
9 with the public school's Athletic League. I think  
10 you will be hearing from the PSAL later this  
11 morning. They started this last fall of 2007, a  
12 shuttle bus program to assist kids who wanted to  
13 get to the island. I know when I was a high  
14 school student we took buses and subways all over.  
15 This is a nice thing for the kids.

16 CHAIRPERSON FOSTER: On this map or  
17 if you have another map, can you either tell me or  
18 on another map, designate where these additional  
19 5,000 trees are being put.

20 MR. COSGRAVE: Yes.

21 CHAIRPERSON FOSTER: Because as you  
22 know we are dealing with the tree issue with the  
23 building of the new Yankee stadium. One of my  
24 concerns with the administration in general is  
25 there seems to be precedent of putting the cart

1  
2 before the horse, especially in Environmental  
3 Impact Statements and dealing with replacement  
4 trees after the fact. We can get into a question  
5 of semantics. But after the fact we say wow, it  
6 wasn't a big impact or we could have done things  
7 differently. But at this point the trees are  
8 gone.

9 So if you could tell me on this map  
10 or give me a map where these trees are going to  
11 go, that would be great.

12 MR. COSGRAVE: I'd be happy to do  
13 that. I'll give you a map where the trees are  
14 planted, with the numbers.

15 CHAIRPERSON FOSTER: Thank you.  
16 Council Member Gerson.

17 COUNCIL MEMBER GERSON: Thank you  
18 Madam Chair. Good morning Commissioner and all.

19 MR. COSGRAVE: Good morning  
20 Councilman.

21 MR. GERSON: Let me just say I want  
22 to second the remarks made by my colleague,  
23 Council Member Viverito. Randall's Island remains  
24 important to all New Yorkers, especially to the  
25 New Yorkers in the community she represents of

1  
2 course, but to all New Yorkers as an important  
3 resource and destination. We are all concerned  
4 because we are also all concerned because she is  
5 absolutely right, the way in which Randall's  
6 Island is developed will set a precedent for many  
7 other very exciting developments throughout the  
8 city.

9 One area in which I believe that is  
10 probably particularly the case, is the financing  
11 of the development of the island. So let me just  
12 start and if I'm repeating any questions that were  
13 asked during the brief time. I was called away  
14 and I had to step out. Just Madam Chair let me  
15 know and I will move on.

16 Do you have any projections,  
17 Commissioner, as to non governmental fundraising  
18 goals for Randall's Island either in terms of  
19 actual dollars or proportions of what percentage  
20 of the entire development when it's all said and  
21 done will have been financed by the City of New  
22 York. What percentage by private sector  
23 fundraising?

24 MR. COSGRAVE: I can tell you some  
25 of that, certainly. But it will depend,

1  
2 obviously, whether or not a concession happens and  
3 if it does. In fact one of the benefits of the  
4 concession is that it provides private funding of  
5 an enormous public good and an enormous public  
6 benefit.

7 If we should get permission to do  
8 it and if it does happen, you're talking about  
9 something along the lines I think it was \$54  
10 million in private funds that would go to fund the  
11 ball field project that would pay back the city.

12 MR. GERSON: We're talking about  
13 capital, at this point, actual development  
14 construction?

15 MR. COSGRAVE: Yes, sir.

16 MR. GERSON: Go ahead.

17 MR. COSGRAVE: So that's obviously  
18 an enormous benefit to the public. The other  
19 thing that isn't mentioned some times is the  
20 percentage of time that any private schools would  
21 use the field as contemplated. Historically, as  
22 it has been in the past, is roughly I think it's  
23 been stated in previous hearing that roughly 11%  
24 of the time, of the overall usage that's available  
25 for use of the fields.

1  
2 And because you're talking  
3 weekends, you're talking the summer when the  
4 private schools would not be using them  
5 particularly. During the day, private schools use  
6 them public schools use them, before the after  
7 school hours. That is the main subject of  
8 discussions in the past.

9 So it's a tremendous benefit where  
10 a private group would be funding the construction  
11 of all these ball fields; that's \$54 million. And  
12 yet only use them roughly 11% of the time and the  
13 public would be using them 85% or whatever it is.

14 MR. GERSON: I just want to make  
15 sure I understand. If the City proceeds with the  
16 private school ball field concession, the City  
17 anticipates \$54 million in rental fees.

18 MR. COSGRAVE: Not in rental fees.

19 MR. GERSON: But where--

20 MR. COSGRAVE: [interposing] In  
21 concession license.

22 MR. GERSON: Sorry, concession  
23 fees, over what period of time?

24 MR. COSGRAVE: 21 years.

25 MR. GERSON: 21 years.

1  
2 MR. COSGRAVE: No, excuse me. Hold  
3 on. I'm sorry, 20 years.

4 MR. GERSON: \$54 million over 20  
5 years and the cost of the entire ball field  
6 project is what?

7 MR. COSGRAVE: The ball field  
8 project, \$61.5 million in field construction.  
9 Then there's another roughly \$73 million in island  
10 wide infrastructure improvements.

11 MR. GERSON: So the \$73 million ins  
12 island wide improvements, that's beyond the ball  
13 fields?

14 MR. COSGRAVE: Yeah. That's gas,  
15 electric, water, drainage, major infrastructure  
16 that it needs, electrical upgrades, et cetera.

17 MR. GERSON: So the entire  
18 projected capital cost for everything that we want  
19 to do on the island, everything the administration  
20 proposes through ball fields and everything else  
21 related to parks and recreation and environmental  
22 preservation. Anything other than non-parks, non-  
23 environmental, non-recreational use of the island;  
24 what are we looking at in terms of total capital  
25 cost?

1  
2 MR. COSGRAVE: I want to check  
3 these figures but I would say based on what we  
4 just talked about that's \$134 million and then add  
5 in the \$4.5 that we've already done for wetlands  
6 restoration. Then there are other projects that  
7 we've done prior to this, as I talked about.

8 MR. GERSON: So right about \$140  
9 million.

10 MR. COSGRAVE: Roughly but I can  
11 give you better figures if necessary.

12 MR. GERSON: Okay. So out of the  
13 \$140 million, \$54 million of the concession plan  
14 will be laid out by the City but over 20 years  
15 reimbursed.

16 MR. COSGRAVE: If we were to have a  
17 concession, yes, that's what we're proposing.

18 MR. GERSON: So the balance of the  
19 roughly \$90 million, is that going to be provided  
20 entirely by city capital funds or are you looking  
21 to other private sources to cover the balance.

22 MR. COSGRAVE: I believe that's all  
23 city capital funds.

24 MR. GERSON: All city. So the  
25 fundraising activity to which you referred that

1  
2 will be undertaken or could be undertaken by the  
3 Sports Foundation, what does that cover?

4 MR. COSGRAVE: They're going to  
5 maintain. They have staffing to maintain the  
6 park, to assist the Parks Department in the  
7 maintenance and operation of the park.

8 MR. GERSON: So that's all  
9 operations?

10 MR. COSGRAVE: Sure. And the Kids  
11 program, which we haven't really talked enough  
12 about, the Randall's Island Kids Programs. They,  
13 Councilman, fund that as well and that's a great  
14 program because you're not talking now just about  
15 maintaining the fields, picking up the trash,  
16 things like that. It's going beyond that in  
17 programming and they focus on public school kids,  
18 community based organizations and they work with  
19 them to bring them over to the island. They serve  
20 thousands of kids ever year and so they also raise  
21 funds to fund that.

22 MR. GERSON: What proportion of the  
23 projected operating expenses of the island, do you  
24 anticipate to be provided by the City's operating  
25 budget? And what proportion by the Foundation or

1  
2 other private sector fundraisers? It is going to  
3 be a 50/50 split do you think one weighing more  
4 than the other?

5 MR. COSGRAVE: More than that. The  
6 Sports Foundation--

7 MR. GERSON: [interposing] More than  
8 that in which way?

9 MR. COSGRAVE: The Randall's Island  
10 Sports Foundation currently funds more of the  
11 operating costs of the island in terms of staffing  
12 than the city does.

13 [Crosstalk]

14 MR. GERSON: Not of all operating  
15 budget projected when it's all said and done.

16 MR. COSGRAVE: I don't know. I'll  
17 check on that for you.

18 MR. GERSON: Okay. But you  
19 anticipate most of that to come from the  
20 Foundation?

21 MR. COSGRAVE: Yes.

22 MR. GERSON: Foundation fundraising  
23 efforts.

24 MR. COSGRAVE: Correct.

25 MR. GERSON: Now are there full

1  
2 disclosure requirements on the fundraising. Does  
3 the Foundation know enough to publicly disclose  
4 the source of all funds they receive?

5 MR. COSGRAVE: Yes.

6 MR. GERSON: And does the  
7 Foundation need to receive Parks Department  
8 approval before entering in to any, if you will,  
9 quid pro quo for fundraising before they decide to  
10 name a certain fountain or any fountain on the  
11 park after a certain donor or before they agree  
12 to--

13 MR. COSGRAVE: Yes.

14 MR. GERSON: --Delegated part of  
15 the--

16 MR. COSGRAVE: Yes. Absolutely.

17 MR. GERSON: Any concession with a  
18 small city, if you will, in exchange for  
19 fundraising, for any change on the island or for  
20 any use of the island, has to be approved by the  
21 Parks Department and the City of New York. Can  
22 not be entered into directly by the Boards.

23 MR. COSGRAVE: That's correct. The  
24 Parks Commissioner, and it's spelled out in the  
25 license agreement, must authorize this.

1  
2 MR. GERSON: Therefore based on  
3 what you said in terms of full disclosure,  
4 anonymous donations are not accepted for this  
5 purpose by this Foundation. Is that correct?

6 MR. COSGRAVE: I don't know. I'll  
7 have to check on that.

8 MR. GERSON: That would be very  
9 interesting. As you know, these issues have come  
10 up elsewhere and this is in align with what the  
11 Council Member said. I think we all, and based on  
12 the sprit of the law recently enacted and proposed  
13 by our Chair, Helen Foster, certainly. I would  
14 think we would want to see maximum transparency  
15 and openness in fundraising activities as related  
16 to public land and use of public land.

17 And certainly I appreciate the  
18 policies you outlined about Parks Department  
19 approval. And what I hope will wind up being full  
20 disclosure of any donations. We want to craft an  
21 exception for certain categories of anonymous with  
22 the Parks Department and the City's involvement.  
23 These are important, I think, to preserve the  
24 public nature of public space here and elsewhere.

25 I would just say I hope as part of

1  
2 the ongoing process, the Parks Department will  
3 work and the Foundation will work ever more  
4 closely with the local representatives, especially  
5 the local council member. Both, because that is  
6 the right thing to do and because of course the  
7 Council Member does have the ears and the interest  
8 of her community. Of course, that also sets a  
9 precedent for activities to come later.

10 I just want to just shift gears and  
11 conclude with a broad comment or broad question on  
12 the broader sports infrastructure, which may or  
13 may not directly relate to Randall's Island. We  
14 just finished enthralled by the Olympics where our  
15 nation did well but our City had quite a  
16 significant representation.

17 It has occurred to many of us, I  
18 know this has been discussed widely in sports  
19 circle and physical education circles, we don't do  
20 enough as a City to provide a fuller and  
21 especially advanced physical education and sports  
22 and athletic opportunities to our young people.  
23 It seems somewhere in this City of New York, there  
24 should be a facility like we have specialized art  
25 and music high schools. We have specialized

1  
2 mathematics and science high schools. We have  
3 specialized vocational high schools. We don't  
4 have any equivalent in the area of physical  
5 education or related health sciences and physical,  
6 biological sciences.

7           To create a high school with the  
8 resources and facilities to train future Olympians  
9 so that you had at point-- One point it was  
10 proposed to create, and this goes back several  
11 years, an Arthur Ashe High School of Sports  
12 Education where you had separate departments like  
13 the music high schools have separate departments  
14 for the different instruments and vocal music.

15           For each of the Olympic sports and  
16 you create the facilities so children can learn,  
17 whether it's gymnastics or badminton or track and  
18 field or swimming or the winter sports and ice  
19 rinks and that such a made facility can be used  
20 both as a school and during after school and  
21 summer hours to provide its resource to young New  
22 Yorkers and older New Yorkers citywide.

23           It seems to me that whether it's  
24 Randall's Island or Governor's Island or some  
25 other place that we need to look for this

1  
2 opportunity and we need to do it through a  
3 partnership between the Parks Department and the  
4 Department of Education. I just get very  
5 frustrated because that partnership just seems to  
6 be inadequate or lacking in many areas.

7 I want to challenge the Department,  
8 I want to challenge the Department of Education.  
9 Let's commit. We're about to enter into a new  
10 five year capital program for the school system.  
11 We should include as part of that a major facility  
12 for Sports education and related health education  
13 fields, which would open up many wonderful  
14 opportunities to many young people in this city,  
15 both those who attend the school and those who can  
16 make use of its resources during after. A high  
17 school of Olympics in this city would just be a  
18 wonderful, wonderful thing to have.

19 So I put that on the table and I  
20 hope we can make-- We should be visionary and  
21 let's make our visions a reality. Thank you very  
22 much.

23 CHAIRPERSON FOSTER: Thank you and  
24 thank you for the line of questioning on the  
25 funding. That's very important. Council Member

1  
2 Viverito.

3 MS. MARK-VIVERITO: Thank you Madam  
4 Chair. I know we are going to be getting to the  
5 advocates just shortly. I wanted to raise the  
6 issue of the concessions. I know RISF is  
7 represented here. I would like to know what is on  
8 average the budget yearly for the organization.

9 MR. COSGRAVE: Sure. I can answer  
10 that. The budget varies from year to year but  
11 it's approximately. It varies in the last two  
12 years from about \$3.8 million to \$4 million  
13 roughly.

14 MS. MARK-VIVERITO: My  
15 understanding is that the three concessions, the  
16 way the money is generated right now, you are in  
17 essence getting--that money is diverted to  
18 Randall's Island Sports Foundation to the  
19 management of the island as opposed to going into  
20 the general fund, correct?

21 MR. COSGRAVE: That's right.

22 MS. MARK-VIVERITO: So we have the  
23 golf concession that generates \$550,000 a year,  
24 tennis concession generates \$200,000 a year. My  
25 understanding on the tennis concession is that now

1  
2 with the expansion you're expecting to get even  
3 more money based on the revenue that that  
4 concession would generate. That would be  
5 interesting to find out about the structure. And  
6 that your food concessions generate about \$50,000.

7           What on average does the golf  
8 concession and tennis concession get privately?  
9 The \$200,000 and the \$550,000 is what they are  
10 paying for the concession but what do they  
11 generate in revenue independent of that?

12           MR. COSGRAVE: We can certainly get  
13 you that information and we'd be happy to do that.  
14 I don't know what it is right now but I know any  
15 concession is a percentage. The city or in this  
16 case the Sports Foundation, the money goes back  
17 into the park is a percentage of their gross  
18 receipts. This is information that's public and we  
19 can get that for you.

20           MS. MARK-VIVERITO: The concern I  
21 have in essence is now with the restructuring of  
22 the tennis concession and now that you're going to  
23 get a percentage of what they in fact earn, then  
24 in some ways you're encouraging extended private  
25 usage because it will benefit you as well. That's

1  
2 the concern I have that while you're talking  
3 about--when in essence I believe it's going to be  
4 primarily a private concession.

5           You're going to have fees that are  
6 really, really out of bounds with what the average  
7 New Yorker could probably pay for the clubhouse  
8 access, for whatever it is. The golf concession  
9 seems to generate quite a bit as well. I don't  
10 know if you have the same structure with that  
11 concession.

12           But the fact that you would get a  
13 percentage of the revenue of what they earn  
14 privately, it's set up I guess to be  
15 disproportionately in favor of private users over  
16 public use. That's the way I would interpret it  
17 and I think that that's problematic the way that  
18 would be structured.

19           On top of that they come to us as a  
20 city additionally for tax breaks. They just came,  
21 the tennis concession came, to the Empire Zone  
22 board to ask for tax breaks. So additional to all  
23 the infrastructure repairs that the city is paying  
24 for they they're greatly benefiting from, they're  
25 paying a small percentage for the concession and

1  
2 then they're generating a lot of private revenue.  
3 I think that a formula that's just set up to fail.  
4 I just don't think it's a fair formula. So those  
5 are concerns that I would raise.

6 I welcome the opportunity to get  
7 what it is that in fact they earn privately from  
8 the concessions and understand the structuring of  
9 both the golf concession and the tennis concession  
10 a little better about how it's going to be set up  
11 in the future.

12 MR. COSGRAVE: Right. It's all  
13 public information. We'll get it to you.

14 MS. MARK-VIVERITO: Thank you. I  
15 appreciate it.

16 CHAIRPERSON FOSTER: Thank you very  
17 much. Just to wrap up, we're going to get the  
18 follow through on the revenue question, the trees.  
19 We have a whole list of--Allen, does your phone  
20 have vibrate? Revenue, trees, [no audio] get the  
21 reporting and the makeup of the board; we got  
22 that. [No audio] Right.

23 And as always I know that Mike and  
24 people stay to hear the testimony because I think  
25 in this situation, as Melissa said, we have an

1  
2 opportunity to, with Randall's Island make this a  
3 win-win that we have not seen with many  
4 developments in the city. And of course, you know  
5 I'm going to refer to Yankee Stadium where the  
6 organization and the Mayor actually put the needs  
7 of the Yankees before the community in their  
8 studies. Transportation did a study and  
9 interviewed fans. Never did a study and talked to  
10 the residents.

11 So we have an opportunity here and  
12 I think it's important to listen to the advocates  
13 because there may be points that we're missing and  
14 going forward that we can come to one accord and  
15 really make this a win situation. As I've said  
16 before, I went to one of the private schools that  
17 benefited hundred moons ago in terms of this  
18 agreement. One of the agencies that I happen to  
19 like working with in doing these things is the  
20 Parks Department because I have found in my own  
21 community, the community has very much been a part  
22 of it.

23 So if there are some concerns,  
24 which we know there are, it's important that  
25 they're listened to. Hopefully before many of us

1  
2 are out of office, we can get this done so that  
3 when the new Council comes in and Melissa, you'll  
4 still be here, but we don't want to have to do  
5 this all over again, recreate the wheel, have the  
6 hearings again, go back and get the information  
7 and concerns out that we know are already there.  
8 So thank you very much.

9 MR. COSGRAVE: Thank you very much.

10 CHAIRPERSON FOSTER: Our next panel  
11 is going to consist of Eugenia Simmons-Taylor,  
12 Norman Seagul, Geoffrey Croft and Matthew  
13 Washington. Matthew had to leave, okay. Yes.  
14 Haimson, what's the first name? Leoni, that's an  
15 A okay or is it an E? So we should have four  
16 chairs for panels. Mr. Seagul you can have a  
17 seat. Geoffrey's coming. Are you Ms. Simmons-  
18 Taylor? Okay, very good. And Haimson. Okay.  
19 Thank you very much. You can start in whatever  
20 order you'd like. Whoever is ready. If the light  
21 is off, the mic is on and pull it close to you.  
22 So light off, mic on.

23 EUGENIA SIMMONS-TAYLOR: Okay.

24 Thank you.

25 CHAIRPERSON FOSTER: Thank you.

MS. SIMMONS TAYLOR: Good morning.

My name is Eugenia Simmons-Taylor and I was the president of the President's Council in District 4 in East Harlem in 2005 to 2007, school years. The President's Council is an organization with 34 of the public schools' PTAs and PTSAs presidents. We get together and meet monthly to discuss the various things in our community in education. I'm also on the board of Class Size Matters, a citywide advocacy group dedicated to achieving smaller class size and more equitable conditions in the New York City public school system with the students.

When the proposal was disclosed in the fall of 2006, that the city intended to give a no bid contract to lease most of the sports fields on Randall's Island to a small group of private schools for the next 20 years, no city or member of Randall's Island Sports Foundation ever consulted us or even informed us of their plans.

When subsequently there was a community meeting and it was called in East Harlem by the City Comptroller, the Manhattan borough president and the City Council. No one invited us

1  
2 either to attend that meeting. It was only  
3 because of the Class Size Matters that we found  
4 out about the meeting and we attended.

5 Our public schools desperately need  
6 access to more sports fields. We have only eight  
7 ball fields shared among 58 public schools in  
8 District 4. This is why after learning about the  
9 proposal our President's Council and the Community  
10 Education Council passed a resolution against it.

11 Subsequently we wrote letters, gave  
12 testimonies and then met with the head of  
13 Randall's Island Sports Foundation asking them to  
14 stop it, to no avail. No one listened to our  
15 pleas and the deal passed. The city franchised a  
16 Concession Review Committee on February 14<sup>th</sup> so it  
17 was with great relief that a lawsuit was filed in  
18 June of 2007. Blocked the deal.

19 Now President's Council voted  
20 unanimously to become plaintiffs. Although  
21 thankfully we won our lawsuit to block this  
22 outrageous deal with the private schools, the  
23 Foundation is still going ahead with the plans to  
24 redevelop the island and privatize much of its  
25 operation so that only the rich can afford to play

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

golf and tennis on it.

The Foundation will also control the allocation of the sports fields so it's quite possible that the private schools will continue to monopolize most of the fields as well as the old ones. Since the Foundation's board is controlled by an elite group, who do not represent the community and many of whom are private school parents. We demand that all work on Randall's Island be halted before there is further destruction of the island.

A new board should be created with the majority of the members from the community as well as full representation from parent groups and from the areas and citywide. Only then will there be a chance that this precious island owned by the public will be maintained and operated for [no audio] good rather than continue to be controlled by a few well connected people who have been trying to transform it into a private country club for the wealthy. Thank you.

LEONI HAIMSON: My name is Leoni Haimson. I'm the executive director of Class Size Matters, a citywide parent organization devoted to

1  
2 achieving smaller classes and more equitable  
3 conditions in New York City public schools.

4           When we learned about this proposed  
5 no bid contract we could hardly believe that such  
6 an egregious deal could even be considered, much  
7 less approved. Yet most parents in the community  
8 and citywide knew nothing about it. Eugenia has  
9 already mentioned that as President of the  
10 Community Council she had never been consulted,  
11 neither had the president of the citywide council  
12 of high schools. We reached out to these groups  
13 as well as other community groups like the  
14 Hispanic Federation and Civitas, who are assembly  
15 affronted aghast.

16           We wrote letters to the Mayor, the  
17 Parks Commissioner, set up a meeting with Rich  
18 Davis at the Randall's Island Sports Foundation.  
19 But despite all our efforts, the deal was approved  
20 with only one dissenting vote, that of the  
21 Manhattan borough president, Scott Stringer.

22           Our opposition to this deal is  
23 based not only on our view that it was inequitable  
24 and unethical but also that it was illegal.  
25 Patrick Sullivan, then a member of Class Size

1  
2 Matters and now our representative for Manhattan  
3 on the panel for educational policy, actually  
4 looked at the City Charter. He's not a lawyer but  
5 he actually read the City Charter and he realized  
6 that this project by any definition was a major  
7 concession and thus had to go through ULURP, which  
8 means review by the Community Board, the borough  
9 president, the City Council. Yet this had never  
10 occurred.

11           Though we believe the project  
12 involved probably far more acreage than this, the  
13 city itself admitted it involved at least 12 1/2  
14 acres, far outstripping the 2/3 of an acre that  
15 defines a major concession according to the City  
16 Charter. Yet at the FCRC hearings the  
17 representative from the City's law department made  
18 the absurd argument that because the city would  
19 convert these fields before handing them over to  
20 the private schools, the provisions of community  
21 review did not apply.

22           So we recruited Norman Seagul as  
23 well as attorneys from Strick, Strick and Levan  
24 who generously agreed to represent the plaintiffs  
25 pro bono and try to block a deal in court.

1  
2 Thankfully we won our lawsuit but we did not win  
3 our effort to stop the project entirely.

4           We realized after filing the  
5 initial papers that there were also major  
6 environmental issues involved, major  
7 transformation involving the cutting down of  
8 hundreds of trees, today they said more than  
9 1,000, construction of new roads and  
10 infrastructure and the installation of large  
11 amounts of artificial turf, which by law should  
12 require a full process of environmental review.

13           According to the state  
14 Environmental Quality Review Act, all actions  
15 taken by localities to fund these sorts of  
16 projects that change the use, appearance or  
17 condition of any natural resource or structure  
18 must go through a full environmental review  
19 process.

20           As part of our legal proceedings,  
21 Norm will tell us we filed a Freedom of  
22 Information request. We got back from the Parks  
23 Department a type two memo, which erroneously  
24 described the scope of the project and the amount  
25 of work involved. For example, before the FCRC

1  
2 the Parks Department said 27 new athletic fields  
3 would be added. In the type two memo they wrote  
4 that only 13 would be, less than half this number.

5 The letter also erroneously claimed  
6 that the fields would be located in areas  
7 currently used as playing fields without  
8 mentioning the many acres of picnic areas, trees  
9 and many natural features to be eliminated.

10 Moreover, state law says that any project that  
11 physically alters more than 10 acres of land  
12 requires a type one determination which means an  
13 Environmental Impact Statement must be made.

14 So even though this type two memo  
15 was previously undisclosed and no one knew about  
16 it, the judge in the case said that the statute of  
17 limitations had run out. As a result, the city  
18 has been allowed to evade the legally mandated  
19 responsibilities both relating to its  
20 environmental stewardship and to the public being  
21 provided with its rightful authority to review the  
22 operations and plans of the Randall's Island  
23 Sports Foundation, which now include not merely  
24 the sports field project but also new tennis  
25 courts, the golf concession, the proposed theatre

1  
2 and many other projects that will transform and  
3 privatized large areas of city owned land that by  
4 law should be obligated to go through both ULURP  
5 and full environmental review.

6 We're also concerned that there  
7 remain troubling conflicts of interest between the  
8 Sports Foundation and the Parks Department as  
9 pointed out by an audit of the state comptroller's  
10 office in 2002 and again in 2004, which called in  
11 to question the propriety of any contract entered  
12 into between these two parties. And yet  
13 subsequent to these two audits the Parks  
14 Department refused to adopt the recommendations of  
15 the state comptroller to disentangle its finances  
16 and the government from its Foundation.

17 Even more questions are raised by  
18 the fact that the Foundation is allowed to keep  
19 the proceeds of these concessions to subsidize its  
20 own operations. We're also concerned that since  
21 the Foundation will continue to control the  
22 permitting of the fields to be built n the island,  
23 the same group of 20 private schools will be  
24 granted most of the new fields as well as the old.  
25 And the inequitable aspect of the deal will remain

1  
2 only the private schools will now be exempted from  
3 having to pay for their privileged access.

4 Indeed there remain troubling  
5 conflicts of interest between the Foundation and  
6 the private schools and the lack of adequate  
7 representation of public school parents and other  
8 members of the local community on the board.

9 We urge the City Council and the  
10 Parks Committee to do what it can to halt these  
11 projects and stop the funding until they can be  
12 examined more fully both in terms of their  
13 potential impact on the environment and to analyze  
14 whether the public will have equitable access to  
15 the island and all its features and concessions.

16 We also ask that you demand that  
17 the Board of the Foundation be completely  
18 reconstituted to include a larger share of public  
19 school parents and members of the community to  
20 ensure that this invaluable city land is not being  
21 hijacked for the benefit of the few. Thank you  
22 very much.

23 NORMAL SEAGUL: Good morning.

24 Thank you for holding this hearing. The Randall's  
25 Island matter, controversy and the legal case

1  
2 involves the serious and substantial issues of  
3 privatization of public parkland and  
4 unfortunately, the failure of city officials to  
5 follow the rule of law.

6 I sat here and listened to the  
7 testimony. I saw the pictures on the screen. I  
8 saw the material that they gave the Committee and  
9 what was going through my mind as I heard the  
10 seekers from the Parks Department is and at one  
11 point I wanted to get up and scream, follow the  
12 law.

13 No matter how good your idea is, we  
14 are a government and people of the law and you've  
15 got to follow the law. No matter how good your  
16 idea you think is, to not follow the law means  
17 that you're above the law and we shouldn't  
18 tolerate that kind of arrogance.

19 This is a story of city government  
20 not at its best. It's a story of city government  
21 favoring some well connected private schools over  
22 both public schools as well as non-connected  
23 private and religious schools. It's a story that  
24 cries out for this Committee and the people that  
25 are sitting at the table in front of us to

1  
2 intervene and obtaining accountability over the  
3 use of our public parkland.

4 Many parks need to better monitor  
5 the Parks Department and the kinds of projects  
6 that we're discussing. All of us need to learn  
7 from this project and most importantly, the  
8 process involved in this project because as I  
9 learn more and more, I have a feeling that what  
10 we're looking at is not an isolated institution  
11 but it is the way this particular arm of  
12 government is functioning. And we really need to  
13 stop it.

14 Let me try very briefly to give an  
15 overview of at least the litigation. The lawsuit  
16 was filed in June of 2007. The first decision  
17 came on January 30, 2008 from the Supreme Court  
18 New York County. The Randall's Island Sports  
19 field improvement project agreement was vacated  
20 and annulled. In so doing, the park vacated both  
21 the right of public school children in the city to  
22 have fair and equal access to parkland as well as  
23 the ability. Sometime this point gets lost of the  
24 East Harlem community and indeed the entire New  
25 York City populous to contribute meaningfully to

1  
2 decisions impacting major tracks of public  
3 parkland.

4                   When I read the lawyers from  
5 Strick, Strick and Levan, one of them is here  
6 giving advice, doing a lot of the research. And  
7 you look at the history during the concierge of  
8 why we set up the ULURP process, the legislative  
9 history is what democracy is all about. The  
10 conclusion was that we shouldn't do any kind of  
11 changes to the land unless the people in the  
12 community that are directly affected by those  
13 proposals have a meaningful opportunity to  
14 participate.

15                   Because what good is it if certain  
16 people in government decide that in community X we  
17 should hack project Y if in fact the people who  
18 are in that community, that's not their vision for  
19 what they want for the future for their children,  
20 their grandchildren, for that community.

21                   So ULURP is very important not just  
22 for land use purposes but it strikes as the heart  
23 and soul of what a Democratic society is all  
24 about. At least the three elected officials that  
25 are speaking to, I know all three of you and you

1  
2 believe in this 100%. Too bad that some of the  
3 people I don't think are as committed to these  
4 principles and values, they are not in the room  
5 right now. But somehow you need to get across to  
6 them that what ULURP is about is not just  
7 technical land use stuff. There is a premise of  
8 what Democracy is all about.

9           The issue of the Environmental  
10 Impact Statement and the issue of competitive  
11 bidding are also fundamental issues. By the time  
12 Mark Klines learned that the Environmental Impact  
13 issues and the competitive bidding issues were in  
14 play and by the time the lawyers were bale to put  
15 together an amendment to the original petition,  
16 unfortunately the judge concluded that we didn't  
17 do it within the timeframe that the statute of  
18 limitations allowed for.

19           But speaking before you today when  
20 I talk about we should learn from the process, the  
21 question becomes how do people in the community  
22 learn about some of these changes and some of the  
23 decisions made by City government if in fact,  
24 those decisions are not widely known and that  
25 there's remedies in order to change it.

1  
2 For example, I was sitting here  
3 again this morning and hearing some of the good  
4 questions and finding out well this has changed  
5 and this has changed. Well every time there is a  
6 change, if it is a fundamental change or a  
7 meaningful change, maybe there are some legal  
8 actions that can be taken by people in the  
9 community. But probably people in the community  
10 are not aware of that and that's how sometimes  
11 government is able to do things that perhaps  
12 legally they can't do but they get away with it.

13 The City has taken an appeal of the  
14 decision on January the 30th and there was a  
15 second decision on May the 14th that said that we  
16 couldn't address the Environmental Impact issue  
17 especially when we found how much artificial turf  
18 was coming in. And Jeffery Croft, who sits to the  
19 right of me right this moment, he's one of the  
20 experts on that. When we finally realized  
21 artificial turf was being put into Randall's  
22 Island, that could have triggered in and of itself  
23 an environmental review. But who knew hoe  
24 extensive it was going to be.

25 So the city took an appeal in June

1  
2 of '08 and July '08 to the Appellate Division. We  
3 have submitted our opposition papers in the  
4 appellate division and very simply, as you can  
5 see, this is our notice of motion so I'm not going  
6 to necessarily go through all of that stuff.

7 But basically we've asked the  
8 Appellate Court to dismiss the appeal because the  
9 time ran, ironic interesting in the sense they  
10 raised those issue to us in the lower court and we  
11 think that if they wanted to appeal a decision,  
12 they needed to do it within 30 days from when we  
13 entered the decision, which would have given them  
14 some time in early March of '08 to appeal.

15 I think the Court will dismiss the  
16 issue and that presents a very interesting  
17 question. Because even though we won on January  
18 30<sup>th</sup> the City went ahead and reconstructed without  
19 doing ULURP. My reading right now is that when,  
20 if the Appellate decision action ends, what you  
21 have is the January 30<sup>th</sup> decision, which said they  
22 did not do ULURP. And they're going to have to do  
23 ULUPR again. When they go through the ULURP  
24 process there is a very interesting question.

25 A, the scope of the new ULURP that

1  
2 should have been done before they did what they  
3 did. My position is that it was wrong and  
4 irresponsible for the city to go ahead with the  
5 reconstruction and light of the January 30, 2008  
6 decision. What happens in the ULURP process if  
7 that's going to happen if people then decide for  
8 the first time that the way the Parks and the  
9 Randall's Island Sports Foundation went about  
10 carving up the land is not the way they want it to  
11 be. What happens then?

12 Hypothetically do they have to then  
13 get it back to its pre-reconstructed period or  
14 have to do it differently? The point is and I  
15 made it before, we should learn about this, we  
16 should never be on the cusp of this kind of  
17 decision.

18 We commenced the lawsuit on June  
19 14, 2007, to challenge the Franchise Concession  
20 Review Committee's determination to grant a 20  
21 year concession to the Randall's Island Sports  
22 Foundation, the use of certain athletic fields on  
23 Randall's Island.

24 I'm not going through all of it  
25 because time doesn't allow but I want to go

1  
2 through one or two of the points to talk about how  
3 they try to frame the issue, how they spun this  
4 issue, which I think is symptomatic of the points  
5 I was making before.

6 Under their scheme, and I use that  
7 word consciously. The Sports Foundation then in  
8 turn would grant a sub concession to a consortium  
9 of 20 elite private schools for the exclusive use  
10 of at a minimum 2/3 and possibly a maximum of 80%  
11 of the fields from 3:00 to 6:00 Monday through  
12 Friday. This arrangement would exist for 20  
13 years.

14 In so acting, the Franchise and  
15 Concession Review Committee we argue violated the  
16 City Charter in failing to apply the procedure set  
17 forth in the city ULURP process. ULURP requires  
18 and I quote "that all major concession are subject  
19 to its review procedures". Here the concession is  
20 a major concession and thus should be subject to  
21 ULURP review with its fundamental purpose, as I  
22 said before, of measuring the impact of proposed  
23 land uses.

24 Here's the part. The concession  
25 would, in a contrived two-step process, result in

1 vast acres of city parkland being converted to  
2 private use. In step one, the City "would create"  
3 a certain number of athletic fields that do not  
4 currently exist, converting space used for  
5 picnicking, barbequing, which the East Harlem  
6 community and the Bronx do engage in, especially  
7 in the summer months. And then step two, private  
8 schools would get at least the 2/3 the use of the  
9 fields.  
10

11 The concession would commence when  
12 75% of the sports field are deemed substantially  
13 complete. Doing it in this two step process, the  
14 city then argued that it's not a new use but a  
15 continuing use. This argument is contrived and it  
16 was rejected by the Court. It's symptomatic, in  
17 my opinion, of how the city operated here, which  
18 is not a good way to operate.

19 This contrived two step process by  
20 trying to argue that it was a continuing use, in  
21 my opinion, gave them they thought, the  
22 opportunity to avoid the ULURP process. Again,  
23 they should have gone through the process because  
24 then-- I sat here and listened to the guy when he  
25 talked about I went to the community board, we

1  
2 went to the community. You asked him, Ms. Foster,  
3 was he satisfied with the process and he said yes.  
4 I was ready to yell and scream no, no, no; don't  
5 accept that.

6 Because you can't short circuit the  
7 process. You should have done it the way the law  
8 requires you to do it. And too often, on this  
9 project, that's what we were finding and it was  
10 very, very, frustrating. We were very pleased  
11 that we had a judge that saw through all of this  
12 and struck it down.

13 Part of the stated purpose of ULURP  
14 is to one, encourage genuine, that's the word they  
15 use, citizen participation in local city  
16 government. And two, ensure that local city  
17 government is responsive to the needs of its  
18 citizens.

19 Concession is a grant by any agency  
20 and I'll quote "for the private use of city owned  
21 property for which the city receives compensation"  
22 That's the answer, not the riddle that you were  
23 given before in response to one of the question by  
24 Ms. Foster. I'll repeat "a concession is a grant  
25 by an agency for private use of city owned

1  
2 property for which the city receives compensation.

3           And ULURP defines a major  
4 concession in relevant parts and one of the parts  
5 says, an open use which occupies over 30,000  
6 square feet of a separate parcel of parkland.  
7 Here under one of the provision in the concession,  
8 it did constitute a major concession. First,  
9 specially the concession by its term involved 158  
10 or was it 273 acres of Randall's Island, given the  
11 total size of area involved in the concession.  
12 The 158 acres of 6.8million square feet, the  
13 concession vastly exceeds the 309,000 square feet  
14 threshold. While the city attempted to obscure  
15 the total size of the concession that arguing that  
16 only 12 ½ acres would be converted to new use,  
17 going back to that two step process.

18           Even by their acknowledgement that  
19 the 12 ½ acres of 540,000 square feet that would  
20 be converted from used parking fields to athletic  
21 fields is 18 times the 30,000 square feet  
22 threshold for a major concession. So in entering  
23 into the agreement with he Randall's Island Sports  
24 Foundation, the FCRC granted a major concession  
25 under the law. And in doing so, ignored and

1  
2 circumvented the important public policies that  
3 underlie ULURP and the City Charter.

4 I'm not going to go on because  
5 there are other speakers and I know you all have  
6 some questions. But if I did go on I would talk  
7 about the EIS and the importance of the  
8 environmental review and also for this Committee  
9 on its own to look at the issues about competitive  
10 bidding. There's a preference for it. They were  
11 able to kind of legally maneuver it so that didn't  
12 happen here. You should take a hard look at that  
13 issue.

14 Let me say in conclusion, that not  
15 only because I'm a proud graduate of the public  
16 school system, but when I first was told by people  
17 in the East Harlem community - - of what was going  
18 down. It really bothered me. One of the reasons  
19 we did the lawsuit is that these kinds of projects  
20 which give the appearance of elitism, of potential  
21 racial overtones, clearly class overtones, should  
22 not happen in the City of New York.

23 This is a city, and again I'm  
24 talking to the choir here but you're the ones that  
25 are here. Interestingly we have Caucasian,

1  
2 African American and Latina so we have three of  
3 the four major racial groups here. And what this  
4 city is all about and it's what the Statue of  
5 Liberty over in the harbor not too far from here  
6 is a place where people from all over the world  
7 come and it's a place where we think and we  
8 proclaim that we're fair, we're egalitarian. Then  
9 you get projects like this, which smack us right  
10 in the face and say only the well to do get the  
11 privileges.

12 I think we should stand real strong  
13 on this, united, and say this is not what New York  
14 is about, we're not going to tolerate this  
15 project. We're going to do whatever we got to do  
16 now to undo it so that at a minimum the kids from  
17 the public schools are treated equally from the  
18 kids at these 20 elite schools.

19 For the record, we are not opposed  
20 from the kids from the 20 private schools having  
21 access to the facility but they should be seen as  
22 equals to very other student, including the public  
23 school students, the non-connected private  
24 schools, the parochial schools, the Yeshivas, all  
25 the people who don't have the access to the

1  
2 Randall's Island Sports Foundation, they should be  
3 seen in the eyes of government as equal to those  
4 kids who are at the 20 private school.

5 I know the three of you, I know  
6 what's in your hearts and your minds. I know  
7 you're going to do the right thing. The only  
8 thing I encourage you to do is have the stamina to  
9 keep the fight going on this issue and any other  
10 projects like this. We can do better than this.  
11 You know we can and we must. Thank you very much.

12 CHAIRPERSON FOSTER: We have been  
13 joined by Council Member Gale Brewer from  
14 Manhattan.

15 MR. SEAGUL: For the record, for  
16 the points that I made about the tree of you, Gale  
17 would fall in that category as well.

18 GEOFFREY CROFT: Good Morning. My  
19 name is Geoffrey Croft. I'm president of NYC Park  
20 Advocates. Very serious land use issue have  
21 arisen in conjunction with the unprecedented  
22 construction on Randall's Island. Over the last  
23 few years more than \$215 million has been secured,  
24 transforming hundreds of acres of parkland on the  
25 island, another \$20 million is currently pending.

1  
2 Yet the city and the Randall's Island Sports  
3 Foundation have managed to bypass environmental  
4 reviews and public input on the largest park  
5 reconstruction project in the city's modern  
6 history.

7           According to the plan, this project  
8 represents the building of "the largest outdoor  
9 athletic complex in the city", comprising of 66  
10 playing fields, restrooms, lighting, designated  
11 parking and staffed information booths. Dozens of  
12 acres of flora and fauna have already been  
13 destroyed and the island's wildlife habitat has  
14 been seriously disturbed. It's been estimated  
15 that thousands of trees have been removed; it's  
16 not 1,000 trees.

17           The plan also calls for the  
18 installation of the city's largest concentration  
19 of the environmentally questionable and highly  
20 controversial artificial turf. These plans were  
21 developed by a private non-profit in consultation  
22 with the city's Parks Department and private  
23 schools. Additionally a \$14 million tennis  
24 concession is currently being built. However no  
25 ULURP analysis has been undertaken. NO EIS, no

1  
2 analysis under SECRA has occurred. And most  
3 importantly, the area's residents and neighboring  
4 communities have had virtually no opportunity to  
5 give meaningful input or air their legitimate  
6 concerns in a public forum.

7 This project has gone unchecked and  
8 largely without public transparency and scrutiny.  
9 Communities must have meaningful impact on  
10 significant land use decisions regarding public  
11 lands. These issues have ramifications citywide  
12 and not only because the island is used by many  
13 who live outside the area but due to the process  
14 by which this plan has been developed.

15 We've gone into some of the  
16 background so I won't go into all of this. But  
17 one thing I want to say on the background is they  
18 claim the project will convert 12.5 acres of  
19 Randall's Island into sports fields and renovate  
20 approximately 158 acres of what is claimed were  
21 pre-existing sports fields.

22 Pursuant to the terms of the  
23 agreement, Randall's Island in turn would enter  
24 into a bid 20 year concession with a consortium of  
25 20 private schools for exclusive use, overwhelming

1  
2 use of the overwhelming majority of these 171  
3 acres during the prime after school hours. And as  
4 we've heard in his testimony, that has grown to 209  
5 acres.

6 The number of acres involved in  
7 concession and the reconstruction can only be  
8 approximated because the city has yet to be held  
9 accountable for the exact land it intends to  
10 pursue and the exact number of acres. Two weeks  
11 ago, the numbers as you've heard here it's gone up  
12 to 209.

13 Moreover, the approximate 158 acres  
14 that the city was claiming were sports fields  
15 included not just sports fields but many areas  
16 that were used for passive recreation such as  
17 picnicking and family outings. An essential  
18 element of the public's ability to assess whether  
19 the current project being built is desirable for  
20 the local East Harlem and South Bronx community  
21 and the city as a whole, is a firm grasp of the  
22 scope of the project, which is interesting because  
23 now we're finally hearing some of these details  
24 when it's been under construction for a year.

25 This these public hearings will

1  
2 hopefully eliminate the issue, one which should  
3 have been a matter of public record a long time  
4 ago.

5           Despite the court's order that a  
6 ULURP review is required, the city has continued  
7 construction on Randall's Island, which again  
8 includes the uprooting of wildlife habitats  
9 includes barbicide [phonetic] and de-forestation  
10 of many areas. And will include, at over one  
11 million square feet, the largest installation of  
12 artificial turf in the United States. Indeed this  
13 ongoing conglomerations of constrcti8on has left  
14 vast areas of Randall's Island inaccessible to the  
15 public and yet more areas unusable for recreation.  
16 Either active, sports games or passive.

17           Indeed while the petition has  
18 sought a preliminary injunction to halt the  
19 construction. Destruction on Randall's Island  
20 until such time as a full and public review had  
21 been completed, this injunction was denied.

22           It is also recently come to light  
23 that the DPR, Parks Department, misstated the  
24 scope of work being performed as part of the field  
25 development. As mentioned, instead of a type one

1  
2 memo which would have triggered an environmental  
3 review, the DPR filed a type two which  
4 dramatically under reported the scope of work  
5 being performed. The city acted in bad faith to  
6 avoid doing an EIS; it's that simple.

7           The city had originally declared  
8 the project wouldn't need environmental review  
9 based on its claim that only 13 new athletic  
10 fields would be built. In a July 28, 2006 type  
11 two memorandum, Parks Department planner, Joshua  
12 Laird said 64 new athletic fields will replace 61  
13 existing fields. The memo stated that  
14 construction of the fields constituted "in kind  
15 replacement, rehabilitation or reconstruction of  
16 the ball fields on the same site".

17           Yet at a February 13, 2007 hearing  
18 of the FCRC, which approved the deal, Deputy  
19 Commissioner Lim Cavanaugh put the figure for  
20 existing fields at 36, bringing the number of new  
21 fields to 28, more than double the 2006 claim.  
22 "Currently there are 36 fields available on the  
23 island". The city's characterization of this  
24 project has being an in kind replacement,  
25 rehabilitation or reconstruction of ball fields on

1  
2 the same site is absurd.

3           However, misrepresenting the scope  
4 of work was important because it allowed the city  
5 to file an EAS and avoid doing a more  
6 comprehensive EIS. It's important to note that  
7 the required process for completing an EAS does  
8 not include a public comment period. In fact, the  
9 DPR is fond of pointing out, under the state  
10 Environmental Review Act, a lead agency, in this  
11 case the Parks Department is required to  
12 coordinate its review only with other involved  
13 agencies. This is defined as an issue that has  
14 jurisdiction by law to fund, approve or directly  
15 undertake an action that which has a discretionary  
16 decision in any such regard.

17           As a courtesy, they sometimes  
18 circulate environmental assessments to certain  
19 other agencies. An agency is defined as being  
20 part of a state or local government. Either SECRA  
21 or New York State Environmental Quality Review  
22 Process requires official public review or a  
23 public comment period as part of the EAS process.

24           Should the Parks Department as lead  
25 agency determine that the Randall's Island project

1  
2 had the potential to cause adverse environmental  
3 impacts, an EIS would have been prepared,  
4 including opportunity for extensive public review.  
5 Only certain minor actions identified by the  
6 state, known as type two actions are exempt from  
7 environmental review.

8           The lead agency responsible for  
9 undertaking funding or proving an action  
10 determines whether an action requires  
11 environmental review. This is very important  
12 because in the community's lawsuit challenging the  
13 Randall's Island deal, the plaintiffs were time  
14 barred, as have been mentioned, from bringing this  
15 action. They were not even made aware of the  
16 existence of the type two, as Leoni pointed out,  
17 until a year and a half later when they received  
18 it in a formal request.

19           Remarkably we were told just two  
20 weeks ago and this morning that the DPR will  
21 finally now be conducting some sort of  
22 environmental review. This, after much of the  
23 island has already been destroyed and is under  
24 construction.

25           The issues that cry out for public

1  
2 review are many. In addition to issues  
3 surrounding the creation of sports fields, there  
4 is also the tennis center. Local Council member  
5 Melissa Mark-Viverito having been in office more  
6 than two years was only shown the plans for the  
7 \$14 million for the tennis concession in her  
8 district, a few weeks ago; this, while the  
9 developer has started construction months earlier.

10 They're building a 30,000 square  
11 foot covered tennis building and according to  
12 company promotion materials, a 20,000 square foot  
13 clubhouse complete with bar and seating for up to  
14 4,000. I believe Mr. Castro mentioned that it's  
15 at the same site. It is a different site that is  
16 inaccurate. The tennis center is at a different  
17 site.

18 Each one of these project elements  
19 should have also triggered a ULURP in relation to  
20 the project being a major concession and in all  
21 likelihood, an EIS. Yet this project has also  
22 managed to bypass all environmental reviews as  
23 well as public transparency.

24 Also troubling was language  
25 included in a September 21, 2007 press statement

1  
2 from the Parks Department regarding the  
3 cancellation of the water park. In it, their  
4 spokesperson refers to a portion of the island as  
5 "existing festival concert grounds on the island's  
6 western shore". It is clear from this that the  
7 city was attempting to establish precedent and  
8 stake out future commercial uses for this section  
9 of the park, apparently without going through  
10 state alienation process and again, without  
11 consulting the community. It's also interesting  
12 because they counted these same sports field in  
13 the plans that they submitted in court  
14 proceedings.

15 Two weeks ago brand new  
16 configurations suddenly appeared. In a meeting  
17 again with City Council member Melissa mark-  
18 Viverito, Lim Cavanaugh delivered a new version  
19 which contained the phrase Harlem River Event Area  
20 on a project map. As I understand, it is this new  
21 addition wasn't even pointed out the meeting.  
22 Now they're trying to absorb this into the plan.  
23 Again, with no clear source of authority, no  
24 ULURP, no SECRA review and no opportunity for  
25 public hearing and comment.

1  
2 Last year from June to October '07,  
3 that's four months, the general public were  
4 prevented from using these same many acres of  
5 public parkland on Randall's Island eastern shore.  
6 This was due to the erection of the concert stage  
7 and the use of surrounding parkland which had been  
8 set aside to accommodate a few concerts in the  
9 summer and the fall.

10 This area of the park is frequently  
11 used for many established park purposes, both  
12 active and passive including soccer, volleyball,  
13 bike riding and picnics. Many people rely on  
14 these free public open spaces. This commercial  
15 use had completely prohibited the public from  
16 using the area for months and also cut them off  
17 from being able to access the waterfront from this  
18 section of the park.

19 It appears the city in connection  
20 with the Randall's Island Sports Foundation has  
21 attempted to circumvent alienation legislation by  
22 allowing the building of a "temporary concert  
23 area" to remain the entire summer into fall, when  
24 the public's use of public parkland is the  
25 greatest.

1  
2 The desire for these commercial  
3 events is be driven by the fees negotiated by the  
4 Randall's Island Sports Foundation, which are used  
5 for the operation and maintenance of the island.  
6 The plan for the Bronx Shore fields was also  
7 officially unveiled in City Council member. The  
8 fees for the last two years, I don't have 2008 but  
9 Randall's Island just from those special events  
10 gets approximately \$2 million a year. Again,  
11 that's able to bypass going to the city's general  
12 fund.

13 In closing, the city and private  
14 group should not be allowed to unilaterally make  
15 land use decisions without community participation  
16 and consultation. Important land use decisions  
17 must have significant public input. These  
18 projects will not only dramatically alter the  
19 island's physical configuration but also the  
20 public's former uses of the park.

21 The time has come to lift a shout  
22 of secrecy and bureaucratic manipulation that has  
23 surrounding the Randall's Island reconfiguration  
24 for far too long. The issues above should be  
25 elucidated for the public and the city and the

1  
2 Randall's Island Sports Foundation should be held  
3 accountable for its actions.

4 And the public, including its  
5 elected officials should be given the opportunity  
6 to have measurable input into what they believe is  
7 best for the community and this city. Please help  
8 us to halt these future projects until this can be  
9 accomplished.

10 As you guys know, we have some  
11 images from the devastation, which we'd like to  
12 share. This was on newly planted grass by  
13 Randall's Island Sports Foundation. Again, using  
14 donated funds to maintain this area and this is  
15 the Central Field. This is what it looked like  
16 about two years ago, about three years ago. This  
17 is an overview taken from on top of the Triborough  
18 Bridge and this will be a chip tic, nice panoramic  
19 here of all the trees. I've analyzed and I was  
20 actually there. I've seen the reports and by the  
21 way no permits were issued for forestry for the  
22 trees. I've seen the reports, it says a little  
23 over 1,000 trees; that's completely absurd.

24 This is just one grove. Again,  
25 these are all separate shots. This is just one

1  
2 area in the Central Fields. This is what it looks  
3 like today. Five ball fields are slated to go in  
4 there. This is what it looked like last week.  
5 Again, all the private schools are out there.  
6 Sacred Hearts running on fields that are 141  
7 degrees. Again, there has been no Environmental  
8 Impact Statement on artificial turf. This was the  
9 temperature of the grass right next door, so 141,  
10 this grass was 83 degrees.

11 This is the area that Leoni spoke  
12 very well about. In my opinion, the area that  
13 they tried to claim was prior use. This is a very  
14 historic area on Randall's Island, built up during  
15 the WPA. The historic Sunken Gardens and this is  
16 what it looked like after they started building  
17 the fields.

18 This is one of the status areas.  
19 Again, most of the park is used especially by  
20 people in the community, not necessarily for  
21 baseball and soccer but for passive uses. This is  
22 a beautiful area. And I believe it was even a  
23 Forever Wild area and the Randall's Island Sports  
24 Foundation used to bring kids there. This is what  
25 it was like after they...all those trees in the

1  
2 back are gone as well.

3           This is a beautiful area. Actually  
4 in the master plan, they talked about this area of  
5 the park. I just again, have to re-emphasize that  
6 the master plan has changed considerably. They  
7 wanted restaurants and private uses there. This  
8 is the same area. They're putting a parking lot  
9 there.

10           This is the event field that just  
11 newly showed up on the map at the Council woman's  
12 office. It's right in here now. Again, this was  
13 the area that the Randall's Island Sports  
14 Foundation was sued about regarding the  
15 amphitheatre back in 2000-2001.

16           This is the area that was  
17 completely blocked off for at least four months  
18 last year. This is the area that they want to use  
19 for private events. Again, it's used at all times  
20 during the year. This is actually in the winter  
21 time. This is a soccer goal post that's being  
22 used for volleyball. This is the same area in the  
23 summer. Again, this wasn't taken last year  
24 because they were blocked from accessing this but  
25 these are just some of the recreation

1 opportunities that are coming to Randall's Island.

2 That is the area by the proposed  
3 Harlem Event area, which I might add that the  
4 Randall's Island Sports Foundation has been a very  
5 positive force in creating more recreation  
6 opportunities on the island. So obviously it's  
7 not all bad. This is Mayor Bloomberg's private  
8 party. The Randall's Island Sports Foundation  
9 gets \$70,000 for the rental of dozens of acres of  
10 parkland. This is casino, as you can see they're  
11 playing cards and drinking their beers. That's  
12 the same area that we're talking about. Sorry, it  
13 is not Mayor Bloomberg's private party. It is  
14 Mayor Bloomberg's private event.

15 I also want to say obviously Mayor  
16 Bloomberg himself has been very generous in his  
17 own personal wealth, helping out the island as  
18 well.

19 This is the concert area and again,  
20 whether it should be used for this or not. It's  
21 certainly not my decision but this should be  
22 coming to the public. This is the area there.  
23 There's just some of the caliper of trees. Of  
24 course, not all destruction of trees; there were a  
25

1  
2 lot of invasive trees. This area in particular,  
3 there's a lot of landfill there. Again, there's  
4 good with the bad.

5 This is the area for the tennis  
6 concession. This is the exact same area.

7 CHAIRPERSON FOSTER: We just have  
8 about 20 more people and I wanted everybody to get  
9 a chance to speak.

10 MR. CROFT: I'm almost done.  
11 There's about three more slides. This is the  
12 tennis center that's being built. Again, much of  
13 the habitat has been relocated. We're getting  
14 calls from government agencies on the island.  
15 We've gotten more than one saying they have to  
16 call animal control. Where have all the rabbits  
17 gone? Again, this island was full of pheasants  
18 and rabbits.

19 Again, most of the island is used  
20 for passive uses as well. The Bridge, which is a  
21 sore spot because it's close for five months of  
22 the year and that should be addressed. [no audio]  
23 for some reason is being put where a beach was.  
24 This is a sad picture and I'll end it with this.

25 When we were out for Bloomberg's

1  
2 corporate party, I brought out two accredited  
3 members of the press to photograph it. And an  
4 employee of the Randall's Island Sports Foundation  
5 said that we were trespassing by being on or near  
6 this permanent field. A, there is no sign that  
7 had a permanent field. Actually this slide is  
8 backwards. Then they went and got a sign and  
9 installed it.

10 Of course, we weren't on the field  
11 itself. We were threatened with arrest by Scott  
12 from the Randall's Island Sports Foundation. Not  
13 by the police but by Bloomberg's private security.  
14 Again, this is the type of attitude that we need  
15 to address here. Because the Randall's Island  
16 Sports Foundation has done amazing work but we  
17 need to deal with these issues.

18 CHAIRPERSON FOSTER: Thank you. I  
19 have just two quick questions for you Mr. Seagul.  
20 Where are we in the process now with the suit?  
21 And was there a time when a TRO could have been  
22 issued or was this not the type of situation where  
23 a temporary restraining order to halt some of the  
24 construction and ongoing?

25 MR. SEAGUL: The answer to question

1  
2 number one is that the city took an appeal to the  
3 Appellate Division from the decision.

4 CHAIRPERSON FOSTER: So that's the  
5 July '08 appeal to the Appellate Division?

6 MR. SEAGUL: They actually filed an  
7 appeal in June and they filed another appeal in  
8 July. It's very unusual to file two. My  
9 commentary would be the fact that they filed two  
10 shows that there was a problem with the first one  
11 as well as the second one and we've pointed that  
12 out to the Appellate Division.

13 The city has to respond. I think  
14 on Friday they asked us for a few weeks extension.  
15 We're deciding whether to grant it or not. We  
16 want always to be cooperative in assisting the  
17 city in their responses. But it's very  
18 frustrating because it just drags this thing on  
19 and on.

20 I'm relatively confident that the  
21 appeal will be dismiss by the Appellate Division  
22 because as I said earlier, if you were going to  
23 appeal the January 30<sup>th</sup> decision, you needed to do  
24 that within 30 days once we file a notice of  
25 entry, which I think was filed February the 5<sup>th</sup>.

1  
2 They did not file in March and therefore our  
3 argument is that the time has run.

4 With regard to the temporary  
5 restraining order, we did file a motion for a  
6 preliminary injunction, which is in effect the  
7 same. And once we gathered all the information—  
8 when the City called me we got the decision  
9 January 30, 2008. We had a hearing scheduled I  
10 think for March 1<sup>st</sup> or something like that. When  
11 the city called me, again, I think it was a  
12 question of extension of time or whatever.

13 I ha just worked under the  
14 assumption that once we had the decision that in  
15 fact they weren't going to go ahead with the  
16 construction. They told me the concession had  
17 nothing to do with the construction. They said  
18 that to you this morning as well. At that point  
19 we put papers together to ask the court to adjoin  
20 it. The court, in the argument basically said,  
21 she thought that the issue was about the use of  
22 the land, whether the 20 private schools could  
23 have the kind of use that the concession granted.

24 She said no to that and she didn't  
25 think that was the bigger picture. I vigorously

1  
2 disagreed with the judge. She's a very good  
3 judge, smart. And unfortunately I didn't win that  
4 argument and she denied the preliminary  
5 injunction.

6 Obviously if we had gotten a  
7 preliminary injunction, that would have solved a  
8 lot of the problems. On the other hand, I think  
9 that that issue is still something that I think  
10 the committee should be reviewing because given  
11 the fact that they will have to go to a ULURP  
12 because of the January 30<sup>th</sup> decision. Again, as I  
13 said in my testimony, what happens in that process  
14 if people start saying we don't want all these  
15 fields. Where is our area for picnicking? Where  
16 is our area for barbequing? Who made this  
17 decision and why did you make it without our  
18 consultation?

19 It could turn out that that doesn't  
20 happen because people are going to try to persuade  
21 people in the community to take that position.  
22 They've got resource sand they understand. I  
23 think that they're in a vulnerable position if it  
24 turns out the way I said formerly in my  
25 presentation of where it can wind up. If it does

1  
2 wind up there, there is some resistance to what  
3 they've done, the egg is all over the face of not  
4 only Randall's Island Sports Foundation, the  
5 franchise concession review but the Parks  
6 Department, the Bloomberg administration. This is  
7 not the way government should operate.

8 CHAIRPERSON FOSTER: Thank you.  
9 Council member.

10 MS. MARK-VIVERITO: I think you  
11 answered most of the questions in regards to that  
12 but I guess once the court does decide to dismiss  
13 the appeal, where does that leave us as a city  
14 with regards to the--? I think that's been done  
15 already and all that been destroyed. That's the  
16 issue.

17 Also with regards to the tennis  
18 concession and their argument of the definition of  
19 major concession. I think you've answered that  
20 Geoffrey. They said because the clubhouses are  
21 new? Is it on the existing site? Do they have a  
22 clubhouse now actually in this concession?

23 MR. SEAGUL: No. There is a tennis  
24 court concession there but the new site is a brand  
25 new site.

2 MS. MARK-VIVERITO: So it's in  
3 addition? Okay. That is also, I guess, another  
4 matter which could be taken to court, so to speak,  
5 right, because it's the definition of major  
6 concession, Mr. Seagul, about the tennis  
7 concession?

8 MR. SEAGUL: It's something we're  
9 looking into.

10 MS. MARK-VIVERITO: Okay. Because  
11 there seems to be a great expansion of what's  
12 there already. I really want to thank Leoni also  
13 and Ms. Simmons because I think what you presented  
14 in your testimony was very important as well.  
15 Thank you.

16 CHAIRPERSON FOSTER: Thank you.  
17 Our next committee is Don Cook from Bank Street  
18 College, Sheelah Feinberg, New Yorkers for Parks,  
19 Zak, how do I say your last name Zak? Ivkovic  
20 from CUNY Athletic Conference and Gary Moore. Has  
21 Bobby signed in? Okay. Robert Hoffman, yes.  
22 Thank you. Mr. Cook, why don't you pull the mic  
23 to you and you can start first. Move those cups.  
24 If the light is off, the mic is on.

25 DON COOK: Is the mic on? Yes.

1  
2 Okay. Madam Chair I'm a member of the faculty of  
3 Bank Street College. My specialty is preparing  
4 elementary school teachers to teach science. Bank  
5 Street College is working in partnership with the  
6 Randall's Island Sports Foundation to take classes  
7 from the public schools to Randall's Island and  
8 Ward's Islands for educational programs.

9 The partnership now is in its  
10 eighth year. We have worked with teachers in 13  
11 East and Central Harlem public schools. We are  
12 developing a model for nature studies on Randall's  
13 Island. Our model urges that children return  
14 again and again to examine in depth the birds and  
15 flowers, the beetles and slugs and butterflies,  
16 the birds and the crabs and the fish.

17 We purposefully plan each class'  
18 field trip with a teacher and integrate it into  
19 the curriculum. We have evidence that some  
20 children have returned with their parents and we  
21 have reason to expect this to expand as the  
22 amenities on the island improve.

23 We wish to give access to nature to  
24 fellow city dwellers who have little experience  
25 with the natural world. We want, in fact, to

1  
2 teach the value of protecting the environment. A  
3 central tenant in science education is that  
4 learners learn best when they are engaged. Some  
5 people see this simply as hands on learning,  
6 though I mean something more.

7           Engagement to me means the  
8 opportunity to think about something that is  
9 meaningful, seeing it in context, learning about  
10 it in great depth and seeing it a framework for  
11 the facts considering what to look for next.

12           Nyc Department of Education's K  
13 through 8 science scope and sequence has a natural  
14 history at every grade level. The third grade  
15 unit is organized around the concepts arising from  
16 the question, how are plants and animals suited to  
17 live in their environments? The fourth grade unit  
18 is organized around concepts related to the  
19 statement, animals and plants and their  
20 environments. There is no better way than field  
21 work to organize the underlying concepts.

22           We are finding an energizing effect  
23 in other subject matters also. Kids who have had  
24 trouble focusing on their work in the classroom or  
25 trouble writing or trouble doing math problems get

1  
2 excited and motivated in the field. Teachers tell  
3 us that the work at the wetlands inspires many of  
4 these children to select books to read and work  
5 with data sheet sets back in the classroom.

6           Randall's Island Sports Foundation  
7 is giving careful attention to creating  
8 opportunities for engagement with nature. When we  
9 first started working in the natural areas of the  
10 environment, the woods we work in were a  
11 wasteland. Garbage littered the areas, deep holes  
12 into places that were once the cellars of former  
13 buildings required that we strictly curtail  
14 certain areas. Most of the vegetation consisted  
15 of non-native invasive species.

16           Construction now underway is  
17 increasing opening up for public school,  
18 elementary school students and the general public,  
19 parklands that were not accessible when we began  
20 our collaboration eight years ago. An  
21 environmental boardwalk has been completed.  
22 Pathways into the salt water marsh, a trail along  
23 the fresh water marsh and walkways along the East  
24 River were mere talking points a year ago.

25           I can not wait for the vegetable

1  
2 garden near Cantor Field to reopen. Kids are  
3 always amazed to see what the plants they eat look  
4 like whole. I think that the island's gardeners  
5 have agreed to plant some native wildlife species  
6 that will attract butterflies. AS far as I'm  
7 concerned, the opportunity to study vegetables and  
8 butterflies will add something very special to  
9 existing opportunities to study the life of salt  
10 and fresh water marshes.

11 Two of our most valued sites in the  
12 park serve both engineering and educational  
13 functions. The fresh water marshes between  
14 Randall's Island and Ward's Island, the  
15 engineering function is to act as collection ponds  
16 for storm runoff. Reflecting Randall's Island  
17 Sports Foundation interests in creating parklands  
18 and giving people access to the natural  
19 environment, the environmental boardwalk allows  
20 the general public an elevated view of the salt  
21 water marsh. Restricted access pathways give  
22 children access to the water's edge so they can  
23 turn over rocks, study clumps of grass and look at  
24 the water's edge up close.

25 To me, this is the evidence of the

1  
2 thoughtful consideration the Randall's Island  
3 Sports Foundation has given to multiple functions  
4 in the restoration of the island. Thank you.

5 CHAIRPERSON FOSTER: Thank you.

6 Next.

7 ROBERT HOFFMAN: I was the last  
8 called p but.

9 CHAIRPERSON FOSTER: That's all  
10 right. We can just go straight across.

11 MR. HOFFMAN: Dear members of the  
12 City Council, Madam Chairman, thank you for having  
13 this hearing again today and allowing me to speak  
14 as well. My name is Bobby Hoffman. I have been  
15 the executive director of the CYO Manhattan Youth  
16 Baseball Program for the last 18 years. Our  
17 organization is boundary-less; we accept children  
18 from all over New York City, from all  
19 neighborhoods, from all economic levels.

20 I first want to admit that I am a  
21 user, I am an addict. I use the baseball fields  
22 year round and I'm addicted to the laughter and  
23 treats of delight from the kids playing sports; it  
24 keeps them healthy, happy and out of trouble.

25 I'm here to talk about the reality

1  
2 of park use. And to be an advocate for those who  
3 depend on the parks most and are most often  
4 overlooked, the children of New York City. All  
5 one has to do is take a short walk on Fifth Avenue  
6 between 97<sup>th</sup> Street and 101<sup>st</sup> Street to notice the  
7 devastation that will happen to a meadow of land  
8 from overuse. And that's the East Green Meadow  
9 between the Drive and Fifth Avenue between 97<sup>th</sup>  
10 Street and 101<sup>st</sup> Street.

11 This once green, lush meadow has  
12 been turned into a hardened, dirt dust ball that  
13 after a heavy rain becomes a giant pond, mosquito  
14 infested due to lack of irrigation. It's done by  
15 well intentioned people, regular people, schools,  
16 after school programs, all looking for that  
17 hardest piece of real estate in New York City to  
18 get, a piece of permanent parkland to play a game.

19 We have seen renovation projects at  
20 Riverside Park at 103rd Street and Clinton Park  
21 become neutralized because of overuse and not a  
22 viable maintenance program. The Randall's Island  
23 Sports Foundation and the Parks Department are  
24 creating answers for the future to this persistent  
25 problem of overuse. It has been implemented in

1  
2 College Park with a natural turf soccer field  
3 complex. It is being implemented at the Clinton  
4 Fields this year for the baseball fields that are  
5 also used for soccer there. And each of these are  
6 fast draining, battle tested, artificial turf.

7 The RISF is implementing this  
8 strategy with natural field within the same  
9 system. It's not only brilliant but commendable  
10 for their realist approach for their answer to the  
11 call of not having enough for too many.

12 Randall's Island is changing the  
13 bad lands of overuse and neglect and rising to a  
14 new promise land of sport opportunity. Not only  
15 for the privileged children, but for all children  
16 and for all the different adult leagues that use  
17 it as well.

18 It is my hope that this  
19 administration Council can put away our  
20 differences and come together to find a brilliant  
21 solution in these tough economic times when  
22 everyone is needed to call to their civic  
23 responsibility and be a partner with the Parks  
24 Department and not a detractor from the use of the  
25 fields.

2 I know there are many legal issues  
3 that you will all work hard to find the right  
4 answers to. But the most important thing is that  
5 this is really a viable and efficient plan for the  
6 future of everyone. Thank you.

7 CHAIRPERSON FOSTER: Thank you.

8 ZAK IVKOVIC: Good afternoon  
9 Chairwoman Foster and members of the Committee.  
10 My name is Zak Ivkovic. I'm the executive  
11 director for the CUNY Athletic Conference that  
12 oversees athletic programs in all city university  
13 member schools across the five boroughs.

14 I'm grateful for the opportunity to  
15 speak to you today about the athletics program,  
16 how important it is to our university, to our  
17 student life, to our college enrollment and  
18 retention and a commitment and focus on the whole  
19 student. I'm here to ask you today for your  
20 continued support for the growth of this important  
21 staple of the university life.

22 CUNY's athletic program grows more  
23 competitive each year as an integral part of  
24 college life for a vast number of CUNY students.  
25 In 2007-08 academic year, the Athletic Conference

1  
2 has made great strides for students in relation to  
3 championship opportunities and services. In each  
4 of our 24 sports there have been significant  
5 improvements across the board.

6 Our athletics serve an all  
7 important core curricula aspect of college  
8 experience and a very visible feature of the  
9 university. That said, retaining students is  
10 fundamental to the ability of an institution to  
11 carry out its educational mission. The effect of  
12 college sports and athletic programs on enrollment  
13 and retention efforts are continually researched  
14 and documented.

15 Athletic programs are part of the  
16 recognized organizational and cultural factors  
17 that contribute to students' success. They  
18 provide socialization, collaboration and the  
19 opportunity for leadership that complement the  
20 academic side of student life.

21 Athletics help to create a campus  
22 culture where students learn to help each other  
23 and relate to others as social beings. We know  
24 that students that have economic, social or  
25 educational advantages are the least likely to

1  
2 leave college while students lacking these  
3 advantages are the most likely to leave.

4 CUNY's athletics programs help to  
5 shape a positive student life experience and allow  
6 students a social bonding with our institution.  
7 AS an urban college community, sustaining social  
8 bond is crucial to students' success at CUNY.

9 In addition, campus sports clubs  
10 offer diversity and exposure to the school and  
11 surrounding community, helping these communities  
12 to rally around a common cause and their teams.  
13 The Athletic Conference encompasses all these  
14 benefits ten fold and is a key to the university's  
15 growth.

16 Recognizing this, we must move  
17 forward with the proposed plans to renovate our  
18 onsite athletic places, hire new coaching staff  
19 and build our sports infrastructure. Other  
20 colleges are doing this quite successfully. A  
21 recent article in the Chronicle of Higher  
22 Education entitled Athletics Raises a College from  
23 the Ground Up describes the results to be achieved  
24 with such a commitment. It describes how the  
25 college student enrollment has reached its highest

1  
2 level in two decades, a growth specifically  
3 attributed to rapid investment in an expanded and  
4 improved sports program.

5 I can assure you that CUNY's  
6 Athletic Conference will remain a top priority for  
7 the sake of our students and the greater  
8 community. CUNY's great leader, Chancellor  
9 Matthew Goldstein, who was an avid swimming  
10 enthusiast while a student at CUNY. It might be  
11 interesting footnote to discover just how many  
12 civic leaders and Fortune 500 captains of industry  
13 also excelled at college sports.

14 To that end, CUNY's Athletic  
15 Conference must be allowed to continue it's  
16 planned improvements. And the Council's  
17 assistance and partnership in this regard will be  
18 critical to our ongoing efforts. The results will  
19 be continued growing enrollment, improved student  
20 retention, an increase in student health and  
21 wellness.

22 Therefore I respectfully request  
23 the Council's assistance with our proposed  
24 enhancements to a sports infrastructure at CUNY.  
25 On the practical side of things, I wanted to

1  
2 remind everyone of CUNY's massive athletic  
3 facility concerns.

4           9 of our 17 members that offer  
5 inter collegiate sports, recreation and  
6 intramurals do not have any outdoor facilities.  
7 Five of them, all of them in Manhattan have none,  
8 two in downtown Brooklyn, Holsted in the Bronx and  
9 LaGuardia in Queens. Eight schools that do have  
10 outdoor facilities still requires separate space  
11 for sports such as baseball and track and field.

12           In addition to attending college  
13 full time and with over 65% having part time jobs  
14 in the university, our students have to travel  
15 throughout the five boroughs daily if a practice  
16 in games in order to play the sports that they  
17 love at no financial benefit to themselves.

18           We have teams that travel to the  
19 College of Staten Island, the American Legion  
20 Fields on the other side of Brooklyn. Travel to  
21 Jamaica to York College and Van Courtland Park in  
22 the Bronx. Often the long commutes, dealing with  
23 traffic are dealing issues of living in New York  
24 City. And then after these contests that they  
25 attend late, drive back to their college where

1  
2 they attend school to be able to get home. This  
3 goes on for the entire season. This goes on for  
4 months.

5           And I can attest to it, it went on  
6 20 something years ago when I was a student  
7 athlete in CUNY. I'm hoping that the future  
8 generations of CUNY students don't have to go  
9 through the same thing and we can find some  
10 legitimate solutions here today that will help the  
11 future generation, not just of our students but  
12 the youth in New York City in general.

13           In fact, also our programs have  
14 expanded as we're trying to meet the demands of  
15 the increased population within CUNY. That brings  
16 us here today. I'd like to urge the Council to  
17 continue to support projects like this one, like  
18 the one at Randall's Island where our students  
19 today and down the road don't have to deal with  
20 issues that we should resolve as part of the  
21 general well being and health of our youth of this  
22 city.

23           It is a shame that we have to and  
24 do our generations of not having adequate space  
25 for our youth. And I hope that we can change that

1  
2 here today. Thank you.

3 CHAIRPERSON FOSTER: Thank you.

4 : Good afternoon. My name is  
5 Christian D. Palermo. I'm the executive director  
6 of New Yorkers for Parks. I want to thank  
7 Chairwoman Foster for having this important  
8 oversight hearing and council member Viverito for  
9 staying on top of this issue.

10 We've heard a lot of legal detail  
11 and we've heard a lot from community members about  
12 needs for athletic fields and needs for nature.  
13 But what was most important, I think, is that we  
14 have to create a structure which doesn't currently  
15 exists with the communities heard first.

16 Since the beginning of this issue,  
17 we have been against the concession and we  
18 continue to be against a concession. But even  
19 when the concession goes away, we still have the  
20 same issues at Randall's Island. We need access  
21 to the island, we still need to refine the  
22 permitting of the island, of the island fields,  
23 the athletic fields. We're suggesting today that  
24 we start keeping a wait list of everybody that  
25 actually wants to use it. Not only that the Parks

1  
2 Department gets the calls so we keep a wait list  
3 so we really understand what demand is out there.

4 Finally with the synthetic turf, we  
5 and many other environmental groups throughout the  
6 city have been calling for an Environmental, at  
7 least assessment if not review as to what this  
8 means to our community, our storm water, all the  
9 environmental issues that we care so dearly about.

10 We want to be careful here, though,  
11 because as we have opposed the concession, we have  
12 a long history of supporting public/private  
13 partnerships. It is very important to this city.  
14 You better than all of us out here know how tough  
15 next year's budget is going to be. We need the  
16 private investment. Private investment helps our  
17 city and helped our parks. It helps our museums  
18 and it helps our libraries.

19 The one consistent thing of private  
20 investment has been that it's universal access and  
21 that everybody gets a chance to use that facility.  
22 I think that's the stumbling block with this  
23 concession. That it doesn't cause, whether it's  
24 11%, whether it's 25%, it does cause for a period  
25 of time for other kids not to be able to use it.

1  
2 And let me be clear, the private school kids  
3 deserve and should use the field just as much as  
4 the public school, such as the religious school,  
5 such as CUNY.

6 We really got to get over this  
7 issue. Work through this because public/private  
8 partnerships are here to stay. We have a great  
9 new law that this Council passed accounting for  
10 the private money. I think that we shouldn't let  
11 this one bump in the road cause a long term  
12 problem.

13 Clearly, as you can see by the  
14 people testifying today and I know there's a group  
15 of other people, Randall's Island Sports  
16 Foundation has a long history. I know some of  
17 their board members. They've done great things  
18 not only for Randall's Island but for parks in  
19 general. But the problem whether it's Yankee  
20 Stadium or it's Randall's Island is the community  
21 is always the last to know. And we need to build  
22 in that structure.

23 We're actually doing some research  
24 on a medium review, not like a major concession.  
25 There's a difference between a frankfurter stand

1  
2 and Yankee Stadium and it's here. You're seeing  
3 it, it's this concession. We need to actually  
4 have a third review where the Council gets to  
5 speak and the council gets to vote.

6 The law is going to work this thing  
7 out through the cases but you are policy makers,  
8 you can create this. I'd be happy to work with  
9 you on it.

10 CHAIRPERSON FOSTER: Thank you very  
11 much. NO questions. Our next panel is Marino  
12 Ortiz, Williams Crane, David Giordano, Bob  
13 Buchanan. What happened? He left? Thank you.  
14 Is there a representative from the Comptroller's  
15 Office? Thank you.

16 MARINO ORTIZ: Good afternoon. My  
17 name is Marino Ortiz and I live and work in East  
18 Harlem. I also run a web site called  
19 EastHarlemPreservation.org and that has reported  
20 on many egregious admission and utter lack of  
21 transparency on the part of New York City  
22 Department of Parks and Recreation and the  
23 Randall's Island Sports Foundation, which you've  
24 heard much about here today.

25 I'm also one of several plaintiffs

1  
2 in that lawsuit that's successfully challenged the  
3 franchise agreement between the city and the 20  
4 private schools for permanent principal control of  
5 ball fields and the island. Despite this victory,  
6 I've had to endure phone calls to my place of  
7 employment by Aimee Boden complaining that I and  
8 others exercised our right to free speech on our  
9 won time. I continue to be threatened with arrest  
10 or to have my camera broken simply for covering  
11 events on the island.

12 More importantly the future of the  
13 island remains a veiled in secrecy at the  
14 Randall's Island Sports Foundation continues to  
15 conduct its business in private, refusing to allow  
16 true and genuine community input into the  
17 development and use of this public parkland before  
18 it's been written in stone.

19 Clearly we would not be here today  
20 if things were all as transparent at the Parks  
21 Department claims. I have testified at hearings  
22 twice before to help shed some light on these  
23 problems that we local residents face when dealing  
24 with the Randall's Island Sports Foundation and  
25 unfortunately many of those question have yet to

1  
2 be answered so I will repeat some of them here for  
3 you today in the hope that you might direct the  
4 Randall's Island Sports Foundation to respond to  
5 local communities that the agency is supposed to  
6 serve.

7           For example, why is the largest  
8 parkland reconstruction project in this city still  
9 a mystery? Why wasn't the public given full  
10 details on the scope of the sports field  
11 construction prior to construction? How much  
12 public parkland has actually been allocated to the  
13 privately owned tennis center stadium? All of  
14 that remains a blur.

15           Why has this project not gone  
16 through the proper channels of ULURP and et  
17 cetera? Why doesn't the Randall's Island Sports  
18 Foundation provide financial reports or any of its  
19 development project to the general public or make  
20 available financial data on concert, stadium or  
21 other revenue to the general public? Why doesn't  
22 the Randall's Island Sports Foundation allow  
23 meaningful, local representation on its board or  
24 hire local managerial staff?

25           Are private schools still seeking

1 guaranteed primetime access to the ball fields?

2 If so, when does the Randall's Island Sports  
3 Foundation plan to disclose this new master plan?  
4

5 In 2007, the Randall's Island  
6 Sports Foundation promised to stop holding private  
7 parties on the island and to stop preventing  
8 pedestrian access to the island during such  
9 private events by raising the pedestrian foot  
10 bridge and by installing a large police presence  
11 at all points.

12 The promise was in fact reneged and  
13 activities have increased. Why does the general  
14 public continue to be harassed by private security  
15 agencies and denied access during public press  
16 conferences and the like? Personally I've been  
17 kicked off the island by the Commissioner when  
18 public press conferences have been held. And like  
19 Geoffrey Croft, I was threatened with arrest by a  
20 private security agency during the Bloomberg LLP  
21 private party, which I might say goes well beyond  
22 the scope of the vent area because they take over  
23 public roads we're denied access to all  
24 surrounding public roads and parking lots. I  
25 just want to point that out.

1  
2 Why does the Randall's Island  
3 Sports Foundation still refuse to allow the  
4 general public to attend its board meetings yet  
5 insist on meeting on board of local agencies and  
6 organizations? The Randall's Island Golf Center  
7 provides free transportation to the island every  
8 hour yet it doesn't even stop in East Harlem. Why  
9 hasn't the Randall's Island Sports foundation  
10 considered alternative pick up zones in East  
11 Harlem as an incentive for local schools and sports  
12 groups to get to that park in Randall's Island?

13 Despite reported risks, why is the  
14 Parks Department continuing to install artificial  
15 turf in communities with disproportionate levels  
16 of asthma and that lack natural grass in its  
17 parks? When will the Randall's Island Sports  
18 Foundation explain why they needlessly destroyed  
19 thousands of trees, dozens of acres of flora and  
20 fauna and displaced wildlife, over 178 acres of  
21 public parkland?

22 Again, why does this great city  
23 allow environmental reviews and ULURP to be so  
24 fragrantly bypassed and the scope of such  
25 significant work to be misrepresented as it has

1  
2 been here today? Construction crews and most  
3 developers don't get away with such misconduct  
4 anymore so why should the Parks Department?

5 The Randall's Island Sports  
6 Foundation has spent hundreds of thousands of  
7 dollars obscuring the truth and trying to appease  
8 local community residents with free concert  
9 tickets and catered meals at local meetings. Yet  
10 they continue to operate with little or no public  
11 oversight and community input before and not after  
12 the fact.

13 Thank you. I look forward to some  
14 answers.

15 CHAIRPERSON FOSTER: Thank you. Do  
16 you have a copy of you...?

17 WILLIAM CRAIN: Good afternoon. My  
18 name is Bill Crain, I'm a professor of psychology  
19 at the City College of New York and president of  
20 the Citizens for a Green Riverside Park, where  
21 we've seen some of the same issues. What I've  
22 handing out is circularly on artificial turf but  
23 I'd like to make some other comments as well.

24 To begin with, as the other  
25 speakers have said, there isn't the issue of

1  
2 social justice. As a democratic institution parks  
3 should be accessible to everyone on an equal  
4 basis' they shouldn't give privileges to the  
5 wealthier or anyone. What if our public libraries  
6 had charges for books that only wealthy people  
7 could afford? What if the libraries set aside  
8 certain aside certain hours for private school  
9 kids and gave them priority as opposed to public  
10 school kids? This would be intolerable because it  
11 violates our democratic principles.

12 The similar thing is occurring with  
13 respect to the parks. Concessions must charge and  
14 they must make certain profits to stay in business  
15 and by necessity, they're going to be giving  
16 advantages to those who can afford. The Parks  
17 department has said that these concessions provide  
18 a lot of good opportunities for poorer kids in the  
19 neighborhoods. But these have the flavor of  
20 leftovers; they get what comes afterwards.

21 I do think that the solution is not  
22 to keep looking for private funding but to get the  
23 funding from the public parks need and sever for  
24 access for everyone. I'd like to mention  
25 something about the trees. A council woman raised

1  
2 a question about how many trees have been cut down  
3 and that's been an issue. The response was, well  
4 we're going to provide five times that number.  
5 We're going to plant five times that number. And  
6 then the question becomes well how long will it  
7 take to have mature trees and so on?

8 My view on this is that what we  
9 really need to do in this world before it's too  
10 late is to instill a greater respect for all  
11 living things, for all of nature. If we value  
12 trees and we think they're precious, we can't look  
13 at them as quantities and say that they're  
14 replicable. We can cut down this many trees  
15 because we're going to replace them with that  
16 other quantity. If trees are precious and  
17 valuable as living entities, living things we  
18 can't do that.

19 You wouldn't tell a kid, look we're  
20 going to kill your pet dog but we're going to  
21 replace it with five other dogs. No. Why not?  
22 Because a dog is valued as an animal that is loved  
23 and valued and trees should have that quality.  
24 You can't just look at it quantitatively.

25 I'd like to make a comment on the

1  
2 parking lots. I noticed that there's many  
3 partaking lots that are coming in, many, many  
4 partaking spaces. These should be permeable. Is  
5 there a condition that these be made permeable?  
6 Non-point source run off, benefits greatly from  
7 any asphalt; it will get into the waters, it will  
8 get into their new area of wetlands. There are  
9 waters all around this area that will take the  
10 pollution. You need as many permeable surfaces as  
11 possible.

12 This is very important to keep them  
13 permeable to use some sort of soil and rock where  
14 cars can use it. The natural soil filters out  
15 these pollutants. There's no engineering, no  
16 technology that can replace the benefits of  
17 natural soil for filtering out the pollutants that  
18 come from non-point source run off.

19 This is run off that comes from all  
20 kinds of places. Car exhaust gets up in the air,  
21 it comes back down. It washes across the asphalt  
22 into the rivers and the water. It comes from  
23 leaky garbage bags, it comes from picnics. It's  
24 called non-point source because you don't know  
25 where it is but it's the most dangerous kind of

1  
2 runoff and it has a destructive effect on our  
3 waters.

4 I doubt that they plan to use only  
5 permeable parking surfaces but you could ask for  
6 this. This is just one example of sorts of things  
7 that should be asked for.

8 Finally I'd like to say something  
9 that's been my major concern for the last several  
10 years, which is artificial turf. Although I'm a  
11 psychologist I've had to learn a lot of chemistry  
12 about it. I'm the co-author of an article that's  
13 coming out in the Peer Review, a respected  
14 scientific journal of exposure, science and  
15 environmental epidemiology. It's coming out this  
16 November.

17 The current research is that there  
18 is lead in the artificial turf. The current  
19 research, it's both in the rubber granules that  
20 you saw at one hearing that you called, Chairwoman  
21 Foster. And it's also in the plastic polyethylene  
22 fibers; it's in both main materials that  
23 constitute artificial turf.

24 If the fields in Randall's Island  
25 avoid the rubber granules, there's still the

1  
2 problem of the fibers, the polyethylene fibers in  
3 the new generation artificial turf. There is lead  
4 in there. There are standards for how much lead  
5 is available and safe. But the current research  
6 in the medical community increasingly shows that  
7 there is no safe level of lead, that any lead  
8 causes neuro-cognitive damage. Specifically it  
9 lowers the IQ, creates attention deficit disorders  
10 in children.

11 Children are particularly  
12 vulnerable to the exposure to lead and other  
13 toxicants because of the way their bodies are  
14 developing. While they're developing the damage  
15 could be more extensive. There's really no safe  
16 level of lead and we shouldn't be adding any level  
17 of lead to the environment.

18 Our research, Dr. Zhang and his  
19 colleagues and myself at Rutgers has recently in  
20 the research that I just mentioned is coming out.  
21 I've given you a hand out that covers a little bit  
22 of that indicates that the lead in the  
23 polyethylene fibers as well as in the rubber  
24 granules can be absorbed in synthetic gastric  
25 fluids and intestinal fluids. Specifically the

1  
2 fibers, it's really is absorbable and it will get  
3 into the blood.

4 This is a warning, they should be  
5 stopping and halting on this until we figure out a  
6 kind of synthetic turf that will work that should  
7 be part of the environmental review process.  
8 We're constantly playing catch up with toxicants  
9 like this. We find out after we've installed  
10 fields and not just here but all over the country  
11 that hey, it's time to take a look at what the  
12 safety hazards are.

13 The safety hazards should have been  
14 investigated first and then before any fields were  
15 ever installed. Currently the California Attorney  
16 General has filed a lawsuit against three major  
17 manufacturers of synthetic turf on the issue of  
18 lead. We really need to be careful.

19 I think this whole plan is going  
20 forward much too fast. It has too many issues  
21 that have been raised. I thank you for raising  
22 all these issues. It should be a moratorium on  
23 the plan until we make sure that it's socially  
24 just, until we make sure that wildlife is  
25 protected, that no more trees and vegetation can

1  
2 be taken down. The irreplaceable, valuable,  
3 precious wildlife and nature is preserved. And  
4 that especially our children will be totally safe  
5 from any toxicants that could be added to the  
6 environment. Thank you very much.

7 CHAIRPERSON FOSTER: Thank you.

8 DAVID GIORDANO: Hello. My name is  
9 David Giordano. I'm with the Children's Aid  
10 Society, East Harlem Center on 101st Street. I'm  
11 here today to represent several of the Children's  
12 Aid Society's community clubs, Milbank, Frederick  
13 Douglas, P.S. 50, that all utilize the space at  
14 Randall's Island.

15 First I want to say that we've had  
16 a long history of working with Randall's Island  
17 for over a decade in many different capacities.  
18 Some of those have been the camp program that our  
19 kids go and attend and really learn some  
20 additional recreational opportunities in sports  
21 that may not be available to them in the inner  
22 city urban jungle that we live in. For instance,  
23 the golf, the nature trails and some of the other  
24 things that our kids really do enjoy.

25 There are also many other

1  
2 educational uses for us. For instance this summer  
3 we did a theme of Olympics. Many of the Olympic  
4 games that we conducted were helped up by  
5 Randall's Island on Friday in addition to the camp  
6 that was provided of or our kids. Again, the  
7 opportunities to get kids out of the city and into  
8 a rural kind of playing area where as somebody  
9 mentioned earlier. We're located in central park,  
10 that area does become very hard and can't play in  
11 that area. Again, having the availability of the  
12 Randall sports club has just been a wonderful  
13 opportunity.

14 We look forward to our continued  
15 use. But more importantly think how it affects  
16 the community and how our constituents that are in  
17 East Harlem and Harlem have to have increased use.

18 Now don't get me wrong. I work  
19 with Children's Aid and while we pride ourselves  
20 at addressing New York's most needy kids, we also  
21 serve in our other communities kids that are not  
22 as needy, that are maybe part of the private  
23 schools that utilize it and there should be, as  
24 mentioned earlier, an equal use of the land for  
25 both public and private use.

1  
2 We must work together to find a  
3 win-win solution so that the constituents of East  
4 Harlem really do benefit. There are limited  
5 amounts of parks and we can't always travel. Not  
6 everybody has the availability to go Upstate to  
7 Bear Mountain. And many communities and many of  
8 the people in our communities need that local  
9 where they can pack up a shopping cart, go to an  
10 island and feel away from the community and get  
11 away from the streets for a little while. It's so  
12 important that we have a blend of nature and  
13 support.

14 Take the moment that we all look at  
15 what we're really addressing here and those are  
16 the needs of New York, both the neediest and some  
17 of the most well to do. But that together we must  
18 live in the city, share the resources and both  
19 benefit from them. Thank you.

20 CHAIRPERSON FOSTER: Thank you very  
21 much. Our next panel, the last panel, Harry  
22 Bobbins, Robin LeBarron, is that Robin? Robert  
23 Jureski and Patrick Sullivan. Thank you, you can  
24 go in whatever order you'd like.

25 ROBERT JURESKI: Sure, I'll go

1  
2 first. Good afternoon, my name is Robert Jureski.  
3 I attended one of the private schools that on some  
4 reckoning benefited from this secret scheme that  
5 Normal described earlier. And I'm outraged that  
6 we're still here discussing this while this  
7 destruction of the island, this transformation of  
8 the island has occurred to the benefit of those  
9 private schools and to the exclusion of a process  
10 that you are empowered to assert to control public  
11 land, to control agencies that are controlling  
12 public land and to stop them from un-democratic  
13 processes as have been amply described today and  
14 over the last two years.

15 I'm really incredibly frustrated  
16 and upset that we're still here while these people  
17 dispose of our public land as if it's their  
18 private thieftom [phonetic]. We all know that you  
19 can turn out with \$700 billion, you will have a  
20 lot of people stepping forward and celebrating  
21 Bush's bailout of the banks. It's easy to get  
22 people to come up and say yes, this is a good  
23 thing when you've got so much cash to spread  
24 around.

25 But what we're talking about here

1  
2 is democracy and it's outrageous that we're  
3 continuing to have to assert that we live in a  
4 democracy, we want a democracy and yet the  
5 destruction continues. So I know there is a  
6 public access task force that was mandated that  
7 was announced with great fanfare. It met, I  
8 believe in Scott Stringer, borough president's  
9 office. I know that he's been busy publicizing  
10 his cookbook, which I'm sure we've all read and  
11 been exploring.

12 But I haven't gotten an email about  
13 the meetings of this task force that was to  
14 guarantee public access, that was to devise a  
15 strategy for bringing public school kids, who as  
16 Marino Ortiz mentioned are excluded from the bus  
17 lines that are coming through the communities to  
18 bring more privileged communities to the island.  
19 I haven't gotten those announcements. I don't  
20 know if you've participated in this task force but  
21 I don't believe there is this expanded public  
22 access to the communities that have been  
23 traditionally excluded from the sports fields and  
24 from the island.

25 What I'd like to see happen is that

1  
2 our public monies no longer be allocated to the  
3 Randall's Island Sports Foundation, which has  
4 betrayed the public trust through lack of  
5 transparency, lack of good faith in their  
6 provision of documents to public officials and to  
7 public advocacy organizations. There should be no  
8 subsidy of taxpayer money to that un-democratic  
9 process and to that un-democratic organization.

10           There should be a reconstitution of  
11 the Randall's Island Sports Foundation Board. I  
12 know Scott Stringer is on it so perhaps he has  
13 access to all this information that the community  
14 has been demanding for two years but we don't have  
15 that and we'd like to see it. He's supposed to  
16 represent us. He ran on a platform of community  
17 based planning.

18           The third thing that I'd like to  
19 see is that the Harlem bridge, the pedestrian  
20 bridge which we've been calling to be opened for  
21 years now. Throughout the year a public bridge to  
22 allow access to communities, they can walk across  
23 the bridge to the island that we're talking about  
24 today be opened.

25           And I'd like to just keep my

1  
2 comments short to allow you to explain to us what  
3 you're going to do next. So that in two years  
4 once the stadium is built or once we've defeated  
5 it, I hope, and once there's been a restoration of  
6 the meadows and the passive enjoyment and the rest  
7 of the values of this public resource that you've  
8 been called to recognize today and to defend.  
9 What you're going to do to protect the public  
10 resource and to assert the public review authority  
11 that you have. Thank you. I don't know if you  
12 can answer questions from the panel but that was a  
13 question.

14 ROBIN LEBARRON: Good afternoon.

15 My name is Robin LeBarron. I'm the Executive  
16 Director of Hope Community. Thank you Madam  
17 Chair, council members for being here and holding  
18 this very important hearing. Hope Community is a  
19 long established organization in East Harlem.  
20 We're an affordable housing group. We own and  
21 manage 1,200 units of affordable housing.

22 I'm glad I came here because I just  
23 wanted to say something about the relationship  
24 between East Harlem and Randall's Island. I think  
25 it's very important. It really needs to be

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

emphasized in this process.

Hope has a relationship with Randall's Island Sports Foundation, not a tremendously energetic one but they have run programs some of our residents have gone to. They've graciously taken me on a tour. I'm impressed by some of the facilities that they have there. I think the important thing in this discussion is just to make sure that the island is as accessible as possible to East Harlem residents, who are tremendously deprived of open space, parkland, of places to barbeque, to play ball, enjoy nature.

I worry sometimes that the programs that do exist are icing rather than substance. I think the concern that's being echoed throughout this hearing. I think there are three real concerns that come up for East Harlem residents when this whole project is discussed. Again, I'm echoing things that other people have said.

The first is the access. I'm not quite sure how we can spent \$220 million or more and not have addressed the issue of access, both on 125<sup>th</sup> Street bridge and on the pedestrian

1  
2 walkway at 103<sup>rd</sup> Street. But I do think if a  
3 tremendous amount of public and private monies are  
4 going to be expended, it is absolutely vital that  
5 those issues be addressed now.

6 I will say that this discussion has  
7 been going on for I would say decades at this  
8 point. I think it really is a travesty for this  
9 to be a tremendous focal point of public  
10 investment but yet there to be no explicit plan  
11 for those issues to be address rapidly.

12 The second one is the issue of  
13 transparency. It's taken me a while to get my  
14 arms around this subject because I ask people and  
15 the answers are rather vague and shifting. It  
16 would be good if there was a clearer master plan  
17 that was identified when it was enacted. When  
18 it's modified it would be good if there was a  
19 public process we could all understand and  
20 crucially have input. And that the public process  
21 be as democratic and as open as possible to allow  
22 as many East Harlem residents to participate.

23 To the best of my knowledge, and  
24 it's very much supported by what people have said,  
25 that process is almost entirely lacking. I think

1  
2 one of the roles the City Council could play is to  
3 create something that will enable that to go  
4 forward. So that's both transparency and planning.

5 Finally to the extent that there  
6 are going to be established bodies that are  
7 responsible for running the facilities on the  
8 island, I think it's very important again, that  
9 East Harlem community residents have  
10 representation and meaningful representation. Not  
11 just being an advisory but in a decision making  
12 fashion.

13 I'll say once more too that we have  
14 problems for example, trying to figure out where  
15 to do our institutional picnic. There are so few  
16 sites in East Harlem. I think there's a real  
17 debate about the value of ball fields. It's such  
18 a tremendously necessary, about passive  
19 recreation, about trees, about wildlife. All of  
20 these things are very important for our community.

21 The way forward is not for them to  
22 be pitted against one another but for us to have a  
23 comprehensive planning process, to talk so that  
24 everybody can come forward, talk about what their  
25 needs and desires are and figure out something

1  
2 that works for everybody. That planning process,  
3 again, should be comprehensive community based and  
4 not driven by a relatively small and relatively  
5 insulated group of people. Thanks very much for  
6 listening.

7 PATRICK SULLIVAN: Hi. My name is  
8 Patrick Sullivan and while I hold an appointed  
9 position, I represent borough president Stringer  
10 on the citywide school board. I want to make  
11 clear that my comments today just reflect my own  
12 positions and not those of the borough president.

13 I want to talk a little bit about  
14 the research. I did a lot of legal research in to  
15 points that became the basis of the law suit. I  
16 want to talk about one thing that struck me in  
17 doing the research that was consistent throughout.  
18 And that was the idea of the necessity of the  
19 community involvement that you see in the laws and  
20 the rules of the City of New York.

21 When I came to the first hearing,  
22 Council Member Mark-Viverito said something to the  
23 effect of don't tell us what we need; we'll tell  
24 you what we want. I didn't get the words exactly  
25 right but that sentiment is not just a good idea,

1  
2 it's also very clearly what animates the city  
3 planning rules and also the City Charter, which  
4 was revised after community upheaval in the late  
5 60s to require the sort of community involvement  
6 in important land use questions.

7 I think that's why the legal  
8 decision when it came down was so swift and so  
9 total because the city and the Foundation clearly  
10 violated not just the letter but really the  
11 sentiment of the law that said the land of the  
12 City of New York, that the people will have a role  
13 in deciding how those lands are, disposition of  
14 those lands.

15 Which brings me to my point going  
16 forward; I think it's difficult to have that sort  
17 of idea and concept and trying the law on one  
18 hand. And then the other hand have the government  
19 structure where we've turned over a massive piece  
20 of land to essentially a private foundation, which  
21 exercises a futile like control over the land and  
22 it's disposition in who uses it and what  
23 negotiations happen. This foundation is  
24 controlled itself by a narrow set of interests  
25 that are the same interests that have a keen

1  
2 interest in getting the land.

3 I think the decision that came  
4 down, it was tenement to saying there's a bit of  
5 graft going on here, that there's this entity that  
6 is controlling this thing and disposing of the  
7 assets or utilizing assets in a way that's in  
8 violation of the law.

9 So going forward, I would tell you  
10 that--I've been involved in a lot of issues that  
11 bear on public school parents. There's been no  
12 issue that makes parents seethe like this one.  
13 The idea that someone could come in and say your  
14 children have to wait until 6:00 or they have to  
15 go later or they have to go on the weekends  
16 because we've decided that certain schools can buy  
17 permits in bulk for long term access, certain  
18 schools that we choose and other schools that are  
19 not allowed.

20 There are a lot of things wrong  
21 with the public schools but there's nothing that  
22 really gets public school parents the same way as  
23 this case has. Going forward I would just ask a  
24 lot of the testimony we've heard today I think are  
25 symptoms of a failed governing structure. I would

1  
2 urge you and I would offer my support in looking  
3 at how is this piece of land controlled and who  
4 controls it.

5 And maybe utilize the City Charter  
6 revision process or state legislation to come to a  
7 better governing structure that we can return to  
8 that idea of Council Member Mark-Viverito that the  
9 people will have an important and a strong say in  
10 how the land of the city is used. Thank you.

11 HARRY BOBBINS: Thanks a lot.

12 Hello. I won't read testimony because a lot of  
13 people covered a lot of things but I heard a lot  
14 of good news. The Randall's Island Sports  
15 Foundation has only a five year contract so if it  
16 can't be terminated already we really should be  
17 moving forward as a community to see if we can  
18 have community entities have the contract in the  
19 near future.

20 Transparency, it started right  
21 here. Mr. Gerson asked if they accept anonymous  
22 donors. The Director was right here yet the  
23 Commissioner said I'll get back to you about that.  
24 So there you have it, right in your face. They're  
25 not being transparent.

1  
2 I want to echo that we need a new  
3 board, an entirely new board of directors. You  
4 asked about the constitution of the Board, Ms.  
5 Foster. And it's egregious the level of elitism  
6 that they have that while boards are generally put  
7 together for fundraising. People don't have money  
8 in the South Bronx and East Harlem. Anyhow,  
9 there's a lot more duties that a Board would have.  
10 It's just outrageous.

11 There's no matter plan; it keeps  
12 changing. So let's have a master plan through  
13 community based ULURP process. Governor's Island  
14 is getting all kinds of attention. They're having  
15 all kinds of design competitions attracting  
16 architectural talent around the world. Why can't  
17 we have that for Randall's Island?

18 The land itself is always changing.  
19 Hopefully this works. It's not working. But  
20 there was a slide that was shown before about the  
21 Little Gate inlet, the ecological center they  
22 talked about. Okay. There we go. Thanks a lot,  
23 we've been here so long a few seconds is all  
24 right.

25 So this ecological stuff they're

1  
2 talking about. It's very interesting they led  
3 with it because it's totally artificial. The  
4 land, you saw the first slide, it was actually two  
5 islands that had a river through it that connected  
6 the Harlem and East River. Well this is where  
7 that went, initially, all the way from the Harlem  
8 River here, the Bronx is here, the Harlem River  
9 all the way to the East River.

10 So the Little Gate inlet that  
11 they're talking about the wetlands restoration is  
12 right here. This wasn't a wetland. It was  
13 created to fill in the island so it's not a  
14 restoration. They destroyed all of this vital  
15 habitat. I personally saw hawks, egrets, herons  
16 and pheasants, as you heard before, right here.  
17 They cut everything down and monocropped  
18 [phonetic] some wetland grass and they call that  
19 restoration. It's just a lack of imagination.

20 Indicative of that, it's an island.  
21 There's no water based programming whatsoever. No  
22 rowing, no paddling, no kayaking, no introducing  
23 young people to the water. This rip rap of rocks;  
24 they just put these rocks here the other day,  
25 another "restoration" project. This is on the

1  
2 northeast corner. This is going to Harlem right  
3 here, this was the most popular beach for catching  
4 striped bass and other fish.

5 Another well known landing spot for  
6 people going all around Manhattan island. Waiting  
7 for the shift of tides on the Harlem River, people  
8 would stop on this shore. No input, no  
9 Environmental Impact Statement and this I know is  
10 done with state EPF funding so we need to look at  
11 all the sources of funding, not the private  
12 sources but state, city and federal. It's really  
13 to your credit that the City Council is taking the  
14 lead on this. But I know federal funding and  
15 state funding have been there and are state and  
16 elected federal officials are aware of this  
17 hearing. Unfortunately they're not here.

18 Access, the East Harlem Bridge is  
19 closed five months of the year. Come on. If for  
20 years, why? There's one simple step they could  
21 take tomorrow to allay community concerns that  
22 they are elite, that they're creating a bunker  
23 mentality there. You asked them, the Parks says  
24 one thing, the Sports Foundation says another, DOT  
25 says another. Let's just get the bridge open,

1  
2 24/7 year round.

3 As far as access, the South Bronx  
4 Greenway is in the final design phase right now,  
5 coming from the South Bronx to Randall's Island.  
6 Parallel to that, which we didn't hear much about,  
7 we need more information about is the proposal of  
8 a new electric sub station on the island.

9 No matter how much they finagle or  
10 lie about all the other numbers, that's clearing  
11 an alienation process that needs to be triggered  
12 for that. They're trying to throw the South Bronx  
13 Greenway Bridge into the Con Ed expansion and lay  
14 more feeder cables which would prohibit on water  
15 access across the Bronx, which would again detract  
16 from different recreational opportunities than  
17 artificial turf fields, which we also support the  
18 moratorium on.

19 So I think in conclusion we need a  
20 totally new board and we don't need any more  
21 lawsuits. We just need two things. We just need  
22 to stop the funding and you'll see how quickly  
23 they'll switch their tune. Let's stop the city  
24 funding, let's pressure this mayor or the next  
25 mayor to stop all funding of this place until we

1  
2 can get true accountability.

3                   Finally, let's look at how much  
4 money they're spending and what they're spending  
5 it on. I know during the water park controversy,  
6 they spent millions of dollars to put together  
7 that proposal, which ultimately failed. Millions  
8 of dollars in time of staff and parks resources,  
9 the Environmental Impact Statements; everything  
10 for a failed endeavor.

11                   They're funding a propaganda  
12 machine, shark communications among many other  
13 companies they're paying, either public or private  
14 money to attend these hearings, to spend whatever  
15 fancy thing they're handing out. I remember one  
16 of them saying, I have a job for you as a  
17 lifeguard in the water park. They are really a  
18 creepy entity and I hope we can look into the  
19 funding of shark communications. Thanks a lot.

20                   CHAIRPERSON FOSTER: Thank you very  
21 much. In terms of your question Mr. Jureski, I  
22 saved it to the end because part of what I was  
23 going to do in my closing is go backwards and say  
24 one of the things that I'm interested in doing  
25 before my tenure here is to try to address

1  
2 legislatively, alienation parkland and how we fund  
3 projects. Because as I said, my biggest issue  
4 with this administration is the cart is always  
5 before the horse and the community is always the  
6 last one brought in, in terms of this process and  
7 what we want.

8 I think Council Member Viverito did  
9 say that at the last meeting very well because  
10 often times, and I'm one of the people that went  
11 to the private school also and benefited from it  
12 many years ago and we're still having this  
13 conversation. Going forward we actually have our  
14 ULURP person expert sitting here to figure out, as  
15 a Council, what we can do. Because what you see  
16 with the concession board and the city planning is  
17 the Mayor is able to stack the table so that  
18 things come out the way he wants it to.

19 I will give you an example with for  
20 our community board we voted down the new stadium  
21 and Yankee Stadium and it came to city planning.  
22 It was if the community board wasn't there and  
23 didn't have a say in it. Many of the things that  
24 the community knew was going to happen, in fact  
25 happened. I find it interesting that yesterday

1  
2 while they're doing all these tributes to this  
3 closing of Yankee Stadium, they're forgetting  
4 again that there is a community that is bearing  
5 the brunt of two huge development projects where  
6 we weren't consulted.

7           Specifically for Randall's Island  
8 we are trying to determine how to exercise our  
9 power, where we can actually step in and halt the  
10 process and see where we can bring ULURP in. Part  
11 of the ruling, which was great, said that the  
12 concession for the private schools couldn't  
13 happen. The other part that wasn't so great was  
14 that it wasn't halting any of the construction and  
15 the development that's going on.

16           Seeing whether the fact that it's  
17 being broken up into projects is the way that  
18 they're bypassing it being considered a major  
19 concession and then having to go to ULURP. So  
20 moving forward, this isn't the end of it.

21 Hopefully in two years you won't be sitting here  
22 having another hearing about where we go from here  
23 because it really is too far gone.

24           We are discussing the same issues  
25 and while it's great from the last hearing that

1  
2 this concession in terms of the private schools is  
3 on appeal for right now, we need to know where  
4 we're going to going forward.

5 So I thank everyone for coming. I  
6 look forward to working with you so we can first  
7 of all, as much as possible, resolve these issues.  
8 But going forward, making sure that we put in some  
9 legislation that addresses these issues before  
10 we're at this point.

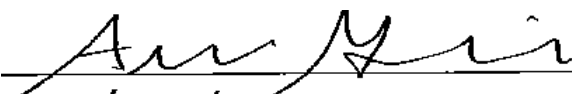
11 Because I think you summed it up  
12 just correctly in terms of what the community's  
13 role has to be in this. And it needs to be real  
14 because the community can say what it wants but if  
15 I as Mayor make sure the Board is stacked so that  
16 it's going to vote how I want it to vote, then  
17 it's been moot for the community.

18 So thank you all very much for  
19 attending. Thank you Melissa for your attention  
20 to this matter and that being it, this meeting is  
21 adjourned.

22  
23  
24  
25

C E R T I F I C A T E

I, Amber Gibson, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature  \_\_\_\_\_

Date October 2, 2008