

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

LAND USE SUB COMMITTEE ON LANDMARKS, PUBLIC SITING &
MARITIME USES

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February 9, 2009
Start: 11:14am
Recess: 11:30am

HELD AT: Committee Room
City Hall

B E F O R E: JESSICA S. LAPPIN
Chairperson

COUNCIL MEMBERS:

Rosie Mendez
Miguel Martinez
John C. Liu
Annabel Palma
Leroy G. Comrie, Jr.
James S. Oddo
Maria del Carmen Arroyo

A P P E A R A N C E S

Gregory Shaw
Principal Attorney for Real Estate
New York City School Construction Authority

Tami Rachelson
Deputy Director
Department of Education and
New York City School Construction Authority

John Gilbert
Chief Operating Officer
Rudin Management Company

Robyn Hatcher
Co-Chair, Housing, Human Services and Youth Committee
Community Board Five

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2 CHAIRPERSON LAPPIN: Welcome to the
3 Land Use Subcommittee of Landmarks, Public Siting
4 and Maritime Uses. I'm the Chair, Jessica Lappin,
5 joined today by Councilwoman Rosie Mendez from
6 Manhattan, Council Member Miguel Martinez from
7 Manhattan, Council Member John Liu of Queens and
8 Councilwoman Annabel Palma of the Bronx. And, we
9 are going to-- there's only one item on the agenda
10 today, correct? It's a school in the Speaker's
11 district, a 560-seat primary school facility
12 that's currently being occupied by the New York
13 Foundling Hospital on 17th and Avenue of the
14 Americas.

15 I'm going to open the hearing on
16 this item and ask the SCA, Gregory Shaw, and Tami
17 Rachelson to come up and testify. I'm going to
18 come back and forth between this hearing and a
19 hearing in the Chambers and ask Council Member
20 Martinez to Chair the meeting in my absence.

21 COUNCIL MEMBER MARTINEZ: All
22 right. Just identify yourself for the record.
23 You may start your testimony.

24 GREGORY SHAW: Good morning. My
25 name is Gregory Shaw. I'm principal attorney for

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2 Real Estate for the New York City School
3 Construction Authority. And, to my immediate
4 right is Tami Rachelson, Deputy Director for Real
5 Estate for the Department of Education and the
6 School Construction Authority. Thanks very much
7 for having us here today.

8 The New York City School
9 Construction Authority has undertaken the site
10 selection process for the proposed 560-seat
11 primary school that will be located on Tax Block
12 818, portion of Lot 3, located on the southeast
13 corner of West 17th Street and the Avenue of the
14 Americas in the Chelsea section of Manhattan. The
15 proposed school site is also located in Community
16 School District Number Two and Manhattan Community
17 Board Number Five.

18 Construction of the proposed site
19 will result in the conversion of the lower six
20 floors of the existing New York Foundling Hospital
21 building that contains a total of approximately
22 178,566 square feet of gross area. The plan
23 provides that the New York Foundling Hospital will
24 relocate from the six floors it currently occupies
25 to new facilities in the Bronx.

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2 Under the proposed plan, the SA
3 would rehabilitate and convert the lower six
4 floors of the existing building and construct the
5 new primary school. The proposed school facility
6 would consist of approximately 95,000 square feet.
7 New York Foundling Hospital would continue to use
8 the upper floors for its office and administrative
9 spaces. The main entrance for the school will be
10 on the 17th Street side. And, the entrance for the
11 New York Foundling Hospital will be on the Sixth
12 Avenue side.

13 The new facility will provide
14 relief from overcrowding at other primary schools
15 in the district. There are two primary schools
16 located in close proximity to the proposed site.
17 PS 11 is operating at 112% of capacity. And PS 41
18 is operating at 103% of capacity.

19 The notice of filing of the site
20 plan was published in the New York Post and the
21 City Record on October 6th, 2008. Manhattan
22 Community Board Number Five was also notified of
23 the site plan on that date and was asked to hold a
24 public hearing on the proposed site plan.

25 Community Board Number Five held its hearing on

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2 the site plan on October 28th, 2008 and submitted
3 written comments in support of the plan.

4 The City Planning Commission was
5 also notified of the site plan on October 6th.
6 And, it also recommended in favor of the site.
7 The SCA has considered all comments received on
8 the proposed plan and affirms the site plan
9 pursuant to Section 1731 of the Public Authorities
10 Law.

11 In accordance with Section 1732 of
12 the Public Authorities Law, the SCA submitted the
13 proposed site plan to the Mayor and Council on
14 February 4th, 2009. We look forward to your
15 Subcommittee's favorable consideration of the
16 proposed site plan. And, we are now prepared to
17 answer any questions you may have. Thank you very
18 much.

19 COUNCIL MEMBER MARTINEZ: Who's
20 district this-- Speaker Quinn and Speaker is in
21 favor of it? Any question from any of my
22 colleagues? Thank you for your testimony.

23 GREGORY SHAW: Thank you.

24 COUNCIL MEMBER MARTINEZ: We have
25 John Gilbert and Robyn Hatcher. Identify yourself

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2 for the record and you may start your testimony.

3 Turn it off.

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JOHN GILBERT: Press the button.

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It's been awhile since I've been here. My name's

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John Gilbert. I'm Chief Operating Officer of the

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Rudin Management Company. And, I want to join in

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support of the creation of the Foundling school;

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briefly talk about our role in this process.

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We were the entity that brought the

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School Construction Authority together with the

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Foundling Hospital. The entire building was being

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sold. We were able to structure a deal where we

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could create a condominium; Foundling stays in the

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neighborhood. School Construction Authority

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creates a very much needed elementary school.

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We had been asked, in the process

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of creating a new hospital for St. Vincent's, by

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the community, by Speaker Quinn's office, by the

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other elected officials to really look hard at

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trying to help create new seats in School District

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Two, and specifically, in Community Board Two and

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Five. This came along and literally sitting in

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the principal's office of PS 41, God bless you,

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that the concept of putting everybody together

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came to the fore.

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One of the key issues here, obviously, as you, as Committee members and as elected officials, realize, that the time that it takes to create a school is one that allows things that may not be positive towards creating that school to happen. And, in this situation, Foundling very much wanted to have an assurance, a guarantee that if this process that we're in right now, the public process, fell apart, that there would be a buyer at the end of that six months that would come in and purchase this space from Foundling and create another use.

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The Rudin Family played that role as guarantor very happily and very much focused on all the good that will occur by the creation of this school. I think it's important to note that in the space right now, Foundling Hospital runs a very important medical facility. It's a pediatric nursing facility. They are building a new facility in Yonkers. And, they were also taking the proceeds to sure up some of their financing. So, what happens at the end of this is hopefully we get a new hospital. We get a brand new school.

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2 We get a new pediatric care facility in West
3 Chester County that also serves the needs of kids
4 in New York City. And, ultimately, we move
5 forward with jobs and a positive focus to the
6 future.

7 So, on behalf of the Rudin Family
8 and the role that we played to create this, I
9 would be remiss if I didn't compliment SCA, as
10 well as the Speaker's office and the other elected
11 officials that are affected by this. They all
12 played very key roles. And, we're very proud to
13 have played a role in helping to create this 560-
14 seat elementary school. So, thank you for your
15 time.

16 ROBYN HATCHER: I'm Robyn Hatcher.
17 And, as you heard, the new school is going to be
18 in Community Board Five. I am the Co-Chair of the
19 Housing, Human Services and Youth Committee of
20 Community Board Five. And, I am a public school
21 parent. I'm here to not only express my support
22 for this new school, but to urge the City
23 officials, the DOE and the SCA to approve more
24 sites on which to build and create new elementary
25 and middle schools in our ever-growing

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neighborhoods.

Community Board Five is a huge district. It has been known as a business district for so many years. And, that's the only reason I can understand that there are absolutely no, currently none, elementary or middle schools within our Community Board Five district boundaries. I have lived within these boundaries for almost 20 years. My son was born here 17 years ago in a condo on the lower end of Community Board Five. At that time, seven other children born at the same year lived in my building. And, when it came time to elementary school, we were all able to find spots for our children in neighboring elementary schools, which we just heard today are completely overcrowded.

Six, yeah, six of the eight of us chose public school over private school. We all had great educations. They all were able to take advantage of not tiny classrooms, but sizeable and manageable classrooms. They all were able to have separate art rooms, separate music rooms, separate computer rooms. And, they all had lunch at a reasonable time.

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2 As you know, a lot has changed in
3 17 years. The Manhattan Borough President's
4 office stated that in the past eight years, 4,766
5 new residential units have been built in Community
6 Board Five alone. That adds an additional 810
7 elementary school children to that neighborhood.
8 I'm wondering if our children in my condo were
9 trying to get into schools now, would they be able
10 to. And, if they were able to, would they have
11 had such a successful elementary school
12 experience.

13 Elementary schools now are
14 extremely overcrowded. Most of the art, music and
15 computer rooms have been converted into classrooms
16 to take the overflow. There have been young
17 children having to take lunch at 10:30 in the
18 morning just so that they can fit in the
19 lunchroom. This is unacceptable.

20 By middle school, most City
21 officials assume that parents are going to move
22 their children out of the City. This did not
23 happen in any of our cases. So that the choices
24 of middle school in our neighborhood is even
25 smaller than elementary school, so that we lost a

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2 couple of families to private school during the
3 middle school years.

4 I was fortunate enough, my son was
5 fortunate enough, to have attended some of the
6 best public schools in this City. He graduates in
7 June from Stuyvesant High School. He's going on
8 to Yale University. But, I can't help but wonder
9 if his academic success would have been the same
10 had he been compromised in the way that some of
11 the children today are being compromised by
12 overcrowding and insufficient funding.

13 So, I, again, I support this school
14 100%. And, I really urge all City officials to
15 get onboard and to discover ways to create and
16 build and support public school education on the
17 elementary and middle school level in the City and
18 in our neighborhoods. Thank you.

19 COUNCIL MEMBER MARTINEZ: Thank
20 you. Any question for any of the members? Seeing
21 no other witnesses and no question for any of the
22 members, I want to thank you for your testimony.
23 And, I'll ask the Clerk to call the roll. Yeah.
24 Call it.

25 CLERK: Council Member Martinez.

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COUNCIL MEMBER MARTINEZ: Aye.

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CLERK: Council Member Comrie.

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COUNCIL MEMBER COMRIE: Aye.

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CLERK: Council Member Liu.

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COUNCIL MEMBER LIU: Yes.

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CLERK: Council Member Palma.

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COUNCIL MEMBER PALMA: Aye.

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CLERK: Council Member Mendez.

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COUNCIL MEMBER MENDEZ: I vote aye.

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CLERK: By a vote of five in the

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affirmative, none in the negative, no abstentions,

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item is approved and referred to the full Land Use

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Committee.

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COUNCIL MEMBER MARTINEZ: We'll

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keep the roll open for another five minutes for

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members who are on their way and members who are

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next door in the other hearing. Thank you.

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CLERK: Council Member Oddo.

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COUNCIL MEMBER ODDO: Yes, thank

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you.

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CLERK: Council Member Arroyo.

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COUNCIL MEMBER ARROYO: Aye.

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CLERK: Councilwoman Lappin.

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CHAIRPERSON LAPPIN: Aye.

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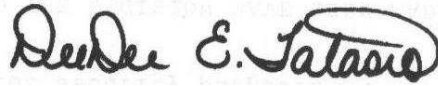
CLERK: By a vote of eight in the affirmative, none in the negative, no abstentions, item is approved and referred to the full Land Use Committee.

CHAIRPERSON LAPPIN: Meeting adjourned.

C E R T I F I C A T E

I, DeeDee E. Tataseo 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

A handwritten signature in cursive script that reads "DeeDee E. Tataseo". The signature is written in black ink and is positioned above a horizontal line.

Date

February 14, 2009