

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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May 12, 2010  
Start: 10:51 am  
Recess: 11:02 am

HELD AT: Council Chambers  
City Hall

B E F O R E:  
LEROY G. COMRIE, JR.  
Chairperson

COUNCIL MEMBERS:  
Maria del Carmen Arroyo  
Charles Barron  
Inez E. Dickens  
Daniel R. Garodnick  
Robert Jackson  
Jessica S. Lappin  
Rosie Mendez  
Annabel Palma  
Joel Rivera  
James Sanders, Jr.  
Larry B. Seabrook  
James Vacca  
Albert Vann

## A P P E A R A N C E S

## COUNCIL MEMBERS:

Brad S. Lander  
Stephen T. Levin  
Mark S. Weprin  
Jumaane D. Williams  
Daniel J. Halloran III  
Vincent M. Ignizio  
Peter Koo

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2 CHAIRPERSON COMRIE: Good morning.  
3 Today is May 12th, 2010. This is the full Land  
4 Use Committee hearing. We have one item on the  
5 calendar, and that's Land Use item number 60, West  
6 Park Presbyterian Church in Manhattan Community  
7 Board 7, Item number 20105349 HKM. It's regarding  
8 the landmark designation of West Park Presbyterian  
9 Church located at 165 West 86th Street.

10 We are joined this morning by  
11 Council Member Peter Koo, Council Member Maria del  
12 Carmen Arroyo, Larry Seabrook, Brad Lander,  
13 Vincent Ignizio, Jessica Lappin, Al Vann, Mark  
14 Weprin, Rosie Mendez, Inez Dickens, Gale Brewer,  
15 Dan Halloran, James Sanders, Annabel Palma, and  
16 Majority Leader Joel Rivera. I think I got  
17 everybody. I saw Robert Jackson in the room and  
18 he disappeared.

19 We have, again, one item on the  
20 agenda. I want to thank the members that said  
21 such kind words about me a few minutes ago. My  
22 head is still swollen from all of those kind  
23 words. Clearly, we are working with Council  
24 Member Gale Brewer on this landmarking. I would  
25 ask her if she would like to say a few more words

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2 for the full committee.

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COUNCIL MEMBER BREWER: Thank you very much. Again, I want to thank Chair Comrie and certainly Chair Lander and the committee members for your patience and obviously Chuck Meara and others from the Speaker's Office.

West Park Presbyterian Church is located on 86th Street and Amsterdam Avenue. It was designated a historical landmark by the Landmarks Preservation Commission and City Planning Commission earlier this year. I don't need to go through the reasons, but it is certainly designated correctly and is definitely a landmark.

This is a church that has great significance for those of us who live on the west side. It is not only a beautiful building with red stone, but it's also a place of major significance. It's a place where the LGB community was welcomed early on. It's a place that has had hundreds if not thousands of gatherings of families interested in social and policy issues. It has a sanctuary where everyone can hear a pin drop because it has such great

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acoustics.

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It has a whole series of leaders and ministers, including Reverend Brashear who have brought great mission in terms of the homeless, supporting them and supporting their needs and trying to get them housing as well as all of the other aspects that I've just listed.

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I go back to that building to the early 1970s when Reverend Davidson was there and feel just as strongly now as I did then about this building.

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The fact of the matter is we are going to work with the community and the church to support the mission and the church. This is a tall order, but I know one that this entire community and this entire city is up to. We will work to preserve the mission and the building and figure out a way that it can be renovated in all senses of the word back to what West Park Presbyterian Church was in the past.

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So it's actually something that will bring people together, this great excitement. I know that there are challenges in terms of landmarking a building that the congregation is

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2 not supportive of in terms of the concept. But I  
3 want to be able to show them that we can all work  
4 together to figure out a way that this would be a  
5 model perhaps for the future.

6 I know very well that each  
7 religious institution and this issue of  
8 landmarking is an individual situation. This in  
9 no way represents exactly how it will be in the  
10 future everywhere. But in this particular  
11 situation I know that we can all work together for  
12 the future of the building and the mission. Thank  
13 you very much, Mr. Chair, for your patience and  
14 your involvement. I really have no way to thank  
15 you as much as I possibly can. Thank you.

16 CHAIRPERSON COMRIE: Thank you. I  
17 just want to congratulate Council Member Brewer  
18 and Chair Lander on making sure that everyone had  
19 an opportunity to be heard, that all of the  
20 discussion on this landmarking was done with  
21 respect, with open mindedness and with making sure  
22 that New Yorkers had an opportunity to voice their  
23 opinion.

24 One thing that New Yorkers like to  
25 do is to be able to voice their opinion freely and

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2 openly. I think the committee meeting allowed  
3 that to happen. As New Yorkers, we're never  
4 totally satisfied with the outcome of anything. I  
5 think that is definitely the situation here. But  
6 I think that clearly making sure that we have an  
7 opportunity to lay out all the issues on the table  
8 and present all of the issues is critical. I'm  
9 just glad to help stimulate the conversation.

10 With that, I would recommend an aye  
11 vote on this issue. Please call the roll.

12 WILLIAM MARTIN: William Martin,  
13 Committee Clerk, roll calling the Committee on  
14 Land Use. Council Member Comrie?

15 CHAIRPERSON COMRIE: Aye.

16 WILLIAM MARTIN: Ignizio?

17 COUNCIL MEMBER IGNIZIO: Yes, I'd  
18 just like to briefly explain my vote. I am voting  
19 no. As is my policy to vote no throughout, I  
20 believe property rights should supersede the will  
21 of government in terms of landmarking. I hope  
22 that we engage in a dialogue in the future about  
23 how we can better support landmarkings because  
24 ultimately the owners are saddled with the bill of  
25 what government does. I'm to discuss that matter

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2 with my colleagues. I have to vote no. Thank  
3 you.

4 WILLIAM MARTIN: Rivera?

5 COUNCIL MEMBER RIVERA: I vote aye.

6 WILLIAM MARTIN: Jackson?

7 COUNCIL MEMBER JACKSON: I vote  
8 aye.

9 WILLIAM MARTIN: Sanders?

10 COUNCIL MEMBER SANDERS: I vote  
11 aye.

12 WILLIAM MARTIN: Vann?

13 COUNCIL MEMBER VANN: Aye.

14 WILLIAM MARTIN: Palma?

15 COUNCIL MEMBER PALMA: Aye.

16 WILLIAM MARTIN: Arroyo?

17 COUNCIL MEMBER ARROYO: [No  
18 response].

19 WILLIAM MARTIN: Dickens?

20 COUNCIL MEMBER DICKENS: Permission  
21 to explain my vote.

22 CHAIRPERSON COMRIE: So moved.

23 COUNCIL MEMBER DICKENS: I salute  
24 my colleague Council Member Brewer because I know  
25 she's been diligent and thorough and hard working.

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She did not come to this decision easily.

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Although inherent in having a landmark building is

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frequently difficult, I also know that benefits

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come with it, as well as the fact that it's

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incumbent among all of us to try to preserve

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historic housing so that it is never destroyed.

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As such, I vote aye.

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WILLIAM MARTIN: Seabrook?

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COUNCIL MEMBER SEABROOK: Aye.

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WILLIAM MARTIN: Garodnick?

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COUNCIL MEMBER GARODNICK: Aye.

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WILLIAM MARTIN: Lappin?

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COUNCIL MEMBER LAPPIN: Aye.

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WILLIAM MARTIN: Mendez?

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COUNCIL MEMBER MENDEZ: I vote aye.

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WILLIAM MARTIN: Lander?

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COUNCIL MEMBER LANDER: Aye.

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WILLIAM MARTIN: Weprin?

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COUNCIL MEMBER WEPRIN: Aye.

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WILLIAM MARTIN: Levin?

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COUNCIL MEMBER LEVIN: Aye.

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WILLIAM MARTIN: Halloran?

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COUNCIL MEMBER HALLORAN:

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Permission to explain my vote?

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CHAIRPERSON COMRIE: So moved.

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COUNCIL MEMBER HALLORAN: In the subcommittee below I indicated that this was a difficult decision. It's still a difficult decision. I understand and appreciate the comments of my colleague from Staten Island, Mr. Ignizio, who points out rightly that there is often a divide between the needs of government and the property rights of individuals.

However, in this case Council Member Brewer, above and beyond the call, with the assistance of Chair Lander and ultimately Chair Comrie, have committed to this church to assist them in finding the resources necessary to support the costs which will be born in having a landmark here.

Again, it's not a light decision. I understand that the rights of a church to determine its ability to use its facilities is an important constitutional paradigm and as is the right of property owners to determine what to do with their property.

But clearly, having seen the scope of this church, its contextual placement in the

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2 community, it is a landmark, it is historic, it is  
3 worthy of being protected. I am sure that Council  
4 Member Brewer will do everything in her power for  
5 the next four years to ensure that the resources  
6 necessary to bear those burdens come forward.

7 I just want to state for the record  
8 I am very glad to see that the city could actually  
9 do something like this in the context of helping  
10 out and not simply straddling them with another  
11 burden.

12 To the religious community, I'd  
13 simply say I understand that you'll be  
14 disappointed in the decision of the Council here.  
15 I appreciate that. I would ask you moving forward  
16 to look to work with your councilwoman who will  
17 give you every resource she can to find new and  
18 creative ways to deal with the consequences of  
19 this.

20 I'm glad to hear her say that this  
21 will not be a reflection on other decisions made  
22 in the future that may not have the unique values  
23 that this particular one does. So I will  
24 therefore vote aye and get Councilwoman Mendez a  
25 glass of milk at some point as well.

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2 WILLIAM MARTIN: Koo?

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COUNCIL MEMBER KOO: I want to  
4 explain my vote, Mr. Chairman.

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CHAIRPERSON COMRIE: So moved.

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COUNCIL MEMBER KOO: I concur with  
7 Council Member Ignizio from Staten Island. I  
8 think in America that we have to protect property  
9 rights and it's really important. I mean a church  
10 is an entity and they should have the right to  
11 decide what to do with their property. I will  
12 vote no for this.

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WILLIAM MARTIN: Barron?

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COUNCIL MEMBER BARRON: [No  
15 response].

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WILLIAM MARTIN: Williams?

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COUNCIL MEMBER WILLIAMS: Aye.

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WILLIAM MARTIN: By a vote of 18 in  
19 the affirmative, 2 in the negative and zero  
20 abstentions, item is adopted. Members, please  
21 sign the committee report.

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CHAIRPERSON COMRIE: I want to  
23 thank everyone that was involved in putting this  
24 together, especially Council Member Brewer who put  
25 countless hours in trying to get to today's

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decision.

I just want to remind members that the next subcommittee meetings are May 17th and the full committee will be meeting on May 25th. With that, we'll hold the vote open for as long as technically possible because there are some other members in the building but not upstairs. With that, the meeting is adjourned. Thank you.

WILLIAM MARTIN: Council Member Vacca?

COUNCIL MEMBER VACCA: Aye.

WILLIAM MARTIN: The vote on the Committee on Land Use is now 19 in the affirmative, 2 in the negative and zero abstentions.

CHAIRPERSON COMRIE: I hereby adjourn the meeting.

C E R T I F I C A T E

I, Donna Hintze 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 May 27, 2010\_\_\_\_\_