

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

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July 29, 2010
Start: 11:48 am
Recess: 12:10 pm

HELD AT: Hearing Room
 250 Broadway, 16th Fl.

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

COUNCIL MEMBERS:
 Leroy G. Comrie, Jr.
 Inez E. Dickens
 Erik Martin Dilan
 Lewis A. Fidler
 Vincent J. Gentile
 Robert Jackson
 James Vacca
 Karen Koslowitz
 James S. Oddo
 Christine C. Quinn

A P P E A R A N C E S

Robert B. Tierney
Chair
Landmarks Preservation Commission

Frederick Bland
Managing Partner
Beyer Blinder Belle

Joan Gerner
Architect

Christopher Moore
Curator/Historian
Schomburg Center for Research in Black Culture

2 CHAIRPERSON COMRIE: Good morning.
3 Today is July 20th, 2010. This is the Committee
4 on Rules, Privileges and Elections. I'm Leroy
5 Comrie, temporary chair. We're joined by Minority
6 Leader Jimmy Vacca. Didn't I see Inez Dickens?
7 Sorry, Minority Leader Jimmy Oddo, Vincent Gentile
8 from Brooklyn, Erik Dilan from Brooklyn, Jimmy
9 Vacca from the Bronx, Robert Jackson, Inez Dickens
10 is here. Joel Rivera, who is the chair, could not
11 be with us today.

12 Today, we have four candidates for
13 reappointment to the Landmarks Preservation
14 Commission. They are Robert Tierney, a Manhattan
15 resident who is being considered for reappointment
16 as chair by the Mayor to the Landmarks
17 Preservation Commission. If the Council gives its
18 advice and consent, he is eligible to serve for
19 the remainder of a three-year term that expires on
20 June 28th, 2013.

21 Frederick Bland, a Brooklyn
22 resident, is being considered for reappointment by
23 the Mayor to the LPC. If the Council gives its
24 advice and consent, he is also eligible to serve
25 the remainder of a three-year term that expires on

2 June 28th, 2013. Mr. Bland is a registered
3 architect.

4 Joan Gerner, a resident of Queens,
5 is being considered for reappointment by the Mayor
6 to the LPC if the Council gives its advice and
7 consent. Ms. Gerner will also be eligible to
8 serve the remainder of a term that expires on June
9 28th, 2013.

10 And Christopher Moore, a Brooklyn
11 resident, who is being considered for
12 reappointment by the Mayor to LPC if the Council
13 gives its advice and consent, he is eligible to
14 serve for the remainder of a three-year term that
15 expires on June 28th, 2013. Mr. Moore is a
16 historian.

17 I will briefly explain the
18 functions of the Landmarks Preservation
19 Commission. The New York City Landmarks
20 Preservation Commission, which consists of 11
21 members, is responsible for establishing and
22 regulating landmarks, portions of landmarks,
23 landmark sites, interior landmarks, scenic
24 landmarks and historic districts. And also,
25 regulates alterations to designated buildings.

2 The Charter requires that the
3 commission's membership include at least three
4 architects, one historian qualified in the field,
5 one city planner or landscape architect and one
6 realtor. No professional qualifications for the
7 remaining members are delineated in the charter.
8 By statute, the commission's members must have at
9 least one resident from each of the five boroughs.

10 The Mayor appoints members of the
11 commission for staggered three-year terms. Each
12 member continues to serve as a commissioner until
13 his or her successor is appointed and qualified.
14 The Mayor designates one of the members to serve
15 as chair of the commission and another to serve as
16 vice chair. Both of these appointees serve until
17 their successor is designated.

18 Members other than the chair serve
19 without compensation but are reimbursed for their
20 expenses necessarily incurred in the performance
21 of their duties. The chair's salary is currently
22 \$192,198. The commission appoints a full time
23 executive director and may employ technical
24 experts and such other employees as may be
25 required to perform its duties. The commission is

2 required to provide opportunities for comment in
3 advance of any hearing on a proposed designation.

4 In addition, the commission may, at
5 any time, make recommendations to the City
6 Planning Commission regarding amendments to the
7 zoning resolution provisions that apply to
8 improvements in historic districts.

9 The commission's duties also
10 include determining whether a proposed alteration
11 or demolition affecting a landmark is consistent
12 with the landmark's law. In instances where the
13 commission determines that the proposed change
14 complies with the law, it grants a certificate of
15 appropriateness, otherwise the commission may deny
16 the applicant's request.

17 I want to welcome Mr. Tierney, Mr.
18 Bland, Ms. Gerner and Mr. Moore. Will you please
19 raise your right hands and be sworn in at this
20 time?

21 MALE VOICE: Do each of you
22 solemnly swear or affirm that your statements
23 today will be the whole truth to the best of your
24 knowledge?

25 CHAIRPERSON COMRIE: Thank you.

2 We've been joined by Council Member Koslowitz and
3 Council Member Fidler. We will begin with Mr.
4 Tierney. Would you like to make an opening
5 statement?

6 ROBERT B. TIERNEY: Yes, I would.
7 Thank you, Mr. Chairman and Honorable Members of
8 the Council, the Rules Committee. My name is Bob
9 Tierney. I've been chair of the Landmarks
10 Preservation Commission since January of 2003. As
11 has been stated, the chair is the only paid member
12 of the commission.

13 My fellow commissioners, three of
14 whom sit here with me today, are unpaid volunteers
15 who donate between 15-20% of their workweek when
16 you do the math and figure it out. Every Tuesday
17 we have extensive hearings and public meetings to
18 the commission's business. So it's a huge
19 commitment and a very generous one and should be
20 recognized. That's why I wanted to allude to it.

21 In addition to chairing the
22 commission at its regular meetings, I am also
23 responsible for managing the agency's 63 staff
24 persons in the day-to-day operations of the
25 agency.

2 The commission, I won't restate
3 what the chairman did about our role and our
4 responsibilities. But I will say that to date the
5 commission has designated just under 27,000
6 buildings and structures in the city, including
7 just to break them down quickly, 1,269 as of this
8 moment individual landmarks; 100 historic
9 districts; 110 interior landmarks; and 10 scenic
10 landmarks throughout, of course, the five boroughs
11 of the City of New York.

12 It's been a great honor and
13 privilege for me to have served as chair of the
14 Landmarks Preservation Commission. Mayor
15 Bloomberg has made that possible and for that I am
16 grateful, and has provided strong, unwavering
17 support for this commission and its mission.

18 That mission actually goes to the
19 heart of what makes, I believe, what makes this
20 city what it is today, the unique place with a
21 rich cultural aesthetic and a historic heritage
22 that all of us see every day in our built
23 environment. To be even the temporary trustee of
24 that heritage and to lead a committed and
25 dedicated agency charged with its preservation is

2 truly both an honor and a continuing challenge and
3 one that I am very proud to have undertaken and
4 hope to continue to undertake.

5 One of my priorities since becoming
6 chair is to focus the commission's attention on
7 identifying and designating landmarks in districts
8 outside of Manhattan. I said that at the
9 beginning and we have moved constantly in that
10 direction. Partially in response to often
11 expressed concerns that the commission is too
12 Manhattan-centric.

13 Whether that was true, I don't
14 believe it's true now, and I think our record
15 speaks to that. I'm proud to say that we've
16 accomplished that goal to a significant degree.
17 We have designated more districts outside of
18 Manhattan than ever before. Nothing against
19 Manhattan, of course, I just want that to be
20 clear. But 14 districts since 2002.

21 At this time, the commission is
22 considering, as we speak, large districts in the
23 Bronx, Queens and Brooklyn. And in fact, it is
24 likely that in the near future Brooklyn will
25 actually have more designated landmark buildings

2 than any other borough, including Manhattan.

3 We're not quite there yet, but it's close.

4 Everyone will be notified, of course, when we pass
5 that threshold.

6 Since 2002, since I've been chair,
7 the commission has designated 27 historic
8 districts and extensions and 174 stand-alone
9 landmarks throughout the five boroughs, a total of
10 3,891 buildings. That's more districts than any
11 administration prior to this. The designation of
12 Prospect Heights, recently the Prospect Heights
13 Historic District was the largest designation of a
14 district since 1990. In addition, industrial
15 modern buildings, more of them have been
16 designated than in any prior year or any prior
17 commission, any prior span of years.

18 We've also been busy, to briefly
19 sum up the rest of the activities of the agency;
20 we've been very busy in other areas. Permit
21 applications continue now to flow in and the pace
22 seems to be quickening, which is extremely good
23 news in terms of economic activity. It presents
24 the additional challenges and how to deal with
25 those applications. We try to be more efficient

2 in how we process them.

3 One of the ways is through rule
4 making. We continue to promulgate rules to
5 streamline the process. As my counsel says, rules
6 benefit everybody. They should benefit the agency
7 and they should benefit the public. The best
8 rules are those that can be easily understood and
9 followed and result in expeditious treatment of an
10 application for a change submitted to the
11 Landmarks Commission.

12 We've also been active in educating
13 ourselves and the public and by what we do and how
14 we do it, sending staff members throughout the
15 city for community meetings, hundreds of public
16 hearings have been conducted over the years, and
17 then we have, in fact, published and updated our
18 guide to New York City Landmarks. We sponsored a
19 major exhibition with AIA Center for Architecture
20 on new commission approved buildings in historic
21 districts and the website's been revamped,
22 together with a major upgrade of the internal
23 computer systems.

24 As you can see, it's been a busy
25 and I believe productive seven and a half years

2 for me. That said, there is still much to
3 accomplish to ensure that the best and most
4 significant buildings, districts and improvements
5 throughout this city are identified and preserved
6 for generations to come.

7 For these reasons, I'm excited,
8 gratified, and privileged to be reappointed and
9 look forward to the concurrence of the advice and
10 consent of the Council. Should it happen, I look
11 forward to continuing to lead the commission.
12 Thank you very much.

13 CHAIRPERSON COMRIE: Mr. Bland, do
14 you have an opening statement?

15 FREDERICK BLAND: I'll briefly
16 introduce myself again. My name is Frederick
17 Bland. I'm a resident of Brooklyn. I've lived in
18 Brooklyn for 38 years, all of the years that I've
19 lived in New York City as a matter of fact. I'm
20 the managing partner of an architectural firm
21 called Beyer Blinder Belle.

22 We do a lot of different kind of
23 work, but we do a lot of preservation work,
24 including the United States Capitol, including
25 Grand Central Terminal, and I'm afraid to admit

2 that we are the reason you're meeting here today
3 rather than where you would like to be meeting
4 because we're renovating your home and making it
5 safe for you to be back in those quarters.

6 I hold an architectural degree from
7 Yale as a master's degree and an undergraduate in
8 art history from Yale. I also teach as a
9 professor in the art history department of New
10 York University. The course I teach is about the
11 future of cities.

12 It seems to me that that is kind of
13 at the heart of why I so enjoy, and I'm the newest
14 one on the commission because I've only served two
15 years. But that's why I have enjoyed so much
16 serving on this commission. Ironically, to me,
17 the Preservation Commission is actually where the
18 action is in terms of what this city is all about,
19 and not only its past but its future. So it
20 combines all of these aspects of city living.

21 Every Tuesday we have such an array
22 of the citizens of New York come before us,
23 sometimes with illustrious architects and famous
24 lawyers representing them, sometimes hat in hand
25 by themselves to seek to make change, slowly

2 appropriate change to important landmarks or
3 districts in this city. To me, it's been a
4 privilege and a pleasure to be a part of that
5 process. Thank you.

6 CHAIRPERSON COMRIE: Ms. Gerner?

7 JOAN GERNER: Yes. Thank you, Mr.
8 Chairman and Honorable Members of the Rules
9 Committee. It's a pleasure to be here today for
10 consideration for reappointment.

11 I have lived in Queens all my life
12 and I would be honored to continue. Are you a
13 Queens' person too? Good. I would be honored to
14 continue to represent my borough if you approve
15 this reappointment. I have a great deal of
16 respect for the responsibility involved as a
17 commissioner and I don't take this responsibility
18 lightly.

19 New York City is my home and it's
20 been very good to me. I've lived here my entire
21 life. I've had a happy life and I've enjoyed a
22 successful career here. I feel that the way to
23 give back to the city would be to share my
24 professional expertise with the city.

25 I'm a trained architect, a

2 construction manager and a preservationist. I
3 have over 33 years of senior management experience
4 in the design and construction industry. I have
5 two degrees in architecture from the City
6 University of New York and a master's of science
7 in historic preservation from Columbia University.

8 Just a little bit about my
9 background, I served as the executive vice
10 president of design and construction for the
11 National September 11th Memorial and Museum from
12 May 2007 to May 2010. Before that I was the
13 founder and director of Bovis' preservation
14 division which was a major construction management
15 firm where I worked for 14 years.

16 During that time, I was responsible
17 for the restoration of a number of high profile
18 buildings, both in the city and outside of the
19 city, one of them being Grand Central Terminal,
20 the Tweed Courthouse, the Brooklyn Museum and the
21 restoration of the Thurgood Marshall Courthouse
22 down the road a little bit.

23 Modern landmarks is a great
24 interest of mine. While I was at Columbia, I
25 wrote a master's thesis on it. This is the newest

2 frontier in preservation. I think that it's
3 something that our commission is going to have to
4 address more and more as time passes on. Because
5 of the knowledge in that field that I have, I
6 believe that I can continue to make a contribution
7 to the commission in this special area as well as
8 buildings that are more traditional.

9 I believe this commission has made
10 a real difference, as Chair Tierney actually
11 explained. I'm willing to continue with this
12 responsibility that I have been trusted with if
13 you find it appropriate to reappoint me. I've
14 learned a great deal over the last 13 years and I
15 continue to learn by working with the
16 commissioners, listening to the public testimony
17 and I learn everything from every new application.

18 I'll continue to strive to make
19 fair and reasonable decisions using my knowledge
20 and professional experience; because I believe
21 that it's really important to treat landmarks with
22 respect and to make reasonable decisions in order
23 to develop creative solutions for applicants.

24 I'd like to thank you for your
25 interest in meeting me today and considering my

2 reappointment.

3 CHAIRPERSON COMRIE: Last but not
4 least, Mr. Moore.

5 CHRISTOPHER MOORE: Thank you, Mr.
6 Chair and Council Members. Thank you for the
7 opportunity to appear before you this morning. My
8 name is Christopher Moore. I am a curator and
9 historian for the New York Public Library
10 Schomburg Center for Research in Black Culture.
11 I'm also a resident of Brooklyn. I've been
12 honored to have been a member of the Landmarks
13 Commission since 1995.

14 My interest in our city and the
15 preservation of its historical memory and its
16 historic and cultural space as best we can is a
17 lifelong interest and endeavor for me. I am
18 honored to be a member of a Native American family
19 which called the five boroughs home. They greeted
20 and they battled and they then married some of the
21 first immigrants from Europe and Africa who
22 arrived here some 400 years ago and some who are
23 arriving now. You are all welcome.

24 Our city's architecture, culture
25 and history throughout the five boroughs is as

2 rich as any place in the world. Our Landmarks
3 Commission helps to preserve our history in a way
4 that we are able to see and appreciate every day.
5 Our past is an investment in our future. I do
6 thank you for the opportunity to serve our city.

7 CHAIRPERSON COMRIE: Any members
8 have any questions for any of the applicants that
9 are looking to continue in their positions on LPC?
10 Seeing none, I will take that as a testament to
11 your positive additions and time served on LPC.
12 Clearly since none of the members have any
13 problems or concerns they want to express today, I
14 will not hold you up any longer. But I will be
15 seeking your counsel on a couple of matters very
16 soon, one being the St. Albans VA Hospital. I'd
17 like to try to get a quick ruling on that if
18 possible.

19 With that, I want to thank you.
20 I've had extensive opportunities to work with the
21 chair when I was on the Landmarks Subcommittee. I
22 want to say that it's been an honor and a pleasure
23 working with you. You've always been someone that
24 has been passionate about your positions and very
25 articulate about your stance. That's a good

2 position.

3 So, as New Yorkers, as you know, we
4 like to express our opinion and express it in ways
5 that are sometimes argumentative, but it's all
6 about making the city better. I think you've had
7 an informative ear and you've tried to be
8 responsive to the Council.

9 So with that, seeing that there are
10 no questions from any members, I'd like to
11 recommend a yes vote for all of the people that
12 are being reappointed to the Landmarks
13 Preservation Commission. Thank you for wanting to
14 stay in service to the city in this role. I would
15 hope that you encourage others to do so as well,
16 to stay in service to the city in some capacity.

17 The Speaker should be on her way
18 up, but we could start calling the roll now. I
19 recommend a yes vote.

20 WILLIAM MARTIN: William Martin,
21 Committee Clerk, roll call vote on Committee on
22 Rules, Privileges and Elections. Council Member
23 Comrie?

24 CHAIRPERSON COMRIE: Yes.

25 WILLIAM MARTIN: Dilan?

2 COUNCIL MEMBER DILAN: Aye on all.

3 WILLIAM MARTIN: Fidler?

4 COUNCIL MEMBER FIDLER: [No
5 response].

6 WILLIAM MARTIN: Jackson?

7 COUNCIL MEMBER JACKSON:

8 Congratulations. Aye on all.

9 WILLIAM MARTIN: Gentile?

10 COUNCIL MEMBER GENTILE: Aye on
11 all.

12 WILLIAM MARTIN: Dickens?

13 COUNCIL MEMBER DICKENS:

14 Congratulations to all of you. Congratulations,
15 Chair. Aye on all.

16 WILLIAM MARTIN: Vacca?

17 COUNCIL MEMBER VACCA: I very
18 proudly vote aye on all. I congratulate you and
19 Mr. Tierney especially. We had a matter in my
20 district and when I called you, you were quite
21 responsive, quite knowledgeable. So I thank you
22 for your guidance and I vote aye. I wish you all
23 the best.

24 WILLIAM MARTIN: Koslowitz?

25 COUNCIL MEMBER KOSLOWITZ: Aye on

2 all.

3 WILLIAM MARTIN: By a vote of eight
4 in the affirmative, zero in the negative and no
5 abstentions, items are adopted. Members please
6 sign the committee reports.

7 CHAIRPERSON COMRIE: Don't forget
8 to sign the committee reports. As members know,
9 we're headed to Chamber Street for the session.
10 We're joined by Speaker Quinn.

11 WILLIAM MARTIN: Speaker Quinn?

12 SPEAKER QUINN: Look at this, my
13 first vote cast in 250 Broadway. I vote aye.

14 WILLIAM MARTIN: The vote now
15 stands at nine in the affirmative.

16 CHAIRPERSON COMRIE: Thank you very
17 much. Do we need to hold the roll open? Are we
18 expecting any members? With that, the committee
19 meeting is adjourned at 12:10 p.m.

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 August 16, 2010