

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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February 4, 2015  
Start: 10:21 a.m.  
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HELD AT: Council Chambers - City Hall

B E F O R E:  
BRAD S. LANDER  
Chairperson

COUNCIL MEMBERS:  
Inez E. Dickens  
Daniel R. Garodnick  
Ydanis A. Rodriguez  
Margaret S. Chin  
Deborah L. Rose  
Jumaane D. Williams  
Rafael L. Espinal, Jr.  
Mark Levine  
Vincent M. Ignizio  
Melissa Mark-Viverito  
Andrew Cohen  
David G. Greenfield  
Peter F. Vallone, Jr.

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

Wellington Chen  
Executive Director  
Chinatown Partnership Local Development  
Corporation

Kim Vauss  
Director of Technical Affairs  
Outsource Consultants

Hank Willis Thomas  
Visual Artist

Blaire Walsh  
New York Landmarks Conservancy

Simeon Bancroft  
Executive Director  
Historic Districts Council

2 CHAIRPERSON LANDER: Good morning [gavel]  
3 and welcome to the City Council's Committee on Rules,  
4 Privileges and Elections. I'm Brad Lander, Chair of  
5 the Rules Committee; pleased to be joined this  
6 morning by our Minority Leader, Vinny Ignizio from  
7 Staten Island, Council Member Debi Rose from Staten  
8 Island and Council Member Margaret Chin from  
9 Manhattan; I suspect we'll be joined by some  
10 additional members of the Rules Committee as the  
11 hearing goes along.

12 Also I want to acknowledge and thank our  
13 Counsel to this Committee, Jason Otano and also the  
14 staff of the Council's Investigative Unit, Chuck  
15 Davis, our Director of Investigations, as well as  
16 Deandra Johnson and Diana Arriaga, who have prepared  
17 extensive materials and background on the candidates  
18 under consideration, so thanks to the candidates and  
19 the Mayor's Office for working with our team.

20 In a letter dated January 16th, 2015,  
21 Mayor Bill de Blasio formally submitted to the  
22 Council three names for our advice and consent for  
23 the following proposed appointments. The Mayor  
24 submitted Wellington Chen and Kim Vauss for the  
25 Council's advice and consent concerning their

2 nomination for appointment to the New York City  
3 Landmarks Preservation Commission (LPC) and the Mayor  
4 also submitted Hank Willis Thomas' name for the  
5 Council's advice and consent concerning his  
6 nomination for appointment to the New York City Art  
7 Commission.

8 We are gonna do this in two different  
9 sections; I think we're gonna do the two LPC nominees  
10 first; we'll hear their opening statements and do  
11 questions and then after that we'll take Mr. Thomas  
12 and the Art Commission.

13 I'm pleased we've been joined by Council  
14 Member Andy Cohen from the Bronx, welcome.

15 And I will call Council Members'  
16 attention to both the materials prepared by our  
17 Committee, as well as the questions and answers that  
18 the candidates prepared to questions that were  
19 submitted to them in advance and let's get some of  
20 those materials to Council Member Cohen so he can  
21 look. The candidates will be sworn in, will give  
22 opening statements and then Council Members will ask  
23 some questions. So let me first ask Mr. Chen and  
24 Ms. Vauss to come on up to the witness table here.  
25 If the Council gives its advice and consent,

2 Wellington Chen, a Queens resident and Kim Vauss, a  
3 Bronx resident, will both be appointed to the  
4 Landmarks Preservation Commission and eligible to  
5 complete the remainder of a three-year term that  
6 expires on June 28th, 2017. Pursuant to the New York  
7 City Charter, Section 3020, the LPC is responsible  
8 for establishing and regulating landmarks, landmark  
9 districts, interior landmarks, scenic landmarks and  
10 historic districts and the LPC also regulates  
11 alterations to designated buildings. You can go  
12 ahead and sit down. Sorry, didn't mean to make you  
13 keep standing.

14 The LPC consists of 11 members; they must  
15 include at least three architects, 1 historian  
16 qualified in the field, 1 city planner or landscape  
17 architect and 1 realtor and must include at least 1  
18 resident from each of the five boroughs; they are  
19 appointed with the advice and consent of the Council,  
20 with attention to the requirements laid out in the  
21 Charter.

22 Members of the LPC, with the exception of  
23 the chair, serve without compensation but are  
24 reimbursed for necessary expenses in the performance  
25 of their duties, and I won't go into the whole

2 process laid out in the Charter, as many people know,  
3 for the work of the LPC, but obviously essential work  
4 in preserving neighborhoods -- you know we heard the  
5 Mayor yesterday talk about his affordable housing  
6 plans and that is was important that those be  
7 balanced with attention to what make our  
8 neighborhoods livable and people want to continue to  
9 live in and really strengthen their neighborhoods.

10 So obviously to have that we've gotta  
11 have some great people on the Commission and we're  
12 very pleased that you are here today to introduce  
13 yourselves to us and answer our questions. Let me  
14 ask you to raise your right hand to be sworn in by  
15 our Committee Counsel and then we'll take your  
16 opening statements.

17 COMMITTEE COUNSEL: Good morning. Do you  
18 swear or affirm that the testimony that you are about  
19 to give will be the truth, the whole truth and  
20 nothing but the truth?

21 WELLINGTON CHEN: I do.

22 KIM VAUSS: I do.

23 COMMITTEE COUNSEL: Great. Thank you.

24 CHAIRPERSON LANDER: And just before they  
25 start, I'll note for the members and guests of the

2 Committee, you can find a written copy of these  
3 opening statements in your booklet as well.

4 WELLINGTON CHEN: Thank you. Shall we  
5 start? Good morning, Chair Lander, Council Member  
6 Chin and Rose and Members of the Rules and Privilege  
7 and Election Committee of the City Council. My name  
8 is Wellington Chen and I'm the Executive Director of  
9 the Chinatown Partnership Local Development  
10 Corporation, otherwise known as CPLDC, a non-profit,  
11 community-based organization created after 9/11 to  
12 help connect the different stakeholders of Chinatown,  
13 Five Points, Little Italy, the Garment and Jewelry  
14 Districts and many other neighborhoods of the Lower  
15 East Side and Lower Manhattan and to help preserve  
16 the diverse and rich culture of our community. Many  
17 of you participated and helped us during those  
18 difficult and challenging periods and for that I  
19 thank you for your assistance in helping to preserve  
20 and stabilize our community.

21 It is a pleasure and honor to appear  
22 before this Committee this morning, in a room full of  
23 people who care deeply and passionately about the  
24 City and to be able to share a few moments with all  
25 of you and to introduce myself.

2 I've been blessed and I've been asked to  
3 serve my community and the City in many different  
4 capacities. I came to this City as a teenager, after  
5 having lived in many cultures and many cities and  
6 countries. For the last 44 years I've been a  
7 resident of this great city and been able to work on  
8 quite a wide range of efforts and issues; this  
9 includes spending several years being active on my  
10 local Community Board in Flushing, Queens, when the  
11 area was still struggling and trying to stem the  
12 urban flight to the suburbs, like so many communities  
13 at that time. During that process I became the Chair  
14 of the Landmarks Committee on the Community Board;  
15 during that time I was exposed to the elegance and  
16 beauty of many historic structures and worked to  
17 submit landmark recommendations. I'm very proud to  
18 have been able to help restore Flushing Town Hall,  
19 where Ulysses Grant once stood on its balcony, into a  
20 vibrant community-adapted reuse structure and where  
21 many cultural and arts performances are still being  
22 held there today, under the auspices of Flushing  
23 Council on Culture and the Arts.

24 I have also been blessed to serve as a  
25 trustee of the Bowne House Historical Society since



2 at least 1999; we lost count. Bowne House is not  
3 only the oldest surviving structure in Queens, but it  
4 is very significant, where visitors from Amsterdam  
5 are known to come all the way from Holland to knock  
6 on its door. Bowne House is recognized as a city and  
7 national landmark and is on New York State Registry  
8 of Historic Places as a site of national  
9 significance. In fact, in October of this year,  
10 October 10, to be precise, Bowne House will be  
11 celebrating the 50th anniversary of the Landmark Law  
12 signed by Mayor Robert Wagner, with a rededication  
13 ceremony and I invite all of you to join us at that  
14 important occasion.

15 Looking back, it has occurred to me that  
16 we have all strived towards the same common goal of  
17 preserving and saving the best of what we all value,  
18 whether it be our communities, our culture, our  
19 history of the best of our art and architectural  
20 legacy. In essence, these things are a collection  
21 and reflection of ourselves. I believe the  
22 landmarking process plays a critical role in  
23 preserving the vibrant physical and cultural history  
24 of this great city and I am honored to be considered  
25 as a position for this Commission and I'm committed

2 to working as hard as possible in this role so that  
3 all constituencies of the Commission feel like they  
4 are receiving the very best service that we can  
5 provide.

6 Thank you all for giving me this  
7 opportunity to speak before you today; I am happy to  
8 take any question if you have any.

9 [background comment]

10 CHAIRPERSON LANDER: Thank you very much.  
11 Ms. Vauss.

12 KIM VAUSS: Good morning. Good morning  
13 Chair Lander and Members of the Committee of Rules,  
14 Privileges and Elections. Thank you for this  
15 opportunity to speak before you this morning and  
16 answer any questions. I am extremely honored and  
17 excited to be nominated as a Commissioner on the  
18 Landmarks Preservation Commission by Mayor de Blasio  
19 and I respectfully ask you for your support. I'll  
20 slow down.

21 As a Native New Yorker living in the  
22 South Bronx in the 1960s, I passed 3rd Avenue Court  
23 building, the historic court building, almost every  
24 day and marveled at this opposing white building,  
25 decorated with statues of people; it was a unique

2 building amid a drear forest of tenements and  
3 commercial spaces. Moving to the Central Bronx in  
4 1967, I lived across from the Old Borough Hall at 3rd  
5 Avenue and Arthur Avenue; it was a stunningly ornate  
6 building that sat loftily on a hill in a park and it  
7 impressed me. Sadly I later watched while the whole  
8 edifice burned to the ground and was never replaced  
9 one summer night. After graduating from Stuyvesant  
10 High School I attended City College where my respect,  
11 knowledge and appreciation of historic preservation  
12 grew under the tutelage of the renowned chronicler of  
13 New York City architectural history, the late  
14 Professor Norval White.

15 After graduating from CCNY, I was  
16 employed by the City of New York for 10 years,  
17 starting at the Loft Board and later at the  
18 Department of Buildings where I represented the DOB  
19 Commissioner at Loft Board hearings. At the Loft  
20 Board I conducted code compliance meetings with  
21 building owners and tenants, I clarified building  
22 codes, zoning resolution requirements to the staff  
23 and to tenants and I also periodically met with the  
24 DOB staff to discuss building code changes that  
25 affected loft conversions. As a DOB examiner I

2 reviewed and approved many historic buildings being  
3 converted to loft dwellings and occasionally enlarged  
4 also. I became very familiar with the challenges  
5 inherent in the reuse of historic buildings to comply  
6 with the requirements of the New York City Zoning  
7 Resolution, Building Code and Landmarks Preservation  
8 Rules and I gained a broad knowledge of building code  
9 zoning and its impact on applicable preservation in  
10 all categories of construction.

11 Upon leaving the public sector I entered  
12 private practice as a code consultant and I am  
13 currently the Director of Technical Affairs at  
14 Outsource Consultants, where I oversee building code  
15 and zoning analysis on a diverse array of projects,  
16 where including new buildings, residential,  
17 commercial, residential loft conversions, office  
18 renovations and retail renovations.

19 My recent service as a member of the 2014  
20 Building Code Revision Committee involved about two  
21 years of meetings with DOB and other industry  
22 shareholders to help revise and update the 2008  
23 Building Code, further strengthening my collaborative  
24 skills and knowledge of building codes.

2 Currently I serve as the President of the  
3 Architects Council of New York, I'm a member of the  
4 AIA, of the Bronx Chapter of the AIA and I was a past  
5 President of the New York Society of Architects.

6 My experiences participating in these  
7 professional organizations has helped me understand  
8 the difficulties architects and their clients have in  
9 balancing the often conflicting requirements of  
10 multiple City agencies with their client's  
11 development goals and deadlines. New York City's  
12 architecturally, historically and culturally  
13 significant buildings and districts tell a story;  
14 from the stunning leaded glass brownstones of  
15 Bushwick, the grandeur of the Staten Island Borough  
16 Hall, the stately limestone townhouses of Hamilton  
17 Heights, the art deco apartment buildings along Grand  
18 Concourse and the ivy-laden townhouses and cottages  
19 of Forest Hills Gardens. New York is unmatched by  
20 any other American city in its grandeur, size,  
21 diversity and history.

22 As an architect, I do not take our built  
23 environment for granted and I believe architects have  
24 an opportunity beyond public safety duties to  
25 celebrate the history of the City. New York

2 neighborhoods are a vivid collage of visually  
3 striking facades, structures; neighborhoods that are  
4 worthy of preserving and showcasing. I see being a  
5 member of the LPC as an opportunity to participate in  
6 the public service by helping preserve historic  
7 architecture for the future, promoting rehabilitation  
8 and reuse while striking a balance between old and  
9 new development.

10 I believe my 20 years of experience with  
11 the New York City zoning, building codes, dedication  
12 and collaborative skills, coupled with my lifelong  
13 appreciation of irreplaceable architecture and  
14 structures make me a worthy candidate for  
15 confirmation to the Landmarks Preservation  
16 Commission. If appointed, I look forward to bringing  
17 my expertise, dedication and collaborative skills to  
18 the aid of the Landmarks Preservation Commission in  
19 fulfilling its mission.

20 Thank you and I'm happy to answer any  
21 questions you may have.

22 CHAIRPERSON LANDER: Thanks very much for  
23 your opening statements. We've been joined by  
24 Council Member Dickens, a Member of the Committee and  
25 also by Council Member David Greenfield, who chairs

2 the Land Use Committee, [background comment] through  
3 which Landmarks, after they've gone to the LPC and  
4 City Planning Commission come to the Council. I will  
5 point out to members also that you know we collect  
6 newspaper articles on nominees, our Investigative  
7 Division does usually put them in the red binder, but  
8 on these three candidates those articles are compiled  
9 in this four-inch-thick black binder, so if you'd  
10 like to see the articles on them, they're here for  
11 your perusal.

12 I will ask a couple of questions and then  
13 throw it open to colleagues. So first, as I  
14 mentioned, you know yesterday the Mayor laid out an  
15 ambitious vision for affordable housing which relies  
16 substantially on development in many neighborhoods  
17 and he reflected that this can be made consistent  
18 with preserving buildings and structures and things  
19 to make our neighborhoods great and of course in the  
20 abstract, everyone would agree with that; in the  
21 specific, it often is more complicated on the ground  
22 and I just would like to hear your thoughts on what  
23 you would bring to the LPC and how you see the  
24 balance of addressing affordability and development

2 issues with the preservation that's assigned so  
3 importantly to the LPC.

4 WELLINGTON CHEN: Let me just take a  
5 little crack at it and then I'll let Kim talk.

6 [background comment]

7 I don't think they are mutually  
8 exclusive; I think they are compatible; I think you  
9 know we are all aiming for high standards and I think  
10 that a good quality housing in a historic  
11 neighborhood is not mutually exclusive.

12 KIM VAUSS: I agree, it's not mutually  
13 exclusive and having worked on the Loft Board where  
14 much of Lower Manhattan below Houston was converted  
15 into housing, from manufacturing buildings and  
16 commercial buildings; I've seen the process work,  
17 where you can convert things to housing and upgrade  
18 them to comply with the code at the same time. So I  
19 think you can do both.

20 WELLINGTON CHEN: It really is the skill  
21 of the designer; I mean and the sensitivity, where  
22 there you know is -- all comes down when you study  
23 law; it's about intent, whether your heart is in the  
24 place and whether you want to make it contextual;  
25 I've seen many great buildings that fit right in and



2 that are contextual and it doesn't cost any more or  
3 any less.

4 [background comment]

5 CHAIRPERSON LANDER: Alright. Thank you  
6 for those and I suspect my colleagues may have, you  
7 know, some questions that kinda drill down a little  
8 more specifically.

9 Last term I chaired the Subcommittee of  
10 the Land Use Committee, through which the Landmarks  
11 designations travel and we would often in hearings  
12 hear from people passionate about the historic  
13 districts and buildings in their neighborhood and  
14 then of course we would also often hear from owners  
15 anxious about the regulatory burdens created, either  
16 that they had themselves experienced or that they had  
17 heard about and tried to strike a balance between  
18 achieving preservation and not putting barriers,  
19 especially in the case of homeowners and sort of  
20 individual, you know small building owners as opposed  
21 to developers and I wonder if you've heard some of  
22 those same concerns and what you think we can do to  
23 strike that balance of making sure we're achieving  
24 preservation without, you know, putting unfair  
25 burdens on homeowners and individual buildings.

2 [background comment]

3 KIM VAUSS: Oh, I'm going first. Okay.

4 I went to school at City College, which is in the  
5 middle of Hamilton Heights, an historic district and  
6 I had a lot of friends who have houses still there,  
7 their parents had houses and so they have inherited  
8 these townhouses and they have mentioned, yes, they  
9 have sometimes had problems, you know, when they were  
10 going to Landmarks, but they said the staff did work  
11 with them when they wanted to replace windows or if  
12 they wanted to, you know, do small renovations or  
13 small repairs on their buildings and I think that is  
14 the solution to this problem; that the staff has to,  
15 and the Commission has to work with homeowners to  
16 explain different ways they can actually achieve the  
17 same goals of making changes to their properties that  
18 are, you know, compliant and historically sensitive  
19 while at the same time doing it in an affordable and  
20 reasonable way and the people I know that live in  
21 historic districts actually enjoy living in historic  
22 districts, they're getting that benefit and the thing  
23 they worry about the most is their neighbors doing  
24 something that's ruining the property than  
25 themselves. But yes, if we can balance you know

2 historic preservation with economics and making  
3 things easy for homeowners to understand, I think it  
4 will work.

5 WELLINGTON CHEN: In a way I think what  
6 the LPC should be focusing on is focusing on making  
7 the whole process more efficient and more reliable  
8 and I think that's what we should be helpful, so that  
9 it can be efficient, fast and then it could be  
10 reliable. I think that's what we aim to do.

11 CHAIRPERSON LANDER: Any thoughts on how  
12 that can...

13 WELLINGTON CHEN: Well as you know, I'm  
14 well known as a guy that does his homework and I'm a  
15 data guy, from co-leadership training, so I am the  
16 type that would like to look at the data, look at the  
17 pattern before I form a judgment and so that's my  
18 character.

19 CHAIRPERSON LANDER: And my last question  
20 surrounds the conflicts of interest issues; you both,  
21 in different ways and for different reasons, you know  
22 have sought guidance from the Conflicts of Interest  
23 Board, Mr. Chen around the non-profits that you  
24 either direct or are on the boards of and Ms. Vauss,  
25 more directly, in your case, with your employment..

2 KIM VAUSS: Yes.

3 CHAIRPERSON LANDER: so for the record, I  
4 mean could you each sort of outline the conflicts as  
5 you see them and the steps you... you know, why they  
6 don't prevent you from serving in an objective and  
7 fair way on the LPC and what steps you would take to  
8 address them. I know in Mr. Chen's case we have your  
9 COIB letter; in Ms. Vauss' case we don't have it yet,  
10 [background comment] so obviously that's one thing  
11 we're gonna have to follow up on after the hearing..

12 WELLINGTON CHEN: Right.

13 CHAIRPERSON LANDER: but why don't you  
14 each just kind of give us your perspective on that  
15 and then we..

16 WELLINGTON CHEN: Yeah. And that's a  
17 great and legitimate question and I think that in  
18 the... you can see in the prepared statement that we  
19 did vet it with both the Conflict of Interest Board  
20 attorney and they have issued a letter and as well as  
21 with counsel of the Landmarks Preservation. Let me  
22 just begin by saying that in all the years that I've  
23 been serving I have never had to appear before and  
24 none of the cases that the Chinatown Partnership has  
25 ever appeared before the LPC and there's no pending

2 cases and there are none that I'm aware of or any  
3 foreseeable one. Having said that, if in the rare  
4 occasion where the Chinatown Partnership's district,  
5 something has come up, I will always check and defer  
6 back with the Conflict of Interest Board, as well as  
7 the counsel of the Landmark Preservation Commission  
8 to see if there's anything and abide by their ruling  
9 and guidance and even abstain if necessary. I think  
10 the area that -- as you know, I'm a glutton for  
11 punishment; I serve on quite a few boards that may  
12 occasionally have a -- like the Metropolitan, you  
13 know, is a landmark structure and then the YMCA, the  
14 Harlem Y is; things of that -- but in all my years of  
15 working on these, serving on these non-profits,  
16 during my tenure they have not had to appear before  
17 LPC, at least that I am aware of. So I think you can  
18 be rest assured that I'm squeaky clean and I have... my  
19 motto has always been service and I have nothing that  
20 I will even doubt slightly that will compare...

21 [crosstalk]

22 CHAIRPERSON LANDER: And we of course  
23 appreciate all the service that you provide to the  
24 City and you know, many of us have had the  
25 opportunity to work with you in the past and some of

2 those organizations, so just for the record, you've  
3 reviewed the COIB... [crosstalk]

4 WELLINGTON CHEN: Right.

5 CHAIRPERSON LANDER: guidance you  
6 received...

7 WELLINGTON CHEN: Yes.

8 CHAIRPERSON LANDER: and you commit to  
9 follow its guidance in your service... [crosstalk]

10 WELLINGTON CHEN: Absolutely. I always  
11 have.

12 CHAIRPERSON LANDER: Great. Thank you  
13 very much. Ms. Vauss.

14 KIM VAUSS: As you know, I work for a  
15 consulting and expediting firm that has approximately  
16 40-50 staff -- that varies a little -- but most of  
17 the staff, we do filings at the Landmarks, yes, for  
18 our clients, but I don't usually work on those  
19 filings and the percentage is like 100 over that  
20 staff of 50 people and I don't do... I think I do less  
21 than a tenth of that; I don't think I do that many of  
22 those filings at all. Since I do mainly, at this  
23 time, new buildings and enlargements; with the boom  
24 going on, we haven't done that many conversions, so

2 I've never appeared before the Landmarks Commission  
3 ever...

4 WELLINGTON CHEN: Okay.

5 KIM VAUSS: and our staff does not appear  
6 before the Landmarks Commission; they're pretty much  
7 just doing the clerical paperwork and submitting,  
8 they've never gone to the hearings, never appeared  
9 and I've never appeared and I don't have any plans of  
10 appearing. The partners in my company have committed  
11 to following the Conflict of Interest Board  
12 recommendations, as I will; I have applied and I'm  
13 waiting for a waiver and they said they will be  
14 giving me a waiver and I will of course abide by the  
15 waiver and seek guidance from them if there is ever a  
16 question in the future, but having worked for the  
17 Loft Board and worked for the Department of  
18 Buildings, I already have to go in and check and make  
19 sure I don't work on buildings that I might have  
20 approved in the past, so I think I'm pretty good at  
21 checking and I will go along with whatever they  
22 recommend and abide by that and recuse myself when I  
23 have to. Yes.

24 CHAIRPERSON LANDER: Alright. So just to  
25 make sure that I understand, so you prepared analyses

2 that are submitted more typically to the Buildings  
3 Department -- like what agencies -- the work that  
4 you're doing...

5 KIM VAUSS: I usually work more with the  
6 Building Department, where I meet with clients, we  
7 talk about, you know their zoning envelope; I have  
8 been doing new buildings mainly for the last six  
9 years at least.

10 CHAIRPERSON LANDER: So you haven't  
11 personally worked on the analysis in buildings that  
12 have then been submitted to LPC?

13 KIM VAUSS: Usually not; there might be a  
14 few cases, yes, where there have been enlargements to  
15 landmarked buildings, but it's not that many.

16 CHAIRPERSON LANDER: And you said your  
17 firm does prepare analyses which are then part of  
18 what is reviewed by LPC, but isn't the firm that  
19 appears themselves before; they're working with a  
20 team and there's a different architect or consultant  
21 who's...

22 KIM VAUSS: Yes.

23 CHAIRPERSON LANDER: appearing before the  
24 LPC; not... not... [crosstalk]

25 KIM VAUSS: No. Uhm-uhm.



2 CHAIRPERSON LANDER: your firm itself?

3 KIM VAUSS: Uhm-hm.

4 CHAIRPERSON LANDER: Okay and even though  
5 we don't have it, you've sought guidance from COIB  
6 and you anticipate getting COIB guidance... [crosstalk]

7 KIM VAUSS: Yes; they said it would be...

8 CHAIRPERSON LANDER: and a COIB waiver...

9 KIM VAUSS: I guess a week or so at the  
10 most. Uhm-hm.

11 CHAIRPERSON LANDER: Okay. I mean  
12 obviously that's one thing that we need before we,  
13 you know vote on and consider a candidate, so in this  
14 case, you know, we don't actually vote at our first  
15 hearing [background comment] in any case, but we'll  
16 obviously wanna see that and so I appreciate your  
17 indicating that you'll comply with it.

18 Okay, those are my questions; we've been  
19 joined by The Speaker, Melissa Mark-Viverito,  
20 welcome, and I also just wanted to mention, you know  
21 in all three candidates, and this is really praise  
22 for the de Blasio Administration, that the effort to  
23 make sure we are promoting diversity in all of the  
24 panels and commissions and [background comments] and  
25 boards of the City is appreciated and well-noted by

2 this Council. Council Member Rose has questions and  
3 we've also been joined by Council Member Mark Levine  
4 from Manhattan, welcome. [background comment] Do  
5 other members have questions? [background comment]  
6 Okay. Land Use Chair Greenfield, Council Member  
7 Chin, but we'll kick it off with Council Member Rose.  
8 Oh, we'll kick it off with Council Member Greenfield;  
9 then we'll come back to Council Member Rose when  
10 she's back in the room.

11 COUNCIL MEMBER GREENFIELD: Thank you,  
12 Mr. Chairman. First I just wanted to note that I've  
13 looked at the qualifications that both of you bring  
14 and I certainly would concur that you're very  
15 qualified for the positions, so we're not going to  
16 focus on that particular aspect; I wanna focus more  
17 on some of the bigger picture issues that the  
18 Landmarks Preservation Commission faces. One of  
19 those issues, something that we have been very  
20 concerned with here in the City Council, has to do  
21 around the issue of calendaring items, which as you  
22 are well aware is a process where the Landmarks  
23 Preservation Commission puts something on a calendar,  
24 for those who are not familiar and watching this at  
25 home, and then basically it is an indefinite

2 purgatory until they actually decide to vote on that  
3 item; in fact, in a letter that I sent to the  
4 previous LPC chair, the LPC chair replied and  
5 admitted that there are dozens of items that go back  
6 to the 1960s that have been calendared but have not  
7 yet held hearings, which quite frankly is really the  
8 worst form of government, to have an item on the  
9 agenda for 50 years without actually having had a  
10 hearing; I don't think anyone would accept it in any  
11 other context. There have been suggestions and ideas  
12 on how we clean up the calendaring process; one of  
13 them actually came from the Land Use Chair, there was  
14 some pushback; I understand that she's reassessing  
15 that; I'm wondering what your opinions respectively  
16 are on this issue of items that have been calendared  
17 and have been just floating for a while and whether  
18 you would embrace a concept, at the very least going  
19 forward that if an item is not heard within a certain  
20 amount of years, say three years, for example, that  
21 that item would therefore then automatically be  
22 decalendared.

23 WELLINGTON CHEN: Great question, Council  
24 Member Greenfield, and if I may take a crack at it.  
25 I think that's area of concern that we have... I have

2 heard, given that I was doing this homework and that  
3 is the languishing of an item sitting there on the  
4 calendar. And so I like your expression about, you  
5 know the purgatory, but for Chinatown, we have  
6 similar issues with the Chinatown arch, so welcome to  
7 the club with a 50-year wait. However, if appointed,  
8 obviously we would love to look at, you know, how we  
9 can improve the efficiency and that's what I was  
10 alluding to earlier, that the process has to be more  
11 predictable, efficient and transparent so it's  
12 reliable, you know and it's not fair to anyone that  
13 something is languishing as long as that has.

14 KIM VAUSS: I would agree that yes,  
15 things staying on the calendar and not being acted on  
16 for years is not the best process and we would hope  
17 to avoid this in the future and if appointed, yes, I  
18 would support that they would be on the calendar for  
19 a certain amount of time and then they might have to  
20 be taken off the calendar so other things could be  
21 considered, but I would also put in the proviso that  
22 people could bring it back, you know that they're not  
23 prejudiced if later on they can make a better case  
24 and get a vote on their calendaring, so with that  
25 proviso, yes, I would agree with that.

2 COUNCIL MEMBER GREENFIELD: That's fair.

3 Thank you. The other question I have is regarding  
4 historic districts. As you know, under the Bloomberg  
5 Administration there was a mad rush to make districts  
6 historic, but when we looked at it, what we'd  
7 actually discovered is these districts are  
8 overwhelmingly white, overwhelmingly wealthy and  
9 overwhelmingly in Manhattan and so I guess it's  
10 really a two-part question; part one is, what do you  
11 feel about the proliferation of historic districts  
12 primarily in these white wealthy Manhattan  
13 neighborhoods? And I say that from really a vantage  
14 point of concern where we are, many of us in the  
15 City, including the Mayor, are focused on building  
16 affordable housing; effectively we've cut out huge  
17 swaths of this city without much focus on the impact  
18 that it would have on the future of housing, and then  
19 the second part of that question is; what do you  
20 think of the neighborhoods, for example in Brooklyn  
21 or the Bronx where there are legitimate areas that  
22 might be historic districts that have traditionally  
23 been ignored because there is not the same political  
24 muscle that the folks in Manhattan, particularly the  
25 wealthy white neighborhoods of Manhattan have, and

2 I'd love to get your opinions on both of those  
3 issues.

4 WELLINGTON CHEN: I think in that case, I  
5 think these are all site-specific context; well-to-do  
6 neighborhoods versus distressed neighborhoods have  
7 different needs and different competing priorities  
8 and so it's really a side by side and case by case,  
9 as it historically has been.

10 KIM VAUSS: I believe it should be a case  
11 by case basis and I'm happy about the expansion of  
12 historic districts in the outer boroughs and I  
13 believe the outer boroughs deserve to have more  
14 historic districts, yes; being from one of those  
15 outer boroughs. What happens in Manhattan and has  
16 happened in the past, I -- you know, can be  
17 characterized one way or the other, but we hope that  
18 each historic district actually can stand on its own  
19 merits and it's not just being done for whatever  
20 zoning or whatever reason; that it's actually on the  
21 merits of the particular case of the district and the  
22 buildings within the district. So that's pretty much  
23 my opinion. Yes, I'd like... [crosstalk]

24 COUNCIL MEMBER GREENFIELD: Thank you.  
25 And my... [crosstalk]

2 KIM VAUSS: to continue the expansion in  
3 the outer boroughs.

4 COUNCIL MEMBER GREENFIELD: Great. My  
5 final question is regarding landmarks and there's  
6 been a concept that's been floated around regarding  
7 landmarks and air rights regarding some sort of bank  
8 where these landmarks -- I don't know if you're  
9 familiar with it, and if you're not, it's okay; just  
10 wanted to raise it, 'cause it's been discussed --  
11 where basically the concept is that right now there  
12 are many landmarks that are obviously sitting on a  
13 significant amount of air rights, but those air  
14 rights are not really transferable, except in limited  
15 situations and folks, depending on the district and  
16 depending obviously on what their neighbors are, so  
17 there have been conversations, especially for  
18 landmarks that are struggling financially; in many  
19 cases, churches, non-profits; things like that, to  
20 create a landmark bank where the air rights would be  
21 banked of sorts and then it would be provided  
22 potentially to folks in other parts of the City that  
23 wanted to use those air rights. Are you familiar  
24 with this or do you have any thoughts on this  
25 particular issue?

2 KIM VAUSS: I'm not familiar with this  
3 particular issue, but it does sound like something  
4 that's interesting and actually could help fund some  
5 landmark buildings that could be fund... for  
6 maintenance, for maintenance and to keep them going  
7 and why not; it's one of those concepts that I think  
8 City Planning or the Council would have to handle in  
9 ironing out the details, but it is something that  
10 sounds like it would help out some distressed owners.

11 WELLINGTON CHEN: And it's the same here;  
12 I mean I do not know the specifics and it sounds like  
13 in concept, in principle is a good idea; I think we  
14 all want to help to preserve and I think to make it...  
15 whatever solutions we can find to the extent possible  
16 we should explore them.

17 COUNCIL MEMBER GREENFIELD: Thank you.  
18 And the final point I will just make for Ms. Vauss is  
19 that, correct me if I'm wrong, but you've been  
20 nominated for the architect seat on the LPC...  
21 [crosstalk]

22 KIM VAUSS: Yes.

23 COUNCIL MEMBER GREENFIELD: is that  
24 correct? So I'm merely noting that because I just  
25 want to acknowledge that I think anyone -- or most



2 people who would be nominated for that particular  
3 seat who are practicing architects probably would  
4 have some sort of conflicts [background comment] and  
5 so therefore I am looking forward to hopefully  
6 receiving that guidance from the COIB; I just wanna  
7 make that one note for those folks watching home,  
8 which is that it would make sense that somebody who  
9 occupied a position as a practicing architect might  
10 have some business that they've done in the past or  
11 might have some potential conflicts and so we  
12 certainly understand that and respect it and we're  
13 hoping to get that guidance sooner rather than later  
14 from COIB, if they're watching this as well. Thank  
15 you very much.

16 KIM VAUSS: Yeah. Thank you.

17 WELLINGTON CHEN: They're watching.

18 CHAIRPERSON LANDER: The live feed at  
19 COIB.

20 [background comment]

21 CHAIRPERSON LANDER: Thank you, Council  
22 Member Greenfield. We have Council Member Rose,  
23 followed by Council Member Chin and then Council  
24 Member Cohen.

2 COUNCIL MEMBER ROSE: Thank you. Good  
3 morning, Mr. Chen and... [crosstalk]

4 KIM VAUSS: Good morning.

5 COUNCIL MEMBER ROSE: Ms. Vauss. And I  
6 lost my place in the queue and my question was about  
7 the calendar...

8 WELLINGTON CHEN: Okay.

9 COUNCIL MEMBER ROSE: so I thank Council  
10 Member Greenfield for addressing that. But in your  
11 answer I didn't... I would like to hear; do you think  
12 that there's a reasonable amount of time that these  
13 landmark properties should be calendared and if they  
14 haven't been approved within a certain amount of  
15 time, do you... what does a timeline, a reasonable  
16 timeline look like for the landmarking process?

17 WELLINGTON CHEN: That's a great question  
18 and my understanding is that there's been discussions  
19 and I think that's a greater policy issue between the  
20 Council as well as the LPC side; I think that the  
21 length of time is... I think we want to look for a  
22 reasonable period of time; I don't think that's fixed  
23 at this moment; I think the ongoing dialogue and  
24 that's why I believe that we have to keep a very fair  
25 and open and transparent approach and be willing to

2 listen to whatever seems most reasonable and  
3 practical and realistic.

4 KIM VAUSS: I would agree with that; I  
5 would also comment that years and years and years is  
6 not a reasonable time, I don't think..

7 WELLINGTON CHEN: Right.

8 KIM VAUSS: so something much shorter  
9 than that, but I wouldn't say, you know..

10 WELLINGTON CHEN: Yeah.

11 KIM VAUSS: two years, three years; it  
12 might be case by case, but the length that things  
13 have been on the calendar, I think we can all agree  
14 is unreasonable.

15 WELLINGTON CHEN: Yeah, we all agree 50  
16 years is not a reasonable period.

17 COUNCIL MEMBER ROSE: Okay. I have a  
18 historic district that's been calendared, but it  
19 hasn't come up because of the issue of -- well  
20 gentrification is sort of driving this process and  
21 the homeowners who have lived there for a very long  
22 time don't have the same level of disposable income  
23 to meet the requirements of landmarked properties, so  
24 -- and I know that there are some funds available to  
25 them, but do you think that the funding is

2 significant enough or should there be more funding,  
3 because I know that this has been one of the reasons  
4 why my historic district has been on the calendar for  
5 so long, so do you think that there's adequate funds  
6 already being provided by landmarks or should there  
7 be more assistance for homeowners?

8 WELLINGTON CHEN: I currently do not know  
9 the latest about these grant and assistance programs;  
10 obviously we will take a look at them and I can  
11 assure you that to the extent possible that we can  
12 support them that we will gladly review them.

13 KIM VAUSS: I agree; we all think that  
14 yes, people who need funding should get funding, but  
15 I don't think us being landmark commissioners we can  
16 find that funding and hopefully maybe the City  
17 Council or federal government will come up with more  
18 funds; we'd all like people to have more funds, but  
19 I'm not sure we could come up with those funds for  
20 you.

21 WELLINGTON CHEN: Actually, that's a  
22 great observation; in my 13 years on the community  
23 board, the two major victories of the landmarking, I  
24 think that's my biggest takeaway that I can share, is  
25 that these are treasures; if it's worth saving, the

2 public-private partnership is absolutely necessary.

3 You know, the borough president back then helped to

4 pump in the \$8 million into town hall to make the

5 viable and adaptable use today and then together with

6 the community and putting up the programming and make

7 it sustainable long-term, that's what I -- it's not

8 just about, you know, yes or no; it's nice to have,

9 but you know, at the end of the day you need to heat

10 the building, otherwise it'll start peeling the

11 paint, you need to maintain -- the roof start leaking

12 and so all of these are realistic, so I implore the

13 Council and the public side to -- if something

14 genuinely is worth preserving and should not be going

15 to a dilapidated condition like Flushing Town Hall

16 was, put in the money.

17 COUNCIL MEMBER ROSE: That's great. So

18 the conversation might be had with the Commission...

19 [interpose]

20 KIM VAUSS: Yes.

21 COUNCIL MEMBER ROSE: to request

22 additional funding so that homeowners could meet the

23 goals and the mission of landmarking and we could

24 really preserve these treasures. Thank you.

25

2 CHAIRPERSON LANDER: Thank you, Council  
3 Member Rose; we've been joined by Council Members  
4 Espinal and Williams from Brooklyn, both members of  
5 the Committee. For those who have just joined us,  
6 this is Mr. Chen and Ms. Vauss, being nominated for  
7 Landmarks Preservation Commission; we also have Hank  
8 Willis Thomas, who's been nominated for Public Design  
9 Commission, so when we're done with our Q & A with  
10 them we'll hear from him and then there's a couple of  
11 people also signed up to testify. On the stack for  
12 questions are Council Member Chin, then Cohen; then  
13 Williams.

14 COUNCIL MEMBER CHIN: Thank you, Chair;  
15 good morning..

16 WELLINGTON CHEN: Okay.

17 COUNCIL MEMBER CHIN: Mr. Chen; Ms.  
18 Vauss, welcome.

19 WELLINGTON CHEN: Okay.

20 KIM VAUSS: Thank you.

21 COUNCIL MEMBER CHIN: So I think with the  
22 Landmarks Commission, how do you see getting the  
23 general public, community more aware of the process,  
24 because when -- in the community, when someone says,  
25 oh your building deserves to be landmarked, I mean

2 people start freaking, because they don't know what  
3 does that really mean; do they have money, you know,  
4 to fix it and then you hear horror stories from  
5 people who have their building landmarked and saying  
6 that it takes forever to change a window or to  
7 repaint the building, so how do you see really  
8 demystifying what the landmarking process is and also  
9 the value the reason that we should do this?

10 WELLINGTON CHEN: That's a great question  
11 and I think that that's what we -- at least for  
12 myself, that's what we look forward to doing. As you  
13 know, the Landmark Commission has a professional  
14 staff of over 67 people or 65 people and they are  
15 hard working; they handle the bulk of the cases and I  
16 think that to the degree that me as a new observer  
17 coming in and looking at the pattern, we may be  
18 helpful to look at some of the ways that we can make  
19 it more transparent, more reliable, at least in the  
20 notification side and make it more efficient and I  
21 think that's where we look. You know the bulk of the  
22 cases are handled by the staff and a small percentage  
23 come before the Commission of the 11 member  
24 commission.

2 KIM VAUSS: I think the Commission should  
3 continue on the process they've begun, reaching out  
4 to the community, giving seminars where groups ask  
5 them to give seminars; I think they've given two  
6 seminars, one to the Architects Council when I  
7 requested it; one to the New York Society of  
8 Architects and they explained their fast track  
9 program, they've gotten guides out about historic  
10 windows and you know, how to do window replacements  
11 and they've made the process more efficient over the  
12 20 years I've been dealing with them and I think they  
13 should just continue that community outreach and  
14 reach out to the homeowners and explain to them the  
15 process and of course, we can always try to make the  
16 process more efficient, but I think they've come a  
17 long way and they can continue on that process and  
18 keep going.

19 COUNCIL MEMBER CHIN: So how do -- I mean  
20 in certain areas of the city where we might not have  
21 buildings that the Landmark Commission thinks that  
22 are worthy or are significant, but there is a history  
23 or a sense of culture there -- like for example, New  
24 York City Chinatown, Landmarks Commission, you know  
25 they survey the buildings and they just couldn't find



2 any building in there within Chinatown; I mean the  
3 core of Chinatown that should be landmarked, and even  
4 though some buildings might have been there for over  
5 100 years, but it didn't look significant enough or  
6 had a famous architect doing the design or whatever,  
7 but knowing, you know, the history of a community,  
8 how do we sort of preserve and be able to landmark  
9 the core of the community so that it can continue  
10 another 100 years and not get destroyed, so in terms  
11 of what role can the Landmarks Commission play in  
12 helping to sort of recognize the significance of an  
13 area?

14 WELLINGTON CHEN: If I may, since this  
15 is, you know the heart of my work about you know  
16 preserving a community where... on Mt. Vernon where Dr.  
17 Sinisent [sp?] overthrew the last emperor of China;  
18 obviously that's why the discussion over Conflict of  
19 Interest Board, this is one of the areas where I  
20 likely will be abstaining from some of the votes.  
21 But in general, having grown up -- you know, Mayor  
22 Robert Wagner created two great things, besides the  
23 landmarking from 50 years ago that we will be  
24 celebrating in April; the other thing that he did  
25 great was the creation of Community Board Districts,

2 which makes the council easier to deal with, because  
3 you know, it's a city of eight million people; it's  
4 very hard to -- he created the community boards and I  
5 think that the community boards being the eyes and  
6 the ears in working with all of the neighborhood  
7 organizations, the community organizations, performs  
8 a brilliant function. I mean I think the 59  
9 community boards and dividing the City Council into  
10 51 districts, this is where the process help you, you  
11 know having the eyes and hear the sensitivity to the  
12 local needs and demands and adjusting the priorities  
13 and I think that's what I meant by the public/private  
14 partnership is most useful, because you know, it is a  
15 very large complexity and is site specific and is  
16 structure specific and obviously I look forward to  
17 that process of having a greater engagement with the  
18 community, and I think the community board plays a  
19 great role, just in terms of notification, yes or no,  
20 you know, whether it's being calendared and I think  
21 that's one of the vehicles that's available.

22 KIM VAUSS: In the past, when there have  
23 been districts about to be designated, working with  
24 the New York Society of Architects and the AIA, we've  
25 always been notified and I know that we usually get

2 notified by community boards, by just neighborhood  
3 organizations, other historic organizations; I think  
4 Landmarks listens to these other organizations and  
5 you should band together with them, if it's  
6 public/private; whatever it is, but you need more..  
7 more information and evidence on your side, yes..  
8 [crosstalk]

9 WELLINGTON CHEN: And you... and...

10 KIM VAUSS: you need more documentation  
11 and... [interpose]

12 COUNCIL MEMBER CHIN: Well I mean like  
13 even like, I think a lot of the different  
14 neighborhoods you get National Registry or..  
15 [interpose]

16 WELLINGTON CHEN: Right.

17 COUNCIL MEMBER CHIN: your State Historic  
18 Registry... [interpose]

19 KIM VAUSS: Yes.

20 COUNCIL MEMBER CHIN: so you're able to  
21 get those designations; then can you, you know get a  
22 historic district or I don't know, historic cultural  
23 district or some recognition on the city level,  
24 'cause the national level recognizes it or the state  
25 level recognizes it; it's really getting the city

2 level, the city Landmark to find a way to recognize  
3 the historic character of certain neighborhoods or  
4 parts of a neighborhood..

5 WELLINGTON CHEN: Right.

6 COUNCIL MEMBER CHIN: So...

7 KIM VAUSS: Uhm-hm. Uhm... [interpose]

8 WELLINGTON CHEN: There's a great  
9 documentary coming out on Channel 15 that will be on  
10 this Sunday and I welcome you to take a look at it  
11 and one of the cases they cite is the Brooklyn --  
12 Council Chin, the Brooklyn Heights Historic District  
13 and how the neighborhood was able to organize,  
14 identifying, doing inventory and survey; I must say  
15 that having -- I still remember you know the great  
16 historian Barry Lewis came to me in '78-'79 and we  
17 went through slide by slide; it was a Kodak carousel,  
18 for those of you that remember slide projectors, that  
19 we look at some of the historic theater interiors and  
20 that brought it to my attention and we then prompted  
21 the community board to propose the landmark for the  
22 whole interior of that historic theater and so that's  
23 just a case in point where really it should be  
24 grassroot; it should be people that believe, that  
25 help us identify, help survey and I think the

2 citizenry and the community organizations have a  
3 great role in this.

4 KIM VAUSS: Uhm... [interpose]

5 CHAIRPERSON LANDER: I'm gonna...

6 COUNCIL MEMBER CHIN: Yeah.

7 CHAIRPERSON LANDER: We don't do these...  
8 we haven't typically done these on a clock for  
9 members, but we have a couple more with questions  
10 here and then we still have another whole nominee.

11 COUNCIL MEMBER CHIN: Okay.

12 WELLINGTON CHEN: Sure.

13 CHAIRPERSON LANDER: Heed Council Member  
14 Chin's concerns about Chinatown in particular..  
15 [crosstalk]

16 WELLINGTON CHEN: Yes...

17 CHAIRPERSON LANDER: Council Member  
18 Cohen.

19 COUNCIL MEMBER COHEN: Thank you, Chair  
20 Lander. Thank you for your testimony this morning.  
21 I also have a question about the calendaring process.  
22 I guess preservationists have described the calendar  
23 though, the status there as sort of landmarking light  
24 and I'm wondering if it isn't so much... I assume that  
25 the Commission is aware that they have a calendar

2 with items on it for a long time and that's it not  
3 just an accident, so I'm wondering if maybe there is  
4 some inadequacy with the landmarking rules or the  
5 legislation that maybe there needs to be a sort of  
6 second status of landmarking, if there's some -- I  
7 mean this situation has existed for a reason; I  
8 wonder if you have any thoughts on what that reason  
9 is and is there a goal that is trying to be achieved  
10 by keeping items on the calendar and if that's  
11 something that we should be sensitive to.

12 KIM VAUSS: I'm not sure -- there may be  
13 a goal; I'm not sure what that goal is, but I think  
14 that all of the districts have to stand on their own  
15 and yes, following the other Councilwoman's pleas to  
16 get her area landmarked, other people who have gotten  
17 on that calendar have gone through a lot to get on  
18 that calendar too, I'm sure and they're trying to  
19 document their case for being landmarked having been  
20 calendared. So it's difficult just to I'm sure throw  
21 people off the calendar, but I think yes, we do need  
22 some sort of time limit on how long they're on the  
23 calendar and they're not being acted on, just to be  
24 fair to other people who might have more of a case on  
25 the calendar and they can still come back, it isn't

2 like they can just -- you know, you get put off the  
3 calendar and you can never bring your case again; it  
4 isn't like double jeopardy; you can always bring your  
5 case again and in some cases it might be that, okay,  
6 you can't get an entire district, but maybe you can  
7 get some buildings within the district, but you have  
8 to start somewhere. So it might be just getting the  
9 process to be a little more efficient in tightening  
10 exactly the extent of what they want from the  
11 landmarking and calendaring.

12 WELLINGTON CHEN: And it's a fair  
13 question; I mean I think it's important for me like a  
14 new member to find out what's the reason why it's  
15 stuck; why is it languishing, and it's not just a  
16 year or two, it's decades and it's incumbent upon us  
17 to look at the pattern and find out, and that's what  
18 I mean by making it more reliable, more efficient and  
19 so that it's predictable, you don't want to propose a  
20 landmarking of a structure or got designated as and  
21 then be in limbo and sitting there for years and  
22 years and not waiting for the other shoe to drop and  
23 I don't think that's fair to anyone, on either side.

24 CHAIRPERSON LANDER: I'm gonna take  
25 Chair's prerogative to... [crosstalk]

2 COUNCIL MEMBER COHEN: Thank you.

3 CHAIRPERSON LANDER: actually shed a  
4 little light on this from my time last term of the  
5 Landmarks Subcommittee, 'cause I do think it's  
6 important for people to understand what happened and  
7 for you to understand what happened.

8 KIM VAUSS: Uhm-hm.

9 CHAIRPERSON LANDER: The Landmarks Law  
10 itself doesn't make a calendared item a special  
11 status; when they wrote the law they thought that  
12 would just be the process of putting something on the  
13 calendar to be considered and if it never got voted  
14 on it wouldn't be landmarked. However, a problem  
15 arises that once something is identified for  
16 potential landmarking there is incentive for owners  
17 to demolish or alter the building prior to its being  
18 landmarked; to address that genuine public policy  
19 problem the Buildings Department, of its own accord  
20 -- I don't mean to make you responsible for Buildings  
21 Department by waiving at you [background comment]  
22 because you worked there at one point; I apologize,  
23 but the Buildings Department started taking the  
24 calendared status into account in reviewing  
25 applications on those buildings, which on the one



2 hand is understandable because they might be at risk  
3 of demolition or alteration or otherwise; on the  
4 other hand, has some issues because no one has acted  
5 to specifically put that building in a newly  
6 regulated category even though it has now drifted  
7 there. If that were governed and bounded by a time  
8 clock it would be fair, but it never was because the  
9 law didn't make it that way [background comment],  
10 unlike all our other procedures for ULURP and land  
11 use considerations, which have times, [background  
12 comment] which move through a process and then are  
13 either voted up or down. So that's sort of how we  
14 got there, which goes to I think what now Council  
15 Members Greenfield, Rose and Cohen have all rightly  
16 identified as a public policy problem that we have to  
17 solve together, either with the LPC coming up with  
18 some new strategies and ways of doing it or if not,  
19 perhaps through amendment to the law, so.

20 KIM VAUSS: Yes.

21 CHAIRPERSON LANDER: Did you have an  
22 additional question?

23 COUNCIL MEMBER COHEN: I do not. Thank  
24 you very much.

25 [background comments]

2 CHAIRPERSON LANDER: Okay. And the last  
3 Council Member signed up for questions for the two of  
4 you is Council Member Williams.

5 COUNCIL MEMBER WILLIAMS: Thank you, Mr.  
6 Chair. Thank you for coming in for the hearing, Mr.  
7 Chen and Ms. Vauss; I know you graduated from  
8 Stuyvesant; as a Brooklyn Tech grad I won't hold it  
9 against you [laughter] at all. [background comments]  
10 And I know a lot of the things probably -- I'm  
11 worried about have been asked and I do wanna attach  
12 myself to the comments that were just made about  
13 calendaring items. I was on the Landmarks Committee;  
14 I found it frustrating and I sometimes felt like  
15 people were just overzealous in some areas without  
16 any regard to the owner and in other areas didn't  
17 provide much consideration for places that I believe  
18 should be landmarked. So I don't know if this  
19 question was asked about growing calls for there to  
20 be cultural landmarks; I wanted to know your feelings  
21 about that and in Brooklyn, it seems that there's  
22 nothing worthy of landmarking south of Eastern  
23 Parkway and so that provides much consternation for  
24 Council Members like myself -- I don't know if you're  
25 familiar with one place I've been trying to landmark,

2 which is the Jackie Robinson House that's been  
3 pushed... been denied once; we're going back again and  
4 that will be I think a perfect place for a cultural  
5 landmark, if not just for the structure, what was  
6 there and the history behind it, particularly with  
7 Jews and blacks in that timeframe. So one, are you  
8 familiar with the landmark of Jackie Robinson request  
9 and what do you think about cultural landmarks,  
10 increasing that so that some other folks can really  
11 preserve their culture?

12 KIM VAUSS: I believe in cultural  
13 landmarks and I remember in the Bronx, which is I  
14 thought one of the under landmarked boroughs until  
15 people tell me about Brooklyn, but they have Poe  
16 Cottage, I believe, Edgar Allen Poe's cottage that's  
17 over there -- I guess that's by Kingsbridge Road,  
18 that is an historic landmark and they named the park  
19 after it, even though he lived there a very short  
20 time and I think he maybe wrote a couple of poems  
21 there and short stories, but they did landmark that,  
22 even though it's somewhat of an historic building,  
23 but it's really kind of not the greatest historic  
24 building, but I think that's more a cultural landmark  
25 than anything else and they have a few other places

2 in the Bronx, not that many cultural, but they're  
3 historic and something happened there. So I believe  
4 yes, we can have more cultural landmarks and I would  
5 like to see that happen.

6 WELLINGTON CHEN: Thank you for bringing  
7 that to my attention; I do not know the specifics  
8 about Jackie Robinson or this dwelling, but in  
9 general, you know there are many categories of  
10 landmarks; I know there's a tree... but as you know,  
11 Flushing is also renowned for trees and I think  
12 George Washington would be shocked today if he goes  
13 back to that area; some of the trees are gone and I  
14 do know that anything that's of value to the  
15 community we will take a look at.

16 COUNCIL MEMBER WILLIAMS: Also, and just  
17 in my district in particular we have six  
18 neighborhoods in Victorian Flatbush that have already  
19 been created as an historic district; we're trying to  
20 get another five or six more, actually five more to  
21 complete the quilt as they call it, and two of those  
22 neighborhoods, South Midwood and West Meadow in my  
23 district; if you're not familiar, I'd just like to  
24 bring it to your attention because we've been pushing  
25 through there and some of the homes are very similar

2 to the ones that have already been landmarked. So  
3 one, if you could address that and then there's a  
4 separate question; then I'm done. But for the  
5 owners, is there any way that we can ease their pain  
6 that you can think of, and if it was talked about  
7 before, I'm happy to just go to my colleagues, but  
8 they often don't get notice that they could be  
9 landmarked when they purchase the home; they have the  
10 problems with the calendaring, as was mentioned there  
11 and then they get landmarked and wanna change the  
12 windows and they don't have enough money to actually  
13 get it done. So do you have ideas of how we can help  
14 them a little bit better and second part of that is,  
15 I know oftentimes we wanna landmark a district and  
16 nobody wants to do any carve-outs and sometimes it  
17 seems to me that if there's a building at the end or  
18 in the middle that can be carved out and help someone  
19 out that doesn't necessarily fit in with the rest but  
20 will be captured just by district, because of virtue  
21 of being there, it's helpful; what are you opinions  
22 on carve-outs?

23 WELLINGTON CHEN: The part of your  
24 question, Councilman Chin did raise it; I think is  
25 pertaining to the notification and I think that's

2 where we aim to make the process more efficient and  
3 more reliable; I don't think... you know, the key that  
4 at least I am aiming for is predictability, that it  
5 should not be a surprise. I have always said to my  
6 staff and they know this; I don't like bad news, I  
7 hate surprises and so if there's anything that I  
8 should know, we should know right away so that we can  
9 deal with it properly, and so that's my firm belief.  
10 And I think that the specifics of what you are  
11 talking about, the other ones, I do understand, being  
12 that I live in Queens for almost 45 years now; it's  
13 one of the outer boroughs and it has even fewer  
14 landmarks than you do and part of the reason I  
15 attribute that is because you know, when I was the  
16 landmark committee chair on the community board,  
17 everything that came before us got landmarked, not  
18 because this... because there are so few of them,  
19 they're all worthy and so they got landmarked and  
20 people forgot that Queens, until the 7 Train went out  
21 there was mostly all farmland, you know and so there  
22 were not a lot of structures, I think. But the ones,  
23 like Latimer House and all of those that are out  
24 there, we pay attention to it, including the Bowne  
25 House.

2 COUNCIL MEMBER WILLIAMS: And the carve-  
3 outs?

4 WELLINGTON CHEN: The carve-outs, I will  
5 take a look at it and I know what you're referring  
6 to, looking at the case where does somebody include a  
7 gas station in one of the -- and obviously it seems  
8 incompatible and I think both sides will argue back  
9 and forth and one thing you can be sure of is I take  
10 this job seriously, so I will analyze it carefully  
11 and weigh... and it's actually very site specific; I  
12 think a lot of times this really depends on -- you  
13 cannot do a blanket statement, it really should be  
14 careful look at the context and the consequences;  
15 what are the implications for the area and the  
16 neighborhood.

17 KIM VAUSS: Okay, the carve-outs, I  
18 believe yes, some... not every building is always part  
19 of the district, but I think we would like to  
20 preserve districts where we can and yes, we should  
21 leave out the portions that are not going to be  
22 landmarked that are relatively new buildings, but we  
23 don't want the districts to start looking like Swiss  
24 cheese, you know which you can't see it's a district  
25 and you might as well just be individually

1           landmarking. So it's a case by case thing, but yes,  
2           we'd like to preserve districts where we can, but if  
3           we can't, we have to go for the individual buildings.

4                               In discussing funding again, I think  
5           really there needs to be a legislative solution to  
6           this, to getting funding to disadvantaged homeowners  
7           and homeowners in distress and it's something that  
8           the Commission's not gonna do, but the Council might  
9           do and I think that's where the funding will come in.  
10          But of course, the Commission is going to act as  
11          efficiently as they can to help the homeowners be  
12          able to, you know, get changes made quickly and  
13          explain the changes they can have and hopefully  
14          process, get through the system and have enough  
15          community outreach that they can understand what's  
16          expected if it gets landmarked.

17                              CHAIRPERSON LANDER: Thanks very much to  
18          both of you and to all the Council Members who asked  
19          questions. At the end of the hearing today we will  
20          recess this hearing; we're not gonna vote today,  
21          we'll look forward to receiving the COIB letter and  
22          guidance; it's possible after that that we may have  
23          additional questions and ask you to come back and be  
24          available for additional questions, [background  
25



2 comment] but at this point we'll close this portion  
3 of the hearing with thanks for your...

4 WELLINGTON CHEN: Thank you.

5 CHAIRPERSON LANDER: time and interest in  
6 serving.

7 WELLINGTON CHEN: Thank you.

8 KIM VAUSS: Thank you.

9 CHAIRPERSON LANDER: Thank you very much.

10 We will now move on to our third consideration of  
11 advice and consent for the Mayor's nomination of Hank  
12 Willis Thomas for appointment to the Art Commission.  
13 If the Council gives its advice and consent, Hank  
14 Willis Thomas will be appointed to the Art Commission  
15 in the seat designated for a painter and eligible to  
16 complete the remainder of the three-year term that  
17 expires on December 31st, 2017. The New York City  
18 Art Commission, also known as the Public Design  
19 Commission reviews permanent works of art,  
20 architecture and landscape architecture proposed on  
21 or over City-owned property; projects include the  
22 construction, renovation or restoration of buildings,  
23 such as museums and libraries, creation or  
24 rehabilitation of parks and playgrounds, installation  
25 of lighting and other streetscape elements and the

2 design, installation and conservation of artwork.

3 The Commission is composed of the Mayor or his

4 representative, the President of the Metropolitan

5 Museum of Art, the President of the New York Public

6 Library, the President of the Brooklyn Museum, one

7 painter; that's the position Mr. Thomas is being

8 nominated for, one sculptor, one architect, one

9 landscape architect, all of whom shall be residents

10 of the City and three other residents of the City who

11 cannot be painters, sculptors, architects, landscape

12 architects or active members of any profession in the

13 fine arts. The Mayor and the museum and library

14 presidents serve in ex officio capacity. The

15 appointed members whose service is not ex officio are

16 chosen from a list submitted by the Fine Arts

17 Federation of not less than three times the number to

18 be appointed and the Mayor considers from that list.

19 All members of the Commission serve without

20 compensation three-year terms or until a successor

21 has been appointed and qualified and then -- and one

22 flag that I just wanna make and I shared these

23 concerns with Mr. Thomas in advance; I've had a

24 little chance to review his biography and his works

25 of art, which I think are wonderful, so there's no

2 doubt in my mind that he's qualified for the  
3 position; I know that I and other members of the  
4 Council as well have longstanding frustration with  
5 the Art Commission, which we often feel has put  
6 additional barriers in the way of helping us get  
7 public realm projects done, whether they are parks  
8 projects that can take years and years and years to  
9 move on or other kinds of streetscape renovations and  
10 I'll even flag that in my own efforts to achieve  
11 public art, the first advice I've been given by the  
12 Parks Department or DOT is, construct the project in  
13 such a way that it will not have to go through the  
14 Art Commission because that is a sure way of never  
15 getting to achieve your public art project; other  
16 Council Members have spoke of sort of very simple  
17 structures -- bathrooms or pavilions in parks -- to  
18 which either cost or enormous time was added as a  
19 result of the Commission. So I say that both to say  
20 that we really -- Mr. Thomas has never served on the  
21 Commission and there is a chair in administrative  
22 capacity, so we want to both welcome him and hear his  
23 individual perspective and your history and interest  
24 in serving, but I just wanted to make sure that that  
25 had been flagged ahead of time as something that

2 members are concerned about and that we shared with  
3 Mr. Thomas in advice of the hearing. So thank you  
4 again for being here and members who came in later,  
5 you have a lot of information on Mr. Thomas; there's  
6 even more in the big heavy duty binder over there and  
7 if you have a computer you can go online and see some  
8 of his art, which is magnificent and well worth  
9 viewing. Mr. Thomas, if you'll raise your right hand  
10 to be sworn in by the Committee Counsel.

11 COMMITTEE COUNSEL: Do you swear or  
12 affirm that the testimony you're about to give will  
13 be the truth, the whole truth and nothing but the  
14 truth?

15 HANK WILLIS THOMAS: Yes I do.

16 COMMITTEE COUNSEL: Thank you.

17 CHAIRPERSON LANDER: Please go ahead and  
18 give your opening statement.

19 HANK WILLIS THOMAS: Thank you. Good  
20 morning Speaker Melissa Mark-Viverito, Chair Lander  
21 and Members of the Rules, Privileges and Elections  
22 Committee of this New York City Council. My name is  
23 Hank Willis Thomas and it's an honor to appear before  
24 you today. I'm a visual artist and a lifelong New  
25 Yorker. As someone who grew up believing that art is

2 essential to our lives, it is an amazing opportunity  
3 to be nominated to the Public Design Commission. I  
4 attended New York University's Tisch School of the  
5 Arts and have viewed New York City as my classroom.  
6 I went to graduate school at California College of  
7 the Arts in San Francisco, where I realized that the  
8 value of art is at the center of public life. I  
9 believe that there has been steadfast growth in  
10 appreciation and enthusiasm about creativity and the  
11 value of art and design in our city and in some ways  
12 you could say that public art has helped to make our  
13 city what it is today.

14 In my view, this is a very critical time  
15 for the arts in New York City; renowned as the global  
16 hub of the art world, there are several other cities  
17 on the rise doing bold and exciting things to foster  
18 the pride and engagement of citizens and visitors.

19 As an artist and a member of the Public Design  
20 Commission, I believe I would be a valuable resource  
21 for the Commission because I have traveled  
22 extensively speaking, presenting and studying art. I  
23 continue to see museums and cultural institutions as  
24 important places for people to discuss and interact  
25 with art, but I'm also aware of the value of being

2 able to do these things in public spaces where we  
3 rarely take a moment to stop, look around and  
4 appreciate all that we have. I'd like to contribute  
5 to the continued development of public art as my  
6 civic duty in the city that I know and love more than  
7 any other place in the world. I intend to be an  
8 active voice in the artistic community and a conduit  
9 for the public. I would like the public to be more  
10 engaged in public art because I believe it makes each  
11 of us smarter, stronger and better. I wanna make  
12 sure that as our city grows and matures  
13 demographically that this is reflected in the  
14 buildings, parks and other places and spaces we  
15 encounter on our way to work, to see friends and  
16 family and on our way home. As an artist I'm  
17 intellectually engaged with the production of space  
18 and think often about not only the people who make  
19 the decisions, but also why certain decisions are  
20 made and how these decisions impact the neighborhoods  
21 and central business districts of the city.

22 I've created several works of art for  
23 public spaces and have had to consider the long-term  
24 value of what I was making for the spaces and the  
25 people who inhabit them. What makes a place

2 important, interesting or historic? Why do some  
3 things stand the test of time while others feel  
4 outdated and alienating? As a conceptual artist  
5 working primarily with themes related to identity,  
6 history and popular culture, these are questions I  
7 ponder on a daily basis and would bring to every  
8 decision I made as part of the Public Design  
9 Commission.

10 As mentioned, I understand that there  
11 have been in the past and continue to be concerns  
12 with the Public Design Commission from transparency  
13 and decision-making to delaying of projects; these  
14 are concerns I take very seriously and if appointed I  
15 intend to study to understand where the concerns come  
16 from, how to best remedy them and after meeting with  
17 the new Executive Director of the PDC, Faith Rose, I  
18 believe she is committed to this effort and there  
19 will be many great improvements. The Commission will  
20 only be successful if it is viewed as a legitimate  
21 partner in making the City a center for the best art  
22 and design, continued dialogue with the City Council  
23 and the community is critical for this effort and I  
24 look forward to working with you all and  
25

2 understanding your concerns and the concerns of your  
3 communities to improve the PDC.

4 Again, thank you for your consideration  
5 at my nomination to the Commission and I'm happy to  
6 take whatever questions you might have.

7 CHAIRPERSON LANDER: Thank you very much;  
8 thanks for that and for being here. Are these  
9 members of your family?

10 HANK WILLIS THOMAS: I have members of my  
11 family present.

12 CHAIRPERSON LANDER: We want to welcome  
13 you; congratulations on his nomination and thanks for  
14 joining us today.

15 So you know notwithstanding what I said  
16 at the opening, I too share the belief that public  
17 art really ennobles our neighborhoods and makes them,  
18 you know, the places that we love; I wonder if you  
19 have a few that you think have been especially  
20 significant or worthwhile, some things either in the  
21 New York City public realm or more broadly that  
22 you've worked on or that you haven't worked on that  
23 you think are really good examples of how public art  
24 can strengthen and ennoble our neighborhoods.



2 HANK WILLIS THOMAS: Well I actually went  
3 to, as I mentioned, to New York University and close  
4 to New York University is Astor Square and there's  
5 the Alamo sculpture, which is the cube sculpture that  
6 spins and especially in the 90s that was a center for  
7 skaters and a lot of youth culture and it was a hub  
8 where it actually brought community from all over the  
9 world to feel that they can be a part of something; I  
10 think there are a lot of places and spaces like that;  
11 I think about the bull, of course, down the road a  
12 little bit and I'm excited; I don't know to what  
13 degree the Public Design Commission has had impact,  
14 but the announcement and enthusiasm of the new Fulton  
15 Station for the MTA, as a hub not only for  
16 transportation, but a hub for art, I thought that was  
17 a really exciting kind of announcement and  
18 acknowledgement of how art can influence and enhance  
19 our daily lives as members of the city.

20 CHAIRPERSON LANDER: Any duds, any  
21 examples of public art that you've seen or had -- you  
22 know, obviously if nothing ever went wrong we  
23 wouldn't need a Public Design Commission at all; what  
24 are the -- you know, any examples of things you think  
25 that have failed that says public art and should have

2 been tweaked, reviewed, pushed; prodded by a  
3 commission such as the one you're nominated to...?  
4 [crosstalk]

5 HANK WILLIS THOMAS: That's a very  
6 difficult question because there are some things that  
7 I have thought were duds and then I learned more  
8 about the context in which they were made and what  
9 they meant for the time and I appreciate them on a  
10 much larger level, so the thing about fine art and  
11 art in general that I think sometimes we overlook is  
12 that it's a long conversation and sometimes we're  
13 just coming in at the very end or we know about the  
14 beginning and there's a lot of evolutions in thinking  
15 that have happened through minimalism, which  
16 sometimes just looks like a block or color and it  
17 seems to make no sense, but actually it really helped  
18 for us to evolve and understand how we could  
19 appreciate even the smallest things in our society,  
20 so if you point to some I might agree with you, but I  
21 can't think of any off the top of my head.

22 CHAIRPERSON LANDER: Those waterfalls are  
23 the only ones that I have to say I think were, you  
24 know the... you don't have to... [crosstalk]

2 HANK WILLIS THOMAS: I agree, but I don't  
3 believe that was the Commission.

4 CHAIRPERSON LANDER: So I think you speak  
5 of it in a helpful way as a conversation; one  
6 interesting challenge in public art is that you have  
7 an artistic vision which comes from kind of an  
8 artist's heart and soul and experience; then you've  
9 got a community around there of people whose  
10 neighborhood it's in the middle of or having some  
11 impact on; what works in creating dialogue between  
12 community and artists as we think about public art to  
13 help the community feel some ownership about it; on  
14 the other hand not try to design the project by  
15 committee or, yeah.

16 HANK WILLIS THOMAS: Yeah, I think it's  
17 important not to just plop something down in  
18 someone's neighborhood and expect them to live with  
19 it and so I think having seminars, having outreach  
20 and also having perhaps listening sessions with the  
21 artist and members of the community who are  
22 stakeholders would be helpful and getting people more  
23 engaged and enthusiastic about what's to come. I'm  
24 excited about, as a member of the Commission, being  
25

2 able to be a conduit for the public and for the  
3 community to foster engagement.

4 CHAIRPERSON LANDER: So thank you; that's  
5 helpful. Now most of what we've talked about so far  
6 and most of what you've given examples of are things  
7 that, you know the public I think would think of as  
8 public art, installations, a place someone designated  
9 specifically for a work of art; the vast majority of  
10 what actually gets reviewed by the Art Commission or  
11 the Public Design Commission are not things like  
12 that, they're not the cube or the bull or the gates  
13 or the waterfalls or even a sculpture in a plaza,  
14 they are the new bathrooms in a park, a new pavilion,  
15 a new playground; a new ball field, because every  
16 single thing the Charter provides that is going to be  
17 built on and has design on City property has to go  
18 through the Art Commission and I think a lot of us  
19 feel that there winds up therefore being a big  
20 mismatch between our need to move those projects  
21 forward, which are not primarily for the purpose of  
22 art and being viewed through the lens as though they  
23 were and that sort of fundamental mismatch of kind  
24 of, you know core public realm projects and the idea  
25 of a piece of art then leads to these conflicts that

2 add cost, that take time and as I mentioned, that  
3 lead to the situation where when I have approached  
4 the Parks Department and said, let's do a piece of  
5 public art, they say oh no, we can't do that, we'll  
6 never get it through the Design Commission. So I  
7 guess my first question here and I know my colleagues  
8 will have more, is; do you really think the Design  
9 Commission should be bringing a public art lens to  
10 essentially every piece of construction that takes  
11 place in the public realm and should it apply that  
12 same high standard for good public art to everything  
13 that we're -- to ball fields and toilets and  
14 playgrounds?

15 HANK WILLIS THOMAS: Do many of us  
16 remember New York in the 70's? I do, and I do think  
17 that was a time when a lot of decisions that were  
18 made were not with the most consciousness of kind of  
19 how the public spaces, whether you call it bathrooms,  
20 fields, etc. would actually affect the way that New  
21 Yorkers relate to their city and I think our city --  
22 that was reflected in the City and I as an artist,  
23 and I think I often kind of separate what art and  
24 design in my mind; I think that art is there to post  
25 questions where design functions as a way to answer

2 questions and I do believe that they go hand in hand  
3 and if the questions that are posed don't have a  
4 response, I think there can be a great kind of  
5 fissure and I think for the Public Design Commission  
6 to be able to speak to both the questions and the  
7 answers is a really important thing, I think that  
8 design is art and I think it is everything; I think  
9 if many of us travel to far off places to see cities  
10 and realize that even their ping pong tables have a  
11 level of design and beauty that sometimes we don't  
12 put as much attention to.

13 CHAIRPERSON LANDER: So is it worth  
14 taking four years to get the ping pong table?

15 HANK WILLIS THOMAS: I do not believe so.

16 CHAIRPERSON LANDER: So do you have some  
17 thoughts on how we can deal with that, because the  
18 kids wanna play ping pong and it might be great if  
19 the ping pong table looked really nice, but if it  
20 adds so much time that they're adults by the time  
21 they get the ping pong table, they'd probably rather  
22 have the one you could just buy at Home Depot than  
23 the one that could make it through the Design  
24 Commission.

2 HANK WILLIS THOMAS: Well and I think  
3 that speaks to some concerns that were mentioned  
4 about prefabrication; I believe that there are  
5 probably a thousand different designs out there of  
6 good ping pong tables, for example and I don't  
7 believe that in every case that it should take  
8 forever, but I do believe it would be wise to have a  
9 commission that's committed to these levels of  
10 aesthetics and function. As a pastor, I do think  
11 there should be perhaps a window, like was just  
12 mentioned about the calendaring in the previous  
13 hearing, that there should be a time limit on how  
14 long decisions can take from the beginning to the  
15 end, because I do also like ping pong.

16 CHAIRPERSON LANDER: Alright. So I think  
17 you're gonna hear some more questions on these kinds  
18 of topics, so I'll reserve my right to come back at  
19 the end, but I wanna let my colleagues ask their  
20 questions, well we have four signed up with questions  
21 so far; Council Members Levine, Greenfield, Williams  
22 and Chin and again in this Committee, we don't  
23 generally put people on the clock, but we ask to  
24 respect our colleagues and the nominees.

2 COUNCIL MEMBER LEVINE: Thank you, Chair  
3 Lander. Thank you Mr. Thomas for agreeing to put  
4 your time and energy into this position; the City's  
5 very lucky to have someone of your talent.

6 HANK WILLIS THOMAS: Thank you.

7 COUNCIL MEMBER LEVINE: I had the chance  
8 to look at your art online and found it to be very  
9 inspiring and thought-provoking. I chair the Parks  
10 Committee and as Council Member Lander was  
11 discussing, Design Commission has been a source of  
12 significant delays in what is on the whole an  
13 unacceptably long capital process for Parks and we're  
14 working with them to reengineer that process to speed  
15 it up, but time and again we run into the fact that  
16 the Public Design Commission itself is not under the  
17 purview of the Parks Department and has become a  
18 built-in impediment and I won't rehash the general  
19 concerns that Council Member Lander mentioned, but I  
20 do wanna throw out a few suggestions for what could  
21 be done to fix this potentially. So often in parks  
22 designs we use prefabricated elements which save time  
23 and money; the Design Commission has had I believe a  
24 bias against such elements and so you see cases like  
25 the new cricket fields in Spring Creek Park where



2 they wanted to put prefabbed toilets in and that was  
3 rejected by the Commission, which resulted in a lot  
4 of additional time on the project. You see cases  
5 like the bocce fields in Marine Park where they  
6 wanted to put a prefabbed roof on which would cost, I  
7 think it was \$70,000 or something and the Design  
8 Commission came back wanting something custom  
9 designed which would've cost \$400,000. So could you  
10 weigh in on your view of prefabricated elements and  
11 whether you think that they are potentially  
12 appropriate or do you think that the Commission's  
13 right to push back against their use?

14 HANK WILLIS THOMAS: Oh yeah, as I  
15 mentioned previously, I do believe that  
16 prefabrication is a great option and I think that the  
17 benefit of that is that we live in a moment where  
18 creativity and industrial design is kind of  
19 democratized and there are usually at least a  
20 thousand or more different variations on anything  
21 that we might wanna put forth and I think that's more  
22 than enough options in any given case; after  
23 conversations with Faith Rose, the new Executive  
24 Director of the Commission, I also think that she's  
25 very thoughtful about these concerns and really would

2 like to work better with the City Council to make  
3 sure that the Commission's not seen as an obstacle  
4 but a partner in these things.

5 COUNCIL MEMBER LEVINE: Well that's all  
6 very good to hear. Many of the elements that require  
7 approval in park design, such as ball field lighting,  
8 synthetic turf, the cover of a dumpster, it's hard to  
9 see why a reasonable person would even think that  
10 needed some sort of artistic review, but given that  
11 it does, perhaps we could just once approve one  
12 element, since we know that dumpster covers are gonna  
13 be roughly the same in every park and not require  
14 that the Parks capital team continually deliver new  
15 renderings for such really mundane elements; perhaps  
16 we can in those cases have a blanket approval and not  
17 require that these things are revisited on project  
18 after project.

19 HANK WILLIS THOMAS: Yeah, that's..  
20 unfortunately, since I have yet to sit on the  
21 Commission, I don't know necessarily how certain  
22 decisions of that level of detail are made, but I do  
23 believe that you make valid points. My once concern  
24 is of course that each of us -- that if one person is  
25 making the decision without the concerns of others

2 there could be an opening of a door that -- almost a  
3 Pandora's box of who gets to make what decisions  
4 about what and I think the beauty of a commission  
5 with 11 diverse voices -- cough -- excuse me, is that  
6 there is accountability and there's checks and  
7 balances with the way even these minute decisions are  
8 being made.

9 COUNCIL MEMBER LEVINE: I think we can  
10 rationalize this process structurally without opening  
11 a Pandora's box; I think we can very clear about what  
12 would and wouldn't have to be subject to this. Just  
13 two very quick suggestions; then I know I'm out of  
14 time. Could there be cases where the staff alone  
15 could approve projects instead of it going to the  
16 board, because that often adds months just to wait  
17 for the calendaring?

18 HANK WILLIS THOMAS: That's yet another  
19 situation where I think you're raising a valid  
20 question that I would likely ask some of the same  
21 questions if I were nominated, but they're not things  
22 that I know enough about, which decisions are made  
23 during... on the Commission to answer... [crosstalk]

24 COUNCIL MEMBER LEVINE: And...

25 HANK WILLIS THOMAS: thoughtfully about.

2 COUNCIL MEMBER LEVINE: And finally, I  
3 believe the Commission meets months; is that correct?

4 HANK WILLIS THOMAS: Yes.

5 COUNCIL MEMBER LEVINE: Could it meet  
6 more often; that might have sounded like adequate  
7 years ago, but there are maybe 400 capital projects  
8 in the Parks Department alone pending and you end up  
9 losing many months because of the timing of when you  
10 have to get it to staff and then when it gets back to  
11 you for review and could the Commission meet more  
12 often?

13 HANK WILLIS THOMAS: That's yet another  
14 situation where I feel like I could like to learn  
15 more about the decisions; I think this is a huge city  
16 with a lot at stake and a lot of things that have to  
17 happen at once and I think that whatever amount of  
18 time it takes to make things run efficiently and on  
19 schedule and within budget I think should be a factor  
20 and be a major reason why the Commission exists.

21 COUNCIL MEMBER LEVINE: Thank you very  
22 much.

23 HANK WILLIS THOMAS: Thank you.

24 CHAIRPERSON LANDER: And just two  
25 comments before I recognize Council Member

2 Greenfield. You know I think first, I want you to  
3 understand that, you know you're the first Public  
4 Design Commissioner, Art Commission nominee to come  
5 before this term of the Council; the Executive  
6 Director, unlike some other positions, the LPC Chair  
7 came before us for advice and consent and we were  
8 able to ask policy questions of her, but the Charter  
9 doesn't provide that the Executive Director of the  
10 Commission comes before us and so the whole place is  
11 a little like a black box, like the Wizard of Oz over  
12 there; it's like just on the... you know around the  
13 corner and yet we never see them, we never hear them,  
14 our projects go in a black hole and never come out  
15 again, so I don't think there's any doubt you're  
16 qualified for the position you've been nominated to,  
17 but pent up frustration is coming out. I will flag  
18 to the Council Member's point about staff level  
19 designations; one thing that's worked very well at  
20 the Landmarks Preservation Commission is figuring out  
21 what are run of the mill applications that can be  
22 reviewed by staff and processed on a 48-hour turn  
23 around and what really are high level things that  
24 need the Board's consideration and then can be  
25 managed and maybe then once a month would be enough

2 if the vast majority of projects were going through.  
3 So we need to find a way to work out our answers to  
4 these questions and we appreciate your taking them  
5 seriously here. Council Member Greenfield.

6 COUNCIL MEMBER GREENFIELD: Thank you,  
7 Mr. Chairman and I wanna thank our Parks chair as  
8 well for those salient questions. Now Mr. Thomas, I  
9 wanna echo what other people have said, which is, I  
10 have no questions about your qualifications; I think  
11 you're thoroughly qualified for the painter position  
12 and certainly that's not an issue. My issue is that  
13 I am concerned, from the answers that you're giving,  
14 that you will continue the tradition that we've seen,  
15 which quite frankly, the Public Design Commission is  
16 an unelected, unregulated, undemocratic body that  
17 meets in an ivory tower, literally an ivory tower, in  
18 secret and does not share information, raises the  
19 cost of projects and delays the costs of projects and  
20 what really concerns me and I'm a little bit  
21 flummoxed by this is, I guess one of your responses  
22 to a question about toilet seats; I mean you seem to  
23 be saying that you actually think that the Public  
24 Design Commission should be weighing in on the design  
25 of toilet seats; I mean is that correct?

2 HANK WILLIS THOMAS: I'm saying that I  
3 believe that everything is designed and I do think  
4 that -- we spoke earlier about prefabrication; I  
5 don't necessarily believe that everything has to be  
6 decided on every level and I do believe the  
7 suggestions about how staff could be a voice for that  
8 and speeding things up are valid points and they're  
9 not things that I personally would protest, because  
10 as much as I am happy to be here, I believe that as a  
11 member of the Commission there are other things that  
12 I'd love to have a voice on than toilet seats.

13 COUNCIL MEMBER GREENFIELD: So I'm a  
14 little bit confused; you said everything is designed,  
15 so you're saying that you do wanna weigh in on the  
16 design of toilet seats?

17 HANK WILLIS THOMAS: If given the  
18 opportunity, I will be happy to weigh in on toilet  
19 seats.

20 COUNCIL MEMBER GREENFIELD: I have a bit  
21 problem with that; I mean Mr. Thomas.. [crosstalk]

22 HANK WILLIS THOMAS: Okay.

23 COUNCIL MEMBER GREENFIELD: I think  
24 that's exactly what's wrong right now with the Public  
25 Design Commission, which is this absurd notion that

2 you have to look at the shape and the design and  
3 whether it's plastic or resin or wood toilet seat  
4 honestly is absurd, because what ends up happening is  
5 that it just delays the projects, it makes it more  
6 costly and quite frankly, listen, I have no problem  
7 if the Public Design Commission had to deal with the  
8 Administration -- Jon Paul Lupo is here, so he should  
9 listen to this -- when they decided that they wanna  
10 do something that's going to cost 25 times more, the  
11 Administration will pay for it, I think that's fair,  
12 I think it's a very fair compromise, where if they  
13 decide that they don't want a prefab roof on a bocce  
14 ball which is going to cost literally 20 times as  
15 much, no problem; as long as the Administration is  
16 willing to write a check, I think that's fair, but  
17 for them to sit around and say hey, we don't like  
18 prefab because we think it's marginally better, we  
19 don't like these toilet seats because we think it's  
20 marginally better, I really think that's -- it speaks  
21 to the core problem of what is happening at the  
22 Public Design Commission and I am afraid that despite  
23 your qualifications, I think you are going to  
24 continue to contribute to that philosophy, which is a  
25 philosophy that quite frankly is really hampering New



2 Yorkers; the fact that it takes five years, five  
3 years on average to get a capital project out of the  
4 Parks Department is an outrage and quite frankly the  
5 Design Commission is to blame for much of that  
6 because they're looking at the toilet seats; I mean  
7 that to me is really the height of absurdity.

8 HANK WILLIS THOMAS: I think you make a  
9 lot of valid points and if I were a member, to be  
10 nominated as a member of the Commission, these are  
11 points that I would address and bring to the  
12 Commission; I think there are also points that have  
13 become, as the new Executive Director, Faith Rose is  
14 highly aware of and I think part of her mission as  
15 the new executive director is to build a better  
16 bridge and relationship, because I think everyone  
17 believes that fundamentally the City should work well  
18 together; that City government should not have  
19 struggles of this nature around things that are  
20 essential for our citizens and I think that five  
21 years to get anything done that is essential for  
22 citizens would be problematic, so whatever needs to  
23 be done to enhance and improve not only the costs,  
24 but also the speediness which is related to costs, it  
25 should be done and I think these discussions should

2 be continued and I appreciate you seeing me as an  
3 ivory tower person, but that's not the way I'm  
4 normally associated, so I definitely take your points  
5 and hope that you would believe that I'm not a  
6 Standard and Poor's person.

7 COUNCIL MEMBER GREENFIELD: My final  
8 question relates specifically to what you said about  
9 the 70s, and I'm not sure I really understand that;  
10 you said that... [crosstalk]

11 HANK WILLIS THOMAS: Sure.

12 COUNCIL MEMBER GREENFIELD: remember the  
13 70s and I looked at your bio and it looks like you  
14 were born in the latter part of the 70s, so either  
15 you were a child prodigy or you're referring to  
16 photographs; what do you mean when you're referring  
17 to [background comment] the 70s?

18 HANK WILLIS THOMAS: Well I grew up in  
19 New York in the Upper West Side in the 70s and 80s  
20 and I recall... [crosstalk]

21 COUNCIL MEMBER GREENFIELD: I know, but  
22 you were born in the latter part of the 70s, right,  
23 so... [crosstalk]

24

25

2 HANK WILLIS THOMAS: Yeah, but I have  
3 memories from as early as 2 and I recall being -- I  
4 mean this is very personal, of course.. [crosstalk]

5 COUNCIL MEMBER GREENFIELD: Yeah.

6 HANK WILLIS THOMAS: but it was a very  
7 scary place to be, being in the parks, going into the  
8 bathrooms as a child was not at all a very  
9 comfortable thing to do and there was not much  
10 thought and consideration not only to the upkeep but  
11 even the functionality of -- one of the things that  
12 I've loved about being in the City as an adult is  
13 that I'm not afraid to actually go into virtually any  
14 space and I actually appreciate the spaces that I  
15 encounter of the City and so what I was trying to  
16 point out with that anecdote is that I think there's  
17 been a lot of improvement and I think it's something  
18 that everyone can witness and I think we should all  
19 be proud of.

20 COUNCIL MEMBER GREENFIELD: Well I think  
21 it's much a function quite frankly of public safety  
22 than it is of design, but I hear what you're saying.  
23 I will conclude by saying this; I respect your  
24 talents as an artist, I respect your qualifications  
25 as a painter; however, I believe that, from what

2 you've told us so far and from the reality is, the  
3 lack of transparency that we've seen, unless the  
4 Administration commits to us that they will be  
5 reforming the Public Design Commission, I will be  
6 voting against your nomination because I think we  
7 will simply perpetuate a system in New York where we  
8 have bloated budgets or we're over costs, we are  
9 getting into technicalities like toilet seats, which  
10 quite frankly simply doesn't make sense, so I'm  
11 publicly stating that despite the fact that I think  
12 that you are a qualified person and despite the fact  
13 that I think that you are certainly able to do this  
14 job, I disagree with your philosophy; I disagree with  
15 the entire philosophy of the Public Design  
16 Commission; unless the Administration is willing to  
17 make an actual commitment to us before this vote, I  
18 will be voting against your nomination, but I thank  
19 you for coming here today.

20 CHAIRPERSON LANDER: Thank you, Council  
21 Member Greenfield. Council Member Williams.

22 COUNCIL MEMBER WILLIAMS: [laugh]

23 CHAIRPERSON LANDER: Would you like me to  
24 ask Council Member Chin to go first?

2 COUNCIL MEMBER WILLIAMS: No, I think I'm  
3 okay. [laughter] Thank you, Mr. Chair. Thank you,  
4 Mr. Thomas for being here today; I think 1976 was  
5 actually a great year; it is the year of the dragon,  
6 to be exact and also the year I was born, so a lot of  
7 good things happened in that year. I do myself  
8 actually share a lot of the frustration that my  
9 colleagues have shown and I think I was here as a  
10 council member for about four or five years before I  
11 realized that that office was even here, so it's  
12 right upstairs and there's no interaction with any of  
13 the Council Members. I do think -- I'm not a 100  
14 percent sure even how they operate, but focusing on  
15 toilet seats and ping pong tables would not be my  
16 impression of what it is they should be doing. I  
17 actually haven't seen a binder this big, I don't  
18 think, on any of our nominees and I actually went  
19 through your website while you were here and I was  
20 actually very impressed and wanted to say thank you;  
21 one, I don't think even the craziness that they do, I  
22 don't think they're diverse enough and I don't think  
23 that the people who represent certain themes and arts  
24 are diverse enough either and so I think you  
25 hopefully can change that a little bit with the

2 themes that you work on and your vision when it comes  
3 to art. Is there a way that you think you can help  
4 them focus less on toilet seats and more on what  
5 people believe the Art Commission should be working  
6 on? And also, again, the same thing with Landmarks,  
7 in certain places of the City, unless the  
8 gentrification is changed, the folks and the arts are  
9 not there and south of Eastern Parkway, again,  
10 doesn't get as much recognition or as much focus in  
11 terms of encouraging the arts in those areas and my  
12 district in particular, hopefully we can take the  
13 good of gentrification throughout the whole thing and  
14 people getting displaced, but I would like to see  
15 more public arts work there and art in general being  
16 encouraged, so is there a way you think you can  
17 encourage what most people believe the Art Commission  
18 should be focusing on?

19 HANK WILLIS THOMAS: Well as a fine  
20 artist, I am highly engaged and concerned about the  
21 ways in which we use public spaces and the way that  
22 art functions; I think there are a plethora of very  
23 important statues throughout the City and public art  
24 that goes ignored and underrecognized, and I think  
25 part of the reason is that it doesn't speak to the

2 communities that they're in and I would think that  
3 it'd be wonderful if there were more new  
4 opportunities for artists to speak to their  
5 communities and for the City to be a place that's not  
6 just in one or two neighborhoods that people can be  
7 excited and feel engaged about what's happening with  
8 art in the City, but also in the outer boroughs  
9 especially.

10 COUNCIL MEMBER WILLIAMS: If there was a  
11 way, whether it was a two-tiered commission where one  
12 deals with toilets and ping pongs and the others deal  
13 with real arts or if we can take away the toilets and  
14 ping pong from the Art Commission completely and  
15 focus on what most people consider art -- I don't  
16 wanna use the wrong word, 'cause I guess toilet seats  
17 can be art, depending on how you use it, but other  
18 types of art that people are focused on; would that  
19 be something you would like to see happen?

20 HANK WILLIS THOMAS: My real concern  
21 about answering some of these questions is that I  
22 just frankly do not know enough about the specifics  
23 about how decisions are made; I do think that a great  
24 point of this hearing is that these voices and  
25 concerns are being expressed and I think they're all

2 issues that I would bring suggestions and try to  
3 understand how we could work together to improve the  
4 relationship so that future nominees for the position  
5 have a greater reputation for the commission that  
6 they're joining and that there's a greater level of  
7 transparency and openness. There is... I noticed on  
8 the website that minutes and video of certain  
9 decisions are posted on the website and so I think  
10 that seems like a newer thing that is a gesture  
11 towards transparency, so I'd like to believe that the  
12 Executive Director and the staff are listening to the  
13 concerns.

14 COUNCIL MEMBER WILLIAMS: So again, and I  
15 feel bad; you're kinda getting the wrath and it  
16 really has nothing to do with you or your  
17 qualifications and your abilities and I know your  
18 parents are here, it should be a joyous occasion;  
19 hopefully it still is and just so you know, this is  
20 nothing against your son; this is really about the  
21 way the Commission exists. I would be supportive  
22 barring anything, because I don't think it should be  
23 held against you; perhaps there's some other things  
24 that we can do to apply pressure on the  
25 Administration, but know that as you -- assuming that



2 you get nominated and voted in, bring these concerns  
3 back and hopefully you can bring some ideas of how to  
4 change it up, because the way it's working now, it  
5 doesn't really work and so that's a problem. But I'm  
6 glad, I think the new voice or at least a new way of  
7 looking at the arts that I haven't seen in a while  
8 come out of that commission will be something that is  
9 at least a little refreshing, so thank you for coming  
10 out and..

11 HANK WILLIS THOMAS: Thank you.

12 COUNCIL MEMBER WILLIAMS: being with us  
13 today.

14 HANK WILLIS THOMAS: Thank you.

15 CHAIRPERSON LANDER: Thank you, Council  
16 Member Williams. Council Member Chin.

17 COUNCIL MEMBER CHIN: Yes. I wanted to  
18 welcome Mr. Thomas; he's a constituent in my  
19 district. Mr. Thomas, we're okay. [laughter] I  
20 mean, Council Members, you know we have a lot of  
21 problems with the Arts Commission because of the  
22 delay and I think being an artist you would  
23 understand the importance of keeping to the budget,  
24 right, and schedule, right, because we can't afford  
25 and you can't... and an artist cannot afford to waste

2 money or time, right? So I think that's something  
3 that we're hopeful that you can be our advocate in  
4 there to make sure that the Commissioner and the  
5 staff at the Arts Commission are mindful of these  
6 projects and the funding because we're just saying  
7 that, you know, Council Member Rose, you know is  
8 funding projects in the Parks Department and still  
9 hasn't seen any action and this is our fifth year on  
10 the Council, so it's really important to be very  
11 timely and I think in your answer to the question  
12 here, you did mention in terms of really looking at  
13 making sure that they also look at scheduling and  
14 budget and that's really key. And also, I think with  
15 permanent structures, you know, ping pong table, if  
16 it's gonna be a permanent structure, it's gotta be a  
17 really nice design; if it's temporary, you know they  
18 could fold it up and pack it away; that's different,  
19 but you know, in terms of permanent structure I think  
20 in the public space is really important in terms of  
21 how it fits in and I think one of the things that I  
22 wanted to suggest is that what I found helpful is  
23 that some of the projects that we have done in the  
24 community when there's a lot of community input in  
25 terms of the design and the usage, it comes out so

2 much better and I think that it would help move the  
3 process along quicker because you have the consensus  
4 from the community. So I think that's something that  
5 I hope that you would also help us, you know, push in  
6 the Commission that that should be encouraged to have  
7 more community consensus, participation in these  
8 kinds of projects that are in our public space,  
9 especially in our parks. I mean when the kids and  
10 the parents and everyone has some input, that is a  
11 beauti... we have one down on Hester Street and it was  
12 funded by LMDC, cost a couple of million dollars,  
13 right, but it's just heavily used, 'cause everybody  
14 loved it because they had an input in how it was  
15 designed. So we just look forward to partnering with  
16 you as our advocate inside to make sure that the  
17 project move as quickly as possible.

18 HANK WILLIS THOMAS: I think... again,  
19 those are valid concerns. What I... part of my  
20 anecdote about 70s is that I think things didn't  
21 change fast enough and five years for something  
22 that's used by the public and needs to be updated,  
23 that could be too long and so I think it's important  
24 that when decisions are made that by the time --  
25 things change a lot now, so in five years from now

2 things might be dramatically different, so why would  
3 we want decisions that are made for today to exist or  
4 to be put into action 10 years from now? And so I do  
5 think that it's really important that as quickly as  
6 decisions are made that the Public Design Commission  
7 can help to push things along and also within  
8 schedule and within budget.

9 COUNCIL MEMBER CHIN: Thank you.

10 HANK WILLIS THOMAS: Thank you.

11 CHAIRPERSON LANDER: Thank you, Council  
12 Member Chin and thank you for being thoughtful and  
13 responsive to these questions. Just two more quick  
14 things. One thing that's sort of counterintuitive  
15 here is that I think as a result of the way that the  
16 Art Commission is working, we get less public art  
17 because there's a focus on all the parks and other  
18 items we're talking about and when I have in the past  
19 said in my district I'd like to get some more public  
20 art in our plazas, what I've been told is, there's  
21 not really any way to do that; if you'll call it a  
22 temporary installation, then DOT might give you a  
23 median and then it won't hap... it's not capital; it  
24 won't have to go through -- it's not permanent; it  
25 won't have to go... so in addition to being very eager

2 to work with you on how we streamline and move  
3 forward the kinds of projects we talked about today,  
4 I'd love to work with you on how we actually could  
5 get more democratic community-inclusive public art in  
6 ways that we would be able to work together on, so I  
7 hope that's another thing that we can find ways to do  
8 it.

9 HANK WILLIS THOMAS: I definitely don't  
10 think that a public commission should be seen as a  
11 barrier by elected officials and so I believe that  
12 part of the mission and the goal of the Committee and  
13 my position on it would be to help to bridge that  
14 gap.

15 CHAIRPERSON LANDER: So I guess my last  
16 question here is -- you know, so I haven't yet had  
17 the opportunity to meet Ms. Rose and I'm just  
18 wondering if you would be willing, given that you've  
19 now got a good sense, probably the best sense of any  
20 member of that commission some of the feelings of  
21 Council Members; if you would convey to her our  
22 concerns and ask her either to meet with us or come  
23 to a hearing and work with us to address the concerns  
24 that you've heard today.

2 HANK WILLIS THOMAS: If given the  
3 opportunity, I'd gladly do that.

4 CHAIRPERSON LANDER: Alright. Thank you  
5 very much. Well let me -- I would love if you -- you  
6 now have the opportunity, you know, starting now,  
7 even before we vote I think it would be very  
8 meaningful... [crosstalk]

9 HANK WILLIS THOMAS: And then I'm on it.

10 CHAIRPERSON LANDER: to members to be  
11 able to know before we have to cast our vote on your  
12 nomination what we've seen in this regard. So  
13 alright. Thank you very much for your time; thanks  
14 to your family for being here; nice to seem them as  
15 well, and to my colleagues for their questions. So  
16 thank you very much. We do have to other people  
17 signed up to testify on the nominations today, Simeon  
18 Bancroft from the Historic Districts Council and  
19 Blaire Walsh from the Landmarks Conservancy. So  
20 thank you...

21 HANK WILLIS THOMAS: Thank you.

22 CHAIRPERSON LANDER: Let me ask you as I  
23 did with the other two nominees to be available to us  
24 if we have additional questions at a subsequent  
25 hearing before we vote.

2 HANK WILLIS THOMAS: Thank you.

3 CHAIRPERSON LANDER: Thank you. Yes,  
4 alright. Great. So yes, Simeon and Blaire, if you  
5 can come up and we will ask you guys to limit your  
6 testimony to three minutes and I'm confident that you  
7 will even if I don't.

8 [background comment]

9 BLAIRE WALSH: Good morning Chair Lander  
10 and Council Members... [crosstalk]

11 CHAIRPERSON LANDER: I don't think you  
12 have the mic on, sorry.

13 BLAIRE WALSH: Thank you. Good morning  
14 Chair Lander and Council Members; I am Blaire Walsh,  
15 speaking on behalf of the New York Landmarks  
16 Conservancy. The Conservancy is a private,  
17 independent, not-for-profit organization founded in  
18 1973. Our mission is to preserve and protect  
19 historic resources throughout New York. Wellington  
20 Chen and Kim Lee Vauss have distinguished  
21 backgrounds; they have experience in architecture,  
22 building and planning; we appreciate their  
23 willingness to serve on the Landmarks Preservation  
24 Commission and look forward to working with them

2 should the Council act favorably upon these  
3 candidacies.

4 The Landmarks Law, as Chair Lander  
5 mentioned prior, calls for a commission with a  
6 minimum of three architects, a historian, a city  
7 planner, a landscape architect, a realtor and at  
8 least one resident of each of the five boroughs.  
9 Those requirements are currently and will continue to  
10 be fulfilled with the appointments presented today.  
11 When the law was passed however there were few  
12 preservation professionals and few if any academic  
13 programs; due in part to the success of the law, both  
14 are plentiful now. We believe that the Commission  
15 would be strengthened if when there is another  
16 opening on the Commission it be filled by someone  
17 with professional preservation experience. Thank you  
18 for the opportunity to present the Conservancy's  
19 views.

20 SIMEON BANCROFT: Good afternoon Council  
21 Members, I'm Simeon Bancroft, Executive Director of  
22 the Historic Districts Council; it's a pleasure to be  
23 testifying in front of this Committee, the first time  
24 in the new term; I apologize for my absence last  
25 year. I'd like to thank Chair Lander especially for



2 his comments starting off this session, talking about  
3 Mayor de Blasio's mentions in the State of the City  
4 Address yesterday about the importance of  
5 preservation with regards to the ambitious housing  
6 program and creating an equitable city for us all  
7 that the idea being that we have to preserve the  
8 fabric of New York while we also make into the place  
9 that we all want to live.

10 I would like to say, just in terms of a  
11 little bit of housekeeping, in terms of  
12 accountability and transparency, it would be  
13 fantastic if this Committee would be able to make any  
14 of the materials that they deemed appropriate about  
15 the candidates available on the website previous to  
16 this; I do not wanna -- you know, without violating  
17 any kind of confidentiality or anything like that, it  
18 would be more helpful if we knew more about them  
19 before we were here.

20 I would like to speak in favor of Mr.  
21 Chen, Ms. Vauss and Mr. Thomas; they all seem like  
22 very fair-minded, forthright people who have borne a  
23 very tough crowd today and we really appreciate that.  
24 We look forward to working with all of them; I'm also  
25 speaking on behalf of the H... the Historic Districts

2 Council is also a member of the Fine Arts Federation,  
3 so I had the pleasure of meeting Mr. Thomas in my  
4 role at the Fine Arts Federation and he seems a very  
5 thoughtful person who we look forward to working with  
6 on the Art Commission.

7 A few moments; I am going to take a  
8 little bit of time just to talk about sort of  
9 philosophies of it; I'm not gonna really address some  
10 of the policy concerns that were brought up by  
11 Council Member Greenfield specifically and others.

12 But as I said, I think that commissioners need to be  
13 fair, rational and equitable, but above all they need  
14 to be advocates, they need to be advocates on their  
15 commissions that within the Landmarks Preservation  
16 Commission there is almost this created narrative of  
17 preservation versus development, which we find to be  
18 false; actually preservation is a way to guide  
19 development, that is a way to guide investment into a  
20 better city, into a more sustainable city, into a  
21 more equitable city and that it should not be framed  
22 as a this than that or is it affordable housing or is  
23 it landmarks preservation; the fact is that they can  
24 work in tandem, they are both social goods that the  
25 City, in its wisdom, have both enshrined in laws; in

2 fact, there is the Landmarks Law; as you well know,  
3 is going to be turning 50 years this year and so this  
4 is an accepted public good that has shown a great  
5 deal of success and has actually helped create the  
6 city that we all live in now and love. We do need  
7 however both the Art Commission, and thank you also  
8 Chair Lander for referring to it as the Art  
9 Commission because until there's a City Charter  
10 change, I'm calling it the Art Commission; not the  
11 Public Design Commission.

12 Anyway, both commissions need more  
13 resources, which is where, as I believe Ms. Vauss and  
14 Mr. Chen said also, which is where Council can step  
15 in; that Ms. Rose, to address some of your concerns  
16 about aid to private individuals, that is something  
17 which there actually does exist a small federal grant  
18 for income-limited peoples, but it is and we all  
19 think that there should be more money for it;  
20 however, [bell] this is something where the Council,  
21 as a legislative body, has the ability on  
22 negotiations with the Administration to create budget  
23 lines that would enable both of these bodies to both  
24 have the resources, to get things done faster, more  
25 transparently and more effectively with more staff

2 and potentially even grant programs, education  
3 programs to open up both commissions, which I will  
4 agree have their problems on occasion, to a broader  
5 public engagement and these are things that really  
6 money would solve a lot.

7 Finally, just to touch upon the notion of  
8 ping pong tables and toilet seats and all of this  
9 prosaic elements that the Art Commission looks at, I  
10 think is very important to realize that, or to sort  
11 of examine the notion of the public realm and the  
12 aesthetic regulation of the public realm is a very,  
13 very important aspect, is a very progressive aspect;  
14 every part of our cultural landscape, every part of  
15 our environment is shaped by people and shaped by a  
16 human agency and I think it's an incredibly  
17 progressive idea for the City of New York to have  
18 said we need to have some aesthetic consideration, we  
19 need to have consideration of what we're building  
20 with taxpayer dollars, with public funds to shape the  
21 City in the best way possible and hopefully to allow  
22 the community, as some of the Council Members  
23 mentioned, to have them have a voice in the shaping  
24 of their environment; otherwise it becomes a very top  
25 down element and that's not the city that we want, I

2 think that we want a city where we all have a voice  
3 in shaping that and both the Landmarks Commission and  
4 the Art Commission can be great vehicles for allowing  
5 the community to have a voice in creating that  
6 environment.

7 Finally, just speaking from personal  
8 point of view of having worked at the Parks  
9 Department, I know that the Parks Department has  
10 problems with the Art Commission and I accept those  
11 problems; on the other hand, there are profound  
12 problems with the Parks capital process and blaming  
13 it all on the poor little Arts Commission is not  
14 entirely fair; there are times when those things take  
15 a lot of time.

16 CHAIRPERSON LANDER: You should come to  
17 our Parks Committee hearings; I assure you we do not  
18 put all the blame on the Public Design, or Art  
19 Commission, we entirely agree with you; there are  
20 things that need to be done in Parks capital process  
21 and our chair and many of us have certainly spoken  
22 loudly to those issues, but we have to do everything  
23 we can, so. Thanks to both of you for testifying;  
24 any questions for... I will thank the nominees all for  
25 sticking around to hear from them, obviously both the

2 Landmarks Conservancy and Historic Districts Council  
3 are essential advocates for the LPC in particular,  
4 you know they're the two groups that review just  
5 about every application and provide an important  
6 voice for the public in that process, so thank you  
7 for being here and thank you for staying.

8 With no one else signed up to testify,  
9 we'll for the moment close the public hearing on  
10 these three nominations, reserving the right to  
11 reopen it later. We're gonna recess the hearing  
12 rather than adjourn it and we will reconvene it  
13 probably on the day of next week's City Council  
14 Stated Meeting, though we haven't calendared it just  
15 yet; we'll look forward to receiving the COIB waiver  
16 letter for Ms. Vauss and hopefully having some  
17 additional dialogue with Ms. Rose as well before that  
18 time. So thanks very much to everyone who's  
19 testified today and to Council Member Rose for  
20 sticking with us all the way till the end. This  
21 hearing's in recess.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 9, 2015