

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

LAND USE SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND
MARITIME USES

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January 26, 2009
Start: 10:25am
Recess: 2:25pm

HELD AT: Committee Room
City Hall

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

COUNCIL MEMBERS:
Charles S. Barron
Leroy G. Comrie, Jr.
Miguel Martinez
Maria del Carmen Arroyo
Rosie Mendez
James S. Oddo
James Sanders, Jr.

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

Kate Daly
Executive Director
Landmarks Preservation Commission

Andrew Berman
Executive Director
Greenwich Village Society for Historic Preservation

John Krawchuck
Director of Historic Preservation
Department of Parks and Recreation

Donald Wise
Owner
Morris B. Sanders Studio and Apartment

Venetia Lannon
Senior Vice President
NYC Economic Development Corporation

Scott Sigal
Senior Advisor to the Deputy Mayor for Operations
Office of the Mayor

Inspector Thomas Pellegrino
Commanding Office, Facilities Management Division
NYPD

Dwight Johnson
Federated Blocks of Laurelton

Derrick Warmington
Concerned Citizen

Marquez Claxton
Concerned Citizen

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

Barbara F. Brown
President
Springfield Rosedale Community Action Association

William McDonald
Southeast Queens Parents

Kate Van Tassel
NYC Economic Development Corporation

Alyssa Konon
Senior Vice President
NYC Economic Development Corporation

Joshua Laird
Assistant Commissioner for Planning & Natural
Resources
NYC Department of Parks and Recreation

Matt Klinman
Metropolitan Waterfront Alliance

Erica Johnson
Active Living Coordinator
Sustainable South Bronx

Harry Bubbins
Director
Friends of Brook Park

Adam Liebowitz
Program Director, Community Development Associate
The Point Community Development Corporation

Siddhartha Sanchez
Office of Congressman Serrano

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

Geoffrey Croft
President
New York City Parks Advocates

Robert Jereski
Youth Program Environmental Membership

Carol Zakaluk
Board Member
Friends of Brook Park

Rob Buchannan
President
Village Community Boathouse, Pier 40, Manhattan

2 CHAIRPERSON LAPPIN: Good morning.

3 Welcome to the Land Use Sub Committee on
4 Landmarks, Public Siting and Maritime Uses. We
5 have a very busy agenda today. I know that two of
6 the members of the Committee are also in a hearing
7 across the hall. In fact, Council Member Comrie
8 is chairing it. So we will have members coming in
9 and out, but we do have a packed agenda. So
10 please, don't go too far. I wanted to start by
11 introducing myself. I'm Jessica Lappin, the Chair
12 of the Committee. We're joined today by Council
13 Member Jimmy Oddo, the Minority Leader from Staten
14 Island; Council Member Leroy Comrie, of Queens;
15 Council Member Maria del Carmen Arroyo, from the
16 Bronx; Council Member Charles Barron, of Brooklyn;
17 and Council Member James Sanders, Jr., of Queens.
18 We will-- oh, and Council Member Miguel Martinez,
19 from Manhattan. We will begin today's hearing by
20 going through the landmarks that are on the
21 agenda. We will begin with University Village.
22 So I'm going to open the hearing on University
23 Village, which is in Manhattan Community Board 2,
24 item 20095212, and ask the Landmarks Commission to
25 please come up and testify.

[Pause]

KATE DALY: Good morning, Council Members. My name is Kate Daly, Executive Director of the Landmarks Preservation Commission. I'm here today to testify on the Commission's designation of University Village in Manhattan. On June 24th, 2008, the Landmarks Commission held a public hearing on the proposed designation. 27 people spoke in favor of designation, including Manhattan Borough President Scott Stringer and Council Member Alan J. Gerson, as well as representatives of Congressman Jerrold Nadler, State Senator Thomas Duane, State Assemblywoman Deborah Glick, and numerous community groups. Numerous letters in support of designation have also been received. Property owner New York University testified in support of designation and discussed its proposal to develop a fourth tower on the site, as well as to modify the landscaping. On November 18th, 2008, the Commission voted to designate University Village a New York City individual landmark. Designed by James Ingo Freed of I.M. Pei and Associates between 1964 and 1967 for New York University, University Village is one

2 of the finest examples of a mid-20th Century
3 residential complex in New York City. Originally
4 acquired by the City in 1953, NYU took title to
5 the land in 1963, agreeing to set aside one third
6 of the units for middle-income residents. The
7 three identical freestanding 30-story towers were
8 executed using exposed reinforced concrete.
9 Falling into the category known as Brutalism, each
10 tower has deeply recessed window bays, as well as
11 a 22-foot wide sheer wall, creating dramatic
12 juxtapositions of light and shadow. The
13 buildings, used as cooperative residences and
14 faculty housing were carefully arranged to
15 maximize tenant views and privacy. University
16 Village, also known as Silver Towers, has been the
17 recipient of many architectural awards and was
18 called out when Pei won the Pritzker Architecture
19 Prize in 1983. The Commission urges you to affirm
20 the designation.

21 CHAIRPERSON LAPPIN: It certainly
22 is an icon in that part of the City. It's in
23 Council Member Gerson's district, and as you
24 mentioned, he is in support of it. We have
25 Andrew-- Any questions from my colleagues for Ms.

1
2 Daly? Great. Thank you. We have Andrew Berman
3 from the Greenwich Village Society for Historic
4 Preservation signed up to testify.

5 [Pause]

6 CHAIRPERSON LAPPIN: In general,
7 I'm a little more flexible, but since we do have a
8 very packed agenda today, I'm going to ask all the
9 witnesses to keep to a-- we'll start with three
10 minutes, three-minute time limit.

11 ANDREW BERMAN: Great. Thank you
12 very much for the opportunity to testify. My name
13 is Andre Berman. I'm the Executive Director for
14 the Greenwich Village Society for Historic
15 Preservation, the largest membership organization
16 in Greenwich Village, the East Village and NoHo.
17 In 2003, GVSHP submitted their request for
18 evaluation to the LPC for Sliver Towers, which led
19 to this November's designation. The designation
20 had strong support from local elected officials,
21 including Council Member Alan Gerson, Borough
22 President Scott Stringer, Congressman Jerrold
23 Nadler, State Senator Tom Duane, Assembly member
24 Debora Glick, the Board of 505 LaGuardia Place,
25 and groups such as the Municipal Arts Society,

American Institute of Architects, and Historic Districts Council. This designation's import is undeniable. The Design is widely considered a watershed by one of the late 20th century's most influential architects. The complex is also notable for its connection to the urban renewal schemes of Robert Moses, provision of affordable housing through the State's Mitchell-Lama program, integration of public art in urban planning, post-war university development and the innovative use of poured and placed concrete as a building material, all on a publicly-mandated limited budget. The importance of the landmark designation extends beyond the recognition of these important historic qualities. NYU, which owns the land to be designated, and which until very recently opposed the designation, is seeking to erect one or more 40-story towers on the site, which would violate the very design which is being honored. Pei created a similar complex in Philadelphia known as Society Hill Towers, which was landmarks and given the highest level of protection by the City of Philadelphia. No new construction has been allowed on the complex's

2 open space, which is such an integral part of the
3 design and the balance of its pieces, much as it
4 is in Rockefeller Center or the Seagram's building
5 or other modernist icons which have been
6 landmarked. We are hopeful that landmark
7 designation will help prevent NYU or anyone else
8 from undertaking inappropriate new construction on
9 the complex's open spaces, thus preserving the
10 singular design for future generations, as well as
11 the complex's residents to appreciate. I thus
12 strongly urge the sub committee to vote in favor
13 of the landmark designation.

14 CHAIRPERSON LAPPIN: Thank you very
15 much, Mr. Berman. Any questions? Thank you.
16 Very well put. We will now close the hearing on
17 that item and open the hearing on the Red Hook
18 Play Center, which is in Community Board 6 in
19 Council Member Gonzalez's district. She is in
20 support and asked Ms. Daly to come. And remind my
21 colleagues, we have been through this committee
22 going through the outdoor swimming pools that were
23 designed and built in the LaGuardia era, and this
24 is a continuation of that process.

25 KATE DALY: Good morning, Council

1
2 Members. My name again is Kate Daly, executive
3 director of the Landmarks Preservation Commission.

4 I'm here today to testify on the Commission's
5 designation of the Red Hook Play Center, also
6 known as the Sol Goldman Pool, in Brooklyn. On
7 January 30th, 2007, the Landmarks Commission held
8 a public hearing on the proposed designation.

9 Seven witnesses spoke in favor of the designation,
10 including Parks Commissioner Adrian Benepe, and
11 representatives of various community groups.

12 There were no speakers in opposition to
13 designation. The Commission also received a
14 letter in support of designation from Council
15 Member Sara Gonzalez. Several of the speakers and
16 letters also expressed support for the larger
17 designation effort of all of the WPA Era Pools,
18 now all official individual New York City
19 landmarks. On November 18th, 2008, the Commission
20 voted to designate the Red Hook Play Center a New
21 York City individual landmark. The Red Hook Play
22 Center, known as the Sol Goldman Pool, is one of a
23 group of 11 immense outdoor swimming pools opened
24 in the summer of 1936 in a series of grand
25 ceremonies presided over by Mayor LaGuardia and

2 Parks Commissioner Robert Moses. All of the pools
3 were constructed largely with funded provided by
4 the Works Progress Administration, WPA, one of the
5 many New Deal agencies created in the 1930s to
6 address the Great Depression. The long, low
7 design of the C-shaped bathhouse emphasizes the
8 characteristic horizontality of the Art Moderne
9 style, accentuated by horizontal bands of windows,
10 contrasting cast stone coping and long cast-stone
11 sills and lintels. The formal symmetry of the
12 entire complex can be appreciated from all angles,
13 both within the pool enclosure and outside of it.
14 The Commission urges you to affirm the
15 designation. Thank you.

16 CHAIRPERSON LAPPIN: Thank you.

17 Any questions from my colleagues? Council Member
18 Barron.

19 COUNCIL MEMBER BARRON: Madam

20 Chair, I just would like to reiterate my general
21 questions. Since there are so many agenda items
22 today, rather than try to go through each one and
23 ask the question I usually ask, I'm just going to
24 ask a general question. At all of the landmark
25 hearings, I'm always concerned whether the family,

2 the building itself or the property, if it goes
3 back during the slavery period, or if the
4 indigenous people, the so-called Indians, if they
5 had any involvement in the land, that I always
6 like to make sure that that's included in the
7 history of this land or the history of this
8 family. There are so many items today for me to
9 go through all of them. I just want to ask you,
10 did you be certain that your researchers put in
11 the history of any relationship to Africans who
12 were enslaved, any relationship to Native
13 Americans who's land was ripped off, you know, by
14 this City and this State and this country, to make
15 sure that that's a part of any history in
16 landmarking? Because oftentimes, in the past,
17 we've made some improvements on it, but in the
18 past it has been neglected. So when I see dates
19 like 1880 or 1840 or 1856-- understand that this
20 was a slave state from 1625 to 1827, when it was
21 officially abolished, but it continued to around
22 1840 and as far as the 1880s. So I just want to
23 make sure that none of these items going before us
24 excludes that part of the history of this building
25 or the family.

2 KATE DALY: Thank you, Council
3 Member. The Commission does have a protocol in
4 place for its research. And in our designation
5 reports we note often the land belonged to the
6 Lenape Indians, and that is noted in the report.
7 Yes, and also in instances where the land has
8 transferred hands-- in particular for buildings
9 built before 1865, but we also so that research
10 for buildings that post-date the period of
11 slavery. We do the research and determine if the
12 owners did own slaves, what the contributions of
13 those slaves might have been, if there were freed
14 African Americans living in the property or on the
15 land, if it was a large landowner. So we do have
16 a protocol in place to research all of those--

17 COUNCIL MEMBER BARRON:

18 [Interposing] And that was done for all of these?

19 KATE DALY: Yes.

20 COUNCIL MEMBER BARRON: All right.

21 KATE DALY: And most of these
22 buildings today, many of them were 20th century
23 buildings

24 COUNCIL MEMBER BARRON: Right.

25 KATE DALY: However, in the case

1
2 where there was a transfer of land that goes back
3 200 years, we did note that in the designation
4 report.

5 COUNCIL MEMBER BARRON: All right.
6 Thank you very much.

7 KATE DALY: You're welcome.

8 COUNCIL MEMBER BARRON: Thank you,
9 Madam Chair.

10 CHAIRPERSON LAPPIN: Thank you. We
11 have somebody from the Parks Department signed up
12 to testify, John Krawchuck, Director of Historic
13 Preservation.

14 JOHN KRAWCHUCK: Good afternoon,
15 Council Members. My name is John Krawchuck. I'm
16 the Director of Historic Preservation for the New
17 York City Parks Department. I'm here today to
18 testify on behalf of the Red Hook Play center, and
19 also to represent Commissioner Benepe, and extend
20 our support for the designation of this important
21 WPA Era Pool. This happens to be actually the
22 very last pool that was opened in the summer of
23 1936. And it also happens to be the very last
24 pool designated of the series of 11 pools that the
25 Landmarks Commission and that the Parks Department

2 has come before you to testify on behalf, over the
3 last year. So we're actually quite excited about
4 that, and Commissioner Benepe lends his full
5 support to the designation. Council Member, I
6 might also add in relationship to the question
7 about land ownership in this particular pool, the
8 land was actually filled in, in the 1850s. So
9 previously it had actually been underwater land.
10 So until that point, there wasn't a record of land
11 ownership. Anyway, I know you know the history of
12 the pools. They're all quite important, each
13 individually designed and designated. But I wish
14 to sort of end my testimony today, again, I'm here
15 today to speak on behalf of the designation, but
16 to also note the important history of Sol Goldman,
17 for whom this pool is named. It was Mr. Goldman
18 who actually funded the resurrection of the pools
19 in the early 1990s, when they were in danger of
20 closing. And I just wish to state that, you know,
21 for the record, that in these times of fiscal
22 crisis as well that that important contribution
23 allowed those 11 pools to remain open, with the
24 exception of McCarran Pool, which we're currently
25 working on. And we're just very pleased to be

2 here today to testify in support.

3 CHAIRPERSON LAPPIN: Thank you very
4 much. I'm glad we're doing these WPA Era pools.
5 They're beautiful; an important part of our City's
6 history. Seeing nobody else here to testify, the
7 hearing on this item is closed. Let's move to the
8 Guardian Life Insurance Company, which is located
9 in Councilwoman Mendez's district. She apologized
10 that she had to-- couldn't be here for this
11 portion of the hearing today. But she is
12 certainly in support, as is the community board.
13 And I wanted to ask Ms. Daly to testify on this
14 item.

15 KATE DALY: Thank you. My name
16 again, for the record, is Kate Daly, executive
17 director for the Landmarks Preservation
18 Commission. I'm here to testify on the
19 Commission's designation of the Guardian Life
20 Insurance Company of America Annex in Manhattan.
21 On April 10th, 2007, the Landmarks Commission held
22 a public hearing on the proposed designation. 11
23 people spoke in favor of designation, including
24 representatives of State Senator Tom Duane and
25 various community groups. A representative of the

2 owner expressed no opposition to designation. The
3 commission also received numerous letters in
4 support of designation. On November 18th, 2008,
5 the Commission voted to designate the Guardian
6 Life Insurance Company of America Annex a New York
7 City individual landmark. The building is a rare
8 example of a low-rise office building in the
9 international style. Designed by the New York
10 firm of Skidmore, Owings and Merrill between 1959
11 and 1963, the building features a crisp curtain
12 wall of anodized aluminum spandrel panels and
13 tinted glass. This approach loosely reflects the
14 rational building techniques promoted by the
15 German-American architect, Ludwig Mies van der
16 Rohe, who sought to reduce building elevations to
17 non-load bearing skins of standardized metal and
18 glass components. Despite minor changes to the
19 East 17th Street façade, both elevations are
20 extremely well preserved and reflect the
21 architect's original intent. The Commission urges
22 you to confirm the designation. Thank you.

23 CHAIRPERSON LAPPIN: Thank you.

24 This was modeled after the Pepsi Cola building, is
25 that true?

2 KATE DALY: I'm unaware of the
3 extent to which they modeled it on that existing
4 building, but certainly there are many parallels
5 on the design.

6 CHAIRPERSON LAPPIN: Okay. Any
7 questions for Ms. Daly from my colleagues? Great.
8 I don't believe there's anybody else scheduled to
9 testify on this item, so this hearing is closed.
10 I'm going to open the hearing on the Baumann
11 Brothers Furniture and Carpet Store. That item is
12 also in Councilwoman Mendez's district.

13 KATE DALY: For the record, my name
14 is Kate Daly, Executive Director of the Landmarks
15 Preservation Commission. I'm here to testify on
16 the Commission's designation of the New School's
17 former Baumann Brother's Store in Manhattan. On
18 September 17th, 2002, the Landmarks Commission
19 held a public hearing on the proposed designation.
20 The hearing was continued to June 17th, 2003, and
21 the building was subsequently reheard on September
22 16th, 2008. 12 people spoke in favor of
23 designation, including representatives of one of
24 the property's owners, the New School, State
25 Senator Tom Duane, Assemblywoman Deborah Glick,

2 Council Member Margarita Lopez, and several
3 community groups. The property's co-owner spoke
4 in opposition to the designation of their portion
5 of the building, the ground story. In addition,
6 the Commission received resolutions in support of
7 designation from Manhattan Community Board 2 in
8 both 2002 and 2008. On November 18th, 2008, the
9 Commission voted to designate the New School's
10 former Baumann Brother's Store a New York City
11 individual landmark. Designed by the
12 architectural firm of D & J Jardine between 1880
13 and 1881 for the Baumann Brothers Furniture and
14 Carpets Store, the wide cast-iron front façade,
15 manufactured by the West Side Architectural Iron
16 Works, is one of the city's most inventive,
17 unusual and ornamental. An amalgam of ornamental
18 influences, including neo-Classical, neo-Grec, and
19 Queen Anne styles, was embraced to achieve a
20 decorative overall composition which is also a
21 signal achievement of Aesthetic Movement design.
22 The Commission urges you to affirm the
23 designation. And I should clarify. In my
24 testimony we mentioned Councilmember Margarita
25 Lopez. She testified at the earlier hearings,

2 held in 2002.

3 CHAIRPERSON LAPPIN: Great. Thank
4 you very much. Since there are no questions from
5 my colleagues, we are going to close this hearing
6 and open the hearing on the Morris Sanders Studio
7 and Apartment, which is in my district.

8 KATE DALY: My name, for the
9 record, Kate Daly, Executive Director of the
10 Landmarks Preservation Commission. I'm here to
11 testify on the Commission's designation of the
12 Morris B. Sanders Studio and Apartment in
13 Manhattan. On October 30th, 2007, the Landmarks
14 Commission held a public hearing on the proposed
15 designation. A representative of the owner spoke
16 in opposition to designation. Two witnesses spoke
17 in favor of designation. The Commission received
18 three letters in support, including one from
19 Manhattan Community Board 6. On November 18th,
20 2008, the Commission voted to designate the Morris
21 B. Sanders Studio and Apartment a New York City
22 individual landmark. Designed and built by Morris
23 B. Sanders, Jr. between 1934 and 1935 in Turtle
24 Bay, Manhattan, this building was one of the
25 earliest structures in New York City to adopt the

2 aesthetic principles pioneered by Le Corbusier and
3 other European modernists starting in the 1920s.

4 Planned with two duplex apartments and an office
5 for Sanders on the first floor, the upper stories
6 are cantilevered and clad with blue glazed brick
7 and several types of glass. There is hardly any
8 ornament, no stoop to ascend, and the entrance is
9 set at a slight angle to the street. This level,
10 in contrast to the floor above, is faced with
11 white marble, and features a curved, waist-high
12 planting bed. The upper stories juxtapose solids
13 and voids, alternating recessed balconies with
14 rear walls of clear glass and glass block windows.
15 The Architectural League of New York City awarded
16 the project a silver medal for domestic
17 architecture in 1935, applauding the architect's,
18 quote, fresh and modern use of glazed brick and
19 glass brick and a harmonious color scheme, end
20 quote. The Commission urges you to affirm the
21 designation. Thank you.

22 CHAIRPERSON LAPPIN: And just to
23 build a little bit on your reference, when this
24 building was completed, it was received very
25 favorably in the architectural community, not just

2 here but abroad, in London as well and other
3 places. It was a very striking and celebrated
4 modern design, and still is in great condition.
5 That said, thank you, Ms. Daly. There is-- the
6 owner is here to testify in opposition, Donald
7 Wise. I'll invite him to come up and testify.

8 [Pause]

9 DONALD WISE: Good morning, Council
10 Members. After the last testimony I have
11 difficulty trying to remove the landmark
12 designation of the building. My name is Don Wise,
13 and I own the building at 219 E. 49th Street. I
14 oppose the designation of my building as a
15 landmark, because of the burden that designation
16 would entail. I've owned 219 for over 25 years.
17 My wife and I have invested hundreds of thousands
18 of dollars to preserve the original plans. The
19 glass brick, the cork floors, the glazed brick
20 exterior, including the infrastructure has been
21 maintained. Had I not done that replacement over
22 the years, you would have nothing to landmark
23 today. The glass brick façade would be masonry
24 now. Taking care of these structure is a mixed
25 blessing. By preserving, we are punished by not

2 being able to market them to an appreciative
3 audience. I strongly protest and will continue to
4 object your landmark designation of 219, and I
5 want it to remain as it has been for many years, a
6 free entity. You would demand that I continue
7 what has been a labor of love, no matter the
8 expense, and the same of my successors in
9 perpetuity. That is the penalty that you would
10 impose on me and my family for doing the best to
11 preserve the building for all these years, and it
12 seems like an unjust reward.

13 CHAIRPERSON LAPPIN: Thank you, Mr.
14 Wise for being here and for testifying, and you
15 have done a wonderful job of preserving the
16 building. And I don't think this is meant to be a
17 punishment. It's in fact because you have done
18 such a nice job and you have valued the aesthetic
19 and the history of this property, a desire to
20 preserve it. Because as you mention in your
21 letter, whomever your successor is could be
22 somebody who didn't care about the aesthetic or
23 the history of the property. And that's really
24 what we're trying to protect in this instance.

25 DONALD WISE: Well my only concern

2 is that we have invested in it and have kept it as
3 original as possible, and it really diminishes the
4 value in terms of the market. And so for
5 something that we-- first of all, I don't think we
6 can really do any serious changes there, because
7 it's completely surrounded by Amster Yard and
8 other landmarked buildings. So it isn't as if it
9 was standing by itself. It's adjacent to a
10 Mexican restaurant on one side and it has a
11 residence on the other side, a brownstone
12 residence, and it seems to be in a position that
13 there isn't much future to try to do anything with
14 it. I mean, I don't think anyone would tear it
15 down or maybe even change it, because it has a
16 certain intrinsic value. But, what it does is it
17 makes it less valuable for me in terms of if I
18 ever want to sell it. I don't expect to sell it
19 and I don't expect to change it, but it diminishes
20 the value by 25, 35%.

21 CHAIRPERSON LAPPIN: I mean, we
22 could go back and forth over that because, you
23 know, historically giving buildings like this
24 designation, particularly in this area, has not
25 diminished the value of the property, and as you

2 point out, I think one of the reasons that the
3 community has been supportive and excited about
4 this is just the, as you pointed out, the block
5 and having the Yards there and having, you know,
6 the character of the adjacent properties and
7 already having landmarks so nearby. It would be a
8 real travesty if whoever owned the building next
9 did tear it down and tried to do something that
10 was so out of scale and out of context with what
11 is already landmarked right nearby. And we're
12 very grateful that you have been such a wonderful
13 steward of this property and have maintained it in
14 such a wonderful way, because it really has
15 enhanced, I think not just your value, but the
16 whole value in the area. And there is a pride in
17 the Turtle Bay community that wouldn't exist if it
18 weren't for people like you. So we have a
19 difference of opinion over that.

20 DONALD WISE: I appreciate the
21 compliment. But it is a mixed blessing, and I
22 wish you'd take it under serious consideration
23 that we don't do anything about it now.

24 CHAIRPERSON LAPPIN: Council Member
25 Oddo?

2 COUNCIL MEMBER ODDO: Sir, how much
3 did you say that you've put into this particular
4 piece of property?

5 DONALD WISE: We've put in hundreds
6 of thousands of dollars.

7 COUNCIL MEMBER ODDO: And what form
8 did you take? What did you do to the property?

9 DONALD WISE: Well, we've changed
10 the system of heating to a steam system instead of
11 a normal furnace, which was there. We changed the
12 air conditioning system, which is unique, because
13 it's a central air conditioning system, which was
14 using water as a coolant and using tons of water
15 every day. We've changed that to a more efficient
16 system. We've re-roofed it. We've paid attention
17 to the materials inside the building, because it
18 consists of glass block. And the glass block,
19 when we renovated it about 20 years ago, 25 years
20 ago, didn't exist. Glass block is available
21 today, but this is specially made glass block. So
22 we had to find places that we could-- because the
23 glass block is paper-thin. It's not very heavy
24 glass block. And the glass block is designed to
25 be larger on the top floors than the smaller

2 floors, to be in scale with the building. We've
3 replaced cork flooring, which was the original
4 designation. And of course we paint and clean it
5 up and so forth.

6 COUNCIL MEMBER ODDO: Do you
7 anticipate additional projects? Is there other
8 work that you have on the radar screen?

9 DONALD WISE: Always.

10 COUNCIL MEMBER ODDO: Anything in
11 particular?

12 DONALD WISE: There is always a
13 problem in owning a building in New York.

14 COUNCIL MEMBER ODDO: Is there
15 anything in particular that you have slated that
16 you plan to, in this calendar year or next that
17 you plan to undertake?

18 DONALD WISE: Yeah, we'll probably
19 improve some of the kitchens. You know, I can't
20 go into details because-- for example, the fire
21 department came to the premises several weeks ago
22 and they said we had to change all the doors to
23 the apartments to steel doors. So we have to take
24 down the original doors, the landmark doors, and
25 replace them with steel doors. That's an

1
2 expensive proposition. So that's one of the
3 things we have to do. You know, things are
4 constantly coming up in keeping it. Now as I
5 mentioned in the letter, we don't have to do that.
6 We can let it go. You know, we can let--

7 CHAIRPERSON LAPPIN: [Interposing]
8 Although I think there's a distinction, because
9 whether this building is landmarked or not, if the
10 fire department comes in and says you need to do
11 certain things to make the building come up to
12 code, that would have to happen regardless of
13 whether or not--

14 DONALD WISE: [Interposing] No, but
15 you were asking what other expenses we have.

16 CHAIRPERSON LAPPIN: Right.

17 DONALD WISE: We have constant
18 expenses in the building. You know, we replace
19 stairs, we-- there's a lot to do, electrical
20 systems and so forth.

21 COUNCIL MEMBER ODDO: I guess the
22 essence of my question, maybe it's better posed to
23 the chair, is the work that he has slated, is that
24 impeded in any way by any action we're taking
25 today?

2 CHAIRPERSON LAPPIN: Not to my
3 knowledge or understanding. The work that you
4 would be doing would be inside the building?

5 DONALD WISE: That's correct.

6 CHAIRPERSON LAPPIN: So it wouldn't
7 be-- what we're really trying to preserve here is
8 the design and the façade and the-- you can't tell
9 from this photo that's been distributed, but it's
10 blue. It's a blue glazed brick. It's a unique
11 building that would come across much better in a
12 color photo. But that is what makes it an
13 interesting and distinct design. And the work
14 that you would need to do to continue to keep the
15 building inside in good condition for the tenants,
16 etcetera, is work that you would have to do
17 regardless. And that wouldn't be-- the landmark
18 designation wouldn't be a factor in terms of that
19 work. Although I would certainly be very happy to
20 work with you if you need any help in terms of
21 dealing with the City on any of those approvals or
22 any of those items that you need to work on to
23 address.

24 DONALD WISE: Could you be more
25 specific? How would you help?

2 CHAIRPERSON LAPPIN: Well if you
3 had questions about dealing with the Fire
4 Department, dealing with the Buildings Department,
5 navigating those agencies, we would be able to
6 help, as we do often for other owners in the
7 district.

8 DONALD WISE: Good.

9 CHAIRPERSON LAPPIN: Do any of my
10 other colleagues have other questions? Thank you,
11 Mr. Wise.

12 DONALD WISE: Thank you for
13 listening for me.

14 CHAIRPERSON LAPPIN: The hearing on
15 this item is closed. We're going to move to the
16 next item on the agenda, which is 144 West 14th
17 Street, which is in the Speaker's district. The
18 Pratt Institute Building. And ask Ms. Daly to
19 testify on this item.

20 KATE DALY: My name is Kate Daly,
21 Executive Director of the Landmarks Preservation
22 Commission. I'm here to testify on the
23 Commission's designation of 144 West 14th Street
24 in Manhattan. On October 28th, 2008, the
25 Landmarks Commission held a public hearing on the

2 proposed designation. Six witnesses spoke in
3 favor of designation, including the President of
4 Pratt Institute and several community groups.
5 There were no speakers in opposition. The
6 Commission also received letters in support of
7 designation from Council Speaker Christine Quinn,
8 State Senator Thomas Duane and Manhattan Community
9 Board 2. On November 18th, 2008, the Commission
10 voted to designate 144 West 14th Street a New York
11 City landmark. The building is a grandly
12 proportioned Renaissance Revival style loft
13 building, faced with limestone, tan brick and
14 terracotta, it was designed by the architects
15 Brunner & Tryon in 1895. Seven stories tall, the
16 street facade is articulated through a series of
17 monumental arches, embellished with handsome
18 classical details. Among notable past tenants are
19 R.H. Macy's and jazz guitarist Les Paul. Today,
20 the building houses the Pratt Institute's
21 Manhattan campus. The Commission urges you to
22 affirm the designation. Thank you.

23 CHAIRPERSON LAPPIN: Thank you very
24 much. Questions? Okay. Seeing nobody else
25 signed up to testify on this item, the hearing is

2 closed. I want to move now to the former Fire
3 Engine Company Number 54, which is located at 304
4 West 47th Street, which is also in the Speaker's
5 district, and open the hearing and ask Ms. Daly to
6 testify.

7 KATE DALY: Thank you. For the
8 record, my name is Kate Daly, Executive Director
9 of the Landmarks Preservation Commission. I'm
10 here to testify on the Commission's designation of
11 former Fire Engine Company No. 54 in Manhattan.
12 On March 18th, 2008, the Landmarks Commission held
13 a public hearing on the proposed designation.
14 Three witnesses spoke in favor of designation. On
15 November 18th, 2008, the Commission voted to
16 designate former Fire Engine Company No. 54 a New
17 York City individual landmark. Erected in 1888,
18 the former Fire Engine Company 54 was designed by
19 the prominent firm of Napoleon LeBrun & Son,
20 architects for the New York City Fire Department
21 between 1879 and 1895. The design incorporated
22 elements of the Queen Anne and Romanesque Revival
23 styles. After nearly 90 years of use as a fire
24 engine house, the building was converted to a
25 theater and offices for the award-winning Puerto

2 Rican Traveling Theatre in the late 1970s.
3 Founded in 1967 as a means of bringing free
4 theatre to the streets of New York's Latino
5 neighborhoods, the theater company helped launch
6 the Spanish bilingual theater movement in the
7 United States. For 40 years the group, which also
8 has a training unit in East Harlem, has encouraged
9 youth of economically disadvantaged backgrounds to
10 pursue careers in the theatre. The Commission
11 urges you to confirm the designation. Thank you.

12 CHAIRPERSON LAPPIN: Thank you very
13 much. No questions from my colleagues? Great.
14 We're going to close the hearing on this item. We
15 are now going open the hearing on the item in
16 Council Member Sanders's district, since he is
17 here as a guest of the Committee, the NYPD Vehicle
18 Storage Facility.

19 [Pause]

20 COUNCIL MEMBER SANDERS: I'm just
21 going to do an intro, okay?

22 [Pause]

23 CHAIRPERSON LAPPIN: Give us just
24 one moment to get organized.

25 [Pause]

2 CHAIRPERSON LAPPIN: Okay. So
3 we're going to start with the presentation from
4 the administration. We have Venetia Lannon here
5 from EDC; Scott Sigal, from City Hall and
6 Inspector Thomas Pellegrino, who is from the NYPD.
7 We are going to-- before you speak, especially for
8 the first time, please identify yourself for the
9 record for the transcript, and feel free to begin.
10 Council Member Sanders, do you have anything you'd
11 like to say before their presentation?

12 COUNCIL MEMBER SANDERS: Not
13 before, afterwards.

14 CHAIRPERSON LAPPIN: Okay. I had a
15 feeling. Thanks. Please, proceed.

16 SCOTT SIGAL: Thank you. My name
17 is Scott Sigal; I'm a senior advisor to the Deputy
18 Mayor for Operations at Skyler [phonetic]. I'm
19 joined today by Thomas Pellegrino from the NYPD,
20 the Commanding Officer of the Facilities
21 Management Division, and Venetia Lannon from the
22 Economic Development Corporation. I appreciate
23 that we have limited time, so we're going to dig
24 right in. Inspector Pellegrino is going to start
25 with an overview of the purpose of this project,

2 and then details about the auto pound operations.
3 Then Venetia Lannon will talk about the design
4 elements, then I'll talk at the end. Thank you.

5 THOMAS PELLEGRINO: Good morning.
6 As Scott just said, I'm Inspector Tom Pellegrino
7 from the NYPD. I just want to start with a very
8 brief overview of the project. We are proposing
9 to relocate an existing vehicle storage facility
10 from its current location in College Point,
11 Queens; specifically it's at 31st Avenue at
12 College Point Boulevard, to the proposed site,
13 which is on Rockaway Boulevard, bounded by Farmers
14 Boulevard and Guy Brewer Boulevard. It's right
15 across from JFK. The need to do this, the
16 purpose, is that we have an urgent need to
17 relocate this auto pound, as this is the proposed
18 site, where the auto pound currently sits, is the
19 proposed site for the new New York City Police
20 Department Police Academy. That Academy is
21 scheduled to break ground sometime this year.
22 This is a project that's very important to the
23 Police Commissioner and to the Mayor himself. The
24 reason that we needed an Academy in general is the
25 building on 20th Street, on East 20th Street in

2 Manhattan, where the academic training currently
3 takes place, is woefully undersized. We outgrew
4 it years ago. That building is 45 years old. In
5 addition to that, our training is right now--

6 [Off Mic]

7 THOMAS PELLEGRINO: Built without
8 women in mind, yes. Right now our training is
9 fractured. The academics take place on 20th
10 street, but when we have to train the recruits how
11 to drive an emergency vehicle, they have to go to
12 Floyd Bennett Field in Brooklyn. When we have to
13 train the recruits on how to properly use their
14 firearms, they have to go to Rodman's Neck in the
15 Bronx. So, the purpose is to build a state of the
16 art modern academy on a campus-like facility where
17 everything can be at one location, including the
18 firearm range, driver training, academics,
19 physical training, a tactics village to better
20 train the recruits on real-life street type
21 scenarios, where it's more hands on type training.
22 So that's the actual need here. Before I go any
23 further, I just want to explain one major
24 difference between what you might be thinking a
25 tow pound is. This is not what we see on Pier 76

2 here in Manhattan. This is not a violation tow
3 pound. That type of tow pound is the type that
4 you guys go to-- not you guys but, hopefully some
5 people-- I don't know, say you're going to see
6 Jersey Boys and you park your car in a no-standing
7 zone and you're there for the matinee and you come
8 out and your car is gone. Well chances are the
9 NYPD put a summons on that vehicle and towed it to
10 the Pier on Pier 76. That type of operation
11 generates a tremendous amount of vehicular traffic
12 both in and out. We literally tow hundreds of
13 cars to that facility a day, with a 95% turnover
14 rate, meaning the guy who comes back to where he
15 thought he parked his car and it's no longer
16 there, wants his car back, he goes to retrieve it.
17 So there's constant movement of tow trucks in,
18 vehicles out, all day long. That is not what this
19 is. This is something totally different. This is
20 the type of facility where we're impounding
21 vehicles of a different nature, such as arrest
22 evidence. We catch you driving a stolen vehicle,
23 that car becomes evidence, we have to take that
24 car off the street; a pound of this nature is
25 where it would go. A variety of reasons, DWI

2 vehicles, you're arrested for driving while
3 intoxicated, that vehicle gets brought to this
4 type of facility. Investigation in general. The
5 VIN number doesn't match the registration of the
6 car, so we have a mystery on our hands. We have
7 to take that car and figure out who it truly
8 belongs to. These types of vehicles normally
9 remain on the site for a minimum of 15 days and it
10 could be up to years, literally years, if the car
11 was used in the commission of a serious offense
12 and it's being held as evidence until the court
13 case is resolved. The facility will be open to
14 receive vehicles 24 hours a day, seven days a
15 week. However, the private tow operators that
16 would be bringing vehicles there are only
17 permitted between 8:00 a.m. and 10:00 p.m., with
18 the vast majority coming between around 10:00 to
19 3:00 p.m. What else do I need to say here? The
20 site where we're proposing it to go, what we refer
21 to as Site A, is approximately 13 acres. The site
22 that we're closing, or proposing to close out at
23 College Point, is 30 acres. So obviously there's
24 a bid discrepancy here on the amount of land that
25 we're using up. How will we reconcile that? I

2 have over 3,000 cars out at College Point. In
3 order to put them onto Site A here, we have
4 decided that stacking the cars is the only way we
5 could physically store them all in the same
6 location. So we would be building pretty much
7 racks, steel racks, non-movable racks, that we
8 would move the cars, pick them up on a forklift,
9 place them on the rack, three high, maximum of
10 three high. Although along the Rockaway Boulevard
11 side of the pound, we have promised the Borough
12 President we would only go two high, so we would
13 cut down on the amount of vehicles you would be
14 able to see from the street, probably none from
15 the street. We have also decreased the number of
16 vehicles there, or agreed to decrease the number
17 of vehicles stored there from approximately 3,800
18 down to 3,200. The site would be fenced, probably
19 with a wall, again, to cut down on the amount of
20 vehicles that you'd be able to see from outside.
21 I'll let-- actually I'll let EDC talk about that
22 some more. And as far as personnel is concerned,
23 a maximum of 64 NYPD personnel would be working
24 out of this facility, mostly uniformed members of
25 the service, some civilian support staff broken up

1
2 onto three tours, days, evenings and midnights,
3 across seven days. So I think the largest number
4 of people there on any one day during a day tour
5 would be approximately 30. And that's pretty much
6 the overview.

7 VENETIA LANNON: Oh, I've got to
8 turn yours off. Good morning, my name is Venetia
9 Lannon and I am Senior Vice President at the New
10 York City Economic Development Corporation. Thank
11 you for your time. I'll try to keep this brief.
12 I want to follow on, on what the Inspector said,
13 just to talk about, a little bit about, the
14 process that went through, because that's
15 important to us in selecting this site, as well as
16 how we have attempted to address the community's
17 concerns in our selection of this site. I'll go
18 from there. And just two things on the process,
19 and again, I just want to make clear, I'm going to
20 point out on the map where this is in Queens. I'm
21 not sure if that's clear to everybody. We're
22 right--

23 [Off Mic]

24 VENETIA LANNON: --project site on
25 Rockaway Boulevard.

2 [Pause]

3 VENETIA LANNON: Inspector

4 Pellegrino is going to be Vanna. This is the site
5 on Rockaway Boulevard, and that's JFK airport
6 right next to it. The site is an M1 Zone and is
7 surrounded by industrial uses like warehouse
8 distribution associated with the airport. There
9 is an industrial buffer before we get to the
10 residential community, which was important to us.
11 We have heard concerns that in our EAS process
12 that we didn't take into account other traffic
13 that's being generated in the area, that in
14 general we were taking a piecemeal approach, just
15 focusing on this project and not looking at the
16 incremental impact of other projects. That is not
17 true. We took into account the traffic generated
18 by other projects, even other projects that are in
19 the pipeline but haven't been developed yet. The
20 adjacent parcels, Quick and Logan, which are shown
21 on this map, south of the site-- even though those
22 haven't been developed, we took into-- their full
23 traffic impacts into our EAS. We also want to
24 make it clear this is not-- we just didn't decide
25 on this site and that was it. We looked at a

2 number of other sites that are listed in our fair
3 share analysis, and then other sites that the
4 Queens Borough President asked us to look at. In
5 total, we looked at 11 other sites located in
6 Queens, in Brooklyn, in the Bronx and on Staten
7 Island. And for a number of reasons, which I'm
8 happy to go through if people have questions,
9 those sites either had problems to do with access,
10 public access, compatibility with PD's operation,
11 significant wetlands or simply cost of acquiring a
12 private site. I think this Committee is well
13 aware there are not a lot of vacant 13-acre sites
14 in the City of New York. And while we understand
15 the community's concerns about this type of
16 facility, and nobody wants these types of
17 facilities in their neighborhood, the fact is that
18 they are vital infrastructure and they need to be
19 sited in places that are appropriate zoned. I
20 want to just conclude by reviewing, in addition to
21 talking about the design of the facility, our
22 response to a number of concerns that the
23 community had, some of which the inspector has
24 already referenced, in terms of basically how we
25 have changed the project in response to those

2 concerns. Again, we reduced the number of
3 vehicles in our very first efforts from about
4 3,800 vehicles to 3,200 vehicles. We reduced the
5 height of the stackers along Rockaway Boulevard.
6 People are concerned. They don't want this to be
7 an eyesore. They don't want this just to look
8 like a graveyard for cars in their neighborhood.
9 Again, they are going to be neatly stored on
10 stackers. But on the Rockaway Boulevard façade of
11 the facility, we've reduced the height of the
12 stackers, from three to two, even though that
13 loses a number of critical spots for NYPD, we've
14 agreed to do that. We've agreed to improve the
15 landscaping and visual screening. We're providing
16 a 25-foot landscape buffer between Rockaway
17 Boulevard and the facility that will be screened
18 by mature trees. Again, we're in a delicate
19 balance between trying to provide an attractive
20 visual screen so people just aren't looking at a
21 blank fence and cars, but we also have to work
22 with the Port Authority to make sure that those
23 trees are bird appropriate. But we are working
24 with a landscape architect to make this an
25 attractive facility. Again, we've been accused of

2 putting lipstick on a pig, but this is something
3 that's important to us that it not be an eyesore
4 in the community. We have eliminated the auto
5 crushing activities that were proposed for this
6 site, which are at other NYPD auto impound lots of
7 this variety. We've agreed that no rotational tow
8 vehicles will be brought to this site, as those
9 are often the vehicles that are in the worst
10 condition. We have agreed that no auctions will
11 be held on site, therefore again limiting the kind
12 of traffic that you're going to see at this site.
13 We've agreed to install a sort of maximally
14 responsible storm water filtration system for
15 storm water drainage. This is something that's
16 important to us. It's something that's critical
17 to DEP, given the proximity of this site to
18 Jamaica Bay. We have the state of the art
19 filtration system, oil water separator. It is the
20 system and consultant that is being used by United
21 Airlines at JFK to separate jet fuel that may be
22 percolating off of the airport. So this is sort
23 of-- we're treating it as if, you know, basically
24 the highest standard of water filtration on the
25 system. We have agreed to preserve as many of the

2 mature trees that are on site as possible in our
3 landscaping buffer. And we have also agreed to
4 transfer to New York City Parks Department 22
5 acres of City-owned land near Thurston Baker Basin
6 to develop a wetlands educational and recreational
7 park. Unless Scott has something else to add,
8 that's it for me.

9 SCOTT SIGAL: If I could just
10 summarize, thank you for giving us some time to
11 speak about the project. It goes without saying
12 that having a new Police Academy for the NYPD is
13 essential. It's at times embarrassing the
14 conditions of the current Police Academy. I think
15 for us, the Administration, a couple of the most
16 exciting elements of the new Police Academy, which
17 I think will benefit all New Yorkers, is it
18 provides the opportunity to install modern, up to
19 date, devices, technology that will allow us to
20 enhance officer training and allow us to staff
21 more officers concurrently. The firing range
22 right now in Rodman's Neck, which is also a
23 concern to the community as it's audible from
24 outside the facility, needs to be replaced. The
25 facility that we will construct at College Point

2 will be indoors, so you won't be able to hear guns
3 going off, and it will have tactical training
4 technology going on in there so that many officers
5 can be trained concurrently and also train in real
6 life conditions. And we think this is a
7 tremendous benefit for the City. There will also
8 be a tactical village, again similar to-- I don't
9 know if you're familiar with what the Fire
10 Department has now in Randall's Island, but
11 something similar, probably a little bit more
12 elaborate. We're in the middle of design right
13 now. We hope to break ground by the end of the
14 year, as the Mayor stated in this year's State of
15 the City. This is a project that has been delayed
16 and postponed for, we think about 30 years and
17 probably even longer. As Inspector Pellegrino
18 alluded to, the recruits must go to the East Side
19 of Manhattan for training. There isn't enough
20 classroom space, and that facility was not built
21 for a Police Department that had Transit in it and
22 also female police officers. So if given the
23 opportunity I recommend that you speak to some
24 police officers to hear some of the concerns that
25 they've had about the Police Academy. And later

2 on this year we will present, I imagine to this
3 sub committee, the ULURP for the Police Academy
4 itself, which we're working on the EAS right now.

5 CHAIRPERSON LAPPIN: I'm looking
6 forward to that.

7 SCOTT SIGAL: And then lastly, I've
8 been working with the community, with the elected
9 officials, Council Member Sanders, who does an
10 excellent job representing his constituents, the
11 Borough President as well. And Ms. Lannon went
12 through some of the adjustments we've made to the
13 package at the request of the Council Member. I
14 don't expect the Council Member or some community
15 members who you might hear from now, to be excited
16 about this project. I don't think they are. But
17 I think that they would agree that the project has
18 come a long way since we first approached them six
19 months ago. And I also hope that they would agree
20 that the creation of a 23-acre park nearby to the
21 site with a boat launch providing community
22 members for the first time with access to Jamaica
23 Bay hopefully is a significant benefit. And then
24 in terms of environmental impacts, we are prepared
25 to replace every tree that is on the site. And I

1
2 did pass around, I'm not sure if everyone saw it,
3 but a preliminary design of a bio swell and a wall
4 and the tree plantings, and although looking into
5 JFK airport is not always the most pleasant sight,
6 I do expect that this facility will stand out and
7 be a model green facility that people will look at
8 and say the City clearly took the community's
9 concerns seriously and came up with a facility
10 that is not an eyesore. So I hope you would
11 approve of this project.

12 CHAIRPERSON LAPPIN: I have a few
13 questions. But before I ask, I wanted to give
14 Council Member Sanders, since it's in his district
15 and I now he has been working diligently with the
16 community and with you on this item, to make a
17 statement, ask questions. So please, Mr. Sanders.

18 COUNCIL MEMBER SANDERS: Thank you,
19 Madam Chair. I appreciate your courtesy. I will
20 concede that this project would be good for the
21 City. There are good things that would happen in
22 terms of modernizing the police force, and indeed
23 we should do that. However, my argument is not
24 whether this would be good for the City, but
25 whether this is good for my district, whether this

2 project as examined, where we will have 3,200 cars
3 with the space for more cars, I don't mind you
4 going on the record and saying that you will never
5 have more than 3,200 cars.

6 SCOTT SIGAL: We will never have
7 more than 300 cars-- 3,200--

8 COUNCIL MEMBER SANDERS:
9 [Interposing] I like that. Wait a minute. Let's
10 stop there.

11 SCOTT SIGAL: Let me choose my
12 words cautiously here. We will never have more
13 than 3,200 cars at this facility. And we are
14 designing it as such, and we have the design if
15 you'd be interested in looking at it, sir.

16 COUNCIL MEMBER SANDERS: Okay. My
17 argument is not NIMBY, my argument is not in our
18 back yard because walking distance from that very
19 strange, almost oil spot design there-- it does
20 remind me of an oil spot, is at least 12 community
21 facilities including a women's shelter-- two
22 women's shelters, and family-- there's a lot of
23 stuff that we are doing right in this community,
24 so we certainly have done our fair part. I will
25 be brief; Madam Chair, and I will just speak of at

2 least six reasons why I think that this is not a
3 good project for my district. I will start with
4 traffic. Rockaway Boulevard there is an area
5 cited by the Regional Planning Association as
6 being one of the most congested areas. So we may-
7 - I have no idea how one could find and say that
8 this is not causing problems. My residents are
9 complaining about it now, before we put 3,200 cars
10 and people trying to get their cars from there.
11 Pollution is my second reasons. Kennedy Airport
12 is one of the largest polluters, and there's very
13 little we can do about that. Planes use jet fuel
14 and that jet fuel is going into the lungs of my
15 constituents, which means the asthma rate in this
16 area is one of the highest areas. The traffic of
17 3,200 more cars and people running around in the
18 three different shifts are just adding to it.
19 Then I'll go a step further and speak of the
20 placement of this facility. I could offhand think
21 of a good six or seven places that would be
22 better, including the former dump by Starrett
23 City, right by the main-- what is that, the Belt?
24 Where you can, a person can just move in there,
25 get what you need to do, and way out of the way

2 out of everyone, this is not a good place to get
3 to by public transportation. Perhaps you can, if
4 you took around three or four buses, maybe. And
5 even by car, my district is not known as the
6 easiest district to get to. Indeed, the only
7 district harder to get to may be Staten Island,
8 and that's an argument. We can make that
9 argument. And on the bad days on the road, a good
10 day on ferry is better than a bad day on the road.
11 I am also concerned about the leeching. These
12 cars have to drop their oils and everything else
13 somewhere. You know if anyone owns a car, you're
14 going to have some problems. This new technology
15 may indeed be fantastic, however the story we're
16 told often, and yet we always have these problems.
17 Then go a step further with Kennedy Airport
18 itself, my fifth reason. Can we launch boats
19 here? You're real close to Kennedy Airport, and
20 they have a security lockdown on much-- many areas
21 by the Bay. The reason that becomes important is
22 because the park that we're being told is-- I've
23 been told is going to have a boat launch, an area
24 to launch boats. If that's a case, to launch a
25 boat is one thing, but to launch and be told go

2 back is another thing. And of course, we don't
3 want anyone just going into Kennedy Airport, not
4 in this day and age. My last point is that I
5 would argue that this is all poison and very
6 little sugar for my district; that the park that
7 we're being told will be left in the raw, right
8 now it's a degraded piece of land. It's in bad
9 shape and there is no talk of putting it in a good
10 condition. In fact I'm having a hard time-- I
11 trust that the City is willing to spend at least
12 \$500,000 on the launch. Now the people in this
13 Council know that \$500,000 sadly doesn't take you
14 far this day and age. \$500,000 may indeed build a
15 launch. You may be able to get some type of
16 trail, but that's it. Since the majority of the
17 people in my district do not have boats yet-- God
18 willing they will one day, the park is more
19 important, at least to me. If one were going to
20 do this, I would want to see the park put
21 together. This is not to say that we shouldn't
22 have the boat launch. You should have both. But--
23 - so I'm hearing a plan that is more poison than
24 sugar, and I'm hearing precious little sugar. So
25 that's why I am opposed to this plan as it has

2 been stated. Thank you, Madam Chair.

3 CHAIRPERSON LAPPIN: Thank you.

4 Before we move to back and forth questions
5 colleagues have, etcetera, I did want to give my
6 colleagues an opportunity to vote on the previous
7 items that have been on the agenda. We're not
8 going to vote today on this item. We're not going
9 to vote today on the next item and we won't vote
10 today on the item in my district, but we will vote
11 on the other previous items we have heard, the
12 other landmarks. And I wanted to ask for the
13 Counsel to call for a vote. Okay. So while we're
14 waiting for the Chair of the Consumer Affairs
15 Committee to come in, we'll continue because we
16 can't vote until then. So, sorry to interrupt
17 you. Please go ahead.

18 SCOTT SIGAL: Sure. I'd be happy
19 to respond, although I think in our testimony
20 we've discussed several of the steps we've taken
21 to mitigate the placement of this facility. We
22 did submit to City Planning Commission, and we're
23 happy to submit to this Committee, all of the
24 different sites that we looked at. We looked
25 citywide and then we identified, I would call it,

11 finalists and then came up with this site. This has been a very long process, and it's very difficulty, as Ms. Lannon alluded to, to find sites whether they're 13 acres or 30 acres in New York City to accommodate this facility. In terms of traffic, we're talking about on average 30 vehicles coming in and 30 vehicles coming out per day, and the entrance would not be on Rockaway Boulevard, it would be on North Boundary Road. I mean we're working with the Port Authority to identify the location of the curb cut. So that should help mitigate traffic. We don't think the addition of 30 in and 30 out on average across a day will have a significant impact on traffic in the area, especially when many of the vehicles that are coming in will be driven in to the facility. In terms of pollution, we are prepared to plant mature trees along the site and to replace the trees that are there. Runoff, this is truly going to be an advanced system. We also have an engineering analysis of that system, if you'd like to look at that. In terms of the park, we're happy to continue to work with the Council Member, the Borough President and others to try to

2 improve the plan for the park. And we are
3 certainly willing and committed to the community
4 to include them in the design process for that
5 park. And does that answer? I understand it
6 doesn't quite address all of your concerns, but
7 does that answer--

8 COUNCIL MEMBER SANDERS:

9 [Interposing] It was an address. It certainly was
10 an address to some of the problems. Just a point
11 of information, the site that I suggested, was it
12 one of the 11 or was it looked at as one of the
13 places, possibilities?

14 SCOTT SIGAL: No, it was not. We
15 started off with several thousand sites--

16 COUNCIL MEMBER SANDERS:

17 [Interposing] I see.

18 SCOTT SIGAL: --and then winnowed
19 them down to sites that we felt were buildable.
20 And so that site did not make the list of sites
21 that we--

22 COUNCIL MEMBER SANDERS:

23 [Interposing] Any particular reason offhand?

24 SCOTT SIGAL: There were so many
25 sites we looked at. I can certainly follow up

2 with you and provide that information.

3 COUNCIL MEMBER SANDERS: Okay,
4 thank you.

5 CHAIRPERSON LAPPIN: You mentioned
6 discussions with City Planning. It would be
7 helpful for the Committee to have the
8 modifications that have been made to the
9 application since it was approved by City Planning
10 in writing. I know you've discussed some of them
11 today orally, but if you could submit that to us
12 in writing, that would be helpful. We are going
13 to pause for a moment, since we do have a couple
14 of Council Members here, and vote on the previous
15 items.

16 CLERK: Chair Lappin.

17 CHAIRPERSON LAPPIN: Aye.

18 CLERK: Council Member Barron.

19 COUNCIL MEMBER BARRON: Aye.

20 CLERK: Council Member Comrie.

21 [Pause]

22 CLERK: Council Member Martinez.

23 COUNCIL MEMBER MARTINEZ: Aye.

24 CLERK: Council Member Arroyo.

25 COUNCIL MEMBER ARROYO: Aye.

2 CLERK: Council Member Oddo.

3 COUNCIL MEMBER ODDO: Yes.

4 CLERK: By a vote of six in the
5 affirmative, none in the negative, no abstentions,
6 pre-considered LU 20095212, 20095213, 20095214,
7 20095216, 20095217 and 20095218 are approved and
8 referred to the full Land Use Committee.

9 CHAIRPERSON LAPPIN: Thank you.

10 Where are these cars being-- can you just
11 reiterate for me? Where are the cars being taken
12 to now that would be moved to this facility?
13 They're in College Point?

14 SCOTT SIGAL: Yes, College Point.

15 CHAIRPERSON LAPPIN: Okay. And in
16 terms of Council Member Sanders's question about
17 access, being able to access the pound via public
18 transportation, can you speak to what the access
19 is at its current location versus what it would be
20 at the new one?

21 SCOTT SIGAL: Well first of all as
22 part of our design and accommodating community
23 concerns we've decided that this site will not
24 have-- auctions will not take place at this site
25 at Site B, adjacent to JFK. So the number of

2 public individuals who would visit the site we
3 think would be very low. Both the College Point
4 site is accessible through public transportation,
5 although again, we think people will be driving
6 there with tow trucks to pick up their vehicles,
7 or drop off-- or the NYPD would be the one
8 dropping off the vehicles, but in any event, as
9 you know, College Point is accessible via Long
10 Island Rail Road out in Flushing or the 7 train,
11 and then there are two buses that-- about a mile
12 from the station that to the College Point site.
13 This site is accessible via JFK and also via bus.
14 You can take the A train, and then there is a City
15 bus that would take you near the site. And Ms.
16 Lannon, if you have any other information?

17 VENETIA LANNON: No, just to say
18 that there's a-- I don't remember the number of
19 the Queens bus, but there is a bus shelter not far
20 from the site on North Boundary Road.

21 CHAIRPERSON LAPPIN: And I know
22 you've revised the capacity at this site downward
23 in response to Council Member Sanders and the
24 community, but what is the current capacity at
25 College Point and what would the capacity be here?

2 SCOTT SIGAL: Well the College
3 Point facility, which as Inspector Pellegrino
4 said, is over 30 acres has much more than just the
5 vehicles than we would be relocating. That site
6 stores roughly 3,500 vehicles, but it also stores
7 the NYPD's emergency fleet, which is several
8 hundred vehicles and motorcycles, 2,000
9 motorcycles and some salvage materials as well.
10 So what--

11 CHAIRPERSON LAPPIN: [Interposing]
12 So where will they be stored in the future?

13 SCOTT SIGAL: We are working on
14 that right now with the Department of Citywide
15 Administrative Services. That's quite a process,
16 as you can imagine, to relocate all of that. But
17 the bottom line is that the majority of stuff at
18 College Point is being relocated to Site A, and
19 that's-- there are 3,500 vehicles roughly at
20 College Point right now. We would relocate 3,200,
21 which are arrest evidence and DWI forfeiture
22 vehicles and the other categories that the
23 Inspector stated. Do you have anything else to
24 add?

25 THOMAS PELLEGRINO: Yeah. There

2 are three other tow pounds similar to this one.
3 They're all in Brooklyn; the Gowanus tow pound--
4 actually two. I misspoke. We just closed
5 another. There's the Gowanus tow pound and the
6 Erie Basin tow pound. So those combined would
7 have to take any overflow that we can't fit from
8 College Point to this proposed location, so
9 motorcycles would probably go to Gowanus. The
10 parts-- we have tons of car parts, they would go
11 to Erie Basin, they have an enclosed shed there
12 where they can go. So, to answer your question,
13 we would utilize the other two pounds that we
14 currently have. You know, the search always
15 continues for more land, but I mean there just
16 isn't.

17 COUNCIL MEMBER SANDERS: Question
18 on clarification?

19 CHAIRPERSON LAPPIN: Sure.

20 COUNCIL MEMBER SANDERS: The 3,200
21 cars, does that also mean no other car parts will
22 be brought to this district or motorcycle parts or
23 any other things?

24 SCOTT SIGAL: Right, absolutely.

25 COUNCIL MEMBER SANDERS: Is it just

2 3,200 cars?

3 SCOTT SIGAL: Just the vehicles.

4 COUNCIL MEMBER SANDERS: Vehicles,
5 okay. Because you may add trucks. 3,200
6 vehicles.

7 SCOTT SIGAL: Correct.

8 COUNCIL MEMBER SANDERS: Just 32.
9 Okay, all right. I'm sorry, go ahead. Thank you,
10 Madam Chair.

11 SCOTT SIGAL: Now with that said,
12 obviously, the NYPD wishes it did not have to
13 seize so many arrest vehicles, people driving
14 drunk and so on. But it is something that we as a
15 city have to take on, and it's really unavoidable.

16 CHAIRPERSON LAPPIN: And when we
17 approved institutionally those other sites in
18 Brooklyn, were there caps placed on the number of
19 vehicles they would accept?

20 SCOTT SIGAL: I'm not aware. Those
21 facilities are already basically maxed out, which
22 is why we are seeking to store 3,200 vehicles at
23 this site of the 3,500.

24 CHAIRPERSON LAPPIN: But you just
25 said that you're going to take the overflow and

1
2 put them in those sites and now you're saying
3 they're maxed out.

4 SCOTT SIGAL: Yes. I mean there
5 might be a couple hundred overflow, and we're also
6 looking very closely at our policies because of
7 the fact that there just isn't any available land
8 and we also are not-- we are waiting for the
9 outcome of this process as well for Site A. So if
10 this site is-- already even with this site we are
11 still going to have difficulty storing all of our
12 vehicles, but we think we can make it work. If
13 this site is not approved, then we're going to
14 have to delay--

15 CHAIRPERSON LAPPIN: [Interposing]
16 So why did you just close down a site in Brooklyn?

17 SCOTT SIGAL: We closed down a very
18 small auto pound in Brooklyn to accommodate the
19 South West Brooklyn Marine Transfer Station.

20 VENETIA LANNON: That was the 29th
21 Street Pier at the South Brooklyn Marine Terminal
22 that was cleared to make way for the Simms
23 Recycling Facility. I mean, you get the picture.
24 A lot of these cars ended up on our waterfront
25 when we weren't actively using our waterfront.

2 We're now trying to put our waterfront back into
3 economically productive use and do projects like
4 the Police Academy, and there's a real squeeze, as
5 Scott alluded to. PD is also working with City
6 Hall to evaluate its policies for how long it
7 holds vehicles. And we're making every effort to
8 try to reduce the number of vehicles we have, but
9 quite frankly there's less room available than
10 cars.

11 CHAIRPERSON LAPPIN: Do they have
12 to be stored in the boroughs at all?

13 SCOTT SIGAL: We are looking
14 outside New York City as well.

15 CHAIRPERSON LAPPIN: Good. Council
16 Member Comrie.

17 COUNCIL MEMBER COMRIE: Did you
18 bring any--

19 CHAIRPERSON LAPPIN: [Interposing]
20 Oh, I'm sorry. Council Member Arroyo did put her
21 name on the list before you. My apologies.

22 COUNCIL MEMBER COMRIE: All right.
23 I'll always defer to Council Member Arroyo.

24 COUNCIL MEMBER ARROYO: Yeah right.
25 Thank you, Madam Chair, and thank you. This is in

2 Queens and you are the Chair of that delegation,
3 so I appreciate that. 3,200 cars, that's like a
4 lot of stuff. You mentioned the Academy will
5 break ground in this year. How do you propose
6 that to happen? Don't we do a siting application
7 process for that facility as well? How do you
8 anticipate doing that without having gone through
9 that Land Use process?

10 SCOTT SIGAL: Well I think I
11 alluded to it earlier, we expect to certify within
12 the next two to three months through the Land Use
13 review process for that, hopefully finishing in
14 advance of the end of the year and then breaking
15 ground by the end of the year.

16 COUNCIL MEMBER ARROYO: When
17 there's a will there's a way, right?

18 SCOTT SIGAL: Well I think that
19 would allow us six, seven, eight, nine months.

20 COUNCIL MEMBER ARROYO: You know, I
21 want to extend my condolences to my colleague,
22 Council Member Sanders. It's usually my district,
23 the one that's fighting a project of this nature.
24 And I personally am inclined to support my
25 colleague on a no vote on this project. The

2 communities we represent are often the ones
3 selected to site the kinds of things nobody else
4 wants in their back yard. So I'm hopeful that
5 you'll be able to provide for him and his
6 community a great deal more than just a park with
7 a questionable launch site, whether it's
8 permissible or not given the proximity of the
9 airport and all of the safety concerns around our
10 sensitive areas in the City. I'm just blown away
11 by the magnitude of what this community is going
12 to have to bear. So I hope that the conversations
13 will continue and that we will be in a different
14 place, or certainly he will become the vote on
15 this project. Thank you, Madam Chair.

16 CHAIRPERSON LAPPIN: Council Member
17 Comrie.

18 COUNCIL MEMBER COMRIE: I'm
19 surprised by the fact that you didn't bring
20 anything in writing to the Committee today. I'm
21 surprised and disappointed by that fact. I was
22 asking for something in writing to see if you had
23 done any soil tests, if you had given any
24 environmental test on any of the leeching that had
25 been done at College Point, if you had done

1 anything about transportation access, if you had
2 done anything-- normally when we do a public
3 siting there's a whole list of access issues that
4 are given to us about-- even broken down to time
5 of day with transportation. I'm very disappointed
6 that none of that has been given to us today when
7 you're asking us to consider a site that's in a
8 highly trafficked area that really is only
9 accessible by one or two buses and is not anyway
10 accessible to the A train. I am Council Member
11 Leroy Comrie. I represent the part of Southeast
12 Queens that's just adjacent to the 31st Council
13 District, and a lot of my constituents have come
14 to me complaining about this access, this tow
15 pound being located on the site of the airport,
16 where we're trying to reduce pollution and not
17 increase pollution. And the fact that the City
18 has brought no details about any environmental
19 obligations that have been done or testing that
20 had been done at the College Point site or even
21 testing as to the density of that site, where
22 there's definitely going to be cars that are
23 leaking oil, leaking transmission fluid, leaking
24 other materials that will definitely be unhealthy
25

2 for that area concerns me greatly. To say that
3 the A train is near that site is a joke. The A
4 train is at least three miles away from that site
5 and you would have to take a bus to get there, no
6 matter-- even if you got off at the airport
7 location for the A train, if you got off at the
8 last stop for the A train because you missed it,
9 you'd be stuck trying to even get a bus to go and
10 stop at that site. To say that it's
11 transportation accessible is a joke. To say that
12 there won't be a lot of people that will be stuck
13 out there seven or eight hours a day-- because
14 I've had the experience of having my car towed and
15 I just recently had to go to a Brooklyn site to
16 pick up a car for a friend. There's at least 200
17 people milling outside trying to get in to a site
18 to pick up a car. And the logistics of that
19 creates a whole lot of traffic hazards, especially
20 along Rockaway Boulevard. I don't-- I'm very
21 disappointed. Unfortunately I'm chairing another
22 hearing, I would have liked to have something to
23 read to say that there was some redeeming value to
24 this site, or some overall value to this site that
25 you couldn't take it and relocate it to another

2 place, but let me just give you a couple of
3 location suggestions. I don't want to be totally
4 negative. There is a former waste site along the
5 Belt Parkway that this site could be easily
6 accommodated to put in, which is right across from
7 Starrett City, which needs to be reclaimed by the
8 City and the City planned on reclaiming. And
9 that would be a use that would be more-- a lot
10 more amenable to a community than to put another
11 area that would put this site on Rockaway
12 Boulevard where we're already dealing with the
13 issues-- high asthma issues, the issues of
14 discharge from planes as they land and take off
15 and sometimes dumping fuel as they're landing and
16 taking off. There's another site that could be
17 considered and that could be under the 59th Street
18 Bridge, where there's a lot of open sites in that
19 area, and there would probably be a lot more
20 transportation available than trying to develop a
21 site on the middle of Rockaway Boulevard where
22 there's only real vehicular access-- there's only
23 vehicular access to that site for the average
24 person. I would feel sorry for anybody that got
25 their car towed and would have to physically try

2 to get there without someone else coming to pick
3 them up. The majority of people that would come
4 to that site, if it was located, would have to be
5 someone taking them by car. It's almost
6 impossible for an individual to develop a coherent
7 plan without calling 311, without getting some
8 information from people to get a bus and a subway
9 there to that site. And to come here without,
10 again, paperwork, to come here without any of the
11 normal documentation for public siting I think is
12 an insult to this Committee.

13 SCOTT SIGAL: If I could respond,
14 first of all this is not a tow pound, sir. It's
15 an auto pound. They're two very different things.
16 A tow pound is where if you were to go for a
17 Broadway show, let's say, and be towed because you
18 didn't pay your parking tickets or be towed
19 because you double parked or parked in front of a
20 no-parking zone. You would then go to a pier
21 along the West Side. And that's the type of
22 facility, again a tow pound, that has tremendous
23 in and out and very public facing. This is an
24 auto pound, and the cars that are seized and
25 located in this auto pound are cars that were the

1 subject-- that are the subject of arrest evidence
2 or investigations where crimes have been allegedly
3 committed, and are cars that are seized because
4 the driver is accused of driving drunk. So the
5 number of trips in and out of this facility is
6 significantly less, whereas hundreds or even
7 thousands of trips in and out occur in a given day
8 in a tow pound. This is an auto pound, and we've
9 specified very acutely the types of vehicles that
10 would be stored in this facility and we expect it
11 to be on average about 30 vehicles coming in, in a
12 given day, and 30 vehicles coming out. These
13 vehicles on average would remain at this facility
14 for roughly six months. The other thing, I
15 apologize if you did not receive the significant
16 analysis and package that we provided to the City
17 Planning Commission that we anticipated had been
18 forwarded on to you. I have a subset of that
19 package today, which includes an overview of the
20 filtration system that we're prepared to install
21 at the site to ensure that there is not runoff or
22 spillage. And I also have some photographs of the
23 park. I have an initial design drawing of what
24 this facility would look like, and I also have the
25

2 list of other-- of finalists for the site that we
3 reviewed among other things--

4 COUNCIL MEMBER COMRIE:

5 [Interposing] But you don't have any of that that
6 you can give to us today? If you had all that
7 prepared for City Planning, why didn't we get it
8 at the same time it was sent to City Planning?

9 SCOTT SIGAL: I believe that the
10 process, sir, is that the City Planning Commission
11 after their vote is supposed to forward that
12 information on to you, and I've shared several of
13 those documents with staff at Council Member
14 Sanders's office in addition to the package--

15 COUNCIL MEMBER COMRIE:

16 [Interposing] yeah, but why wasn't it given to the
17 Committee? You gave it to-- I would hope that you
18 gave it to the Councilman in the area that was
19 affected--

20 SCOTT SIGAL: [Interposing] I would
21 have to defer to the process that occurs between
22 City Planning and this Committee. And I will
23 certainly, when I get back to the office, look to
24 make sure that that process--

25 COUNCIL MEMBER COMRIE:

2 [Interposing] I don't agree with laying it off to
3 another agency to deliver documents when you're
4 giving testimony. This is a first for me to hear
5 that that had happened. I don't think that's an
6 acceptable excuse or even a logical excuse. So,
7 forgive my confusion for thinking it was a tow
8 pound because I don't have the documents, but
9 clearly 30 cars a day with a six month average
10 storage time plus the cars that your employees
11 would be dealing with back and forth-- but there
12 will be a recovery opportunity at that site for
13 people to pick up their cars, correct?

14 SCOTT SIGAL: That's right. 30
15 cars would leave on an average day.

16 COUNCIL MEMBER COMRIE: And where
17 would those people stay for the recovery period
18 until their car is brought out to them? Will they
19 be able to go in and pick up the car and drive it
20 out? They have to wait outside a fence, or will
21 there be a seating area set up?

22 THOMAS PELLEGRINO: There will be a
23 visitor parking lot on the site.

24 COUNCIL MEMBER COMRIE: How many
25 cars for visitor parking?

2 THOMAS PELLEGRINO: About 30, 27 to
3 be exact.

4 COUNCIL MEMBER COMRIE: And so the
5 people can--

6 THOMAS PELLEGRINO: [Interposing]
7 And those 30, keep in mind those 30 out are spread
8 out, it's not 30 at one time. It's spread out
9 between 8:00 in the morning and 6:00 at night. So
10 there may only be one person there claiming a
11 vehicle at any one time.

12 COUNCIL MEMBER COMRIE: Or there
13 may be 30 complaining every hour depending.

14 THOMAS PELLEGRINO: If they all
15 come at the same time, yeah. I don't think it's
16 very likely though.

17 COUNCIL MEMBER COMRIE: And you
18 said you're setting up everything so that the
19 people can be off the street to pick up and
20 recover the cars?

21 THOMAS PELLEGRINO: Absolutely.
22 There's a visitor parking lot of 27 spaces and it
23 will be right adjacent to the administrative
24 modular type structure that we're planning on
25 building on the site to do the actual paperwork,

etcetera.

COUNCIL MEMBER COMRIE: Sir, again, you know if we had gotten these things in the beginning I could be a lot more focused with my questions, but clearly... So this is the Rockaway Boulevard side here?

[Off Mic]

COUNCIL MEMBER COMRIE: Oh, that's Boundary Road. Rockaway Boulevard.

[Off Mic]

COUNCIL MEMBER COMRIE: Right.

[Off Mic]

COUNCIL MEMBER COMRIE: To get in, right. They come up. Okay, thank you. And you said you've done soil testing at that particular area. Do you have results that you gave to City Planning for the density of the soil in that area?

VENETIA LANNON: We did analysis looking at the density of the soils for the purposes of there being-- the soil being able to hold the stacker units, so yeah, we have done that. If I may I would also like to respond, this has come up twice now regarding this site, I think that you're referencing across from Starrett City.

2 I believe those are the old Pennsylvania and
3 Fountain landfills.

4 COUNCIL MEMBER COMRIE: Right.

5 VENETIA LANNON: Those landfills
6 have been given to the Department of Environmental
7 Protection, who as you know are turning them into
8 parkland and open space. So it would not be an
9 appropriate area for a tow pound. But also given
10 the nature of the fact that they're old land
11 fills, they're not-- this is a lot of weight that
12 these stackers have to be able to hold, so it
13 would not be practical to build that kind of
14 infrastructure on an old land fill. But we didn't
15 consider those sites because they belong to DEP
16 and it would involve alienating a park.

17 COUNCIL MEMBER COMRIE: But you
18 wouldn't have to stack, you'd have more room to
19 just put them all flat at that location. And, you
20 know, with all due respect, putting a park on a
21 landfill is not something I'm looking forward to
22 either. You know, so I think that a more
23 appropriate use would be putting cars as opposed
24 to having people playing on top of a public
25 landfill. That's my preference. I don't

2 understand the, you know, if you're going
3 reclamated land, you should reclamated land for a
4 use that's more-- less onerous or less possibility
5 of danger to people. So, you know, I knew about
6 the parks reclamating that land and I don't agree
7 with it. I don't think it's safe for those
8 communities to have people playing on top of
9 parkland. Again, so, that would be my suggestion.
10 You could spread out there. You wouldn't need
11 stackable units to stack cars out there. You
12 would have a lot more room to do all things out at
13 that location. I think it would be a much more
14 sensible use of space than possibly doing a use
15 that would be dangerous to children 20 years later
16 after they've been playing out on parkland. So,
17 you know, I would strongly reconsider that. And
18 you know, we could take that and put that-- make
19 that a park out there. We don't have enough
20 parkland for children in the 31st or Southeast
21 Queens, and it's something that could be a lot
22 more recreational. So I could see you flipping
23 that quite easily, if there was a will to do that.
24 Unfortunately, I do have to go back and chair my
25 other committee and get them out of the room in

2 ten minutes, but again, I just want to reemphasize
3 my disappointment that we don't have the technical
4 papers to go over this. I hope that we can get
5 all this information quickly, that Council Member
6 Sanders and the rest of the Committee Members can
7 get this. You know, I don't know any other agency
8 that has given us this level of non-information
9 before we're expected to vote on some issue that's
10 so critical. And I want to reemphasize my
11 disappointment on behalf of the entire Committee,
12 I know they're not here, but clearly this is
13 something we need to know what the real
14 environmental impacts are going to be for any
15 community before we site a piece of public
16 property. Thank you.

17 SCOTT SIGAL: Sir, if I could just
18 say one quick thing. The photographs I shared
19 with you are photographs not of the site that we
20 would hope to develop but the park--

21 COUNCIL MEMBER COMRIE:
22 [Interposing] Right, I'm not even going to pick
23 them up. I could tell that's not the site.

24 SCOTT SIGAL: That's the park that
25 we would like to create as part of a community

benefits package. It's a 23-acre site. Currently there's industrial uses on parts of the site. We would evict those businesses, create a boat launch, create passive trails and make it a new 23-acre site for the community.

COUNCIL MEMBER COMRIE: You know, I've been one of the first advocates for this site for the park to be built. I worked with Ms. Barbara Brown and the Committee a long time ago, in fact suggested to them that they should work to be as-- to work to have a site, to work to have not just a boat house, but work to have a site equal to what is in-- forgetting the name of the location, in Queens where we have a full educational center on Alley Park-- not Alley Park, the one off Northern Boulevard that we, you know, it's clear that that location is a location that has a lot of natural cultural opportunities, a lot of opportunities for people to explore the waterways and the creeks in that area. And it's been a long time waiting for the City to understand the need to make sure that there was not even boat access but an educational center so that young people could come and have an

2 opportunity to learn about nature in an area that
3 would remain pristine. I'm concerned that this
4 auto pound would leech unhealthy environmental
5 issues into an area. So to say that you're going
6 to put up a boathouse for a pond that's going to
7 wind up getting contaminated in 20 years doesn't
8 excite me. I'd rather the boathouse be put up in
9 a full educational center to be put up and then
10 that area be made a park and not an auto pound.
11 Thank you.

12 CHAIRPERSON LAPPIN: Thank you.

13 Thank you folks. We have a number of members of
14 the public signed up to testify. Dwight Johnson,
15 from the Federated Blocks of Laurelton; Derrick
16 Warmington from the Springfield Gardens and
17 Rosedale; Marquez Claxton. Why don't you three
18 please come up? And then the next panel will be
19 Barbara Brown and William McDonald.

20 [Pause]

21 MARQUEZ CLAXTON: Good afternoon.

22 Thank you for the opportunity. My name is Marquez
23 Claxton. I'm a longtime resident of Laurelton
24 Queens, as well as the Public Safety Chair for
25 Community Board 13. I'm here today to register my

2 opposition to the proposed relocation of the NYPD
3 vehicle impound lot into my community. Please do
4 not confuse opposition to this project with a bias
5 against or opposition to the fine work that is
6 done by the men and women of the NYPD on a daily
7 basis. Given that I am a retired NYPD detective,
8 I have a practical understanding of the increased
9 need of resources to support the rank and file of
10 the NYPD. For our community, this project has
11 little to do with the benefiting agency and much
12 to do with the impact on our community. As a
13 matter of fact, we have been pleading for an
14 additional Police Precinct for Southeast Queens
15 for decades now, and we would be open to swapping
16 an impound lot for an additional precinct or even
17 this much ballyhooed and talked about state of the
18 art police academy. Contrary to the bland
19 references to this 13-acre site made by EDC, this
20 is not just a vacant lot of land, but rather a
21 portion of our community, which also happens to be
22 connected to a fragile ecosystem. Much lip
23 service has been given by this administration on
24 environmental issues, yet we seem too willing to
25 further pollute this overdeveloped area and

possibly displace the pressured and protected wildlife. Be mindful that we are already overwhelmed with diesel emissions from thousands of trucks moving in and around JFK airport, gasoline emissions from cars that utilize the highways that surround this site, and airplane fuel that is misted non-stop over our community during takeoffs and landings. Also consider the toxic mix of all of these pollutants that makes its way into the 2.2 acres of wetlands that adjoins this site. You must in your decision consider the real human health and environmental toll above and beyond any sterilized presentation of facts by EDC or any fancy chart. Consideration for our health and humanity should take immediate precedence over the need for the City to store cars. No fancy stacking design or camouflaging landscaping can take away from the fact that a project of this nature and proportion represents significant risk to my family and my neighbors. We are not a NIMBY community. What we have hoped for and continue to ask for are projects that not only support the entire city, but also enhance our quality of life. It is not acceptable for the EDC

2 to infer that quality of life will not be
3 negatively affected. They must create projects
4 that actually enhance communities like Springfield
5 Gardens, because for far too long we've been
6 treated as the taxpaying stepchildren of this
7 city. If it brings no direct benefit to the
8 community, we reject it. It is time for the
9 burden of unpopular municipal projects to be
10 spread evenly throughout the five boroughs. Thank
11 you.

12 [Pause]

13 DERRICK WARMINGTON: Good
14 afternoon. My name is Derrick Warmington, and I'm
15 a resident of Springfield Gardens and a member of
16 Planning Board 13. The residents from the
17 communities of Springfield Gardens and Brookville
18 and Rosedale say no to the proposed impound lot.
19 We strongly believe that this pound is not good
20 for our community. The environmental assessment
21 study is meaningless, because it does not truly
22 reflect the risk and danger posed to the health of
23 our community and the environment. For the EAS to
24 be meaningful, it must take a comprehensive
25 approach towards all of the agents of pollution.

2 It must consider pollutants from sources such as
3 the warehouses, JFK airport, the bus depots, the
4 thousands of vehicles that drive through our
5 community daily, and the parking lot for diesel
6 fuel vehicles at the corner of Brookville and
7 Rockaway Turnpike. One facility by itself might
8 not be significant, but when all are taken
9 together as a group, their impact is great. In a
10 hearing at the Queens Borough Hall, the proponents
11 of the pounds have admitted that the pound is not
12 suitable for certain communities, but that
13 Springfield Gardens is the ideal location.

14 Southeast Queens has become the official dumping
15 ground for the City and the State of New York. No
16 community, no matter how insignificant in the eyes
17 of government, should be so unfairly and
18 unconscionably saddled with society's
19 unpleasantries, even when such unpleasant things
20 are for the broader good of society. What is
21 happening to our community is a blatant disregard
22 for the faire share criteria doctrine and
23 environmental justice. We might buy the concept
24 that a minor pollutant may not be a significant
25 factor in the short run. But when combined with

1
2 others over the long run will pose serious health
3 and environmental problems with lasting effects.
4 And I want to demonstrate to you, Madam Chair,
5 what I'm talking about. Consider that I have
6 thousands of pollutants and if one like that goes
7 in the atmosphere this is then-- I won't go any
8 further, but one will not cause any problem, but
9 thousands of these, thousands of these will
10 seriously cause serious problems in the
11 environment. In spite-- I will now invite the
12 Council Members to take a brief look at some of
13 the pollutants that we face daily in the
14 communities of Springfield Gardens and Rosedale.
15 We have Nitrogen Oxide, this pollutant causes lung
16 damage, respiratory illness; it also affects the
17 ozone. Carbon Monoxide, it impairs oxygen
18 carrying capacity of the blood. In doing so, it
19 also puts pressure on the vital organs of the
20 brain. There's a high level of CO₂, which affects
21 the central nervous system. It causes visual
22 impairment, reduces work capacity and manual
23 dexterity. We have volatile organic compounds; it
24 causes ozone effect and other serious health
25 problem.

2 CHAIRPERSON LAPPIN: I'm going to
3 have to ask you to wrap up slightly.

4 DERRICK WARMINGTON: Okay. I'll
5 wrap up.

6 CHAIRPERSON LAPPIN: Okay.

7 DERRICK WARMINGTON: This EAS is
8 blatantly false; because it failed to look at
9 asthma and other serious health effects that
10 affect the elderly and pregnant women. Our
11 community is asking this honorable Council to vote
12 no to this project, so that the health of our
13 community and the environment will be protected.
14 Thanks.

15 CHAIRPERSON LAPPIN: Thank you.

16 DWIGHT JOHNSON: Good afternoon,
17 Chairman and Council Members. My name is Dwight
18 Johnson. I'm with the Federated Blocks of
19 Laurelton and also a member of the Eastern Queens
20 Alliance. And I am a retired Transit Authority
21 Inspector. Once again, the people of Southeast
22 Queens are being forced to defend their community
23 against those officials who would use their power
24 and influence to manipulate and justify the
25 building of this vehicle compound. We have stood

1
2 firm with our belief that this project has no
3 redeeming benefits for our community, and we
4 oppose its being built in our area. Mayor
5 Bloomberg, City Officials, those departments who
6 dare to dump their garbage from other communities
7 into our community while spending close to a
8 billion dollars for the beautification and
9 redevelopment of Willets Point. We have shown--
10 they have shown their contempt and their total
11 disregard for the wishes of those taxpaying
12 citizens who live in our area. Rather than
13 destroy our precious wetlands, why not build the
14 same compound in Willets Point, using the same
15 type of camouflage techniques and environmental
16 safeguards that they would use in our area? They
17 can put these trees, put up the walls, stack them
18 a little higher and consolidate them on the land
19 that they would need right there in Willets Point.
20 The new Police Academy could be scaled back and
21 the cars stacked a little higher. The figures
22 that Mr. Pellegrino has indicated in terms of
23 reducing the amount of cars, every time he comes
24 to a meeting those figures seem to increase. They
25 started out with 2,200 knocked down from 3,200,

2 now it's 3,200 knocked down from 3,800. You know.
3 The amount of cars that they have or that they're
4 planning on will be unlimited. Some of the acres
5 of land that they have will also be used for
6 further development, as was stated by some of
7 their people who came to the last meeting at the
8 Board of Standards. There is a couple of
9 questions they do not have their environmental
10 protection system to-- for the runoff, in place.
11 Whether it works, we have no real knowledge of
12 whether this system even works out at the
13 airlines. So they didn't bring us-- they just
14 said that they have something. They haven't shown
15 or demonstrated any factual evidence that it's
16 actually working to absorb these hazardous waste
17 materials.

18 [Pause]

19 DWIGHT JOHNSON: Well also-- I just
20 want to say that we are strictly opposed to it and
21 we hope that you would give what the people of
22 Southeast Queens very much-- some good
23 consideration on this project. Thank you.

24 CHAIRPERSON LAPPIN: We will.
25 Thank you. Barbara Brown and William McDonald?

2 If I have to, I might have to--

3 [Pause]

4 WILLIAM MCDONALD: Good morning.

5 My name is William McDonald. I am a retired City
6 Correction Officer. I served as Chairman of the
7 Chanter's [phonetic] Parent Advisory Council. I
8 sit on the Queens Borough President's Parent
9 Committee. I served as Education Chair for
10 Jamaica Brand NAACP. The residents of Southeast
11 Queens is already impacted by Kennedy Airport, a
12 federal prison, the Belt Parkway, Rockaway
13 Expressway, numerous group homes and at least four
14 homeless shelters. There is a proposal for an
15 hourly rate motel in front of one of our high
16 schools. This is a block away from a junior high
17 school. That is the disrespect that we are
18 getting in Southeast Queens. There is an enormous
19 rise in gangs and crime in that community over the
20 last few years. To put a police pound, or which I
21 refer to as a junkyard, with flowers around it, is
22 a final insult of a community of working class
23 people. We deserve better. The residents of
24 Southeast Queens need you to say no to this
25 proposal as it is. One of the things that we've

2 been asking for in Southeast Queens is a police
3 station. One of the things we've been asking for
4 in Southeast Queens is a community center. We
5 have a lot of mentoring programs, but we have
6 little access to places where we can take these
7 kids. A lot of the schools are now starting to
8 pick up. We have principals calling us. The
9 services isn't being delivered to this community.
10 We have a lot of parks. We need these parks to be
11 converted for the kids. Some of the parks could
12 be baseball fields. Some of these parks can be
13 soccer fields. They can also be basketball
14 courts. When I moved into Southeast Queens 15
15 years ago, it was totally different than it is
16 now. With this economic boom that we just had and
17 the building of all these two-family houses, we
18 now see an economic crisis where a lot of these
19 two-family houses are unsold. So, there is a
20 strain on our community, and I think this pound
21 would be an added burden, not an asset. Thank
22 you.

23 BARBARA BROWN: Good morning. My
24 name is Barbara Brown. I'm President of the
25 Springfield Rosedale Community Action Association,

2 which is a civic-- and Chairperson of the Eastern
3 Queens Alliance. And I did pass out testimony
4 because we're not going to be able to cover all of
5 the points here. I noticed that there was a
6 reaction when Mr. Warmington was going to start to
7 spray aerosol cans into the air, but the reality
8 is that those of us who live down in Southeast
9 Queens are constantly breathing in that toxic soup
10 of pollutants from all of the different things
11 that are going on in that area. For the last
12 several years, that stretch along Rockaway
13 Boulevard just north of JFK has attracted many
14 projects that further pollute our air, groundwater
15 and so forth. There's Logan Bus Company, there
16 was Quick Courier, there's a whole international
17 air cargo center that was put in on alienated
18 parkland. It's just one thing after the other and
19 it seems that EDC sponsors most of these projects.
20 And there's never a cumulative risk assessment
21 statement, it's always one by one, no effect; and
22 we know that there has to be an effect. Mr.
23 Warmington mentioned some of the chemicals that
24 come out of the-- from diesels. In addition to
25 the ones that he mentioned, diesel exhaust we know

2 contains 40 substances that the US EPA list as
3 hazardous air pollutants. 15 of these pollutants
4 are considered to be probable or known
5 carcinogens, and in a community where asthma is a
6 major problem, there are also other conditions
7 that are exacerbated by the particulate matter:
8 diabetes, cancer, cardiovascular disease. In fact
9 research is showing that the particulate matter
10 can cause, and they've been documenting that, can
11 cause hypertension, which is rife in our area
12 also; can trigger heart attacks; stroke. And all
13 of these things are problems in our community.
14 The toxic soup that we breathe in, we're saying is
15 a part of that, and is a serious environmental
16 justice condition. The other thing is that the
17 area that they're proposing to put this impound
18 lot on, it's not just empty space. EDC says it's
19 empty space. We in the community consider that
20 this is valuable open space. All over the country
21 people are advocating for green space, and this
22 particular property serves as a green
23 environmental buffer between the airport, airport
24 related services and the residential community.
25 The reality is that they're taking out-- they're

2 going to be taking out trees, which is contrary to
3 the Mayor's Million Tree Initiative, and they
4 can't possibly replace the number of trees that
5 they're talking about replacing. With the bell
6 sounding, I don't have time to talk about the
7 wetlands, but there are 2.2 acres of wetlands on
8 that site, viable wetlands, wetlands that support
9 habitats that are vegetated. The Army Corps
10 acknowledges that they are viable wetlands, that
11 they are wetlands that are considered to be a part
12 of the waters of the United States, and that's
13 cited in the EAS materials. EDC gave the
14 impression that it's just a mud puddle that's
15 there, and it's not just a mud puddle, and there's
16 no replacement for those wetlands. We welcome
17 what they want to do in Thurston Basin. We've
18 been calling for that since 2002, in fact some of
19 us think that the purposely kept those properties
20 so that they could use it as a bargaining chip for
21 this project, because it's clear that this
22 project's site was chosen three, four years ago,
23 when you look through the dates on the letters in
24 the EAS. But that's not mitigation for the
25 wetland acreage that they're taking out. And so,

2 it's documented here and I ask that you please
3 read through this. The other--

4 CHAIRPERSON LAPPIN: [Interposing]
5 Okay.

6 BARBARA BROWN: The question--
7 yeah.

8 CHAIRPERSON LAPPIN: Sorry, we have
9 another item on the agenda that we haven't even
10 started with, so I'm going to have to--

11 BARBARA BROWN: [Interposing] Could
12 I just ask one question? Because there was a lot
13 of talk about siting, and we have asked what
14 happened to Aqueduct, because we noticed that it
15 was on the Executive Budget Hearing on May 2008,
16 they were proposing \$70 million for this impound
17 lot to be placed at Aqueduct, and our question is
18 what happened to that?

19 CHAIRPERSON LAPPIN: Okay. Thank
20 you.

21 BARBARA BROWN: Thank you.

22 CHAIRPERSON LAPPIN: Does the City
23 want to come and very, very briefly address that
24 last question?

25 SCOTT SIGAL: Sure. I apologize; I

2 thought I had informed Ms. Brown of this already.
3 But at the request of the Governor's Office where
4 there is a plan to redevelop the Aqueduct, we are
5 no longer pursuing that site, and furthermore that
6 site is controlled by the Port Authority, and we
7 would have required the Port Authority's consent
8 to use that site, and at the request of the
9 Governor's Office who is pursuing an economic
10 development program at Aqueduct, we were unable to
11 continue to pursue that site.

12 CHAIRPERSON LAPPIN: Okay. Thank
13 you. I wish we could discuss this longer and have
14 a more elaborate discussion, but we do have to end
15 the hearing now. There is nobody else signed up
16 to testify and I would rather have everybody, give
17 everybody the chance to speak than preclude some
18 people and go into too much depth. So thank you
19 very much. The hearing on this item is closed.
20 We're going to open the hearing on the item the
21 Randall's Island Connector, which is Land Use item
22 958.

23 [Pause]

24 CHAIRPERSON LAPPIN: Sort of a
25 joint application in the districts of Councilwoman

2 Melissa Mark-Viverito and Councilwoman Maria del
3 Carmen Arroyo. And why don't we start with EDC?
4 Kate Van Tassel, Alyssa Konon and...

5 ALYSSA KONON: Good afternoon, my
6 name is Alyssa--

7 [Pause]

8 CHAIRPERSON LAPPIN: Go ahead.

9 ALYSSA KONON: Good afternoon. My
10 name is Alyssa Konon. I'm a Senior Vice President
11 at the New York City Economic Development
12 Corporation. In 2005, the Mayor released the
13 Hunts Point Vision Plan, which called for a series
14 of short-term and long-term improvements in this
15 South Bronx neighborhood. One of the key
16 recommendations in the plan was to address the
17 desire for increased recreational opportunities
18 and waterfront access. As we all know, the South
19 Bronx has high levels of obesity and asthma, and
20 access to recreational space is important in
21 improving the quality of life. In response, we've
22 partnered with Sustainable South Bronx and the
23 Point Community Development Corporation, two local
24 organizations, to create the South Bronx Greenway
25 Master Plan. This plan was developed with local

1 stakeholders, elected officials, property owners
2 and the Community Boards and was released in 2006.
3 We're busy executing a series of phase one
4 improvements that came out of that plan, one of
5 which is the Randall's Island Connector, which is
6 before you today. In Hunts Point and Port Morris,
7 the land and the waterfront is developed mostly
8 for industrial uses and is zoned for
9 manufacturing. It's home to the City's vibrant
10 food distribution center and also has other uses
11 like waste water treatment plants, oil
12 distributors and freight and inter-modal uses. As
13 we were doing the South Bronx Greenway plan, we
14 discovered that to be effective and realistic,
15 waterfront access needed to be targeted and well
16 connected to planned and existing recreational
17 spaces. One of the biggest opportunities for the
18 South Bronx was a direct and easily accessible
19 connection to Randall's Island, a 400-acre
20 recreational resources, just a few yards over the
21 Bronx Kill, something that you can walk across
22 during low tide. It's not the first time this
23 connection has been proposed. Plans and funding
24 have come and gone for this, however now we are
25

2 poised to finally execute it. The challenge with
3 access to the island are the industrial
4 transportation uses that predominate the southern
5 tip of the Bronx. After analysis of the options,
6 the proposed location of the project is 132nd
7 Street and the Amtrak Trestle. It's sandwiched
8 between the Harlem River Yards and the Post's
9 printing plant. The pathway would run at grade
10 underneath the Northeast corridor line, an area
11 where future development would be restricted.
12 It's a straightforward plan from a construction
13 perspective-- simple lighting, paving, planting
14 and security improvements. In order to get over
15 the Bronx Kill we will build a bridge that will be
16 located in the same location as two existing ConEd
17 feeder lines that you can see in this photograph,
18 which some people already informally use as a
19 bridge to Randall's Island. We coordinated our
20 project with ConEd, and we learned that ConEd
21 would be installing three new feeder lines at this
22 location in order to help DEP beat its electrical
23 needs in part for consent order required at their
24 Lord's Island waste water treatment plant. We've
25 been able to partner with ConEd to integrate the

2 construction of the bridge into their design. The
3 new bridge and the new feeder lines will be about
4 two feet higher than the existing feeder lines;
5 they'll be above them, in part in response to
6 concerns that the new project not interfere with
7 kayaking and canoeing through the Bronx Kill at
8 high tide. This is a rendering of the new bridge.
9 The land for the connector is not currently owned
10 by the City. This is part of the Harlem River
11 Yards, a tenant of State DOT's, who has a 99-year
12 lease for the facility. In order to implement
13 this project, we must get an easement from Harlem
14 River Yard. Council Members, before you today is
15 a site selection and acquisition action for the
16 ULURP. The site selection is required to spend
17 City funds, and the acquisition action is needed
18 for the three easements that we'll need from
19 Harlem River Yards, State DOT and New York State
20 Office of General Services. This item got
21 unanimous approval from Bronx Community Board 1,
22 and Manhattan Community Board 11. Both borough
23 presidents approved it, as did the City Planning
24 Commission. Thank you very much.

25 CHAIRPERSON LAPPIN: I have a

1
2 couple of questions, but I wanted to first turn to
3 Councilwoman Arroyo.

4 COUNCIL MEMBER ARROYO: Thank you,
5 Madam Chair and thank you all for your patience;
6 it's been a long day already. We figured we'd be
7 doing this a lot earlier today. I am one of the
8 Chair Leaders for this project. Last week my
9 office was back and forth with EDC whether you
10 were to bring other people who were supporting
11 this project to convince me. You don't need to do
12 that, but there are some concessions or some
13 concerns that need to be raised. And I'm not sure
14 that they're technically related to the
15 application before us, but nevertheless, they are
16 a real issue in the community. First and
17 foremost, the existing conduit, which I'm not sure
18 you have an image that you can bring on these
19 concrete whatever they are, have wires running
20 through them that provide for power to parts of
21 Manhattan, Randall's Island, and impede the
22 navigability of the waterway there. And the
23 community has, for quite some time, I've only been
24 in office for four years but I know for longer
25 than that, has been trying to raise the issue of

1 what could happen or what possibilities can be
2 created with raising these conduits in order to
3 enable free access to the water. And there's also
4 an opinion that they're illegal. Illegal, the
5 height of these two existing structures are
6 illegal. We were promised a letter from the Army
7 Corps of Engineer that grandfathered these
8 existing conduits, and I've yet to see that
9 letter. That's the first thing. And that was the
10 result of a meeting that was held Thursday
11 morning, here in the Members lounge, with Council
12 Member Viverito and some community folks. So I'm
13 still waiting for that letter to help me
14 understand the status of these existing conduits,
15 and I know that it's not related to the
16 application, but since we're having the
17 discussion, I think it's prudent for us to clarify
18 this. Because my concern about approving this
19 project is if in the future the community
20 organizes and files legal action against
21 ConEdison, whoever, EDC, the City, and we get back
22 a position from the Court that they are indeed
23 illegal and they have to be raised, what's the
24 sense in us approving this application if it's in
25

1
2 danger, the project in the future, of being
3 delayed or not being able to be carried out at
4 all? Is there a legal opinion from the City about
5 the status of these conduits and whether they are
6 legal or not and what is the legal implication for
7 us if they're found to be illegal?

8 ALYSSA KONON: Just in response to-
9 - my impression from the conversation last week
10 was that ConEd was being asked to provide a copy
11 of their Army Corps permit for the new project.
12 So I don't-- and maybe I'm misunderstanding that.
13 I think that is what they-- I didn't look at what-
14 -

15 COUNCIL MEMBER ARROYO:

16 [Interposing] That is-- yeah.

17 ALYSSA KONON: [Interposing] That's
18 what they're saying. Right.

19 COUNCIL MEMBER ARROYO: There's a
20 one-page letter that speaks only to the current,
21 to this proposed-- the three new conduits that are
22 being joined in this application. So, I think
23 just to be practical, I'm not sure, and you can't
24 answer for me whether at some point we can
25 potentially face legal action because there is an

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2 opinion rendered by the Court or wherever the
3 experts are, that can tell us whether these
4 conduits, existing conduits are legal. And we're
5 proposing to build a structure over them that will
6 inevitably be compromised if it's found that these
7 are illegal and the navigability is compromised
8 and we're not providing the public the access to
9 the water as stated by whatever federal regulation
10 or law is being cited makes these illegal.

11 ALYSSA KONON: I mean I'm not--

12 COUNCIL MEMBER ARROYO:

13 [Interposing] Have you--

14 ALYSSA KONON: [Interposing] Go
15 ahead.

16 COUNCIL MEMBER ARROYO: Have you
17 done that analysis on whether or not-- so that we
18 can put that argument to rest?

19 ALYSSA KONON: Whether ConEd's
20 existing feeder lines are legal?

21 COUNCIL MEMBER ARROYO: Are legal.

22 ALYSSA KONON: I'm not an attorney
23 and I have not asked for that opinion, but I have
24 no reason to believe that they're illegal.

25 COUNCIL MEMBER ARROYO: Okay, so

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you know, I'm usually really patient.

ALYSSA KONON: Yeah.

COUNCIL MEMBER ARROYO: With this Land Use process. Lord knows I've had more than my share of having to negotiate out complicated projects. This is a very simple question. And in my mind, the City should have taken the time to have that question clarified before me, as one of the members who this project affects, the community I represent, and those who are making the assumption or making the statement that they're illegal. I don't understand why that question has still not been answered today. So let's do this--

ALYSSA KONON: [Interposing] I'm sorry if I misunderstood--

COUNCIL MEMBER ARROYO: [Interposing] I don't want to get into a back and forth with you.

ALYSSA KONON: Yeah.

COUNCIL MEMBER ARROYO: We're not voting this project out today.

ALYSSA KONON: Right.

COUNCIL MEMBER ARROYO: It gives us

1
2 some time. I certainly hope that this public
3 discussion raises the urgency on the need to
4 answer that question. That's because for me, as a
5 member of this Committee, but who happens to
6 represent the district, one of the districts
7 affected by it, I want to make a decision that is
8 sensible and doesn't put us in a position where
9 we're going to have to spend taxpayer money to
10 construct something we want to see happen in the
11 community-- because we do want it. The Point,
12 Sustainable South Bronx, the Hunts Point
13 Community, have worked really, really hard on
14 making sure this Greenway gets completed and the
15 connector is the next logical thing that has to
16 happen. But if we're going to do it and have to
17 confront the issue of some legal-- some lawsuit
18 that forces us to tear it down because these
19 connectors or these conduits are illegal, I really
20 don't see the sense in that. So I would like to
21 have that question answered. We're not going to
22 vote out today. I think we have up until 9:45
23 tomorrow. We're going to lay over the vote.
24 Hopefully this public conversation will raise the
25 level of urgency on answering that question. I

2 don't think that's unreasonable. What we were
3 promised was a letter that substantiates
4 ConEdison's position that these are legal, so that
5 we can get over it and past that conversation and
6 move on to a different level of conversation. If
7 what ConEdison is saying is true, then we go on to
8 the next level of conversation. But I certainly
9 hope that we can have that question answered by
10 tomorrow.

11 ALYSSA KONON: We'll do our best,
12 and yeah, we will speak to ConEd about it. In
13 terms of the actual project that we're building,
14 we are not-- the new bridge will not be integrated
15 into the existing conduits, it will be above it.
16 So the application that's before you is about a
17 project that doesn't--

18 COUNCIL MEMBER ARROYO:

19 [Interposing] I know. Yes.

20 ALYSSA KONON: It's in the same
21 location, but it's not on top.

22 COUNCIL MEMBER ARROYO: I

23 understand that, but here's the issue. If in the
24 future there's work needed to be done on this, it
25 compromises the structure or the project that we

1
2 are talking about-- is involved in the application
3 that's before us. And I know that the application
4 does not deal with the issue of whether this is
5 legal or not. My concern is that because there's
6 a potential for future legal action around this
7 issue, where is this prudence in us approving
8 something that could in the future have to be torn
9 down because ConEdison is going to have to come,
10 by court order, remove these and make them higher.
11 I just want an answer to that question. The
12 discussions with ConEd have not led to any real
13 clarification on the issue. My understanding is
14 what we were promised was a letter from the Army
15 Corps of Engineers, that substantiates ConEdison's
16 claim that they are grandfathered in and therefore
17 they really don't have to act or do anything with
18 them. And the hope is that ConEdison will
19 understand that just as a matter of good public
20 policy and good will that they work with the
21 community in order to address that. This
22 application, although unintentional, has brought
23 that conversation to the surface. And again, I
24 say I would love to see this project happen,
25 because it helps us bring the next level of

1
2 completion to the South Bronx Greenway, and it is
3 a project that the community has worked on for a
4 very long time, and one that makes a great deal of
5 sense. And without these two things there, we're
6 ready to celebrate and have a party, because it's
7 finally going to come to fruition. So, I noticed
8 that our Chair stepped away, and I think she asked
9 me to Chair in her absence. There is no conflict
10 of interest in that. But Council Member Viverito
11 has a question.

12 COUNCIL MEMBER MARK-VIVERITO:

13 Thank you. You know, I've got to say I'm a little
14 bit amazed that that, you know, that hasn't even
15 been explored. Here we're talking about New York
16 City. We're talking about a major project. The
17 contention of whether or not these conduits are
18 legal is not something that is new. It's
19 something that's been part of the discussion and
20 the debate for many years. The fact that EDC
21 would not explore the option or the, you know, the
22 scenario of, okay, if there is a legal
23 determination in the future that in fact these
24 conduits are illegal, you building something on
25 top of them, you know, compromises the ability to

1
2 have access to these conduits and make any sort of
3 changes that you would have to make. So I mean,
4 I'm just really amazed that that level of analysis
5 has not been conducted or that you have not sought
6 legal advice as to whether or not, you know,
7 that's a scenario that potentially could be
8 something that happens in the future and what
9 would be an alternative site. You know, that's
10 another question that I have, is like, what is the
11 particular need-- just curious, this is just
12 curious, to have that pathway right above these
13 existing conduits as opposed to maybe to the side
14 or on the other side of it, in case down the line
15 that's to happen. Because ConEd, when we met with
16 them, kept saying to us, well we were approached
17 by the City; this is not something that we're
18 proposing with regards to these feeder lines and
19 that we were asked by EDC to come into this. I
20 mean that's the way they presented it. You were
21 at the meeting. That's the way they presented it.
22 They're not an applicant. They're not one of the
23 co-applicants on this. It's strictly Parks, EDC--
24 you know, the City. So, if you could address that
25 a little bit with regards to the need for that to

1
2 be right above these existing conduits.

3 ALYSSA KONON: The land uses in the
4 Southern Bronx there, the Harlem River-- I don't
5 know if you can see it on the aerial, Harlem River
6 Yards, there's a freight rail line.

7 COUNCIL MEMBER MARK-VIVERITO: Yes.

8 ALYSSA KONON: Well Harlem River
9 Yards of course is intended to be an inter-modal
10 freight rail facility. And then there's a freight
11 rail line that comes along the coast here and then
12 goes north, which serves Hunts Point. And in
13 order to get across to Randall's Island in any
14 other location-- the easy answer is in order to
15 get to Randall's Island at any other location, you
16 would have to build a very high bridge to go over
17 the train tracks in order to provide the clearance
18 for those trains. So that's the reason that-- I
19 mean that's one of the major reasons, and that's a
20 multi-million dollar project to do that.

21 COUNCIL MEMBER MARK-VIVERITO:

22 Okay.

23 ALYSSA KONON: There is pedestrian
24 access on the Triborough Bridge, which is you go
25 up on the bridge, but it's very-- I think most

1
2 people comment that it doesn't make you feel safe.

3 COUNCIL MEMBER MARK-VIVERITO:

4 Right.

5 ALYSSA KONON: It's not a very
6 enjoyable experience.

7 [Pause]

8 KATE VAN TASSEL: It's my
9 understanding that the Triborough Bridge is not
10 ADA compliant, which is the reason for doing this
11 pathway.

12 COUNCIL MEMBER MARK-VIVERITO: Also
13 yeah, if you can identify yourself as well,
14 because we don't--

15 KATE VAN TASSEL: [Interposing]
16 Sorry. My name is Kate Van Tassel. I also work
17 at EDC.

18 COUNCIL MEMBER MARK-VIVERITO:
19 Okay. So obviously the compliance, ADA compliance
20 is one aspect, the expense you're talking about.
21 Okay, so--

22 ALYSSA KONON: [Interposing] And
23 also I mean to be able to be ADA complaint from
24 132nd Street and then reach up over the train
25 tracks, you'd have to have a ramp that went back

2 on to, for example, St. Ann's Avenue has been
3 proposed as a location in the past. So there's
4 also sort of like is there the space to do it on
5 any other location. Also--

6 COUNCIL MEMBER MARK-VIVERITO:

7 [Interposing] And it couldn't have been, I mean I
8 see that it's not exactly that wide, but it
9 couldn't have just been under this trestle, maybe
10 moved to one side or the other?

11 ALYSSA KONON: Directly to your

12 left, in fact part of the project will be
13 negotiating with the Post to move their fence
14 about ten feet to the left. And then as you see
15 on the right here, there's an embankment that
16 comes up. And right there, those are the freight
17 rail lines that go up to Hunts Point. And this
18 location is actually one that the community has
19 advocated for, underneath this trestle.

20 COUNCIL MEMBER MARK-VIVERITO:

21 Probably the shortest in all that, probably, or
22 some of it.

23 ALYSSA KONON: Yeah. And maybe

24 because the ConEd conduits are there, that people
25 kind of use it already.

2 COUNCIL MEMBER MARK-VIVERITO: And
3 speaking-- I also wanted to get an understanding
4 of the lines that are going to be run. Okay,
5 because I guess the way I'm kind of visualizing it
6 is that in some ways they're going to be either
7 underneath the path-- I don't know how you're
8 running the lines, with-- because of the new lines
9 that are going to be run on ConEd. Where are
10 they going to be? How are they going to be run?

11 ALYSSA KONON: Actually, I'm going
12 to have Kate answer that, but I believe they'll be
13 attached to the bridge structure, and they'll be
14 above the two existing-- is that what you were
15 trying to ask? Yeah.

16 COUNCIL MEMBER MARK-VIVERITO:
17 Right. So it's going to be like underneath the
18 pathway that you're creating in some way.

19 ALYSSA KONON: Yes. Yes.

20 COUNCIL MEMBER MARK-VIVERITO: Now
21 I am assuming that at some point those lines are
22 going into the ground, either on the Randall's
23 Island side or on the Bronx side?

24 ALYSSA KONON: Yes. Sorry.

25 COUNCIL MEMBER MARK-VIVERITO: So

I'm assuming these lines are underground as well. What would-- I mean I'm just-- again, just laying out different scenarios. If the lines are already underground, if you're going to be digging underground to put in the other ones-- you're dealing with power lines as it is. I mean what would it take to get rid of that cement, and raise the other lines, and stick them under the pathway?

ALYSSA KONON: I think that's one of the things that your colleague, Council Member Arroyo asked ConEd to address, and I think they have said that they'll come back in mid-March with answers to questions about whether it would be feasible to remove the existing feeder lines.

COUNCIL MEMBER MARK-VIVERITO: It's not removing them. I'm not talking about removing them. You know, you have to dig into the ground as it is-- the new lines have to go under the ground on either side. These lines are already underground on either side, so you're basically saying about raising the lines to what the new lines are going to be and just get rid of the cement. I mean, because they're running-- the lines are running through those, correct?

2 ALYSSA KONON: Oh, you're saying
3 sort of five lines in a row.

4 COUNCIL MEMBER MARK-VIVERITO:

5 Right. I mean again, these are scenarios that I'm
6 wondering if were ever explored, considering the
7 arguments that the community has had about the
8 navigability, the trespass, you know, that they
9 can't pass the Bronx Kill with these lines and the
10 fact that EDC, again, if we are to be sued as a
11 City and it is determined that in fact they are
12 illegal and you have to raise them, what are the
13 cost implications of something-- you've already
14 built a pathway, you know, the cost implications
15 of that. So, I mean again, if you need to go back
16 and get that info, I'm really again amazed that at
17 this discussion with regards to New York City as
18 advanced as we are, that these scenarios weren't
19 explored is really beyond me. I'll be honest with
20 you, it really is.

21 ALYSSA KONON: The answer on the
22 cost, that's something that really ConEd needs to
23 answer and that's something that they're going to
24 come back--

25 COUNCIL MEMBER MARK-VIVERITO:

1 [Interposing] How much is the pathway costing us?

2 ALYSSA KONON: The pathway is about
3 \$3.5 million budget.
4

5 COUNCIL MEMBER MARK-VIVERITO: And
6 what's the timeline? Like what are you
7 projecting? When do you want to start and how
8 long is it going to take?

9 ALYSSA KONON: So there are two
10 pieces to the project right now. One of the
11 pieces is working with ConEd, because they're
12 under consent order to put in the three new feeder
13 lines, so they're on a very tight deadline. And
14 so that part of it will be built in tandem with
15 the bridge, and ConEd will be doing that work, and
16 the City will reimburse them for the costs that
17 are associated just with the bridge for the
18 pedestrian bridge. And then the second part of it
19 is the pathway upland, which we expect--

20 COUNCIL MEMBER MARK-VIVERITO:
21 [Interposing] Hold on a second. You just said
22 that you're paying back; the City is paying back
23 ConEd.

24 ALYSSA KONON: For the pedestrian
25 bridge--

2 COUNCIL MEMBER MARK-VIVERITO:

3 [Interposing] Why don't you apply that money to--
4 how much is that?

5 ALYSSA KONON: It's about a million
6 dollars? It's for the cost of the bridge, this
7 bridge right here. This is something ConEd
8 doesn't need to install. This is the part that we
9 would-- the City would be installing.

10 COUNCIL MEMBER MARK-VIVERITO:

11 Understood. Okay, I'm confused. You're saying
12 that ConEd--

13 ALYSSA KONON: [Interposing] I'm
14 sorry.

15 COUNCIL MEMBER MARK-VIVERITO: --is
16 under consent order to have to install three
17 additional lines.

18 ALYSSA KONON: Feeder lines.

19 COUNCIL MEMBER MARK-VIVERITO: They
20 have to install it.

21 ALYSSA KONON: Right.

22 COUNCIL MEMBER MARK-VIVERITO:
23 There's a mandate. Why are we paying them money
24 back?

25 ALYSSA KONON: No, it's not for the

1 feeder lines; it's for the bridge, the cost of the
 2 bridge. They're putting in the feeder lines and
 3 the bridge at the same time, which allows the City
 4 to go ahead and have the bridge put in. If we did
 5 it later, if we put the three line-- if we put the
 6 bridge in later, we'll probably kill the project,
 7 because we'd have to go in and pay Con Ed to turn
 8 off the power for all those feeder lines in order
 9 to install the bridge. And so, in which case, you
 10 know that's millions of dollars. It's about-- I
 11 don't remember what it is, but it's like \$20,000 a
 12 day for each line.
 13

14 COUNCIL MEMBER MARK-VIVERITO:

15 Okay. So then \$3.5 million additional to that, a
 16 million dollars towards ConEd, or is that included
 17 in the 3.5?

18 ALYSSA KONON: Yes.

19 COUNCIL MEMBER MARK-VIVERITO: And
 20 what's the timeline?

21 ALYSSA KONON: And so that part of
 22 it, because we need these easements from Harlem
 23 River Yard and state DOT, that piece of it will--
 24 the construction we anticipate starting next year
 25 so the entire pathway would be open in 2011.

2 COUNCIL MEMBER MARK-VIVERITO: All
3 right, but when do you hope to like, break ground,
4 start-- I'm just trying to get a sense? This year
5 or next year?

6 ALYSSA KONON: 2010 is when the
7 City anticipates breaking ground for the pathway.

8 COUNCIL MEMBER MARK-VIVERITO:
9 Okay. So then the question finally would be that
10 if between now and before you break ground there
11 is a legal determination that those lines,
12 existing lines are illegal, what scenarios are you
13 looking at and exploring? What would the City
14 have to do? You would have to basically revisit
15 this, no?

16 ALYSSA KONON: Yes. I think we
17 would have to revisit it, but I think it would be--
18 - I don't know of another location to put the
19 bridge, which is kind of what I think you were
20 asking. I think it would really depend on what
21 the costs were associated with removing, if it was
22 illegal, the conduits.

23 COUNCIL MEMBER MARK-VIVERITO: And
24 again, unfortunately we cannot have that
25 conversation because EDC has not explored that

option.

ALYSSA KONON: I think the removal of conduits is really something ConEd needs to give us some sense of what that entails and what the cost would be.

COUNCIL MEMBER MARK-VIVERITO: Yes. But, it does not preclude the City to explore that option because we are building something and investing money and capital, you know, into something. I would think that it would have been smart to look at whether or not if there is any-- you know, anything that could impact this project; once it's built, even before it's built, you know, all those different scenarios to explore I think is part of an application, I would think; or part of any capital infrastructure, you know, that anything that's being built. So again, if you could get us some of that information, we would appreciate it. I think what's been said is clear, that the community is very much, you know, in line with the access. And we wanted to talk about the launches as well, with regards to some commitments from the City's part. But I just wanted to also add, one of the things that we were discussing

1
2 earlier is that you all met individually with my
3 colleague, Arroyo; you all met individually with
4 me. And in our conversations, I think we're
5 reasonable people. We're very committed to our
6 communities, very committed to working
7 collaboratively-- at least that's the way I work.
8 But there was never any indication or sharing of
9 information on the part of the City that this was
10 in fact an item that could be called up or that we
11 could have some level of oversight on. It was
12 kind of always presented, at least our thinking
13 was, that it was presented as an as-of-right
14 things, that this was going to happen, that it was
15 moving forward and that we really did not have
16 much of an oversight role in this. So, it came to
17 a surprise to us when we found out that it was an
18 item that could be called up. And I think for the
19 sake of working collaboratively and, you know,
20 cooperatively, that a sense of being more open and
21 honest in discussions and dialogues would really
22 go a long way. So having said that, thank you.

23 CHAIRPERSON LAPPIN: I'm going to
24 interject, and I'm going to apologize. The
25 Housing and Buildings Committee is having a

1 hearing on, and a vote, on one of my bills today.
2 So that's why you're going to see me going back
3 and forth a little bit. But I wanted to just
4 interject and say that, you know, the plan here
5 for the Greenway and the South Bronx is a really
6 fantastic plan and something that I know my
7 colleagues are very excited about and committed to
8 and have worked a very long time to move forward.
9 And I can't say that, but when I looked at it,
10 it's pretty exciting, and it will be a wonderful
11 way to open up the waterfront and create more
12 green space in a community that desperately needs
13 it. So, you know, my sense-- certainly for where
14 I'm coming from and I think where both of my
15 colleagues here are coming from is a desire to
16 have that move forward and to have that move
17 forward quickly, as Councilwoman Arroyo, I think
18 that was the first thing you said today at the
19 hearing. But I wanted to just shift gears
20 slightly and talk about the waterfront access
21 that's involved with this project as part of the
22 overall plan, and making the waterfront more
23 accessible to the community is very important to
24 me, and I know there has been discussion about how
25

1
2 that would be implemented, how and where and how
3 many landings there would be and launch sites for
4 the community. And so I hope-- can we talk about
5 that for a couple minutes?

6 ALYSSA KONON: On the Bronx side,
7 I'm going to answer the question on the Bronx side
8 and then Joshua Laird from Parks Department will
9 answer the questions on Randall's Island and
10 expound on anything in the Bronx. This shows you
11 the overview of the South Bronx Greenway Plan, for
12 those of you who don't have it in front of you.
13 The green represented the landside greenway
14 improvements. The blue represents waterfront
15 access or waterfront landings. As it relates to
16 the immediate community that we're talking about
17 where the Randall's Island connector is, in that
18 bottom left hand corner of your screen, we have
19 two long-term suggestions for boat launches, at
20 the foot of 132nd and 134th Street, which right
21 now have security constraints; it's right next to
22 a NYPA plant, and--

23 [Pause]

24 ALYSSA KONON: NYPA? Oh, New York
25 Power Authority. Sorry. And then in the last, I

2 guess two years or three years, Joshua? Parks
3 Department has constructed two new landings in the
4 South Bronx at Barretto Point Park and Riverside
5 Park. And this year-- construction documents
6 right now-- we'll be breaking ground at Hunts
7 Point Landing, which is at the southernmost tip of
8 Hunts Point and the Bronx River, and there will
9 also be a boat landing at Hunts Point Landing.

10 CHAIRPERSON LAPPIN: And what
11 about-- and maybe I'll-- let's talk about the
12 other piece and then we'll come back to questions.

13 JOSHUA LAIRD: Hi, good afternoon.
14 I'm Joshua Laird, Assistant Commissioner for
15 Planning at the Parks Department. So Alyssa is
16 correct about the new sites at Barretto Point Park
17 and Hunts Point, Riverside Park. The Parks
18 Department has been on a building binge of opening
19 up waterfront sites around the City for kayaking
20 access. Two years ago I think we had 13 sites
21 citywide, which had been pretty much the number
22 for years before that. Since we announced the
23 creation of the New York Water Trail, in
24 partnership with a number of different advocacy
25 groups, we've upped that number to 28 sites. We

1 had upped it to 28 sites by last year; we'll be up
2 to 39 sites by the end of this year. So a lot
3 more access around the City, specifically on the
4 Harlem River, there are potential sites at Bridge
5 Park, which is up north towards the Highbridge.
6 At Roberto Clemente State Park there's an existing
7 launch at Sherman Creek on the Manhattan side of
8 the Harlem River. So, I mean we're very
9 sympathetic to the notion of the benefits of
10 opening up access along the Bronx Kill, creating a
11 connection from the Harlem River around to the
12 East River and the Long Island Sound. We're also
13 in construction right now on a launch site at
14 Soundview Park. So that's just another access
15 point in the area. So we're very sympathetic to
16 the benefits of opening up that connection and not
17 sending kayakers around through Hell Gate on the
18 South Side of Ward's Island.

20 CHAIRPERSON LAPPIN: That's great.
21 I'm glad to hear that you are on a binge. Because
22 I think we have a suggestion that could enhance
23 your overall plan that does relate to this
24 project. Councilwoman Arroyo?

25 COUNCIL MEMBER ARROYO: Thank you,

1
2 Madam Chair. There's a thought that by adding a
3 launch site on the Bronx side of the water-- but
4 it's right off this map. We can't see it.

5 COUNCIL MEMBER MARK-VIVERITO: No,
6 it's further off, west and north.

7 COUNCIL MEMBER ARROYO: It's just
8 beyond the-- Metro North-- I can't see it there
9 either.

10 ALYSSA KONON: Metro North Bridge?

11 [Pause]

12 COUNCIL MEMBER ARROYO: It's
13 further west and probably looping up north on the
14 Harlem River. Are you familiar with the site that
15 has been recommended for a launch site?

16 JOSHUA LAIRD: I'm sorry, that's
17 the Park Avenue Street End. Yes, we're familiar
18 with it.

19 COUNCIL MEMBER ARROYO: And why not
20 one there?

21 JOSHUA LAIRD: That could very
22 possibly be a site that is not a site that the
23 City owns, it's owned by State DOT, so it's not
24 within our power to deliver a launch on that site,
25 but it could be a good location for it.

2 COUNCIL MEMBER ARROYO: And how
3 hard are you willing to work to make that happen?

4 JOSHUA LAIRD: Well again, the site
5 is not in City ownership; it's in state ownership.
6 It would be up to them.

7 COUNCIL MEMBER ARROYO: I remember
8 before this committee we handled the application
9 for the siting of the sewer treatment plant
10 upgrade in Hunts Point. And there were a lot of
11 issues that the Parks Department was very
12 instrumental in getting us resolved. One of them
13 was a permit for the floating pool. That was a
14 state issue, but because of the advocacy of the
15 City Parks Department, the rest is history. We
16 have the floating pool lady in Barretto Point
17 Park. So I think it's important that we make a
18 serious commitment around getting an additional
19 launch site on the Bronx side of the Bronx Kill,
20 to facilitate the access to the water. You may be
21 tired of hearing this, but there are educational
22 programs that are provided in mine and Council
23 Member Mark-Viverito's district, that today have
24 to launch kayaks and canoes illegally or unsafely
25 because there is no appropriate site for that

1
2 launching to occur. And the educational benefit
3 that these programs provide our constituents, the
4 children in our communities, can only be I think
5 priced in generations to come, because these
6 little people grow up learning things that they
7 otherwise would not have an opportunity to learn,
8 because these programs are available and need the
9 resources and access to that water, so that these
10 activities can be done safely and without concern
11 for some legal liability or the police coming to
12 arrest people because they're on land they're not
13 supposed to be on. So if we get nothing else out
14 of this project, we need to get a commitment from
15 the City to make a safe launch site on the Bronx
16 side of this waterway possible.

17 CHAIRPERSON LAPPIN: I want to add
18 my voice as Chair, because I think you've already
19 said it very eloquently, but when there are
20 complicated sites with other agencies that you
21 guys care about moving forward, you find a way.
22 And so, when it's something that we care about,
23 you should also be committed to finding a way,
24 because we work with you an awful lot when there
25 are complicated issues. So I think it's fair to

1
2 ask, more than fair to ask that you work with us,
3 and specifically with Councilwoman Arroyo and
4 Viverito, because it's important. It's important
5 to provide greater access to the waterfront and to
6 continue to help educate these children and build
7 an appreciation in them for nature and for
8 preservation and for recreation and for
9 conservation. So, I wanted to iterate that as
10 well.

11 COUNCIL MEMBER MARK-VIVERITO:

12 Madam Chair also when we had our meeting on
13 Thursday, we clearly spoke, clearly spoke about
14 the launch sites on both the Randall's Island and
15 the Bronx, and that we wanted you to come back to
16 us with some sort of a cost assessment and also,
17 you know, a commitment to really working on that;
18 and we've heard nothing. So have you done that
19 analysis?

20 JOSHUA LAIRD: We're not in a
21 position to sort of guarantee or predict a launch
22 site on the Bronx Kill right now, although we see
23 the value of it and we'd love to do it and would
24 certainly open up sites on Randall's Island, any
25 site that makes sense for it. You know, the

1
2 difference between a project like the floating
3 pool and what we're talking about here is we were
4 advocating for a regulatory permit from a state
5 agency to do a project on land we already
6 controlled. There are some, you know, real
7 logistical issues with siting launch sites on the
8 Bronx Kill between Randall's Island and the Bronx
9 shoreline, including ownership of land on the
10 Bronx side, the condition of the shoreline on both
11 sides, the conditions of the water itself and
12 finding a location that wouldn't require
13 potentially disrupting wetland plantings on the
14 shoreline or even dredging to get to it. You
15 know, it's a fairly silted in waterway. It isn't
16 even passable at a number of hours of the day.

17 COUNCIL MEMBER MARK-VIVERITO: You
18 disrupted wetlands on Randall's Island.

19 JOSHUA LAIRD: Sure we--

20 COUNCIL MEMBER MARK-VIVERITO:
21 [Interposing] So it's convenient it's okay, but
22 when it's, you know, in other cases when you don't
23 want to be cooperative it's more of a headache.

24 JOSHUA LAIRD: No--

25 COUNCIL MEMBER MARK-VIVERITO:

1 [Interposing] That's what it sounds like to me.

2 JOSHUA LAIRD: No. I'm saying that
3 we would be willing to open up sites on the
4 Randall side of the-- on our property on the Bronx
5 Kill. There are some logistical issues that make
6 it difficult for me to guarantee today how that
7 could happen, when that could happen or how much
8 it might cost to make that happen.

9 COUNCIL MEMBER MARK-VIVERITO: Did
10 you just mention before that you were aware of
11 conversations about wanting the Park Avenue side
12 as a possible launch site?

13 JOSHUA LAIRD: Sure.

14 COUNCIL MEMBER MARK-VIVERITO: So
15 that's been a conversation that's happened,
16 probably for years, so has there been any level of
17 analysis or assessment on Parks' side with regards
18 to making that a reality?

19 JOSHUA LAIRD: Yes. Two levels.

20 COUNCIL MEMBER MARK-VIVERITO:
21 Okay, so can we see that analysis?

22 JOSHUA LAIRD: Well I can describe
23 it for you. I don't think we have a document that
24 describes it. The number one thing is that it's
25

2 not our property; it belongs to the state, so it's
3 not our property to determine what happens with
4 it. Second is that it's a small property that is
5 isolated from any other parks in the area,
6 isolated from an adjoining residential community,
7 isolated from any of our operations in the area
8 and, as the groups that have advocated for that
9 site know, we've expressed concerns about how that
10 site could be opened as a publicly accessible open
11 space without improvements, broader improvements
12 in access from the community, and without some
13 provisions put in place for maintaining it
14 properly, with resources that our agency just
15 doesn't have at the moment, especially since we
16 have no other operations in the area, and making
17 sure people are safe. So it does have potential,
18 and it's been used informally already; we know
19 that. You know, it starts off though with the
20 fact that it's not our property.

21 COUNCIL MEMBER MARK-VIVERITO:

22 Again, I just want to say though as expressed by
23 the chair and by my colleague that at times when
24 we've been most cooperative with City agencies on
25 things that they find of ultimate importance--

2 this is obviously, I think the request is one that
3 is very reasonable. It's within the confines of
4 access the waterfront, it's within the confines of
5 PlaNYC, it's within the confines of making, you
6 know, educational opportunities for our children
7 to make them better citizens. I mean this is
8 something that I really think is a no-brainer in
9 terms of wanting to express a level of commitment,
10 strong commitment to making that a reality.

11 Access to the waterways on the Bronx side is very
12 important. So having said that, I think my
13 colleague, I don't know, Maria if you wanted to
14 follow up?

15 COUNCIL MEMBER ARROYO: I'm sorry.

16 The Chair had to step into the other room to
17 follow up on the items, or her legislation that's
18 before that committee. My understanding is that
19 we're not voting on that item today. We're going
20 to lay this vote over until tomorrow morning,
21 9:45, at which point we hope that we would have
22 had an opportunity to have further conversation
23 about some of the issues that remain, primarily
24 can we get a legal opinion on the position that
25 the existing conduits are illegal. For me

1
2 personally, that's one thing that I certainly
3 think if cleared up can get us to a point where we
4 can move forward with a great deal more clarity.
5 And for me not to approve a project that going to
6 somewhere in the future be in jeopardy is very
7 important as well. I think given the fiscal
8 situation that we're in, spending taxpayer money
9 that's just going to be dumped into the river, no
10 pun intended, is not a smart thing for us to do.
11 So I look forward to further conversation and hope
12 that by 9:45 tomorrow we'll be in a place where
13 we'll all okay with this. Thank you.

14 [Pause]

15 COUNCIL MEMBER ARROYO: Okay.
16 We're going to call up two panels of four
17 presenters. We are going to put you on a three-
18 minute clock. We're going to be evicted in about
19 ten minutes because there is a Committee scheduled
20 in this room at 1:00, in two minutes?

21 [Off Mic]

22 COUNCIL MEMBER ARROYO: At 2:00,
23 okay. Yeah, well. So when you come up, please
24 summarize your testimony, give us the real
25 powerful points, and if you hand handwritten

1 testimony for the record, that would be helpful.

2 So we're going to call up Roland Lewis,

3 Metropolitan Waterfront Alliance; Erica Johnson,

4 Sustainable South Bronx; Harry Bubbins, Friends of

5 Brook Park; Adam Liebowitz, The Point CDC.

6 Usually friends on the same side of an issue, I'm

7 not sure if you guys are in favor or against, it

8 doesn't indicate. Okay, yes. Okay. So as-- is

9 the Sergeant ready? Is there a Sergeant here?

10 Yeah, I'm sorry. There's a chair here and then

11 you can pull this one closer. State your name for

12 the record. Choose the order you'd like to

13 testify in and you may begin.

14 [Pause]

15 COUNCIL MEMBER ARROYO: No, Adam?

16 There's a chair here. All right.

17 [Pause]

18 COUNCIL MEMBER ARROYO: Please

19 choose the order. It's up to you. Name for the

20 record and please begin. Okay.

21 MATT KLINMAN: Hi, my name is Matt

22 Klinman. I'm speaking on behalf of Roland Lewis

23 for the Metropolitan Waterfront Alliance. Good

24 afternoon and thanks for the opportunity to submit

1
2 this testimony.

3 COUNCIL MEMBER ARROYO: Matt, I'm
4 sorry. Did you fill out one of these little
5 slips?

6 MATT KLINMAN: I was--

7 COUNCIL MEMBER ARROYO:
8 [Interposing] Before you leave, makes sure the
9 Sergeant receives one.

10 MATT KLINMAN: Will do.

11 COUNCIL MEMBER ARROYO: Thank you.

12 MATT KLINMAN: I apologize for
13 that.

14 COUNCIL MEMBER ARROYO: That's
15 okay.

16 MATT KLINMAN: So I'd just like to
17 start by saying that like many people here, we are
18 fully in support of the Greenway. We think this
19 is a wonderful initiative and this is great for
20 all parties involved. The Metropolitan Waterfront
21 Alliance represents a coalition of over 370
22 organizations working together to transform the
23 New York Harbor and its waterways into a world-
24 class resource for work, play, transit and
25 education. PlaNYC calls for I believe 90% of the

1 waterways in New York City to be suitable and
2 accessible for recreation. The Bronx Kill should
3 surely be one of them. It's a nearly forgotten
4 quiet stretch of water bordered by train track and
5 semi-active industrial sites on the Bronx side and
6 the Parks of Ward's Island on the south. It has
7 the potential to be one of the most viable
8 recreational waterways in the metropolitan area,
9 however there are currently two big problems with
10 it. One, you can't get to it legally in some
11 ways, and once there if you're able to get there,
12 to this wonderfully supposedly navigable waterway,
13 it is completely cut off by those cement covered
14 conduits, which ConEdison has in place. This
15 great natural resource is even more needed,
16 because it borders the South Bronx, which is home
17 to the poorest congressional district in the
18 nation, or one of them. This neighborhood, filled
19 with young people, is park and recreation starved
20 and needs access to the Bronx Kill. It seems that
21 in development projects of this sort in densely
22 urban areas such as this, there's often a notion
23 that there must be a choice made between siting
24 the utilitarian needs of the metropolis and
25

1
2 preserving the natural environment for the purpose
3 of recreation, environmental health. This is a
4 false notion and it must be rejected in projects
5 such as this. It is absolutely possible to
6 transform our City into one that both serves its
7 people and embraces its natural resources. In
8 summation, we really feel that ConEdison should be
9 held to task here and even aside from the fact
10 that it might be illegal that those conduits are
11 there, for the purposes of access to the
12 waterfront raising those conduits would be great
13 for many of our partner organizations as well as
14 the City as a whole. Thank you for the
15 opportunity to testify and I'd be happy to answer
16 any questions.

17 ERICA JOHNSON: Thank you for
18 giving me the opportunity to speak today. My name
19 is Erica Johnson and I'm the Active Living
20 Coordinator at Sustainable South Bronx.
21 Sustainable South Bronx promotes environmental
22 justice through innovative economically
23 sustainable projects that are informed by
24 community needs. We are one of the two community
25 partners on the South Bronx Greenway. An

2 important part of our mission is to increase
3 opportunity for outdoor activity in the
4 neighborhood. We support the development of the
5 Randall's Island Connector, which will offer South
6 Bronx neighborhoods much needed access to the
7 recreational resources on Randall's Island.

8 [Bell]

9 ERICA JOHNSON: Is that mine? I
10 was like, oh, my God. The South Bronx faces among
11 the highest rates of obesity, diabetes and asthma
12 in New York City. This is due in part to a lack
13 of parks and infrastructure for non-motorized
14 transportation, which limits opportunities for
15 residents to live active lifestyles. The
16 Randall's Island Connector project would allow
17 local residents to walk, run or cycle the soccer
18 fields, baseball diamonds, bike paths and other
19 facilities on the island. This would be a
20 critical step in improving health conditions in an
21 area of the City currently overburdened with
22 health hazards. The Randall's Island connector
23 project is part of the South Bronx Greenway Master
24 plan, which emerged from a community planning
25 process that involved a wide range of stakeholders

1
2 from South Bronx neighborhoods. Implementing the
3 project will then help demonstrate the City's
4 commitment to addressing the express needs of this
5 community; therefore Sustainable South Bronx
6 requests that this committee and the City Council
7 support the petition by the New York City
8 Department of Transportation, Department of Parks
9 and Recreation and Department of Citywide
10 Administrative Services to acquire the right to
11 develop a connection between South Bronx
12 neighborhoods and Randall's Island. Doing so
13 would promote the health of South Bronx residents
14 and affirm the City's commitment to improving
15 quality of life in local neighborhoods. Thank
16 you.

17 COUNCIL MEMBER ARROYO: Before you
18 begin, let the Sergeant reset the clock.

19 [Pause]

20 ADAM LIEBOWITZ: Hello, my name is
21 Adam Liebowitz. I'm speaking on behalf of the
22 Point Community Development Corporation in Hunts
23 Point. I will try to summarize some of the
24 points, because they've been said before. It
25 doesn't seem like there is too much argument about

1
2 the history of the Greenway plan, that it is a
3 community plan first and foremost, and that the
4 Randall's Island Connector is a very key, vital
5 part to that. Both the public health issues in
6 the area are well understood as is the benefits of
7 active living and clear that this is a project
8 that provides, you know, in multiples of tens or
9 hundreds, dozens, of additional open space that
10 would be available to residents of the South Bronx
11 on Randall's Island, that is now more or less
12 inaccessible. There is the Triborough Bridge, but
13 as was stated earlier, for many reason that isn't
14 a feasible option. For families it's difficult to
15 go up two stories, cross the bridge and then go
16 back down. Many parents won't allow their
17 children to do it by themselves because of safety
18 concerns. And then other options besides
19 Triborough, you either need a private car or you
20 need a tremendous amount of time to use public
21 transportation on a bus going through Manhattan.
22 So the access aspect of this is key. I have
23 written statements I've provided. I'm not
24 following them in the interest of time. I also
25 wanted to point out, this I will read; the

1
2 Randall's Island Connector has the chance to serve
3 a population much further reaching than the
4 borders of the Bronx or New York City. A grand
5 plan exists to create a continuous East Coast
6 Greenway, to run the length of the Eastern
7 Seaboard from Maine to Florida. The R.I.C. is a
8 significant connection in these plans, as it is a
9 link between the mainland and the Island of
10 Manhattan. The South Bronx Greenway connects in
11 the north to the Bronx River Greenway, and thus up
12 into Westchester County. And this R.I.C.
13 connector in the South will then link the Greenway
14 network of Manhattan and existing connections to
15 New Jersey and points further south, thus
16 fulfilling New York City's role in the greater
17 vision of the East Cost Greenway. Of course, as
18 with any project, a number of concerns must be
19 addressed as well. Safety is of the utmost
20 importance, and measures such as ample lighting
21 and emergency callbox, regular surveillance from
22 the local precinct and protective netting beneath
23 the Amtrak train trestle overhead should be
24 feature in this project. In addition, the same
25 vein that safe and accessible pathways on land are

important for the physical and mental health of residents, so too is the accessibility and navigability of our waterways. It would be hypocritical and counter to the intent and spirit of the South Bronx Greenway to invest in creating a new pedestrian bike pathway while at the same time ignoring another accessibility issue in the same location. As the R.I.C. project moves forward, all efforts should be made to raise the existing ConEd feeder lines at the same site, which currently restrict to a great extent the navigability of the Bronx Kill. This is a request that comes from the community, and one that we are in full support of. Just as the connector provides a link between two areas, the Bronx Kill is a water link between the Harlem River and Barretto Bay, two bodies of water that must also been seen as open space for recreation. In summary and in conclusion, for the benefit of South Bronx residents and all outdoors enthusiasts who will use it. We advocate strongly for the creation and swift completion of the Randall's Island connector.

[Pause]

2 ADAM LIEBOWITZ: I didn't make
3 enough copies.

4 COUNCIL MEMBER ARROYO: But if you
5 provide it, I think the Sergeant can make copies
6 for us.

7 HARRY BUBBINS: I'm Harry Bubbins,
8 Director of Friends of Brook Park, and we really
9 commend the Point especially, and Sustainable
10 South Bronx for their leadership on this, and we
11 definitely support the Greenway in its entirety
12 and the Randall's Island Connector, and this is
13 the logical pathway. The South Bronx Greenway
14 overall is a \$30 million project. So when we look
15 at the costs involved, we want to look overall at
16 the investment that's been going on. And as you
17 correctly pointed out, no one disputes the fact
18 that the existing conduits block navigability.
19 What I don't understand is how it got enmeshed,
20 the ConEd expansion got enmeshed in this bridge
21 project. And we did not see the side view of the
22 bridges and how the conduits are in there and the
23 existing conduits. And that would have been a
24 really good view to see really the level of
25 blockage that we're facing. It's one thing,

1 because federal monies have been involved from the
2 Federal Highway Transportation Act, the ConEd
3 consultant on that US Army Corps Engineer, Parsons
4 Brinckerhoff, in 2007 won the FHA Federal Highway
5 Administration's Excellence in Utility Relocation
6 and Accommodation Award. So these are things that
7 these people do all the time. One of our
8 consultants, just this morning, told us about two
9 cables just like this that were under the Harlem
10 River that had to be moved to accommodate the Home
11 Depot development in East Harlem. They just did
12 that at a cost of approximately a million dollars,
13 which indicates this project, to bury-- as was
14 correctly pointed out, would not cost more than a
15 half a million dollars as our consultant, with a
16 quick review of the existing thing that they just
17 moved, indicated. In court, the City has been to
18 court with Con Ed in the past, as recently as
19 1991, to compel ConEdison to pay for utility
20 moving, utility cable moving, for merely aesthetic
21 reasons alone. So it's not a question of EDC and
22 Parks needs to tell ConEd what to do. We don't
23 need to listen to what ConEd says. So, it's a
24 very different dynamic. And I'm excited that with
25

1
2 your pressure and Parks, EDC will be ready to do
3 that with them. The relevant guidelines on the
4 City, the New York City Waterfront Revitalization
5 Program says, to reduce potential navigation
6 hazards. At the state level, the Waterfront
7 Revitalization of Coastal Areas and Waterways says
8 to assure public access to public trust lands and
9 navigable waters. The Federal US Army Corps,
10 their mandate is to remove navigation obstacles.
11 And as you notice from that letter, we didn't see
12 any background materials. The Army Corps only
13 said, according to your consultant's papers. So
14 we believe that the DEC and US Army Corps are going
15 to be involved imminently. So as you correctly
16 indicated to EDC and Parks, it's imperative that
17 they get it right the first time. And that we
18 really hope that those related mitigations,
19 especially because ConEd's building a power plant
20 on the north side of Randall's Island right now,
21 on the park, so we're confident that they want to
22 give back to the community. Thanks a lot for this
23 hearing.

24 COUNCIL MEMBER ARROYO: Thank you
25 all for your testimony. I think one of the things

1
2 that we hear is that we want this connector to be
3 built, but. But. Okay, I'm going to extend my
4 apologies to Sid Sanchez, who is here representing
5 Congressman Serrano's Office. I didn't realize
6 that you were signed up to testify, otherwise I
7 would have given you the courtesy of coming up
8 first, so please come up.

9 SIDDHARTHA SANCHEZ: Thank you
10 Councilwoman. I just have a brief statement on
11 behalf of Congressman Serrano. Congressman Jose
12 Serrano has been a longstanding supporter of the
13 Randall's Island Connector. He has directed
14 federal funding to the Economic Development
15 Corporation to complete this project. He believes
16 that South Bronx neighborhoods should have a
17 direct accessible street-grade route to the
18 recreational amenities on Randall's Island.
19 Congressman Serrano also believes that the City
20 should explore any and all creative solutions to
21 the issue of small craft navigability along the
22 length of the Bronx Kill. The southwest quadrant
23 of Mr. Serrano's District holds great promise for
24 increased waterborne recreation. It would be
25 unfortunate if the construction of the land bridge

2 over the Bronx Kill, a project Mr. Serrano
3 supports, served to eliminate waterborne transit
4 along the Kill. Thank you again.

5 COUNCIL MEMBER ARROYO: Thank you.
6 Okay. The last panel.

7 [Pause]

8 COUNCIL MEMBER ARROYO: Oh,
9 Geoffrey Croft. I didn't understand the
10 handwriting. The New York City Parks Advocates.
11 Robert Jereski, Youth Program Environmental
12 Membership; Carol Zakaluk, who is a constituent of
13 Council Member Viverito's, and Rob Buchannan,
14 Village Community Boathouse, Pier 40, Manhattan.
15 As you guys have done this before, you know the
16 drill.

17 [Pause]

18 ROBERT JERESKI: I'll go first. My
19 name is Robert Jereski. I am a Green Team Leader,
20 a Green Team Captain with Friends of Brook Park.
21 And I served as the National Environment
22 Coordinator for Congressman Kucinich's
23 presidential campaign as well. I've navigated the
24 Bronx Kill a number of times. First of all I want
25 to say that the Greenway is excellent, really

1
2 important; I totally support it. And I just want
3 to underscore what has been said already, that
4 there are regulations for our waterways and that
5 this easement should be granted on the observation
6 of those regulations and you should exercise your
7 powers to tell ConEd what to do, and not to
8 jeopardize the long-term viability of the
9 Greenway. I also want to share with the Parks
10 Department official, but I think he's not here to
11 listen to stakeholders. I don't know if he--
12 okay. He'll get the message somehow. Okay, what
13 I wanted to share was that there has been
14 extensive community planning around the siting of
15 Parks, of the Park Avenue boat-launching site,
16 that the community addressed the concerns that he
17 had for safety and for access from the communities
18 to that waterfront. So it's not really fair to
19 discount what was the subject of an exhibit of the
20 local library and long-term involvement of the
21 schools and of planners in identifying that as the
22 appropriate site. So it's not fair that that has
23 been dropped from the 30 plus sites that the Parks
24 Department is looking at as viable. The last
25 point that I want to make is that this Greenway

1 and others across the City that our nation faces
2 the imminent danger of climate change, which
3 includes the waterways going up. I just want to
4 see-- I've got some time here. The rising sea
5 levels are caused by the heated oceans that expand
6 and take up more volume, and also by the icecaps
7 that are melting. The effects of that will soon
8 be felt by those feeder cables. But beyond that,
9 we should think about siting of these Greenways
10 because they are being approached by the rising
11 oceans. One way to be sensitive to that is the
12 materials that these Greenways are built out of.
13 Rainforests-- rainforests provide the Parks
14 Department, unfortunately I'm quite ashamed to say
15 that as a New Yorker, the Parks Department is
16 using rainforest wood to build Greenways, decking
17 in parks across the City. Deforestation has been
18 identified as 20% of the cause of climate change.
19 We could be supporting a local industry for
20 recycled plastic lumber that would last two times
21 as long, three times as long some people say, then
22 we wouldn't have the splinter lawsuits. We would
23 have, you know, we would be building a strong,
24 environmentally friendly and economically

1 sensitive parks infrastructure. Thank you.

2
3 ROB BUCHANNAN: Hi, I'm Rob
4 Buchannan. I'm here in two roles. One, I'm the
5 President of the Village Community Boathouse on
6 Pier 40 in Manhattan. We do community rowing for
7 schools and for adults in the community. The
8 other role is as a member of the organizing
9 committee of the New York City Water Trail
10 Association. And we are a citizen's group that is
11 in support of the Water Trail; I think you all
12 know what that is. And I think you all realize
13 the value of the Bronx Kill to that Water Trail in
14 that it connects the two halves of the Bronx, it
15 connects the Harlem to the East River. I think
16 we've been through that. I have a letter from the
17 Water Trail association, which is an umbrella
18 group of ten or so boating groups, which I think
19 you now have copies of, which expresses our
20 support for all of the reasons that we've been
21 through today. So I'd like to use the remainder
22 of my time to show you a couple of pictures and to
23 try and convey some idea of what it means to
24 navigationally block a waterway. So this is a
25 standard picture from the New York Times article

1 this fall, and I think you can see immediately how
2 low these conduits are. This is taken about an
3 hour and a half after high tide. So the water
4 level has already dropped there. So there is
5 very, very little room. On an exceptional high
6 tide, I don't think you'd see any gap there at
7 all. And this is a picture of a canoeist going
8 under, also about an hour after high tide. He's
9 got to get well down into the canoe. The boats
10 that my group uses, and I want to emphasize that
11 we're not a yacht club, we're a community rowing
12 group; you can see they're high enough that they
13 would not be able to get under. Now that is a
14 significant current running under there. If your
15 boat gets pinned sideways, things are going to
16 happen. The boat's going to roll and people are
17 going to go under the water. And that is the real
18 issue, is that you have an immovable object and
19 you have a current floating and you have things
20 floating on that current, and if you strike an
21 object like that, it's not good. So what has to
22 happen, I really think that in the next phase of
23 this-- and look, we're all for this connector. We
24 really want it to happen, but in the next phase,

1
2 let's go ahead and grant this easement and get the
3 ball rolling. But in the next phase we've got to
4 approach the design of this thing from the water
5 and the land. It is chiefly about getting people
6 across to Randall's Island, but it's also about
7 getting people on that perpendicular access back
8 and forth in the waterway. And we really have to
9 take both of those things into account and include
10 groups like ours in the discussion about how to
11 make that design work. And it just means that you
12 take the concept of Blue Ways as seriously as you
13 take the concept of Greenways. And that's what
14 this city is about, it's both things; they've got
15 to be addressed simultaneously. Thank you.

16 CAROL ZAKALUK: Hi. My name is
17 Carol Zakaluk. I'm here as a Board of Director at
18 Friends of Brook Park. And really, everything
19 that's been said I heartily agree with it. I'm
20 all for the connector to Randall's Island. We
21 think it's wonderful. We've been waiting for ten
22 years to get it and finally we have the
23 possibility of having this happen. But I just
24 would like to add that it's possible to portage
25 one's canoe around the ConEdison lines, but it's

1 very muddy there and that is somewhat of a bad
2 idea. And there is a strong current, as my
3 colleague said. It is much easier to remain in
4 the water to go underneath them, and we strongly
5 urge that they be raised up. Also I'd like to
6 throw in that my family has been living in Mott
7 Haven for 89 years and we've been witness to the
8 Pier that used to exist at 132nd Street when I was
9 a child-- there were a lot of happy families
10 fishing. We used to ask them what they caught.
11 It was really a wonderful water access point
12 that's been taken away from us. So we really need
13 to make sure that we keep the Bronx Kill navigable
14 and that we have excellent waterfront access that
15 we can add from now on. Thank you very much.

17 GEOFFREY CROFT: Good afternoon.

18 My name is Geoffrey Croft. I'm President of NYC
19 Park Advocates. First of all I'd like to thank
20 the Committee for being so well informed on this
21 issue. It's really an important issue and it's
22 really great to hear very sensitive questions.
23 And these issues to me, so much of this stuff
24 happens behind closed doors, and the fact that
25 we're even looking at this when we have some

1
2 pretty major unanswered questions-- you guys are
3 voting tomorrow morning, and obviously it's very
4 frustrating for the Council Members to not have
5 this information. You know, we have to deal with
6 this stuff all day long from these various
7 agencies. So, hang in there. Thanks. Just a
8 couple of, basically a couple of comments. One
9 is, I think Ms. Arroyo, you had asked Joshua Laird
10 how hard are you willing to advocate for that
11 site, and he didn't answer the question, which we
12 know the answer. But that's very frustrating,
13 especially because that site got a \$100,000 grant,
14 as you know, that Joshua Laird killed. That's
15 unacceptable. Community groups, community-based
16 organizations fight very hard with limited
17 resources to get these grants. And that-- I've
18 launched from that site and it's, you know, it's
19 an interesting site to navigate. And all of the
20 issues that you were very eloquently bringing up
21 are easily taken care of. And he sidestepped
22 that. And again, you know we, as advocates and
23 the public officials, have to hold these people
24 accountable for these things. So that's very
25 frustrating. Also, ConEd is a private company.

1 All too often we hand over the keys to our land to
2 ConEd. ConEd is a private company. We tell them
3 what to do, not the other way around. And that is
4 very frustrated. The 103rd Street Bridge, which
5 we hope to deal with, that is a very important
6 part of this discussion, because it's closed for
7 five months of the year. So that is something
8 that is built and it just remains up, so the
9 majority of the community cannot even access
10 Randall's Island for free, and that's very
11 frustrating. It was frustrating not seeing the
12 current conditions, you know, how the feeder
13 cables, what their plan was. The feeder cables
14 can clearly be raised, but ConEd once again has
15 not been dealing with the community in a way that
16 I feel is very productive. And you know, legal or
17 not, the feeder cables should be raised. I mean,
18 that's the issue there. And to deprive humans,
19 especially kids, but you know all people, from
20 navigating that-- and my hat is off to all the
21 community groups who for so many years are
22 bringing people back to the waterfront. I mean
23 that is a wonderful thing and they need all the
24 help they can get. And I'm trying to think of

1
2 how-- oh yeah. Just one last thing is that
3 language we should possibly include in the
4 easement language, some of these issues that, you
5 know, reflects these issue. Because unless, you
6 know, we hand this over, you guys vote for this
7 tomorrow and we still have these unanswered
8 things. So obviously, you know, it's up to you
9 guys afterwards to follow up. But thank you very
10 much and thanks for being on top of this.

11 COUNCIL MEMBER ARROYO: Thank you
12 all for your work and your advocacy on this issue.
13 Melissa, did you have any questions? We will
14 delay the vote until tomorrow. First I need to
15 call the roll for Council Member Mendez to vote on
16 the Landmarking items that were done earlier in
17 the meeting.

18 CLERK: Council Member Mendez.

19 COUNCIL MEMBER MENDEZ: Thank you,
20 Chair, for the opportunity to vote. I vote aye on
21 all, and missed the testimony but stated earlier
22 that I was supportive of two items that are in my
23 district. Thank you.

24 CLERK: The vote now stands seven
25 in the affirmative, none in the negative, no

1

2

abstentions.

3

COUNCIL MEMBER ARROYO: And this

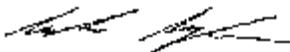
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Committee is recessed until 9:45 tomorrow morning.

5

C E R T I F I C A T E

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



Signature_____

Date February 2, 2009