

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND MARITIME USES

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March 9, 2010  
Start: 11:15 am  
Recess: 11:55 am

HELD AT:                   Hearing Room  
                              250 Broadway, 16th Floor

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

COUNCIL MEMBERS:  
    Brad S. Lander  
    Maria del Carmen Arroyo  
    Daniel J. Halloran III  
    Rosie Mendez  
    Annabel Palma  
    James Sanders, Jr.  
    Jumaane D. Williams  
    G. Oliver Koppell  
    Stephen Levin

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

Jenny Fernandez  
Director of Intergovernmental  
And Community Relations  
NYC Landmarks Preservation Commission

Jeff Kondrat  
Assistant Commissioner of Acquisitions  
And Construction Services  
DCAS

Robert Perris  
District Manager  
Brooklyn Community Board 2

2 CHAIRPERSON LANDER: I call this  
3 hearing of the Land Use Subcommittee on Landmarks,  
4 Public Siting and Maritime Uses to order. Thanks  
5 everyone for being here this morning. We're  
6 joined by Council Member Palma and Council Member  
7 Williams. Welcome to the committee, Council  
8 Member Halloran.

9 COUNCIL MEMBER HALLORAN: Glad to  
10 be here.

11 CHAIRPERSON LANDER: And we're  
12 joined this morning by Council Member Koppell; one  
13 of the items in his district. I'm Council Member  
14 Brad Lander and the chair of the subcommittee. We  
15 have two items this morning, one Landmarks and one  
16 Public Siting. We don't have the LPC here with  
17 the landmarks issue. Council Member Koppell is  
18 here and we're hoping that Council Member Levin  
19 might be able to make it in time to join us for  
20 the public siting which is in his district. In  
21 absence of the LPC, I'll just announce and read a  
22 little bit about the landmarks action and we can  
23 take Council Member Koppell's advice on it.

24 We'll turn to LU 0045, the Perry  
25 Avenue Historic District, 20105275, which is the

1 designation of the Perry Avenue Historic District.  
2 The Perry Avenue Historic District consists of the  
3 property bounded by a line beginning at the  
4 intersection of the northwestern curb line of  
5 Perry Avenue with a line extending southeasterly  
6 from the northeastern property line of 2987 Perry  
7 Avenue northwesterly along said property line to  
8 the northwestern property line of 2987 Perry  
9 Avenue, southwesterly along said property line on  
10 the property lines of 2985 through 2971 Perry  
11 Avenue to the southwestern property line of 2971  
12 Perry Avenue southeasterly along said property  
13 line to the northwestern curb line of Perry  
14 Avenue, northeasterly along said curb line to the  
15 point of the beginning. You can see why it's  
16 worthy of historic designation.  
17

18           There was a hearing at the LPC on  
19 June 23rd, 2009, duly advertised in accordance  
20 with the provisions of the law. Three people  
21 spoke in favor, including representatives of  
22 Council Member Koppell, the Landmarks Conservancy  
23 on the Historic District Council. There was no  
24 opposing testimony and the commission also  
25 received a letter of support from Louisa Gonzalez,

2 owner of a home within the historic district.  
3 Rather than give any of the summary or details of  
4 it, maybe I can just turn it over to Council  
5 Member Koppell who can give us a quick description  
6 of the district and a little bit on it.

7 COUNCIL MEMBER KOPPELL: Thank you  
8 very much, Mr. Chairman. I want to congratulate  
9 your being chairman of this subcommittee, which I  
10 used to be a member of and I think it's really a  
11 wonderful committee to be on because the work that  
12 you do to try and preserve the character of  
13 neighborhoods is really something very important.

14 One thing I'd like the committee  
15 members who are here to do is to look at this  
16 report. On the front it says Perry Avenue  
17 Historic District and it has a picture of the  
18 district. You can see some of the houses there.  
19 Then if you turn to three pages from the end, you  
20 have the best picture, which has pretty much all  
21 of the houses on it. It's Figure 23 and 24, if  
22 you're looking at it. That's what we're  
23 preserving. As you can see, that's not probably  
24 what most might think of when they think of the  
25 Bronx. If you look at the block, this is somewhat

2 out of character. If the rest of block were  
3 replicated we'd just have a block of apartment  
4 houses. But we're preserving these buildings.

5 You might be interested in knowing  
6 that people know of Jerome Avenue, but some people  
7 might not know that Jerome Avenue is named after  
8 Mr. Jerome, who's first name I forget for the  
9 moment, but he was a wealthy businessman and land  
10 owner who owned the whole northwest part of the  
11 Bronx. At the end of the 19th century, there was  
12 a Jerome Park Racetrack, a horse racing track not  
13 far from here. He owned this whole tract which  
14 was then subdivided and sold off in the 1800s and  
15 early 1900s. These houses were built in the early  
16 1900s.

17 By the way, just a little side  
18 light, Jennie Jerome, who was Jerome's daughter,  
19 is the mother of Winston Churchill. Jennie Jerome  
20 married an English nobleman and Winston Churchill  
21 was her son. So Winston Churchill is, to some  
22 extent, the son, in a way, of the Bronx, which I'm  
23 very proud of.

24 Obviously these houses are quite  
25 special and deserving of protection. The

2 community board was favorably disposed. A number  
3 of the homeowners came to a meeting in the  
4 community and were positively disposed. I think  
5 that the Landmark Commission should be encouraged  
6 to do more of this kind of preservation in the  
7 outer boroughs. I'm very happy that they're doing  
8 this in my district. They've done some other  
9 things in my district which I've strongly  
10 supported. I would urge that the subcommittee  
11 vote in favor of the historic designation.

12 CHAIRPERSON LANDER: Thanks very  
13 much, Council Member Koppell. We've been joined  
14 by Council Member Mendez and Council Member  
15 Arroyo. Good morning. We've been joined by Jenny  
16 Fernandez from the LPC. We have done our own  
17 little rendition. I read some of the basics and  
18 then Council Member Koppell gave us a very nice  
19 summary about what the block is like and some of  
20 the history as well. So I think we can dispense  
21 with the full presentation. If any Council  
22 Members have any questions or would like  
23 additional information from the LPC, they're here,  
24 but I think Council Member Koppell did a good job  
25 of letting us know. It's easy to see from the

2 pictures, obviously, and then reading the history  
3 and hearing a little bit about the history what's  
4 meritorious about this block and we're glad to be  
5 presented with it.

6 JENNY FERNANDEZ: Thank you. I  
7 apologize for my lateness. We're in the middle of  
8 our public hearing over at LPC, so I was running  
9 over as quickly as I could.

10 CHAIRPERSON LANDER: You shouldn't  
11 schedule an LPC public hearing and our hearings on  
12 the same day. Are there any questions from  
13 members of the committee? We don't have anyone  
14 signed up to testify here. So I think with that  
15 we can conclude the public hearing on this matter.

16 COUNCIL MEMBER KOPPELL: Thank you.

17 CHAIRPERSON LANDER: Thank you. We  
18 are going to move on to our second item, LU 0047,  
19 office space at MetroTech, a proposal by the  
20 Department of Citywide Administrative Services to  
21 lease 85,000 square feet of property to MetroTech  
22 for DoITT, the Department of Information  
23 Technology and Telecommunications, action number  
24 20105401. We'll start with a presentation from  
25 Jeff Kondrat from DCAS and then we have one person



2 signed up to testify.

3 [Pause]

4 CHAIRPERSON LANDER: Thanks very  
5 much for joining us. If you can just go ahead and  
6 state your name for the record and then go ahead  
7 and present your testimony, I would be most  
8 grateful.

9 JEFF KONDRAT: Good morning, Chair  
10 Lander and the other members of the Landmarks,  
11 Public Siting and Maritime Uses Subcommittee. I'm  
12 Jeff Kondrat. I'm an Assistant Commissioner of  
13 Acquisitions and Construction Services at DCAS.  
14 On behalf of Commissioner Martha K. Hirst, I'd  
15 like to thank you for the opportunity to discuss  
16 this notice of intent to acquire submitted by DCAS  
17 pursuant to Section 195 of the City Charter for  
18 the use of office space at 2 MetroTech in Brooklyn  
19 for the Department of Information Technology and  
20 Telecommunications.

21 On behalf of DoITT, DCAS is  
22 currently negotiating an 85,000 foot lease for  
23 offices and a data center at 2 MetroTech in  
24 Brooklyn for DoITT. This facility it to relieve  
25 overcrowding conditions at several DoITT locations

2 and to establish a new data center which will  
3 service various city agencies. Approximately 460  
4 staff will be located at 2 MetroTech. The  
5 consolidation of DoITT staff at this site will  
6 streamline operations and enhance efficiency.

7 DCAS submitted the Notice of Intent  
8 to acquire application to the Department of City  
9 Planning on December 3rd, 2009 and the application  
10 was approved by City Planning on February 24th,  
11 2010. Thank you for the opportunity to testify  
12 here on this Notice of Intent to acquire the  
13 office space at 2 MetroTech and we urge the  
14 Council to support this action. We're pleased to  
15 answer any questions you may have.

16 CHAIRPERSON LANDER: Thanks, Mr.  
17 Kondrat. With your permission and with the  
18 permission of other members of the committee, what  
19 I'd like to do is invite Community Board 2  
20 testimony. We'll listen to him. You can stay or  
21 you can come back and then we can ask you some  
22 questions after we've had the chance to hear that.  
23 The next testifier is Robert Perris, the District  
24 Manager of Brooklyn Community Board 2.

25 ROBERT PERRIS: Chairman Lander,

2 members of the committee and agency personnel, my  
3 name is Robert Perris and I am the district  
4 manager for Brooklyn Community Board 2. I am here  
5 today to testify on an application by the  
6 Department of Citywide Administrative Services on  
7 behalf of the Department of Information Technology  
8 and Telecommunications, DoITT, to acquire 85,000  
9 square feet of office and data center space in the  
10 building located at 2 MetroTech Center within  
11 Community District 2.

12 The Security Industry Automation  
13 Corporation, otherwise known as SIAC, a subsidiary  
14 of the New York Stock Exchange is currently a  
15 tenant of 2 MetroTech Center. Although no  
16 official statement has been made, it is the  
17 community board's understanding that SIAC intends  
18 to relocate when its lease expires in October  
19 2010. Furthermore, Community Board 2 believes it  
20 is this space that DCAS intends to acquire.

21 Due to the sensitive nature of  
22 SIAC, security was tightened in and around this  
23 building in the aftermath of the September 11  
24 terrorist attacks. The heightened security  
25 includes checkpoints at various locations around 2

2 MetroTech Center that have had negative impacts.  
3 Community Board 2 has hoped that the expiration of  
4 the SIAC lease would provide an opportunity to  
5 redress these impacts. The community board is  
6 requesting the City Council's assistance in  
7 ensuring these issues will not be prolonged by the  
8 lease under review.

9 One impact is the rerouting of the  
10 B54 bus. Prior to the development of the  
11 MetroTech office and academic campus, the B54 bus  
12 traveled on Myrtle Avenue with its western  
13 terminus on Jay Street. Pursuant to the Uniform  
14 Land Use review procedure and other review  
15 associated with the MetroTech Development, the bus  
16 was relocated to a service road that passes  
17 beneath One, Two and Three MetroTech Center.

18 When security was increased around  
19 2 MetroTech Center, the B54 was prohibited from  
20 using the service road. The bus route was  
21 relocated to a circuitous route around MetroTech  
22 and SIAC makes a sizable annual payment to the New  
23 York City Transit for the additional fuel costs  
24 resulting from the detour.

25 The security perimeter established

2 around 2 MetroTech Center also disrupted the road  
3 network in the area. For example, residents of  
4 BellTel Lofts at 365 Bridge Street are not  
5 currently able to drive the few hundred feet from  
6 Willoughby Street to the building's garage because  
7 Bridge Street is closed to through traffic.  
8 Residents must instead enter MetroTech at Myrtle  
9 Avenue, present identification to security  
10 personnel and then wind their way through the  
11 campus to the garage.

12 The security checkpoints also  
13 constrict commercial leasing and deliveries. The  
14 impact of these closures on traffic in downtown  
15 Brooklyn is compounded by other restrictions  
16 around 9 and 11 MetroTech Center and on the Fulton  
17 Mall.

18 The security precautions associated  
19 with SIAC have also prevented leasing of the first  
20 floor of 2 MetroTech for retail use. The  
21 designers of the campus wisely included retail  
22 space on the first floor of the new buildings  
23 facing the MetroTech commons, providing for a  
24 livelier streetscape. However, there are a small  
25 number of store fronts and the loss of even one

2 has had a deadening effect, both at that location  
3 and throughout the public open space.

4 As I already stated, Community  
5 Board 2 has looked at the departure of SIAC as an  
6 opportunity to undo these negative impacts.

7 Returning the B54 bus to the MetroTech Service  
8 Road would provide travelers in the northern part  
9 of the community district, which in some places is  
10 a long walk from subway service, with a more  
11 direct connection with the Jay Street/Borough Hall  
12 subway station, a destination of many riders.

13 New York City Transit has expressed  
14 to the community board its desire to resume B54  
15 bus service on the MetroTech Service Road, which  
16 would reduce congestion on Fulton Street between  
17 Flatbush Avenue and Jay Street and help maintain  
18 scheduled service on other routes that use the  
19 transit way.

20 Eliminating the security perimeter  
21 around 2 MetroTech Center would also permit the  
22 reopening of several streets in the area improving  
23 circulation. In addition, easing the level of  
24 security would permit Forest City Ratner  
25 Companies, the building owner, to lease the ground

2 floor commercial space if it wishes.

3 One question asked pursuant to the  
4 fair share analysis associated with this  
5 application is whether the facility can be located  
6 so as to support development and revitalization of  
7 the city's Regional Business Districts. Freer  
8 movement and activity in and around 2 MetroTech  
9 Center will contribute significantly to the  
10 revitalization of downtown Brooklyn, the city's  
11 third largest central district.

12 Community Board 2 does not oppose  
13 the proposed lease of the office and data center  
14 space of DoITT in 2 MetroTech Center. DoITT has  
15 been a gracious and helpful partner in technology  
16 improvements currently underway at the community  
17 board. The board has not received complaints  
18 related to DoITT's tenancy elsewhere in the  
19 MetroTech campus.

20 Since the community board submitted  
21 similar testimony to the City Planning Commission,  
22 it has read that SIAC will continue to occupy at  
23 least some space in 2 MetroTech in the future.  
24 This may limit the opportunity that Community  
25 Board 2 has been looking forward to for years.

2 Nevertheless, Community Board 2 requests that  
3 DoITT prepare its facilities plan so its use of 2  
4 MetroTech Center does not prevent the reopening of  
5 nearby streets, returning the B54 bus to its prior  
6 route and enabling the commercial use of the  
7 ground floor of the building.

8 The application states DoITT will  
9 continue to occupy space in 11 and 15 MetroTech  
10 Center. The community board asks DoITT to  
11 formally agree to consolidate any sensitive  
12 equipment and personnel in 11 MetroTech Center  
13 which is already within another high security  
14 area. A note that neither the proposal in the  
15 citywide statement of needs for fiscal years 2009,  
16 2010, nor the proposal description in the  
17 application state a need for high security  
18 environment. Thank you for the opportunity to  
19 comment.

20 CHAIRPERSON LANDER: Thanks very  
21 much, Rob. Mr. Kondrat, will you come back and  
22 join us? We've just been joined by Council Member  
23 Steve Levin. Steve, we had DCAS present their  
24 application and now we've heard Community Board  
25 2's testimony and I was just inviting DCAS back up



2 to respond to it.

3 COUNCIL MEMBER LEVIN: As I just  
4 walked in, I'll defer to the chairman.

5 CHAIRPERSON LANDER: You've heard  
6 the testimony from Community Board 2. I'm sure  
7 that you had gotten the letter they presented at  
8 the Planning Commission. I think the general  
9 question is, are the planned DoITT uses consistent  
10 with the possibility of reopening streets and the  
11 bus route and ground floor retail? Can the city  
12 be involved in helping restore those things to the  
13 neighborhood that were lost?

14 JEFF KONDRAT: As you know, 2  
15 MetroTech is part of the larger MetroTech complex.  
16 As such, the existing security in the MetroTech  
17 complex, or changes in those arrangements would  
18 need to be reviewed comprehensively and in a broad  
19 aspect by the police department, by the Transit  
20 Authority and by DoITT. So it's a bigger question  
21 than just 2 MetroTech and this 85,000 feet. This  
22 building is about 600,000 feet. We're taking part  
23 of the building.

24 CHAIRPERSON LANDER: So  
25 understanding that, I guess part of the question

2 is, are the uses that DoITT is specifically  
3 proposing to put in these 85,000 square security  
4 or uses that require heightened security over  
5 other office building space. Obviously, some of  
6 DoITT's uses do require that I assume.

7 JEFF KONDRAT: Yes, but I think  
8 that it's not DCAS or DoITT really that could  
9 really access DoITT's occupancy in this building  
10 and how it affects the whole MetroTech campus. I  
11 think the police department would definitely need  
12 to be involved. There has to be a thorough  
13 evaluation on that. So I don't know whether DCAS  
14 and DoITT could really respond to that. It's a  
15 bigger question basically.

16 CHAIRPERSON LANDER: The question  
17 of the security needs of what DoITT specifically  
18 will be doing in their 85,000 square feet?

19 JEFF KONDRAT: And how they relate  
20 to the broader campus.

21 CHAIRPERSON LANDER: So I  
22 appreciate that the questions of the MetroTech  
23 security plan are not DCAS or DoITT's but it would  
24 seem to me that the security requirements  
25 specifically of what DoITT is going to put in this

2 space are something that I would hope when you  
3 come before the city asking for lease, I mean if  
4 this requires high security, it would be known.

5 Again, as I think some of DoITT's  
6 applications would certainly generally responsibly  
7 require, that would reasonable to inquire of DCAS  
8 and DoITT. And not can you reopen the streets or  
9 can you provide plan for retail, but are the uses  
10 contemplated by DoITT in this space, do they  
11 require because they are maintaining secure data  
12 for example and servers, that DoITT would want  
13 there to be, regardless of where it was, to have a  
14 heightened level of security.

15 JEFF KONDRAT: From a space  
16 standpoint, from designing the space and whatever  
17 security arrangements that we're putting in this  
18 space, we're still going through that right now.  
19 I don't think it's finalized but I would have to  
20 defer to DoITT to answer any specifics they're  
21 thinking of. I'm sorry, but we're still designing  
22 the space right now and we're still negotiating  
23 their lease, so it's not finalized.

24 CHAIRPERSON LANDER: Council Member  
25 Levin and then I may pick this back up again.

2 COUNCIL MEMBER LEVIN: Thank you  
3 very much. This proposal is within the 33rd  
4 District, which I represent. I just want to  
5 follow up. Would you be willing to say that there  
6 is a commitment on the part of DCAS to work with  
7 the broader agencies, work with the police  
8 department, to see that the community board's  
9 issues are able to be addressed? Is it your plan  
10 to, kind of down the line, work with your sister  
11 agencies?

12 I mean, I know that you can't speak  
13 for them now and obviously it's a broader issue  
14 and we're dealing with sensitive information. In  
15 terms of protection, security is important. But  
16 we want to see if there are ways in which we can  
17 have a continued dialogue and a commitment to work  
18 together and work with the community board and the  
19 community at large.

20 JEFF KONDRAT: We have spoken to  
21 the police department about this. We've given  
22 them a copy of the community board's letter. We  
23 would continue to work with the police department  
24 if they needed anything from DCAS regarding this  
25 specific space or anything else in the MetroTech

2 area. So, I guess the answer is yes, we would  
3 work with the police department on this.

4 COUNCIL MEMBER LEVIN: Also, a  
5 continued dialogue to work with the community  
6 board and perhaps come from time to time, maybe  
7 every couple of months, and seek their advice or  
8 seek their input?

9 JEFF KONDRAT: Again, I think it's  
10 a police department lead on this. I think any  
11 specific DoITT issues are DoITT's to answer. But  
12 we would definitely come in if asked to address  
13 things, whether it's by DoITT or by the community  
14 board or by the police department.

15 COUNCIL MEMBER LEVIN: I think my  
16 main concern is making sure that we have partners  
17 that we can work with.

18 JEFF KONDRAT: Always would be  
19 willing to answer any questions directed to us by  
20 all the players here, the Council included, of  
21 course.

22 COUNCIL MEMBER LEVIN: Thank you.

23 CHAIRPERSON LANDER: I will defer  
24 to Council Member Levin, whose district this is in  
25 on the questions of this space, but I have to say

2 the broader issue it seems to me when you're  
3 presenting a lease that's going to come before us,  
4 it's a reasonable question to understand what the  
5 security requirements of the uses that are being  
6 lease are. So independent of the concerns of the  
7 community related to opening the streets, I feel  
8 like it's a reasonable question of the Council on  
9 the level of security requirement. There has got  
10 to be some way that you can answer it for us. If  
11 you can't do it today, you can't do it today. But  
12 I think it's a reasonable request of the Council  
13 that we would understand is the use being  
14 contemplated in a lease here a normal office use  
15 that has no expanded security beyond what a normal  
16 city office would be or is this a sensitive use  
17 that therefore requires some amount of heightened  
18 security over an able what would normally be  
19 required in a standard city office.

20 JEFF KONDRAT: DoITT has said to us  
21 that they would accept space in a multi-tenanted  
22 building. That should give you an idea of the  
23 level of security. They haven't asked us to have  
24 a standalone site away from a downtown environment  
25 or something like that. They've accepted a multi-

2 tenanted building. So that should give us an idea  
3 of what the kind of security that they've asked us  
4 for. We're all going to probably have cards to  
5 get it, just like a building like this.

6 CHAIRPERSON LANDER: Yes, exactly.

7 JEFF KONDRAT: But the design of  
8 the space we haven't finalized yet.

9 CHAIRPERSON LANDER: I appreciate  
10 your elaborating. This is my office lease  
11 hearing, so I'm new to this role as well. I think  
12 if there are different levels of security in some  
13 of the things we look at, perhaps we can talk in  
14 the future about a way to understand what those  
15 are from our point of view, without delving into  
16 things that should obviously be clear.

17 JEFF KONDRAT: I think the multi-  
18 tenanted building gives you a hint at the idea  
19 behind what DoITT is looking for.

20 CHAIRPERSON LANDER: That's a  
21 helpful elaboration. Thank you, I appreciate  
22 that. Thank you, Commissioner. Do any other  
23 Council Members have any questions? Yes, Council  
24 Member Arroyo?

25 COUNCIL MEMBER ARROYO: I guess my

2 question is more for the community board. Can you  
3 come back to the table? The circumstances that  
4 are currently experienced in the community are not  
5 as a result of the plan for DoITT to move in, but  
6 an existing tenant.

7 ROBERT PERRIS: That's correct.

8 COUNCIL MEMBER ARROYO: So if the  
9 existing tenant remains, the community impact  
10 issues that the board is trying to address will  
11 remain.

12 ROBERT PERRIS: We don't know to  
13 what degree that will be the case. There was an  
14 article recently in the "New York Times" about the  
15 construction of secure data centers in New Jersey  
16 in which it was stated that the New York Stock  
17 Exchange was building a standalone security  
18 facility. It is our understanding, and none of  
19 this has been made public, that SIAC will maintain  
20 some space at 2 MetroTech but we don't know how  
21 much space and we don't know for what uses. So we  
22 don't know to what degree they're going to need to  
23 maintain the security perimeter that exists now.

24 COUNCIL MEMBER ARROYO: So DoITT  
25 coming into the facility does not increase the



2 burden on the community?

3 ROBERT PERRIS: It doesn't increase  
4 the burden. However, we have known for several  
5 years that SIAC intended to move and we have  
6 looked forward to the expiration of their lease as  
7 an opportunity to remove the impediments to travel  
8 downtown.

9 COUNCIL MEMBER ARROYO: So DoITT  
10 coming into the building and this other tenant  
11 leaving opens up the opportunity for those impact  
12 issues to be addressed?

13 JEFF KONDRAT: Again, I think the  
14 security arrangements at MetroTech are pretty  
15 broad. As the community board stated, the access  
16 road goes not only underneath this building but  
17 two other buildings. There are many streets that  
18 are closed off, not just the ones around this  
19 building, 2 MetroTech, but others. So it's a very  
20 broad evaluation that we'd have to go through. I  
21 don't think it's just specific to this building.

22 COUNCIL MEMBER ARROYO: I didn't  
23 once hear the answer to the question that DoITT's  
24 presence in this facility would warrant the  
25 existing security measures.

2 JEFF KONDRAT: I'm sorry, but I  
3 can't answer that. The security measures, we're  
4 not experts in that and I think it's the police  
5 department that took the lead in establishing  
6 these measures to begin with after 9/11. That's  
7 when they came about.

8 COUNCIL MEMBER LEVIN: Just a point  
9 of information, Mr. Chairman.

10 CHAIRPERSON LANDER: Hang on one  
11 second.

12 COUNCIL MEMBER ARROYO: I'm just  
13 trying to understand whether our approval locks  
14 the community into the security issues that  
15 they're confronting now, even if the tenant moves.  
16 That's my overall question. Our approval today  
17 allows DoITT to enter into this lease, move in.  
18 That other tenant moves, do the impacts the  
19 community is experiencing today change?

20 COUNCIL MEMBER LEVIN: A point of  
21 information, the police department would be the  
22 only agency that could answer the question because  
23 the police department is the only agency that has  
24 the ability to change the security at MetroTech  
25 because it's not just one facility. That's the

2 point of information.

3 ROBERT PERRIS: Council Members, if  
4 I may?

5 CHAIRPERSON LANDER: Go ahead. And  
6 I think now we're starting to go in circles. So  
7 go ahead and then I'll have the closing statement.

8 ROBERT PERRIS: I think this is a  
9 clarification and to a degree, new information.  
10 As Commissioner Kondrat points out, there are  
11 additional secure areas in MetroTech, but they  
12 exist largely independent of this particular  
13 security perimeter which is around 2 MetroTech  
14 exclusively and is manned by armed uniform  
15 officers who report to the New York Stock  
16 Exchange, which indicates that their presence  
17 there is about SIAC's tenancy, not other tenants  
18 in 2 MetroTech.

19 CHAIRPERSON LANDER: I hear you  
20 asking two questions, both of which I think are  
21 reasonable to ask. One of which is if DoITT is  
22 replacing SIAC, could we have a commitment? If  
23 they don't know the answer, it's hard for them to  
24 know for sure. But if that's what's taking place,  
25 would the DoITT uses require the same level of

2 security or if SIAC were gone, would the DoITT  
3 uses be compatible with a reduced level of  
4 security. And then number two, might you be  
5 willing to help us in dialogue with the NYPD about  
6 restoring some of the other possibilities.

7 It sounds like what I've heard to  
8 number one is we don't know, and to number two is  
9 we'll come to a meeting with the NYPD over time to  
10 talk about it. That sounds like where we have  
11 gotten on this. I think unless there are other  
12 questions from Council Members?

13 COUNCIL MEMBER: I haven't been  
14 able to ascertain, is there some way the community  
15 board wants to prevent this vote from going  
16 forward for some reason, or is it just to bring  
17 the situation to light?

18 ROBERT PERRIS: As I said, the  
19 community board has a positive working  
20 relationship with DoITT. I'm not sure that the  
21 board would want to stop the lease based simply on  
22 the inability to remove those security perimeters.  
23 However, we would very much encourage DoITT and  
24 DCAS, especially since DoITT is going to maintain  
25 space in two other nearby buildings, that they

2 structure their overall facility plan in such a  
3 way that those uses and that personnel that needs  
4 to be behind a security perimeter be in 11  
5 MetroTech where another perimeter already exists,  
6 thus allowing us to liberalize movement around 2  
7 MetroTech.

8 CHAIRPERSON LANDER: Unless any  
9 other Council Members have questions, I want to  
10 thank both of you for your time and for your  
11 testimony. Thank you very much. There is no one  
12 else signed up to testify on this matter, so with  
13 that we'll close the public hearing. We have all  
14 seven members of the subcommittee here with us,  
15 which I don't think we ever had before in my short  
16 tenure. So we'll move expeditiously to a vote on  
17 both of these matters. Thanks, Council Member  
18 Levin for joining us.

19 COUNCIL MEMBER LEVIN: Thank you  
20 very much.

21 CHAIRPERSON LANDER: We'll be  
22 voting in a joined way on 20105275, the Perry  
23 Avenue Historic District and 20105401, the  
24 MetroTech office space and the chair recommends a  
25 vote of aye. Counsel will call the roll.

2 CHRISTIAN HYLTON: Christian  
3 Hylton, Counsel to the committee. Chair Lander?

4 CHAIRPERSON LANDER: Aye.

5 CHRISTIAN HYLTON: Council Member  
6 Sanders?

7 COUNCIL MEMBER SANDERS: Aye.

8 CHRISTIAN HYLTON: Council Member  
9 Palma?

10 COUNCIL MEMBER PALMA: Aye.

11 CHRISTIAN HYLTON: Council Member  
12 Arroyo?

13 COUNCIL MEMBER ARROYO: Yes.

14 CHRISTIAN HYLTON: Council Member  
15 Mendez?

16 COUNCIL MEMBER MENDEZ: Aye.

17 CHRISTIAN HYLTON: Council Member  
18 Williams?

19 COUNCIL MEMBER WILLIAMS: Yes.

20 CHRISTIAN HYLTON: Council Member  
21 Halloran?

22 COUNCIL MEMBER HALLORAN: As the  
23 ranking Republican, I vote aye.

24 CHRISTIAN HYLTON: By a vote of  
25 seven in the affirmative, none in the negative and

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2 no abstentions, LU 0045 and LU 0047 are approved  
3 and referred to the full Land Use Committee.

4 CHAIRPERSON LANDER: This meeting  
5 is adjourned.

C E R T I F I C A T E

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

Signature *Donna Hintze*

Date April 1, 2010