

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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June 15, 2010
Start: 11:17 am
Recess: 12:58 pm

HELD AT: Council Chambers
City Hall

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

COUNCIL MEMBERS:
Council Member Maria del Carmen
Arroyo
Council Member Daniel J. Halloran
III
Council Member Rosie Mendez
Council Member Annabel Palma
Council Member James Sanders, Jr.
Council Member Jumaane D. Williams

A P P E A R A N C E S [CONTINUED]

Brad S. Lander
Opening Statement
Chairperson
Subcommittee on Landmarks, Public Siting and Maritime
Uses

Gregory Shaw
Speaking on Land Use 127
Principal Attorney
Real Estate
New York City School Construction Authority

Kenrick Ou
Director
Real Estate
New York City School Construction Authority

Anna Chercheska
Hygienist for Environmental Matters
New York City School Construction Authority

Maria del Carmen Arroyo
Speaking on Land Use 127
New York City Council Member

Jesse Mojica
Director of Education Policy and Human Services
Office of Rubin Diaz, Jr.
Bronx Borough President

Eddu Hermalen
Representing
Vanessa Gibson
New York State Assemblywoman

Chauncy Young
United Parents of Highbridge
Highbridge United Coalition

A P P E A R A N C E S [CONTINUED]

Jose Gonzalez
President
Highbridge Association
President
PTA, PS 73

O'Cynthia Williams
Founding Parent Leader
United Parents of Highbridge
Member
New York City Coalition for Educational Justice

Gregory Shaw
Speaking on Land Use 128
Principal Attorney
Real Estate
New York City School Construction Authority

Kenrick Ou
Speaking on Land Use 128
Director
Real Estate
New York City School Construction Authority

Lucas Shapiro
Housing Conservation Coordinators

Catherine Consuelo Johnson
New School Committee
PS 51

Jenny Fernandez
Director
Intergovernmental and Community Relations
Landmarks Preservation Commission

Gregory Shaw
Speaking on rest of Land Use items
Principal Attorney
Real Estate
New York City School Construction Authority

A P P E A R A N C E S [CONTINUED]

Kenrick Ou
Speaking on rest of Land Use items
Director
Real Estate
New York City School Construction Authority

Christian Hilton
Counsel
Subcommittee on Landmarks, Public Siting and Maritime
Uses

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2 [Gavel banging]

3 CHAIRPERSON LANDER: All right.

4 This hearing of the Subcommittee on Landmarks,
5 Public Siting and Maritime Uses is called to
6 order. I'm Brad Lander, Chair of the
7 subcommittee, joined today by Dan Halloran of
8 Queens, Jumaane Williams of Brooklyn, Maria del
9 Carmen Arroyo of the Bronx and Annabel Palma of
10 the Bronx. Thanks to everyone who's here and to
11 the staff for bringing us to this point. We have
12 1, 2, 3, 4, 5, 6, 7 items on our agenda today.

13 And in my preference for letting
14 those members of the public who have come to
15 testify make the best use of their time, we will
16 move first to the one item that we have people
17 signed in to testify for.

18 If you're here intending to give
19 public testimony on one of the items but have not
20 yet signed up, please get a slip and sign in to
21 testify. But we will move first to Item... this is
22 [off mic] so Land Use Number 127, 20105366 SCX the
23 proposed IS 285 in Council Member Arroyo's
24 District in the Bronx. And I'll ask the New York
25 City School Construction Authority and DOE if

2 they're present as well to come up and present
3 their testimony.

4 [Pause]

5 [Witnesses getting settled]

6 CHAIRPERSON LANDER: Please state
7 your name for the record and begin when you're
8 ready.

9 [Pause]

10 MR. GREGORY SHAW: Good morning
11 Chairman Lander and Council Members. My name is
12 Gregory Shaw. I'm the Principal Attorney for Real
13 Estate for the New York City School Construction
14 Authority. To my immediate left is the Director
15 of Real Estate for the New York City School
16 Construction Authority, Kenrick Ou. And further
17 to my left is Anna Chercheska [phonetic] who is
18 the hygienist for Environmental Matters for the
19 New York City School Construction Authority.

20 The New York City School
21 Construction Authority has undertaken the site
22 selection process for the proposed 390 seat
23 Intermediate School in Tax Block 2527, Portion of
24 Lot 32, located on West 167th Street between 168th
25 Street and the Dr. Martin Luther King Jr.

2 Boulevard in the Highbridge neighborhood of the
3 Bronx. The proposed site is also located in Bronx
4 Community School District number 9 and Bronx
5 Community Board number 4.

6 The project site contains
7 approximately 27,000 square feet of the
8 undeveloped portion of approximately 12 acres of
9 land owned by the New York City Housing Authority.
10 Under the proposed plan the SCA would acquire the
11 property from NYCHA and construct the proposed new
12 school. The notice of filing for the site plan
13 was published in the New York Post and City Record
14 on January 28th, 2010. Bronx Community Board
15 number 4 was notified of the site plan on that
16 date and was asked to hold a public hearing.

17 Community Board number 4 held their
18 public hearing on February 23rd, 2010 but did not
19 submit written comments on the site plan. The
20 City Planning Commission was also notified of the
21 site plan on January 28th and it recommended in
22 favor of the site.

23 The SCA has considered all comments
24 received on the proposed plan and affirms the site
25 plan pursuant to Section 1731 of the Public

2 Authorities Law and in accordance with Section
3 1732 of the Public Authorities Law the SCA
4 submitted the proposed site plan to the Mayor and
5 Council on June 11th, 2010. We look forward to
6 your Subcommittee's favorable consideration of the
7 proposed site plan. We are prepared now to answer
8 any questions that you might have. Thank you.

9 CHAIRPERSON LANDER: Thank you very
10 much for your testimony. Since this is in Council
11 Member Arroyo's District, we'll offer her the
12 first rounds of questions and comments.

13 COUNCIL MEMBER ARROYO: And again
14 through the mountain of paper that we have on my
15 desk. Good morning everyone. Thank you all for
16 being here and I want to thank the Department of
17 Education and the School Construction Authority
18 for its work around this application. As a
19 community and I know that we're going to hear from
20 members of the community, other elected officials
21 on this project, we're happy to have a school
22 project designed for Highbridge.

23 We're concerned that the school is
24 not as large as we believe we need to have in the
25 community. I do understand that there are

2 challenges with the site in terms of how much
3 capacity can be built on it. And given that, the
4 community has stepped back from its position that
5 we ought to have somewhere in the neighborhood of
6 900 seats as opposed to 390-plus and has asked the
7 Department and the Authority to build into the
8 school the most that we can on a green building
9 component which not only includes the materials
10 used to construct, the systems built into the
11 school to ensure that we have the most energy
12 efficient building possible but also to build out
13 a green roof that would extend the learning
14 environment for the children that would attend the
15 school.

16 And we've had conversations over
17 the last week, actually the last four or five
18 business days, that really doesn't get us to where
19 I believe we need to be in order for us to be
20 truly comfortable with this project. And I'm
21 looking forward to a dialog that will get us to a
22 place where we can all feel comfortable. That
23 we're going to provide for this community the best
24 school that it can possibly have.

25 That's my responsibility and the

2 responsibility of this Committee and this Council.
3 And I look forward to that ongoing dialog. And I
4 say ongoing because I'm not happy with where we're
5 at with this application. And I will defer any
6 more comments on this to the discussions that we
7 will have to bring it closer to where I believe we
8 need to be which is the community's desire to have
9 the most that we can have in a school building
10 that provides the green roof element, that would
11 extend the learning environment for the children
12 in the school. Thank you Mr. Chair.

13 CHAIRPERSON LANDER: I'd like to as
14 you--I've asked this question before with everyone
15 we've been discussing, middle schools are
16 intermediate schools and I know that because we
17 approach the different districts do sort of middle
18 school assignments differently. That they present
19 us a, you know, a more challenging analysis than
20 say a zoned elementary school.

21 But I guess, you know, I know that,
22 you know, you presented us testimony that while
23 the district has a whole has adequate middle
24 school space, Highbridge itself doesn't have a
25 middle school which is what led you to seek to

2 site this facility. So I'm just wondering if you
3 can kind of refresh my memory on how you think
4 about middle school space analysis when you're
5 looking at both kind of communities' desire to
6 have a locally serving middle school and then how
7 you think about how many seats it should have, you
8 know, when you're thinking about it as a
9 neighborhood issue and not solely as a district
10 issue.

11 MR. KENRICK OU: The practice with
12 respect to the capital plan is that there is an
13 analysis that's conducted at a sub-district level.
14 So right now there are 32 community school
15 districts across the City, some of which are very
16 large and encompass multiple neighborhoods. In
17 the case of this capital plan, when I say this
18 capital plan I mean the current capital plan that
19 was adopted on July 1st, 2009, there was a
20 determination that a more refined look at the sub-
21 district level which basically I think in District
22 9, it has 3 or 4 sub-districts, which are smaller
23 geographic slices and clusters of schools to
24 identify the need for seats.

25 In the case of the Highbridge

2 community and Community School District 9, the
3 Department took an even further step. Because as
4 the crow flies the distance between existing
5 school facilities and middle schools availability
6 is not that far of a geographic difference.
7 However based on the information that had been
8 provided by the United Parents of Highbridge, by
9 the elected officials and I think it even
10 culminated in a tour of the area by the Deputy
11 Chancellor to understand the challenges with
12 respect to transportation for residents of
13 Highbridge.

14 The capital plan as proposed and as
15 adopted did allocate and does allocate funding for
16 approximately 390 middle school seats in the
17 Highbridge community to present a local option for
18 middle schools.

19 Outside of the capital plan, I
20 think we also had heard that some of the concerns
21 because of the great articulation patterns of the
22 existing elementary schools, some of those schools
23 ended at grade four and were sending their grade
24 five students outside of Highbridge and presenting
25 that kind of transportation challenge. I believe

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3 the Department of Education starting with this
4 coming September has proposed to allow at least
5 one if not two schools that were ending with a
6 terminal grade at grade four to actually keep
7 their grade five students in the Highbridge
8 community.

9 So the construction of a middle
10 school is, I think, one piece of this larger set
11 of concerns that has really been brought to our
12 attention in a very focused way through the
13 community advocacy and from the elected officials.
14 And with respect to Council Member Arroyo did
15 point out one of the challenges we faced once
16 there was a consensus that additional middle
17 school seats were necessary and appropriate in the
18 Highbridge community was to find appropriate
19 sites.

20 And this site that we have proposed
21 actually has been the product of a really--it was
22 identified in part by our local, you know,
23 advocates and also through partnership with the
24 Housing Authority. We were able to work with them
25 to identify 27,000 square feet that could
accommodate about the 390 seats. Additional seats

3 at that location would be very, very challenging
4 and quite frankly probably not feasible given the
5 topography of the site. Basically the back end of
6 the site, it backs up against a hill. And so the
7 site has certain constraints.

8 CHAIRPERSON LANDER: I want you to
9 know that we've been joined by Council Member
10 James Sanders from Queens and Council Member Rosie
11 Mendez from Manhattan. Thanks for that answer. I
12 know I think we'll hear from the community that
13 they appreciate the effort that went into
14 identifying, finding and making a site work. And
15 this was a situation of collaboration. I'm just
16 trying to understand.

17 It sounds to me like the site is
18 what dictated the number here. And that there is
19 some believe on the part of the community that
20 more folks will want to go to this middle school
21 than 390. And that we have a challenging time
22 figuring that out, you know, from the more
23 formula-based, you know, how many--what's the
24 capacity of a district or a sub-district. And
25 that we may hear from people that, you know,
there's a desire to--that more people be able to

2 attend this school in this neighborhood.

3 And that is slightly different from
4 is there a middle school seat for them somewhere
5 in this district. So I hope that can be kept in
6 mind as you and the Councilwoman are continuing
7 this conversation so we can figure out how to meet
8 the community's goals as best as can be possibly
9 met at this site and at this time. Do Council
10 Members have other questions for this panel?

11 COUNCIL MEMBER PALMA: Was the sole
12 determination in the 390 seats the space that the
13 school's going to be built on or does money play a
14 role in the expansion of those seats?

15 MR. OU: The analysis I think that
16 was done was because of how the middle schools
17 enroll in the area and have historically enrolled
18 that the Department of Education believed that
19 between the existing capacity across that sub-
20 district of Community School District number 9 and
21 I would also want to point out that we are in
22 construction right now on a partnership with the
23 Selman Housing Fund on a site which is outside of
24 Highbridge but, again, within that sub-district, a
25 K-12 facility which I believe is scheduled to be

2 delivered either in 2011 or 2012. That there
3 would be between 390 seats which was funded and
4 these other measures including the grade
5 realignments. That would be a way of responding
6 to the concerns that we had heard.

7 So it was a combination I think
8 both of the sites but also of the need as defined
9 through this existing system and as that system
10 was going to be augmented through the addition of
11 another school that was not that far from the
12 Highbridge community.

13 COUNCIL MEMBER PALMA: So you hope
14 that those students who live around the Highbridge
15 area that cannot make it into this, the school
16 that we're discussing today will then be able to
17 go to the new settlement school?

18 MR. OU: Or other existing middle
19 school buildings because, I guess, I'm not that
20 familiar with that specific enrollment history but
21 what I had heard was that the Highbridge community
22 has not in its neighborhood had a middle school
23 for several decades. And so there has been this
24 pattern of, for many years, all of the middle
25 school students leaving the neighborhood because

2 the middle school facilities were located outside
3 of the neighborhood.

4 With this proposal I think what
5 we've tried to accomplish is to provide a middle
6 school option within Highbridge while also, you
7 know, undertaking some of the grade realignment
8 measures to avoid having fifth graders having to
9 travel outside the neighborhood. Which was,
10 again, a part of a very large, complicated set of
11 concerns.

12 COUNCIL MEMBER PALMA: And then in
13 terms of the dollar figure, it would, of course,
14 take more money to expand the capacity at that
15 school. Was there a discussion with the local
16 elected officials in that area to sort of chip in
17 if I may towards the capital funds for the
18 expansion that the community is calling for?

19 MR. OU: I believe that there had
20 been discussions as late as last, when I say last
21 spring I mean 2009, regarding what the best
22 approach would be in terms of trying to respond to
23 the middle school needs. And the consensus
24 approach was to try and get these approximately
25 400 seats into construction as quickly as possible

2 because of the desire to have those seats
3 available as quickly as possible. So with respect
4 to specific capital I can tell you that this
5 proposed school is currently budgeted at
6 approximately \$36-plus million just in
7 construction. To do any kind of sizeable, you
8 know, increase in capacity would likely be tens of
9 millions more in capital funding.

10 COUNCIL MEMBER PALMA: And I raised
11 that because I know that, you know, as a Council
12 Member, I don't ever like to vote against schools.
13 I believe that we should be expanding capacity
14 throughout the City in every neighborhood,
15 especially, you know, knowing that our schools are
16 busting at the seams. So we continue to building
17 housing but we forget, you know, that with the
18 housing come families and children that need to go
19 into schools.

20 So I raise that issue because as a
21 Bronx delegation I know we had a discussion last
22 year when we were losing seats in the Bronx and
23 this would have been a perfect example for us as a
24 delegation to be able to put some capital funds
25 into this project to be able to meet the needs of

2 that community.

3 So I'm glad to hear that the
4 Council Member and School Construction Authority
5 and the community will continue to, you know, have
6 a dialog on how we can improve the plan for this
7 school. And I'm urging School Construction
8 Authority and the Department of Education to meet
9 the community halfway. I mean the ideal thing
10 will be to create the seats that the community
11 needs but I'm pretty sure that we can be flexible
12 in meeting each other in the middle. So I want to
13 be supportive of that. Thank you.

14 CHAIRPERSON LANDER: Council Member
15 Arroyo.

16 COUNCIL MEMBER ARROYO: Your
17 statement about there have been conversations with
18 the local elected officials about how we can
19 participate in bringing together the funding
20 necessary for this project is not true. We have
21 not had, I have not had, a conversation with the
22 Department of Education or the School Construction
23 Authority regarding capital dollars needed to
24 build this school with the number of seats the
25 community believes it needs or the optimal green

3 building, green roof design.

4 If that were the case we would not
5 be having this kind of conversation today and we
6 would not have had the meeting in the red room in
7 City Hall that we had on Friday because we would
8 have been able to come to a consensus around a
9 dollar amount and where that dollar was going to
10 come from. And that would have been a
11 collaboration between the Borough President's
12 Office, my office, the delegation and everybody
13 else that would have had to come together to bring
14 that funding together.

15 So please correct the record in
16 that there have been no discussions with the
17 elected officials about capital dollars needed to
18 build the best school for the community.

19 MR. OU: Council Member, if I
20 misspoke I apologize. I was trying to respond to
21 what I thought was Council Member Palma's question
22 regarding the capacity of the school building and
23 I was speaking about discussions from spring of
24 2009 regarding how best to move forward in terms
25 of the actual number of seats to address the need.
You're absolutely right; we have not had that very

2 extensive, detailed discussion on the
3 environmental enhancements that we've been talking
4 about most recently.

5 COUNCIL MEMBER ARROYO: Of any
6 enhancement. We've had no conversation regarding
7 any enhancement on this project. And we were in
8 this room, somewhere, maybe three, four months
9 ago, considering another siting application that
10 you brought before this Subcommittee and at that
11 forum I said to you, you're going to come with an
12 application for the Highbridge Middle School,
13 please do not wait until the last minute so that
14 we can have conversations about the issues and the
15 concerns the community has raised and how we can
16 overcome those issues.

17 Had we had conversations when I
18 asked for them to happen, we would have had an
19 incredible opportunity for the delegation, my
20 office, Council Member Foster, to designate for
21 Fiscal Year '11 the capital dollars needed to
22 build the greenest school that we can build in our
23 community.

24 So I'm... I'm going to lose my
25 patience in a way that no one in this institution

2 has ever seen. It is so disingenuous of you to
3 come here today and present that in this forum. I
4 hope that before the clock runs out on this
5 application, we come to a conclusion that is going
6 to be what we all want. We want to approve the
7 application with the best school possible for the
8 Highbridge community. That is my goal. Don't
9 come here with this nonsense.

10 CHAIRPERSON LANDER: Council Member
11 Williams.

12 COUNCIL MEMBER WILLIAMS: So I
13 wasn't clear from the answers you gave on what
14 Council Member Palma was asking you. So was money
15 an issue or wasn't an issue?

16 MR. OU: With respect to the size
17 of the building?

18 COUNCIL MEMBER WILLIAMS: Yes.

19 MR. OU: That the funding that's
20 been allocated and approved in the capital plan is
21 only for 390 seats. That is a financial piece but
22 the site itself presents--so even if we had
23 funding for let's say 700 seats--

24 COUNCIL MEMBER WILLIAMS:

25 [Interposing] Uh-huh.

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2 MR. OU: --it's unlikely that that
3 site could have accommodated all 700.

4 COUNCIL MEMBER WILLIAMS: So it's
5 unlikely--

6 MR. OU: [Interposing] Right.

7 COUNCIL MEMBER WILLIAMS: --could
8 it have happened or it couldn't have.

9 MR. OU: I'm not an architect but I
10 can tell you that from the design issues and the
11 design meetings that I had attended, accommodating
12 the instructional needs for the 390 students was
13 already very difficult because of the topography.

14 Basically that means that the back
15 side of the building, almost all of that, the
16 lower floors, are windowless. So we can't have
17 windowless classrooms. It would have been, I know
18 that it was challenging to get to where we are
19 now. I can't tell you definitively without being
20 an architect that it was just not possible.

21 COUNCIL MEMBER WILLIAMS: So we
22 can't build up?

23 MR. OU: The issue is not just
24 building up; it's also, as the number of students
25 increases, the number and size of the large spaces

2 to serve that population, like a cafeteria, like
3 the gymnasium, also end up growing. And so the
4 overall program is a much different program for a
5 700 student school.

6 Just as a point of reference, 700
7 students translates into about 100,000 gross
8 square feet of building, a lot of which is double
9 height, large volume spaces. And in the case of
10 this particular site, I think that you have site
11 plans before you, you can see that it's
12 irregularly shaped in part because of the
13 topography so there are pinch points where the
14 cliff begins to rise behind the site.

15 COUNCIL MEMBER WILLIAMS: So that
16 I'm clear, you're saying that it was more an issue
17 of topography than funding available.

18 MR. OU: I'm saying that it was
19 both. That the funding that was available and
20 that was allocated for in the adopted capital plan
21 was the 390 seats and that this particular site
22 presents very specific difficulties to
23 accommodating more than that number.

24 COUNCIL MEMBER WILLIAMS: But it
25 sounds from what I heard like the reason there was

2 not more funding was because of the way it was
3 presented to get the funding. So the option
4 wasn't there to get more funding to build. So I'm
5 trying to figure out if that was wrong, if that
6 was done in a wrong way, and we could have
7 actually gotten more funding. And then if that's
8 the case, would the topography prevent it from
9 getting more students in there. And you're
10 saying, I can't--I'm not sure if you're answering
11 those questions.

12 MR. OU: Okay. Well I think that
13 what I've been trying to explain is that in the
14 spring of 2009, before the capital plan was
15 adopted, there had been a series of discussions,
16 some of which I was part of, some of which I was
17 not, with a number of the advocates and elected
18 officials regarding how best to address the needs
19 in Highbridge and provide that middle school
20 option within that neighborhood. And I think it
21 was probably in April or so of 2009 that the
22 consensus was to move forward with what had been
23 in the proposed capital plan which was I think 390
24 seats.

25 COUNCIL MEMBER WILLIAMS: And

2 that's with the Council Member's consensus also?

3 CHAIRPERSON LANDER: Okay.

4 COUNCIL MEMBER WILLIAMS: I'm
5 sorry.

6 CHAIRPERSON LANDER: Go ahead. I
7 don't want to interrupt you.

8 COUNCIL MEMBER WILLIAMS: That was
9 with the Council Member part of that consensus?
10 Council Member Arroyo?

11 MR. OU: There was a very broad
12 based letter that was signed by a number of
13 electeds. I don't have that letter right on me
14 but it was what I think we took as the consensus
15 to move forward and invest, you know, in
16 negotiating with the Housing Authority, begin
17 design and to move forward with this process.

18 COUNCIL MEMBER WILLIAMS: I don't
19 want to take up--

20 CHAIRPERSON LANDER: [Interposing]
21 Just, I want to let the Council Members know that
22 we have five people signed up to testify on this
23 matter including representatives of a couple of
24 the elected officials and some community based
25 organizations and six other matters. And it

2 sounds to me like this one is going to be the
3 subject of some continued conversation after
4 today. So I might suggest, and then we also have
5 to get a couple of members of this Committee to
6 the budget negotiating team. So if you're--

7 COUNCIL MEMBER WILLIAMS:

8 [Interposing] Just one more question, I just want
9 to know what the average travel time to middle
10 school was for people who live in the community.

11 MR. OU: I would defer to the
12 United Parents of Highbridge. But my
13 understanding is that it could have been multiple
14 bus transfers in order to get to the existing
15 middle schools.

16 CHAIRPERSON LANDER: I'll recognize
17 Council Member Sanders and then we'll conclude
18 this panel.

19 COUNCIL MEMBER SANDERS: I'll be
20 quick Mr. Chair. I just wanted to reflect on the
21 glory of our country. This is a country that
22 created the Hoover Dam. We built the Empire State
23 Building although they won't light it for Mother
24 Teresa. We are rebuilding the World Trade Center.
25 We can literally move mountains. So surely a hill

3 will not be our greatest difficulty. For the
4 Empire State, not for the Empire State.

5 If Council Member Arroyo can get
6 more money, I'd say take it, personally. I wish
7 she'd get it for my community. But if she wants
8 to do this for the Bronx, then I would encourage
9 you to go back and come up with a timeline and say
10 hey, here's what it would take to do another 100,
11 another 300, another whatever. And if she could
12 come up with the money then I think that we're in
13 a good place.

14 We in the Empire State will not let
15 a hill in the Bronx defer us from giving the best
16 education to children. Thank you Mr. Chair.

17 CHAIRPERSON LANDER: Thank you
18 Council Member Sanders. Now will you have the
19 capacity to light the school for Mother Teresa?

20 [Laughter]

21 MR. OU: We should. And if and
22 when we get this project under construction,
23 unfortunately I think it'll be past the
24 anniversary. So but yes, there will be lighting
25 of the school.

CHAIRPERSON LANDER: All right I

2 want to thank you for taking the time to come and
3 present. I know you have quite a few more schools
4 to talk with us about afterwards but we're going
5 to hear from those folks who have signed up to
6 testify on this matter. Thank you for your
7 testimony. We may have a couple of things to say
8 at the end after we've heard.

9 We'll do this in two panels. I
10 have five people signed up to testify. We'll do
11 the elected official representatives first and
12 then the parent and community representatives on
13 the second panel. So if first Eddu Hermalen
14 [phonetic], I apologize, from New York State
15 Assemblywoman Vanessa Gibson's Office, and Jesse
16 Mo [skip in audio] from Bronx Borough President's
17 Office could come up and present that testimony at
18 this time.

19 [Pause]

20 CHAIRPERSON LANDER: Did we lose
21 Ms. Hermalen? Oh, Mr. Hermalen. Excuse me, why
22 did I--it's Ms. Gibson, I apologize.

23 MR. EDDU HERMALEN: It's all right.

24 CHAIRPERSON LANDER: Eddie?

25 MR. HERMALEN: Eddu.

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2 CHAIRPERSON LANDER: Eddu, I was
3 close. No? I wasn't that close? Sorry.

4 [Chuckling]

5 [Witnesses getting settled]

6 CHAIRPERSON LANDER: All right, Mr.
7 Mojica if you want to state your name for the
8 record and then begin, thank you.

9 MR. JESSE MOJICA: Good morning
10 everyone, My name is Jesse Mojica; I'm the
11 Director of Education Policy and Human Services
12 for the Office of Bronx Borough President Rubin
13 Diaz, Jr.

14 Good morning Chairman Lander and
15 members of the New York City Council's
16 Subcommittee on Zoning and Franchises. My name is
17 Jesse Mojica and I was Director of Education
18 Policy for Borough President Rubin Diaz, Jr.

19 On behalf of the Borough President
20 I thank the Committee for the opportunity to read
21 into the record the Borough President's thoughts
22 on this issue.

23 For decades the parents and
24 community leaders of Highbridge have advocated for
25 a middle school of their own. And I cannot

3 overstate how happy we are that their long-time
4 wish is finally coming true. Approximately 2,000
5 Highbridge students graduate into middle school
6 every year. Highbridge is experiencing huge
7 growth which requires a significant expansion of
8 the capacity of the community's educational
9 infrastructure.

10 Currently there are no middle
11 schools within Highbridge or within a reasonable
12 distance for the children of Highbridge to access.
13 Very young children are forced to travel long
14 distances to reach their assigned middle schools
15 which are located on the other sides of both the
16 Cross Bronx Expressway and the Grand Concourse.

17 I am deeply concerned about the
18 safety of very young children traveling long
19 distances which is why the creation of a middle
20 school within the Highbridge community is one that
21 I and the Borough President wholeheartedly
22 support. There are a few issues related to the
23 creation of this school that we would like to
24 bring to the Committee's attention.

25 Last year in April, our office
signed onto a letter with many other elected

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2 offices that expressed our collective desire,
3 along with the Highbridge community to "present
4 our vision for the development of that school and
5 respectfully request your engagement moving
6 forward". Your, meaning the Department of
7 Education.

8 Two of the issues in that letter
9 that I would like to highlight in our testimony
10 today is the Borough President's desire that the
11 middle school being created in Highbridge be a
12 green school. Additionally he also feels very
13 strongly that there needs to be ongoing analysis
14 as to the amount of middle school seats needed for
15 the Highbridge area.

16 Let me elaborate on these two
17 points. In New York State right now, only three
18 schools are certified LEED Platinum and none of
19 them are public schools in New York City.
20 Platinum LEED certification is the highest
21 environmental honor one can get. From the day
22 since becoming an elected official 13 years go,
23 the environment and environmental justice has been
24 one of the Borough President's highest priorities
25 and will continue to be during his tenure as Bronx

3 Borough President.

4 By ensuring the construction of
5 this new school will meet the highest possible
6 green standards, we can show not only the City and
7 the State but the entire nation that the
8 Department of Education, the School Construction
9 Authority and the people of the Bronx are
10 committed to the environment and will do whatever
11 it takes to lower our carbon footprint.

12 I join with the community in asking
13 that the school incorporate a green roof, solar
14 and wind energy and greenhouses that will not only
15 help address environmental concerns but will also
16 create green learning opportunities for the
17 students who attend the school.

18 We also remain concerned that the
19 amount of seats being provided at the school will
20 not be enough to meet the demand of the community.
21 The community advocated very strongly for a school
22 of 1,200 seats but instead was given a school of
23 just 389. As per the letter from last April and I
24 quote "we respectfully ask the DOE as part of its
25 periodic review process over the course of the
coming 5-year plan to pay specific attention to

3 the community's demographic patterns.

4 This is particularly important as
5 updated census numbers will be made available over
6 the next couple of years." I thank all the
7 members of the Committee for the opportunity to
8 express the Borough President's concerns on this
9 important matter. And I look forward to working
10 with all in creating the best possible middle
11 school for the Highbridge community.

12 CHAIRPERSON LANDER: [mic not turned
13 on]

14 MR. HERMALEN: Well usually I like
15 to practice the 3 B's before I do any type of
16 speaking in public, be bold, be brief, and be
17 gone. But [chuckling]. Excuse, I'm trying not to
18 be as emotional as our beloved Council Member
19 Arroyo in regards to this issue but this is a very
20 important issue in our community.

21 Hello everyone. My name is Eddu
22 Hermalen [phonetic] and I am testifying today on
23 behalf of Assemblywoman Vanessa L. Gibson who is
24 in Albany this morning as part of the ongoing
25 legislative session.

As a District Office Manager for

2 the Assemblywoman, I want to thank the Committee
3 and you Chairman Lander for allowing me to express
4 her strong support for the construction of a long
5 awaited Highbridge middle school and to let the
6 Committee know about her concerns regarding the
7 planned school.

8 For years parents and community
9 residents in Highbridge have made a concerted
10 effort to focus public attention on the pressing
11 need for a middle school in their community. A
12 rapidly portion of the West Bronx, the Highbridge
13 community sees nearly 2,000 students join the
14 middle school ranks every year.

15 But despite this rapid growth in
16 enrollment, Highbridge residents have long been
17 overlooked and isolated when it comes to the
18 construction of a much needed middle school. And
19 they have not had a middle school in their
20 community for more than 40 years. I do apologize
21 for the typo on the testimony, it is over 40
22 years.

23 As a consequence, young people from
24 throughout Highbridge have been forced to make a
25 very disruptive adult-sized commute to school

3 every day. This has left some of our youth, as
4 young as 10 years old traveling miles from home
5 just to attend school. The travel time involved
6 has left many families isolated and built a
7 virtual wall of separation between our schools and
8 the Highbridge community and has made it more
9 difficult for parents to be actively involved in
10 their child's education during the crucial middle
11 school years.

12 It has also essentially lengthened
13 the school day and discouraged many young people
14 from participating in valuable extracurricular
15 activities and after school programs. The
16 construction of a middle school in Highbridge will
17 go a long way towards addressing that isolation.
18 And I cannot overstate the importance many
19 Highbridge residents place on this new school.

20 However it is essential to note
21 that the school which will accommodate just 398
22 students will meet less than half of the
23 demonstrated need and still leave Highbridge
24 dramatically underserved. Along with falling
25 short of the existing need the school as planned
does not provide for any additional growth in

3 demanding future years.

4 In short, while the school is a
5 positive addition to the community, it will be
6 inadequate to meet both the existing and future
7 needs of the Highbridge community. Thus it is
8 important to make sure that the New York City
9 Department of Education and the School
10 Construction Authority are committed to an ongoing
11 analysis of data that could lay the foundation for
12 the development of additional middle school
13 capacity in the Highbridge community.

14 Assemblywoman Gibson would
15 appreciate whatever assistance your Committee can
16 provide in making that happen. Additionally
17 community residents and Bronx Borough President
18 Rubin Diaz, Jr. have made the construction of a
19 green school in Highbridge a key priority. And
20 Assemblywoman Gibson is asking that you join in
21 these efforts to make this a true model school.

22 After so many years of neglect, it
23 is time for residents of Highbridge to have a
24 middle school they can be proud of, a school that
25 incorporates the latest in environmentally sound
technology, making it a flagship example for

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3 schools through out the City of New York and even
4 the State.

5 Specifically, the inclusion of a
6 green roof along with solar and wind energy and
7 design would substantially reduce the long term
8 cost of operating this school and make a clear
9 statement about our City's growing awareness of
10 the need for environmental justice. Incorporating
11 greenhouses into the design would also provide
12 valuable learning opportunities to those middle
13 schoolers attending the school.

14 In conclusion Assemblywoman Gibson
15 looks forward to working with your Committee,
16 Councilwoman Maria del Carmen Arroyo, Councilwoman
17 Helen Foster and other elected officials as she
18 seeks to have both the capacity and design issues
19 of the Highbridge middle school addressed.

20 As we move towards construction of
21 a middle school in Highbridge, Assemblywoman
22 Gibson wishes to strongly emphasize the importance
23 of communication and urge the New York City DOE to
24 maintain an active dialog with elected officials,
25 community leaders and parent advocates as this
project moves forward. Thank you.

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2 CHAIRPERSON LANDER: Thank you very
3 much. Council Member Arroyo, followed by Council
4 Member Halloran.

5 COUNCIL MEMBER ARROYO: I forgot to
6 mention in my opening statement that this is a
7 community that my colleague Council Member Helen
8 Diane Foster and I share. The school is just
9 across the street where the district lines meet.
10 And one that I think given that she's particularly
11 a resident of the Highbridge community understands
12 the issue of the need for this school
13 tremendously.

14 But I want to take the opportunity
15 to thank both of you and your principals for your
16 commitment and your work moving this project
17 forward. We all want to see it happen. And we
18 want to make sure that it happens right. And it
19 can be the best school that it can be for the
20 community. And we have an incredible opportunity
21 to make that happen. And I know that without your
22 support and your principal's commitment to this
23 project, the chances of success are probably less
24 if you guys were not at the table. So thank you
25 very much.

2 MR. MOJICA: Thank you Council
3 Member.

4 MR. HERMALEN: Thank you.

5 CHAIRPERSON LANDER: Council Member
6 Halloran?

7 COUNCIL MEMBER HALLORAN: Thank you
8 for your testimony. Just two questions with
9 regards to your principals and you can each take
10 them in turn. But let me preface it by saying
11 that it seems a very unfortunately to me that the
12 Council Member whose district this project is in
13 does not feel that she's been properly updated.
14 And so I'm sharing that concern in your commentary
15 regarding communication being key to making this
16 work.

17 And I would hope the administration
18 would endeavor to make sure that they're involving
19 and forvolving (sic) their elected officials
20 regardless of whether they're at the Assembly,
21 Senate, Borough President or Council level.

22 Just briefly, the LEED
23 certifications which were discussed, particularly
24 in your testimony, those are multiple levels of
25 LEED certifications. There are various levels for

2 green certification. And Platinum is the most
3 difficult to obtain but it's also the most
4 expensive in terms of up front costs. And I know
5 you do realize we are in the middle of a major
6 economic recession.

7 And while it's wonderful to talk
8 about what we'd like to do, there's a predicament
9 that we are all now facing. And we're choosing
10 between closing fire houses and putting lives in
11 jeopardy and scaling back projects.

12 Certainly the Borough President and
13 the Assemblywoman are not saying, and the
14 Assemblywoman who's up in Albany not passing a
15 budget right now, should be most cognizant of this
16 fact that if we have an opportunity to put a
17 school in that has the ability to at least
18 partially address the problems and get some of
19 these kids into a classroom which is closer to
20 home, certainly you're not saying we should hold
21 that up so that you can be eco-conscious at the
22 expense of tens of millions of additional dollars
23 that we don't have right now. You're not saying
24 that, right?

25 MR. HERMALEN: Let me get this one

3 please. With all due respect Council Member
4 Halloran, you know, we do understand that we're
5 facing a major, an historical budget deficit both
6 in the State and the City level. But it's also
7 important to highlight that these are our kids.
8 And they are the future of our community. We're
9 not taking from all those other agencies that are
10 also have to deal with these budget deficits. But
11 we're talking about the future of our community.
12 And we can't put a price on the future of our
13 community.

14 MR. MOJICA: I think just to echo
15 Eddu's comments, is when we speak of the Bronx and
16 we speak of Bronx children, we always want the
17 best, the absolute best. And I think it would be
18 irresponsible of us to ask for less than that. I
19 understand the economic realities.

20 The Borough President understands
21 the economic realities. But when we're speaking
22 about our children and the ideal environments, we
23 always start at the very best. We always start.
24 And I think that our push for the very best for
25 Highbridge or push for the very best for the
Borough of the Bronx is exactly what we is our

2 responsibility to the Borough's constituents and
3 to the Borough's children.

4 So when we approach anything,
5 whether it be educational outcomes or whether it
6 be educational infrastructure or whether it be
7 environmental outcomes, we're always going to ask
8 for the best, for our children, and be prepared to
9 have that conversation as to what the economic
10 realities are. But we're not going to start with,
11 you know, the bar lower for our children. I think
12 they deserve the very best.

13 CHAIRPERSON LANDER: I'm glad--
14 Council Member in the interest of passing our own
15 budget, I'm going to urge that we not go into and
16 turn this into a broad philosophical debate on the
17 budget where I think you each would have strong
18 points to make. But we have a couple of other
19 people signed up to testify and with deference to
20 the Council Member, I'm going to ask that we
21 conclude this panel and ask the remaining panel to
22 come up and testify on this item. Thank you very
23 much for your testimony.

24 MR. HERMALEN: Thank you very much.

25 CHAIRPERSON LANDER: For this next

3 panel, and I apologize because when I was an
4 advocate I hated when they let the elected
5 officials go on and on as long as they wanted and
6 then impose time limits on the community members
7 but we're going to lose our Council Members.

8 So I'm going to ask that the
9 advocates confine their testimony to three minutes
10 which is plenty of time to tell us quite a lot and
11 invite up Jose Gonzalez from the Highbridge
12 community, Chauncy Young from Highbridge United
13 and O'Cynthia Williams from United Parents of
14 Highbridge. And thank you very much for coming
15 out to testify and so that we look very forward to
16 hearing your testimony.

17 [Witnesses deciding who goes first]

18 MR. CHAUNCEY YOUNG: Yes. Jose you
19 can go--

20 CHAIRPERSON LANDER: [Interposing]
21 You can go in whatever order...

22 MR. YOUNG: Okay.

23 CHAIRPERSON LANDER: Whatever order
24 you'd like, just please state your name for the
25 record and then being your testimony. And we have
your written testimony as well.

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2 MR. YOUNG: Of course. I'm
3 actually going to change from that written
4 testimony. What I'm providing you there is
5 actually the letter that was done in April that
6 was signed by all of our elected officials. My
7 name is Chauncy Young. I'm represented United
8 Parents of Highbridge and also the Highbridge
9 United Coalition which represents over 60
10 community organizations, every parent association
11 in the neighborhood and every single elected
12 official.

13 You can see the letter that we've
14 just passed out to you was the letter that was
15 referenced by the School Construction Authority
16 and also by the Borough President. And you'll see
17 that it was signed by every single elected
18 official in our neighborhood, the Congressman Jose
19 Serrano, Senator Jose M. Serrano, at that point
20 our Assemblywoman Aurelia Green who is now our
21 Deputy Borough President, the Borough President
22 and Council Member Helen Diane Foster and Council
23 Member Maria del Carmen Arroyo.

24 So this has been a campaign for
25 over four years to get this school in the

3 neighborhood. And I'm going to just take a couple
4 of seconds to answer some of the questions that
5 have been brought forward by the Council Member,
6 because the number 389 actually has nothing to do
7 with our community needs. That was actually left
8 over seats from the last 5-year capital plan.

9 So it doesn't have anything to do
10 with our community needs. We were able to show
11 that there's 2,000 students graduating from our 5
12 elementary schools in Highbridge. But we were
13 told in our April negotiations, our final
14 negotiations with the Department of Education, the
15 School Construction Authority and the Mayor's
16 Office that we could take 389 seats or we could
17 just not have a middle school for our
18 neighborhood.

19 So the 389 seats is really was
20 imposed on us and it was our decision as a
21 committee of over, you know, of all the community
22 organizations, all the parent organizations, and
23 all the elected officials to accept the 389 seats
24 because we desperately needed a school for the
25 neighborhood. But if we were going to accept
that, then what we wanted to ask for was we wanted

3 to ask for these green elements because we wanted
4 the school's curriculum focus, since the
5 beginning, to be focused on sustainable energy and
6 environmental education. So we as the community
7 didn't feel like we were asking too much for that.

8 So I'm just going to read a piece
9 of this and that is saying that the community of
10 Highbridge registers some of the highest asthma
11 hospitalization rates in the country. The
12 anticipated site of the new middle school situated
13 near a major highway. I'd like to state for the
14 record, one of our sites, these were all sites
15 selected by the community because the School
16 Construction Authority, after they agreed we
17 needed a school, couldn't find a school site in
18 the neighborhood. We actually suggested a site,
19 part of one of the unused garages of Yankee
20 Stadium and they said that the Yankee Stadium
21 project and the garages associated with it could
22 not be delayed for our community.

23 So while that site was much larger
24 and could have taken a much larger school, the
25 Yankee Stadium site which is one of our borders on
our community, had more preference than our

3 children. Our library also opened three years
4 late. This, just a few months ago, and Yankee
5 Stadium opened on time.

6 Moreover in the construction, the
7 school will entail the removal of many trees on
8 the north side of Highbridge Housing Development,
9 consistent with the community's original vision,
10 in line with Mayor Bloomberg's PlaNYC and
11 President Obama's green initiative, we ask that
12 the DOE and the School Construction Authority
13 construct a green middle school, the first LEED
14 Platinum certified school in New York City to
15 reduce carbon emissions during construction and
16 regular operations.

17 The Borough of the Bronx has in
18 recent years emerged as the capital of
19 environmental advocacy and development. The new
20 middle school in Highbridge in order to protect
21 the health of the students, in order to generate
22 long term energy costs savings to the DOE should
23 embrace this vision.

24 We ask that the school incorporate
25 a green roof, solar and wind energy and
greenhouses within its structure. As has been

2 demonstrated in the science barge and in New York
3 City Sun Works program. The community has
4 envisioned the school not only as a green school
5 but a high tech school that has been focused on
6 environmental science and sustainable energy.

7 And I'm just going to read the
8 conclusion. In conclusion the proposed middle
9 school will most likely not be sufficient to meet
10 the needs of our community. However we realize
11 that while the needs of City students are great
12 and diverse, there are two logistical and
13 budgetary constraints that confront policy makers.
14 As such we are willing to work with the Department
15 of Education to create a better understanding of
16 the educational need of our community and within
17 the collaboration we hope to maintain a strong
18 partnership with your office.

19 As the stakeholders--

20 CHAIRPERSON LANDER: [Interposing]

21 Thank you Mr. Young.

22 MR. YOUNG: --in this process we
23 continue to advocate for our vision of the
24 development of a better middle school. And the
25 Council Member is correct. We've asked for

3 meetings and we haven't had additional meetings
4 with the DOE since that point, that we've
5 testified at every public meeting.

6 CHAIRPERSON LANDER: Thank you.

7 MR. JOSE GONZALEZ: Good morning.
8 My name is Jose Gonzalez. I am President of
9 Highbridge and I am also the parent, the PTA
10 presidents in my school. I have two children in
11 PS 73. And I've been involved on this campaign
12 since the beginning. And just listening to the
13 School Construction Authority right now is like
14 they are the people who has been delaying the
15 process because we, when we decide to fight for
16 this middle school that the other residents has
17 for like 40 years without middle school.

18 And the only middle school that we
19 have was PS 73 and by the community change, they
20 take that out, that middle school out from our
21 neighborhood. We are an isolated neighborhood
22 which is just have one street that go up and down
23 and our children have to ride like two buses and
24 trains to get to another middle school outside of
25 our neighborhood. And we are talking about 9-year
old children, 10-year old children. That mothers

3 sometimes have to stop working and bring the
4 children for one month to be familiarized with
5 another middle school where they are attending
6 outside of the neighborhood.

7 We've been aggressive in this
8 campaign because we don't understand our need; our
9 community and our children need this middle
10 school. By the time when we find out that we're
11 just in the capital plan, we didn't have the
12 amount of seats that we were requesting, the real,
13 the fat seats that we were requesting was more
14 than 206 seats. And we, after we find out that we
15 were in the capital plan so we decided okay, let's
16 just take 300 and it was not 391 it was 389 seats.
17 They just give us like 3 more seats, more. Thank
18 you.

19 And we decided no, you know, let's
20 take it. We have to go back to our communities
21 and let's think about--let's put something that
22 our children can focus in the future. And they
23 can utilize and a tool in the future because the
24 future is technology. In the future is just now
25 the green environment. That's what our children
need.

3 We run a volunteer program called
4 Highbridge Historian Program. And we teach the
5 children in the neighborhood about our
6 neighborhood, about the history of the
7 neighborhood. And we bring the children to
8 community garden and you need to see their faces
9 asking how that works, how that grow up. And
10 that's that thing, that tool that I think our
11 children need. We need a green school in our
12 community. We, as a community, as a poor
13 community that serves a great, great school for
14 the future to our children. Thank you.

15 CHAIRPERSON LANDER: Thank you very
16 much. Ms. Williams, nice to see you.

17 MS. O'CYNTHIA WILLIAMS: Okay good
18 morning. My name is O'Cynthia Williams and I am a
19 parent leader, a founding leader of Parents of
20 Highbridge and also a member of the New York City
21 Coalition for Educational Justice.

22 I'm here to testify on behalf of
23 the Highbridge community and the United Parents of
24 Highbridge and all the folks who fought so hard
25 for this middle school. Our community really,
really needs this middle school. And we guess we

3 need more seats than the CSA and the Department of
4 Education have offered. But because of the dire
5 need of course we accepted whatever they decided
6 to give us.

7 But we need to think about children
8 first. I'm not going to go through all of the
9 things that people have said earlier about why we
10 need the green school and why we don't have enough
11 seats. What I want to say to the School
12 Construction Authority and the Department of
13 Education and all of us is that we have to find a
14 line where all of us come together to ensure that
15 there is a school for our kids that's adequate,
16 that has the green that's so needed, and that our
17 kids can flourish.

18 I mean we're sitting up here
19 talking about all of the other components but
20 we're not talking about what the kids are going to
21 need. And I was really taken aback by the
22 question about money earlier because we want the
23 best for the kids but it's going to cost more. I
24 know as a parent who's been involved for a long
25 time that when this City wants to find money to do
something, we find the money. We really do, no

3 matter what the situation is. And also, can't put
4 a price on kid's education. You can't put a price
5 on the learning of children.

6 So I would like for us to continue
7 the conversations but don't take these
8 conversations too long. Let's come to a
9 settlement on what is going to best for the
10 community. I mean my child, I remember, I have
11 six of them, but one child had to go, not only
12 take two buses but a train to get to middle
13 school. The first day she was lost. She was
14 lost, called me on a payphone. I was at work.
15 She was like I'm not moving from this spot. I
16 would not want another parent to have to go
17 through with that. And so I ended up having to,
18 for a month, let my child take a taxi to school.
19 Many parents can't afford to do that.

20 So get the school in the community,
21 make it a green school. It's going to be, I mean,
22 a win for everyone. The community, the students,
23 the Department of Education, for being a model,
24 for this country and for New York City. So I
25 would ask that we just put all this--I know
there's a lot of stuff that has to go into it, but

2 come to an agreement and provide the kind of
3 school and the education that our children
4 deserve. Okay. Thank you.

5 CHAIRPERSON LANDER: Thanks. I
6 want to thank all three of you for your testimony
7 and also for your passion and energy in fighting
8 for the young people of the Bronx. Council Member
9 Williams has a question.

10 COUNCIL MEMBER WILLIAMS: Thank you
11 Mr. Chair. I was just confused and I just want to
12 be clear. So as far as I can see there's like
13 four options. Take it as it is. Push further and
14 try and get the 900 or 1,200 students with the
15 Platinum LEED. That seems to be the two ends.
16 And then in the middle you've got the 389 but also
17 with the Platinum LEED or maybe 1,200 with a less
18 LEED, maybe gold or something below.

19 I'm just unclear what you guys are
20 pushing for. Are you saying now you need it so
21 bad just take it as it is now? Or should the
22 elected officials be pushing for something more?

23 MR. YOUNG: Well we've made it
24 clear since last year that if 389 seats were the
25 only seats that the Department of Education would

3 give us for the community, then we would work with
4 the 389 seats and we'd like it to be the green
5 school that we've always envisioned. If there's a
6 possibility to have more seats, we want them to
7 come back and the Department of Education and
8 envision building other schools in the
9 neighborhood.

10 There's not sufficient school
11 sites, you know, for really increasing it too much
12 more than 389 at the site that was selected. And
13 we've lost some of the possible sites in the time
14 that we've been negotiating this. So, you know,
15 we would like to not--we'd like to get a school as
16 soon as possible but we'd like those green
17 components. And if we can fight for additional
18 seats, that's wonderful also.

19 COUNCIL MEMBER WILLIAMS: So green
20 is more important to you than the actual number of
21 seats?

22 MR. YOUNG: No. No. But what the
23 School Construction Authority, the Mayor's Office,
24 in our negotiations, I mean we've had negotiations
25 with the Mayor's Office, the Department of
Education, for over a year and a half before we

3 came to this April letter. And they said no
4 matter how much you fight, we are going to give
5 you no more than 389 seats.

6 MS. WILLIAMS: Right.

7 MR. YOUNG: And so even though we
8 could demonstrate that there is a need, they said
9 school choice. Even though you can show us that
10 you have this number of students that are in the
11 neighborhood, we think that your neighborhood
12 children would not choose to go to this school;
13 they would choose school choice and select charter
14 schools and other neighborhood schools that might
15 have their focus.

16 So we've accepted 389 seats at that
17 April letter and focused on the green components
18 because it was made clear to us by the School
19 Construction Authority and the Department of
20 Education and the Mayor's Office that there was no
21 way they would give us more than 389 seats. It's
22 not that we don't want it.

23 MS. WILLIAMS: Right.

24 MR. YOUNG: But we're pushing for
25 these green elements because we feel like our
community deserves the best school that can be--

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2 COUNCIL MEMBER WILLIAMS:

3 [Interposing] But you didn't say it was because of
4 money.

5 MS. WILLIAMS: No.

6 MR. YOUNG: They said we will not
7 give it to you.

8 COUNCIL MEMBER WILLIAMS: Thank
9 you.

10 CHAIRPERSON LANDER: Council Member
11 Sanders and then Council Member Halloran.

12 COUNCIL MEMBER SANDERS: Sadly one
13 of the--I'm speaking as a former school board
14 president of 27 down in southeast Queens, sadly we
15 must put a price on education. It's just a sad
16 fact of reality. But there's some questions
17 missing Mr. Chair that before we could even have a
18 rational conversation.

19 The question one is the cost of
20 each level of green. Imagine if this is a false
21 argument that we're having. Suppose it doesn't
22 cost that much to go green. Yes it does, but we
23 don't know how much. The School Construction
24 needs to say the cost of each level. Suppose gold
25 is \$100,000 and Platinum is \$105,000.

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3 Under those conditions why are we
4 having this argument? Go platinum. We also need
5 to know the price per 100 kids. You know, then we
6 can make some choices where we can say okay, we
7 have enough money to either go platinum or get
8 another 100 kids and then give these good people a
9 fair conversation.

10 They are being deprived out of
11 pieces of the equation. They can't make a fair
12 choice and from what I'm hearing, perhaps the
13 Board of Ed or the Department of Ed or whatever
14 they call themselves this week, does not want them
15 to have a fair choice. It could be, if I'm
16 hearing right, a take it or leave it and that's
17 it. And we shouldn't involve ourselves in that
18 stuff.

19 CHAIRPERSON LANDER: Thank you for
20 identifying these issues. We're going to take
21 Council Member Halloran's question or comment and
22 then I think in the interest of time we've had a
23 very good airing of the issues. And there will be
24 some follow-up opportunities for the Council
25 Member and the SCA to continue this conversation
after the hearing.

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2 COUNCIL MEMBER HALLORAN: I think
3 the biggest problem here is the SCA's method of
4 bringing this to the table. I do not for a minute
5 take away the fact that in your district in
6 particular without a middle school for 40 years,
7 it is appropriate for them to be telling you that
8 this cap is 389 to 394 when you have 2,000
9 elementary school graduates going in.

10 That being said I think the
11 question that was asked by both Council Member
12 Williams and the point made by my very good
13 colleague from Queens was that when we're making
14 these choices, looking at the costs involved in
15 the green process versus students, it is the
16 critical equation here.

17 And would you at least agree with
18 me that it would be better to be at a lower level
19 of green and to have an additional 100, 200, 300,
20 400 students? And I'm sure you guys know the
21 reality, the green costs are tremendous up front.
22 They may save money down the road but if we get
23 down the road is the question. And we've got to
24 get there.

25 I think your Council Member has

2 done a spectacular job of advocating for you and
3 has done--her passion is there. And everyone can
4 see that. And everyone knows she cares about this
5 issue very deeply. And I'm just here to be sort
6 of the fiscal reality check a little bit. And I
7 hope you don't take that the wrong way. But let
8 me just say this to you.

9 In your presentations to the Mayor,
10 in what you've brought us here, you've made an
11 incredibly great point that I think bears you
12 continuing to carry the banner. And that is that
13 you're being forced to make a request for this
14 green process, not so much out of it's your first
15 line of wish for this school but rather it's in
16 response to a ceiling which has been arbitrarily
17 imposed on you. And I take great deference to the
18 comment you made about Yankee Stadium and the
19 money we put forward to it and the delays it
20 caused to the community.

21 MS. WILLIAMS: Um-hum.

22 COUNCIL MEMBER HALLORAN: Look, I
23 love the Yankees; I'm a Yankee fan--

24 MS. WILLIAMS: [Interposing] Me
25 too.

2 COUNCIL MEMBER HALLORAN: --but the
3 kids do come first and that's absolutely true.
4 Would you agree with me then that in your movement
5 forward, the issue has to be first and foremost
6 the kids and their number is really the priority
7 here? Everything else is dressing on the window.
8 It'd be nice to get to but the kids are really
9 where we're at. Yes?

10 MS. WILLIAMS: That's true.

11 MR. YOUNG: Certainly

12 MR. GONZALEZ: Yes.

13 COUNCIL MEMBER HALLORAN: Thank
14 you. Nothing further.

15 CHAIRPERSON LANDER: Thank you
16 Council Member Fiscal Reality Check. I've done a
17 very poor job of being Chairman Time Reality
18 Check. But I do want to say thank you to you for
19 coming up to testify. The passion and the hard
20 work that you've done are appreciated. We don't
21 have anyone else--oh and I'll give the last word
22 before we close the public hearing on this to
23 Council Member Arroyo--

24 COUNCIL MEMBER ARROYO:

25 [Interposing] And I will be brief Mr. Chair.

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2 CHAIRPERSON LANDER: --thank you.

3 COUNCIL MEMBER ARROYO: In
4 deference of time, I just want to take a moment to
5 thank the three of you for probably taking time
6 from work and everything else that you have in
7 your life to be here. No story is told better
8 than the one that walks a mile in the shoes. So
9 your work and over the decades this community
10 organizing to at least get us to a place where we
11 have a discussion about we want more seats, we
12 want it green, we want the school.

13 And we want the best school we can
14 have for the community. And I will remain
15 optimistic that we will be able to come to a place
16 where we agree, the Department, the Authority, the
17 Council, the community, and my colleagues in
18 elected office. I am optimistic that we're going
19 to get to that place. Thank you.

20 CHAIRPERSON LANDER: Thank you very
21 much. With that we'll close the hearing on this
22 item. Thanks to those who came out for it. Well
23 what we're going to do now is do one more school,
24 PS 51 in the Speaker's District because there's
25 someone signed up here to testify. We'll then

2 switch over to Landmarks so we can let the
3 Landmarks staff present and get out of here and
4 then come back and finish up the rest of the
5 schools.

6 COUNCIL MEMBER SANDERS: Mr. Chair,
7 even as you call, in around ten minutes I must
8 leave. I have a 1:00 o'clock hearing myself.

9 CHAIRPERSON LANDER: So we will do
10 our best to move as quickly--I think the other
11 matters will go more rapidly than this one. If
12 the SCA could come back up and do Land Use number
13 128, 20105713, the PS 51 replacement in Speaker
14 Quinn's District. And we have one person signed
15 up to testify, one public member has signed up to
16 testify on this matter, after that.

17 [Pause]

18 CHAIRPERSON LANDER: Thanks very
19 much, when you're ready.

20 MR. SHAW: Thank you. Thank you
21 Chairman Lander and Council Members. The New York
22 City School Construction Authority has undertaken
23 the site selection process for the proposed 630
24 seat replacement facility currently occupied by
25 the playground of PS 51 in Manhattan and a vacant

warehouse.

3 The project site contains
4 approximately 31,266 square feet of lot area
5 located on the north side of 10th and 11th Avenues
6 on the West Side in the Borough of Manhattan in
7 Tax Block 1073, portion of Lot 1. The proposed
8 school is also located in Community School
9 District Number 2 and Manhattan Community Board
10 Number 4.

11 The notice of filing for the site
12 plan was published in the New York Post and City
13 Record on September 11th, 2010. Manhattan
14 Community Board number 4 was notified of the site
15 plan on that date and was asked to hold a public
16 hearing on the proposed site.

17 Community Board held their public
18 hearing on October 7th, 2009 and subsequently
19 submitted written comments on the proposed school.
20 The City Planning Commission was also notified of
21 the site plan on September 11th and it also
22 recommended in favor of the site.

23 The SCA has considered all comments
24 received on the proposed site plan and affirms the
25 site plan pursuant to Section 1731 of the Public

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2 Authorities Law and in accordance with Section
3 1732 of the Public Authorities Law the SCA
4 submitted the proposed site plan to the Mayor and
5 City Council on June 11th, 2010. We look forward
6 to your Subcommittee's favorable consideration of
7 the proposed plan. And we are prepared to answer
8 any questions that you might have. Thank you.

9 CHAIRPERSON LANDER: Thanks very
10 much. Are there any questions from members of the
11 panel? I have some questions about whether the
12 layout of the four square has the numbers in the
13 right squares but I'll save that for another time.

14 I do know that there was some
15 concerns raised by Community Board 4 about how to
16 minimize disruption of construction during the
17 building of the new space. I wonder if you could
18 just very briefly address those for us.

19 MR. OU: Yes. Just for everyone
20 who may be familiar, this school site adjoins a
21 site that the City recently rezoned that will be
22 the subject of substantial development of
23 affordable housing by the Gotham Organization
24 working with HPD.

25 We have committed to working with

3 and coordinating with Gotham as well as with the
4 local community and it's not clear whether it's a
5 task force model or, you know, an iterative
6 ongoing process to, number one, assure that our
7 students are safe during the construction which
8 will take up almost the entire block. But also to
9 minimize the disruption during the period of
10 construction because PS 51 will remain occupied.
11 But we are absolutely committed to working with
12 the Community Board and the developer.

13 CHAIRPERSON LANDER: Thank you very
14 much. Unless any other Council Members have
15 questions. We'll, thank you; we'll take the
16 public testimony on this matter. So if Lucas
17 Shapiro from Housing Conservation Coordinators
18 would come up and testify, thank you. Thanks very
19 much to the three of you.

20 [Pause]

21 CHAIRPERSON LANDER: The light has
22 to be off for some reason.

23 MR. LUCAS SHAPIRO: Good afternoon
24 Council Members. My name is Lucas Shapiro. I'm a
25 community organizer and an affordable housing
tenant's rights nonprofit called Housing

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3 Conservation Coordinators based on the West Side
4 of Manhattan.

5 We have been working on the
6 campaign around the PS 51 affordable housing site
7 for a number of years. Of course, as a housing
8 organization we're very much in favor of the 50%
9 affordable housing that the site's going to
10 develop. But we've also been working with the
11 broader PS 51 school community over the last
12 several years to work with them to put forth their
13 vision for the new school.

14 And I'm speaking in favor of the
15 plan for the new school. In particular I want to
16 highlight some of the work that's been to
17 negotiate the construction of additional
18 recreational space on the roof of the school.

19 As you may know the school is
20 actually slated to double in size and student
21 population but the existing outdoor playground
22 will be shrinking dramatically and because of all
23 the new construction around the site the
24 playground will be shrouded in shadows almost the
25 entire year. So the construction of rooftop
additional recreational space was the only

3 alternative that we were aware of where kids would
4 actually be able to play out in the sun which is,
5 of course, something that all parents and
6 community members care deeply about.

7 As was mentioned earlier there are
8 some concerns about how the construction will
9 proceed since there is a large residential project
10 that is adjacent to it that's part of this whole
11 rezoning. And we're concerned about the timeline
12 of that, linking up with the school. Our
13 understanding is that the school will take about
14 three years to construct and the worst case
15 scenario would be that the school construction
16 would start but then the residential component
17 would not get underway for years to come.

18 In which case the students at the
19 current school could potentially have to
20 experience additional years of disruption, you
21 know, concerns around air quality, having their
22 playground space probably located in an adjacent
23 playground, public playground.

24 So we want to just make sure that
25 we can work with the School Construction Authority
and Gotham to make sure that those are linked up

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2 properly. And I will also note that we only heard
3 about the site selection hearing yesterday. So
4 there's a couple of PS 51 parents who just
5 arrived. And I wanted to acknowledge them.

6 And I don't know if they wanted to
7 come up here and also if it's not too late, some
8 leaders from the PTA and folks who have been
9 really engaged throughout the process, attending
10 the Community Board hearings and working with all
11 the stakeholders involved.

12 CHAIRPERSON LANDER: You got the
13 form in time. Another six seconds and I would
14 have closed the hearing on this matter. But we
15 will invite up Catherine Consuelo Johnson from PS
16 51. Let me just let you know that we did have the
17 SCA testify and affirm that they're going to be
18 working with the community to address the
19 construction risks.

20 So if you have something, if you
21 could give us written testimony and make a brief
22 statement that would be great or give us written
23 testimony and let us remark on how cute your son
24 is, that would be fine too. [Chuckling] Please
25 introduce yourself for the record.

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3 MS. CATHERINE CONSUELO JOHNSON:

4 Absolutely. Okay. Hi. Hello. Good morning. My
5 name is Catherine Consuelo Johnson and I am a
6 parent of a third grader at PS 51 and I've been on
7 the New School Committee for the last three years.
8 And I just want to say that the PS 51 community is
9 happy and thrilled to be part of the process of
10 building a new school for our children and future
11 generations.

12 With that being said, here are some
13 concerns and requests from the PS 51 community
14 about the upcoming development site with Gotham
15 and School Construction Authority. Right now the
16 PS 51 requests to have a temporary playground for
17 students during construction. We really want to
18 make sure that this playground is available and
19 safe before the 2010-2011 school year.

20 We also request that a full time,
21 all day crossing guard be hired for the entire
22 period of construction. PS 51 also requests a
23 smooth transition from the old PS 51 building to
24 the new PS 51 building for the students and staff.
25 And PS 51 also requests that the money Gotham is
putting towards the new school be placed in a

2 fund. This money is solely to be used for the
3 construction of the new PS 51.

4 The current PS 51 would like
5 placements of air purifiers in air conditioners
6 throughout the entire building and maintained
7 during the entire construction process. You know,
8 I'm just going to skip to the end.

9 [Laughter]

10 CHAIRPERSON LANDER: All right. We
11 think your son just wants to state his name for
12 the record so before he gives his testimony.

13 MS. JOHNSON: Hudson. The PS 51
14 community would like to thank the Office of
15 Christine Quinn and the School Construction
16 Authority for adding a rooftop playground on the
17 new PS 51 building. The sunlight provided by the
18 newly added rooftop playground will dramatically
19 change the everyday routine of all PS 51 students,
20 so we really thank you.

21 CHAIRPERSON LANDER: Thank you very
22 much for your testimony--

23 MS. JOHNSON: [Interposing] Thanks.

24 CHAIRPERSON LANDER: --and for
25 lightening up our hearing a bit which is always

2 appreciated.

3 MS. JOHNSON: All right.

4 CHAIRPERSON LANDER: Council Member
5 Sanders followed by Council Member Arroyo.

6 COUNCIL MEMBER SANDERS: I just
7 wanted to say, Mr. Chair, that your son made as
8 much sense as many a Commissioner who has sat
9 there.

10 [Laughter]

11 CHAIRPERSON LANDER: Council Member
12 Arroyo.

13 COUNCIL MEMBER ARROYO: Thank you.
14 I'm glad I was here to hear your testimony because
15 that's exactly what we're fighting for, kind of,
16 sort of the same thing. And one district gets it
17 and the other doesn't. I don't get that.

18 MS. JOHNSON: That's a great
19 question.

20 CHAIRPERSON LANDER: Thank you very
21 much for your testimony. I know that the School
22 Construction Authority is here and had committed
23 in their testimony to continue their dialog with
24 the community. So I look forward to hearing the
25 positive results of that continued communication.

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3 MS. JOHNSON: Thanks.

4 CHAIRPERSON LANDER: Thank you very
5 much. Unless anyone... unless anyone else is here
6 on this item, we will close the public hearing.
7 Thank you very much. What we're going to do now,
8 both in respect of our original agenda and in
9 respect of the LPC's time since they only have one
10 item with us today and have already stuck around
11 for a little while is jump to the first item on
12 our list and then return to the remaining school
13 items with thanks to the patience of the School
14 Construction Authority.

15 So we'll move to Land Use Number
16 123, 20105519 HKM the Germania Fire Insurance
17 Company in Council Member Mendez' District.

18 [Child crying]

19 MS. JOHNSON: He's not finished
20 with his testimony.

21 [Laughter]

22 CHAIRPERSON LANDER: I hope he's
23 not unhappy about the Landmarking of the Germania-

24 [Off mic]

25 CHAIRPERSON LANDER: As long as

3 he's not opposed to the Landmarking of the
4 Germania Fire Insurance Company we're okay. All
5 right. Ms. Fernandez, when you're ready.

6 MS. JENNY FERNANDEZ: Thank you
7 Chair Lander, members of the Landmarks
8 Subcommittee. My name is Jenny Fernandez,
9 Director of Intergovernmental and Community
10 Relations for the Landmarks Preservation
11 Commission. I'm here today to testify on the
12 Commission's designation of the Germania Fire
13 Insurance Company Bowery Building in Manhattan.

14 On June 23rd, 2009 the Landmarks
15 Preservation Commission held a public hearing on
16 the proposed designation as a landmark of the
17 Germania Fire Insurance Company Bowery Building in
18 Manhattan.

19 There were six speakers in favor of
20 designation, including Joyce Mendelssohn, author
21 of The Lower East Side Remembers and Revisited;
22 and representatives of the Bowery Alliance of
23 Neighbors; the East Village History Project; and
24 Lower East Side Residents for Responsible
25 Development; Greenwich Village Society for
Historic Preservation; Historic Districts Council;

3 and Municipal Arts Society.

4 One representative of the
5 building's owners, Carol Slater of Slater and
6 Beckerman and a co-owner of the building, Tyler
7 Morris, spoke neither in favor of nor in
8 opposition to the building's designation. Upon
9 Ms. Slater's request the hearing was left open for
10 a period of time to allow her and the building's
11 owners to submit additional information about the
12 building into the public record. The Commission
13 received a letter in support of designation from
14 Council Member Rosie Mendez.

15 On March 23rd, 2010 the Commission
16 voted to designate the building a New York City
17 individual landmark. Designed by a prominent
18 German American architect and built in 1870 the
19 Germania Fire Insurance Company Bowery Building
20 recalls a time when the Bowery was a major
21 thoroughfare for America's leading German American
22 neighborhood.

23 Known as Klein Deutschland, this
24 neighborhood was known to hundreds of thousands of
25 New Yorkers of German descent and was in fullest
bloom when this building opened. The Germania

3 Fire Insurance Company was founded in 1859,
4 constructing this building to house its Klein
5 Deutschland Office. The building housed tenants
6 from the time of its opening and by 1880 its
7 residents included Irish, German and Chinese
8 immigrants.

9 Between 1900 and 1920 industrial
10 tenants displaced its residents and in 1929 the
11 building was purchased by members of two families
12 who manufactured barber shop and beauty parlor
13 equipment in the building until the early 1970s.

14 Residents started returning by the
15 mid-1970s and today the building is entirely
16 residential. The architect of the Germania Bowery
17 Building, Karl Pfeiffer studied architecture and
18 engineering in Germany and immigrated to the
19 United States in 1863. Pfeiffer's design for the
20 Germania Building was inspired by grand office
21 buildings then being constructed by the nation's
22 insurance companies, featuring a high basement, an
23 imitation mansard roof with dormer, as well as a
24 cast iron storefront.

25 Well preserved after 140 years the
Germania Fire Insurance Company Bowery Building

2 remains a significant survivor from the 19th
3 Century Bowery and the days when Klein Deutschland
4 was at its peak, glorying in its status as the
5 capital of German America. The Commissioner urges
6 you to affirm this designation.

7 CHAIRPERSON LANDER: Thank you very
8 much for teaching us a little bit about the
9 history of Klein Deutschland and of the insurance
10 industry in New York City. Council Member Mendez,
11 do you have any comments or questions?

12 COUNCIL MEMBER MENDEZ: Thank you.

13 CHAIRPERSON LANDER: As the Council
14 Member from Klein Deutschland?

15 COUNCIL MEMBER MENDEZ: Yes. Yes.
16 And you could still come and it's just more little
17 Klein Deutschland, just smaller. I'm in favor of
18 this designation. And I don't of if it's, you
19 know, apropos or irony but today is the
20 anniversary of the General Slocum Ferry disaster.
21 So I don't know if the insurance company had any
22 insurance issues after that big disaster.

23 But it's a beautiful building
24 located in my District. And it was this community
25 was the third largest German community after

2 Vienna and another one in Germany, so we are
3 certainly proud of our very multicultural,
4 multiethnic background and certainly preserving
5 this building by Landmarking it will remind us of
6 that. Thank you very much.

7 [Crosstalk]

8 COUNCIL MEMBER HALLORAN: Thank you
9 Mr. Chair. I just wanted to commend you on your
10 Deutsch pronunciation. Es ser far, ser gut
11 [phonetic].

12 MS. FERNANDEZ: I also want to
13 thank you for your pronunciation.

14 CHAIRPERSON LANDER: Unless there
15 are any other questions or comments for the LPC,
16 we will conclude the public hearing. Thank you
17 very much and thanks for your patience.

18 And we will return to the school
19 sitings that we have. Let me let folks know, in
20 anticipation that we may lose some members that at
21 the end of this hearing we're going to recess it
22 and we will have a hearing Thursday morning at
23 9:45 ahead of the Land Use Committee to vote out
24 items if we lose our quorum during the...

25 So we're going to turn now to Land

2 Use Item Number 124. We're going to ask the SCA
3 to come back up and present the rest of its items.
4 This is application 20105402, PS 290 in Council
5 Member Crowley's District.

6 MR. SHAW: Thank you Chairman
7 Lander and good afternoon Council Members.

8 The New York City School
9 Construction Authority has undertaken the site
10 selection process for the proposed 600 seat
11 Primary School facility that will be located in
12 Tax Block 3365, on Lot 27, located on south side
13 of Metropolitan Avenue between Tonsure and Himrod
14 Streets in the Ridgewood section of Queens The
15 proposed site is also located in Community School
16 District number 24 and Queens Community Board
17 number 5.

18 The project site contains a total
19 of approximately 43,950 square feet lot area. The
20 site is privately owned and contains a vacant 1-
21 story retail building that was formerly occupied
22 as a drug store. Under the proposed plan the SCA
23 would acquire the property, demolish the existing
24 building and build the proposed school. The
25 notice of filing for the site plan was published

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2 in the New York Post and City Record on January
3 28th, 2010. Queens Community Board number 5 was
4 notified of the site plan on that date and was
5 asked to hold a public hearing.

6 Community Board number 5 held its
7 public hearing on February 24th, 2010 and submitted
8 written comments that recommended in favor of the
9 proposed site plan. The City Planning Commission
10 was also notified of the site plan on January 28th
11 and it also recommended in favor of the site.

12 The SCA has considered all comments
13 received on the proposed site plan and affirms the
14 site plan pursuant to Section 1731 of the Public
15 Authorities Law and in accordance with Section
16 1732 of the Public Authorities Law the plan was
17 submitted to the Mayor and Council on June 11th,
18 2010. We look forward to your Committee's
19 favorable consideration of our proposed site plan.
20 Thank you.

21 CHAIRPERSON LANDER: [Off mic] --on
22 our agenda, which is Land Use Number 125,
23 application 20105362, PS 287 in Council Member
24 Ferreras' District.

25 MR. SHAW: The New York City School

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2 Construction Authority has undertaken the site
3 selection process for the proposed 380 seat
4 Primary School facility that will be located in
5 Tax Block 1725, on Lots 1, 3, 4, 7, 8, 11, 12, 13
6 and 56 located on the south side of Northern
7 Boulevard between 110th and 11th Streets in the
8 Corona Section of Queens. The proposed site is
9 also located in Community School District number
10 24 and Queens Community Board number 3.

11 The project site contains a total
12 of approximately 22,480 square feet of lot area.
13 The site is an assemblage of 9 privately owned
14 lots currently used to park ambulances. Under the
15 proposed plan the SCA would acquire the property
16 for the proposed school.

17 The notice of filing for the site
18 plan was published in the New York Post and City
19 Record on January 19th, 2010. Queens Community
20 Board number 3 was also notified of the site plan
21 on that date and was asked to hold a public
22 hearing.

23 Community Board number 3 held its
24 public hearing on the site plan on February 18th,
25 2010 and submitted written comments recommending

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3 in favor of the proposed site plan. The City
4 Planning Commission was also notified of the site
5 plan on January 19th and it also recommended in
6 favor of the site.

7 The SCA has considered all comments
8 received on the proposed plan and affirms the site
9 plan pursuant to Section 1731 of the Public
10 Authorities Law; in accordance with Section 1732
11 of the PAL the SCA submitted the proposed site
12 plan to the Mayor and Council on June 11th, 2010.
13 And we look forward to your favorable
14 consideration of the proposed site plan. We are
15 prepared now to answer any questions that you
16 might have. Thank you.

17 CHAIRPERSON LANDER: Thanks very
18 much. I note that Community Board 3 sent a letter
19 both expressing their gratitude to the SCA for
20 working hard to alleviate the severe overcrowding
21 in their district and asking that you come back
22 and talk with them about emphasizing zoned
23 students for the school to alleviate overcrowding
24 to give them some input on design and to talk with
25 them further about traffic and environmental
impacts in order to do what's possible to mitigate

2 those issues. And I'm hoping that those are
3 things that you are planning to do.

4 MR. OU: Yes we absolutely are.
5 And just to note, I know we're running short on
6 time but District 24 is one of the portions of the
7 City where there are very, very serious needs for
8 additional capacity. And we do appreciate the
9 local community boards in this part of the City
10 have been very enthusiastic and helpful in
11 bringing potential sites to our attention. And I
12 believe this was one of them.

13 CHAIRPERSON LANDER: Great. That's
14 great. And I notice you looked at quite a few.
15 There's quite a few alternatives here. You're
16 clearly working hard to find alternatives,
17 additional sites there so.

18 Thank you very much. Unless there
19 are any questions or comments, we'll close the
20 public hearing on this item and move to our next
21 one which is Land Use Number 126, application
22 20105483, Intermediate School and High School 404
23 in Council Member Van Bramer's District.

24 MR. SHAW: Again good afternoon
25 Chairman Lander and Council Members. The New York

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3 City School Construction Authority has undertaken
4 the site selection process for the proposed 1,071
5 seat Intermediate and High School facility that
6 will be located in Tax Block 6, portion of Lot 1
7 located on the block bounded by 2nd Street, 51st
8 Avenue, Center Boulevard and Borden Avenue in the
9 Hunters Point section of Queens. The proposed
10 school site is also located in Community School
11 District number 30 and Queens Community Board
12 number 2.

13 The project site contains a total
14 of approximately 33,449 square feet of lot area.
15 The site is owned by the City of New York and
16 under the jurisdiction of the Department of
17 Education.

18 The property is part of Parcel B in
19 the Special Southern Hunters Point Redevelopment
20 Plan. Under the proposed plan the SCA would
21 construct the proposed 1,071 seat IS/HS
22 Intermediate and High School facility. The notice
23 of filing for the site plan was published in the
24 New York Post and City Record on April 2nd, 2010.
25 Queens Community Board number 2 was also notified
of the site plan on that date and was asked to

3 hold a public hearing.

4 Community Board number 2 held its
5 public hearing on the site plan on May 18th, 2010
6 and submitted written comments recommending with
7 suggestions regarding the programming and design
8 of the school. The City Planning Commission was
9 also notified of the site plan on April 2nd and it
10 recommended in favor of the site.

11 The SCA has considered all comments
12 received on the proposed site plan and affirms the
13 site plan pursuant to Section 1731 of the Public
14 Authorities Law and in accordance with Section
15 1732 of the Public Authorities Law the SCA
16 submitted the proposed site plan to the Mayor and
17 Council on June 11th, 2010. We look forward to
18 your Subcommittee's favorable consideration of
19 this proposed site plan and are prepared to answer
20 any questions you might have. Thank you.

21 CHAIRPERSON LANDER: Thank you very
22 much for your presentation. On this one the
23 Community Board submitted a letter that's got more
24 issues than I'm going to seek to summarize, given
25 the limited time. But I guess, given that this is
part of a major new community that's being

3 developed there, with a lot of interconnected
4 issues, very exciting opportunities but also ones
5 that are important since we're essentially
6 building a new neighborhood there collectively.

7 Obviously you, the school, and HPD
8 and whoever they designate as the developer with a
9 lot of new infrastructure. So I'd love to hear
10 just a little bit about how you continue to work
11 with the community to address these half dozen
12 issues that they've raised in their letter and in
13 general as that new neighborhood gets built out.

14 MR. OU: Right. So I think that
15 the core concerns that we heard from the community
16 really relate to the instructional and the
17 programming components as to how--the building has
18 been currently designed and had been planned early
19 on from the initial visioning for the Hunters
20 Point Redevelopment as accommodating a middle
21 school organization, an intermediate school
22 organization and a high school organization.

23 This is in part because as you
24 mentioned that Western Queens Waterfront between
25 Queens West to the north and Hunters Point South
on the southern end, is really being redeveloped

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3 and reclaimed from historical manufacturing uses
4 to create new residential communities.

5 Right now there is an elementary
6 school a little bit further north but there is no
7 local middle school, there is no local high
8 school. And so the construction of this project
9 is being aligned with the City's plans to install,
10 to build out some of the streets and the
11 infrastructure and, I believe, a portion of the
12 park associated with the broader Hunters Point
13 South redevelopment plan.

14 And what we have shared with our
15 colleagues at the Department of Education is that
16 as the Department of Education is going through
17 its new schools process to identify organizations
18 that could be located within this new building,
19 which would take a few years to construct, that
20 they continue the engagement which is part of
21 their process with the local elected officials and
22 local community members to identify and focus on
23 subject matters and themes which I think a number
24 of them that we've heard both in the context of
25 Highbridge and also from this Community Board
pertain to environmental, you know, sustainability

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3 and other concerns.

4 So the instructional components are
5 really issues that are addressed probably two
6 years from now as the construction is well under
7 way, as the Department of Education undertakes its
8 annual evaluation of new school applications and
9 goes through that process to select the actual
10 occupants of the building from a school
11 perspective.

12 CHAIRPERSON LANDER: All right.

13 Thank you. I will note for Council Member
14 Halloran's edification that they also would like
15 green roof and a swimming pool. And while they
16 don't specifically say so, I suspect they'd like
17 to recycle rainwater from the green roof too--

18 COUNCIL MEMBER HALLORAN:

19 [Interposing] Well I just want to let you know
20 they closed a pool in my district so I'm not going
21 to be supporting anyone else getting a pool
22 anywhere in the City of New York.

23 CHAIRPERSON LANDER: Unless there
24 are any other comments or questions on this item,
25 we will close the hearing and move on to our last
item of the day. Land Use Number 129, application

2 20105590, a to be named school, Intermediate High
3 School in Council Member Mendez' District at 10
4 East 15th Street.

5 MR. SHAW: Thanks again. Good
6 afternoon again Chairman Lander and Council
7 Members. The New York City School Construction
8 Authority has undertaken the site selection
9 process for the proposed 866 seat Intermediate and
10 High School facility proposed for location at 10
11 East 15th Street between Union Square West and 5th
12 Avenue in the Borough of Manhattan in Tax block
13 842, Lot 34. The proposed site is also located in
14 Community School District number 2 and Manhattan
15 Community Board number 5.

16 The notice of filing for the site
17 plan was published in the New York Post and City
18 Record on April 16th, 2010. Manhattan Community
19 Board number 5 was also notified of the site plan
20 on April 16th, 2010 and was asked to hold a public
21 hearing.

22 The Community Board held the public
23 hearing on the site plan on May 11th, 2010 and
24 subsequently submitted written comments
25 recommending in support of the proposed site plan.

3 The City Planning Commission was also notified of
4 the site plan on April 16th, 2010 and it also
5 recommended in favor of the proposed site.

6 The proposed site is located on an
7 18,000 square foot lot with a 2-story 34,300
8 square foot building that contains administrative
9 offices and medical offices of the Union Local
10 810, International Brotherhood of Teamsters. The
11 SCA has a contract to purchase the property and
12 would demolish the existing structure and
13 construct the 866 seat Intermediate and High
14 School facility.

15 The SCA has considered all comments
16 received on the proposed site plan and affirms it
17 pursuant to Section 1731 of the Public Authorities
18 Law and in accordance with Section 1732 of the
19 Public Authorities Law the site plan to the Mayor
20 and Council on June 11th, 2010. We look forward to
21 your Committee's favorable consideration of the
22 proposed site plan and we are here to answer any
23 questions you might have.

24 CHAIRPERSON LANDER: Thank you very
25 much for your testimony. And Council Member
Mendez.

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3 COUNCIL MEMBER MENDEZ: Good

4 afternoon. Do you know which school is going to
5 be located in there eventually?

6 MR. OU: Yes. The building is
7 being designed to accommodate separate
8 organizations; a middle school organization and a
9 high school organization. The Department of
10 Education is planning and has proposed that the
11 middle school space be utilized for the Clinton
12 School for Writers and Artists which is currently
13 located at PS 11 and is proposed for a temporary
14 relocation until this building is ready. The high
15 school organization has not yet been identified.

16 COUNCIL MEMBER MENDEZ: And how
17 long would it take to get this building ready
18 before Clinton Writers can move in?

19 MR. OU: We are currently
20 forecasting that this new building would be ready
21 for occupancy in September 2014.

22 COUNCIL MEMBER MENDEZ: And can I
23 get anything to formalize that Clinton School of
24 Writers and Artists is intended to be the junior
25 high school that is designated to go into this
location?

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3 MR. OU: The Department of
4 Education currently has under the process that was
5 adopted by the State legislature, has issued a
6 proposal for the temporary relocation of the
7 Clinton School to another location. That
8 documentation does specifically identify that the
9 proposed permanent location for Clinton is 10 East
10 15th Street. And that proposal I think is
11 scheduled to be voted on by the Panel for
12 Educational Policy on June 22nd of 2010.

13 COUNCIL MEMBER MENDEZ: And can I
14 get a copy of that?

15 MR. OU: Absolutely.

16 COUNCIL MEMBER MENDEZ: Okay. And
17 so that is being presented to the PEP on June 22nd
18 and that would formalize that Clinton Writers is
19 the intended high school for this location.

20 MR. OU: The intended middle
21 school.

22 COUNCIL MEMBER MENDEZ: Middle
23 school, excuse me.

24 MR. OU: Right. I would have to
25 confer with the Department of Education's Legal
Department on whether another educational impact

3 statement and another PEP vote would be required
4 or if the proposal--because this proposal that is
5 currently being considered talks about a temporary
6 and a permanent location. As to whether
7 procedurally that vote is the final word or if
8 there needs to be another vote.

9 COUNCIL MEMBER MENDEZ: Okay.
10 Because I would like to see something in writing
11 that this is the intended permanent solution for
12 Clinton Writers.

13 MR. OU: Um-hum.

14 COUNCIL MEMBER MENDEZ: Whether it
15 takes four years, I know the way construction
16 works, never runs on time. But intended for
17 September 2014 for Clinton Writers to be located
18 there. Okay?

19 MR. OU: Yes.

20 COUNCIL MEMBER MENDEZ: Thank you
21 very much.

22 CHAIRPERSON LANDER: Thank you very
23 much Council Member. I want to thank the three of
24 you for your patience and testimony. At some time
25 Mr. Ou, you'll have to explain to me the
difference between a high school organization and

3 a high school but we'll save that for a time when
4 we're off the record.

5 Thank you for your testimony and
6 for everyone for being here and for their
7 patience. We're going to close the public hearing
8 on this matter and move now to vote.

9 We are going to lay over Land Use
10 number 127 and afterwards we'll stand in recess.
11 And we will couple the other Land Use Items here,
12 numbers 123, 124, 125, 126, 128, and 129 for a
13 vote. The Chair recommends a vote of aye and asks
14 the Counsel to call the roll.

15 MR. CHRISTIAN HILTON: Christian
16 Hilton, Counsel to the Committee. Chair Lander.

17 CHAIRPERSON LANDER: Aye on all.

18 MR. HILTON: Council Member Mendez.

19 COUNCIL MEMBER MENDEZ: I vote aye.

20 MR. HILTON: Council Member
21 Williams.

22 COUNCIL MEMBER WILLIAMS: Aye on
23 all.

24 MR. HILTON: Council Member
25 Halloran.

COUNCIL MEMBER HALLORAN: Aye on

3 all.

4 MR. HILTON: By a vote of 4 in the
5 affirmative, none in the negative, no abstentions,
6 LU 128, 123, 124, 125, 126, and 129 are approved
7 and referred to the full Land Use Committee.

8 CHAIRPERSON LANDER: We'll hold the
9 vote open and the Committee will stand in recess.
10 And we will meet at 9:45 on Thursday morning.
11 Thanks very much.

12 [Background conversation]

13 [END Landmarks_6-15-

2010_part_2.mp3]

C E R T I F I C A T E

I, Laura L. Springate 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.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature _____Laura L. Springate_____

Date _____June 27, 2010_____