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CITY COUNCIL

CITY OF NEW YORK

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THE TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON WATERFRONTS

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November 13, 2002  
Start: 1:05 p.m.  
Recess: 2:35 p.m.

City Hall  
Hearing Room, 16th Floor  
New York, New York

B E F O R E:

DAVID YASSKY  
Chairperson,

COUNCIL MEMBERS: Michael McMahon

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2 A P P E A R A N C E S

3

4 Connie Fishman  
5 Executive Vice President  
6 Hudson River Park Trust

7

8 Edward Kirkland  
9 Advisory Council of Hudson River Park Trust

10

11 John Doswell  
12 Co-chair, Waterfronts And Parks Committee  
13 Manhattan Community Board No. 4

14

15 Carter Craft  
16 Program Director  
17 Metropolitan Waterfront Alliance

18

19 Jennifer Hoppa  
20 Office of Manhattan Borough President

21

22 Robert Trentlyon  
23 Chelsea Waterside Park Association

24

25 Kristin Dionne  
26 Co-Chair  
27 Friends of Clinton Cove

28

29 Tobi Bergman  
30 Community Board No. 2, Manhattan

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1 COMMITTEE ON WATERFRONTS

2 CHAIRPERSON YASSKY: Good afternoon.  
3 Welcome to this hearing of the City Council Select  
4 Committee on Waterfronts. My name is David Yassky.

5 The subject of today's hearing is a  
6 status report on Hudson River Park, and specifically  
7 a status report on the progress of New York City  
8 government in complying with certain of its mandates  
9 under the Hudson River Park Act.

10 The Hudson River Park Act gave the  
11 City three specific relocation requirements. It  
12 requires the City to relocate three facilities at  
13 different places in what is to be the park. I will  
14 go through those, but the short answer is that it's  
15 clear that it will succeed in none of the three  
16 relocations on the schedule envisioned in the Act.

17 Now, it would not be the first time  
18 that the government has failed to keep to a  
19 statutorily created deadline, but nonetheless I do  
20 think it makes it appropriate at this juncture to  
21 look into what the City has done so far to ask what  
22 the reasonable prospects are for progress in the  
23 near future. And I think it raises some larger  
24 questions I also hope to explore today, about the  
25 realism of some of the Hudson or the New York Harbor

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2 redevelopment plans that have been announced over  
3 the past several months.

4                   There are several projects, there's  
5 the Hudson River Park, there's Brooklyn Bridge Park,  
6 there's Governor's Island, which have the potential  
7 to entirely remake New York Harbor into the sort of  
8 waterfront that New York City deserves.

9                   I could not be a more enthusiastic  
10 supporter of each of these projects, but my concern  
11 is that between the funding, the fiscal problems  
12 that both the City and the State face, and the  
13 general inertia that seems to grip the City and  
14 State government when it comes to waterfront, that  
15 we are not going to be making progress as rapidly as  
16 we ought to be. And, so, I think, to me that's the  
17 larger question that's at stake here.

18                   So, on the relocation mandates, there  
19 are three, as I say, mandates in the Hudson River  
20 Park Act. First Pier 97, which is currently used by  
21 the Department of Sanitation for truck parking. The  
22 Hudson River Park Act requires the City to cease  
23 that use by December 31, 2003.

24                   I understand that the City has  
25 identified a new site to be used for truck parking,

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2 but has not yet begun construction of that site, and  
3 that it is now becoming clear that it will not meet  
4 the December 31, 2003 deadline.

5                   Pier 76, across from the Javits  
6 Center, is a six and a half acre pier that is now  
7 used as a Police Department Tow Pound. The Hudson  
8 River Park Act constructs the City to use its "best  
9 efforts" to relocate the tow pound. There is no  
10 deadline in the Act, but I think it's clear that the  
11 act did envision relocation prior to development of  
12 Section 6 of the Park in which the tow pound is  
13 located. And I do not know what plans there are, if  
14 any, to relocate the tow pound.

15                   The third mandate deals with the  
16 Piers 52 and 53 on the Gansevoort Peninsula. There  
17 are I guess a few separate uses. There's a fire  
18 company and marine company docked at Pier 53, that  
19 will remain there, I'm sorry. But then there is also  
20 garbage trucks, storage and maintenance at Pier 53,  
21 which the City, again, is required to use its best  
22 efforts to relocate. And then separately there's a  
23 salt pile and a now non-functioning incinerator,  
24 which the City is required to move, and, again, the  
25 deadline there is December 31st, 2003.

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2                   There, too, I think it is now clear  
3 the City will not meet that deadline.

4                   We will be hearing today from Hudson  
5 River Park Trust. I'm delighted that they will be  
6 testifying, and that I think will be our main source  
7 of information. I will say at the outset that we did  
8 invite the City government proper to testify. As I'm  
9 sure you all know, the Hudson River Park Trust is an  
10 entity that is controlled by an independent board,  
11 appointed by both the State and the City. We invited  
12 the City proper to send a representative, which they  
13 have declined to do. And my concern about that is I  
14 think that these, the relocation delays to me  
15 illustrate a recurring problem that has plagued  
16 waterfront revitalization efforts in the City, which  
17 is a lack of coordination among the various  
18 agencies.

19                   I mean, for the Department of  
20 Sanitation, it's perfectly understandable to me why  
21 they like their facilities where they are now, and  
22 why their main job is taking the trash away from my  
23 apartment building and away from all of our  
24 apartment buildings and getting it out of the City.

25 That's their main job. Their main job is not

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2 waterfront revitalization. The Police Department's  
3 main job is towing cars and keeping them for  
4 evidence and returning them to their owners as  
5 appropriate. Their job is not waterfront  
6 revitalization.

7                   Left each to its own devices, none of  
8 these agencies will pursue waterfront revitalization  
9 with the vigor that we need to see it pursued. And,  
10 so, to me, another issue that's raised by these  
11 relocation problems, is whether the City needs a  
12 separate waterfront revitalization agency or entity  
13 within the City government whose mission is to  
14 ensure that mandates like these relocation mandates  
15 do not slip through the cracks.

16                   So with that context we're joined  
17 here by Council Member Michael McMahon.

18                   Do you want to make opening remarks,  
19 or do you want to hear the testimony?

20                   COUNCIL MEMBER McMAHON: I want to  
21 listen.

22                   CHAIRPERSON YASSKY: Very good.

23                   Let me then call the first witness.  
24 We are joined, as I say, by the Hudson River Park

25 Trust, and I'm sorry, it is Ms. Connie Fishman, the

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2 vice president?

3 MS. FISHMAN: Executive vice  
4 president.

5 CHAIRPERSON YASSKY: The Executive  
6 Vice President of the Trust is here to testify. Ms.  
7 Fishman, thank you very much for joining us.

8 And let me say, we have your written  
9 statement. Thank you very much for bringing it.  
10 We'll make that part of the record without  
11 objection. So, if you wanted to summarize it or  
12 speak, rather than read the statement, feel free to  
13 do so.

14 MS. FISHMAN: Okay. Actually, it's not  
15 very long.

16 CHAIRPERSON YASSKY: Please feel free  
17 to read it.

18 MS. FISHMAN: Okay, thank you.

19 Thank you for inviting me to testify.  
20 As you know, the Hudson River Park Waterfront  
21 Development Project is under design and construction  
22 on Manhattan's West Side in the neighborhoods  
23 beginning in the south of Battery Park City, going

24 through Tribeca, Greenwich Village, Chelsea,  
25 Midtown and Clinton. We are in design on five of the

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2 six segments currently in construction on one of  
3 them, that's the Greenwich Village section, which  
4 should be completed this spring, between Pier 40 at  
5 Houston Street and the Gansevoort Peninsula.

6                   There are a number of piers devoted  
7 in the park to non-park activities. For example, we  
8 have commercial uses at Pier 40, at the Chelsea  
9 Piers Sports and Entertainment Complex, now which is  
10 Piers 59, 60 and 61. The 30th Street Heliport, Pier  
11 78, a privately-owned Maritime pier, Pier 79, which  
12 currently houses buses for the New York Waterway  
13 Ferry, but will soon be the site of the New York  
14 City Municipal Ferry Terminal. And Piers 81 and 83,  
15 which are World Yacht and Circle Line.

16                   There are also a number of City and  
17 State uses conducted by agencies of both in the  
18 park. There is the Port Authority vent shaft piers  
19 at Pier 34 and Canal Street. The New York City  
20 Police Department Barrier Unit, which occupies a  
21 decent amount of space in Pier 40. The Gansevoort  
22 Sanitation Garage facility at Gansevoort, the salt  
23 pile also at Gansevoort, the City DOT compressed

24 natural gas facility also on the eastern edge of  
25 Gansevoort, and topping off the Gansevoort facility,

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2 the City's fireboat pier for the Marine 1 Division.

3                   There is a Transit Authority  
4 Municipal Bus terminal at 15th Street, the City Tow  
5 Pound at Pier 76, and a Sanitation garage facility  
6 at Pier 97. Also though not City or State Con Edison  
7 occupies Pier 98 and the Manhattan Marine Transfer  
8 Station for Sanitation is at Pier 99.

9                   Despite what sounds like an awful  
10 lot, there's still a lot of park. We're going to be  
11 building 13 new park piers, a couple of those are  
12 occupied with things that obviously have to leave,  
13 but most are not and we can construct beginning now  
14 until we're complete at least with the current  
15 budget allocation in general with some of these  
16 facilities in place building around them.

17                   Some of the facilities are in the  
18 legislation, as permanent occupants of the park. The  
19 vent shafts for the Port Authority at Pier 34, the  
20 Fireboat facility at Pier 53, which they have  
21 actually asked us to rehabilitate for them, which  
22 we're going to begin doing probably some time next

23 year. The Midtown Ferry Terminal at Pier 79, which  
24 will be a brand new facility, and also spinoff some  
25 portion of its revenues for the park as well.

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2 Others will be vacated. I understand  
3 from the City that they have identified a site for  
4 the New York City Police Barrier Unit, which is  
5 currently housed in Pier 40 and that they are  
6 beginning the Land Use process for that. I don't  
7 know if they have introduced it into the ULURP  
8 application process formally but I know they have a  
9 site.

10 The compressed natural gas station  
11 that DOT has, as far as I know, is no longer used,  
12 and the park has the authority with six-month notice  
13 provision to ask it to vacate.

14 As soon as we have extension of the  
15 current pedestrian walkway in segment four which is  
16 being constructed in Greenwich Village, then we will  
17 have a place to begin putting a pedestrian walkway  
18 in front of that facility and we will request from  
19 the Transportation Department that they remove it.

20 We understand from the MTA that the  
21 Transit Authority some time next year, probably  
22 between the middle and the end of the year will

23 vacate the bus garage at Pier 57, and although it is  
24 behind the schedule, looked to in the legislation,  
25 the Sanitation Department is building a new site for

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2 both the salt pile at Pier 57, as well as for the  
3 garbage trucks that are there.

4                   The two unresolved locations, as you  
5 mentioned, are sanitation at Gansevoort and the New  
6 York City Tow Pound.

7                   I know from past experience working  
8 with the City that there have been a number of  
9 efforts over the last decade to identify appropriate  
10 sites to relocate those two.

11                   I don't know if they have finally  
12 identified sites as to the tow pound. I know that  
13 there is interest on the part of the Deputy Mayor's  
14 Office for Economic Development to look for a new  
15 site for the tow pound, which is clearly right in  
16 the middle of the West Pound redevelopment area, and  
17 I think that everybody would like to see it be  
18 relocated to park, as well as the City.

19                   Much of the construction that the  
20 park is undergoing can take place while the search  
21 goes on. Over the next two years we will be building

22 between 25th Street and 57th Street, and this can be  
23 done generally with a tow pound in place, but the  
24 development, obviously, of the public park pier at  
25 Pier 97 will have to wait until the Sanitation Trust

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2 and the salt pile are removed.

3                   Following that, the next segment on  
4 the schedule to begin is in the Chelsea area, which  
5 until you get to the far southern end at Gansevoort,  
6 doesn't have anything interfering with the  
7 development of that part of the park.

8                   I am happy to answer any questions.  
9 We also work with the City whenever they request our  
10 assistance in helping either with identifying sites  
11 or dealing with the community or working with the  
12 construction.

13                   You know, obviously nobody has any  
14 magic answers for where you find very large  
15 appropriately zoned sites that will be easily put  
16 through the ULURP process, the communities to move  
17 what are arguably some not very nice facilities in  
18 different people's neighborhoods.

19                   CHAIRPERSON YASSKY: Thank you very  
20 much. Let me just make sure I understand this.

21                   Pier 76, the Tow Pound, your

22 testimony says construction, that's within section  
23 six of the park --

24 MS. FISHMAN: That's in segment six,  
25 yes.

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2 CHAIRPERSON YASSKY: Segment six.

3 Nearly all the park, well between 25th and 57th  
4 Street, that's more than section six, right? But  
5 will be under construction, and this can be done  
6 with the tow pound in place at Pier 76.

7 I mean, is the prints of the tow  
8 pound delaying, and will it delay completion of  
9 segment six, will you say?

10 MS. FISHMAN: Well, you can't build a  
11 park in segment six on Pier 76 while the tow pound  
12 is there.

13 On the other hand, the funding for  
14 Pier 76 is in hours at this point in time, and the  
15 pier doesn't belong to the park officially until the  
16 tow pound is gone. We did work with the community on  
17 a schematic design for what a park could look like  
18 on Pier 76, if the City is successful in relocating.  
19 Half of it would come to the park and half of it  
20 would stay with the City for some sort of commercial

21 development.

22 CHAIRPERSON YASSKY: So you're saying  
23 the two barriers to segment -- finishing segment  
24 six, or doing all of segment six, and in particular  
25 Pier 76, are getting rid of the tow pound and then

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2 funding, of course. The transfer of property and --

3 MS. FISHMAN: The transfer of the  
4 property is incorporated into the legislation, and  
5 it basically says that if the City is successful in  
6 removing the tow pound, then 50 percent of the site  
7 comes to the park.

8 CHAIRPERSON YASSKY: On the funding,  
9 maybe you can just give us the background. What's  
10 the number of the Greenwich Village one that's under  
11 construction about to be finished now? That's  
12 segment two?

13 MS. FISHMAN: That's segment four.

14 CHAIRPERSON YASSKY: That's segment  
15 four.

16 And then the next to go into  
17 construction would be which one?

18 MS. FISHMAN: Will be seven, which is  
19 in the area that is between the Pier 94 on the north  
20 side and Pier 97 on the south side. It's called the

21 Clinton Cove Park in the park plan.

22 CHAIRPERSON YASSKY: Okay, right.

23 And then --

24 MS. FISHMAN: And then following that,  
25 segment six beginning at Pier 84, which is just

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2 below the intrepid, and then south of Pier 76, down  
3 to 25th Street.

4 CHAIRPERSON YASSKY: And do you have  
5 the funding for segment seven in place?

6 MS. FISHMAN: Yes.

7 CHAIRPERSON YASSKY: And for segment  
8 six?

9 MS. FISHMAN: Provided that this  
10 year's capital budget doesn't change from what it  
11 was supposed to be last year.

12 CHAIRPERSON YASSKY: Is that the City  
13 or the State capital budget?

14 MS. FISHMAN: Both.

15 CHAIRPERSON YASSKY: Both, okay.

16 Just out of curiosity, what do you  
17 expect in that regard?

18 MS. FISHMAN: We're very optimistic.

19 CHAIRPERSON YASSKY: Me, too, then.

20 MS. FISHMAN: I think people see  
21 what's going on and they don't want to stop the  
22 momentum. It's made a huge difference in the  
23 perception of what the park really is, to be able to  
24 see some of it built, and because each of the City  
25 and State are 50 percent partners, to reduce one

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2 means to reduce the other and I don't think either  
3 one of them wants to see that effect, because it  
4 really multiplies the damage. So, right now,  
5 although I haven't spoken to the City, because their  
6 budget year starts a little bit later, we haven't  
7 gotten an indication that the allocation put in from  
8 last year is going to change.

9 CHAIRPERSON YASSKY: And, when you  
10 say, so taking -- if you get the funded that was  
11 allocated in both the City and State capital budgets  
12 for Hudson River Park Trust, in this 2003 budget, if  
13 that is untouched, then you're saying you have  
14 enough to do segment seven, rather --

15 MS. FISHMAN: Segment seven below Pier  
16 97, and segment six.

17 CHAIRPERSON YASSKY: Right. And  
18 segment six.

19 MS. FISHMAN: Yes.

20 CHAIRPERSON YASSKY: And not including  
21 Pier 76 though, presumably.

22 MS. FISHMAN: Right.

23 CHAIRPERSON YASSKY: So, I guess, I  
24 mean in trying -- for me to figure out for myself is  
25 the relocation delay holding up, you know, that part

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2 I guess sounds like the answer -- well, it sounds to  
3 me like the answer is yes in that the obstacles to  
4 completing Pier 76 are in fact the tow pound is not  
5 gone, which means you don't own the property, and  
6 the fact that you don't have funding for it, but you  
7 have funding for everything else.

8 MS. FISHMAN: For the rest of segment  
9 six.

10 CHAIRPERSON YASSKY: Suggesting that  
11 if it was done, it would have been doable.

12 MS. FISHMAN: If you say that, hold up  
13 the completion of construction in segment six, then  
14 you assume that one day 76 becomes part of that,  
15 yes.

16 For now, we don't really need to  
17 change our schedule, in order to implement what is  
18 ready to be built.

19 CHAIRPERSON YASSKY: A couple more  
20 questions.

21 What's the total amount now that  
22 you're estimating for the entire park?

23 MS. FISHMAN: The current budget  
24 estimate is \$385 million.

25 CHAIRPERSON YASSKY: Capital.

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2 MS. FISHMAN: But that does not  
3 include pieces like Pier 76 or Gansevoort.

4 CHAIRPERSON YASSKY: Okay.

5 And how much have you received so  
6 far?

7 MS. FISHMAN: How much is committed or  
8 how much is actually ready to be spent?

9 CHAIRPERSON YASSKY: How much is ready  
10 to be spent?

11 MS. FISHMAN: We've spent to date I  
12 think about 105 of the 200 million dollars,  
13 committed on paper, not checks out the door.

14 CHAIRPERSON YASSKY: Yes.

15 MS. FISHMAN: And the remainder which  
16 will fund the Clinton Cove Park area portion of  
17 segment six and some would be left for segment five,  
18 would make the total of the \$200 million that the

19 City and the State have both put into their capital  
20 plans.

21 CHAIRPERSON YASSKY: I'm sorry. That  
22 200 includes the FY '93? In other words, it includes  
23 the amount that's in the --

24 MS. FISHMAN: It includes the '03  
25 amount that we're waiting for in April from the

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2 State and July from the City.

3 CHAIRPERSON YASSKY: How much was that  
4 part?

5 MS. FISHMAN: The budget for the City  
6 and State last year assumed that April '03, each  
7 partner would be contributing \$25 million.

8 CHAIRPERSON YASSKY: I see, that's the  
9 remaining part.

10 MS. FISHMAN: There's actually some  
11 more after that in the '05 year.

12 CHAIRPERSON YASSKY: In the '05, okay.  
13 But the remaining part in the '03 budget year is 25  
14 each?

15 MS. FISHMAN: Whose '03 are you using?  
16 I mean, the year we haven't gotten to yet, as  
17 opposed to the year we're in. Because '03

18 technically is the year we're in, even though we're  
19 in '02.

20 CHAIRPERSON YASSKY: Right, that's the  
21 year we're in.

22 MS. FISHMAN: So, next April and next  
23 July.

24 CHAIRPERSON YASSKY: Oh, and next  
25 July.

21

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2 Okay, right.

3 MS. FISHMAN: Then half City half  
4 state, we would be getting \$25 million from each  
5 partner, okay? And that's not the end of the money,  
6 there is an additional budget year, the following  
7 year.

8 CHAIRPERSON YASSKY: Are you expecting  
9 any more money from the year that we're in? The year  
10 that ends March '03?

11 MS. FISHMAN: Yes. We have money in  
12 the year that we're sitting in to begin segment  
13 seven before April.

14 CHAIRPERSON YASSKY: Okay. So, you  
15 spend about 105.

16 MS. FISHMAN: Yes, but that's over the  
17 year since 1999.

18 CHAIRPERSON YASSKY: Right. It sounds  
19 like maybe you've got 45 yet to come in the year  
20 we're in and years before that you could spend, and  
21 then another 50 at the very beginning of next year.

22 MS. FISHMAN: It's actually a little  
23 less now and a little more on the tail end. There's  
24 a final year of allocation from the original 200  
25 million that would be a year from this coming April

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2 and a year from this coming July that was \$13  
3 million each, and that was the end of the \$200  
4 million.

5 CHAIRPERSON YASSKY: Okay. All right,  
6 I get it. And that does seven, segment seven, six,  
7 and a part of five.

8 MS. FISHMAN: And a portion of five  
9 and four, obviously, which will be done.

10 CHAIRPERSON YASSKY: And then one,  
11 two, three and the rest of five is what we have --  
12 is what those of us who want to see the park  
13 complete have got to work for.

14 MS. FISHMAN: Right.

15 CHAIRPERSON YASSKY: Mike do you have  
16 any follow-up questions?

17 COUNCIL MEMBER McMAHON: I do.

18 So, Ms. Fishman, you'll be done in  
19 2005? You optimistically hope; did I hear that  
20 right?

21 MS. FISHMAN: Barring somebody coming  
22 up with additional funding beyond the \$200 million,  
23 we would have completed all of our capital  
24 commitments in the 2005 budget year, although the  
25 construction would be ongoing because we would still

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2 be working paying off those commitments.

3 COUNCIL MEMBER McMAHON: And I noticed  
4 in the materials, and, well, I asked that because  
5 I'd like you to come to Staten Island, I have a  
6 five-mile track of land on the North Shore  
7 waterfront that I'd like you to turn into a park as  
8 well. I think you're doing a great job here.

9 MS. FISHMAN: Stay off the piers, it's  
10 cheaper.

11 COUNCIL MEMBER McMAHON: Okay. There  
12 are none, they all fell into the water.

13 It says that the original structuring  
14 of this was a three-way partnership, the State, the  
15 City and the expectation of other monies to be  
16 raised. Have those monies been raised at all?

17 MS. FISHMAN: No, they haven't been  
18 raised. We are working on money with the Lower  
19 Manhattan Development Corporation, segment three in  
20 Tribeca is in the catchment area.

21 As we understand that they have a  
22 very large demand on the specific pool of resources  
23 that is being allocated to open spaces, not just 20  
24 billion or whatever it is, and let's see what the  
25 best projects are. It's different areas have

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2 different amounts of money allocated to them.

3 So, we are competing with every other  
4 open space project that is being recommended by the  
5 group that's working on Lower Manhattan, and we have  
6 a staff person in the Governor's Office who is  
7 working on federal money under the Waterfront  
8 Resources Development Act, I think is what it's  
9 called. It's referred to as WRDA, and I have to  
10 admit, I don't know exactly what the initials stand  
11 for.

12 Several years ago there was a  
13 discussion about getting some of those resources. At  
14 the time we weren't ready to build anything, but now  
15 clearly we could show something that we would be

16 spending the money on as soon as it was available.

17 COUNCIL MEMBER McMAHON: And along the  
18 whole five-mile stretch, were there any  
19 privately-owned land, or was it all in municipal  
20 hands or in public authority, in public authority  
21 hands?

22 MS. FISHMAN: There is one pier at  
23 38th Street that's owned by the company that owns  
24 New York Waterway, the ferry company, which was  
25 acquired by them many years ago. I don't know from

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2 whom, perhaps the City or the Port Authority, and  
3 that's the only privately-owned property.

4 COUNCIL MEMBER McMAHON: That will  
5 remain privately owned within the park?

6 MS. FISHMAN: Yes.

7 COUNCIL MEMBER McMAHON: Thank you.

8 CHAIRPERSON YASSKY: Ms. Fishman, we  
9 talked about Pier 76 before. On the Gansevoort  
10 Peninsula, I guess we've heard talk, or my staff  
11 reports to me from the folks who work on this in the  
12 City, are looking at placing, reactivating that site  
13 as a marine transfer station?

14 MS. FISHMAN: I have never heard that.

15 CHAIRPERSON YASSKY: Okay.

16 MS. FISHMAN: The marine transfer  
17 station is active, that's the one at Pier 99, as far  
18 as I've understood from anyone ever, there are no  
19 plans to reactivate Gansevoort. And I don't even  
20 know if the pier that's out there could support the  
21 kind of facility it would have to become in order to  
22 do that.

23 CHAIRPERSON YASSKY: Okay. Well, then  
24 can you tell me what's the status of relocation of  
25 those? What's there from the City now is truck

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2 parking and a defunct incinerator; is that right?

3 MS. FISHMAN: Right. And a salt pile.

4 CHAIRPERSON YASSKY: A salt pile.

5 And those are, I guess as you said  
6 before, there have been efforts to find alternative  
7 sites, but none that you know of have been  
8 unidentified?

9 MS. FISHMAN: I know that they are  
10 looking at a site that's in midtown near, I think  
11 it's 12th and 39th, but I don't know if there has  
12 been any forward movement toward acquisition at the  
13 site.

14 CHAIRPERSON YASSKY: My last question

15 is not directly on Hudson River Park or on the  
16 progress of it, but just while you're here, knowing  
17 that there are both the Brooklyn Bridge Park project  
18 proceeding and the Governor's Island project perhaps  
19 on the horizon, do you, having now had considerable  
20 experience, dealing with the sort of waterfront  
21 development done by a State and City partnership, do  
22 you have general words of advice for those who would  
23 set up those?

24 MS. FISHMAN: I'm trying to mind my  
25 own business.

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2 CHAIRPERSON YASSKY: That's a fair  
3 answer.

4 I mean, are there lessons learned in  
5 how to set up an entity that you would say in  
6 retrospect, or that you --

7 MS. FISHMAN: I think that the case of  
8 how our organization was formed is so unique  
9 historically that you wouldn't actually go into it  
10 intending to do this in another area where you  
11 didn't have to.

12 CHAIRPERSON YASSKY: That's a fair  
13 answer. I got you.

14 Oh, yes, just on the incinerator

15 that's there, that doesn't need to be relocated?

16 MS. FISHMAN: It's not active.

17 CHAIRPERSON YASSKY: Is there any  
18 obstacle to taking it down, other than, you know, no  
19 need to do it until you're ready to do it, I  
20 suppose?

21 MS. FISHMAN: Well, they removed the  
22 stacks, which are attached to the incinerator.

23 The incinerator, although I haven't  
24 been in the building, from what I understand is  
25 attached to the building and they use the building

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2 for other things, and my impression is that when  
3 they're ready to take down the whole building, then  
4 economically that would be the convenient time to  
5 take down the incinerator.

6 You'd be taking down part of the  
7 building but not all of the building if you took  
8 down the incinerator, and I don't even know if the  
9 building would then be functional.

10 CHAIRPERSON YASSKY: Okay. When you  
11 are ready for it to be done, as far as you know it  
12 can be done. The City doesn't have to move those --  
13 whatever function they've got they'll move elsewhere

14 with it.

15 MS. FISHMAN: Right. All of the  
16 questions that they have there now could be housed  
17 in a garage for Sanitation trucks and mechanical  
18 equipment, and a tent at another location for the  
19 salt.

20 CHAIRPERSON YASSKY: Okay, thank you.

21 I guess my last question is: I've got  
22 the capital picture now. The ongoing expense budget,  
23 as it were, maintenance budget, is how much?

24 Once the 176, part of five and four,  
25 176, 4, and part of 5 are done, which are the only

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2 parts I guess the capital funding for are secure,  
3 what's the ongoing budget at that point?

4 MS. FISHMAN: We don't know 100  
5 percent right now. We're experimenting a bit. We  
6 have contract labor right now for our security in  
7 our Sanitation. We pay for our own facilities, staff  
8 equipment, supplies and maintenance of the park with  
9 our rents that we receive from some of our  
10 commercial tenants, as well as taking care of the  
11 bikeway and the median in 9A.

12 So, our guess, we've sort of looked  
13 at where we are now compared to the whole park, as

14 opposed to what about just five, part of six and  
15 part of seven. We're currently doing this exercise  
16 for next year when we open segment four. I think  
17 rather than assume at the beginning that we need X  
18 numbers of new staff, particularly in sanitation and  
19 security maintenance, because that and the  
20 landscaping is really we're having more park affects  
21 the budget, that we're going to see how it goes.

22                   What we have right now are contracts  
23 with City parks for the security officers and with  
24 an organization called the Doe Fund for Maintenance  
25 Workers. Both of those arrangements allow us to

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2 incrementally increase the amount of mound power we  
3 need, so some of it depends on operations, what time  
4 our piers close, how much of the season are  
5 different facilities open, whether restrooms are  
6 open at night or just during the day, things like  
7 that.

8                   CHAIRPERSON YASSKY: And how clean you  
9 want it.

10                   MS. FISHMAN: Right.

11                   CHAIRPERSON YASSKY: Right.

12                   MS. FISHMAN: So a bit of that is

13 going to be trial and error, the spring, when we  
14 open with a new facility and the expectations I  
15 think of a lot of people to have it look nice.

16 CHAIRPERSON YASSKY: And the revenue  
17 to support whatever that number ends up being, both  
18 when four is open, and in a few years when it's  
19 four, six, seven, some of five, it's expected that  
20 will come entirely from rents to the commercial  
21 uses, or are there additional sources of revenue?

22 MS. FISHMAN: The primary source is  
23 rents from commercial tenants. There is also  
24 additional revenue that we currently don't get from  
25 things like concessions, because we don't have

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2 enough park to really have substantial concessions.  
3 I know in our discussions with Central Park  
4 Conservancy not too long ago, we were looking at  
5 what they raise every year. They don't have the  
6 benefit of their concession incomes. That goes back  
7 into the City as a whole. It is their feeling that  
8 that could supply a great deal of money,  
9 particularly in a place like Central Park. I think  
10 as Hudson River Park gets to be more and more  
11 popular, you know, you can't sneeze at the amount of  
12 money that some of these what appear to be ice cream

13 vendors and hot dog stands, they really do make a  
14 decent amount of revenue.

15 CHAIRPERSON YASSKY: They are ice  
16 cream vendors an hot dog stands, but, yes, what  
17 appear to be maybe inconsequential or not, yes.

18 MS. FISHMAN: And then the Friends of  
19 the Hudson River Park I think are here today also to  
20 give testimony. Are interested in doing private fund  
21 raising on behalf of the park as well.

22 CHAIRPERSON YASSKY: Yes, I know the  
23 plans of Brooklyn Bridge Park anticipate most, you  
24 know, 70 percent or so of the revenue coming from  
25 rents and concessions, but then the remainder to be

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2 made up by private support. I didn't know that was  
3 your case as well.

4 MS. FISHMAN: We haven't factored into  
5 our budget how much it might be, but we have the  
6 ability both with the Friends and independently,  
7 since we are in our legislation allowed to receive  
8 money directly as a 501(c)(3). And I think as  
9 development proceeds on the west side, there will be  
10 a reasonable audience to tap into to look for  
11 support for the park the way Central Park looks to

12 its neighbors.

13 CHAIRPERSON YASSKY: That certainly  
14 makes a lot of sense. And from the looks of the  
15 buildings going up there, you'll have some neighbors  
16 that may well be able to pitch in.

17 Well, thank you very much. Thank you  
18 very much.

19 MS. FISHMAN: You're welcome.

20 COUNCIL MEMBER McMAHON: My offer to  
21 come to Staten Island still stands.

22 CHAIRPERSON YASSKY: Okay, for the  
23 next panel, John Doswell, who is here. I guess  
24 you're representing Manhattan Community Board 4,  
25 along with whatever other hats you may wear.

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2 Edward Kirkland from the Advisory  
3 Council on Hudson River Park Trust, and Carter  
4 Craft, from the Metropolitan from the Metropolitan  
5 Waterfront Alliance.

6 Mr. Kirkland.

7 MR. KIRKLAND: My name is Edward  
8 Kirkland, and I am currently president of the  
9 Advisory Council of the Hudson River Park Trust.  
10 This is an official organization established by the  
11 Hudson River Park, and to advise the Board of the

12 Hudson River Park and to work with, to represent the  
13 community, and I am the president because I am the  
14 representative of Community Board 4, to this  
15 organization, and it rotates among the -- the  
16 residency rotates among the three boards.

17 I would just say that the  
18 longstanding importance of the issue before you is  
19 that our predecessor, which is the advisory board of  
20 the Hudson Park Conservancy, had three committees by  
21 its bylaws, and one of them was the Municipal  
22 Relocation Committee. So this is a longstanding  
23 issue, and we are very much concerned.

24 I wasn't sure when I came down here  
25 exactly what this testimony was to cover so that

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2 what I wrote in part is not entirely relevant. But I  
3 would just say that we are very much concerned about  
4 these issues and the Gansevoort Peninsula is of a  
5 particular concern.

6 The Department of Sanitation, as  
7 hither to been very cooperative, both at Gansevort  
8 and near Pier 57 in providing facilities aiding in  
9 the ULURP to get the trucks and other facilities off  
10 the park, both Pier 97 at 57th Street and on



11 City is that it's a nice idea. They say they won't  
12 be able to -- they can't tow the cars up the  
13 garages, you know, there's just no way of towing the  
14 cars up the ramps of parking garages. So they would  
15 have to be empty parking lots, and it's a question  
16 of whether there is enough space and whether it is  
17 feasible, but they never said it is absolutely  
18 impossible, they just have never done anything to  
19 relocate.

20                   I would like to point out that as  
21 everyone knows this is next to the Olympic site,  
22 this is next to the far west midtown dreams of City  
23 Planning, whether it's a stadium or the central  
24 business district. Clearly, this should be got rid  
25 of.

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2                   We have also very great concerns  
3 about several state facilities, but these are not  
4 likely, MABSTOA bus garage, the future of that, and  
5 because this could be a major resource for the park.

6                   And the buses will probably be moving  
7 off it, and we hope for proper procedure for doing  
8 that.

9                   I think the one concern which may not

10 have been mentioned, but I think it may be mentioned  
11 by other speakers is the concern of Pier 94.

12                   Technically this is not a municipal  
13 use. But it actually is owned by the City. It is  
14 part of the partnership terminal, but it is not used  
15 for passenger ships, because it is too small and it  
16 is undredged. It was originally a freight pier, and  
17 it is now the so-called, the City sort of forced the  
18 incorporation of the unconvencion center, and  
19 exhibit space on that site, and that has very  
20 considerably diminished the original plans of the  
21 City of the park in that area, and is also occupying  
22 a large part of the park just for parking and  
23 access, but is destined to be a park for parking and  
24 access to the unconvencion center, and the community  
25 board and the Council hoped and pushed for the use

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2 of at least a part of that facility, at least part  
3 of the head house, as a part of the park. These are  
4 the main facilities.

5                   We have cooperated with Sanitation in  
6 relocation and we hope that they will be able to go  
7 forward with all of these things.

8                   CHAIRPERSON YASSKY: Thank you very  
9 much.

10 Mr. Doswell.

11 MR. DOSWELL: Hi. Good afternoon.

12 Thanks for inviting me to testify. I'm John Doswell,  
13 I'm co-chair of the Waterfront Committee of  
14 Community Board 4, Manhattan Community Board 4.

15 I'm also co-chair of the Friends of  
16 Hudson River Park, and I do know that our President  
17 Al Butzel is planning to be here. I talked to him an  
18 hour and a half ago, but I haven't seen him yet. So  
19 if he fails to show up I can pretty much ditto.

20 CHAIRPERSON YASSKY: We're counting on  
21 you.

22 MR. DOSWELL: And I won't read this  
23 verbatim, because a lot of this has been said  
24 before, but in fact it turns out Manhattan Community  
25 Board 4, which starts at 14th Street and goes up to

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2 59th Street, is host to five out of six of these  
3 municipal facilities. Pier 99, 98, 97, Pier 76, Pier  
4 57, and then we're a neighbor to Gansevoort. And a  
5 few years ago, I should mention, although I'm  
6 jumping out of order, I guess I'll talk about  
7 Sanitation first, if the completion of the building  
8 on 57th Street --

9 CHAIRPERSON YASSKY: What do you see  
10 as having been the obstacles to relocation here?

11 MR. DOSWELL: That's a good question.  
12 One of the things I was going to point out is that  
13 the Hudson River Park Act was passed in '98 and  
14 that's on four years now, so four years ago we knew  
15 everything that we knew today sitting here,  
16 including all these deadlines.

17 So, what the obstacles are I don't  
18 know, certainly the deadlines haven't changed since  
19 they were written four years ago, and, so, the fact  
20 that we're now, frankly, all of us, we started  
21 thinking about this two or three years past and  
22 pushing and just nothing has happened, and as of  
23 today we're pretty much in the same state, except  
24 that construction has started in a garage at 57th  
25 Street for Department of Sanitation, it seems to be

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2 going very, very slow. It's obviously not going to  
3 be done in time. It's obviously not going to be done  
4 in time for the Department of Sanitation to vacate  
5 Pier 97 as they're legislated to do at the end of  
6 next year, it's a year, 13 months away. And they're  
7 clearly not going to make that. That means once  
8 again we're going to be going back to having to

9 either create a variance or amend the legislation to  
10 do something, because at the end of next year their  
11 use there is not legal.

12                   And the similar thing is going to  
13 happen on Ganesvoort, although it's less clear  
14 because it's more complicated.

15                   CHAIRPERSON YASSKY: From your  
16 observation, somebody who has worked on the  
17 community board and as the co-chair of the friends  
18 to try and get some of those done, do you think it  
19 would be useful to have a Bureau of Waterfront  
20 Revitalization or a central office within the City  
21 government whose responsibility was to see that  
22 mandates like this relocation mandate were carried  
23 out?

24                   MR. DOSWELL: I'm a little hesitant to  
25 create another bureaucracy; on the other hand,

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2 nonetheless there is no -- focus on that is  
3 important and probably something like that would be  
4 worthwhile thinking about because I'm sure it's not  
5 just our area around the City, these things are  
6 going to come up over and over again, and it's just  
7 too easy to let things lie and let the status quo

8 until one is pushed, and so having a City agency is  
9 to push that type of a location, which doesn't exist  
10 now probably.

11 CHAIRPERSON YASSKY: Yes, there are  
12 very good reasons why, you know, with Hudson River  
13 Park, with Brooklyn Bridge Park, presumably if  
14 Governor's Island, when that happens, these are  
15 entities outside that are not part of the City  
16 government, because they're all partnerships with  
17 the City and State, and it makes perfect sense to  
18 set them up the way that they are. But my concern is  
19 then it means that then it's easy for the agencies  
20 not to do what they need to do.

21 You've got your experience with the  
22 Brooklyn Bridge Park, the City has money in the  
23 capital budget for the year that we're in right now,  
24 the year that started July 1 of 2002 and ends June  
25 2003, and we're well into the year and the City has

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2 not yet come forward with a plan for how that money  
3 is going to be spent. And I think that that, you  
4 know, is not yet the same point that these  
5 relocation deadlines are at, but, you know, we could  
6 get there.

7 So, that's why I ask you that. I'm

8 sorry, why don't you finish your testimony.

9 MR. DOSWELL: So, Ganesvoort is a  
10 little more complicated because there's a deadline  
11 for certain removers and we've just heard about some  
12 of the problems with the incinerator and so on and  
13 so forth.

14 But, once again, we're not just  
15 attacking this now. This is four years ago.

16 I should mention that, I think it was  
17 over three or four years ago, Ed might remember the  
18 exact date, Board 4 actually approved a site from  
19 our perspective that was between 29th and 30th  
20 Street and 11th to 12th Avenues, it was a site that  
21 we would not oppose relocation of Department of  
22 Sanitation vehicles to that would in particular free  
23 up Gansevoort. So, we have definite interest in  
24 that. There were three sites and that was one that  
25 is still laying there lacking planning and because

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2 it's right next to the Olympic site probably. There  
3 are sites, it's not as if they don't exist.

4 CHAIRPERSON YASSKY: Did the City  
5 reject that site or just simply --

6 MR. DOSWELL: There's just been no

7 movement on it because it's packaged in the larger  
8 West Side Development plans and so on and so forth.  
9 Maybe you know more.

10 MR. KIRKLAND: Yes, yes. I've talked  
11 with Dan Klein with Sanitation who was very  
12 cooperative with us, and he has said to both of us  
13 that it started to go forward, that they did a lot  
14 of the preliminary work for it, and they kept  
15 expected to be stopped. But now with the Olympics  
16 and the Jets, just nothing is happening, even know a  
17 lot of the preliminary work was done.

18 If I may answer the question you  
19 mentioned? A waterfront revitalization agency would  
20 probably be charged with dealing with all these City  
21 waterfront plans, and many of these facilities are  
22 not for commercial or other uses, so that I think we  
23 need to be careful when we set up another agency,  
24 what it's agenda is. This is what bothers me. Would  
25 it really be to push for the parks, or would the

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2 inevitable pressures of business and city need for  
3 funds ring out the pressure towards the commercial  
4 users on the waterfront, which are good in  
5 themselves, but not the same issue.

6 CHAIRPERSON YASSKY: Well, I want to

7 hear from Mr. Craft, but on that I would just say,  
8 who is to say, it may be that in the end the  
9 decision is Olympics is more important than the  
10 park. Not to put it that way, but in other words, we  
11 don't want to relocate something to help the park  
12 develop. If it's going to make it more difficult to  
13 get the Olympics, maybe that's a decision, but the  
14 goal at least is to make sure that a decision like  
15 that is framed, presented and made, rather than let  
16 drift for years and years, because inaction is a  
17 sort of a decision, you know, on the waterfront in  
18 general we've seen that most decisions have been  
19 made by inaction and default, rather than through  
20 deliberate conscious policy-making process, and I  
21 think that's the worst outcome.

22 MR. DOSWELL: Also, just to throw in,  
23 the original concept of expansion of the stadium for  
24 the Olympics was to extend south over that area,  
25 which is probably one of the muddy areas that people

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2 didn't know what to do with, but that's somewhat  
3 changed now, the latest proposal for a stadium  
4 actually extends now west over the highway, which  
5 changed that picture.

6 MR. KIRKLAND: West over the highway  
7 and into the park site.

8 CHAIRPERSON YASSKY: Mr. Craft.

9 MR. CRAFT: Hi. I'm Carter Craft. I'm  
10 Program Director of the Metropolitan Waterfront  
11 Alliance. Thanks for the opportunity to speak today.

12 I want to make three points. I'll try  
13 to make them quick.

14 First, Hudson River Park really is  
15 one of New York City's greatest waterfront  
16 accomplishments in the 20th Century. You know, who  
17 thought when the Port Authority was busy creating  
18 the break, bulk and distribution facility at Pier 40  
19 that its days as a maritime facility would actually  
20 be numbered from the moment it opened.

21 When State DOT was trying to figure  
22 out how to rebuild or revamp the West Side Highway,  
23 who knew that a generation of pioneers would step in  
24 and cultivate real community resources, like the  
25 River Project at Downtown Boat House, Pier 63, or

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2 Pier 25, also known as "the people's pier," it's  
3 really inspiring to me and to our constituents that  
4 these pioneers continue to serve the community,  
5 which has grown to meet them and will surely protect

6 them as the park is developed.

7                   Point two: Now it's the 21st century,  
8 and we have to accept the fact that Hudson River  
9 Park is in many ways an imperfect model of  
10 waterfront development. This isn't so much a  
11 criticism, but really just relaying a point that,  
12 Mr. Chairman, you asked Ms. Fishman here about sort  
13 of lessons learned in the implementation of the  
14 agency and the development of the park. But the  
15 reality is ever since containerization caused so  
16 much of our poor economy to move farther and farther  
17 from the urban core, more and more waterfront land  
18 has been opened up in Queens, Manhattan, the Bronx  
19 and Brooklyn for public access and redevelopment.

20                   For more than the last two decades,  
21 our City and State have been working to create some  
22 means, some agency to develop and implement large  
23 scale waterfront revitalization plans, the West Side  
24 Waterfront Panel, the Queens West Development  
25 Corporation, the Hudson River Park Conservancy and

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2 Trust, Brooklyn Bridge Park Development Corporation.

3                   Looking ahead, our collective  
4 experience with all of these places and all of these

5 efforts, should inform how we handle Governor's  
6 Island, how we deal with Jamaica Bay, how we  
7 revitalize and revamp Sunset Park, even how we sort  
8 of steward the future of Fresh Kills landfill,  
9 another potentially great waterfront place.

10                   Two-hundred years ago when the  
11 Commissioners released their plan for the City and  
12 our modern day street grid, a reporter remarked on  
13 the lack of squares and open spaces in the plan.  
14 "Worry not," replied one of the commissioners, as  
15 the rivers will be our parks." This promise has been  
16 neglected, as Ed certainly knows as well as anybody,  
17 for nearly 200 years. I think you've been around to  
18 see all of it, but Hudson River Park is indeed  
19 working to fill this gap.

20                   The Hudson River Park to me is a  
21 perfect model, because in a lot of ways it downplays  
22 our water dependency as a City and a region.

23                   It's not so much anyone's fault, it's  
24 just really the unfortunate manifestation of the  
25 fact that generations of New Yorkers have grown up

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2 disconnected from all of the rivers beside us. As  
3 these river edges fell into patterns of abuse and  
4 decay, the collective vision for what we wanted the

5 waterfront to become was simply something that was  
6 180 degrees from what was there then, the moment the  
7 dump truck fell through the highway.

8                   People rejected, and rightfully so,  
9 this misuse, chronic misuse of the waterfront land,  
10 but as a result, generations of New Yorkers have  
11 even forgotten what water dependency even is.

12                   Still, to me the unfortunate reality  
13 lies in the prevailing public perception that  
14 industry and maritime commerce has moved from this  
15 area and we should make it anything but industrial  
16 in maritime.

17                   In doing so, we deny the reality that  
18 Hudson River Park is the western edge of two of New  
19 York City's most important central business  
20 district.

21                   Though the volume and mass of goods  
22 that embody the commerce and trade have been reduced  
23 by modern technology to little packets of  
24 information and wire transfers, the reality  
25 continues that business districts need workers to

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2 arrive by bus, workers and tourists who generate  
3 solid waste that must be handled or removed, and the

4 central business districts themselves will require  
5 concrete and gravel and salt to build or rebuild or  
6 maintain themselves, and they all consume energy  
7 that have to come from somewhere, which gets to my  
8 third point.

9                   In a City that's really an  
10 archipelago, we must develop ways to make use of the  
11 natural benefits that water transport provides, but  
12 do so in ways that provide public access and  
13 enjoyment.

14                   For the last two years, we've been  
15 researching examples of infrastructure projects  
16 around the world that can accomplish multiple goals.  
17 We found water treatment facilities that function  
18 like Botanic Gardens in China and Washington State,  
19 we found port facilities in Rotterdam and Oakland  
20 that accommodate public access, as well as maritime  
21 trade, energy facilities in Providence and San  
22 Francisco Bay area that pays for, maintain and  
23 provide continuous public access along the water's  
24 edge, and we found a waste transfer station in  
25 Phoenix that looks like the Gardens of Babylon and

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2 functions as an important community center.

3                   The issue of relocating the majority

4 of the uses in Hudson River Park is mandated in  
5 State Legislation and we're not advocating to change  
6 this at all at this time. If the deadlines for  
7 relocating these facilities are not met, then  
8 someone, perhaps the State Attorney General should  
9 step in to negotiate a settlement, and any damage  
10 awards should be placed in funding sources, like the  
11 Hudson River Improvement Fund, or the New York City  
12 Environmental Fund, to benefit and support the work  
13 of groups throughout the Hudson River and the City  
14 to reclaim the waterfront.

15                               Thanks for this opportunity. I'm  
16 happy to answer any questions.

17                               CHAIRPERSON YASSKY: Thank you. Just  
18 my own question, Mr. Craft.

19                               You suggested to Ms. Fishman that a  
20 statue of that commissioner be erected in Hudson  
21 River Park with the quote about the rivers?  
22 Commissioner Van Pier Pond or whatever, it's  
23 probably English, but if not, then I recommend you  
24 to do so.

25                               MR. CRAFT: Mica Well and Canal

3 long ago.

4 CHAIRPERSON YASSKY: That would be  
5 publicly or privately paid for?

6 MR. CRAFT: We'll get to that later.

7 CHAIRPERSON YASSKY: I'm sure Ms.  
8 Fishman can find the public dollars for that one  
9 statue.

10 I'll just ask you, Mr. Craft, to  
11 comment on this question. I mean you have been an  
12 astute observer as any of the City's waterfront  
13 revitalization efforts; what do you think the  
14 relocation difficulties tell us about the existing,  
15 the adequacy of the existing bureaucratic  
16 infrastructure for waterfront revitalization in the  
17 City?

18 I mean, sure, it's hard to find  
19 another place to put salt and tow pounds. On the  
20 other hand, can it be done? Yes, of course it can be  
21 done.

22 And do you think the City need  
23 somebody who cares more urgently about waterfront  
24 revitalization than does the Sanitation Department  
25 and the Police Department? The jobs of which, after

3 rid of trash and promoting public safety. Do you  
4 think that would be helpful?

5 MR. CRAFT: Absolutely.

6 Last year when we were mounting what  
7 we call the Waterfront 21C Campaign, trying to  
8 develop a vision for what New York City's waterfront  
9 should look like 100 years from now, we advocated  
10 for the Mayor to designate a deputy mayor who could  
11 be responsible for waterfront redevelopment.

12 We didn't necessarily think that was  
13 the solution but we thought it would be a good step.

14 If you look at history, it's sort of  
15 we're suffering the cruel irony that just as all of  
16 these enormous tracks of land were being opened for  
17 redevelopment, City Administrations, sequential City  
18 Administrations, were dismantling the public  
19 agencies that had administered, stewarded or guided  
20 their development for 130 years. So, I think Ms.  
21 Fishman, as well as anybody, when Ports and  
22 Terminals I guess was created out of the Department  
23 of Docks in the thirties and then the Department of  
24 Ports and Terminals was taken apart in the seventies  
25 and became partly the public development

2 corporation, and other parcels were moved to other  
3 agencies, and then in the eighties the Public  
4 Development Corporation was dismantled, as well, and  
5 Department of Citywide Administrative Services ended  
6 up with random parcels, Department of Business  
7 Services ended up with lots of great piers, which  
8 are attached to nothing now, and EDC sort of got the  
9 best parcels.

10 I don't think anybody really knows  
11 what the answer is, because even if we just look at  
12 the City, I'm sure that covers parks, I'm sure that  
13 covers DOT, I'm sure that covers EDC, sure that  
14 covers Environmental Protection, so we've got sort  
15 of habitat water quality, economic development in  
16 there, but given that the water that we all love  
17 attaches us to our neighbors in New Jersey, you know  
18 the pollution problems they're in can't be solved by  
19 our municipality alone.

20 CHAIRPERSON YASSKY: Not alone, but  
21 just to ensure the things like relocation of these  
22 facilities don't slip through the cracks.

23 And even with the working waterfront  
24 issues that you spoke eloquently about in your  
25 testimony, you know, the need even, even though much

2 of commerce still is now packaged information, still  
3 most of it is real physical stuff that comes in and  
4 out, and the failure to take advantage of the water,  
5 the opportunities that the waterways provide for,  
6 that sort of transportation, the failure to have a  
7 real shipping, viable shipping industry serving New  
8 York City, you know, I think is equally problematic.

9                   So, I think you've raised the  
10 important points.

11                   Thank you very much.

12                   MR. CRAFT: Just I want to give a nodd  
13 to the Trust, just because the process they've  
14 provided and accepted comments here, there, to the  
15 very end, related to Pier 40, it's been a pretty,  
16 for the most part a pretty positive and transparent  
17 process that has created extended deadlines and  
18 other things, and I think some of the resultant  
19 potential conceptual designs for that period do  
20 accommodate, you know, goods movement from the piers  
21 and onto the street grids. So, absent legislative  
22 mandate to do so, I think there's creativity within  
23 the trust in any of these other agencies to think a  
24 little more creatively, as I think the waterfront  
25 agencies used to do, but I'm still afraid there's

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2 too much inertia in the agencies when it comes to  
3 finding either new models or new sites for some of  
4 the uses which some of us may find distasteful.

5 MR. DOSWELL: If I can just add a  
6 moment, one piece of good news is actually the MTA  
7 bus garage at 57 which actually may become available  
8 before any of these other things do, as I hear now.  
9 And so I'd like to, and I also put this in my  
10 testimony, I'd like to emphasize that we can start a  
11 process and really come up with a use for Pier 57  
12 that really benefits the park, and one of the models  
13 might be the very model that Carter talked about  
14 that we worked out with Board 2 and Friends of  
15 Hudson River Park and the Trust on Pier 40. I hope  
16 in process to look at different possibilities and  
17 try to come up with the best use for that, that will  
18 actually be good for the park and be good for  
19 everyone.

20 MR. KIRKLAND: And I've actually  
21 started talking to the Society about this issue, as  
22 a matter of fact, as well as some of the arts  
23 organizations.

24 CHAIRPERSON YASSKY: I thank you for  
25 those comments.

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2                               When witnesses get complimented by  
3 witnesses and waiter panels, it only encourages  
4 people to come and participate in our hearing. So, I  
5 thank you very much for that.

6                               Our final group of witnesses  
7 includes, Kristin Dionne, from Friends of Clinton  
8 Cove; Robert Trentlyon, from Chelsea Waterside Park  
9 Association; Tobi Bergman, from Community Board 2 in  
10 Manhattan; and Jennifer Hoppa, representing Borough  
11 President C. Virginia Fields.

12                              Ms. Hoppa, do you want to begin?

13                              MS. HOPPA: Thank you.

14                              Good afternoon, Chairman Yassky.

15                              CHAIRPERSON YASSKY: Good afternoon.

16 Good to see you again.

17                              MS. HOPPA: Good to see you again, as  
18 well.

19                              First, Borough President Fields wants  
20 me to convey her appreciation to you for convening  
21 this oversight hearing.

22                              As President of the Borough of  
23 Manhattan, and as part of the Hudson River Park  
24 Trust, C. Virginia Fields has a direct interest in  
25 relocating City services from the West Side

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2 Waterfront. So, I commend you on her behalf.

3                   Unfortunately, I've missed the  
4 testimony of everyone preceding me, so I will say,  
5 as I'm sure you've heard, finding alternative sites  
6 for City services is not an easy task. We've had  
7 numerous discussions with various City agencies and  
8 communications with the Deputy Mayor and have not  
9 come up with solutions as of yet.

10                   Agencies with extensive resources  
11 though often place the burden of identifying  
12 alternative sites on local residents. This is most  
13 unfortunate.

14                   In the past when alternatives have  
15 been presented by communities, the City has tended  
16 not to take prompt action to study their  
17 feasibility.

18                   Among the outstanding issues in terms  
19 of City services within Hudson River Park, or the  
20 biggest ones, are Pier 97 and Pier 76 and the  
21 Gansevoort Peninsula. I'm assuming those have all  
22 been mentioned.

23                   CHAIRPERSON YASSKY: Yes.

24                   MS. HOPPA: Okay. And what the  
25 legislation says regarding them.

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2                   I know with regards to a few of those  
3 projects, alternative sites have been identified by  
4 communities, but with no firm commitment from the  
5 Administration on rectifying them or on their time  
6 frame for studying the feasibility of those  
7 alternative sites or a firm commitment to  
8 implementing new location.

9                   The Borough President recognizes that  
10 the new Administration has only been in place for  
11 about a year, and it's hopeful that the Mayor's  
12 commitment to the waterfront will be translated into  
13 solutions for these municipal services within the  
14 Hudson River Park.

15                   It seems that only now, four years  
16 after the passage of the Hudson River Park Act, the  
17 City will be conducting a more detailed exploration  
18 of an alternative site for the tow pound, as part of  
19 their west side study.

20                   If the reclamation of the waterfront  
21 within the Hudson River Park is to become a reality,  
22 the City needs to provide a clear framework for  
23 action on municipal services, this should include a  
24 commitment to the alternative site their exploring,  
25 their time frame for doing so, the results of their

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2 studies, and if no relocation sites are deemed  
3 feasible, how they intend to mitigate for  
4 non-compliance with the Hudson River Park Act.

5                   And Carter probably mentioned this,  
6 but if current uses can't be relocated immediately,  
7 they should be reconfigured to provide interim  
8 public use and waterway access. Given the shortage  
9 of available land in Manhattan, and the growing  
10 burden of City services, the City should also commit  
11 to redesigning facilities to accommodate multiple  
12 user groups, both at the waterfront and inland.

13                   The Borough President urges the  
14 Council to pass a resolution regarding the City --  
15 requiring the City, rather, to prepare a framework  
16 for action on the Hudson River Park, a phase-in plan  
17 for relocating sites inland, and a commitment to  
18 mitigation, if alternative sites cannot be  
19 identified.

20                   In the meantime, the Borough  
21 President intends to continue discussions with the  
22 Administration, looking to bring resolution to this  
23 difficult problem, balancing the myriad needs of the  
24 City, but remaining steadfast in reclaiming our  
25 waterfronts.

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2 Thank you.

3 CHAIRPERSON YASSKY: Thank you.

4 We did not proceed from left to  
5 right, I'm sorry. But why don't we.

6 MR. TRENTLYON: My name is Robert  
7 Trentlyon, and I'm here representing Chelsea  
8 Waterside Park Association.

9 I also happen to be a member of CB 4,  
10 but I'm not here as its representative.

11 CWPA was formed in 1985 by residents  
12 of Chelsea for the purpose of increasing the  
13 minuscule seven acres of park space that existed in  
14 Chelsea.

15 We rightfully believe that the  
16 prospect for more park space in Chelsea was linked  
17 to the rebuilding of the West Side Highway. I served  
18 as one of the three public members on the West Side  
19 Task Force, which was appointed by Governor Cuomo  
20 and Mayor Koch to create the concept plan for the  
21 present highway and park along the Hudson River.

22 Residents of Chelsea who lost access  
23 to their waterfronts for passive pursuits in the  
24 early 19th Century, are aware of the long-term  
25 governmental mindset of using the shore of the

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2 Hudson River for facilities not tolerated elsewhere.

3                   We hope Council Member Yassky and his  
4 Committee appreciate that building a park along the  
5 Hudson creates something of incalculable value to  
6 the City of New York and to its residents.

7                   As no one would consider putting a  
8 Sanitation plant directly across the street from  
9 Central Park, or I hope any other park, that follows  
10 that when similar governmental structures would be  
11 relocated, they should not be placed across the  
12 street from Hudson River Park.

13                   At the present time, there are the  
14 following governmental users on the east side of the  
15 highway: A women's prison at 20th Street; a vehicle  
16 maintenance facility at 24th Street; a Sanitation  
17 garage and repair shop at 26th Street; Javits Center  
18 at 34th to 37th Street; a multi-level parking garage  
19 for the Intrepid Museum at 44th Street, and a  
20 Sanitation plant under construction at 56th Street.

21                   Let us forget the stadium -- let us  
22 not forget the stadium being planned for 30th  
23 Street.

24                   Each of these uses covers the minimum  
25 a City block. We know that this hearing is not about

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2 removing these structures, even though they should  
3 not be situated across from a park. I bring this  
4 point up because I want to stress that when  
5 governmental structures are removed from the park,  
6 they should be not located across the street. The  
7 City has to stop using the east side of the highway  
8 as its spare room.

9                   The Gansevoort Peninsula is a prime  
10 spot that juts out into the Hudson at 13th Street.  
11 It presently is occupied by Sanitation trucks and is  
12 used for both storage and repair.

13                   At an earlier time there was a need  
14 for transporting garbage by water from the location.  
15 That time is now gone, and the Sanitation Department  
16 has not aggressively pursued a new location for the  
17 trucks.

18                   I believe that some will be relocated  
19 to a spot within CB 2, and most will be located at  
20 30th Street, within the boundaries of CB 4.

21                   I believe these trucks service  
22 neither CB 2, nor CB 4, but rather CB 5.

23                   I mention this fact because much of  
24 CB 4 land has become the repository for buildings  
25 and equipment for which the City or neighboring

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2 community boards cannot find space.

3                   Pier 57 at 17th Street is a garage  
4 for over 200 MABSTOA buses. That space should be  
5 empty some time in 2003 or 2004, when the buses will  
6 have a new home at 100th Street and Lexington  
7 Avenue.

8                   There are no present plans for this  
9 building. It may have commercial, public or mixed  
10 use. CWPA urges the public process so that this  
11 325,000 square feet of space on four levels, can be  
12 developed for the maximum enjoyment of all New  
13 Yorkers.

14                   The heliport at 30th Street is on a  
15 month-to-month lease. The heliport is not an  
16 appropriate park use and it should be moved.

17                   There's a constant noise irritant to  
18 people using the park and to people living in the  
19 adjoining community.

20                   Our preference is for the elimination  
21 of the heliport in the west side. Using the western  
22 end of one of the super piers in the west forties  
23 should also be considered, if it has to remain.

24                   Discussions on moving the tow pound  
25 have gone on for at least 15 years with nothing to

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2 show for it.

3                   If no space the size of the present  
4 tow pound can be found, then multi-level smaller  
5 spaces, the size of municipal garages, could be  
6 built.

7                   Thank you for this time to hear the  
8 views of CWPA. The removal of these aforementioned  
9 governmental uses from the park in 2003 is of  
10 paramount importance.

11                   CHAIRPERSON YASSKY: Thank you very  
12 much.

13                   MR. BERGMAN: Good afternoon, Mr.  
14 Chairman. My name is Tobi Bergman, I am the Acting  
15 Chair of the Parks Committee Waterfront and a member  
16 of the Waterfront Committee CB2.

17                   I'm also the president of an  
18 organization called the Pier Park and Playground  
19 Association, which seeks to enhance opportunities  
20 for children to play sports.

21                   Before starting what I really came to  
22 say today, I just wanted to say that personally,  
23 although the organizations I'm representing have no  
24 opinion on it at this time, I think the idea of a

25 waterfront revitalization commission of some sort is

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2 a very important to bring all of this together,  
3 because I think that the opportunities of the next  
4 20 years on the waterfront should not be squandered,  
5 they really represent much of the future of this  
6 City, not just Manhattan, but throughout the City,  
7 we've been for a variety of reasons looking more and  
8 more inward and we have to start looking outward  
9 again, and something to coordinate that is powerful  
10 and I urge you not to be silent about it just  
11 because it doesn't achieve enthusiasm right away.

12 CHAIRPERSON YASSKY: You're not.

13 MR. BERGMAN: I'm here mostly to speak  
14 about Gansevoort Peninsula, or entirely, that's  
15 within CB 2. That's where our relocation efforts are  
16 focused. And what I want to say about it is fairly  
17 simple. I think that Gansevoort represents an  
18 extraordinary opportunity for the Hudson River Park.

19 The Hudson River Park, as you know,  
20 is a very long, almost five miles of very narrow  
21 strip, between a highway and a river, and it's  
22 length is very positive and very important, in terms  
23 of what it connects and what it represents for all  
24 of those communities, adjacent communities, but one

25 thing we know in Community Board 2, which is one of

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2 the most park deprived community boards in the City,  
3 not as much park deprived as Community Board 4,  
4 which has -- community Board 2 is fortunate to have  
5 many little triangles and pocket parks which  
6 Community Board 4 doesn't have. We also have  
7 Washington Square Park.

8                   But we have very few big parks, or no  
9 big parks, and I think we understand because of  
10 that, what a lack that is, and it's very important  
11 to understand the different kinds of open space  
12 represent, and a very long strip along the river is  
13 an important kind of open space for walking along  
14 the river, riding along the river, transportation,  
15 recreational transportation. But it's essential that  
16 that open up, and there's very few opportunities for  
17 that. Pier 40 is one, hopefully that process has  
18 moved forward steadily. But I think probably the  
19 most essential one is Gansevoort Peninsula. Not only  
20 because it is the one significant piece of actual  
21 land in the park, as opposed to being a pier, but  
22 also because of its very important location right at  
23 the edge between Community Board 2, Community Board

24 4, at the base of 14th Street. It could be really  
25 the focus of this park and I think that that kind of

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2 a place which it widens out, brings larger numbers  
3 of people, has some excitement to it, is essential  
4 for the future of the park, the success of the park.  
5 Some of the things that were spoken about earlier,  
6 about potential for revenue coming from concessions,  
7 there won't be revenue for concessions, unless  
8 there's quite a few people coming to the park. So,  
9 we've got to make it an exciting park, and I think  
10 that we have to be concerned when the Sanitation  
11 Department tells us, as they have, that they're  
12 looking ten years down the line to move Gansevoort,  
13 ten years. There's a momentum now, in ten years  
14 there will be less momentum. Perhaps there will be  
15 more, but perhaps less, and also we're now hearing  
16 that Sanitation perhaps has its eyes on permanent  
17 use of Gansevoort, as a waterborne Sanitation  
18 facility. So, I think that Gansevoort, we can't  
19 afford to walk away from that one. And I think that  
20 it's hard when you have mandates set forward by the  
21 law that say, you know, all of these things have to  
22 be treated equally. I don't think it's quite the  
23 comparison between Gansevoort and the tow pound, for

24 example. The opportunities at Gansevoort are, for  
25 park, are quite simply much greater than the tow

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2 pound.

3 CHAIRPERSON YASSKY: This ten years,  
4 do you think that's what we're really looking at for  
5 moving off Gansevoort?

6 MR. BERGMAN: That's what Dan Klein  
7 advised us, in ten years. And that was before,  
8 apparently I just heard today apparently they're  
9 looking at permanent use of Gansevoort, which I'm  
10 not even sure that that's legal, without a change of  
11 the law, whether they can do that or not. But we  
12 were told because they see it as kind of playing --  
13 they've got to move one facility to move the next,  
14 they've got to move another facility to move that  
15 one, and each one of those requires a ULURP process,  
16 and therefore each project is four years, and it  
17 adds up to nine or ten years, and that's without  
18 delays.

19 CHAIRPERSON YASSKY: Thank you.

20 MS. DIONNE: Good afternoon. I am  
21 Kristin Dionne, and I am the Co-Chair of Friends of  
22 Clinton Cove, and I just wanted to read my brief

23 statement, not to belabor the point, but to let you  
24 know that there is a local constituency concerned  
25 about specifically section seven of the park.

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2 Friends of Clinton Cove is a  
3 grassroots community organization, whose goal is to  
4 raise awareness and community involvement in the  
5 planning of the Clinton Cove section of Hudson River  
6 Park.

7 We support a park which provides a  
8 safe, open space for children, adults and families  
9 throughout our community, and one which creates a  
10 sense of community spirit and pride around our  
11 waterfront park.

12 Clinton area is one of the least  
13 served communities in this City, in terms of green  
14 space, and our community is in desperate need of  
15 this area of public space provided in the Hudson  
16 River Park Act.

17 Within a small three-block area,  
18 Clinton holds three municipal facilities; the marine  
19 transfer station at Pier 99, Con Ed oil delivery at  
20 Pier 98, and the Department of Sanitation at Pier  
21 97.

22 We realize that the renovation of the

23 DOS facility at 57th Street will enable the  
24 Department of Sanitation to remove the Sanitation  
25 trucks from PS 97 to the new facility.

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2 Friends of Clinton Cove implores the  
3 City, Hudson River Park Trust and the Department of  
4 Sanitation to honor this legislative deadline  
5 through a timely completion of the 57th Street of  
6 the Sanitation facility.

7 The Hudson River Park Act was created  
8 to provide extensive and meaningful public access to  
9 the waterfront for everyone.

10 We believe that the objective should  
11 be upheld to the fullest extent possible.

12 This park provides a lasting reminder  
13 of the State and City commitments to return our  
14 waterfront to the public, and enable the City to  
15 celebrate the history and wonder of the Hudson River  
16 waterfront.

17 Thank you.

18 CHAIRPERSON YASSKY: Thank you very  
19 much.

20 I think your testimony, all of your  
21 testimony, was extremely valuable, because while I'm

22 very interested in Hudson River Park as a waterfront  
23 amenity for the entire City, and indeed it will  
24 serve, I have no question. As you said, it's not  
25 just Manhattan, I think it's Brooklyn, Queens and

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2 the Bronx, Staten Island, for all the boroughs,  
3 Hudson River Park will be a tremendous amenity. Your  
4 communities really are the most directly affected,  
5 and your experience I think is extremely valuable to  
6 hear.

7                   So I just want to thank you for your  
8 testimony and I want to assure you my commitment,  
9 and I know the commitment of my colleagues on this  
10 Committee and in the Council to do everything we can  
11 to push the City to do some of the work that simply  
12 it just needs to do. Because it is more important to  
13 get this park built, then whatever difficulties  
14 there are in finding a site, another site for what's  
15 on Gansevoort now, they've just got to do that and  
16 figure it out.

17                   I mean, the Mayor, agencies are under  
18 a lot of pressure today, there's no question about  
19 it, they're being told they're going to have to pick  
20 up the trash and do everything else that they do  
21 with fewer resources, but I think we have a right to

22 expect that from the City.

23                               So, please be sure that we stand  
24 shoulder to shoulder with you in trying to make sure  
25 that this gets done.

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2                               Thank you very much. And with that, I  
3 will close the hearing. Thank you.

4                               (Hearing concluded at 2:35 p.m.)

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CERTIFICATION

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COUNTY OF NEW YORK )

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I, CINDY MILLELOT, a Certified

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Shorthand Reporter and Notary Public in and for the

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State of New York, do hereby certify that the

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foregoing is a true and accurate transcript of the

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within proceeding.

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I further certify that I am not

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related to any of the parties to this action by

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blood or marriage, and that I am in no way

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interested in the outcome of this matter.

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IN WITNESS WHEREOF, I have hereunto

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set my hand this 13th day of November 2002.

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CINDY MILLELOT, CSR.

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C E R T I F I C A T I O N

I, CINDY MILLELOT, a Certified Shorthand  
Reporter and a Notary Public in and for the State of  
New York, do hereby certify the aforesaid to be a  
true and accurate copy of the transcription of the  
audio tapes of this hearing.

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CINDY MILLELOT, CSR.