

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON PARKS AND RECREATION

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October 30, 2009

Start: 12:00 pm

Recess: 2:12 pm

HELD AT: Council Chambers  
City Hall

B E F O R E:

HELEN D. FOSTER  
Chairperson

COUNCIL MEMBERS:

Council Member Letitia James

Council Member Melissa Mark-Viverito

Council Member Helen Sears

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

Michael Schnall  
Director of Government Relations  
New York City Department of Parks and Recreation

Tupper Thomas  
Assistant Commissioner for Strategic Partnerships  
New York City Department of Parks and Recreation

Carol Greitzer  
Former Council Member  
Founder, 250+ Friends of New York City Parks

Henry Stern  
Former Parks Commissioner  
Founder and President, NYCivic

Tom Reidy  
Director of Park Operations and External Affairs  
Madison Square Park Conservancy

Dorothy Reilly (for Kathleen Vorwick)  
Director of Public Relations  
Greenbelt Conservancy on Staten Island

Warrie Price  
Founder, President  
Battery Conservancy

Lori Brittle  
Vice President for Finance and Development  
Riverside Park Fund

Darren Johnson  
Vice President of Strategic Initiatives and Policy  
New York Restoration Project

Scott Johnson  
Director of Communications/Branding  
Central Park Conservancy

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

Judy Francis  
President  
Brooklyn Bridge Park Defense Fund

Sheila Feinberg  
Director of Government and External Relations  
New Yorkers for Parks

Julia Morrow  
Assistant Director  
Open Space Alliance for North Brooklyn

Henry Bunch  
President  
Queens Soccer Foundation

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2 COUNCIL MEMBER JAMES: --we've got,  
3 oh, I've got five minutes, so I have to wait till  
4 12:00. [long pause] We're ready?

5 MALE VOICE: [off mic] Yes, ma'am.

6 COUNCIL MEMBER JAMES: Okay. It is  
7 now good afternoon. Good afternoon, my name is  
8 Letitia James, and I am chairing this Parks and  
9 Recreations Committee meeting on behalf of Council  
10 Member Helen Diane Foster, who unfortunately had  
11 to attend a funeral. In this hearing, we'll focus  
12 on Proposed Intro number 1083-A, a local law, in  
13 relation to requiring local representation on park  
14 conservancies. The conservancies and other park  
15 organizations are funded primarily from  
16 contributions made by individuals, corporations  
17 and foundations within the metropolitan area, as  
18 well as project and contract revenue pursuant to  
19 its partnership agreement with the Department of  
20 Parks and Recreation. These amounts are used to  
21 fund capital improvements, provide horticultural  
22 care and maintenance, and offer programs for  
23 volunteers and visitors of Central Park or other  
24 parks. The purpose of this bill is to ensure that  
25 conservancies that often set policy for parks

1  
2 contain neighborhood representation. As noted  
3 above, conservancy arrangements generally are  
4 license agreements between the City and a private,  
5 not-for-profit entity, that permits that entity to  
6 operate a public park or portion of a park. Much  
7 of the staffing and programming is then provided  
8 for the conservancy. While many people view  
9 conservancies as important fund raiser that keep  
10 public parks functioning, with less of a drain on  
11 the City's budget, others see conservancies as  
12 entities having no accountability, with private  
13 interests governing public space. Moreover, there  
14 are some concerns that conservancies do not have  
15 proper representation from the geographic area  
16 that they serve. Let me just do a little  
17 commercial. I represent Fort Greene Park  
18 Conservancy. We are looking to do something  
19 similar, and most of the residents who serve on  
20 the conservancy are from the community. We do not  
21 currently have an agreement with the Parks, but  
22 hopefully that will change in the future. And we  
23 do have our own fundraising operation in place.  
24 But unfortunately, at, or fortunately, depending  
25 upon your position, we do not have an agreement

1 with Parks, but we're looking to change that.  
2 That's my position, but I do not serve on this  
3 Committee. I'm only standing in for a friend.  
4 Serving on this Committee is Council Member  
5 Melissa Mark-Viverito, who has joined us, as well  
6 as Council Member Helen, I mean, Helen--Jesus,  
7 Helen Sears. And I don't believe there are any  
8 other members. Our first two individuals to  
9 testify are, is Michael Schnall, the Director of  
10 Government Relations from Parks and Recreation, as  
11 well as my very good friend, Tupper Thomas,  
12 representing, she's an Assistant Commissioner in  
13 the New York City Parks and Recreation. And now  
14 you have the floor. Thank you. [pause] Excuse  
15 me, my colleague Melissa Mark-Viverito would like  
16 to make a opening comment. Thank you.

## COUNCIL MEMBER MARK-VIVERITO:

18 Thank you. I actually am not a member of this  
19 Committee, but it is my bill, and that's why I  
20 decided to join you today. And so, just to, you  
21 know, make a quick statement, and I will  
22 absolutely not belabor it. I want to hear the  
23 testimony, 'cause I understand by looking quickly  
24 at the comments that the City's not in agreement  
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1  
2 with this bill. But I believe very strongly in  
3 accountability and transparency, and all that we  
4 do as elected officials, but also with regards to  
5 the partnerships that are created with our public  
6 resources; and having said that, our conservancies  
7 are public/private partnerships of sorts. And I  
8 do have experience with conservancies as well, not  
9 only in Central Park, which is in my district, but  
10 also with Randall's Island Sports Foundation,  
11 which is my experience with them, in particular,  
12 is the reason that I authored this bill.

13 Although, it may be said that a lot of  
14 conservancies in our City may have local  
15 representation, it's not a mandate as it stands  
16 right now, and there are some conservancies which  
17 in fact do not have local representation of people  
18 that live within the jurisdiction of those parks  
19 particularly. Randall's Island Sports Foundation  
20 abuts both the park Randall's Island, abuts both  
21 Community Board Eleven and Community Board One in  
22 the South Bronx. And although it is a park that  
23 is accessible to everyone in the City, there is no  
24 representation--my understanding of the Board from  
25 the local community boards of those two. So

1  
2 that's an issue and a concern, when we're talking  
3 about conservancies having a level of oversight as  
4 to what happens to the park, in terms of the  
5 direction of the vision of how the park is to be  
6 developed or be maintained. It's important that  
7 the people that live in the immediate surrounding  
8 community have a level of input. And so, I  
9 believe very strongly in that. I think it should  
10 be a mandate that every conservancy have  
11 representation of every board that it surrounds,  
12 and so I'm glad to see that there are many other  
13 colleagues that believe the same way. I'll leave  
14 it at that. I would like to hear the testimony,  
15 and then we can have a further discussion and  
16 dialogue. Thank you.

17 COUNCIL MEMBER JAMES: Thomas and  
18 Mr. Schnall, you may begin.

19 TUPPER THOMAS: Is that on? There,  
20 ooh, ow. Hi, I'm Tupper Thomas, and I'm the  
21 Assistant Commissioner for Strategic Partnerships.  
22 I'm representing Mayor Bloomberg, Deputy Mayor  
23 Harris, and Commissioner Adrian Benepe today, to  
24 talk to you about this Introduction. As the  
25 person who does strategic partnerships within the



1  
2 Parks Department, my primary role is to work with  
3 all of the Park administrators and their not-for-  
4 profit affiliates. I've been here 29 years. I  
5 have worked long and hard on making Prospect Park  
6 a better place. And we're very excited, and the  
7 alliance that we are able to work closely with our  
8 community and do a number of things. I'm not  
9 going to read the entire statement here. [laughs]  
10 Yes, exactly. But I would like to say that New  
11 York City has been, is a national example across  
12 the country of partnerships for parks in how we've  
13 been able to bring many resources to New York City  
14 parks over the years. So, when I first started in  
15 1980, certainly our New York City parks were in  
16 very, very poor condition. And I think the  
17 development of places like the Central Park  
18 Conservancy, Prospect Park Alliance, and then many  
19 others since that time, have meant that many of  
20 our parks are better places. I don't think that  
21 this proposed legislation says that that's not  
22 true. So, I think that it's very important people  
23 understand that these organizations have really  
24 made a big difference for the people of the City  
25 of New York. All of our organizations currently

1 actually do have, and do represent their  
2 communities in major ways. They have people on  
3 their boards who are from the community, and who  
4 work closely with the community. Prospect Park  
5 Alliance, as an example, has a very large number  
6 of our representatives. We have 20 members, we  
7 have more than 20 members, who are--33 members who  
8 live in the immediate surrounding neighborhoods.  
9 We have our own Council Member representing, who  
10 represents all of the park on the Board, and we  
11 have ex-officio members, the Borough President is  
12 among them, as well. So, we actually have very  
13 strong representation from the community, and we  
14 have developed a Community Committee, that works  
15 with us as well, who are organizations from all  
16 around Brooklyn that use the park. And those  
17 organizations, as well as our elected officials,  
18 send people to those meetings so that we can  
19 discuss all issues. The other thing to  
20 understand, is that conservancies are never in the  
21 position where they are allowed to make policy  
22 decisions for the City of New York. All policy  
23 relating to the park and park management, in every  
24 agreement that has been signed, lies with the  
25

1 Commissioner and ultimately the Mayor. The  
2 conservancies do not make policy, they do rule on  
3 whether there can be a dog run or a baseball  
4 diamond or anything else in their park. They are  
5 asked to raise money for projects that the City  
6 would like to see happen. And then they have  
7 fiduciary responsibilities to be sure that those  
8 moneys are spent properly, under the law. So, we  
9 are, on the--really, I don't believe there's a  
10 single case where the City hands over policy  
11 decisions about the usership of the park or how  
12 things will happen in the park, to those  
13 conservancies. And I think that's a very  
14 important point to understand. Still and all, I  
15 think it's very important to note that this  
16 Introduction is clearly intended to have more,  
17 that there be more and more visibility to the  
18 public of what these conservancies do, and how we  
19 operate. I think that we already, now, because of  
20 a past bill that was passed, we already hand in  
21 information to the Council to show who's on our  
22 boards, and who gives to us. So those are  
23 important things that I think the public deserves  
24 to know. They know them anyway because of our  
25

1  
2 filings with taxes, but it's been important, and I  
3 think the Council is right to want to be sure that  
4 none of us are doing things that are  
5 inappropriate. But we do feel that, that there  
6 are some issues about the word "conservancy" and  
7 how it's used, and what those will mean to the  
8 incorporation law. And I'm going to read that  
9 portion of it. We feel that partnerships have a  
10 demonstrated track record of upholding the  
11 community based goals of Introduction Number 1083-  
12 A. This bill would seek to add a new section,  
13 18137, to the administrative code. It would  
14 specify that any conservancy arrangement defined  
15 in the bill as "any license or other authorized  
16 authorization allowing a conservancy to operate or  
17 maintain any park or portion of any park under the  
18 jurisdiction of the Commissioner of Parks entered  
19 into or renewed on or after the effective date of  
20 the bill, be required, would require that the  
21 Board of Directors of the Conservancy include as a  
22 voting member an individual designated in  
23 consultation with Council Members from each  
24 Council district, in which the park is located, or  
25 which the park abuts." While Parks certainly

1  
2 lauds the intent of this bill to make sure that  
3 members of the local community in and around each  
4 conservancy, a representative on the Boards of  
5 Directors, and that local communities are involved  
6 in the planning and operations of their parks. We  
7 believe that Introduction Number 1083-A may  
8 violate the charter of New York State law. We  
9 also believe that New York State not-for-profit  
10 corporation law adequately establishes guidelines  
11 on the composition of boards of private, not-for-  
12 profit corporations. Furthermore, we believe that  
13 our conservancy partners meet and exceed the  
14 requirements set forth in Introduction Number  
15 1083-A, in terms of local representation on their  
16 boards, and already operate with the guidance and  
17 approval of parks and the Mayor's office. The  
18 legislation as proposed raises other questions.  
19 There's scores of small not-for-profit groups,  
20 including dozens of Little Leagues, 23 historic  
21 house museums, CBO youth organizations that have  
22 license agreements to operate and maintain  
23 parkland--would they be subject to this  
24 Introduction? Some organizations such as the City  
25 Parks Foundation and the New York Restoration

1  
2 Project offer programs and services in all five  
3 boroughs--would they need representation as  
4 defined in Introduction 1083-A? From every  
5 Council district in which they operate? Or it  
6 also is unclear about the intent of the Board  
7 representation required under the bill. Board  
8 members are volunteers who contribute their time,  
9 talents and resources to further their  
10 organization's mission. If the Board member  
11 required under the bill is meant to be the City  
12 Council's representative, we would concur about  
13 how it might affect a Board's ability to focus on  
14 its mission, particularly in a case such as  
15 Prospect Park, where we might be required to add  
16 four additional new Board members. Thank you for  
17 the Council's interest and advocacy for our  
18 conservancies. Just as the Council serves as the  
19 eyes and ears for constituents across the five  
20 borough, our many partnerships serve a crucial  
21 role in linking the community to their local  
22 parks. The universe of partnerships extends far  
23 beyond those affiliated, not-for-profit  
24 organizations, Partnerships for Parks, which is--  
25 which is there, an organization run by the Parks

1 Department and the not-for-profit City Parks  
2 Foundation, organizes, manages and encourages  
3 volunteer groups to form. More than 800 groups  
4 with 55,000 volunteers are beautifying the parks,  
5 providing \$1.7 million hours of volunteer work.  
6 Just this past weekend, thousands of New Yorkers  
7 braved the rain to come out for "It's My Park  
8 Day," a twice annual volunteer event. And also,  
9 we have celebrated the Million Trees New York fall  
10 planting day, which supports the New York  
11 Restoration Project. Volunteers have planted more  
12 than 20,000 trees in our City's parks and natural  
13 areas. There is no single universal strategy that  
14 works best for all parks. Not all parks have the  
15 residential or commercial strength to establish a  
16 partnership. In fact, City Parks Foundation, that  
17 is founded to support the City parks without  
18 access to private sources, is today the largest  
19 provider of free cultural programming citywide.  
20 Partnerships work best when formed by people who  
21 love their park. They should be a celebration of  
22 the park, and in that sense we can all agree that  
23 the community of park users is essential to making  
24 sure that the parks' interests are best  
25

1  
2 represented. We hope that we will all work  
3 together with the City Council to make that  
4 happen.

5 COUNCIL MEMBER JAMES: I want to go  
6 to your, the part of your testimony, Ms. Thomas,  
7 which talks about the fact that this might be in  
8 violation of the New York State not-for-profit  
9 law. Could you elaborate on that? What is your--

10 TUPPER THOMAS: Yep.

11 MICHAEL SCHNALL: Hi. I'll just,  
12 it's a discussion that we can have about the law  
13 for days on end, but basically the New York State  
14 not-for-profit corporation law establishes the  
15 structures and the way, and the guidance and the  
16 governance for the establishment of a not-for-  
17 profit. Similarly, they have to abide by certain  
18 federal regulations under the IRS tax code. We  
19 believe that the New York State not-for-profit law  
20 adequately establishes the way in which a board is  
21 established, and all the rules and regs that they  
22 need to follow.

23 COUNCIL MEMBER JAMES: But you  
24 would agree that there's nothing in the State  
25 statute which can be construed as a limitation on



2 the power of the City Council?

3 MICHAEL SCHNALL: No, we believe  
4 that in some instance that it might actually  
5 preempt the City law, because the Boards are  
6 defined and established in the State law. Nothing  
7 that says anything about local representation;  
8 however, to do that we believe would be a possible  
9 violation of the law.

10 COUNCIL MEMBER JAMES: But, again,  
11 there's nothing specific in the State law which  
12 says that this, that the City Council can not  
13 impose some further requirements on the Parks and  
14 Recreations?

15 MICHAEL SCHNALL: No, there is not.

16 COUNCIL MEMBER JAMES: Okay. Now,  
17 does the Parks and Recreation have any input in  
18 determining who was named to the governing board  
19 of a park conservancy?

20 TUPPER THOMAS: I think each  
21 conservancy in the past has figured out what they  
22 think is the right answer. So, each one of us has  
23 a different system. When we first started we  
24 looked at the Central Park example where the mayor  
25 appointed certain people and all the rest were

1 self-appointed. We added a Council Member in the  
2 Stephen Dibrienza era. And so we added our  
3 Council Member at that time, and we have a member  
4 of our Community Committee serve on the Board as  
5 well. So, we've done it that way, but there isn't  
6 a requirement by the City of New York as to who  
7 serves on our Board. It may be that if we hadn't  
8 had some of those things, where the Mayor made  
9 appointments and the borough president made  
10 appointments, that when we went to sign certain  
11 agreements--and by the way, we don't actually have  
12 a full agreement either--that we would, that we  
13 would have to add something. But I don't think  
14 there is any requirement at this time that says to  
15 any one of us when we're signing the agreement,  
16 who has to be on them.

17  
18 COUNCIL MEMBER JAMES: What's the  
19 criteria for serving on a Board?

20 TUPPER THOMAS: The criteria for  
21 serving on a Prospect Park's Board is that you  
22 have to give, you have to come to the Board  
23 meetings, you have to join a committee, you have  
24 to support the park financially, in whatever way  
25 that you're able to do. And there isn't a set

1  
2 amount of money that you have to produce. And  
3 that you're expected to have fiduciary  
4 responsibility for the way that we spend our  
5 funds. Because that's what legally is the one  
6 thing you're completely held to by law.

7 COUNCIL MEMBER JAMES: So, you have  
8 to have deep pockets.

9 TUPPER THOMAS: You don't have to,  
10 no, because we have a number of Board members who  
11 have other kinds of things they bring to the  
12 table. But you have to, each person has to make a  
13 contribution at the level at which they are  
14 capable of making.

15 COUNCIL MEMBER JAMES: That could  
16 include in kind contribution?

17 TUPPER THOMAS: It could include in  
18 kind, and sometimes does. It includes people who  
19 might be the head, like the head of Medgar Evers  
20 College has always served on our Board. And he  
21 makes a very small contribution, but then is able  
22 to help us a lot with all our educational  
23 programming that we do, at our high school that we  
24 operate.

25 COUNCIL MEMBER JAMES: Are--let's,

1  
2 okay, so let me limit my questions to Prospect  
3 Park Conservancy, since I do, I border the park.  
4 On that particular board, is there any  
5 representation from our, from the baseball little  
6 leagues?

7 TUPPER THOMAS: No, because we have  
8 our Community Committee. There are some parents  
9 who are involved with baseball, but in fact on our  
10 Board, there is never a conversation about policy,  
11 so there is not really that kind--there isn't a  
12 dog owner and baseball player and a soccer player.  
13 That is what the Community Committee serves as.  
14 And then there is a person who represents the  
15 Community Committee who serves on the Board.

16 COUNCIL MEMBER JAMES: Now the  
17 Community Committee on--the Board of Directors  
18 actually sets the policy and the Community  
19 Committee, is it fair to say, would advise the  
20 Board?

21 TUPPER THOMAS: No, the Board does  
22 not make policy, the City of New York makes the  
23 policy that relates to things. The Board votes on  
24 capital projects it wants to raise money for, so  
25 for instance on the current big project that we're

1  
2 working on, the Board said, "We think this is a  
3 great project," the City said, "We think this is a  
4 great project," so we proceeded to start to raise  
5 money for it both from the public sector and the  
6 private sector. But the, if only the Board wanted  
7 to proceed, and the Mayor's office and the  
8 borough--and the Commissioner, Parks Commissioner,  
9 said "We don't want to do that project," we could  
10 raise the money, but we couldn't ever spend it on  
11 the project.

12 COUNCIL MEMBER JAMES: So this  
13 Community Committee, which is a committee separate  
14 and apart from the Board of Directors--

15 TUPPER THOMAS: Right.

16 COUNCIL MEMBER JAMES: Who serves  
17 on that committee?

18 TUPPER THOMAS: That is a committee  
19 that is all of the organizations from around the  
20 park, the--the little league groups, the civic  
21 councils, the dog owners, the bird watchers. You  
22 have to represent an organization, not just be an  
23 individual.

24 COUNCIL MEMBER JAMES: Are the  
25 soccer teams represented on there?

2 TUPPER THOMAS: They would be if  
3 they came, they are invited to them, but they  
4 often aren't at our meetings, but yes, the soccer.  
5 We have a separate thing for our soccer program,  
6 where all of the leagues meet three times a year,  
7 and they actually help to figure out how to  
8 allocate the fields and do that kind of work, so  
9 that they work together.

10 COUNCIL MEMBER JAMES: And is this  
11 structure limited to Prospect Park?

12 TUPPER THOMAS: I think each one of  
13 us sets up a different system for relating to our  
14 communities, but many, many of us have very, very  
15 strong community relations and community outreach  
16 efforts. I know, like, for instance, The Bronx  
17 Park has got a very strong community effort, I  
18 think they do.

19 COUNCIL MEMBER JAMES: And I guess  
20 to Mr. Schnall, or to Ms. Thomas, do you believe  
21 that there should be some consistency in the City  
22 of New York, as opposed to, you know, one  
23 structure in Brooklyn and another structure in  
24 Manhattan?

25 TUPPER THOMAS: I don't believe

1  
2 that one structure fits all, at all. And I think  
3 each one depends on how that park fits into the  
4 community that it's in, and what the community is.  
5 So, I think that what you want is a very open  
6 statement about what you're particular conservancy  
7 is doing, and that there be, that there be plenty  
8 of--what's the word, you know, where you see  
9 things well.

10 MICHAEL SCHNALL: Transparency.

11 TUPPER THOMAS: Transparency!

12 Thank you. That it be a very transparent process,  
13 because I just think they're in so many different  
14 places in so many different parts of the City,  
15 that there's going to be no one plan fits all--

16 COUNCIL MEMBER JAMES: Right.

17 TUPPER THOMAS: --process.

18 COUNCIL MEMBER JAMES: Before I  
19 turn it over to my colleagues, Council Member  
20 Melissa Mark-Viverito, you do not make policy but  
21 you influence policy. Yes?

22 TUPPER THOMAS: There is always  
23 that possibility, I suppose, that we could  
24 influence policy, but on our particular board, my  
25 board members are certainly not people who get

1  
2 involved in conversations about where the dog run  
3 should go or, you know, whether bird watching  
4 should happen here or there. Or they would be  
5 involved in a decision like, "Should we have a  
6 cooperative effort with Audubon to run the boat  
7 house?" "Should we work with Bay--with our high  
8 school, and the Brooklyn Botanic Garden and the  
9 Department of Education to provide better  
10 education to the school?" That is a decision that  
11 the Board makes, it's mostly on, not policy, but  
12 rather our programming and what kinds of  
13 programming we could be doing in the park.

14 COUNCIL MEMBER JAMES: How diverse  
15 is your Board of Directors? Not in, your answer,  
16 I don't want to limit it to Prospect Park. How  
17 diverse is the Boards across the City of New York.

18 TUPPER THOMAS: I am not at all--I  
19 don't, do you know that number? No, I don't know  
20 that number. On the whole, board of directors are  
21 representing a way of people who are very  
22 enthusiastic about the community, but who also  
23 have a way of helping to get more funding in the  
24 door. So, there are, there are all kinds of ways  
25 that you're looking for diversity, and community



1  
2 representation I think is a very important aspect,  
3 but it isn't the most important thing, since they  
4 don't make policy. That's why we formed the  
5 Community Committee because that's much more  
6 about, "Should there be a dog run?" "Should the  
7 roads be closed to cars?" that kind of stuff,  
8 'cause that's the group that discusses that. That  
9 doesn't happen in the Board meeting.

10 COUNCIL MEMBER JAMES: So the  
11 Prospect Park Conservancy, how diverse is that  
12 Board?

13 TUPPER THOMAS: We have, I don't  
14 have those numbers, do you have those numbers? Do  
15 you have my Board list? [laughs] I know it's  
16 about 50/50 men and women, we have two people of  
17 Asian background, we have two people of Latin  
18 background, we have four African-Americans, so  
19 that's out of 32.

20 COUNCIL MEMBER JAMES: Melissa  
21 Mark-Viverito.

22 COUNCIL MEMBER MARK-VIVERITO:  
23 Thank you. I mean, I agree with the idea that not  
24 one size fits all.

25 TUPPER THOMAS: Mmhm.

1  
2 COUNCIL MEMBER MARK-VIVERITO: But  
3 we have to start from the premise of, you know,  
4 how do these conservancies get started? In terms  
5 of the selection of the Board. Because if you  
6 don't have diversity of thinking, diversity of  
7 backgrounds, diversity of experience, at the  
8 onset, then it becomes incestuous, you know, then  
9 you start just perpetuating the same problems that  
10 you're trying to, I think we're trying to avoid,  
11 with regards to the intent of this bill. So, with  
12 regards to when a conservancy is established,  
13 between Parks, between the City, and between this  
14 private entity, there has to be some basic  
15 criteria of where you start from. You know? And  
16 I think that there has to be some uniformity in  
17 that sense, and that's what we're talking about  
18 when we talk about the composition of a board and  
19 what it should look like. And I think that that,  
20 we do, we should, as a City, in Department of  
21 Parks, in establishing conservancies, I want to  
22 understand, what is the basic criteria that you  
23 start off with. How is the, I mean how is the  
24 board selected for this conservancy? Where does  
25 that start from? Can you speak to that?

1  
2 TUPPER THOMAS: I can only speak to  
3 a few, you know, I know a number of them and how  
4 they've started. Some have started because the  
5 City of New York started them. So in my case, I  
6 was a City employee, and my Commissioner, Gordon  
7 Davis, wanted us to get started doing some  
8 fundraising. And so I started to go out to meet  
9 with corporate people, mostly, to find out who  
10 would be interested in serving on this board; and  
11 then started to add, slowly but surely, to that  
12 group. And it was being reviewed by the  
13 Commissioner as to who it was. And we added,  
14 slowly but surely, people who would be able to  
15 bring enough prestige and fundraising capability  
16 that it would actually be useful to the City of  
17 New York to have that Board created, 'cause it  
18 could bring in more, additional augment hours.

19 COUNCIL MEMBER MARK-VIVERITO:  
20 Okay, so hold on, let me just understand, so  
21 you're saying that in talk--you're talking about  
22 the Prospect Park one.

23 TUPPER THOMAS: Yeah. Just, 'cause  
24 that's what I meant.

25 COUNCIL MEMBER MARK-VIVERITO:

1  
2 You're saying that the Commissioner at the time  
3 approached you individually.

4 TUPPER THOMAS: Well, no I was  
5 already--

6 COUNCIL MEMBER MARK-VIVERITO: You  
7 worked at Parks?

8 TUPPER THOMAS: I worked for him.  
9 [laughs]

10 COUNCIL MEMBER MARK-VIVERITO:  
11 Okay, so approached you--

12 TUPPER THOMAS: Yeah.

13 COUNCIL MEMBER MARK-VIVERITO: --  
14 about wanting to set up a conservancy for that  
15 park.

16 TUPPER THOMAS: Right.

17 COUNCIL MEMBER MARK-VIVERITO: And  
18 that was it.

19 TUPPER THOMAS: And then we  
20 started--

21 COUNCIL MEMBER MARK-VIVERITO:  
22 There was no criteria, there was no basic--

23 TUPPER THOMAS: No, because there  
24 was only one other one in the world, and that was  
25 the Central Park Conservancy, and so we followed

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that example.

COUNCIL MEMBER MARK-VIVERITO: Is that still the case today? Is today, if a conservancy is to be set up, it's basically--

TUPPER THOMAS: No.

COUNCIL MEMBER MARK-VIVERITO: -- run with it, you select who's going to be on the board--

TUPPER THOMAS: No, no.

COUNCIL MEMBER MARK-VIVERITO: And start it off. How does, okay, so explain to me--

TUPPER THOMAS: In many cases, it starts from within the community.

COUNCIL MEMBER MARK-VIVERITO: Okay.

TUPPER THOMAS: So if you took like Riverside Park Fund. The Riverside Park Fund was started by a group of people in Riverside Park area who were very concerned about the conditions in Riverside Park. And so they got together, they formed a conservancy, they went to meet with the Commissioner after that. They didn't say, they didn't ask permission to form such a thing. But then they met with them, they talked to him, and

1  
2 there was an administrator appointed in that area,  
3 but not, at that time it wasn't, they weren't  
4 connected the way we are. They are now, after a  
5 long period of time of working together. But it  
6 was more of a self-appointing kind of group. And  
7 then they, over time, and that was so many years  
8 ago, it had to be in the mid-'80s or something  
9 that that one started. Each one has started from  
10 a slightly different perspective.

11 COUNCIL MEMBER MARK-VIVERITO: And  
12 I can understand that. I mean, understand,  
13 there's different experiences throughout the City.

14 TUPPER THOMAS: Yeah.

15 COUNCIL MEMBER MARK-VIVERITO: But  
16 I believe that when a, if that is to happen, you  
17 know, in a group coming to Parks, and saying, "We  
18 want to establish a conservancy, we want to  
19 establish this public/private partnership with  
20 you," that there should be some basic criteria the  
21 Department of Parks lays out for these entities.  
22 I think that that has to be. Is there such? Are  
23 there any basic criteria? Is there expectation on  
24 diversity on the Board? Expectation in terms of,  
25 you know, representation from the local community?

1  
2 Is there, I mean, I, that's what I'm getting at,  
3 and I don't get, I'm not--

4 MICHAEL SCHNALL: Are you talking  
5 about legally, or administra--Legally, if we're  
6 just talking about sort of the legal structure,  
7 obviously in, currently, there, most of these  
8 groups grow out of either a "friends of" group or  
9 a strong neighborhood coalition.

10 COUNCIL MEMBER MARK-VIVERITO:

11 Mmhm.

12 MICHAEL SCHNALL: That builds some  
13 sort of capacity to develop a board, and  
14 eventually file with the State with the not-for-  
15 profit corporations law, they file IRS forms and  
16 such. And so that sets forward the basic  
17 guidelines of what their structure looks like,  
18 what their reporting is like, and what their--

19 COUNCIL MEMBER MARK-VIVERITO:

20 Yeah, but that's outside of the City. Right?

21 MICHAEL SCHNALL: Right, but--

22 COUNCIL MEMBER MARK-VIVERITO: Now,  
23 they come to the City, let me just, they come to  
24 the City and they say, "We want to have a  
25 partnership with the City," because basically what

1  
2 they're going to be doing is administering a  
3 public resource. Right? That's, they're going to  
4 be administering a public resource. So, what  
5 level of oversight does Department of Parks have?  
6 Ultimately, who is the conservancy accountable to?  
7 It's a public resource, I want to keep reiterating  
8 that. This is not about some individuals getting  
9 together, you know, having a little fiefdom, which  
10 is the way, I'm sorry, that's the way I feel that  
11 Randall's Island Sports Foundation runs Randall's  
12 Island, is their little fiefdom. They decide and  
13 determine what's going to happen on that public  
14 resource, with minimal public input. It's the  
15 individuals on that Board who for the most part in  
16 this experience, are very wealthy individuals, who  
17 are very removed from the community in which that  
18 park resides. That's my opinion, that's what I'm  
19 concerned about, not only in this situation, but  
20 what's happening across the City. So, there has  
21 to be some level, you know, I want to know  
22 oversight of the conservancies, who ultimately is  
23 accountable? Is it the Board, I mean, I don't,  
24 I'm really not getting clarity here about the  
25 level of ultimate oversight and accountability



1  
2 when it comes to a conservancy. I would like that  
3 to be defined more clearly.

4 TUPPER THOMAS: Yeah. I think the  
5 one thing that we can say is that the Commissioner  
6 and the Mayor's Office sign off on any agreements  
7 that we have. So, the agreements that we have  
8 would be the one way that you could say there is a  
9 system in place which gets reviewed publicly, to  
10 say that "Yes, these are--" and you go through,  
11 depending on the kind of agreement, like we have  
12 agreements on some of our concessions that we do  
13 operate, and we have, go through the FCRC, and  
14 they review whether or not we have the ability to  
15 carry out that concession, and to produce it. But  
16 there is not, in fact, anything that is written  
17 down. So, if I said "I want to start a  
18 conservancy," there isn't a piece of paper that I  
19 then take back and say, "Okay, then I have to do  
20 this, this and this," that does not--I mean--

21 COUNCIL MEMBER MARK-VIVERITO: I  
22 mean, I would encourage--

23 TUPPER THOMAS: That's the - -

24 COUNCIL MEMBER MARK-VIVERITO: --  
25 that maybe something needs to be, you know, there

1  
2 have to be some minimal--I would think--there have  
3 to be some minimal standards and expectations of  
4 a, if a group comes to the City, and Parks, and  
5 says, you know, "We want to establish a  
6 conservancy and we want--" you know, so--

7 TUPPER THOMAS: Right.

8 COUNCIL MEMBER MARK-VIVERITO: The  
9 board of a conservancy, I would assume there's got  
10 to some Department of Parks representation on that  
11 board?

12 TUPPER THOMAS: Yes, the Commiss--  
13 the Mayor appoints, usually the Commissioner  
14 serves with someone from the Commissioner's  
15 Office, coming to all of those meetings.

16 COUNCIL MEMBER MARK-VIVERITO: Is  
17 it only on representative on a board of a  
18 conservancy that is a--

19 TUPPER THOMAS: There--

20 COUNCIL MEMBER MARK-VIVERITO: --  
21 Parks, you know, representative?

22 TUPPER THOMAS: --it, that again is  
23 very wide ranging. So some of the, ours for  
24 instance, we have the Commissioner is an ex  
25 officio member, but the Mayor actually has two

1  
2 other appointees; the Borough President serves,  
3 but he has also two other appointees.

4 COUNCIL MEMBER MARK-VIVERITO:

5 Right, that's true, mmhm.

6 TUPPER THOMAS: And the City

7 Council Member serves. So--

8 COUNCIL MEMBER MARK-VIVERITO: On

9 yours.

10 TUPPER THOMAS: On ours. So,

11 that's how we have established ours. And each one  
12 of us has a slightly different system, but every  
13 single one of the boards has at least one  
14 representative from within the community, many of  
15 them a representative from the, for instance, my  
16 parks is completely in one district. So it makes  
17 sense that our Council Member would be on that  
18 board, even though everybody in many other  
19 districts uses our park. And this is another  
20 little issue that my concern is about the Council  
21 appointments, is that many of us serve like the  
22 whole borough, and so I understand the Borough  
23 President being, having appointments and stuff,  
24 but I do think it's very hard to say just the  
25 abutting districts, in some of our cases. In

1  
2 others, it's totally clear that it's really only  
3 the people on the sides that represent. So, I  
4 think whatever policy you want to develop, it has  
5 to have something that has flexibility within it.  
6 And the main criteria that I think the  
7 Commissioner and the Mayor's Office would look at  
8 is whether or not this is a group that actually  
9 can do what they say they want to do for that  
10 park.

11 COUNCIL MEMBER MARK-VIVERITO:

12 Okay.

13 TUPPER THOMAS: And it's going to  
14 be so different depending on which one of the  
15 districts the parks they're talking about.

16 COUNCIL MEMBER MARK-VIVERITO: But  
17 with regards to the intent of this bill, you're  
18 indicating it, that some do it, some don't; in  
19 your case you do have a City Council member that  
20 sits, or a representative from the Council. It's  
21 very lax, it's not, there's no set--you know,  
22 uniformity in some aspects of representation on  
23 boards of conservancies. That's the intent of  
24 this bill, is that that has to happen. You know,  
25 there should be some sort of understanding. You

1  
2 know, I believe that there's not much, you know,  
3 diversity, maybe on a lot of them. But we have  
4 to, you know, we could look at that individually.  
5 But the issue here is about representation of the  
6 local immediate community, in which the, you know,  
7 that park resides.

8 TUPPER THOMAS: Yes.

9 COUNCIL MEMBER MARK-VIVERITO: And  
10 in this case, you know, that's the intent of this  
11 bill, as well. But, you know--

12 MICHAEL SCHNALL: I want to take  
13 back a step for a second. You were saying about  
14 non--not-for-profits, and the guidance that they  
15 receive from Parks. But we actually set up a  
16 little, about over a year-and-a-half ago, an not-  
17 for-profit office that's headed by Assistant  
18 Commissioner Joanne Imohiosen, who's testified  
19 here before, and we've talked about all of the  
20 backlog of work that's been caught up with the  
21 agency on monitoring the work that they do,  
22 renewing the agreements that they do, whether it's  
23 a little league or a square or a group that cleans  
24 their park. We've done a lot of, I guess,  
25 housecleaning in terms of figuring out what

1  
2 exactly they do, and giving them guidance on how  
3 to improve what they do. So there is a lot of  
4 monitoring on non-for-profits in general. But in  
5 terms of conservancies, and the way in which it's  
6 defined in the bill, we're not quite sure what the  
7 group is that you would capture. Would it be all  
8 of the non-profits across the City that Parks  
9 deals with? Or would it be what we consider  
10 conservancies, which are the small group that have  
11 the operation or maintenance agreement? Which, if  
12 you boil down the list, would be five or six at  
13 most. If you look at that small universe, and  
14 some of them are here to testify today, you'll  
15 find that local representation can be upwards from  
16 75 percent on the low end, to almost 100 percent  
17 on the high end of how many of their boards  
18 members live in the Council district, or the  
19 district surrounding the park. And I'm sure  
20 they'll be here to talk and tell you that. But  
21 there is a tremendous amount of local  
22 representation. And because the conservancies  
23 cannot do anything without the Commissioner or the  
24 Mayor signing off on it, they really have to come  
25 to Parks for everything. So, whether it's Tupper

1  
2 coming to the Commissioner to discuss what the  
3 Board has done, or his representative reporting  
4 back, there is a constant dialogue, day-to-day, on  
5 what's going on. So, you know, I know that you  
6 bring up Randall's Island Sports Foundation, but  
7 if you look across the board, it is pretty  
8 consistent in the way in which they deal with the  
9 agency, and the way in which we learn from them,  
10 they learn from us, and we, there's always a  
11 growing relationship.

12 TUPPER THOMAS: I'd also--

13 COUNCIL MEMBER MARK-VIVERITO: But  
14 then why would there be, you know, the issue here  
15 is that, and let me just say this, you know, I  
16 believe you guys are doing a great job in terms of  
17 overall, we have a good relationship.

18 MICHAEL SCHNALL: Thank you.

19 COUNCIL MEMBER MARK-VIVERITO: But  
20 there are certain things that are real sore  
21 points, and this is one with me.

22 MICHAEL SCHNALL: Of course. And  
23 we're well aware of it.

24 COUNCIL MEMBER MARK-VIVERITO: And  
25 you're well aware of it. So, the issue I have,

1  
2 though, is that, you know, I've had many  
3 conversations with Parks about the concerns that  
4 the community keeps raising, with Randall's Island  
5 in particular. And yet nothing gets done.  
6 Representation of the, you know, having local  
7 community board representation on that board has  
8 been brought up for the past four years that I've  
9 been in office. It's been cast aside as something  
10 that is not taken seriously. So, and other issues  
11 have not been taken seriously. So, to the extent  
12 that there are community concerns that are being  
13 brought up, and they're not, they're being  
14 discarded and not addressed, you know, there has  
15 to be some level of, you know, expectation, and  
16 minimum expectations, and that's what we're trying  
17 to do with this bill, again, because it's not  
18 being heeded in other ways, it's not being  
19 listened to, or it's not being taken, you know, to  
20 heart, in other ways. So, we feel, I feel, that  
21 in some, in cases where it's a public resource,  
22 there has to be greater accountability, and that's  
23 one of the reasons. But you're saying that in  
24 terms of operating licenses for maintenance of  
25 parks, there's only five in the City?



2 TUPPER THOMAS: Actually, I don't  
3 think there are that many.

4 COUNCIL MEMBER MARK-VIVERITO: And  
5 these operating licenses which are authorized  
6 through the FCRC?

7 MICHAEL SCHNALL: Right you're--  
8 Right, right, you're talking about true  
9 conservancy agreements. For example, Green Belt  
10 Conservancy recently signed an agreement that they  
11 didn't have prior to this, that we, they sought  
12 and we agreed to, signed a long range agreement  
13 for their operation and maintenance of the park.  
14 And they'll be here to testify and talk about  
15 that, and you can ask them more about the process  
16 and how that happened. But there are very few of  
17 these formalized agreements.

18 TUPPER THOMAS: Yeah, even Prospect  
19 Park Alliance doesn't--we have smaller agreements  
20 on things, but we don't have an agreement that  
21 says "we operate," and I'm not sure that anybody,  
22 even in the agreement that says they operate, it's  
23 only within the restrictions of the Department of  
24 Parks and Recreation. So, even within that  
25 license agreement, the board does not operate the

1  
2 park, they simply raise the money and provide the  
3 staffing, to do the maintenance of the park, or  
4 some portion thereof. They don't even do all of  
5 it. But I just want to get back to your point, I  
6 don't think that the Parks Department, at least  
7 not in the conversations I've had with Adrian and  
8 others, feels that this is the wrong concept, that  
9 we--I think all of us agree there needs to, now  
10 that we've had more and more of these, figure out  
11 a way to be able to be sure they are doing all the  
12 things that they say they are doing, and that  
13 there is representation from within the  
14 communities, and that that all is happening.  
15 We're just not totally sure that this is the best  
16 way to approach it. But I think that even in my  
17 conversations with people at Randall's Island,  
18 they have reached out to the Community Board to  
19 ask them to make an appointment to the Board--

20 COUNCIL MEMBER MARK-VIVERITO:

21 Yeah, after how many years?

22 TUPPER THOMAS: I don't know.

23 COUNCIL MEMBER MARK-VIVERITO:

24 Right?

25 TUPPER THOMAS: I'm just--

2 COUNCIL MEMBER MARK-VIVERITO: I  
3 mean, it's because of the press--

4 TUPPER THOMAS: I'm sorry [laughs]

5 COUNCIL MEMBER MARK-VIVERITO:  
6 Sorry, sorry.

7 TUPPER THOMAS: Yeah. [laughs]

8 COUNCIL MEMBER MARK-VIVERITO: You  
9 know, I know you're just the messenger.

10 TUPPER THOMAS: Yes, yeah.

11 [laughs]

12 COUNCIL MEMBER MARK-VIVERITO: You  
13 know, but again--

14 TUPPER THOMAS: Yes.

15 COUNCIL MEMBER MARK-VIVERITO: It's  
16 after--

17 TUPPER THOMAS: Right.

18 COUNCIL MEMBER MARK-VIVERITO: --  
19 you know, constant community--

20 TUPPER THOMAS: Right.

21 COUNCIL MEMBER MARK-VIVERITO: --  
22 concern--

23 TUPPER THOMAS: Right.

24 COUNCIL MEMBER MARK-VIVERITO: --  
25 criticism, barraging, you know, my concern is

1  
2 being raised constantly. It shouldn't be  
3 something that they decide to do.

4 TUPPER THOMAS: Yes, right.

5 COUNCIL MEMBER MARK-VIVERITO: I  
6 believe it should be a mandate. That's just my  
7 opinion, but I'm sorry, I didn't--

8 TUPPER THOMAS: And so I think it's  
9 just, it's really a matter of really trying to be  
10 sure that we don't pull in all of these little  
11 leagues, all of these other groups, all of these  
12 other folks who, if they had to get into the  
13 middle of should a Council Member be appointment  
14 one or not appointing one, there's, there could be  
15 just a little confusion within the way that this  
16 is actually written and done. But I think that  
17 all of us are in the position where we certainly  
18 want to have, there's nobody who I know who works  
19 in this field that doesn't want to have the right  
20 community people involved in what we're working on  
21 and what we do. But there is a, I think a  
22 misunderstanding of what any of these  
23 conservancies do. And they do not really operate  
24 in the way that is policy making. They only, you  
25 know, I provide all of the people who work in the

1 natural resources crew, but I work for the City of  
 2 New York. And so when I'm operating, doing that,  
 3 I actually can't do anything to the trees and the  
 4 shrubs and the pars of Prospect Park without  
 5 reporting back to the Parks Department that this  
 6 is what I'm doing. If we suddenly decided we were  
 7 going to clear cut the, you know, the woodlands or  
 8 something, that couldn't happen. The Board can't  
 9 make that decision, nobody else can make the  
 10 decision. Me as the park administrator reporting  
 11 to Adrian would have to go to Adrian and say, "I  
 12 really think we're going to have to cut every, all  
 13 the trees done in this woods," or something.

14  
 15 COUNCIL MEMBER MARK-VIVERITO:

16 Well, that happened on Randall's Island.

17 TUPPER THOMAS: Yes, did it? Well,  
 18 oh, I didn't know that.

19 COUNCIL MEMBER MARK-VIVERITO: And  
 20 the Department of Parks authorized it, but--

21 TUPPER THOMAS: - - [laughs]

22 COUNCIL MEMBER MARK-VIVERITO: So,  
 23 --

24 TUPPER THOMAS: Okay.

25 COUNCIL MEMBER MARK-VIVERITO: But,

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2 but if I just may say, Assistant Commissioner, I  
3 mean, just when we talk about, you know, some of  
4 these conservancies and the diversity, I want to  
5 be clear, you know, that where, I'm not, obviously  
6 the importance of racial and ethnic diversity,  
7 clearly economic diversity needs to be a reality.  
8 'Cause you may have people that live within the  
9 boundaries of a particular community board, but  
10 they may all be from one end of the economic  
11 strata. You know, as opposed to being more  
12 diverse on that end, and that's something else  
13 that has to be, you know, really taken into  
14 account with regards to a representation on this  
15 board. And I think that in us as Council Members  
16 having a say, or being able to consult on that,  
17 you know, we take those things into account,  
18 because we know, obviously our districts very well  
19 as well, and we want to ensure that there is that  
20 diversity.

21 TUPPER THOMAS: Yes, mmhm.

22 COUNCIL MEMBER MARK-VIVERITO: And  
23 so, that I just wanted to make. And I think I'll  
24 just end it there, I think Tish may have a couple  
25 more.

2 COUNCIL MEMBER JAMES: Yeah, we can  
3 get back to--I know you're fired up. [laughs]  
4 So, Ms. Thomas.

5 TUPPER THOMAS: Yes.

6 COUNCIL MEMBER JAMES: The concern  
7 is, you know, that obviously we are diverting,  
8 shifting public funds to parks that do not have,  
9 from parks that do not have conservancies to those  
10 that have conservancies. And that is the concern.  
11 For instance, in Prospect Park, which has received  
12 a significant amount of capital funds, the Board  
13 of Directors and your role, you went beyond  
14 securing funds for Prospect Park; in fact I was  
15 criticized in the paper, I believe it was last  
16 year, in the renovation of Eastern Parkway, where  
17 residents from Commodore Barry Park do not have  
18 conservancy, they indicated, "Well what about us?  
19 We're the oldest park in Brooklyn, all of the  
20 capital funds are going to Prospect Park." And  
21 they argued it's because of the relationship of  
22 Ms. Thomas and the Mayor of the City of New York.

23 TUPPER THOMAS: I didn't know that.

24 COUNCIL MEMBER JAMES: Yeah, it was  
25 in the newspaper, and they said that I was part of

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this conspiracy.

TUPPER THOMAS: Oh, I'm so sorry.

COUNCIL MEMBER JAMES: So, what do you say to that, where those argue, that those who represent parks or who live in or near parks, that do not have conservancies--

TUPPER THOMAS: Right.

COUNCIL MEMBER JAMES: --and are not getting capital dollars, claim that the reason why they're not, they're being neglected is because of your relationship with the Mayor of the City of New York. And others, not just you, I'm not trying to focus just on you.

TUPPER THOMAS: Yeah.

COUNCIL MEMBER JAMES: But because you have a, Prospect Park has a conservancy, they have a Board of Directors, all of the members have deep pockets, and therefore, other parks in and around the City that are in low income neighborhoods have been ignored, because they do not have the power, they do not have the deep pockets, and they do not have a relationship with the Mayor the City of New York.

TUPPER THOMAS: Yeah.



1  
2 COUNCIL MEMBER JAMES: What do you  
3 say to that?

4 TUPPER THOMAS: That's a very easy  
5 answer for me. Prospect Park is 580 acres in the  
6 middle of the heart of Brooklyn. It is used very  
7 heavily by people from all over Brooklyn, and it  
8 ser--it's the only lake and the only forest in the  
9 whole borough. So clearly, a lot of extra money  
10 needs to come into that park. One, it was allowed  
11 to go down the tubes completely, and two,  
12 everything we do has to do with the entire region.  
13 So, I would be happy to talk to the Commodore  
14 Barry people and try to help them do whatever they  
15 need to do. It's a very nice sporting area, and  
16 it's got a lot of good stuff going, and it doesn't  
17 mean that they shouldn't be getting City capital  
18 dollars. The City capital dollars, though, have  
19 to go where the need is, and when you can also  
20 maintain that. So, very often, the Prospect Park  
21 Alliance is able to ask our local elected  
22 officials to give us funding for capital. But who  
23 do you think then maintains it afterwards? So, we  
24 were able to get, let's say \$9 million over a  
25 number of years, to restore this only forest in

1 all of Brooklyn. It took seven or eight years.  
2 It would be gone already if it weren't for the  
3 Prospect Park Alliance. The City of New York  
4 doesn't have the money to put into the maintenance  
5 of that forest, it doesn't have the ability to  
6 program and educate kids, it doesn't have the  
7 ability to do all the things that that not-for-  
8 profit does. And if they did have to do that,  
9 then there would be no resources going out to all  
10 the other parks. And so my sense is that the  
11 other parks are much, you know, we get, my staff  
12 complains that how come all the money goes to all  
13 these other parks, and we never get anything from  
14 the City, so it's always that kind of situation.  
15 But because we have private dollars there, and we  
16 are the signature park within Brooklyn, it means  
17 that the Parks Department doesn't have to put a  
18 huge number of staff and efforts, Forestry doesn't  
19 have to come in and do our trees, they can do the  
20 ones in Fort Greene. You know, things like that.  
21 So, to me, it's fabulously better for every other  
22 park in Brooklyn that Prospect Park is being taken  
23 care of with a lot of private dollars.  
24

25 COUNCIL MEMBER JAMES: Right.

2 TUPPER THOMAS: So that those City  
3 dollars can go other places.

4 COUNCIL MEMBER JAMES: Now how is  
5 it determined that a specific park will have a  
6 conservancy? Fort Greene Park has a conservancy,  
7 a volunteer conservancy, and they've been trying  
8 to establish a relationship with Parks and  
9 Recreation. Why have not, they not been in a  
10 position to establish an agreement with Department  
11 of Parks and Recreations?

12 TUPPER THOMAS: I have no idea.  
13 I've worked with them for years. Unless, are  
14 there two of them? Did they merge?

15 COUNCIL MEMBER JAMES: They, no  
16 there's only one conservancy.

17 TUPPER THOMAS: Okay.

18 COUNCIL MEMBER JAMES: Right.

19 TUPPER THOMAS: So that conservancy  
20 I've worked with for many, many years, and I don't  
21 know why they haven't ended up with that, but I  
22 know I've gone to their meetings, and I've helped  
23 them with their bylaws, and talked to them about  
24 those other things. It's a much smaller park, but  
25 it is a very, very significant park to downtown

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Brooklyn.

COUNCIL MEMBER JAMES: Sure.

TUPPER THOMAS: And it's gotten a lot of support from the City Parks Foundation for programming and activities that happen there. Which for instance, don't come to Prospect Park.

COUNCIL MEMBER JAMES: Well, because it is a park that houses the heroes of the Revolutionary War.

TUPPER THOMAS: Yes.

COUNCIL MEMBER JAMES: That crypt--

TUPPER THOMAS: Very important.

COUNCIL MEMBER JAMES: --has been ignored, and so can the conservancy establish a relationship, a legal, establish an agreement with Parks and Recreations? Or is - -

TUPPER THOMAS: I can't imagine why that wouldn't be true. But I, I'm not, Julius Spiegel or Adrian Benepe. So, there, the usual thing would be, if there is a group in the community that has formed. I know they did a lot of work with that group on the big multi-whatever, 100<sup>th</sup>--

COUNCIL MEMBER JAMES: Yes.

1  
2 TUPPER THOMAS: --500<sup>th</sup>, whatever  
3 year.

4 COUNCIL MEMBER JAMES: 100<sup>th</sup>.  
5 [laughs]

6 TUPPER THOMAS: Yes. [laughs]  
7 Celebration, and that was, a lot of people in the  
8 Parks Department worked very closely with all of  
9 you. So, I don't know what the story is on that  
10 specific one.

11 COUNCIL MEMBER JAMES: Okay.  
12 Randall's Island, I do know that there was much  
13 criticism, and my colleagues were a little bit  
14 perturbed, when there was a very, an event there  
15 at Randall's Island, which appeared to be  
16 exclusive. How does one arrange events at these  
17 parks? Is it through the conservancy? Is it  
18 through Parks and Recreation? Can you talk to me  
19 a little bit about usage of a park?

20 TUPPER THOMAS: Yes. Usage of a  
21 park, again, depending on what kind of agreement  
22 each organization has, is very, they're all  
23 different. So in Prospect Park it's a permit that  
24 is signed by New York City Parks and Recreation,  
25 as to using the Park. So if you have 20--you

1 know, you follow the rules of the Parks  
2 Department. 25 or more, you have to get a permit.  
3 If you do this, you get that. There are some  
4 permit, there are some events that would come from  
5 the main office, that have a big sponsorship type,  
6 and then that money goes back to the general fund.  
7 There's other things. But they all have to get--  
8 the final approval has to go through Parks and  
9 Recreation.  
10

11 COUNCIL MEMBER JAMES: And they  
12 bypass local elected officials. Is there any  
13 notification process that is in place?

14 TUPPER THOMAS: We have, just in  
15 Prospect Park, over 3,000 special events permits  
16 that happen. I can't imagine that Bill de Blasio  
17 would want to see every one of those permits, or  
18 sign off on them. And my, the Board doesn't seem  
19 them, and has no relationship to those permits.

20 COUNCIL MEMBER JAMES: Okay. And  
21 my last two questions, so these are, these  
22 agreements with the Conservancy, they're not  
23 subject to any review by any regulatory body of  
24 the City of New York?

25 TUPPER THOMAS: Yes, they do, they

1  
2 go through the Law Department and then they go to-  
3 -where else do they do to?

4 COUNCIL MEMBER JAMES: No public  
5 review.

6 TUPPER THOMAS: Ultimately?

7 MICHAEL SCHNALL: I'm not sure  
8 about that.

9 TUPPER THOMAS: Per Counsel--

10 MICHAEL SCHNALL: I'm not sure if  
11 they're subject to FCRC, I'd have to follow up  
12 with you on that.

13 COUNCIL MEMBER JAMES: Okay.

14 TUPPER THOMAS: Unless there's  
15 money involved, they don't go through FCRC. I  
16 think they go to the Corporation Council's Office.  
17 But I don't believe there's a public meeting.

18 MICHAEL SCHNALL: We'll, I'll  
19 actually follow up with you on that. I'll find  
20 out for you what exactly the most recent  
21 agreement, which I believe was the Green Belt,  
22 what the process was, and what the parameters of  
23 the agreement were. We can definitely share. I  
24 think I've shared the agreement with Lyle, as a  
25 matter of fact, so--

2 COUNCIL MEMBER JAMES: Okay. And  
3 is there any outreach to the local elected  
4 official prior to the formation of a conservancy  
5 at a respective park?

6 TUPPER THOMAS: I can't speak for  
7 every one of them. I know I, I certainly know in  
8 the ones that, the groups that I've worked with,  
9 in The Bronx and Manhattan, in all of those  
10 places, there's a lot of outreach to the local  
11 council member, to discuss whether or not it  
12 should happen, and what should happen there. I  
13 certainly think there's a very good rapport in  
14 almost every case.

15 COUNCIL MEMBER JAMES: Okay.

16 TUPPER THOMAS: I guess not one,  
17 there's one, there is [laughs]

18 COUNCIL MEMBER MARK-VIVERITO: Just  
19 two last questions, I know people want to testify.  
20 So.

21 TUPPER THOMAS: Sure.

22 COUNCIL MEMBER MARK-VIVERITO: With  
23 regards, just jumping on that a little bit with  
24 regards to the FCRC and once a conservancy is set  
25 up, let me see how I get to the question. How,



1  
2 'cause you say that there's also a lot of other  
3 groups that have established relationships with  
4 Parks that are not, you know, these official  
5 operating licenses. So what's the difference  
6 between having an FCRC, you know, operating  
7 license, what is, and having, and just I guess a  
8 lesser affiliated group, I guess. I don't know.  
9 The smaller groups that are affiliated with  
10 Department of Parks.

11 TUPPER THOMAS: Yeah, right.

12 COUNCIL MEMBER MARK-VIVERITO:  
13 What's the oversight, the level of oversight more  
14 rigorous with one and the other? I mean--

15 TUPPER THOMAS: With the FCRC, you  
16 have to be reviewed by that whole committee, which  
17 includes the Borough President's office, the  
18 Comptroller's office, the--is the Council on that?

19 COUNCIL MEMBER MARK-VIVERITO: No.

20 TUPPER THOMAS: No, I don't think  
21 the Council's on it. And--

22 COUNCIL MEMBER MARK-VIVERITO: Five  
23 appointments from the Mayor to--

24 TUPPER THOMAS: The five Borough  
25 Presidents and so on and so forth. And the Mayor.

1  
2 And that has to do with revenue. So, if you're  
3 going to collect revenue. So, the, where I have  
4 an FCRC, so we took on the running of the tennis  
5 center in Prospect Park. And then we had to make  
6 an agreement through the FCRC, as to the keeping  
7 of the revenue, and who's going to do what, and so  
8 on.

9 COUNCIL MEMBER MARK-VIVERITO: How  
10 often do you report to the FCRC?

11 TUPPER THOMAS: You report on the  
12 basis of whatever your contract is. So if it's a  
13 five year, a ten year, or whatever. And then the  
14 City of New York Parks Department reviews your  
15 revenue every, oh, well, we have to send them  
16 checks every quarter. [laughs] So--

17 COUNCIL MEMBER MARK-VIVERITO:  
18 Quarterly reports to the FCRC.

19 TUPPER THOMAS: Yeah.

20 FEMALE VOICE: [off mic] To the  
21 City's Parks Department.

22 COUNCIL MEMBER MARK-VIVERITO: To  
23 the Parks Department.

24 TUPPER THOMAS: City Parks  
25 Department.

2 MICHAEL SCHNALL: City Parks, City  
3 Parks.

4 COUNCIL MEMBER MARK-VIVERITO: Can  
5 we get copies of those? In the conservancies--

6 MICHAEL SCHNALL: No problem.

7 TUPPER THOMAS: Sure.

8 COUNCIL MEMBER MARK-VIVERITO: --  
9 that are in my district.

10 TUPPER THOMAS: They're not, a  
11 number of people don't necessarily have the FCRC  
12 part of it.

13 COUNCIL MEMBER MARK-VIVERITO:  
14 Well, I think, I think both of mine are, right?  
15 Operating licenses. Central Park and Randall's  
16 Island.

17 MICHAEL SCHNALL: I know Central  
18 Park. I'd have--and I bel--

19 TUPPER THOMAS: You have to go  
20 through FCRC.

21 MICHAEL SCHNALL: I have to find--

22 COUNCIL MEMBER MARK-VIVERITO: I  
23 think Randall's Island is as well.

24 MICHAEL SCHNALL: I believe so. I  
25 believe so.

2 COUNCIL MEMBER MARK-VIVERITO:

3 Okay, so I--I mean, I would assume that those are  
4 public documents.

5 TUPPER THOMAS: Oh, of course,  
6 yeah.

7 COUNCIL MEMBER MARK-VIVERITO: So I  
8 would like copies of the reports that are issued  
9 to you, to talk with Parks.

10 MICHAEL SCHNALL: Okay.

11 COUNCIL MEMBER MARK-VIVERITO: And  
12 I'll inquire about the operating license, as well.  
13 Okay, so that was basically I wanted to understand  
14 the reporting requirements. How about the ones  
15 that are not, don't have operating licenses. Do  
16 they have a reporting requirement to the  
17 Department of Parks?

18 TUPPER THOMAS: Not, not  
19 necessarily, depending on who is on their Board  
20 and how that works. It, you know, if they are  
21 just raising money and doing a little volunteer  
22 effort, there's some very small ones that do  
23 really lovely work in their garden or, you know,  
24 there are the gardens, there are the little  
25 leagues who just run a little field that happens

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to be on Parks property.

COUNCIL MEMBER MARK-VIVERITO:

That's--okay.

TUPPER THOMAS: That kind of stuff,  
so.

MICHAEL SCHNALL: It's--

COUNCIL MEMBER MARK-VIVERITO:

Thank you.

MICHAEL SCHNALL: --most of them,  
and just look, just from scanning the list the  
other day, are programming, or you know, a little  
league, for example, is going to, they're required  
to clean up the field, or will provide the clay,  
and they'll spread the clay, and they'll sometimes  
mow the field, or they'll work with the local  
Parks district to just do maintenance. So, and  
those agreements are generally on average about  
five years. And I'm pretty sure that the local  
Parks staff has a good handle on what is and  
what's not being done, and it gets reported back.  
And so that type of follow up is constant.

COUNCIL MEMBER MARK-VIVERITO: And  
there's some sort of written agreement between--

MICHAEL SCHNALL: Yes.

2 COUNCIL MEMBER MARK-VIVERITO:

3 Okay.

4 MICHAEL SCHNALL: Yeah, and that's  
5 part of what we, what was done when we, when  
6 Assistant Commissioner Imohiosen took over, was to  
7 formalize those agreements, 'cause a lot of them  
8 had expired or didn't exist. And so now, I think  
9 they're almost in 100 compliance with the ones  
10 that were, are still operating under the terms of  
11 the expired agreement. So there's a, in that, and  
12 that is a long list of groups that do small  
13 things, but are extremely helpful to us, because  
14 they, they have a vested interest in that small  
15 park, piece of parkland, because of the children  
16 that are playing there, or the adult leagues that  
17 are playing soccer. And then they are very  
18 helpful to us. And there's no money situation  
19 that--

20 COUNCIL MEMBER MARK-VIVERITO:

21 Right.

22 MICHAEL SCHNALL: --that crosses  
23 hands because it's really just sort of sweat  
24 equity, in essence.

25 COUNCIL MEMBER MARK-VIVERITO:

1  
2 Right. Well, thank you for the information. I  
3 believe there's--there's still a lot--I mean,  
4 there's, I think there's room for another hearing  
5 here with regards to the, you know, more in-depth  
6 information on the conservancy structures. And  
7 also on these, more, the smaller arrangements  
8 between these--Because I, this is stuff that we  
9 learn, I'm learning now, some of the aspects of  
10 it. But thank you for your time and for your  
11 testimony - -

12 COUNCIL MEMBER JAMES: So, on Fort  
13 Greene, who should I get in touch with, Ms.  
14 Thomas? Yes.

15 TUPPER THOMAS: I'm happy to carry  
16 it with you to who it needs to go to. [laughs]

17 COUNCIL MEMBER JAMES: Thank you,  
18 and there's no requirement that Fort Greene would  
19 have to raise X amount, or--I just want a  
20 conservancy for Fort Greene Park.

21 TUPPER THOMAS: Well, they have to  
22 give quite a bit to Prospect Park, but that's  
23 [laughs]

24 COUNCIL MEMBER JAMES: No. And Ms.  
25 Thomas, when are we beginning construction on

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Eastern Parkway? Soon?

TUPPER THOMAS: I hope so. You know, I live right there, I would love to see that finished.

COUNCIL MEMBER JAMES: Thank you.

TUPPER THOMAS: Thank you.

COUNCIL MEMBER JAMES: The next panel is former Commissioner Henry Stern and former Commissioner Carol Greitzer, representing two--oh, former Council Member, I'm sorry, representing 250 Friends of New York City Parks. I hope you don't mind testifying together?

CAROL GREITZER: No, Henry and I have been involved in parks together for more years than either of us wants to remember. But I think we're probably on opposite sides today.

COUNCIL MEMBER JAMES: That'll make it more interesting.

CAROL GREITZER: [laughs]

[off mic comment]

COUNCIL MEMBER JAMES: What did you say? Your microphone's not on, Commissioner Stern.

HENRY STERN: Oh. No, I would



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suggest you call on her first because--

COUNCIL MEMBER JAMES: Okay.

HENRY STERN: --she was a Council Member before I was.

COUNCIL MEMBER JAMES: Council Member.

CAROL GREITZER: I was also here before you this morning.

COUNCIL MEMBER JAMES: [laughs]

CAROL GREITZER: [laughs] Right now, my name is Carol Greitzer, I am a former Council Member here. And I'm also currently, I'm one of the founders of the 250+ Friends of New York City Parks, and I'm involved with other park groups as well. I am in favor of this legislation. I don't think it goes far enough because I don't think one person is, will have much impact if there's a board of 30 people or so. And I suggest you might want to look into having a percentage of members from the community, rather than a set number like that. But actually, I wanted to talk about broader issues, because I think there's a lot more, this is just the tip of the iceberg as far as conservancies are concerned.

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2 And I'm, I, what I submitted to you was not  
3 testimony but a, I thought I would play games  
4 with, a game with Commissioner Benepe three years  
5 ago, and I did a, this little letter that was  
6 published in the, my local paper, the Villager,  
7 called "20 Questions for Commissioner Benepe."  
8 Most, they were on conservancies. A few of them  
9 had to deal with a specific thing that was going  
10 on in Washington Square Park, but a lot of them  
11 are very general, such as who organizes the  
12 conservancies? How are they chosen? What are  
13 their responsibilities to the community? If you  
14 have community people who have problems, do they  
15 go to the conservancy or do they go to the  
16 Commissioner? Etc., etc. The first nine  
17 questions deal specifically with things like that.  
18 And then I get, later on it gets into more  
19 philosophical questions, such as "What happens to  
20 poorer neighborhoods who can't afford  
21 conservancies?" And then the, the whole  
22 philosophical question of whether we should have  
23 such organizations and what the responsibilities  
24 of the--the City charter calls on the City to  
25 provide for the upkeep of parks. We would not

1  
2 expect little local groups to be buying fire  
3 engines or sanitation trucks so that those  
4 departments could be improved. And it seems  
5 peculiar to those of us who have been thinking  
6 about this situation for a long time, that parks  
7 has to bear the brunt of not being upgraded unless  
8 you have private funds in the park, because there  
9 are many parks in this City that are  
10 deteriorating. And they shouldn't have to suffer  
11 simply because they are located in areas where  
12 there are people who can't afford to make private  
13 contributions.

14 HENRY STERN: Yeah. Well [off mic  
15 comment] yeah, my - - fine. Well, Carol and I got  
16 along very well for, as she says, more years than  
17 will tell you. But it's--[off mic comment] Yeah,  
18 the red light, does that red light mean off or on.  
19 [off mic comment] On, okay, well it's, it should  
20 be a green light. [laughter] Let me give some  
21 formal testimony and then--I'm here to testify on  
22 the bill which would require park conservancies to  
23 have a member chosen in consultation with the City  
24 Council Member for each district that includes or  
25 abuts a City park. On the surface it seems

1  
2 innocuous, why not, what difference does it make  
3 anyway? Closer examination reveals problems, real  
4 and potential, which raise significant concerns.

5 First, the bill is totally unnecessary.

6 Conservancies derive strength from community  
7 participation, as the point of it is to get people  
8 involved with the park, and the more people that  
9 are in a neighborhood who want to get involved

10 with a park in a constructive way, the better. I  
11 don't know of any case where anyone suggested,  
12 proposed by a Council Member has been excluded  
13 from a conservancy. And as far as I know, the

14 Commissioner has made repeated efforts to get the  
15 Council Member to submit names for the

16 conservancy. Second, the bill creates the  
17 possibility of friction. While ostensibly

18 harmless, it raises issues about the definition of  
19 consultant, and consultation. Is agreement

20 required on these persons, or not? If there is

21 disagreement, what will happen? The conservancies

22 are flexible on the size on the boards. This is

23 not a zero sum game where if someone is put on the

24 board, someone else will be excluded. Most of

25 conservancies are open that way, and they should

1  
2 be. If people who are concerned about the  
3 neighborhood want to participate, want to  
4 contribute, they should be on the conservancy, for  
5 most of the parks in the City. This bill  
6 introduces the rigidity of the law into an area  
7 which has always been amicably handled by the  
8 Commissioner and citizen volunteers. The greater  
9 evil is the introducing the hand of government  
10 into not-for-profit charitable organizations.  
11 This is again more government rather than less,  
12 and it's more government power taking over for  
13 private citizens, you'd think this was Congress.  
14 Hundreds of nonprofits enter into contracts with  
15 the City, and charitable social work. I mean,  
16 most of that work is done by nonprofit  
17 organizations. Should they be required to have  
18 City officials on their boards? They generally  
19 are not. Many of them want City officials on  
20 their boards, 'cause they hope it'll help them get  
21 contracts. But there's no requirement that they  
22 do, and there's no requirement that they appoint  
23 people to their boards who have different  
24 interests in mind. In--conservancy boards usually  
25 act unanimously. Everyone wants to see the parks

1 improved. You don't have conservancies formed to  
2 injure the parks. When bad things happen to the  
3 parks, whether it's Mullaly Park in The Bronx, or  
4 other parks that have been savaged from time to  
5 time, for external reasons, it's not the  
6 conservancy doing it, it's the City Administration  
7 that's doing it. And the Parks Commissioner is  
8 generally on the side of the conservancy, to the  
9 extent that he can be, to try to save the park.  
10 Sometimes you win, sometimes you lose, sometimes  
11 it comes down the middle. When the Central Parks  
12 Conservancy was formed in 1980, some people  
13 worried about what would happen if the conservancy  
14 disagreed with the Parks Commissioner, there was a  
15 fight between the of them. It was made clear that  
16 the Commissioner makes the final decision, and I  
17 want to make clear that in my 15 years as  
18 Commissioner, there was never a disagreement with  
19 a conservancy, except one time when the  
20 conservancy cut down a wisteria tree, over pruned  
21 it, which I thought was a terrible idea and would  
22 not have allowed. But it was done before anybody  
23 knew about it. But that's the only thing I can  
24 point to in 15 years, where we disagreed with a  
25

1 conservancy. And the last thing we need is a  
2 bifurcated power of appointment, which I think  
3 went out with the old Board of Education. If one  
4 member of the conservancy is to be chosen this  
5 way, why not ten members? If the Council wishes  
6 to assist in the oversight of the park, that's  
7 terrific. We welcome Council involvement. If  
8 individual Council Members want to participate, if  
9 the Parks Committee, which I was on for nine  
10 years, the Parks Committee was the first Committee  
11 I joined, when I became, was elected to the City  
12 Council in 1973, when Walter Ward was Chairman at  
13 the time. And I was excited to be on there,  
14 that's where I learned how to name streets in  
15 parks. The more the better, I mean, Parks is an  
16 agency which normally welcomes the interest of  
17 elected officials, because we depend on you for  
18 half our capital budget. I mean, this is not an  
19 agency which is entirely mayorally controlled.  
20 The Council has a big part in choosing what we  
21 build, which is very important. I urge the  
22 council not to adopt the bill. If the Council is  
23 interested in exploring the relationships, let's  
24 do so, let's meet on it, let's talk about it, and  
25

1  
2 let's see how we can stimulate community  
3 participation. I appoint--in 1966, I appointed  
4 the first community relations person in the Parks  
5 Department, who happened to be the first African-  
6 American executive. That was 43 years ago.  
7 Courtney Calendar. A park is named after him, in  
8 upper Manhattan, it's 5<sup>th</sup> Avenue and 131<sup>st</sup> Street.  
9 He was married to a woman who's a psychiatrist,  
10 and tragically he died in the early 1980s. A  
11 young - - . But he, that was a complete reversal  
12 of fortune, because at that time, under,  
13 previously under the Moses era, people of color  
14 were not allowed on the third floor, much less had  
15 jobs in offices then. Parks under Moses was a  
16 very different place than it is now. They barely  
17 tolerated Jews. They had to change their names,  
18 if they wanted--

19 COUNCIL MEMBER JAMES: We're  
20 getting off topic, but--

21 HENRY STERN: Sorry, well, you  
22 know, discrimination rankles.

23 COUNCIL MEMBER JAMES: [laughs]  
24 Right.

25 HENRY STERN: Even 40 years later.



1  
2 COUNCIL MEMBER JAMES: Got your  
3 point.

4 HENRY STERN: Okay, no, to  
5 conclude, my attitude has always been the more  
6 community participation the better. More people  
7 want to come and talk, the better, an open door  
8 policy. And I think that introducing formal  
9 legislation like this, to sum up, would impair  
10 that, which is why all the conservancies are out  
11 here to oppose it. They think it should be done,  
12 but they think it should be done in good faith,  
13 with people working together, not required by law.

14 COUNCIL MEMBER JAMES: But aren't  
15 cons--are you, have you completed your testimony?

16 HENRY STERN: Yes, yes, thank you  
17 for allowing me to testify.

18 COUNCIL MEMBER JAMES: Thank you.  
19 Commissioner, aren't conservancies a step towards,  
20 a step in the direction of privatization?

21 HENRY STERN: Well, that's a very--

22 COUNCIL MEMBER JAMES: Or I should  
23 say a form of privatization.

24 HENRY STERN: That's a very  
25 interesting question.

2 COUNCIL MEMBER JAMES: Thank you.

3 HENRY STERN: It is really so much  
4 to the point, that I appreciate it. That is,  
5 that's, that's the nub, that's the nub of it. The  
6 Parks Department over the years, since Moses left,  
7 has been the one Department systematically screwed  
8 by the City of New York. It has been so  
9 mistreated, it's budget has been cut repeatedly,  
10 it's the number of people working there has been  
11 cut in half. It has, doesn't have the protection  
12 that uniformed forces have.

13 COUNCIL MEMBER JAMES: So isn't  
14 that the issue, the fact that we need more funds  
15 for parks?

16 HENRY STERN: When I--Yes, when I  
17 was Parks Commissioner, when I was appointed Parks  
18 Commissioner, in 19--first time, 1973, '83, by  
19 Mayor K--'73 I was elected to the Council; '83 I  
20 was appointed Parks Commissioner by Mayor Koch  
21 after Councilmen-at-Large were abolished. And I  
22 said, "We received," I calculated, Parks received  
23 73/100<sup>th</sup> percent of the City's budget, 73/100<sup>th</sup>.  
24 And I had buttons printed and our slogan was, "One  
25 percent by the millennium." AT the time, the

1 millennium was 13 years off. Now the millennium  
2 as come and gone [laughs] it was nine years ago.  
3 Listen, I remember when "1984" was a novel about  
4 the future. [laughter] And during those good  
5 years, we worked it up to 79/100<sup>th</sup> of one percent.  
6

7 COUNCIL MEMBER JAMES:

8 Commissioner, I would love to go down memory lane  
9 with you, but we have a lot of people who want to  
10 testify. [laughter]

11 HENRY STERN: Oh, sorry, okay. - -  
12 quick.

13 COUNCIL MEMBER JAMES: I read your  
14 blogs all the time. Are you going to blog this?

15 HENRY STERN: Yes.

16 COUNCIL MEMBER JAMES: I knew you  
17 were.

18 HENRY STERN: I'll write about it.

19 COUNCIL MEMBER JAMES: [laughs]

20 HENRY STERN: And my testimony.

21 But can I say this: What this comes down to is, I  
22 was talking about poor parks-wise, and how badly  
23 it was treated, which I think people agree to.

24 Should parks be able to accept external financial  
25 assistance--

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COUNCIL MEMBER JAMES: Right.

HENRY STERN: --from private  
intere--individuals, either generous individuals,  
or corporations, that want to beautify the area?  
Yeah, that--And I think the answer has to be yes,  
maybe in theory no, but the way the world is,  
that's the only way you get money to do these  
things. Central Park's needs \$20-25 million a  
year, to be a first class, A-level park, a world  
class, that people will come and visit, and  
that'll be beautiful. The City can't spend \$20-25  
million a year on Central Park. They'd be  
cheating every other park in the system. So, if  
you want to spend the \$20 million on Central Park,  
you have to have people give it to you.

COUNCIL MEMBER JAMES: But I  
represent, as you know, Fort Greene, Clinton Hill,  
Prospect Heights--

HENRY STERN: Sure.

COUNCIL MEMBER JAMES: --Crown  
Heights and parts of Bedford-Stuyvesant. The  
community of my more affluent community has a  
conservancy, they're much more active, they  
provide funds to the park.

2 HENRY STERN: The Fort Greene Park?

3 COUNCIL MEMBER JAMES: Yes. And,  
4 yes, and in Commodore Barry Park, which borders  
5 public housing, there is no conservancy. There  
6 are no volunteers. There are a few, dedicated  
7 few, but for the most part they can't compete.  
8 They don't have deep pockets. And this is,  
9 Commodore Barry is the oldest park in Brooklyn.  
10 And so, I've provided capital funds, but for the  
11 most part it's been ignored.

12 HENRY STERN: Well, weren't there--

13 COUNCIL MEMBER JAMES: So what do  
14 you do in that case, I mean, why--

15 HENRY STERN: Weren't there some--

16 COUNCIL MEMBER JAMES: How could  
17 you argue for conservancies given the disparity?

18 HENRY STERN: Weren't there some  
19 gentle, middle-aged ladies--

20 COUNCIL MEMBER JAMES: No, what'd  
21 you say?

22 HENRY STERN: There were some  
23 gentle, middle-aged ladies who were - -

24 COUNCIL MEMBER JAMES: [laughs] I  
25 thought you said that.

1  
2 HENRY STERN: Gentle, I said,  
3 middle-aged ladies.

4 COUNCIL MEMBER JAMES: Okay, yes.

5 HENRY STERN: Who were involved  
6 with the--I'm being generous.

7 COUNCIL MEMBER JAMES: Yes.

8 CAROL GREITZER: Excuse me, could I  
9 answer your prev--your question, that we got away  
10 from about privat--doesn't this lead to  
11 privatization?

12 COUNCIL MEMBER JAMES: Do you mind,  
13 Commissioner, if she jumps in?

14 CAROL GREITZER: Yeah.

15 HENRY STERN: Not at all.

16 CAROL GREITZER: No, it's just  
17 'cause we're veering off the subject, and want to  
18 go to far. Yes, I think it certainly does. I  
19 mean, I'm a member of the Union Square Community  
20 Coalition, and Union Square Park has the most  
21 commercialization of any park in the City. I  
22 mean, you can--I mean, just yesterday I was there  
23 with my family, I didn't even know that there--I  
24 saw people lined up in some tents there. I don't  
25 just--I don't even know what they were going for

1  
2 today, there are, almost every day of the week,  
3 there is something going on there, taking over  
4 large parts of the park, and that park, the park  
5 doesn't even get the revenue that is raised, it  
6 goes into the general fund.

7 COUNCIL MEMBER JAMES: Right.

8 CAROL GREITZER: So, that is  
9 another question that I think--

10 COUNCIL MEMBER JAMES: That's  
11 another question - - right.

12 CAROL GREITZER: --the Parks  
13 Committee should be exploring, what happens to  
14 those funds?

15 COUNCIL MEMBER JAMES: Exactly.

16 CAROL GREITZER: Because Parks has  
17 been under budgeted, it gets less and one, I think  
18 less than one-half of one percent now.

19 COUNCIL MEMBER JAMES: Right, I  
20 agree. So Commissioner, what about low income  
21 neighborhoods.

22 HENRY STERN: Yeah - - Wait a  
23 second, I'm going to say, I completely agree with  
24 Council Member Greitzer on that, totally--

25 COUNCIL MEMBER JAMES: See, I

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brought you together.

HENRY STERN: --on the issue of revenue going to parks. I've been fighting for that for at least 16 years.

COUNCIL MEMBER JAMES: Okay.

HENRY STERN: And Mayor Bloomberg promised in 2001 that he would do it if he were elected Mayor. That was one of the few things on his to-do list that she scrapped.

COUNCIL MEMBER JAMES: Well, there's a lot of to-do--Well, anyway.

HENRY STERN: Well, that was one. And we, if the Council will do that, that would be--if you want to help parks, that's the single most important thing you could do, and I beg you to do it, provide that revenue in a park--

COUNCIL MEMBER JAMES: It has been raised.

HENRY STERN: It has been raised, but the Speaker turned it down, as well.

CAROL GREITZER: But without, without cutting back on the budget.

HENRY STERN: Right, the whole, the whole model is--



2 CAROL GREITZER: The revenue should  
3 be in addition, right.

4 HENRY STERN: With a hold harmless  
5 provision.

6 COUNCIL MEMBER JAMES: And again,  
7 low income neighborhoods that do not get the same  
8 level of funding as these parks with  
9 conservancies, what is your answer to that?

10 HENRY STERN: That's up, that's--

11 COUNCIL MEMBER JAMES: How do you  
12 resolve that?

13 HENRY STERN: It's up to their--  
14 Well, they, first of all they should receive the  
15 same, or a greater level of funding, just as  
16 schools in underprivileged areas receive greater  
17 per capita funding, 'cause they're Title I or  
18 they're special needs. They should be even more  
19 supported than the others. It's up to their  
20 legislators to fight for them at the budget time,  
21 and to see that--I mean, wait a second, it's up  
22 the Mayor to provide the funds. If there's  
23 disagreement, if the legislators don't feel that  
24 the Mayor has provided adequately, you have power  
25 over the budget.

2 COUNCIL MEMBER JAMES: And  
3 Commissioner, the argument that conservancies act  
4 ultra vires, outside of government, and they don't  
5 even include local elected officials. What do you  
6 say to that?

7 HENRY STERN: Well, I think that  
8 there are some local elected officials--I think if  
9 local elected officials wanted to be on the board  
10 of conservancies themselves, I don't think that's  
11 a bad idea.

12 COUNCIL MEMBER JAMES: But you just  
13 don't want to do it legislatively.

14 HENRY STERN: Well, yeah, and I  
15 think they should. In fact, I think it's a good  
16 idea, if a local elected official takes an  
17 interest in a park, let 'em be on the board,  
18 there's nothing wrong with her being on the board.  
19 We did that. We shopped around for elected  
20 officials, 'cause we wanted to find electeds to  
21 get on the board of conservancies, 'cause it would  
22 give them greater influence in helping fight for  
23 the budget.

24 COUNCIL MEMBER JAMES: I  
25 understand. And Council Member, the argument that

1  
2 this is in violation of the State law, what is  
3 your response to that? Do you agree with that  
4 position?

5 CAROL GREITZER: Well, I'm not a  
6 lawyer, and I don't know what the State law is,  
7 but I know that when I did try a few years ago  
8 with one of your colleagues to introduce some  
9 legislation, which I helped draft, and the legal  
10 staff here thought that there was some violation  
11 of the charter. But I didn't agree with that. I  
12 mean, I think that if that is so, then you should  
13 change the nature of how these conservancies are  
14 set up, so that they themselves would not be in  
15 viol--they would be something different from  
16 whatever that State law, because I think that the  
17 Parks Department ought to be able to set certain  
18 guidelines, and the Council certainly should be  
19 able to set guidelines for any agency of the City,  
20 so that I--I really disagree with that whole  
21 approach to this.

22 COUNCIL MEMBER JAMES: And the  
23 argument, Council Member, that okay, the parks  
24 that do have conservancy, they have ability to  
25 leverage private funds, and therefore everyone can

1  
2 direct their attention to those parks that are in  
3 low income or less affluent neighborhoods, what do  
4 you say to that? It frees up money.

5 HENRY STERN: That's a good idea, I  
6 think.

7 CAROL GREITZER: Yeah, well, well,  
8 I mean, that was my concern, that we, that private  
9 parks are suffering. I mean, we've seen  
10 photographs of potholes and broken benches and  
11 ball fields that are not usable in many parks  
12 around the City, which I think is a disgrace. And  
13 that something ought to be done for that. I also  
14 wanted to raise another point and that is that I  
15 think you ought to have to differentiate, when you  
16 use the word "conservancies"--

17 COUNCIL MEMBER JAMES: Yes.

18 CAROL GREITZER: --as I have, it's  
19 been pointed out to me, so I'm just passing it on  
20 to you.

21 COUNCIL MEMBER JAMES: Yes.

22 CAROL GREITZER: That there are  
23 these conservancies that are really advocacy  
24 groups or friends of parks groups, they call  
25 themselves conservancies, but they're not the

1  
2 conservancies that have the management agreements  
3 with the City. But we use the same word to  
4 describe both of them. And the smaller, friends  
5 of city park groups, which have the name of  
6 conservancy, really don't want to be tarred with  
7 the, whatever brickbats we're throwing at these  
8 larger conservancies, which are ignoring the needs  
9 of the community. So, it may be that we should  
10 specify that we're talking about these management  
11 groups, or whatever other generic--

12 COUNCIL MEMBER JAMES: I see.

13 CAROL GREITZER: --words you want  
14 to use to describe them.

15 HENRY STERN: So--

16 COUNCIL MEMBER JAMES: Anything  
17 further, Commissioner?

18 HENRY STERN: Yeah, yeah, I think  
19 conservancies have really made an enormous  
20 difference in the improvement of parks. I credit  
21 them and private support, with as being the bottom  
22 line reason for the improvement of many parks,  
23 where they've been influential. Central, the  
24 Broadway Parks Manhattan, Prospect Park, they  
25 would never be where they are today if not for the

1  
2 conservancies. And I wouldn't want to do anything  
3 to impede their operation. I think there should  
4 be more conservancies, or whatever you want to  
5 call 'em, in poorer neighborhoods, so that more  
6 people get involved with parks. 'Cause the more  
7 people there are fighting for parks, the more  
8 money parks will get in the budget and the better  
9 they'll be treated. It's one of the truisms of  
10 government.

11 COUNCIL MEMBER JAMES: I  
12 understand.

13 HENRY STERN: And we, so we, we  
14 like them, and we don't want to hurt them by  
15 setting up a dual system of allegiances. And as  
16 far as State law is concerned, it's a violation of  
17 State law to intrude in the, to require anyone to  
18 be on the board of a nonprofit corporation.  
19 They're not, I mean, that's the whole business is,  
20 people, the theory is people outside government  
21 should be the ones who are helping, and the  
22 conservancy is meant to recruit citizens and  
23 people like that, into the business of improving  
24 parks by making them stakeholders.

25 COUNCIL MEMBER JAMES: And what is

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wrong with codifying that in local law?

HENRY STERN: Because this isn't the way to do it. As I said, if you have one member chosen by a Council Member, why not ten? It doesn't make sense because it suggests that the conservancies are improperly managed, it suggests a wrongdoing, it opens a door into even more intrusive legislation. I mean, this is a situation which is going really well, and I think it should be allowed to go well. I think this is just a little, the big guy pushing the little guy, and saying give me a bite out of your conservancy. I think you can have it, you can have a bite, but you shouldn't have a, get, you know, do it yourself, don't get the law to come down for you and demand that you be given a bite.

COUNCIL MEMBER JAMES: Thank you, Commissioner.

HENRY STERN: Thank you very much,

- -

COUNCIL MEMBER JAMES: Thank you. Next panel, thank you. But we all agree that more funds should be dedicated to our parks, yes?

HENRY STERN: Right. And if you,

2 and the last sentence: If you can get that law  
3 passed on the concession revenue--

4 COUNCIL MEMBER JAMES: Yes.

5 HENRY STERN: --you'll be doing  
6 more for parks than the City Council has for the  
7 last 30 years, since I first became Commissioner.

8 COUNCIL MEMBER JAMES: I'm a  
9 sponsor of that legislation, Commissioner.

10 HENRY STERN: Good.

11 COUNCIL MEMBER JAMES: Thank you.

12 HENRY STERN: From your lips to the  
13 Speaker's ear.

14 COUNCIL MEMBER JAMES: [laughs]

15 HENRY STERN: Whoever she is.

16 [laughs]

17 COUNCIL MEMBER JAMES: Tom Rei from  
18 the Madison Square Park Conservancy, I apologize  
19 if I mispronounced your name; Kathleen Vorick from  
20 the Greenbelt Conservancy; Lori Brittle from the  
21 Riverside Park Fund; and Warrie Price from the  
22 Battery Park Conservancy.

23 WARRIE PRICE: The Battery  
24 Conservancy.

25 COUNCIL MEMBER JAMES: I'm sorry?



2 WARRIE PRICE: The Battery  
3 Conservancy.

4 COUNCIL MEMBER JAMES: The Battery  
5 Park Conservancy.

6 WARRIE PRICE: No. The Battery  
7 Conservancy.

8 COUNCIL MEMBER JAMES: Oh, it says  
9 Battery Park, I didn't--

10 WARRIE PRICE: - - they wrote--

11 COUNCIL MEMBER JAMES: I didn't  
12 write this out.

13 WARRIE PRICE: I'm sorry.

14 COUNCIL MEMBER JAMES: That's okay,  
15 whoever wrote this out was wrong, I didn't, I'm  
16 just reading what I got. Thank you. [pause] You  
17 may decide amongst us, amongst you who will begin.  
18 I apologize, I have a very bad cold, and my voice  
19 is closing, drying up my throat. Please begin.

20 TOM REIDY: It's Tom Reidy. Good  
21 afternoon. I'm the Director of Park Operations  
22 and External Affairs for the Madison Square Park  
23 Conservancy. Thank you for the opportunity to  
24 speak today. Since 2006, we at the Conservancy,  
25 via a formal agreement, have operated Madison

1 Square Park on behalf of City of New York Parks  
2 and Recreation. The park is a six-and-a-half acre  
3 property, situated between 5<sup>th</sup> and Madison Avenues,  
4 23<sup>rd</sup> and 26<sup>th</sup> Streets. Circa 1850, it's one of the  
5 City's oldest parks, with a lot of history.

6  
7 Beginning in 1998, a group of City officials and  
8 neighboring businesses and corporations, under the  
9 name "Campaign for the New Madison Square Park"  
10 formed to drive the restoration of the park, which  
11 for decades prior idled as a substandard,  
12 primarily empty, unsafe space. Through intense  
13 fundraising by this group, a \$5 million full  
14 restoration was completed in 2002, unveiling a  
15 reproduction of the park's original found  
16 introduction of a 30 foot diameter reflection  
17 pool, restoration of the park's five late 19<sup>th</sup>  
18 Century monuments, acres of restored lawns, and  
19 over 20,000 square feet of both perennial and  
20 annual plantings. Complementing the park's lovely  
21 infrastructure, the Conservancy since its  
22 inception has introduced free cultural  
23 programming, that includes revolving displays of  
24 public art, music, literature and children's  
25 series, as well as various food festivals.

1  
2 Through this combination of beautiful public space  
3 and the offering of whimsical yet sophisticated  
4 cultural interactions for patrons, we probably  
5 view ourselves as a destination spot, here in New  
6 York City. And paralleling Madison Square Park's  
7 emergence, the surrounding neighborhood has  
8 bloomed through an influx of new businesses,  
9 development, and residence, as well. Regarding  
10 Introduction 1083-A being discussed here today,  
11 Madison Square Park Conservancy feels that such a  
12 law is unnecessary, overly intrusive and even  
13 potentially damaging. Our Board of Directors is  
14 currently comprised of 21 individuals, 18 of whom  
15 are either representatives of neighboring  
16 businesses or corporations, or residents of the  
17 area, and some are both. Given that so many of  
18 our directors are already heavily invested in the  
19 neighborhood, well beyond just their affiliation  
20 with Madison Square Park, the more global  
21 interests of the Council District with regard to  
22 Madison Square Park, in our minds, are already  
23 protected. A designated appointee, we feel, would  
24 be redundant at this point. Regarding our  
25 management of the park, the operating agreement

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2 with City of New York Parks and Recreation is  
3 completely transparent, it explicitly spells out  
4 the acceptable means by which the Conservancy  
5 maintains the park, programs the park, and  
6 generates revenue for the park. All of our  
7 efforts and initiatives are only done with prior  
8 approval of Parks. And Borough Commissioner,  
9 Parks Commissioner Bill Castro sits on our board.  
10 The Conservancy is established as a 501(c)(3) as  
11 defined by an internal revenue code. The bylaws  
12 of the Madison Square Park Conservancy, another  
13 completely transparent document, is formatted and  
14 adheres to federal law regulating the operation of  
15 501(c)(3)s. The bylaws explicitly define  
16 processes for electing director, electing  
17 officers, establishing committees, reporting  
18 conservancy finances, and handling any potential  
19 conflicts of interest. Any further oversight via  
20 a designated director, as this resolution  
21 proposes, in our opinion, is unnecessary. Madison  
22 Square Park as it exists today, unequivocally, is  
23 a vibrant, beautiful, public space, that has been  
24 somewhat of a nexus in revitalizing the area which  
25 surrounds it. The undisputed success of the space

1  
2 has been achieved through this model of  
3 public/private partnership, that all of the  
4 conservancies represented here today employ.  
5 Through much hard work, the Madison Square Park  
6 Conservancy and its directors have been able to  
7 cultivate an intricate matrix of relationships  
8 between businesses, neighbors, cultural  
9 professionals, that have brought non-tax dollar  
10 revenue to the park. This has allowed us to  
11 achieve what we have today. Our sole mission is  
12 to provide free, beautiful, passive space and  
13 offer enriching cultural programming that's  
14 accessible to all. This has been mandated by the  
15 City to us. All the necessary safeguards are  
16 already in place to prevent any detracting from  
17 this mission. I thank you for your time.

18 DOROTHY REILLY: My name is Dorothy  
19 Reilly, and I'm Director of Public Relations for  
20 the Greenbelt Conservancy on Staten Island. The  
21 Greenbelt is a city park, nearly 3,000 acres of  
22 forests and traditional parks. There is a  
23 carousel, a nature center, and a very active  
24 environmental education department that serves  
25 thousands of children, as do all of our programs

1  
2 serve a diverse population. I'm here to read a  
3 letter from our Board President who wasn't able to  
4 be here this morning, due to a prior commitment.  
5 And she addresses it to the Honorable Helen  
6 Foster, Chair of the Committee on Parks and  
7 Recreation for the New York City Council. "In  
8 connection with the Introduction 1083-A, I would  
9 like to comment on behalf of the Greenbelt  
10 Conservancy Board as follows. Our board consists  
11 of 16 members, 14 of whom live within each Council  
12 District in which Staten Island, in which the  
13 Staten Island Greenbelt lies. Our board members  
14 are civically engaged in their communities and are  
15 committed to the betterment of the Greenbelt. In  
16 this regard, they directly represent the needs,  
17 wishes and concerns of the communities surrounding  
18 and throughout the Greenbelt. We are an active  
19 board whose members participate in and support  
20 park activities. The Greenbelt conservancy has a  
21 strong working relationship with all of our  
22 elected officials--federal, state and City. Over  
23 the last 25 years, our elected officials have been  
24 supportive of our myriad efforts in land  
25 preservation, creation of active recreational

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2 opportunities, environmental education programs  
3 and the like. We therefore strongly object to  
4 Section 2(b), last sentence, to wit, "Such member  
5 (board member) shall be designated in consultation  
6 with the Council Member representing each such  
7 district." This proposed provision could create a  
8 partisan board that might become distracted by the  
9 demands of elected officials, rather than working  
10 toward the betterment of the Greenbelt and  
11 fulfilling the Conservancy's mission. Very truly  
12 yours, Kathleen Vorwick, President, Greenbelt  
13 Conservancy. Thank you.

14 WARRIE PRICE: Good morning. I'm  
15 Warrie Price. I founded and I'm the President of  
16 the Battery Conservancy, a not-for-profit created  
17 in 1994 to rebuild and revitalize the historic tip  
18 of Manhattan, 25 acres, city owned property, under  
19 the jurisdiction of the City of New York Parks and  
20 Recreation. Our voting Board of Directors numbers  
21 20, of which six are residents. The rest of the  
22 Board are people that have owned property, that  
23 owned property downtown, or work or have worked  
24 downtown. They all are integral to making our  
25 mission viable. In our bylaws, we have ex officio

1 presentation, representation of five government  
2 officials, or their representatives. Though non-  
3 voting, and that was because of State law, feeling  
4 that elected officials could not be voting on a  
5 private not-for-profit, so that there had to be,  
6 we wanted representation. They said the only way  
7 we could have that is to make them ex officio.  
8 They are there, their views, their voices are  
9 heard, and very seldom disregarded. It is,  
10 they're there at every one of our board members.  
11 I have Commissioner Castro, as well as  
12 Commissioner Benepe. So, and Alan Gerson and then  
13 it'll be the new Council Member as she comes in.  
14 So we have Assembly Member, State, every elected  
15 official is on our board. Since arriving in New  
16 York in 1972, to work for the New York City Bureau  
17 of the Budget, I have been involved with civic  
18 life of this City for some 37 years, and I've  
19 loved every minute of it. Twelve years serving on  
20 Community Board One in Manhattan, and also  
21 chairing the Parks Committee, and later becoming  
22 the board chair. It gave me a real understanding  
23 of the value of community based planning. The  
24 governance of our dynamic City involves our  
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2 neighborhoods. A project, it get better when it  
3 goes through public review. When I decided to go  
4 from community board to do one project, I chose  
5 the Battery. I'd been on Ruth Messinger's  
6 taskforce for waterfronts for two years, and knew  
7 that this long neglected, overlooked park that  
8 people thought were just for tourists and not for  
9 New Yorkers. It lacked a strong constituency and  
10 an inspired plan. Now 15 years later, with  
11 private and public funds totaling over \$112  
12 million, we're fulfilling the implementation plan  
13 to rebuild the Battery. Our success has been  
14 built on innovative thinking and inspired ideas  
15 about how this landscape could be transformed.  
16 Public review is sought after. Our motto is "Go  
17 early and go often." Because that's, if we don't  
18 have our public, we don't have our neighbors  
19 involved, what's the use of the park? Who's going  
20 to be there to ensure its continuity and that it  
21 continues to be what we'd always envisioned. So,  
22 our park has been important, it's a premium  
23 downtown, we suffered much after 9/11, but our 9--  
24 but our neighborhood is coming back and we strive  
25 to give it, give everyone, our neighbors, the

1  
2 people that work there, the people that traverse  
3 this landscape, a place of peace, cultural life,  
4 and most of all, beauty. Private/public  
5 partnerships were born in New York City, and are  
6 now copied by cities all over the world. They  
7 help government be innovative, creative, and share  
8 the workload of keeping our parks beautiful for  
9 active and passive recreation, and for most  
10 important, public discourse, where we all come  
11 together as a community. We are doing now, and  
12 have always done, what Intro 1083 is intended to  
13 do. Why add more bureaucracy? We already have  
14 what we consider adequate, wonderful approvals.  
15 We do the demands of our reviews and the process  
16 of approvals through the community board, through  
17 understanding budget priorities and getting our  
18 community boards. It's really the community board  
19 that comes together to tell you, "What are our  
20 priorities?" I work with the community board to  
21 be sure the Battery is on their list when they  
22 make their budget priorities. So we feel that we  
23 have enormous relationships with the community, we  
24 respect you wanting to make this important, we  
25 want you to feel it's important, we want you

1 involved, but we think we really are doing it.

2 Thank you very much.

3  
4 LORI BRITTLE: Good afternoon. I'm  
5 Lori Brittle, Vice President for Finance and  
6 Development for Riverside Park Fund. Riverside  
7 Park Fund is the nonprofit partner organization  
8 for Riverside Park in Manhattan. On behalf of our  
9 Board of Directors, our thousands of members, I  
10 appreciate the opportunity to speak with you  
11 today. 23 years ago this month, a group of  
12 concerned citizens founded Riverside Park Fund, to  
13 reclaim Riverside Park from years of neglect and  
14 misuse, through their advocacy, volunteer work and  
15 fundraising efforts. Since that time, Riverside  
16 Park Fund has raised nearly \$20 million for park  
17 improvements, programming, restoration projects.  
18 We also manage the most extensive volunteer  
19 program in any New York City park, contributing  
20 more than 30,000 hours of horticultural volunteer  
21 work each year, across the park's five mile span.  
22 This broad and deep commitment by the local  
23 community in support of the park, has enabled us  
24 to work in close collaboration with City Council  
25 Members, Borough Presidents, elected State

1 officials, the Mayor's Office, and the Department  
2 of Parks and Recreation. And through the years,  
3 helps to secure more than \$40 million in public  
4 support for the improvement of Riverside Park.  
5 Today, Riverside Park Fund represents more than  
6 5,000 upper west side families and individuals,  
7 dedicated to the ongoing care and improvement of  
8 that park. We directly support the park's care  
9 through the hiring of much needed horticultural  
10 staff, maintenance workers, playground programming  
11 staff, to better the needs of the park's thousands  
12 of daily visitors. We further assist the Parks  
13 Department and its operation of the park through  
14 the purchase of equipment, supplies, and services  
15 that otherwise would not be available. By  
16 leveraging each other's resources, we have  
17 together with the Parks Department and elected  
18 officials, brought Riverside Park back from decay,  
19 to the vibrant park you see now. As a not-for-  
20 profit, non-for-profit corporation of the State of  
21 New York, Riverside Park Fund's board of directors  
22 is self-appointing. The voting members of the  
23 board are approved by the Fund's members at our  
24 annual meetings. There are currently 20 voting  
25

1 board members, and 19 of those members live in one  
2 of the adjoining council districts, with each  
3 district represented by at least one board member.  
4 In addition, the board has four ex officio, non-  
5 voting members, representing the City government.  
6 It appears that Introduction 1083-A would require  
7 a not-for-profit organization such as Riverside  
8 Park Fund to appoint a voting board member from  
9 each Council District in which the park lies, or  
10 which abuts the park, and would require that the  
11 Council Member representing that district, that  
12 Council District, be consulted when that board  
13 member is designated. As a grassroots  
14 organization founded by community activists 23  
15 years ago, Riverside Park Fund fully recognizes  
16 the importance of independent, community based  
17 involvement in the care and operation of our  
18 City's parks. Were it not for such community  
19 involvement, neither the Fund nor the park would  
20 be what they are today. The composition of our  
21 board and our membership demonstrate that this  
22 community commitment remains strong and continues  
23 to grow. We believe, however, that Introduction  
24 1083-A, by attempting to regulate the makeup of  
25

1  
2 our board, or that of any other not-for-profit  
3 corporation, would take away from our members the  
4 freedom to elect the board they wish to represent  
5 them. As one of the oldest park conservancy  
6 organizations in New York City, we also recognize  
7 that every community and the needs of every park  
8 and its users are unique. Hence the wide variety  
9 of community based conservancy and friends of park  
10 organizations across the City. While fully  
11 supporting the goal of ensuring local involvement  
12 in the care of our City's parks, we believe it  
13 best to leave these groups to the composition,  
14 leave to the groups the composition of their own  
15 boards. Riverside Park Fund has a long and  
16 beneficial history of working closely with our  
17 City Council Members and other elected officials.  
18 We're grateful for the Council's interest and  
19 support of our parks, and look forward to  
20 continuing to work with you to benefit Riverside  
21 Park and the people who depend upon it. Thank you  
22 again for this opportunity to speak.

23 COUNCIL MEMBER JAMES: Question for  
24 each of the members of the panel. How diverse is  
25 your board? Let's start with Ms. Price.

2 WARRIE PRICE: Out of the 20, there  
3 are seven women and one African-American male.

4 COUNCIL MEMBER JAMES: Ms. Brittle?

5 LORI BRITTLE: We have--two  
6 African-Americans, we have, I believe it's 50/50  
7 men and women.

8 COUNCIL MEMBER JAMES: Out of how  
9 many on your board?

10 LORI BRITTLE: 20 on the board.  
11 And four ex officio non-voting members.

12 COUNCIL MEMBER JAMES: Any Latinos?

13 LORI BRITTLE: And that's the  
14 Commissioner Benepe, the Borough President, the  
15 Park Administrator, and--who am I forgetting,  
16 John? Borough Commissioner.

17 COUNCIL MEMBER JAMES: Ms. Vorwick?  
18 We were, we didn't know where Greenbelt  
19 Conservancy was, we thank you.

20 DOROTHY REILLY: [laughs]

21 COUNCIL MEMBER JAMES: [laughs]

22 DOROTHY REILLY: I'm sorry to hear  
23 that, but I'm glad you know now.

24 COUNCIL MEMBER JAMES: Well, thank  
25 you for educating me.

2 DOROTHY REILLY: Yes, yes, you're  
3 welcome. By the way the park is ablaze in fall  
4 color, so it's a great - -

5 COUNCIL MEMBER JAMES: Is it on the  
6 south side or the north side?

7 DOROTHY REILLY: It's in the  
8 central part of Staten Island, in the very hilly  
9 section, so we like to say it's in the heart of  
10 Staten Island.

11 COUNCIL MEMBER JAMES: Excellent.

12 DOROTHY REILLY: So it's worth a  
13 trip. On our board, I believe we have 17 board  
14 members. It's changing at the moment. And 60/40  
15 I believe is the gender breakdown, 60 percent men,  
16 40 percent women. There's quite a bit of age  
17 diversity, we have some charter members, still a  
18 couple of charter members, the conservancy was  
19 formed over 20 years ago. And--

20 COUNCIL MEMBER JAMES: Ethnic?

21 DOROTHY REILLY: One Hispanic, a  
22 gentleman, and I'm not sure of a new board member  
23 who I believe is Middle Eastern.

24 COUNCIL MEMBER JAMES: Mr. Reidy?  
25 I'm sorry for mispronouncing your name.



2 TOM REIDY: That's correct.

3 COUNCIL MEMBER JAMES: Thank you.

4 TOM REIDY: Of the 19 voting  
5 members, six women, one who's Asian, one who's  
6 Hispanic, and 13 men.

7 COUNCIL MEMBER JAMES: Given the  
8 fact that all of you have a great relationship  
9 with the elected officials, in fact some serve ex  
10 officio, why the opposition to codifying it?  
11 Codifying the role of elected officials on  
12 conservancies?

13 TOM REIDY: Well, as I said in my  
14 remarks, I mean, we believe between the formal  
15 operating agreement that we have with the City,  
16 you know, our set up is a 501(c)(3), that all of  
17 that--and including, you know, the fact that like  
18 all the rest, much of our board members either  
19 reside or their place of business is immediately  
20 in the area, that it's unnecessary.

21 COUNCIL MEMBER JAMES: Any other  
22 comments? Council Member Melissa Mark-Viverito?  
23 Thank you.

24 DOROTHY REILLY: Thank you.

25 COUNCIL MEMBER JAMES: Thank you.

1  
2 The next panel is Darren Johnson from the New York  
3 Restoration Project; Judy Francis, representing  
4 the Brooklyn Bridge Park Defense Fund; Dorothy  
5 Reilly of the Greenbelt Conservancy from the great  
6 borough of Staten Island, since I now know where  
7 it is; and representing the Central Park  
8 Conservancy, I believe this says "Scott Johnson."  
9 [pause, background noise]

10 DARREN JOHNSON: Good afternoon, my  
11 name is Darren Johnson, and I am the Vice  
12 President of Strategic Initiatives and Policy for  
13 New York Restoration Project. As you may be  
14 aware, NYRP is the proud, sole owner of 55 of New  
15 York City's community gardens, located throughout  
16 the five boroughs. Also through a management  
17 agreement with the New York City Department of  
18 Parks and Recreation, we also manage and provide  
19 free public and environmental education  
20 programming at Swindler Cove Park in the  
21 Washington Heights neighborhood of upper  
22 Manhattan, as well as assist with park cleanup and  
23 maintenance at several other City parks in  
24 northern Manhattan, including Highbridge Park. On  
25 behalf of our founder, Bette Midler, and our

1  
2 Executive Director, Drew Becker, I want to share  
3 our strong support for the spirit and concept of  
4 the, of community, and its members having an  
5 active role and voice in the work and programs  
6 that our organization and others offer the  
7 neighborhoods we serve. Community participation  
8 is core to NYRP's mission and is something we  
9 engage in every day. I think it's important to  
10 note that the majority of programs NYRP offers in  
11 our public spaces today, are a result of working  
12 closely with community members and leaders,  
13 because we know that green spaces will stay green,  
14 clean and active when they meet the daily needs  
15 and expectations of the community around them.  
16 Parks and gardens must have purpose and be  
17 functional or they will return to disrepair. With  
18 that said, NYRP believes community representation  
19 on our Board of Trustees, which primarily serves  
20 fundraising and government over--governance  
21 oversight functions, would not be the appropriate  
22 mechanism for effective community participation in  
23 the management and programming of parks and  
24 gardens managed by not-for-profits and  
25 conservancies. Like other not-for-profits here

1  
2 today, we believe there are more effective ways to  
3 ensure community participation with such not-for-  
4 profits like NYRP or other conservancies managing  
5 City property. And that solutions can be  
6 accomplished through existing management  
7 agreements with the Parks Department. From  
8 designating a community liaison, which I want to  
9 note NYRP currently does for all 55 of our  
10 community gardens, to strengthening ties with  
11 local community boards, to establishing community  
12 advisory committees that would actively work with  
13 the not-for-profits responsible for maintaining  
14 and programming City owned parks and gardens,  
15 these are solutions that make sense for both the  
16 community and the organization. And I just want  
17 to mention also that I think it was discussed in  
18 previous testimony about the one-size-fits-all,  
19 and I think NYRP is a good example of that case,  
20 because when we were founded, we were founded  
21 because we were the conservancy of forgotten  
22 places. And when Bette first organized NYRP, she  
23 brought together her friends to raise important  
24 dollars for those neighborhoods that couldn't  
25 afford to create their own conservancy or save

1  
2 their own community garden that was going to be  
3 auctioned off. And so our board, Bette has  
4 brought together a group of individuals who have  
5 the strength to be able to raise millions of  
6 dollars which fund our work in Swindler Cover Park  
7 and in our 55 community gardens. And to be able  
8 to have fiduciary responsibility over our  
9 organization and the properties that we own and  
10 manage, and I think that that's a really important  
11 point to make. But we are very much in favor of  
12 community engagement, for community having a  
13 voice, for being our partner in managing these  
14 parks, that we are working with the Parks  
15 Department in operating and maintaining. Thank  
16 you.

17 COUNCIL MEMBER JAMES: Thank you,  
18 Mr. Johnson, and thank Ms. Midler for the  
19 wonderful park in my district, the Japanese play--  
20 Japanese Park on Bedford Avenue.

21 DARREN JOHNSON: Yes.

22 COUNCIL MEMBER JAMES: It's  
23 absolutely beautiful there, I've attended at least  
24 ten weddings in there.

25 DARREN JOHNSON: Oh, thank you.

2 COUNCIL MEMBER JAMES: Thank you.  
3 You may go for--Sheila Feinberg join us as well?  
4 Representing the New Yorkers for Parks.

5 SCOTT JOHNSON: Hi, I'm Scott  
6 Johnson for the Central Park Conservancy, and I'd  
7 like to thank you for the opportunity to speak on  
8 behalf of our organization, an organization as  
9 many--[off mic comment] Oh, an organization that  
10 many of you know is dedicated to restoring,  
11 managing and enhancing Central Park in partnership  
12 with the City of New York and the public. We  
13 believe in that partnership, actively involved in  
14 the citizens from the areas surrounding Central  
15 Park in our planning and governing processes. Our  
16 organization has already, already has board  
17 representation from all four Central Park Council  
18 Districts, including Districts 4, 6, 8 and 9. In  
19 fact, nearly 85 percent of the Central Park  
20 Conservancy's trustees reside in one of the four  
21 districts. It is our view that legislation  
22 requiring us to do what we already have in place  
23 is redundant. The Central Park Conservancy's  
24 bylaws dictate that eight of our 52 voting  
25 trustees are positions set aside for people

1  
2 appointed by an elected official, or on our board  
3 by virtue of holding a political position. These  
4 eight positions include the Manhattan Borough  
5 President, the Parks Commissioner, the Central  
6 Park Administrator, and five Mayoral appointees,  
7 all of whom hail from Council Districts that abut  
8 the, abut Central Park. When adding new board  
9 members, the Central Park Conservancy actively  
10 seeks representation from the areas surrounding  
11 our park, surrounding--searching those who want to  
12 share our values and commitment to the park and/or  
13 mission. We search for trustees who have specific  
14 expertise or skill sets that will broaden the  
15 management capabilities of our organization. This  
16 criteria, when combined with the importance we  
17 place on representation from the surrounding  
18 community, is what we believe contributes to our  
19 sound management and informed decision making  
20 processes. In addition to the board selection  
21 practices, the Central Park Conservancy also seeks  
22 community involvement and communication with  
23 Community Boards 5, 7, 8, 10 and 11. A series of  
24 public advisory committees, user groups and  
25 roundtables, as well as 250 regular conservatory

1  
2 volunteers, conservancy volunteers from  
3 surrounding areas. At the Central Park  
4 Conservancy, we take great pride in our work in  
5 organization, and believe firmly in the concepts  
6 defined in our mission statement, which outlines  
7 quite clearly in partnership with the City of New  
8 York and the public. And we'd like to thank you  
9 for your time and consideration.

10 JUDY FRANCIS: Hi. My name is Judy  
11 Francis, I'm the President of an all volunteer,  
12 501(c)(3) called the Brooklyn Bridge Park  
13 Development--no it isn't--Brooklyn Bridge Park  
14 Defense Fund. We advocate for total community  
15 participation along the waterfront and a park that  
16 is planned and being built by the ESDC. Thank  
17 you, all of you, for your interest in this matter.  
18 There have been significant, as you know, private  
19 encroachments on our public parks. Amendments to  
20 the administrative code, whatever the legal  
21 mechanism is, is really warranted. I don't think  
22 your bill goes far enough. And I have some  
23 suggestions. But let me talk about the one park  
24 I'm very familiar with. As outlined in four year-  
25 -almost four years ago, in April of 2006, when you



1  
2 called a group together to talk about the duty of  
3 park conservancies and managing parks, it was  
4 pointed out then as it has been pointed out today  
5 again, there are deep problems with private groups  
6 running our public parks. My longstanding  
7 experience with the Brooklyn Bridge Park  
8 Conservancy is a case study on how good  
9 intentions, really good intentions, all the people  
10 who have spoken here, good intentions, can go bad  
11 when one local private organization is allowed  
12 free rein over our parks. It is disingenuous, and  
13 I love Tupper Thomas, I think she's done a great  
14 job, but to say that conservancies don't make  
15 policy. We have kind of a joke in my family. My  
16 husband is responsible for the big things, the big  
17 policy decisions, he decides whether or not we  
18 should send troops to Afghanistan, whether or not  
19 we should support the public option and the  
20 healthcare. I make the small decisions, like where  
21 we're going to live and where we're going to go on  
22 vacation, and maybe how we spend our money, and  
23 what we're going to have for dinner. It's  
24 disingenuous to say that policy is not influenced  
25 by conservancies, and in fact if conservancies are

1  
2 doing programming, as they do in Brooklyn Bridge  
3 Park, and have for years and years, things like  
4 hip hop festivals suddenly disappear from the  
5 permitting, are not allowed, just you know, come  
6 off of the programming. These conservancies wield  
7 tremendous power, and in the case of Brooklyn  
8 Bridge Park, the founders of the conservancy of  
9 that went on to be the people who are deciding  
10 what this park looks like. And as a result, those  
11 five people, who by the way live within, some of  
12 them on the promenade or within half a block of  
13 the promenade, they are deciding that instead of  
14 the pools, the year round recreational facility;  
15 instead of the ice skating rink we now have a huge  
16 berm that basically separates their homes on the  
17 promenade from the people who may be coming to  
18 this park. But there's no more year round  
19 recreation, there's no more public amenity. And  
20 now it is--so, not only is the decision makers on  
21 who is doing the programming in that part changed,  
22 but also the actual landscaping of the park, the  
23 planning of the park, the capital dollars that are  
24 going into this park, that are going for  
25 landscaping and private housing infrastructure, as

1  
2 opposed to recreational facilities that we so  
3 desperately need in Brooklyn. This original group  
4 did an incredible job, and my husband was part of  
5 that initial group, called a coalition of  
6 neighborhood associations, to get the park in the  
7 first place. But when they changed their mission  
8 to become a conservancy in 2002 and '3, with this  
9 branding, rebranding, their focus should've  
10 changed, but it didn't. The leadership,  
11 representation, the desires of a much larger park  
12 constituency, all the neighborhoods that surround  
13 the park, should have been represented. But it is  
14 hard to change your direction after 20 years, when  
15 it starts with a little group that tries to get  
16 the park, and they stay focused on their little,  
17 you know, community. Therein lies the trouble:  
18 one private group, responsible for running a large  
19 public park. The public has been taken out of  
20 Brooklyn Bridge Park. The--and, you know, all of  
21 the local associations, actually written letters  
22 and you have them in your files from that  
23 testimony, and I have them again if you want them,  
24 to say that they do not represent Cobble Hill,  
25 Dumbo, Fort Greene, Carol Gardens, the merchants

1  
2 along Atlantic Avenue, the merchants along Fulton  
3 Landing, all have said the Conservancy does not  
4 represent their communities in this park. Many  
5 articles have been written about the programming,  
6 too, how it doesn't reflect the interests of the  
7 surrounding neighborhoods. Let me say, let me say  
8 it, that people who live close to a public park do  
9 have special interests. They do. Their homes  
10 look over, in this case, the park. And so, their  
11 voices should be heard, and they should have a  
12 voice on conservancies if they, if that's the  
13 mechanism by which the City wants to run our  
14 parks. And they should have 50 percent of the  
15 vote. But 50 percent of the vote should be given  
16 to the people who are going to actually use the  
17 park, who come from afar, you know, people in my  
18 neighborhood, you know, I lived for 30 years, you  
19 know, on the promenade, so I know, and I'm saying  
20 while we have special interests, it shouldn't be  
21 limited to one group. And I think this bill goes  
22 pretty far in pushing that, but I think you need  
23 to do a percentage basis. It shouldn't be all in  
24 the hands of one group. I would change Section  
25 118137, and I have it here, to say "Not more than

1  
2 50 percent of the voting rights of the Board  
3 should be made up of residents who live--who  
4 reside within the primary community board," I  
5 would say, 'cause I think community board is the  
6 place where the Battery Park lady said, a lot of  
7 the decisions, a lot of the passion, a lot of the,  
8 you know, the real community engagement happens.  
9 And the remaining seats on the Board should be  
10 comprised of individuals who reside in the  
11 community boards that abut the park. This way,  
12 the greater communities' voice has a chance to be  
13 heard, and park governance will be broadened, and  
14 more inclusive, to maximize its use, instead of  
15 treating it as an enterprise for the benefit of  
16 those living near it, or worse, in it, which is  
17 the case of Brooklyn Bridge Park. So. Thank you  
18 and please do more on managing and organizing and  
19 whatever you can to conservancies. Because in  
20 fact, I do applaud the fundraising efforts, I do  
21 applaud the fact that, you know, our former Parks  
22 Commissioner tried to get one percent of the City  
23 budget. Under this Mayor, it is now down to  
24 .0038, it is the lowest it has ever been in terms  
25 of money going to parks. And we need the

1  
2 government to run our parks, we do not need  
3 private individuals who kind of get together with  
4 their buddies, and if they have time on their  
5 hand, to run the parks. We need your hand in our  
6 park management, again.

7 COUNCIL MEMBER JAMES: Thank you,  
8 Ms. Francis, I should've had you on a separate  
9 panel. But--and I will ask the Chair for an  
10 update on Brooklyn Bridge Park, you know I've  
11 expressed concerns with regards to the Park, and  
12 need to get an update on where we are. So, I  
13 thank you.

14 SHEILA FEINBERG: Good afternoon,  
15 my name is Sheila Feinberg, and I'm the Director  
16 of Government and External Relations at New  
17 Yorkers for Parks, the only independent watchdog  
18 for all the City's parks, beaches and playgrounds.  
19 We'd like to thank you for holding this important  
20 hearing today. Equitable representation. In the  
21 summer of 2008, just last year, the Council held a  
22 hearing on Intro 699, a bill that would require  
23 more financial transparency in public/private  
24 partnerships. Deputy Parks Commissioner Liam  
25 Cavanaugh at the time said that the Bloomberg

1 Administration and New York City Parks and  
2 Recreation have embraced initiatives that increase  
3 transparency and ensure a greater level of  
4 accountability in government. We are pleased that  
5 Intro 699 was adopted into local law 282008  
6 (right, Lyle?) We applaud this new proposed  
7 legislation for continuing to expand the levels of  
8 accountability and transparency in the operations  
9 of management of our public parks. As evidenced  
10 by recent park issues throughout the City, there  
11 is insufficient community representation which  
12 needs to be addressed and remedied. Intro 1083  
13 attempts to address this lack of public  
14 participation by mandating that at least one  
15 individual who resides within each council  
16 district in which a park is located, or abuts,  
17 must be a voting member of the board of directors  
18 of the respective park conservancy. We support  
19 this principle and feel that community  
20 representation on conservancy boards is essential  
21 towards improving the efficiency, equity and  
22 efficacy of public/private partnerships and parks.  
23 However, we feel that there are some logistical  
24 and legal ramifications for Council Member  
25

1  
2 consultation, which may lead to Council Member  
3 appointment. Government, especially in regards to  
4 not-for-profit structure and management, is moving  
5 towards increased transparency, stricter  
6 regulations and oversight. We should take equal  
7 care not to infuse local politics too steeply in  
8 this process. To avoid the appearance of a  
9 conflict of interest, we recommend broadening the  
10 consultation process and appointment of community  
11 representatives to the Borough President or  
12 community boards. This would further enhance the  
13 public's role in park conservancies by integrating  
14 the larger community and many neighborhoods.

15 While some public/private partnerships make it a  
16 priority to include community members,  
17 unfortunately broader legislation is needed to  
18 ensure that this becomes the norm, rather than the  
19 exception. Sadly, community involvement is often  
20 seen as an afterthought in many parks operations.  
21 This bill allows for member of the local community  
22 to take an active role in the oversight of their  
23 park. Local leadership and participation in the  
24 decision making process is vital towards  
25 increasing transparency, stewardship and community



2 ownership in public parks. Finally in conclusion,  
3 as stated in the Citizens Budget Commission Report  
4 which came out in the summer of 2007, making the  
5 most of our parks, and I quote from the report,  
6 "The challenge facing our City in the next century  
7 will be to create a park system that can take the  
8 successes of parks like Central, Prospect and  
9 Bryant, and match their managerial prowess with  
10 additional public resources to provide a quality  
11 park for every neighborhood in New York City." We  
12 strongly support Intro 1083 for its effort to  
13 ensure that the balance of public and private  
14 participation is maintained in parks throughout  
15 New York City. Thanks.

16 COUNCIL MEMBER JAMES: Thank you.  
17 Those friendly amendments that you have made, have  
18 you submitted them to the sponsor, Council Member  
19 Melissa Mark-Viverito?

20 SHEILA FEINBERG: I have not yet.

21 COUNCIL MEMBER JAMES: Okay.

22 SHEILA FEINBERG: I would be happy  
23 to do so.

24 COUNCIL MEMBER JAMES: Thank you.  
25 Council Member, any comments? Thank you. And we

2 will do an oversight hearing about Brooklyn  
3 Bridge.

4 JUDY FRANCIS: [off mic] Thank you  
5 very much.

6 COUNCIL MEMBER JAMES: You're  
7 welcome. The last two, the last panel will  
8 include two members: Henry Bunch from the Queens  
9 Soccer Foundation, and Julia Morrow from the Open  
10 Space Alliance. And after these two panelists,  
11 that will conclude this hearing. [pause] Ladies  
12 first. [background noise]

13 JULIA MORROW: Hi, I'm Julia  
14 Morrow, with the Open Space Alliance for North  
15 Brooklyn. What we do is we improve on our  
16 existing parks and help develop new parks in  
17 Williamsburg and Greenpoint. We raised funds by,  
18 with local community members. We link volunteers  
19 and we work with our elected officials, in  
20 partnership with the New York City Parks and  
21 Recreation. OSA represents parks, playgrounds,  
22 green spaces, and we are a Community Board One.  
23 Our boundaries are such that in time luxury condos  
24 developing along our waterfront and McCarron I'm  
25 sorry. And OSA helps fund improvements. Excuse

1  
2 me. I'm actually here to read a message from  
3 Steve Hindi, who is our Board of Directors. And  
4 he says, "I started my business, the Brooklyn  
5 Brewery, many years ago in Williamsburg, when it  
6 was a dangerous place to be operating. The  
7 Brooklyn Brewery grew along with the community,  
8 and the Brewery is now standing in Williamsburg.  
9 I live near Prospect Park and have served on the  
10 board of the Prospect Park Alliance and marvel at  
11 the transformation Tupper and the Alliance have  
12 brought to the park. McCarron is a block away  
13 from the Brewery and I wanted to see the North  
14 Brooklyn parks near my business similarly grow and  
15 flourish. So together with some local residents,  
16 we formed OSA to make it happen. Other than  
17 myself, each and every board member of OSA lives  
18 within the district that we serve. OSA's board  
19 members' children play in the parks, playgrounds;  
20 board members' dogs run in our district's dog  
21 runs; and we enjoy great concerts OSA hosts in the  
22 parks. Council Members Yassky, Diana Reyna,  
23 Brooklyn Borough President Marty Markowitz, State  
24 Senator Squadron, State Assembly Member Lentol,  
25 all serve on our advisory board. Our electeds and

1  
2 their representatives are invited and welcome to  
3 each OSA board member meeting, and OSA staff  
4 members and our local residents. Our diverse  
5 community and its parks needs are further  
6 represented within our community committee, whose  
7 very active leaders meet regularly with members of  
8 the Mayor's administration, parks commissioners--  
9 Adrian Benepe and Julius Spiegel--as well as our  
10 OSA's executive director. In other words, the  
11 proposed legislation is unnecessary in North  
12 Brooklyn as OSA goes far beyond the requirement of  
13 having one person from the area represented in  
14 local parks." [pause] That'll complete my  
15 message. Thank you. [off mic comment] [laughs]

16 HENRY BUNCH: Yes, I'm sorry.

17 Yeah, my name is Henry Bunch, and I come from  
18 Flushing Meadow Park. I am a president of a  
19 league, - - over a league, I'm now president of a  
20 new league. We accommodate about 2,000 kids  
21 playing soccer during the weekend. Our fields are  
22 in horrible conditions, they coming apart.  
23 They've been an issue for me, that to, to have  
24 them fixed, through the park, and it's a lot of  
25 red tape. I work very close with foundations like

1 Soccer Foundation, the U.S. Soccer Foundation.

2 They are willing to provide funding, so we could  
3 fix the fields, and not only the field but to put  
4 lighting or whatever we need to improve and to  
5 extend the number of kids playing, because we are  
6 limited to the number of hours because of the  
7 other leagues that are involved in the park.

8 Those include adults leagues, which take about 75  
9 percent of the time in the park. And kids really,  
10 for the safety of the kids, we want to, I want to  
11 start working through my foundation to be able to  
12 raise money and to--And so I want to be in  
13 partnership with the City, and I need your help to  
14 be able to accomplish such a thing.

15  
16 COUNCIL MEMBER JAMES: Who's your  
17 Councilperson?

18 HENRY BUNCH: Myself.

19 COUNCIL MEMBER JAMES: No.

20 HENRY BUNCH: Oh.

21 COUNCIL MEMBER JAMES: Well, you  
22 could run one day. [laughter] Who represents,  
23 who's in, who on the City Council represents  
24 Flushing Park?

25 HENRY BUNCH: I have to find out.

2 COUNCIL MEMBER JAMES: Okay. I'm  
3 going to introduce you to Mr. Schnall from the  
4 Parks and Recreations.

5 HENRY BUNCH: Okay.

6 COUNCIL MEMBER JAMES: Parks and  
7 Recreation. And so he'll introduce you to your  
8 local councilperson, and perhaps submit a proposal  
9 to the local councilperson for funding in this  
10 year's budget.

11 HENRY BUNCH: Thanks.

12 COUNCIL MEMBER JAMES: Okay?

13 HENRY BUNCH: Okay.

14 COUNCIL MEMBER JAMES: Is that  
15 fair?

16 HENRY BUNCH: Sounds fantastic,  
17 yeah.

18 COUNCIL MEMBER JAMES: Okay,  
19 thanks.

20 HENRY BUNCH: Thank you.

21 COUNCIL MEMBER JAMES: And thank  
22 you for coming.

23 HENRY BUNCH: Thank you.

24 COUNCIL MEMBER JAMES: And thank  
25 you, ma'am, for coming, and that concludes this

1  
2  
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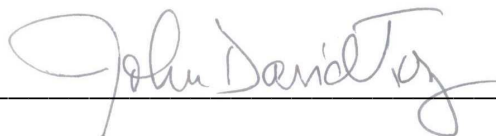
hearing. And thank you Council Member Melissa  
Mark-Viverito.

[background noise, silence until  
end]

C E R T I F I C A T E

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

Signature

A handwritten signature in cursive script, appearing to read "John David Tong", written over a horizontal line.

Date November 11, 2009