

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 39 In Favor 0 Opposed 1 Abstained 0 Recused

RE: Public Design Commission Application for Preserving Existing Art at Manhattan Detention Complex Site

WHEREAS: A Public Design Commission (PDC) application is before Manhattan Community Board 1 (CB1) for the Manhattan Detention Complex (MDC) Artwork Removal Plan; and

WHEREAS: The dismantling of the existing MDC facility is expected to begin in 2022 and be completed by mid-2023. The new facility design/construction is expected to begin in the first quarter of 2023 and be completed in 2027; and

WHEREAS: There are seven pieces of public art that are part of the existing MDC facility:

1. Solomon’s Throne - Kit-Yin Snyder (1992): Sculpture on roof of pedestrian bridge
2. The Seven Columns of the Temple of Wisdom - Kit-Yin Snyder (1992): Seven sculptures on terrace and sidewalk
3. Pavement Design (Upright) - Kit-Yin Snyder (1992): Paving pattern on White Street
4. Immigration on the Lower East Side of New York - Richard Haas (1989-1997): Seven painted mural panels on second story of building exterior
5. The Judgements of Solomon and Pao Kung - Richard Haas (1989): Four cast cement relief medallions at exterior corners of pedestrian bridge
6. Enlightenment - Rene Chambellan (1940): Cast bronze relief panel
7. Arms of the City of New York - Rene Chambellan (1940): Cast bronze relief panel

WHEREAS: In 1982, Local Law 65, the Percent for Art Law was passed, which states that 1% of the capital funds appropriated for newly constructed or reconstructed City-owned buildings or sites must be allocated for works of art; and

WHEREAS: Some of these existing artworks are in poor condition. Regarding the Kit-Yin Snyder piece Pavement Design (Upright), viewing the artwork is impeded by parked cars and yellow spray painted demarcations, and there are missing pavers. The design is compromised by non-conforming pavers throughout and pink

pavers are randomly scattered among gray pavers outside of the original artwork design; and

WHEREAS: The piece by Richard Haas, Immigration on the Lower East Side of New York, is fading, damaged, and flaking paint. There is also atmospheric soiling, some staining, some hairline cracks and some concrete spills and damage from tree abrasions; and

WHEREAS: Also, by Richard Haas, the piece titled Judgements of Solomon and Pao Kung has faded paint, grime and biological growth, staining, and peeling caulk; and

WHEREAS: Of the Rene Chambellan pieces, the bronze Arms of the City of New York has been painted over with dark paint. With the Enlightenment piece, oxidation on bronze surface has created a greenish patina; and

WHEREAS: The artwork removal planning and review process entails: archival research and documentation, consulting with artists, consulting with art conservator investigators, review by the Community Board, and finally review and determination by the Public Design Commission; and

WHEREAS: The proposed artwork removal and storage plan involves removing and storing the five artworks that can be removed from the site intact and reinstalled later, as part of the new Borough Based Jails (BBJ) Manhattan site, or at a suitable alternative location. These five pieces include: Solomon's Throne, The Seven Columns of the Temple of Wisdom, The Judgements of Solomon and Pao Kung, Enlightenment, and Arms of the City of New York; and

WHEREAS: The applicants propose that the remaining artworks, Immigration on the Lower East Side of New York, and Pavement Design (Upright), are thoroughly documented and deaccessioned; and

WHEREAS: The applicants have stated that after consideration, the removal and reinstallation of the Immigration on the Lower East Side of New York mural in its current form was determined not to be feasible due to the following reasons: the material is brittle and cannot be detached without breaking it, removal would require extracting the entire building wall assembly, the size and shape of the mural panels limits the adaptability of the panels to other spaces, there is significant potential for damage or destruction of the mural during attempted extraction, the cost would be significantly more than the artwork after removal, and, in consultation with the artist or artist's estate, it was determined that the design could be recreated by others again in the future; and

WHEREAS: The applicants have stated that after consideration, salvage of the pavers that make up the existing Pavement Design (Upright) installation is not proposed for the following reasons: the materials used to create the design are standard, are of little value on their own, and were not created by the artist; the pavers are in poor

condition overall; the City is in possession of the artist's original design drawings with dimensions and in consultation with the artist or the artists estate, the design could be recreated in the future; and the artist supports reproducing the design in new materials instead of salvaging the existing pavers; and

WHEREAS: The timeline for new Percent for Art artworks involves: meeting with the Community Board, temporary artwork to include the community, first artist-selection panel to select artists, second artist-selection panel to review proposals, and presenting the selected proposal to the Community Board; and

WHEREAS: PDC Preliminary review of artwork removal and storage proposal is expected to occur December 2021 - January 2022. Artwork removal is expected to take place between January - April 2022. The selected Design-Builder's conservator will be responsible for managing the careful removal, crating and labeling of the pieces approved for salvage and overseeing their transport to storage. Between 2022-2027, the artworks will be stored in custom crates inside of a shipping container on City property on Rikers Island. Between 2023-2027, the City will consider opportunities for reinstalling some or all artworks on site or at alternative locations, and new artworks will be commissioned for the facility through the Percent for Art Program. In 2027, artworks approved by PDC for reinstallation will be cleaned and restored by professional conservators before being installed at the new Manhattan facility or at an alternative location; and

WHEREAS: Because this project is being built under a design-build model, there is not yet a design for the building. While conceptual guidelines have been prepared, the City is in the process of procuring teams that will ultimately design and construct the facility. The design-build process presents major challenges, as it is impossible to consider segments of the plan like this without the larger context of the dismantling process or information on design and programming of the future building; and

WHEREAS: The applicants have stated that the term "dismantle" is being used intentionally as opposed to "demolish," as the dismantling will be a slower, floor-by-floor process in an enclosed environment that minimizes noise and dust and will recycle as many materials as possible. The applicant team has offered to attend a January CB1 meeting to present the specific dismantling plans; and

WHEREAS: There was resounding response from both Community Board members and the public that there has been insufficient engagement and notice surrounding the plan for the art, and the broader plans for dismantling which are inextricably linked, and that it is not possible to comment on segmented pieces of this project without full contextual knowledge of all components and how they work together; and

WHEREAS: CB1 understands that there are only two Percent for Art art pieces in Chinatown, and that they will be removed via the proposed project; and

WHEREAS: Kim Snyder, daughter of artist Kit-Yin Snyder, attended CB1's December 2021 full board meeting to provide a statement including the following: Artist Kit-Yin Snyder was contracted for her art pieces in 1987 for the new detention facility. Kit-Yin Snyder has been greatly saddened that the public artwork she created is soon to be dismantled and the possibility that it won't be incorporated in the newly designed building. She spent many years designing, building and installing the sculpture. The artworks create a spatial and thematic environment for the site as well as a bridge between different communities. The pavement artwork has been "butchered" by the parking lot. It is unclear if the art pieces will be worked into the new facility, but it is their hope that it will be; and

WHEREAS: Artist Richard Haas also attended the December 2021 full board meeting. Mr. Haas said that both he and Kit-Yin Snyder are upset and saddened by the loss of the art. Also, he does not want to see his art end up in a parking lot, or on Rikers Island in storage; and

WHEREAS: CB1 is deeply disheartened by how the art has been neglected and left to deteriorate. Or in the case of Pavement Design (Upright), actively destroyed by parking lot use; and

WHEREAS: More time is needed for engagement with those within the facility, those who work and utilize the facility, residents and community groups to assess what the purpose of the art is, and whether it fits the new proposed facility; and

WHEREAS: More discussion is also needed to review and consider whether the exterior architectural sculptural panels by Rene Chambellan on the north tower of the Criminal Court Building (the Tombs), a building which is eligible for Landmark status, must be removed; and

WHEREAS: Applicants have indicated that they plan to go to PDC for review on January 18, 2021 and have thus far declined to delay the project in order to pursue more engagement. Overwhelming sentiment among Community Board members and the public is that this project is being rushed through and that there has not been sufficient engagement; now

THEREFORE
BE IT
RESOLVED

THAT: For these reasons, CB1 opposes the proposal for art at the Manhattan Detention Complex site as presented and requests the following:

- 1) This project must be paused until the community has ample opportunity to review and understand the various plans related to the dismantling and rebuild of the jail facility, and to consider these art pieces and where they should go.

- 2) The “dismantling” process has been described as being a slow and intentional process meant to minimize disruption and potential damage, yet no plans have been provided as to how this will be accomplished. Consistent with this interest in “dismantling”, CB1 urges that none of the art should be destroyed, and there should be maximum preservation and restoration of the art.
- 3) The artists should be considered, deeply involved in the process and integral to any decision-making.
- 4) Art installed in the new site should be maintained and not disrespected by future use. CB1 requests a plan on how art installed in the new facility will be maintained and preserved.
- 5) If relocated, the art should remain in the immediate community.
- 6) CB1 requests more specificity on where/how the art will be stored, how the art will be protected while in storage, and whether the amount of time in storage can be reduced.
- 7) CB1 requests a review of whether the art can be used currently on different sites, and what those sites are.