



**The Council of the City of New York
Committee on Lower Manhattan Redevelopment
Oversight Hearing on
the Status of 130 Liberty Street**

**Testimony by Julie Menin, Chairperson
Manhattan Community Board One**

**Tuesday, March 2, 2010 at 10:00 a.m.
250 Broadway, 16th Floor Hearing Room**

I am Julie Menin, Chairperson of Community Board One, and I want to thank you, Chairperson Chin and other Members of the Committee, for convening this public hearing on the status of the deconstruction of 130 Liberty Street and for giving me the opportunity to testify on behalf of Manhattan Community Board One.

I cannot stress how important it is for the Committee to continue to hold public hearings to assess progress at important redevelopment projects underway in Lower Manhattan, including 130 Liberty Street. Providing a forum for residents and other stakeholders to hear directly from agencies responsible for the projects is an essential part of monitoring them and developing meaningful ways to mitigate their negative impacts on the quality of life in the rapidly growing downtown community.

At CB 1's request, the Lower Manhattan Development Corporation (LMDC) has provided monthly updates to the WTC Redevelopment Committee. Given the complexity of this particular project and the community's ongoing concern about the safe decontamination and demolition of 130 Liberty Street, it is critical that the LMDC continue to provide monthly updates to CB1 to keep the community informed about the project and provide an opportunity for concerns to be raised and addressed. To this end, we feel it is important that the LMDC committed at its Board of Directors meeting last week to issue weekly electronic updates until the project is completed.

CB1 is also grateful to New York State Assembly Speaker Sheldon Silver for convening regular 130 Liberty Street Community Advisory Committee (CAC) meetings where Lower

Manhattan Development Corporation (LMDC) President David Emil has provided updates and answered questions from community representatives and other stakeholders.

However, although the LMDC has improved its communication with the community, we have serious concerns about the progress of work at 130 Liberty Street. It has been more than one year since the last City Council hearing regarding 130 Liberty Street on January 9, 2009. Since then, demolition has begun, and the Department of Buildings has issued numerous violations associated with the work of the subcontractors at the building. These violations have included the following, which in some cases have presented significant danger to workers at the site, nearby residents and pedestrians: a torch used in dangerous proximity to fuel tanks, a wrench dropped 225 feet and hitting another worker, damage to protective sidewalk sheds, spillage of diesel oil onto Greenwich Street, and a recent incident on January 28, in which a nonstandard light melted but went unreported by workers.

As early as January 8, CB1 raised concerns about the violations at one of Speaker Silver's CAC meeting. These concerns were dismissed. A full month passed without our concerns being addressed. Then, on February 8, the New York Daily News managed to obtain a copy of a leaked internal letter by LMDC President David Emil sent on January 29, 2010 to its contractor, Bovis Lend Lease, admonishing the company for its continual safety problems and demanding that it replace all of its management and overhaul the safety of its operations. According to the New York Daily News article (February 8, 2010), "Last month alone, the city Buildings Department slapped Bovis or its subcontractors with at least a dozen safety violations...That's more infractions in a single month than any time since the seven-alarm fire" in 2007, which resulted in the death of two firefighters." It is disturbing that despite the fact that we directly inquired about the issues before the release of the article, we still learned about it from the press and other source outside LMDC.

At our last WTC Redevelopment Committee meeting on March 8, 2010, the Community Board requested a copy of the letter. Although the LMDC representative present promised to share a copy with the Community Board, we still have not seen it, although lengthy excerpts have appeared in the press. Moreover, the various incidents reported by the press to have been referenced in the letter were never disclosed to CB1 by LMDC or the contractor despite our repeated requests to be informed of significant developments associated with the project. We find this completely unacceptable, particularly in light of the history of this project.

Meanwhile, work at the site has consistently been delayed, and costs for the deconstruction have climbed from the original estimate of \$24 million to over \$292 million (New York Daily News, February 25, 2010), although at LMDC's Board of Directors meeting last week on February 25, it was announced that a settlement had been reached with the building's insurers for \$102 million. We are concerned about the escalation in costs during the course of the project.

We are also concerned about the length of time the project has taken and how much longer it will take until it is complete. Bovis began its abatement and demolition of the tower in 2006, and completed its abatement in September 2009. On November 9, 2009, demolition resumed at the site, and at the most recent meeting of Speaker Silver's task force, LMDC President Emil provided estimates of the average number of days it would take to demolish

remaining floors, which implied that work would be completed in the summer of 2010. However, a February 25 article in the Daily News suggests that the target date is now January 19, 2011, and given the site's history of delays, we cannot help but question whether the deconstruction will be finished this year.

We would like clarification about the status of concrete shredding at the building and why concrete is being transported to and away from the building.

Looking beyond the full deconstruction of 130 Liberty, we would like to know what is planned for the site in the future. Will it be used as a staging area for other World Trade Center construction projects? If no construction commences immediately, how will the site and the area surrounding it be maintained?

In addition, we would like to know the future plans for LMDC once 130 Liberty has been fully demolished, and whether the organization will play an ongoing role in the redevelopment of Lower Manhattan, or is there a sunset provision for it to expire once it has fulfilled its original function?

In closing, I would like to emphasize that the 130 Liberty Street building decontamination and demolition project has been fraught with avoidable mistakes and problems, including some that have had tragic consequences. I would like to note that back in 2006, CB 1 passed a resolution urging LMDC not to hire the unqualified subcontractor John Galt but that warning went unheeded. CB1 is concerned that lessons from this history have not been learned, and we believe that only by ensuring the remainder of the process is as open and transparent as possible can we reduce the likelihood of any future tragedies or mishaps.

Again, thank you, Council Members. We look forward to continuing to work together to safely and efficiently demolish 130 Liberty Street so that it will no longer be a reminder of the tragic past or a potential source of contaminants or falling debris in our community.