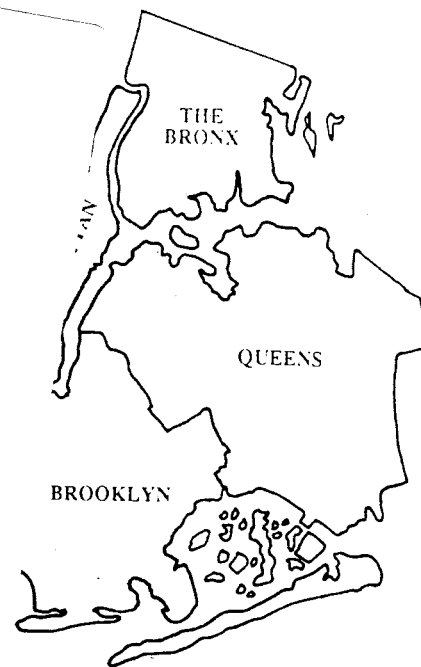


# **P**ROFESSIONAL **A**RCHAEOLOGISTS OF **N**EW **Y**ORK **C**ITY

Joan Geismar  
 40 East 83rd Street  
 New York, NY 10028



Newsletter No. 58

May 1992

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Material for the PANYC Newsletter may be sent to Rebecca Yamin, editor, Ebasco Environmental, 160 Chubb Ave., Lyndhurst, New Jersey 07071. To ensure inclusion in the next issue, please submit material at least 5 days prior to the next scheduled meeting.

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## MEMBERSHIP RENEWAL TIME

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NOTICE OF NEXT MEETING: May 20, 1992  
Hunter College, Room 710  
Executive Board: 6:15 PM  
General Membership: 7:00 PM

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### Minutes of the PANYC General Meeting March 15, 1992

President Nan Rothschild called the meeting to order at 7:00 p.m. and presented a new agenda format for PANYC meetings. The format is new in two respects:

- 1) Committee reports will not be polled, but if your committee wishes to make a report, please notify the secretary at the beginning of the meeting. They will then be presented in alphabetical order.
- 2) Research reports by members will be presented at the end of the meeting. If you would like to make a brief report on some aspect of your research, please notify the secretary at the beginning of the meeting.

SECRETARY'S REPORT: The minutes of the 11/3/91 and 1/25/92 meetings were approved as amended. The election results were presented.

President: Joan Geismar  
V. President: Anne-Marie Cantwell  
Secretary: Susan Dublin  
Treasurer: Wendy Harris  
Executive Board: Lauren Cook, Roselle Henn, Daniel Pagano, Diana Wall, Fred Winter

The results of voting on the two proposed amendments to the PANYC by-laws were presented.

approved: (The PANYC membership application will include a request for a statement of interest. To read as:) Applicants should submit a statement of purpose that includes their interest in New York City archaeology. Members of PANYC have a commitment to protect and preserve the city's archaeological resources and to support research and encourage publication of information recovered from this research. Members will not engage in illegal or unethical conduct involving archaeological matters. In applying for membership it is expected that an individual is in agreement with these goals. PANYC is not an accrediting organization for archaeologists.

approved: If a vacancy occurs among the Officers of the Executive Board (Due to death, illness, move, etc.), the President may appoint, with the approval of the Board, a replacement to complete the unexpired term.

Many members expressed a desire to have a copy of the By-laws. Ms. Geismar suggested that the PANYC By-laws be printed in the next newsletter.

TREASURER'S REPORT: Spritzer reported a balance of \$1903.00 in the PANYC account. It is membership renewal time and members were requested to pay their dues.

PRESIDENT'S REPORT: 1) The January joint meeting with NYAC at the State Museum was very informative, including a presentation by the new Director, Dr. Louis Levine; 2) The week of May 9th has been declared a joint Preservation/ Archaeology Week in NY State and NYAC is distributing posters and a listing of all public seminars/lectures; 3) Bob Diamond's efforts on the Atlantic Ave. tunnel in Brooklyn is still being "looked into" by City Planning. The BSA (Appeals) granted Diamond a permit for tunnel activity on the condition that LPC regulations were met. Rothschild did write a letter to City Planning expressing PANYC's concern over the historic resources. Daniel Pagano understands that the permit process has been dropped because the archaeological study was not done. Barbara Davis visited Diamond and the Tunnel to report evidence of at least 4 shovel tests in the tunnel and artifacts that were not collected and displayed with provenience or correct data. It remains, however, a popular tour. A professional archaeologist with Landscape Studies, Inc. of NJ is supposedly serving pro bono on the project. 4) The Patterson Burial Ground Task Force is continuing to meet. Diana Wall and Ann-Marie Cantwell have been added to the Task Force. Rutsch has asked PANYC to review his research designs and visit the HCI lab in New Jersey. Pagano reported that 270 burials had been removed and as many as 100 to 150 more individuals might be uncovered in the non-critical area still to be excavated. Remaining issues include the proper repository, a limited budget (\$250,000 allocated) with conflicting goals (interpretation or an on-site monument). GSA has expressed an interest in having both the National Park Service and the Smithsonian handle the interpretive design. And, the level of analysis for the enormous number of artifacts from both GSA sites has been raised. Over 1 million artifacts recovered and there is still no contract for analysis. 5) The nominating committee, Joel Klein, Cece Kirkorian, Betsy Kearns, and Nan Rothschild, were thanked for their efforts.

MEMBERSHIP: The Executive Board proposed to the General Membership that Jean Howson's membership application be accepted. Lauren Cook so moved, Diana Wall seconded, and a unanimous vote of acceptance was recorded. Ms. Spritzer will forward a new membership form to Becky Yamin for publication in the newsletter.

Ms. Rothschild turned the meeting over to Joan Geismar, new PANYC president.

PARKS: Seminars to raise archaeological consciousness of park rangers were organized by Ms. Geismar. Michael Parrington, with only open NYC site at the moment, allowed rangers to visit the Foley Square site in coordination with information session at the Parks office. Considered very successful.

PUBLIC PROGRAM: Ms. Geismar reported that May 9th has been selected for the 1:00 - 4:00 program at the Museum of the City of New York. Speakers will include Michael Parrington, Joan Geismar, Barbara Davis, Meta Janowitz, Fred Winter.

SPECIAL PUBLICATION: Ms. Cantwell reported that the first mock-up has been received and editing is now being done by committee. Mechanicals are being done by a volunteer so it is difficult to push for a deadline. The

committee's responsibility is over when published. It was suggested that a sign-up sheet for people who might be interested in purchasing the booklet be circulated at the May 9th symposium. President Geismar appointed a Distribution Committee: Nan Rothschild, Daniel Pagano, Cece Kirkorian.

OLD BUSINESS: Ms. Kirkorian reported on the scheduling of a symposium through the Municipal Art Society Fellows, May 13th, Unearthing New York: Archaeology and the City.

NEW BUSINESS: (1) Daniel Pagano described two pro bono opportunities: giving a lecture/slide show/demonstration to the archaeology club at the John F. Kennedy High School in the Bronx and the landmark, non-profit Cornell Cemetery needs a professionally-prepared scope for summer fieldwork to locate headstones. (2) Mr. Pagano is planning to organize a "management of cultural resources symposium," in an attempt to build a collaborative community support to preserve city-wide cultural resources. A workshop to assist in organizing this symposium will be held April 29th and PANYC members were asked to attend. A discussion of issues to be raised in the proposed workshop concerned: curation/repository needs, up-date of city's predictive model, clarification of realistic strength of current environmental law, public support and understanding/appreciation of artifacts and lab analysis.

There being no further business, Ann-Marie Cantwell moved, Nan Rothschild seconded and the membership voted that the official meeting be adjourned.

A general and lively discussion followed with an information exchange on research, fieldwork, and proposed projects.

Respectfully submitted, Cece Kirkorian, Secretary 1991-1992

Testimony before the New York City Council Committee on  
Intergroup Relations and Special Events, Wendell Foster, Chair.  
Tuesday, 21 April, Hearing on the Burial Ground Site

My name is Nan Rothschild. I am an Associate Professor of Anthropology at Barnard College, Columbia University, and I have been involved with a number of the major archaeological excavations in lower Manhattan. I am also a consultant on the video that Kutz-TV is making for the General Services Administration on the Burial Ground Site. However, today I am representing PANYC, or the Professional Archaeologists of New York City, in speaking of the importance of both sites at Foley Square to the archaeological community. As archaeologists we favor the preservation of sites, rather than their excavation.

Once it became clear that the Federal Courthouse and Office Buildings were to be built, our concern was that the materials and deposits in them be excavated and analyzed as thoroughly as possible so as to get the maximum amount of information potentially recoverable from such sites. When it became clear that there were intact burials on the Broadway Block, making this site a unique one in New York City archaeology, we were invited to participate on Senator Patterson's Oversight Task Force, which we were glad to do. I am one of a four-member committee of PANYC that has followed these developments as an interested party.

Our primary concern is with the tremendous scientific potential of the recovered material; I cannot sufficiently stress how important this information will be. We are also concerned with what happens to the collections from the site. Here we are not talking about the human remains because they are clearly a separate matter, and need to be treated in a special way; in my personal opinion, they should be re-buried on the site. After the artifacts from these sites have been analyzed, and the final reports are written, it is important that they stay in New York City so that those interested in learning about the past will have access to them.

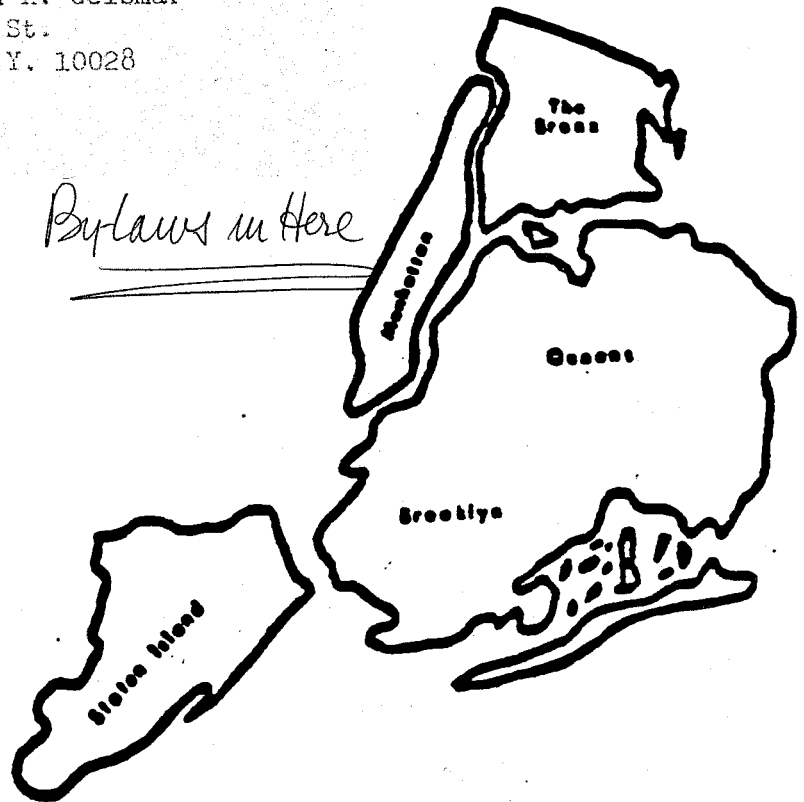
We would also like to take this opportunity to note that New York City should have a law protecting archaeological and historic sites on city property, comparable to such laws at the State and Federal levels.

Thank you for the opportunity to testify.

Dr. Joan H. Geismar  
40 E 83 St.  
N.Y., N.Y. 10028

**P**ROFESSIONAL  
**A**RCHAEOLOGISTS OF  
**N**EW  
**Y**ORK  
**C**ITY

*Bylaws in Here*



NEWSLETTER NO. 23  
March 1985

CONTENTS

1. Minutes of the February Membership Meeting
2. List of PANYC members
3. PANYC By-Laws, including amendments
4. Media items of interest
5. Announcements and requests for information
6. Information on SEQR
7. PANYC membership information and application

REMINDER: The annual PANYC Public Symposium will be held on Saturday, April 27th, 1985, at the Museum of the City of New York, from 1 to 4 p.m. The theme of this year's program is archaeology above and below ground.

Material for inclusion in the PANYC Newsletter should be sent to Anne-Marie Cantwell and Diana diZerega Wall, Department of Anthropology, New York University, 25 Waverly Place, New York, N. Y. 10003.

Minutes of the PANYC General Membership Meeting, Barnard College, Feb. 2,

Secretary's Report: Minutes of the last meeting were accepted.

Treasurer's Report: Current Balance \$1026.77. Winter noted that these funds are in a checking account and not accumulating interest. He is investigating more profitable options. It was suggested that the term of office be changed to a 2 year term and it was noted that this would require a change in the bylaws.

President's Report: In response to the original PanyC meeting with members of the NYC Parks Department, Rothschild has heard from the Parks Dept. on a number of issues. They had requested information on how to proceed with proposed work on the Jumel Mansion and not destroy the archeological resource. Rothschild suggested they contact NYC Landmarks. Baugher reported that there are funding problems with that particular project. Rothschild also noted that she received from Parks a 40 page list of ongoing and planned projects in the city parks. Because of the volume of work involved in reviewing these projects, the Executive Board suggested that there be a meeting of those archeologists interested to identify known sensitive areas and to suggest to Parks Dept among other things that they might need an archeologist as a consultant and to explain to them what procedures they should follow. The secretary will send an announcement to the membership notifying them of the planned review session. Rothschild also noted that there are a number of current concerns in New York Archeology and that PANYC might consider developing a "notion of standards" since, in some cases, there are no systems of regulatory control as there are in some state and federal cases. Baugher commented that NYC Landmarks is considering requiring SOPA certification for Principal Investigators. Rothschild suggested a PANYC subcommittee to work on minimum standards for archeological reporting. There was a general discussion on this topic. Basa raised the question of the applicability for NYC of the Environmental Quality Review Act. Rothschild asked Basa for further information on her agency's procedures. Vetter asked whether fieldwork procedures would be part of any proposed regulations. There was a motion on the floor for a subcommittee to examine the possibility of standards for NYC archeology. The motion was passed with the understanding that the subcommittee would come up with proposals. Rothschild asked for volunteers for this subcommittee.

Legislation Committee: Nurkin reported that the committee is working on proposals for legislation to protect NYC's archeological resources and that they hope to get copies ready to submit to the Executive Board for the next meeting.

Action Committee: Geismar referred the membership to the letter in Newsletter #22 on Fort Wadsworth. Winter noted that a shop on Carmine Street was selling artifacts supposedly from lower Manhattan sites. Salwen suggested a letter be sent requesting information and emphasizing that the context in which artifacts are found is important.

Research and Planning Committee: No report.

Curation Committee: No report.

Public Program Committee; The annual program will be held Saturday April 27, 1-4 PM at the Museum of the City of New York. The speakers will be announced. A film on the Sheridan Square excavations will be shown.

Newsletter: 64 Newsletters were distributed. Orgel volunteered to xerox the next issue and Winter volunteered to do the mailing.

Nominations Committee: Rothschild formed a nominations committee for the upcoming election. Bert Herbert volunteered to serve.

The next meeting will be held on March 20th.

Following the formal Panyc general membership Meeting, Louise Basa presented a comprehensive talk on the State Environmental Quality Review Act.

The meeting was adjourned at 10:30 A.M.

Respectfully submitted,

  
Anne-Marie Cantwell, Secretary



LIST OF PANYC MEMBERS

Please note that this is not a final list and reflects membership as of 1984. Please report all additions and changes of address to the Panyc secretary.

Lynn Ceci  
18 Fox Lane  
Locust Valley, N. Y. 11560

Joan Geismar  
40 E. 83 St.  
N. Y., N. Y. 10028

Wendy Harris  
680 West End Ave  
N. Y. N. Y. 10025

Anne-Marie Cantwell  
308 East 6 St.  
N. Y. N. Y. 10003

Joel Klein  
Envirosphere Co.  
2 World Trade Center  
N. Y. N. Y. 10048

Arnold Pickman  
150 East 56 St  
N.Y., N.Y. 10022

Diana Wall  
411 East 70 St.  
N.Y., N.Y. 10021

Nan Rothschild  
60 Bank St.  
N. Y., N. Y. 10014

Edward Rutsch  
RD 3, Box 111  
Newton, N. J. 07860

Ralph Solecki  
Dept of Anthropology  
Columbia University  
N. Y., N. Y. 10027

Frederick Winter  
238 West 20th Street  
N.Y., N.Y. 10001

Sydne Marshall  
808 West End Ave Apt 709  
N. Y., N.Y. 10025

Celia Orgel  
~~510 W 118 St, Apt 5D~~  
N.Y., N.Y. 10025

Sherene Baugher  
NYC Landmarks Preservation Comm  
20 Vesey St  
N.Y., N.Y. 10007

John Vetter  
Dept of Anthropology  
Adelphi University  
Garden City, N.Y. 11530 (516) (294-8700)

Bert Salwen  
Dept of Anthropology  
New York University  
N. Y. N.Y. 10003

Betsy Kearns  
27 Deep Wood Ro  
Darien Connecticut 06820

Karen Robinson  
820 West End Avenue  
N. Y. 10025

Joel Grossman  
35 W. 19th St  
N.Y., N.Y. 10003

Louise Basa  
4133 Consaul Rd.  
Schenectady, N. Y. 12304

Bert Herbert  
444 Hudson St Suite E-19  
N. Y., N.Y. 10014

Eugene Boesch  
93 MacDougal St Apt 2  
N.Y., N.Y. 10012

Philip Perazio  
225 Sterling Pl. Apt. 2L  
Brooklyn, N.Y. 11238

Annette Silver  
521 Green Place  
Woodmere, N.Y. 11598

Gary Nurkin  
1 Cornwall Lane Apt 24  
Carle Place, N. Y. 11514 *Home (516) 741-5637 OFFICE (516) 535-3732*

Bruce Byland  
302 Melbourne Ave.  
Mamaroneck, N.Y. 10543 *Lehman 960-8000*

Lillian Naar  
83-09 Talbot St  
Kew Gardens, N.Y. 11415 *(418) 206-4150*

JoAnn Cotz  
179 Park Ave  
Midland Park, N.J. 17432

Marilyn Simon  
335 E. 22 St Apt 1A  
N.Y., N.Y. 10010

Terry Klein  
Louis Berger Assoc  
100 Halstead St  
East Orange, N.J. 07019

Bill Askins  
Anthropology Dept  
City College  
138 S+ Convent Av  
N.Y., N.Y. 10031

Steve Sanders  
181 Circle Dr  
Manhasset, N.Y. 11030

*add what  
purposes are  
implied here  
discuss before  
meeting*

**BY-LAWS  
Of the  
PROFESSIONAL ARCHAEOLOGISTS OF NEW YORK CITY**

**ARTICLE I. NAME**

**Section 1.** The name of the organization shall be the Professional Archaeologists of New York City (PANYC)

**ARTICLE II. PURPOSE**

**Section 1.** The purposes of PANYC are to: 1) promote cooperation and communication among professional archaeologists in New York City, and 2) advise and educate public agencies and the general public on matters relating to the archaeology of New York City.

**ARTICLE III. MEMBERSHIP**

**Section 1.** Membership in PANYC is open to any professional archaeologist who possesses a Master's degree or equivalent in anthropology, archaeology, history, or related discipline, who has demonstrated an interest in the archaeology of New York City, and who has been approved by a majority of members present at a regular scheduled meeting of the general membership.

**Section 2.** Application for membership shall be in writing and shall include a copy of the applicant's resume or vita, and a statement describing the applicant's interest(s) in New York City archaeology.

**Section 3.** Membership shall be limited to those members who annually pay the dues stipulated by the Executive Board.

**Section 4.** All members shall receive the newsletter and other publications of PANYC.

**Section 5.** The Executive Board if authorized to assess annual membership dues for the purpose of helping to pay the expenses of PANYC.

**Section 6.** Membership dues shall be payable annually. Payment of membership dues shall constitute evidence of membership and continuing membership. A roll of members shall be maintained by the Secretary.

**Section 7.** The amount of the annual dues for members shall be established by majority vote of the membership at a regularly scheduled meeting of the general membership; and thereafter may be changed by a majority of the members attending a regularly scheduled meeting of the general membership. Any change in dues shall become effective on the first day of January immediately following the change.

**Section 8.** Any member may resign from membership in PANYC by writing to the Secretary, or by non-payment of dues.

**Section 9.** The membership may, by vote of a majority of the total membership, prescribe the grounds and the procedures for suspension or termination of membership, for reasons other than resignation or non-payment of dues.

#### ARTICLE IV. OFFICERS

Section 1. PANYC shall have the following elected officers: President, Vice-President, Immediate Past-President, Secretary, Treasurer, and five Executive Officers. These ten officers shall constitute the Executive Board.

Section 2. Each officer, other than the Immediate Past-President, shall be elected for a term of one year from the date of their election or until their successors are elected and assume office. The President shall at the end of one year in office assume the position of Immediate Past-President and occupy that position for one year or until his/her successor assumes office.

Section 3. The President may not succeed him/herself in office. Nothing shall preclude any individual from serving more than one term as an officer except that terms served by a single individual as President may not be consecutive.

#### ARTICLE V. DUTIES OF THE OFFICERS

Section 1. President - The President shall be the Chief Executive Officer of PANYC and as such shall preside at meetings of the Executive Board and the general membership. The president shall appoint all necessary committees and chairpersons and define their duties with the advice and consent of the Executive Board.

Section 2. Vice President - In the absence or incapacity of the President the Vice President shall perform the duties of the President. The Vice President shall also chair any committees which may be established to organize conferences or symposia.

Section 3. Immediate Past-President - In the absence or incapacity of both the President and Vice President the Immediate Past-President shall serve and perform the duties of the President.

Section 4. Treasurer - The Treasurer shall be responsible for the administration of the finances of PANYC under such regulations as may be approved by the Executive Board. The Treasurer shall be responsible for the maintenance of books and records which shall be open to inspection by the Executive Board. The Treasurer shall forward a list of dues paid members in good standing to the Secretary.

Section 5. Secretary - The Secretary shall act as Secretary of the Executive Board and shall compile the minutes of all meetings of the Executive Board and the general membership. The Secretary shall maintain complete records of PANYC and shall send notices of all meetings to the membership, and attend to the ordinary correspondence of PANYC. The Secretary shall bill all members on an annual basis for membership dues.

#### ARTICLE VI. MEETINGS

Section 1. PANYC shall hold four meetings of the general membership each calendar year. The time and place of each meeting shall be established by the Executive Board and shall be subject to the approval of a majority of those members attending the general membership meeting proceeding that for which the time and place are being set.

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Section 2. Due notice of the time and place of the next meeting shall be published in the newsletter and/or mailed by the Secretary to all members at least 10 days in advance of the meeting. Notices of Special Meetings shall be mailed to the Secretary to members as far in advance as is practicable.

Section 3. Except as noted below, all meetings of PANYC shall be open to all members of PANYC and other interested persons who wish to attend. Portions of meetings during which applications for membership in PANYC are being considered shall be open only to members, unless a majority of members present vote otherwise.

Section 4. The members attending a meeting shall constitute a quorum.

Section 5. Special meetings may be called by the President at any time at the direction of the Executive Board. Any matter of business may be decided at a Special Meeting.

#### ARTICLE VII. FINANCES

Section 1. The funds of PANYC shall be deposited in the name of PANYC in such bank or trust company as the Executive Board shall designate and shall be drawn out by checks, draft, or other orders for the payments of money signed by the Treasurer or by such person or persons as shall be designated by the Executive Board.

Section 2. The income from annual dues and from investments and other sources shall constitute the Working Fund, available for operating, publication, and other current expenses consistent with the purposes of PANYC as the Executive Board may direct.

Section 3. No financial obligation in excess of funds available in the treasury shall be assumed by the Executive Board or by any officer on behalf of PANYC. For the purpose of this section, estimated receipts from annual dues and other accounts payable for the current year may be considered as available funds.

Section 4. Annual dues shall be payable on a date set by the Executive Board. Members 90 days in arrears, may, after final notifications, be dropped from the rolls. Members thus dropped may be reinstated by payment of their arrearages.

Article 5. Annual dues shall be payable to PANYC and remitted to the Treasurer.

Article 6. The Treasurer shall maintain records of the office in accord with standard accounting practices.

#### ARTICLE VIII. AMENDMENTS

Section 1. These By-Laws may be amended by a two-thirds vote of the dues paid membership in good standing present at a general membership meeting or at a Special Meeting of PANYC, or voting by mail ballot.

Section 2. Amendment of the By-Laws may be proposed by the Executive Board or by petition of the membership at large by five dues-paid members on record with the Treasurer at the time of application to the President. The proposed amendment shall be mailed to the members of PANYC by the Secretary at least 15 days before a general membership meeting or Special meeting, to be considered at that meeting. In the case of a mail ballot, to be counted as votes, ballots must be returned to the Secretary within 30 days of the date of mailing.

Section 3. The amendment and provisions of the By-Laws shall be effective immediately upon their adoption and shall supercede and nullify all previous By-Law enactments in conflict with them and all amendments and provisions not mentioned herein.

#### ARTICLE IX. EXECUTIVE BOARD

Section 1. The management and control of the property and affairs of PANYC shall be entrusted to the Executive Board.

Section 2. Subject to general directives and limitations imposed by the membership at a general membership meeting, Special Meeting, or by mail ballot, the Executive Board shall have authority to execute on behalf of the society all powers and functions of PANYC as defined in these By-Laws.

Section 3. A quorum of the Executive Board shall consist of a majority of its membership.

Section 4. Questions shall be decided by the Executive Board by a majority of the votes cast at any meeting. In case of a tie vote the decision of the President shall be final. If a member of the Executive Board is unable to attend a meeting the member may, by written proxy, appoint another member of PANYC to serve for that meeting.

#### ARTICLE X. NOMINATIONS, VOTING AND ELECTIONS

Section 1. Prior to the first day of February each year, the President shall appoint a nominations committee. This committee shall be responsible for the securing of nominations for candidates for the elected positions of PANYC.

Section 2. At least two weeks prior to the election the Secretary shall send official ballots by mail to all voting members in good standing. All nominee's names shall appear on the ballot, which shall be plainly marked with the official return date.

Section 3. Any five members of PANYC may forward nominations in writing to the nominations committee. Such nominations must be received at least one month prior to the date of the election.

Section 4. All nominees must indicate to the nominations committee their willingness and ability to serve PANYC in accordance with Article III of these By-Laws.

Section 5. The Secretary of PANYC Shall maintain the records of the nominations committee and shall supervise the counting of ballots and certify the the election to the Executive Board.

*one month before  
by the Secretary  
meeting*

Section 6. Each member of PANYC shall be entitled to vote for one candidate for each office. Ballots shall be secret. To be counted as votes, ballots must be returned to the Secretary prior to the date of the election. The candidate for an office who receives the highest number of votes shall be declared elected to that office. The five nominees for positions on the Executive Board who receive the highest number of votes shall be declared elected. In the event of a tie vote a run-off election shall be held during the next general membership meeting. Eligible voters in a run-off election shall consist of those members present.

#### ARTICLE XI. DISPOSAL OF ASSETS

Section 1. Upon the dissolution of the Professional Archaeologists of New York City, whether voluntary or involuntary, after paying all of its liabilities, PANYC shall through its Executive Board donate all of its assets in equal parts to the New York Archaeological Council and the Metropolitan Chapter of the New York State Archaeological Association. In the event that both of these organizations are unable to accept the assets of PANYC, all assets shall be donated to the Society for American Archaeology.

AMENDMENTS TO PANYC BY-LAWS: MEMBERSHIP CRITERIA

1. Delete existing Article III, Section 1.

2. Add new Article III, Section 1, as follows:

Section 1. Membership in PANYC is open to any professional archaeologist who subscribes to the purpose of the organization and who meets the following criteria for Education, Training, and Professional Activity:

- a. Applicants must have been awarded an advanced degree, such as an M.A., M.S., M.Phil., Ph.D., D.Sc., or official A.B.D., from an accredited institution in archaeology, anthropology, history, classics, or other germane discipline with a specialization in archaeology.
- b. Applicants must have had at least six weeks of professionally supervised archaeological field training and at least four weeks of supervised laboratory analysis and/or curating experience. Requirements for both field and laboratory experience will be considered to have been met by attendance at an archaeological field school which meets the guidelines set forth by the Society of Professional Archaeologists.
- c. Applicants must demonstrate professional experience in one or more areas of archaeological activity, such as: field research and excavation, research on archaeological collections, archival research, administration of units within public or private agencies oriented toward archaeological research, conduct of cultural resource management studies, review of archaeological proposals and/or cultural resource management studies for public agencies, or teaching with an emphasis on archaeological topics. Applicants meeting the education and training criteria and having other professional interests related to archaeology will be considered on a case by case basis.
- d. All prospective applicants must be approved by a majority of members present at a regularly scheduled meeting of the general membership.

3. Article III, Section 2. Delete the words "and a statement describing the applicant's interest(s) in New York City archaeology."

TO REPLACE

ARTICLE III. MEMBERSHIP

Section 1. Membership in PANYC is open to any professional archaeologist who possesses a Master's degree or equivalent in anthropology, archaeology, history, or related discipline, who has demonstrated an interest in the archaeology of New York City, and who has been approved by a majority of members present at a regular scheduled meeting of the general membership.

Section 2. Application for membership shall be in writing and shall include a copy of the applicant's resume or vita, and a statement describing the applicant's interest(s) in New York City archaeology.



# The Mansion-Museums of Old New York

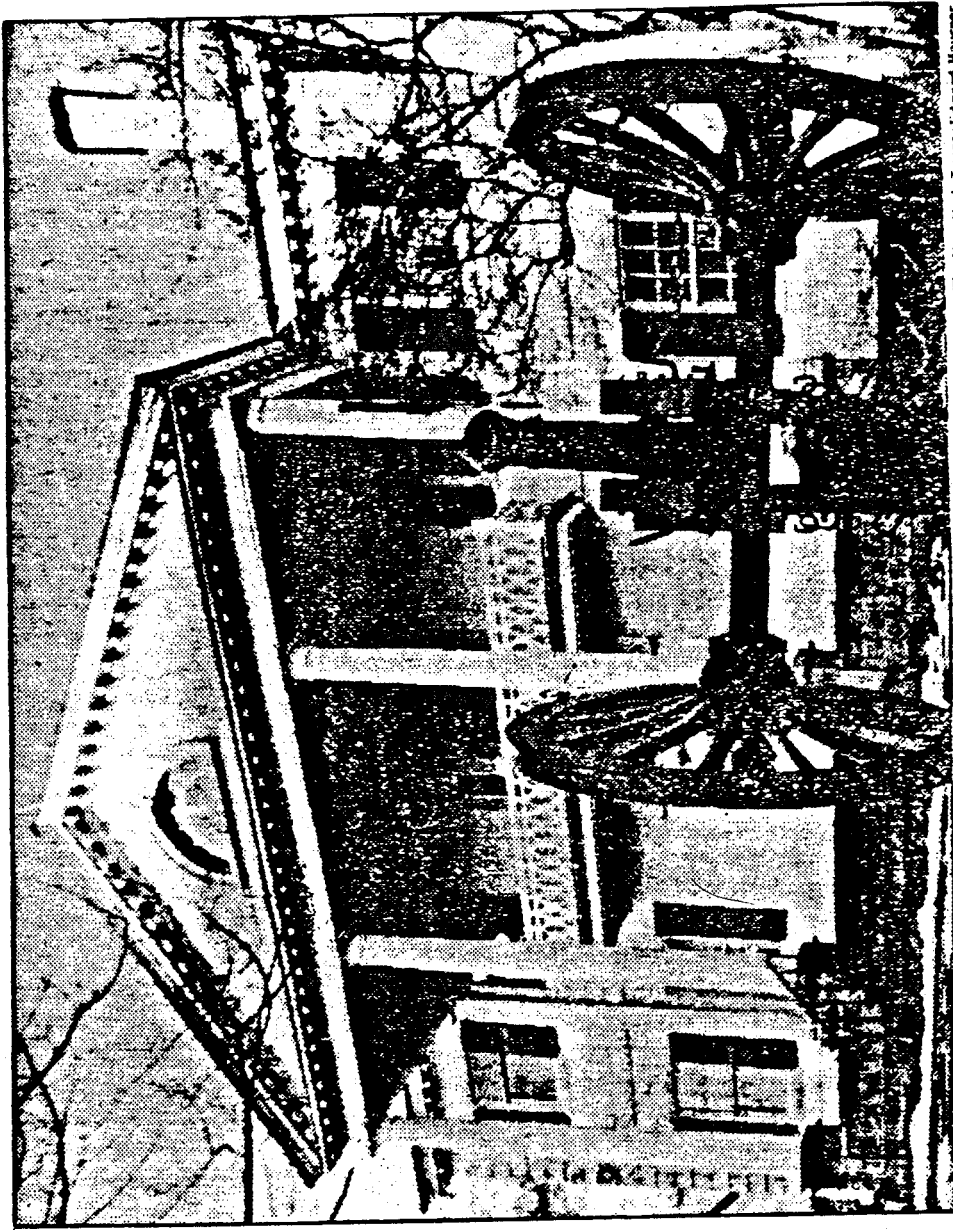
By CAROL VOGEL

**W**HEN we think of private residences that have become museums, the Cooper-Hewitt and the Frick Collection generally come to mind. But there also exist a handful of lesser known museums that have been preserved as period houses and are worth an expedition. These buildings are some of the last vestiges of old New York not yet swallowed up by the city's ferocious urbanization. And half the fun of visiting them is the chance to explore the different neighborhoods of Manhattan.

The Morris-Jumel mansion at 100th Street and Edgecombe Avenue (923-8008) is a grand Georgian structure situated on the highest spot in the city. The house has a particularly unusual history. It was built in 1765 as a summer residence by Col. Roger Morris, who fought for the British in colonial days, served briefly as George Washington's headquarters, and was headquarters for the British for most of the period between 1776 and 1783. The house was converted into a tavern for a short time. Stephen Jumel, a French wine merchant, later bought the house where he lived with his wife Eliza Bowen. After Jumel's death in 1832, Miss Jumel married Aaron Burr in a small ceremony in the front parlor.

At first sight the mansion is such a commanding presence that its flaws are barely noticeable. But over the years both interiors and exteriors have become slightly rundown. The city has owned the house since 1903 and currently a board of trustees is in the process of raising funds to restore it.

The rooms are well furnished in several different styles that reflect the various occupants who lived here. According to Patrick Broome, the director, a substantial percentage of the furniture once belonged to the



The New York Times/Edward Hauser

The Morris-Jumel mansion at 100th Street and Edgecombe Avenue, a Georgian residence built in 1765.

Jumels and the rest is either on loan from museums or are pieces the museum has purchased over the years. There is a formal front parlor decorated with a suite of ebony and gilt American Empire furniture that belonged to the Jumels. The wallpaper, an exact copy of the original French paper, is a morning glory pattern in shades of greens and wine. Both the front hall and dining room are furnished in the Federal period. A small study where Washington supposedly planned the Battle of Harlem Heights is open on the second floor. There are also two significant bedrooms upstairs. One, which was recently re-stored to the Empire period, belonged to Mrs. Jumel. It features a full canopy bed lavishly draped in tur-

quoise and gold satin. Down the hall is Burr's bedroom with a carved mahogany bed, circa 1830, and a desk from his Reade Street office.

A small exhibition on the third floor, on view through July, displays objects the house owns that are not appropriate to the period rooms decorative objects such as children's

Continued on Page C29

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The building also has an auditorium where lectures and concerts are held. Tomorrow at 2 P.M., there will be a piano recital by Miranda Wood. And on Sunday afternoon, also at 2, a performance of "Gertrude Stein, Gertrude Stein, Gertrude Stein," a one-woman show by Bonnie Gable. The house is open Wednesdays through Sundays from 9 A.M. to 5 P.M. and guided tours are provided. Admission is 50 cents, the elderly and children under 16 are admitted free.

By contrast to the intricate job of reconstruction of Theodore Roosevelt's Birthplace, the Old Merchant's House, 29 East Fourth Street (777-1089), is the only 19th-century house in Manhattan to survive with its original furniture and family memorabilia. The Greek Revival row house was built in 1832 by Joseph Brewster and purchased in 1835 by Seabury Treadwell, a hardware merchant. The youngest daughter, Gertrude Treadwell, lived there until 1933. After her death, a cousin founded a nonprofit

organization that still owns and administers the house.

It was closed for restoration from 1972 to 1980 and now the first three floors are open to the public, weekdays by appointment or by guided tours that volunteers give on Sundays from 1 to 4 P.M. The admission is \$2, or \$1 for students and the elderly; children are admitted free.

At the basement level, there is the kitchen with its original brick oven, cast-iron stove and sink with a hand pump connected to the cistern in the garden. Also on display are pieces of the family's everyday china and accessories such as a pie safe, a contraption that looks like a giant breadbox on legs. It has perforated tin panels that let air in while keeping insects out.

The Greek Revival parlors with

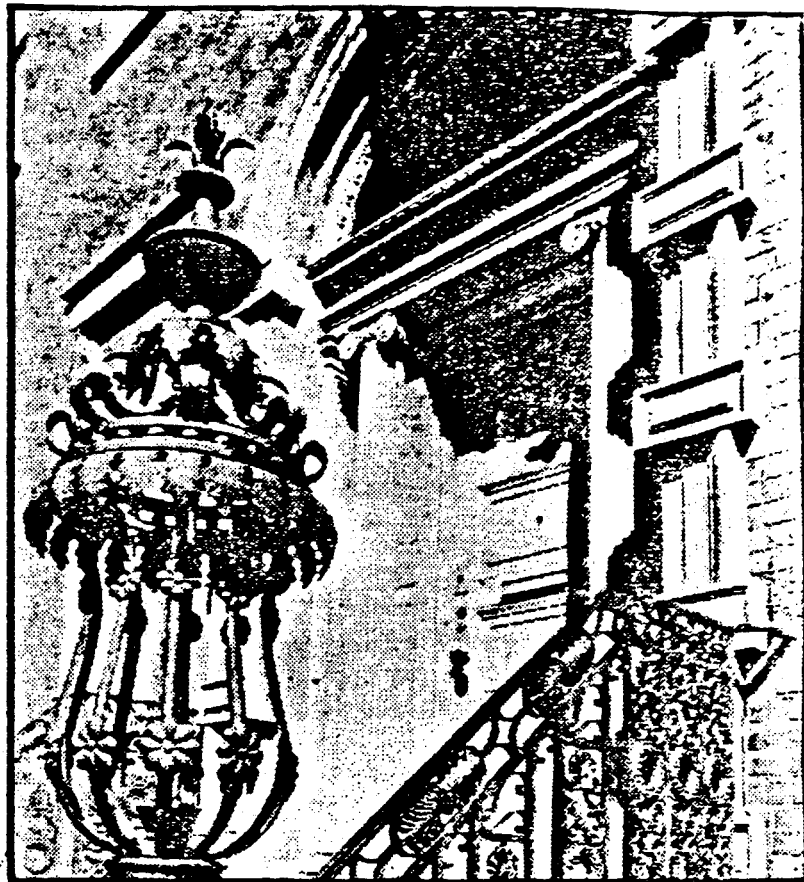
their 13-foot-high ceilings have beautifully hand-carved columns and immaculately restored egg-and-dart moldings. Pine doors with a mahogany veneer separate the front and back rooms. The front parlor has new crimson silk draperies and carpeting exactly reproduced from the 1867 originals. The rear parlor is assembled as a formal dining room, which was the way it was used after Mr.

Treadwell's death in 1865, when the newly adopted European style of dining on the main floor of houses, rather than the kitchen level, came into vogue.

One of the third-floor bedrooms has summer matting on the floor, an 1835 mahogany canopy bed and a child's walnut field bed. The adjoining master bedroom features reproduced 1830's chintz. All the closets have

glass fronts that display clothing and accessories of the Treadwell women. It is evident going through each room that the curators have, as meticulously as possible, pieced together a picture of the life of one New York family during the mid-19th century.

Brochures about the home-museums are available at all but the Dyckman House, which plans to have one by the fall.



The New York Times/Edward Hauser

The entrance to the Old Merchant's House, 29 East Fourth Street.

## Mansions of Old New York

furniture from the 18th and 19th centuries, period clothes and a spinning wheel. The museum is open Tuesdays through Sundays from 10 A.M. to 4 P.M. Admissions is \$1, 50 cents for students and the elderly. There are no regularly scheduled tours, but they can be arranged by appointment, at \$2 a person.

The front porch of the Dyckman House on Broadway, on grounds stretching from 204th to 207th Streets, is a prime spot to survey the steady traffic moving through Upper Manhattan. In 1783, when the house was first built, however, the view from the porch was one of pastoral bliss. A photograph taken when this part of Manhattan was still farmland shows a view of the Inwood Valley stretching out for miles around.

The Dyckman house is intact. In fact, it is the last Dutch Colonial farmhouse left on Manhattan. A mere 20 minutes by car from Midtown, this relic is now a museum, open Tuesdays through Sundays, free, from 11 A.M. to 5 P.M. (304-9422).

While the property once consisted of 300 acres, the building now stands on a sliver of land surrounded by post-war high-rises, gas stations and an array of seedy shops. If the city, which has owned the house since 1925, maintained it properly, it could be a gem. But the fieldstone, brick and wood exterior is in need of work.

According to Ann Wood, president of the Metropolitan Historic Structures Association, a citywide group that manages the house, a committee is working to obtain foundation support so it can be restored.

Inside, some of the covering on the furniture is threadbare, and all the rooms are dusty. They are also dark, in part because the rear shutters are closed. But the architecture is untouched and there are eight period rooms that make the house interesting to visit. The cozy parlor, for example, is furnished with a braided rug, several Chippendale chairs, a corner cupboard and an 18th-century wing chair. Perhaps the most interesting room in the house, however, is the basement kitchen, with its open hearth and old accessories that include everything from a spinning wheel and watchman's rattle to a coffee masher and masher masher.



The colonial kitchen, complete with a spinning wheel, in the basement of the Dyckman House.

The many phases of the building's history are still visible. On the ground floor, for instance, there are arched openings wide enough to let carriages in. And the fireplaces in every room remain from the days when the building was an inn. The Colonial Dames of America have owned the house since 1924. They have restored it and furnished nine rooms in the Federal style. On the second floor, where there were once horse stalls, is the ladies parlor. It is a formal room with a gold and lacquer Chinese export desk, an American Sheraton sofa upholstered in embroidered Chinese silk, four Hepplewhite chairs, and a tea service that belonged to Abigail Adams. A bedroom has a four-poster bed, a child's cradle, linen press and a dress worn by Abigail Adams when her father was President. The house is open for guided tours Monday through Friday, from 10 A.M. to 4 P.M. Admission is \$2 for adults, \$1 for the elderly; children under 12 are ad-

Country Estate on 61st Street  
Like the site where the Dyckman House was built, the land chosen for what is now the Abigail Adams Smith Museum, 421 East 61st Street, was also the countryside a century ago. In fact, it was one of a number of fashionable estates that were built along the East River in the early 19th century. This stone structure was the coach house and stable on a 23-acre estate built by Col. William S. Smith, husband of Abigail Adams, daughter of John Adams. Financial problems forced the Smiths to sell the property to William T. Robinson, who finished the estate in 1799. At one point, the coach house was remodeled as an inn, but in 1833 it was bought by Jeremiah Towle, one of the first commissioners of Central Park, and three generations of his family made it their home.

Two other house museums are in Victorian brownstones. One is the Theodore Roosevelt Birthplace, 28 East 20th Street (280-1616). This building was reconstructed on its original site by the architect Theodore Pope Riddle to resemble the brownstone where Theodore Roosevelt spent his first 14 years. Five rooms are decorated to reflect the way the house looked between 1865 and 1873. About 40 percent of the furnishings come from the original house.

This is a wonderful example of high Victorian. There is a Rococo Revival style parlor with blue brocade tufted upholstery and a large crystal chandelier. The library has black horsehair settees and a pair of obelisks from a trip the family made to Egypt. The site was donated to the Federal Government by the Theodore Roosevelt Association in 1963 and it is run by the National Park Service.

# Perot Seeks to Move Indian Museum

By DOUGLAS C. MCGILL

H. Ross Perot, the Texas computer executive, has offered to invest \$70 million in the Museum of the American Indian in New York City if the museum's trustees agree to move it to Dallas, according to Edmund Carpenter, a trustee of the museum.

Dr. Carpenter said that Mr. Perot made the offer in a letter to the trustees of the museum in early February. He added that the trustees would meet tomorrow to discuss the offer and vote on it.

In an interview yesterday, Mr. Perot refused to confirm or deny that an of-

fer had been made, but he did say that "the directors of the museum contacted me," and that "I have responded to their contact."

Dr. Ronald Force, the director of the museum, said yesterday that he would not comment until after Friday's meeting.

The museum, at 155th Street and Broadway, contains one of the country's largest collections of American Indian art and artifacts. It has been plagued by a space shortage, poor attendance and problems in protecting the fragile artifacts against decay. For several years, the museum has been trying to work out a way for it to join with the American Museum of

Natural History, at 81st Street and Central Park West.

According to Dr. Carpenter, that idea has been blocked by the staff and trustees of the museum, who are concerned that it would lose its autonomy if it were merged with the American Museum of Natural History.

David M. Fishlow, a spokesman for the New York State Attorney General's office, said yesterday that earlier this month, Attorney General Robert Abrams learned from members of the public that the museum's trustees were engaged in discussions that could lead to the transfer of the museum out of New York State.

On Feb. 7, Mr. Fishlow said, Mr.

Abrams wrote a letter to Barber Conable, chairman of board of the Museum of the American Indian, advising him that the museum was a charitable trust, intended for the benefit of the people of New York State, and that there could be legal impediments to its transference out of the state.

"He was saying, in essence, that it would take the permission of a state court for the museum to be transferred out of the state," Mr. Fishlow said.

According to Dr. Carpenter, Mr. Perot stipulated that if his offer is accepted, a majority of the museum's trustees must be Dallas appointees and all negotiations between the museum and any other party — such as the American Museum of Natural

History — must cease.

In addition, Dr. Carpenter said, Mr. Perot said that, once in Dallas, the museum would be autonomous.

Mr. Perot was founder of Electronic Data Systems, a computer systems manufacturer that was sold last June to General Motors for \$2.5 billion. Mr. Perot has remained as head of the G.M. subsidiary.

For many years, the museum has tried to find new quarters in New York City. In addition to the long discussions with the American Museum of Natural History about a possible merger, the museum has tried to arrange for use of the United States Custom House in lower Manhattan. But negotiations were unsuccessful, and museum officials began to consider moving outside of New York.

Dr. Carpenter, an anthropologist, opposes the move of the museum to Dallas. He said that if the museum's collection were combined with similar large collections at either the American Museum of Natural History or at the Smithsonian Institution in Washington, the resulting collection would become "a monument to the American Indian," on a scale with the collection of pre-Columbian art and artifacts at the National Museum in Mexico City.

Such a collection, he said, "has been the dream of every anthropologist. Now, it's realizable for the first time. But if we play our cards wrong, it can never be."

# Indian Museum Backs Plan for Move to Texas

By DOUGLAS C. MCGILL

The trustees of the Museum of the American Indian voted yesterday to seek an agreement with H. Ross Perot, the Texas computer executive, to move the museum from New York City to Dallas.

Following the vote, however, the State Attorney General, Robert Abrams, sent a telegram to the museum's trustees saying that such a move would be illegal without the approval of the New York State Supreme Court. And a spokesman said Mr. Abrams would take "necessary steps" to insure compliance.

In a telephone interview from his Dallas office yesterday, Mr. Perot said he was "pleased" with the trustees' decision. He said he envisioned building a "world class" museum containing multimedia presentations and outdoor re-creations of Indian villages.

## Other Negotiations Halted

"We'll just start to work in good faith to see what we can work out," Mr. Perot said. "But all this assumes the State of New York grants us permission to bring the museum to Texas."

At their meeting yesterday, the museum's trustees voted 13 to 1 to cease negotiations about relocating the museum with all other parties, including the American Museum of Natural History in New York City, with which it has been discussing the possibility of merging for several years.

Barber B. Conable Jr., the chairman of the Indian museum's board of trustees, said that the trustees were concerned that too few visitors were going to the museum at its present location — 155th Street and Broadway — and that space there was insufficient and building conditions inadequate to care properly for the artifacts in the collection.

"We see a possibility that might be advantageous to the institution," said Mr. Conable. "We don't have the money to build big buildings here. We have a very large and important and fragile collection, and we've been hanging by our thumbs for years, subsisting off of foundation grants."

"We're not trying to take anything from New York," Mr. Perot said. "This opportunity arises because this museum has not had the financial support it needs to protect its fragile collection, much less to display the collection, much less to create a world-class museum."

Mr. Perot said he envisioned building a museum containing 400,000 square feet — roughly 10 acres — of exhibition space, with exhibits explaining the origins and development of mankind in the Western Hemisphere.

"This won't be just a collection of

relics in glass cases," Mr. Perot said. "The museum will help to show how man has made remarkable adaptations to changing conditions, whether climatic or economic or whatever. The world is changing so fast, now, it would be good to show that man has always adapted to change, and is, in fact, the most adaptable animal of all."

Another decision agreed upon at yesterday's meeting was that, as part of negotiations with Mr. Perot, the museum would seek to keep "an effective presence" in New York State.

Mr. Perot said that the museum's directors had discussed with him the possibility of establishing a new site in New York City, at which displays of the museum's artifacts would change every few months. As part of an arrangement to move the museum to Texas, Mr. Perot said, he is willing to help finance the building of such a space.

Mr. Conable also emphasized that the vote to negotiate exclusively with Mr. Perot merely indicated the board's intention to discuss with him the possibility of a move to Dallas, and was not tantamount to a decision to move the museum.

He said the trustees have every intention of working with the Attorney General and any other state agency that raised questions about the legality of moving the museum out of state.

Robert Stone, counsel to the New York State Department of Education, said yesterday that the corporation that operates the museum was created by the Board of Regents of the Education Department, and that the corporation could not move without the approval of the New York State Supreme Court.

## May Take Weeks or Longer

Should that approval be gained, Mr. Stone said, the matter would then be considered on its merits by the Department of Education. Either the Commissioner of Education, Gordon Ambach, or the Board of Regents might make the final decision, he said. He added that the entire process would "certainly be a matter of weeks, perhaps longer."

The museum's collection of one million artifacts is among the largest of its kind in the world. For several years, the museum has been trying to work out a way for to join with the American Museum of Natural History, at 81st Street and Central Park West.

Mr. Conable said yesterday that those talks had become deadlocked over issues concerning the autonomy of the museum staff once it was merged with the Natural History museum, and because "our native

The New York Times

Feb 23, 1985

Americans are concerned about being consigned to a position between the whales and the bugs."

The museum has also sought to arrange for use of the old United States Custom House in lower Manhattan. These efforts have also failed, as have those of museum officials who have talked with several cities — among them Las Vegas, Oklahoma City and Miami — about the possibility of relocating.

"This is a troubled institution," Mr. Conable said. "We've got to the point that we've simply got to find a solution. Anything that we can do to preserve the heritage of the native American is desirable."

## Archaeologist Digs In Baltimore, Helps City Unearth Its Past

Mrs. Comer Gets Developers,  
Others to Lend a Hand;  
A Truck Makes Her Groan

2/25/85

By JOANN S. LUBLIN

Staff Reporter of THE WALL STREET JOURNAL

BALTIMORE—To get more people to dig today's Baltimore, Elizabeth Anderson Comer enlists them to dig up Baltimore's past.

As the city's archaeologist, the 28-year-old, diminutive Mrs. Comer employs a variety of skills—scientific, political and promotional—as she hunts for public help as avidly as for artifacts. Her enthusiasm stretches her \$25,000 yearly budget a long way.

She seeks help at every opportunity. Standing on a chilly sidewalk, she buttonholed a developer near the downtown shopping mall that he is building. She pleaded for 2,000 square feet of free space to study and exhibit some of the 130,000 archaeological finds that she has unearthed since she began in mid-1983.

The developer hesitated. "We just can't make a street-corner answer," he said. He requested a written proposal.

But Mrs. Comer is undaunted. "In 15 years," she predicts, "every major city in the U.S. will have a city archaeologist." A decade ago, only historic Alexandria, Va., had a city-wide program. Now, Baltimore is just one of eight cities that have recently hired a municipal archaeologist; 30 more are thinking about it.

### A Change of View

Municipal officials formerly viewed archaeologists as an annoying impediment to construction. But now, more cities want to salvage their underground treasures, sometimes under federal pressure, before the deep foundations of modern development destroy them. The new archaeology push also mirrors cities' hopes to boost tourism and civic pride by tapping the growing popular fascination with historic preservation.

That's the case in Baltimore. In 33 days late last year, 12,000 visitors toured an excavation of Cheapside, an 18th-century wharfside mercantile center. Mrs. Comer has persuaded local merchants, developers, public agencies and ordinary citizens to donate or lend more than \$500,000 of services and equipment—from trowels to tents, trash cans and toilets. She has "escalated the image of the city," W. Donald Schaefer, Baltimore's promotion-minded mayor, says fervently.

Mrs. Comer disdains traditional academics who exclude outsiders from their

digs. "The things that are in the ground do not belong to the archaeologists," she insists. "They belong to the people who live in the city." Public archaeologists in Alexandria, New York, Annapolis, Md., and other cities involve the public not only through tours but also by encouraging volunteer excavators and promoting classes and traveling exhibits.



Elizabeth A. Comer

Mrs. Comer combines infectious enthusiasm with Madison Avenue hype. "She's a born marketer," says Nancy Brennan, who, as the director of Baltimore's Municipal Museum, is her boss. To help finance the planned excavation and reconstruction of an 18th-century terraced garden, Mrs. Comer hopes to sell 20,000 five-foot-square plots at \$250 each and mark them with flags bearing donors' names.

The archaeologist chose a city-owned parking lot for her first Baltimore dig, in June 1983. The lot was the site of a brewery first built in 1761. Later, the brewery was used by Mary Pickersgill during its slow season to sew the huge flag that flew over Baltimore's Fort McHenry during the War of 1812—the original Star-Spangled Banner. Mayor Schaefer chose the neighborhood in the hope that Mrs. Comer's

project would help revive an area bounded by low-income housing projects.

To stir up public interest, Mrs. Comer handed out 20,000 flyers to tell local residents that "the past is just around the corner." She alerted 1,400 travel agencies nationwide. And she persuaded an all-news radio station to let her present a nightly "Dig Update" during the 16-week excavation. By giving the latest artifact count and describing the porcelain pitcher pieces, clay pipes, brass buttons and other finds, she drew curious listeners to join the 4,800 other people touring or digging at the site. When the dig ended, she persuaded the city to transform the site into an archaeological park rather than rebuild the parking lot.

Gaining the use of historic sites isn't easy. A new boulevard soon will bury the remains of two 200-year-old houses that she had longed to explore. Rouse Co., the developer of Baltimore's glittery Harborplace market, rejected her request for a \$100,000 donation and a three-month-long dig on the nearby site of a second project, a \$180 million hotel-office-retail complex. She settled for \$30,000 and six weeks to excavate Cheapside, the old mercantile wharf.

Misgivings persisted at Rouse about possibly longer delays. William Fulton, development vice president, recalls some executives saying, "Suppose they find something valuable—say, a ship. What if you have a year's delay? It will kill the project." But no ship turned up, and Mr. Fulton regards the dig as a good marketing tool.

Many recovered items were amazingly well-preserved: a handmade hammer with a wooden handle, boar tusks, an intact barrel, a rusted iron ring attached to a tar-scented pier. In her laboratory overflowing with bags of dirt, Mrs. Comer uses the artifacts to describe Baltimore life 200 years ago. In her mind's eye, a bowl fragment becomes whole, "full of madeira punch with an orange floating around in it," she says.

Although Mayor Schaefer recently proposed a \$180,000 outlay for permanent exhibit space, most dig finds remain in a climate-controlled basement shut off from public view.

### An Old Interest

Her passion for antiquity borders on an obsession. She and her archaeologist husband relax by going on digs in Spain or sailing to historic Maryland towns. As a seven-year-old girl in Frederick, Md., she began to collect hide-scraping tools and arrowheads from an Indian-village site on her parents' farm. "I feel a connection to old things," she explains.

She encourages the feeling in others, too. At the Cheapside dig, visitors could sift dirt for artifacts or simply peer into the muddy ditch that exposes a 160-foot-long pine wharf never before viewed in this century. She also put up big posters depicting a few 18th-century tradesmen from the area and lists of others' names. Baltimore residents occasionally recognized long-gone family members or businesses.

"There are few times or places where people can touch history, to dig back. Here is a great opportunity," says Jeffrey Katz, a 27-year-old salad-dressing salesman who briefly joined the excavation. But the promotional and educational aspects of her job leave Mrs. Comer herself with little time for actual digging.

### Mixed Feelings

Mrs. Comer has decidedly mixed feelings about development. It both makes her job possible and ensures destruction of most of her work. A half-dozen localities, including New York and Dade County, Fla., have archaeological-preservation laws that require analysis before development can begin; Dade County's archaeologist, Robert Carr, for instance, persuaded one Biscayne Bay builder to cover a 4,000-year-old Indian burial ground with grass and a driveway instead of an apartment building. Mrs. Comer knows she can't stop the bulldozers, at least for long. Marc Horowitz, a developer, remarks, "Even Mayor Schaefer isn't going to hold up construction for Elizabeth Anderson Comer."

The archaeologist says she doesn't want to hold up progress. While the Rouse project's underground parking garage will wipe out all but the memories—and a few artifacts—of Cheapside wharf, she understands that the real estate is valuable. It is "a microcosm of the progress the city and the county has made," she concedes. "To be left stagnant wouldn't be right."

But standing near the now-abandoned dig, she groans as a cement truck backs up and dumps watery gravel onto the site. "I don't want to look," she says, turning away.

## Museum of American Indian Wants to Stay

NY Times  
March 16, 1985

To the Editor:

"City Raises the Stakes With Bid to Save Indian Museum" (Week in Review, March 10) was of great interest to the William H. Donner Foundation.

In February 1979, the foundation authorized a grant of \$35,000 to the Museum of the American Indian for architectural drawings of a conversion of the U.S. Custom House to house the collection. The drawings, we hoped, would help Roland Force, the museum director, make a strong case with Federal authorities.

Someone was listening apparently. Senator Daniel Patrick Moynihan wrote us in early 1980 that his staff was attempting to convince the Gen-

eral Services Administration, which was restoring the Custom House, to allow the museum to use the building. "We are, in fact, intensifying our efforts now that the renovation of this magnificent building is getting under way," he wrote. Eventually, the museum lost its case.

At the end of 1982, Dr. Force informed me of negotiations with the American Museum of Natural History. He asked if the \$22,000 remaining under our grant could be used for architectural drawings for a merged facility. Our board approved.

A year later, I receive a guided tour of the Indian museum's stored collection. I had known the artifacts were numerous and important, but I was unprepared for what I saw. The breadth and depth of the collection represents much of the cultural, artistic heritage of the original inhabitants of the Americas. Though no expert, I was sure this was the most significant resource of its kind in the world.

No one should doubt the conviction and desire of museum officials to keep the collection in New York, as they have tried to do for almost a decade. The collection, they have often told me, will be seen by more people, and have a broader impact on public understanding of the native American heritage, if it remains here. If the public has access to it in a properly designed facility, the collection will be one of New York's major cultural attractions.

PHILIP S. JESSUP  
Vice President

William H. Donner Foundation  
New York, March 11, 1985

## Landmarking Needs a Review

NY Times  
March 9, 1985

After 18 years of indecision, the Landmarks Commission last month thwarted a Fifth Avenue office development to save three buildings of uncertain quality. The controversy stirred Mayor Koch to mount a study of the landmark process to see if changes are warranted. They are.

The single function of the commission is to identify landmark structures, preventing owners who cannot prove financial hardship from altering their buildings without its permission.

Worthy landmarks deserve protection. So does the commission itself, from opponents who think it hampers useful change and makes essential renovations of landmark buildings too expensive. But too often, the commission's equally misguided friends push it to designate unworthy landmarks to stop development that zoning laws permit.

Take the case in point. In 1966 the commission examined the possible landmarking of 712 Fifth Avenue, near 55th Street, a small structure built as an investment by the Fifth Avenue Presbyterian Church. It was not found worthy. Renewed staff discussions in 1981 and 1983 produced no motion for landmarking. The abutting small buildings, 714 and 716, were never even considered.

This extended inaction encouraged a partnership, including a subsidiary of the First Boston Corporation, to spend \$75 million assembling a site that included the three buildings. It planned an office building that would meet zoning requirements and,

to ward off last-minute landmarking, obtained a Buildings Department permit for alterations on 712.

That apparently stimulated a rush into hearings to landmark all three buildings. This left the partnership with the right to alter the most controversial of the structures but with its larger plans impeded. Now there's talk of a compromise but also great resentment all around. And even if the Board of Estimate lets this landmarking stand, the partnership could probably win the expensive effort to prove that it imposes economic hardship.

It is an unseemly, disorderly competition. And nothing in law allows the Landmarks Commission to be regulating building bulk or use. It should have followed on Fifth Avenue the precedent it set in the Beekman Place area of Manhattan's East Side, which cannot bear the congestion of major change. There the commission properly directed the opponents of change to the zoning office at the Planning Commission.

Still, the tendency to confuse landmarking with zoning survives, a confusion that alone justifies the Mayor's review. Landmarking needs an orderly procedure for selecting the buildings to be studied and a reasonable but limited time in which to reach a judgment. No building should hang in controversy for 18 years. No building should ever have to be snatched from an unsuspecting builder's grasp. And no zoning considerations belong in the landmarking process.



New York Times 3/4/95

# Dutch Colonial Culture Alive Again at Symposium

By MARK SHERMAN

Laura Linder, the archivist of the First Reformed Church of Schenectady, a 300-year-old church founded by Dutch settlers in 1680, had come to New York City hoping to find someone who could read the church's earliest records.

"We have records that actually date from before 1680, and they're all in Dutch," she said. "I was hoping to find someone who could translate them."

Mrs. Linder, whose church is affiliated with the Reformed Church in America, found a translator at New York University Saturday. They were among about 150 people who saw and heard 17th-century New York come alive again at a daylong symposium on colonial Dutch culture.

## Signs of Dutch Presence

The Dutch presence is still felt in New York in street names like Stuyvesant Street in Manhattan and Van Siclen Avenue in Brooklyn, as well as in the physical layout of lower Manhattan, which was the city of New Amsterdam from 1624 to 1664.

But for a long time, said Patricia U. Bonomi, a history professor at N.Y.U. who helped organize the symposium, historians and archeologists thought little else of Dutch culture remained.

Lately, however, she said, archeological finds in the city's financial district and the discovery and translation of thousands of papers left by citizens of New Amsterdam and the colony of New Netherland have heightened interest in the subject, not only in New York but in the Netherlands.

Boudewijn Bakker, curator of Am-

sterdam's municipal archives, said he saw the symposium as a way to bring together all the researchers in the field.

"There are historians in Amsterdam working on the same things as historians in New York," he said, "and they don't know each other exist or what the others are doing."

## Class From a Colonial House

Paul R. Huey, an archeologist for New York State, told the audience that the construction of a house uncovered in Albany showed that the Dutch traders who occupied it had no intention of a permanent stay. He said that, for these traders, the colonial enterprises was little more than a commercial venture.

"They put on a roof that would have lasted a long time," he said, "but the walls wouldn't have lasted for 10 years before they started to decay."

Earlier in the day, Joyce D. Goodfriend, a history professor at the University of Denver, said that uncovering clues about "what was on the minds of the Dutch" would provide valuable evidence about why the Dutch cultural presence in New York seemed to decline so rapidly.

"The Dutch, like the Puritans and the Chesapeake Bay settlers, were a charter group," she said. "But the Dutch experience in colonial America diverges from the other charter groups when New Amsterdam falls to the British in 1664."

Still, vestiges of the culture remain. When Isabel Schultze arrived in Rhinebeck, N.Y., in Dutchess County, from the Netherlands seven years ago, she found reminders of her home-

"You can see in it in the names of the proprietors of the shops," she said. "People began to show me things they had kept in their attics and thought were from the 1600's."

Ruth Piwonka, an art historian, said that objects like furniture and glassware that were brought from the Netherlands were preserved as precious artifacts and memories of the homeland. Often, though, objects thought to date from the 17th century actually were made much later, she said.

## Some Dutch Spoken

While the speakers were mainly specialists, the audience was made up of citizens of the Netherlands, Dutch emigrants and people with no connection to that country at all.

"This is wonderful because it deals mainly in primary objects and not someone else's account," said William A. Tieck, the official historian of the Bronx. "We're seeing a real renaissance in local history."

Wendy Eisner, an archeologist, said she attended the symposium to learn a little about urban archeology and to listen to the Dutch that some members of the audience were speaking. "I'm getting a kick out of hearing the language again," said Miss Eisner, who recently returned from five years of study in Amsterdam.

John A. Braak, of Maywood, N.J., said his parents came from the Netherlands in the early 1900's. "That's a bit later than the colonial era, but I have an interest in colonial history," he said.

John H. vander Veer, president of the Holland Society, an organization of men who trace their roots to the Netherlands, said he was interested in the Dutch presence in New York.

to New Amsterdam before 1674, said the symposium brought together information that had not yet been shared. He said, in fact, that boxes of papers, written in Dutch, that might be valuable, had recently been found at the society's offices at 122 East 58th Street. Charles T. Gehring, who translates Dutch manuscripts for the state's New Netherland Project, told Mr. vander Veer he would be happy to take a look. Eric Nooter, a Dutch citizen and graduate student in history at N.Y.U. who planned the symposium, said that exchange was a good sign.

"Too often, research is done in isolation," he said. "There is often no communication between two people who can help each other. But when we start to talk to each other about our work, we can then bring the results to a broader public."

The New York Times  
Book Review 2/17/95  
Diamond in the Rough

As Donald Hall points out in "Fathers Playing Catch with Sons" (North Point Press), baseball appeals to writers as a cross between a pastoral poem and a symbolic situation. Here he quotes Roger Angel — "stylist on stylist" — describing the pitcher Luis Tiant.

Stands on hill like sunstruck archeologist at Knosca. Regards ruins. Studies sun. Studies landscape. Looks at artifact in hand. Wonders: Keep this potsherd or throw it away? Does Smithsonian want it? Hmm. Prepares to throw it away. Pauses. Sudd, discovers writing on object. Hmm. Possibly Linear B inscript.? Sighs. Throws. Wipes face. Repeats whole thing.



# Gleanings From the Table Reveal Social Patterns of the Past and Present

By NANCY JENKINS

**G**ARBAGE is really — eloquent!" said Nan Rothschild, with a smile at her own enthusiasm. Dr. Rothschild, an anthropologist, archaeologist and associate professor at Barnard College, has experienced directly the eloquence of garbage. From the dust heaps and middens of early English and Dutch settlements in lower Manhattan, to Sanitation Department gleanings from 20th-century high-rise cooperatives on the Upper East Side, she studies the food New Yorkers ate and eat. From her data she tries to draw conclusions about social patterns and relationships that will improve our understanding of who we are and how we live.

Dr. Rothschild is a food anthropologist, one of a growing number of scholars who take literally the adage that we are what we eat. "An anthropologist looks at how food choices are made," said George Armelagos, an anthropology professor at the University of Massachusetts in Amherst and the author, with Peter Farb, of "Consuming Passions" (Houghton Mifflin), a popular survey of food anthropology. "But it's not enough to say a food has certain vitamins and minerals," he said. "You have to deal with this in the context of the whole culture. Eating is so entwined with ourselves that we don't think about it, just as fish don't think about water."

Studying food in this broad context means examining such things as how foods are produced, distributed, prepared and disposed of; the structure of meals and menus; who sits with whom at the table; the sense of what foods are appropriate or not at different times; the biological and sociological effects of poverty and plenty; the transactions that take place around or through food, and the relationships of power and identity within families, villages, groups and cultures expressed in food.

By studying food, anthropologists are learning how societies function; the methods by which immigrant groups adapt to American life; the biological and social effects of malnutrition; the problems created in traditional societies by introducing new foods and new ideas about food; how different groups cope with famine, and why some societies repeatedly fail at this task.

In the popular view, the anthropologist is an earnest scholar diligently observing exotic primitives in their native settings, what Sidney W. Mintz, an anthropology professor at Johns Hopkins University in Baltimore, jokingly calls "the Explorers Club view of anthropology," according to which "if they don't have blowguns and you can't catch malaria, it's not anthropology."

Today, however, food anthropologists are likely to be working closer to home, as is Shalom Staub, the director of the Pennsylvania State Folklife Programs, whose doctoral work involved the Yemenite restaurant workers in Arab restaurants in Brooklyn. They may be examining how food reinforces ethnic identity, like Judith G. Goode of Temple University, who is studying third-generation Italian-American families in Philadelphia. Or, like Norge Jerome, director of the community nutrition division at the University of Kansas Medical Center, they may be determining how and why food habits change in a mostly black, urban, working-class community. Carole Counihan of Stockton State College in Pomona, N.J., has worked in Italy studying the ways in which maleness and femaleness are expressed through giving and receiving food. "The person who gives is in power vis-à-vis

the person who receives," Dr. Counihan said. "The idea is that giving leads to receiving, which leads to repaying. That's how people maintain their connections. And women have traditionally given food."

Italian women, she said, give food as a way of tying people to them. "It's a way of maintaining strong family solidarity," she said. "The family circles around the mother, who provides the most basic needs." Often, the other family members do not know and are not taught how to buy, prepare and serve food.

Dr. Counihan's approach to anthropology relies on her own observations and informants' statements about their culture. For Dr. Rothschild, material culture, specifically garbage, is the key. From excavations in lower Manhattan, in an area defined by Pearl, Stone and Broad Streets and Coenties Slip, Dr. Rothschild and colleagues can describe dietary changes as European traditions combined with the array of new foods available locally. Dr. Rothschild said the Manhattan remains had much less deer meat than similar sites in New England, suggesting "the Dutch here had established such poor relations with the Indians that they didn't want to go wandering around the woods."

There are gaps in the data, especially concerning fruits and vegetables. Yet, Dr. Rothschild said: "We can see that people in the early period were using more fish and birds from inland and upriver. By the later 18th century, there is more evidence of coastal trade."

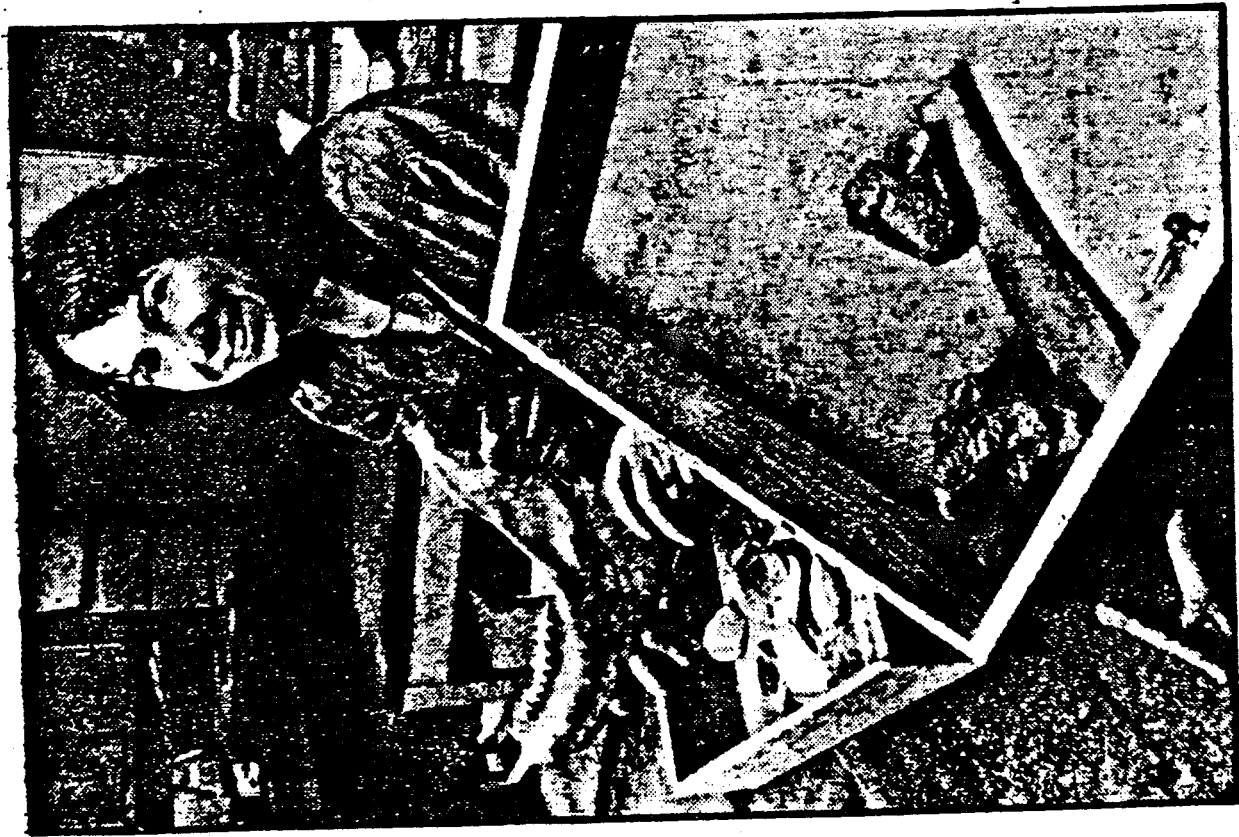
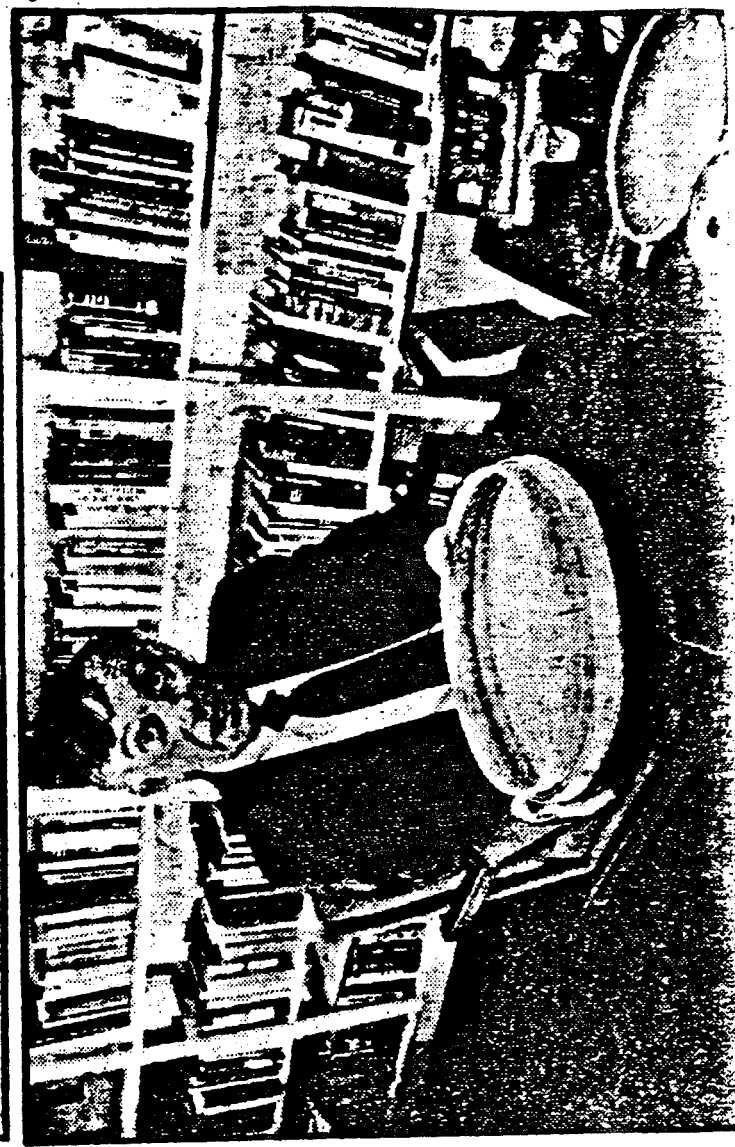
Dr. Rothschild has found similar differences in food patterns among income and ethnic groups in modern-day New York. After sifting through garbage from eight city blocks, including ones in Chinatown, Spanish Harlem, Park Avenue and Brooklyn, her team found comparatively less food from the Park Avenue block, suggesting that people in the neighborhood eat out frequently. "In ethnic neighborhoods," she said, "there was much more food that didn't come out of a can."

Other anthropologists attempt a quantitative approach to their subject. Anna Lou Dehavenon, for example, has been working since 1979 with the East Harlem Interfaith Welfare Committee in a program to provide emergency food for households that have run out of food or are in imminent danger of doing so. From her statistical data, which range from the age and sex of household members to whether anyone reported begging or stealing food, she is trying to tabulate how and why food emergencies occur.

Carol Laderman's anthropological work is more in line with the popular view of what anthropologists do. An assistant professor of anthropology at

The New York Times 3/13/85

In a study of food emergency households, Dr. Anna Lou Dehavenon, left, interviews Deborah Morgan at Resurrection House in Harlem. Dr. Dehavenon's work, she hopes, will help shape food policies.



The anthropological archeologist Nan Rothschild of Barnard, above, with oyster shells and bones of cow and sheep excavated in lower Manhattan. Sidney W. Mintz, right, of Johns Hopkins, holding a flour sifter found in Haiti: "Lots of what we do when we eat is not just a way of feeding ourselves, but also of sending messages."

Fordham University, Dr. Laderman spent several years in Malaysia studying childbirth and nutrition. The results of her research, "Wives and Midwives," has just been published by the University of California Press.

Her current interest is humoral systems, the belief that foods are hot or cold intrinsically, regardless of their physical temperatures: "Scotch on the rocks," she said, "would be considered very hot, while squash, even taken boiling from the stove, would be cold." In humoral systems, illness results from a hot-cold imbalance.

Such beliefs, Dr. Laderman said, exist throughout the world, except in Europe and America, where they have been largely replaced by the

theory that germs cause illness. But folk maxims such as "feed a cold and starve a fever," she said, are holdovers from humoral systems, which are prevalent throughout Hispanic communities in the Western Hemisphere.

Misunderstandings about such beliefs and their associated food prohibitions have contributed to misguided programs to aid third-world countries, Dr. Laderman said. She cited Malaysia as an example: "A father-to-be should not slaughter animals because otherwise the child will be born with some deformity. People from outside the culture claim this is a cause of protein deficiency in pregnancy." Dr. Laderman contends that the reality is quite different. "Fishing

is a mainstay of the economy and fish is a major element in diet," she said. "And there are mitigating rules that allow fathers to continue fishing."

"In the nature of your work as an anthropologist, you confront a lot of the daily experiences of your hosts," said Professor Mintz, whose study of the economic and social role of sugar in history and modern culture, "Sweetness and Power," will be published by Viking in May.

One of the most important experiences is food. "Lots of what we do when we eat is not just a way of feeding ourselves, but also of sending messages," Professor Mintz said. "As the work of Mary Douglas has demonstrated, these are ways of declaring who we are." (Professor

Douglas, who declined to be interviewed, is an anthropologist at Northwestern University in Evanston, Ill.) Those messages communicate degrees of hierarchy in a society, inclusion and exclusion, boundaries and transactions across the boundaries and more, Professor Mintz said.

He said his own interests are in "how people learn to eat things and what they choose from the array that is made available to them." As he noted: "It is impossible to analyze food or a meal without reference to the availability of the substances that compose it, the origins of those substances and what forces made them available to people to eat." These questions, he said, say something important about the ways societies have

organized themselves.

"Before 1650, sugar in England, for example, was a luxury as valuable as silver," he said. "By 1850, sugar had become an everyday necessity. This transformation has to be referred to larger political and social forces."

"The field of study is growing by leaps and bounds, with the roster showing some 400 people in this country alone," said Dr. Jerome, who is also head of the American Anthropological Association's committee on nutritional anthropology.

"Human societies everywhere are experiencing change as they never have before," he said, "and every aspect of the change involves food. Anthropology gives us an opportunity to understand it."

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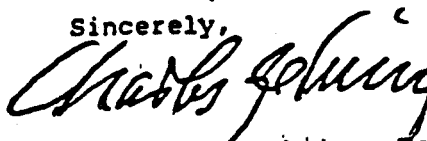
Dear Colleague:

The last few years have seen an enormous growth of interest in the Dutch West India Company's colony of New Netherland. Every aspect of this 17th-century colony is being explored by American researchers in disciplines as varied as archaeology, sociology, linguistics, history, genealogy, architecture etc. In 1983 an interdisciplinary conference in Amsterdam stimulated similar interest among Dutch scholars and students active in the above-mentioned disciplines.

It has since become evident that it is both difficult to find out what other researchers are presently working on or have recently published (especially in the Netherlands), and more importantly that researchers involved in the study of New Netherland often do not even know of the existence of one another. I therefore propose that the New Netherland Project of the New York State Library serve as a "clearing house" of information relating to the Dutch experience in North America. Such information received by the NNP would then be disseminated in the form of a newsletter to everyone on our mailing list. Basically our goal is to establish a network of scholars for the purpose of exchanging ideas and information about New Netherland.

In order to get things started I ask you to respond to the following: Do you think it is worth doing, and will you be willing to participate? Second, a short paragraph on the type of research you are doing and how it relates to the New Netherland period. This information will be compiled and constitute our first newsletter. Third, the names and addresses of people who should be on our mailing list. If they have not already been contacted, we will send them a copy of this letter. Fourth, I would appreciate any suggestions regarding the organization itself and what we should call ourselves.

Sincerely,



Charles T. Gehring, Translator & Editor  
New Netherland Project  
New York State Library  
Albany, N.Y. 12230

P.S. Use address below my  
signature for response.

Lois M. Feister, Bureau of Historic Sites, New York State Office of Parks,  
Recreation and Historic Preservation  
Archeology in Rensselaerswyck; Dutch 17th Century Domestic Sites.  
Samenvatting: Nederlandse 17de-eeuwse woonplaatsen in Rensselaerswijck.

Jan Baart, Archaeological Research Division of the Department of Public  
Works, Amsterdam and the Amsterdam Historical Museum  
Nederlanders en Ho-De-No-Sau-Nee; de wisselwerking tussen de Irokezen  
en de Nederlandse 17de-eeuwse cultuur.  
Summary: The Ho-De-No-Sau-Nee and the Dutch; Interaction in Material  
Culture between Autochthones and Allochthones in 17th Century New  
Netherland.

Charles F. Wray, Rochester Museum and Science Center  
The Volume of Dutch Trade Goods Received by the Seneca Iroquois,  
1600-1687 A.D.  
Samenvatting: Nederlandse handelsartikelen bij de Seneca Irokezen,  
1600-1687; een kwantitatief onderzoek.

Jan Thijssen, Archaeological Research Division of the Department of Public  
Works, Amsterdam and the Amsterdam Historical Museum  
De Analyse van 17de en 18de-eeuws aardewerk uit vondstcomplexen van  
het Waterlooplein, Amsterdam.  
Summary: Analysis of 17th and 18th century Ceramics Recovered from  
the Waterlooplein Sites, Amsterdam.

Charlotte Wilcoxon, Albany Institute of History and Art.  
Household Artifacts of New Netherland, from its Archaeological and  
Documentary Records.  
Samenvatting: Huishoudelijke voorwerpen in Nieuw-Nederland; gegevens  
uit opgravingen en archiefonderzoek.

Thera F. Wijsenbeek-Olthuis, Department of Economic History, University  
of Amsterdam  
Boedelinventarissenonderzoek; bronnen, methodology en eerste resultaten.  
Summary: Study of Inventories of Household Goods; Sources, Methodology  
and Preliminary Results.

Charles T. Gehring, New York State Library  
Dutch Manuscripts Relating to New Netherland in U.S. Repositories.  
Samenvatting: Nieuw-Nederlandse documenten in Amerikaanse collecties.

Hans J. Ernst, Municipal Archives, Amsterdam  
Het Amsterdamse notarieel archief als bron voor de geschiedenis van  
Nieuw-Nederland.  
Summary: The Amsterdam Notarial Archives as a Source for the History  
of New Netherland.

Roderic H. Blackburn, Albany Institute of History and Art  
Dutch Domestic Architecture in the Hudson Valley.  
Samenvatting: Nederlandse woonhuisarchitectuur in de Hudson Valley.

Henk J. Zantkuyl, Municipal Office for Preservation and Restauration of  
Historic Buildings and Sites  
Reconstructie van enkele Nederlandse huizen in Nieuw-Nederland uit de  
17de eeuw.  
Summary: Reconstruction of Some 17th Century Dutch Houses in New  
Netherland.

NEW NETHERLAND STUDIES

12 Articles by American and Dutch Scholars

Two years ago the exhibition 'The birth of New York; Nieuw Amsterdam 1624-1664' was shown in the New-York Historical Society and afterwards in the Amsterdam Historical Museum. In this exhibition, organised by the Municipal Archives of Amsterdam and the Amsterdam Historical Museum, a great deal of attention was payed to the material culture of New Netherland. The Amsterdam exhibition was introduced by a two-days symposium entitled 'New Netherland Studies, an Inventory of Current Research and Approaches'. The symposium, focusing on the material culture of New Netherland, brought together many American and Dutch scholars: archaeologists, architectural historians and archival researchers. All of them were specialists in one or more aspects of New Netherland history. Amazingly, most of them did not even know of each other's existence! Thanks to this fresh confrontation of research and approaches, the symposium was a great succes.

Now, the papers of this symposium are being published, with the same title, as a special double issue of the KNOB Bulletin. The Koninklijke Nederlandse Oudheidkundige Bond (Royal Dutch Antiquarian Society) is a leading organisation in the field of Dutch Anthropology and Architectural History. The Bulletin is a magazine with a high standard of scholarship. This publication will contain about 120 pages, illustrated with some 100 black and white figures. In order to serve readers in both countries, introductions, titles and captions are in both languages. Every article has an extensive summary in the other language, so all the important information is available both in English and in Dutch. For distribution in the USA 500 copies are available, the price will be no more than \$ 10.

Distribution addresses are:

Albany Institute of History and Art  
125 Washington Avenue  
Albany, New York 12210  
(518) 463-4478

Municipal Archives of Amsterdam  
Amsteldijk 67  
1074 HZ Amsterdam  
20 - 646916

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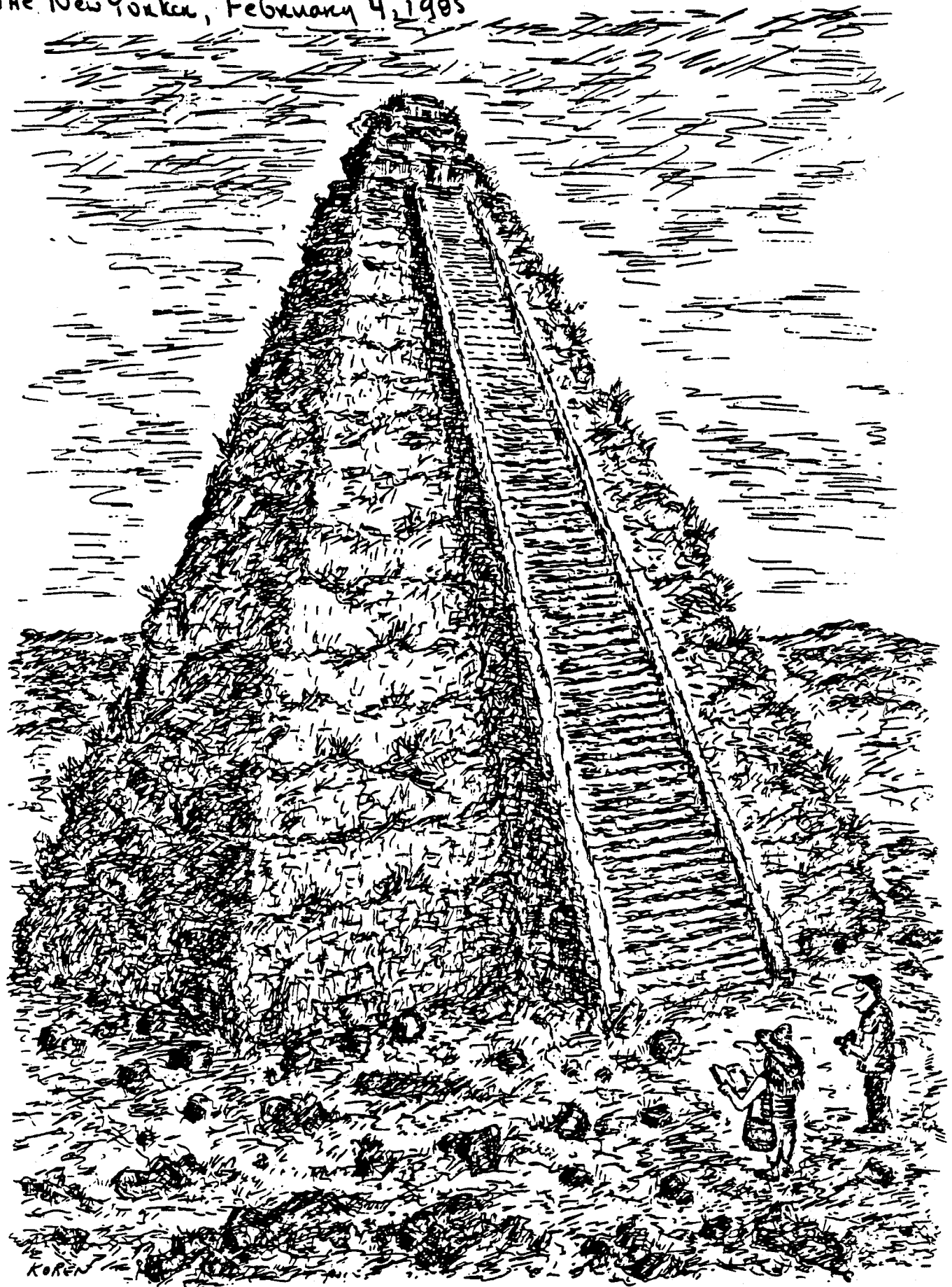
Boudewijn Bakker, Municipal Archives, Amsterdam  
Voorwoord / Preface

Nan A. Rothschild, Barnard College, Columbia University, New York, and  
Diana diZerega Wall, New York University  
De archeologie van Nieuw-Amsterdam en New York.  
Summary: The Archaeology of New Amsterdam and New York.

Paul R. Huey, Bureau of Historic Sites, New York State Office of Parks,  
Recreation and Historic Preservation  
Archeological Excavations in the Site of Fort Orange; a Dutch West  
India Company Trading Fort Built in 1624.  
Samenvatting: Opgravingen bij Fort Orange, een handelsfort van de  
WIC uit 1624.

(continued)

The New Yorker, February 4, 1995



*"It was obviously built when the Mayans were feeling good about themselves."*

'A food manual for field camps'

Have you ever had to outfit a two-man field crew for a survey?

Have you ever been faced with cooking an evening meal for thirty people - and the most you have ever cooked for before was one person?

Got any surefire recipes that will stop a field crew from mutinying?

Do you have any amusing anecdotes about the siting, setting up and burning down of a cook tent?

IF SO, TELL US ABOUT THEM...

Chacmool (The Archaeology Association of the University of Calgary) is putting together a field manual for those who are involved in running a field camp and/or kitchen. If you have anything that may be of use to the editors, or have any suggestions as to what else should be included, please drop us a line. All contributions will be acknowledged in the final publication.

Send recipes, anecdotes, cartoons, etc., to:

Chacmool Cookbook Committee  
Department of Archaeology  
University of Calgary  
Calgary, Alberta, T2N 1N4

Suggested topics to be covered:

1) The kitchen:

- locating
- building the cookhouse
- utensils
- stoves
- shopping
- safety measures
- food storage

2) Shopping lists:

- staples
- quantities
- bulk buying
- spices

3) Stretching the food dollar

4) Nutritional requirements & portion sizes

5) Menu plans

6) Special notes for Arctic explorers

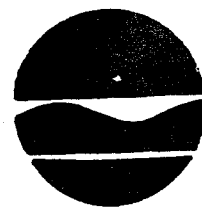
7) High altitude conditions

8) Recipes: lunch, dinner, theme nights, pastry & bread making  
leftovers

N.B. In instances of duplication or questionable suitability of recipes to field conditions the committee reserves the right of final selection.



New York State Department of Environmental Conservation  
50 Wolf Road, Albany, New York 12233-0001



Henry G. Williams  
Commissioner

MODEL  
BASIC SEQR WORKSHOP

AGENDA  
AND NOTES

Prepared By: Division of Regulatory Affairs  
SEQR Coordinator: Jerome W. Jensen  
Date: June 1984

## Orientation to SEQR Training Session

SEQR quiz.

Poll of audience experience with SEQR

- who they are
- their level of experience with SEQR

## Introduction

History - NEPA '69, SEQR '75, REGS '78.

Purpose of SEQR -

1. Good decision-making - incorporate environmental considerations
2. Communication and coordination
3. Public disclosure of governmental decision-making
4. Good planning
5. Accountability for decisions

Courts -

1. SEQR substantive
2. Literal compliance
3. Negative declaration test
4. Delegation of lead agency only to involved agencies

## Type of Law

1. Look-before-you-leap process
2. Comprehensive in outlook
3. Promote or enhance good projects
4. Project mitigator rather than project stopper  
(DEC Monitoring Report)
5. Approximately 250-300 EIS's/year
6. General pattern of implementation
  - attempt avoidance
  - gradual acceptance
  - actively use as a practical tool

### Specific DEC Functions

1. Revise statewide regulations (Part 617), as needed
2. Resolve lead agency disputes and ungrandfathering petitions
3. Repository for all filed SEQR documents
4. Monitor statewide implementation
5. Conduct SEQR education effort, statewide
6. Provide guidance, information and informal opinions on SEQR process
7. Serve as a role model for agency application of SEQR

### SEQR Myths

1. SEQR is a DEC law
2. "No Growth" and Delays = SEQR - No, SEQR is a mitigator rather than stopper.
3. If subject to SEQR, then automatically do an EIS - No.
4. EIS = Bad for project sponsor - No, corrects deficiencies, early identification of problem, PR tool.
5. EIS = Bad (typical DEIS is 48 pages in length not including attachments and addenda).
6. "No teeth"?/Untrue.
  - literal compliance (Rye Town Case)
  - SEQR findings
  - substantive law (Miracle Mile Case)

### Definitions

ARTICLE 8 - The statute, law passed by Legislature and signed by the Governor.

PART 617 - The statewide regulations that carry out intent of statute, apply to all agencies.

ACTION -

- Direct, funded or permitted activities by agencies;
- Physical activity (clearing land, const. of subdivision);
- Planning activity (formation ag. district, land use plan);
- Formation of agency rules, regulations, procedures and policy-making, zoning.

### Categories of Actions (5)

1. EXCLUDED - action undertaken, funded or approved prior to the effective date of SEQR (grandfathered).
2. EXEMPT - actions which do not require SEQR review.
3. TYPE II - actions that by their track record have shown that they will never have a significant effect on the environment and never require an EIS.
4. TYPE I - actions likely to have a significant effect and may require an EIS.
5. UNLISTED - actions not Type I, Type II, Excluded or Exempt. Give example of range of actions that are unlisted.

INVOLVED AGENCY - An agency having the jurisdiction to fund, approve or undertake an action.

LEAD AGENCY - The one involved agency responsible for coordinating the environmental review of the proposed activity.

EAF - Provides project information to assist agencies two ways:

1. determine significance;
2. scoping EIS if required.

EIS - Information gathering tool and decision-making record.

GENERIC EIS - A broader, less specific type of EIS for conceptual or planning level decisions; may be used for multiple related actions or actions involving multiple phases.

COORDINATED REVIEW - Process of establishing a lead agency.

NEGATIVE DECLARATION - Notice prepared by lead agency indicating the proposed action will not have a significant environmental effect.

POSITIVE DECLARATION - Notice prepared by lead agency indicating the proposed action may have a significant environmental effect.

LOCAL OPTIONS - Supplement SEQR procedures, designate critical environmental areas.

### SEQR Process - 8 Basic Steps

- |        |                   |
|--------|-------------------|
| Step 1 | Classify          |
| Step 2 | Coordinate Review |

- Step 3 Determine Significance
- Step 4 DEIS - Scope, Prepare, Accept
- Step 5 Public Comment Period
- Step 6 Hearings
- Step 7 Final EIS - Lead Agency
- Step 8 Findings - Each Agency

#### Time Frames

See Handout

#### 4 Notices

- Determination of Significance
- Notice of Completion of Draft EIS
- SEQR Hearing
- Notice of Completion of Final EIS

#### Lead Agency

1. Coordinates Environmental Review
2. 30 days to determine lead agency
3. If lead agency cannot be resolved, involved agencies or applicant may request Commissioner of DEC to designate. Commissioner uses the following criteria:
  - a. whether impacts are statewide, regional or local;
  - b. agency having broadest gov. powers to review impacts (one agency may just have a permit that governs only one part of project, another agency may have overall jurisdiction.);
  - c. agency having greatest capability for environmental review of action.
4. Responsible for:
  - a. all SEQR Notices
  - b. Acceptance of Draft EIS
  - c. Need for Hearing
  - d. Preparation of FEIS
  - e. Make their own SEQR Findings

5. Other lead agency obligations:

- a. provide involved agencies with all needed information in a timely manner;
- b. ensure that there is adequate scoping for draft EIS.

6. Involved agency responsibilities:

- a. participate in scoping
- b. provide timely response and analysis
- c. make SEQR findings

Determination of Significance

1. L.A. has 15 days to determine significance after its designation as lead agency or after receipt of any additional information needed.
2. Tools for determination of significance:
  - a. criteria in 617.11;
  - b. EAF and project information supplied by applicant;
  - c. precedent;
  - d. involved agency and interested agency input;
  - e. public input.
3. It is important to look at the entire action. Do not segment the review by only considering a phase, stage, or portion of the overall activity.
4. Issue Negative Declaration or Positive Declaration, as appropriate.
5. Negative Declaration should conform to criteria as defined by the courts using the H.O.M.E.S. Test.
  - a. identify relevant areas of environmental concern;
  - b. take hard look, analyze issues;
  - c. use reasoned elaboration in drafting determination of significance.
6. Issue Positive Declaration if project has at least one impact that is large in magnitude and importance and cannot be mitigated.

EIS Scoping

1. Purpose of scoping is to identify:
  - a. relevant issues
  - b. non-relevant issues

- c. project boundaries
  - d. reasonable alternatives
  - e. possible mitigation measures
2. Benefits to scoping:
    - a. save time and money in preparation of DEIS
    - b. accelerate acceptance of DEIS
    - c. minimize comments and arguments
    - d. ultimately strengthen EIS
  3. Three levels of participation (L.A./applicant; all involved agencies/applicant; and involved agencies/public/applicant).
  4. Product should be a written document.
  5. Recognize that an issue(s) may arise after scoping.

#### DEIS Adequacy

1. Understand this is subjective, qualitative power of lead agencies.
2. Does EIS include 617.14(d) thru (f) [pp. 42-44]?
3. General guidelines to an adequate Draft EIS
  - a. contains relevant issues and information
  - b. evaluates all reasonable (of sponsor) alternatives
  - c. analytic not encyclopedic
  - d. clear and concise - use plain language, define terms, summarize, append, or refer as appropriate
  - e. take "hard look" at impacts
  - f. ensure adequate basis for decision-making by all involved agencies
4. Can agencies understand proposal?
5. Sufficient information to make reasoned comparison and assessments.
6. Avoid "Perfect EIS Syndrome" - be reasonable - patently deficient document not acceptable.
7. If lead agency rejects Draft EIS, clearly identify the deficiencies or omissions.

#### Mitigation and Alternatives (Heart of EIS Process)

1. Define mitigation (recognize that Henrietta Case enables involved agency to include mitigation measures outside that agencies jurisdiction so long as it does not intrude in another agency's jurisdiction).

2. In general, alternatives should:

- a. have similar objective as proposed action
- b. have similar or reduces costs
- c. can be achieved in a similar time frame
- d. be addressed in sufficient detail to allow reader to make an informed comparison with the proposed action
- e. must always discuss the no action alternative

Hearings

1. Not mandatory, option of lead agency.
2. Reasons for SEQR hearing:
  - a. degree of interest shown by public (public controversy)
  - b. aid decision-making process by providing a forum for efficient collection of public comment
  - c. agencies desire full disclosure of actions
3. Hearing held 15 but 60 days after filing of DEIS.
4. Notice of hearing published in newspaper of general circulation not less than 14 days before hearing, also inform agencies.
5. Hearing can be combined into existing agency hearing procedures, can be as formal or informal as needed.

Final EIS

1. Lead agency is responsible for preparation.
2. Copies or summary of substantive comments.
3. Lead agency response to substantive comment.

Findings (Culmination of SEQR Process)

1. No decision by an agency can be made unless they make their written SEQR Findings.
2. Findings can be made no sooner than 10 days following filing of FEIS. Must be made within 30 days when action involves an applicant.



3. Lead agency as well as all other involved agencies must make their own SEQR Findings.
4. Components of a Findings Statement:
  - a. confirmation that agency has considered Draft and Final EIS
  - b. confirm that the requirements of 6 NYCRR Part 617 have been met
  - c. find that, consistent with social, economic and other essential considerations, the action chosen (whether proposed action or alternative) is the one practicable solution least damaging to the environment
  - d. ensure that the chosen solution mitigates impacts to max. extent practical, consistent with social, economic and other essential considerations
  - e. specify conditions and/or mitigation measures
  - f. include facts and conclusions that formed basis of decision

#### Case Law

The courts have played a major role in "fine-tuning" the picture of SEQR. The following are some of the landmark rulings. The list is not intended to be exhaustive, but to give a sense of overall emphasis and direction.

#### H.O.M.E.S. v. N.Y.S Urban Development Corp.

The court required that a determination of nonsignificance (Negative Declaration) must meet the following three-step test:

1. identify the relevant areas of environmental concern;
2. take a "hard look" at the relevant environmental concerns; and
3. make a "reasoned elaboration" of the basis for its determination. The statements supporting the reasons cannot be mere assertions.

#### Town of Henrietta v. Department of Environmental Conservation

The court upheld the agency's authority to impose conditions to an approval as a direct result of information produced in the environmental impact statement. Further, the decision clarified that SEQR is both a procedural and substantive statute since SEQR's EIS must be recognized as "not a mere disclosure statement but rather an aid to an agency's decision-making process to evaluate and balance the competing factors".

"SEQR, therefore, requires a decision-maker to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project." The quotation continues by identifying that environmental protection has been made a part of the mandate of every agency.

Rye Town/King Civic Association v. Town of Rye

The court found that SEQR requires literal compliance, not merely "substantial" compliance with the "spirit" of the Act. In supporting its reasoning, the court states that "Uniform and literal enforcement of the provisions of SEQR would render environmental review more objective, standardized, and consistent, and would be more certain to promote the policies of the Legislature with respect to this fundamental concern of society".

Tri-County Taxpayers Assoc. Inc. v. Town Board of Queensbury

In this case the court ruled that the establishment of a sewer district by resolution of the Town Board, and subsequent approval at a special election was null and void since the Town failed to prepare an EIS. Further, the EIS should have been prepared prior to the Town Board's action on the resolution and approval by the electorate in order for decision-makers to make an informed decision. The court rejected the remedy provided by previous court decision which had allowed agencies to correct the SEQR deficiency and then continue their review. SEQR's mandates cannot be done as an "after-thought".

Onondaga Landfill Systems, Inc. v. Flacke

The court upheld, as consistent with the legislative policy, that part of the statewide regulations [6 NYCRR 617.11(b)] that directs an agency to consider simultaneous and subsequent actions in its determination of significance. This includes consideration of long range plans

that are associated with, dependent on, or even likely to be taken as a result of the primary action. This ruling reaffirms an agency's obligation to look at the whole action and to consider cumulative effects and growth induced by the primary action.

"Historic Context" Landmark

Bob Grunnet

Feb 21 - re SHPO regulations - review (Public Hearing)  
Albany