

Kate Wood

From: LANDMARK WEST! [landmarkwest@landmarkwest.org]
Sent: Tuesday, November 09, 2004 1:23 PM
To: kate wood
Subject: FW: 2 Columbus Circle

-----Original Message-----

From: Stanley Bulbach [mailto:letters@bulbach.com]
Sent: Tuesday, November 09, 2004 2:16 PM
To: Kate Wood
Subject: 2 Columbus Circle

Kate Wood, Exec. Director
Landmark West!

Dear Kate,

I am a "contemporary American craft" artist who has published articles about my field. That writing has included raising serious questions about the validity of the research claimed done by the American Craft Museum, now the Museum of Art and Design.

I am also an active member of my community. I am the head of the 200 Block West 15th Street Block Association, a Member of the Board of Directors of the Chelsea Village Partnership, Inc., and a public member of the West 14th Street/Gansevoort Market Committee of Community Board #2.

I have been following the 2 Columbus Circle issue with some alarm, but will little surprise. I intend to write something about it for the subscribers of my website's FORUM.

My subscribers are fellow fiber artists who are concerned about the poor curatorial record generated about our field. Therefore, I've been focusing on the realities of curatorial research and the apparent lack of guidelines necessary to safeguard the research's accuracy, in contrast to the research in other fields in the arts and sciences.

The primary responsibilities of museums include more than accurate research and exhibition. They also include responsibilities for preservation. And I want to raise before my colleagues the absurdity of a museum of design destroying a building's notable design. Not only an absurdity, but it is a cardinal failure to fulfill the basic responsibilities of a museum.

I would like to ask your organization if it is aware of any articles that have focused on that professional failure? If so, I would like to consider referring to them to strengthen the impact of my point.

In addition, would your organization be able to tell me which of the community boards voted against the destruction of the design at the recent Borough Board meeting? I'd like to learn more about their opposition.

Thank you and good luck with your efforts!

Stanley

Stanley Bulbach, Ph.D.

Kate Wood

From: Stanley Bulbach [letters@bulbach.com]
Sent: Tuesday, November 09, 2004 6:18 PM
To: Kate Wood
Subject: RE: 2 Columbus Circle

Dear Kate,

Thanks for the fast response. I'm all tied up for the rest of the week, and won't be able to work further on this writing until the weekend. But the American craft museum is quite controversial professionally, especially after the scandal at the Brooklyn Museum of Art a couple years ago, when its Director's claims of booking exhibitions based upon careful examination and research were belied when the Saatchi and Christie's money trail came to light in court.

If it remains true that MAD has only raised half the money its needs to purchase the building, then as much open discussion as possible about this project can only help lead to a better solution.

I'll see if I can reach Steven Miller so that I can cite his letter.

I hadn't seen the article you mention by William T. Hamilton and would love a copy if you could mail one.

Stanley Bulbach
239 West 15th Street
New York, New York 10011

But I did find "In New Name, Museum Goes Contemporary," Carol Vogel, The New York Times, October 3, 2002, p. E5. I abstracted it on my FORUM at: http://www.bulbach/forum/questions_frame.htm

Its listed in the Table of Contents on the right hand side as "The Former "American Craft Museum"

I also report on a couple other articles of interest about the museum at http://www.bulbach/forum/readings_frame.htm
Those are the bottom three items on the right hand side Table of Contents.

You have some heavy hitters among your supporters? They have some clout. Has any one asked the American Association of Museums what it thinks about this, since they had to scurry in August of 2000 after the Brooklyn flap to issue New Ethical Guidelines calling for "increased transparency and accountability."

In fact there were a number of forum type events too where everyone in the art museum world expressed how "shocked they were to find gambling in the establishment."

As any of your big name people queried James Cuno about this? He's the new head of the Art Institute of Chicago. After the Brooklyn embarrassment to the art museum world, he edited a book rushed to the press entitled "Whose Muse? Art museums and the Public Trust".

And is anyone openly questions the necessity of yet one more design museum in Manhattan that has to receive public welfare to survive? When the staffing at our local precincts is halved due to financial problems?

I think you enjoyed a wonderful coup with the cover of Preservation. Now that you've got the national attention needed, are you presenting

additional ideas above and beyond a discussion of opinions about the merit of the building?

By the way, I was surprised to see that Chazan is the Board Member organizing this project, since he is the Director of Taubman Centers, Inc. After all, Alfred Taubman -- whose real estate/shopping center fortune permitted him to buy Sotheby's -- just came out of prison after his conviction for price-fixing as head of Sotheby's Art Auction House.

There is very, very little in real estate project at 2 Columbus Circle that has anything to do with the preservation of and research on art. Nicolai Ouroussoff was right when he wrote in the Times on October 4 "Taming the Beast From 1965" that the real goal here was to "make it more palatable for powerful real estate interests. And this is a dangerous sign for the future."

The truth of this seems verified by the one supportive article that the Museum of Art and Design has on its website -- the one in the Post by Steve Cuzzo. The man is identified elsewhere as the real estate editor of the Post, and in a different article Cuzzo advises: "Pay no attention to what learned architecture critics say."

Community Board #5 ain't called the "Business Board" for nothing. And MBP Field's is the most developer-friendly holder of that office ever. But your group has seized the microphone and can now steer the debate. A debate of differing personal opinions about the merit of the design will tend to confuse the public. But the entire underlying reasoning could be challenged in a way that will gather public concern and support for your efforts.

Until later,
Stanley

At 03:57 PM 11/9/2004 -0600, you wrote:

>Dear Stanley:

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>I'm so glad to hear from you. Your point about the insanity of a museum of
>design destroying a valuable work of design in the process of "improving"
>its facilities is very important - and very gratifying to hear reiterated by
>someone of stature in the craft community.

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>Although this idea has been discussed informally and raised by some in
>testimony before various government agencies considering the future of 2
>Columbus Circle, it has not gained a lot of press that I have seen. William
>T. Hamilton wrote a piece for the New York Times, entitled "From Baskets to
>Plastics" criticizing the Museum for losing its focus on craft in the effort
>to cast itself as a cutting-edge design museum, but the building
>transformation was not mentioned. Steven Miller, formerly Senior Curator at
>the Museum of the City of New York, wrote a letter to the editor of the
>Times asking, "What sort of museum devoted to celebrating design would
>deliberately destroy its most important design artifact?"

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>I would be happy to mail or fax copies of these pieces to you. Steven
>Miller's email address is smiller@morrismuseum.org - he may be aware of
>other writing on this issue.

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>In response to your question about community boards who voted against the
>destruction of the design, there are none. Unfortunately, the local board
>(Community Board 5) voted in favor of the sale of the building to the
>Museum, both at the borough board hearing in August, and at its own hearing

>back in May 2003. (Council Member Bill Perkins was the only council member
>to vote against the sale.) The 2003 vote was not a unanimous vote (18-8),
>and I could probably dig up the minutes of that meeting if you were
>interested. As for other groups in favor of preserving the building, or at
>least having a public hearing before the Landmarks Commission, I am
>attaching a copy of a letter written by former Landmarks Commissioner
>Anthony M. Tung, listing a number of the more prominent individuals and
>organizations involved in this effort.

>Let me know what kinds of additional information would be helpful to you.

>Best,

>Kate

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>From: Stanley Bulbach [mailto:letters@bulbach.com]

>Sent: Tuesday, November 09, 2004 2:16 PM

>To: Kate Wood

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>Kate Wood, Exec. Director

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Kate Wood

From: LANDMARK WEST! [landmarkwest@landmarkwest.org]
Sent: Wednesday, November 17, 2004 12:07 PM
To: kate wood
Subject: FW: Response from Preserve

-----Original Message-----

From: Stanley Bulbach [mailto:letters@bulbach.com]
Sent: Wednesday, November 17, 2004 11:26 AM
To: Kate Wood
Subject: Response from Preserve

Dear Kate,

I got a response yesterday from Salvatore Deluca to my 11/15 query to The National Trust for Historic Preservation that I cc'd to you.

He signed the bottom of the email as "Preserve" so I'm not clear whether this is an organization that controls a publication, or a publication that controls an organization.

He wrote that "to my knowledge, in response to your question, no authority has 'confirmed that the exterior of the building does not necessarily interfere with the conditions on the inside.' If we write again about the building, that question is definitely worth looking into."

I would think that a still-open question of this significance would pose quite an Achilles' Heel in a real estate dominated town like NYC. Is there anyone your group knows with whom I could communicate very soon who could address this question before I publish my references to the controversy?

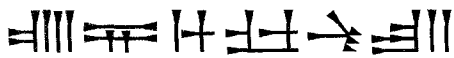
Mr. Deluca also suggested that I check Barnes and Noble for available copies of Preservation. I responded that I had already checked and their computer has no reference to the publication. I couldn't even find it at the New York Historical Society. I recommended to him that Preservation get some copies out to Manhattan's West Side because they would probably sell well and help financially support their program.

Please do let me know as soon as possible how to clarify this key question about whether the exterior is inextricably related to control of conditions in the interior.

And please let me know if you were able to mail me the Times article you mentioned by William T. Hamilton as my reference to that would be very helpful.

Thanks,
Stanley

Stanley Bulbach, Ph.D.
letters@bulbach.com
<<http://www.bulbach.com>>



Kate Wood, Executive Director
Landmark West!
45 West 67th Street
New York, NY 10023

December 17, 2004

Dear Kate,

I enjoyed speaking with Erin when I called to speak with you on December 6th. She told me about her recent class reunion and the concern expressed by her former classmates about changes in their school's focus. These changes significantly altered the field into which Erin and her classmates were graduated, and yet they and the rest of the field's community were not appropriately brought into the process of considering those significant changes. One of the biggest challenges today in any field is the shrinking role of the grass roots communities.

I called you on the 6th because after weeks of surveying the effort to preserve 2 Columbus Circle, I was never able to ascertain exactly how the effort is structured or what its strategy is. I still don't know who or what group is spearheading the effort, and I still don't know if the effort includes more than well-known people in the arts and design world. In short, when keeping my eyes peeled, I haven't seen clearly how the general public might best get involved.

Being a bit familiar with the Museum of Art & Design and having some experience in grass roots community efforts, I thought that this was an inauspicious sign that should be brought to someone's attention as soon as possible.

1. The preservation effort for 2 Columbus Circle appears to be fighting the wrong adversary.

Almost everything I've been able to read about the effort seems to focus on pressure directed towards the very powerful promoter of the underlying real estate transaction, Mayor Bloomberg's City Hall with its bottomless legal resources and court influence, the Corporation Council.

Allied with those two strong entities are the current Borough President, the Manhattan Borough Board, and Manhattan's Community Board #5. C. Virginia Fields is well known for siding with developers at the expense of the grass roots communities. She directly appoints 50% of the Community Board Member and has vetoes over the appointment of the remaining 50%. The Borough Board is largely the borough's combined community boards she controls. And Community Board #5 has worked quite hard to earn its nickname, the "Business Board."

It's little surprise that the Landmarks Commission is uncooperative. The focus on challenging this pro-development municipal juggernaut seems predicably self-defeating unless it is only a second front intending to be a diversion. But I can't find anything about any other front existing.

2. The preservation movement seems to have done nothing to challenge the Museum's major weaknesses and vulnerabilities.

The museum is extremely short on funding. Most small museums are in dire financial straits and cannot afford bad publicity and alienating the public. In addition, this museum has badly alienated its own arts constituency — contemporary American craft art — so it is particularly weak. Years after its name change it still can't even afford to change its domain name for its website! It is instructive that the museum has still not raised the total funding for the project.

I find almost nothing in the preservation effort's materials describing the museum's three glaring liabilities and nothing about the preservation effort attempting to hold the museum's board of directors individually and publicly accountable. First, as a museum of design the museum's board is professionally and ethically accountable for any failure to preserve a notable design. Second, the board is accountable for the content of the NY Post article the museum features and the primary message it sends. That content goes far beyond supporting the museum's design intentions to be virulently and broadly anti-preservationist. Third, the board is accountable for posting the article as the comments of a credible design authority without disclosing the author's training and background underlying his strong opinions. The board fails to disclose that author only has a BA in English, is a real estate industry writer, and publicly ridicules "learned architects."

Except for Steve Miller's brief letter-to-the-editor of the Times, I have not been able to learn anything about any preservation effort to publicize that these are appalling policies for individual board members to be promoting.

- 3) The preservation effort appears to have defaulted in rebutting the museum's one strong argument in support of destroying the exterior.

The only strong argument I was able to find in support of the museum's wish to destroy the exterior of the building is the claim that the interior cannot be appropriately upgraded within the currently existing exterior. I ran across no publicly posted rebuttal to that argument. If I didn't find anything while actively searching, then the general public probably won't either, being left to conclude that the museum's sole unchallenged technical claim must be valid.

- 4) The preservation effort's machinery seems unresponsive to grass roots community interest in supporting the effort.

The preservation effort has created an appearance that it does not seem interested in community participation that is not "big name." The preservation effort thus far has created the appearance of being solely a debate about design, or even solely about opinions about design. Since the importance of aesthetic opinions in this town seems to be tied to the social status of the opinion holders, the resulting impression created seems to be that the hoi polloi have little to contribute.

It is noteworthy that no one in the effort has known where Preservation was available for the New York City public to read; nor have they seemed to care. Simeon Bankoff of Historic Districts Council was unable to answer questions I raised and immediately bounced me back to you. Scott P. Heyl and the Preservation League of New York State have not responded to anything I have sent out. Salvatore Deluca of the National Trust for Historic Preservation was helpful in securing a copy of Preservation for me but said nothing about the preservation activities per se. Kyle Normandin hasn't responded to my query of December 7 about the museum's claims to need to redo the exterior to improve the interior. And so on.

And I wonder how others who have expressed less dogged interested have felt if they've reached out to find the same reactions.

5. The preservation effort seems to have no "carrot" to double the clout of any "stick" it might yield.

The museum is so pressed for funding and support that it would have to give very serious consideration to any offer of help regarding its fund raising and public image. Perhaps that explains why the museum accepted the support of that embarrassing Post article which reflects so poorly on the museum. They are desperate for support. If the preservation effort began to hold the members of the Board individually and publicly responsible for their destructive policy, that pressure could be then be doubled: The preservation effort could offer to encourage community support for the museum — if the board reconsiders and preserves the exterior.

I fear that the combination of deficiencies cited above threatens to be fatal. Perhaps I am mistaken that these deficiencies exist. However, if these are the impressions I'm left with after weeks of surveying the controversy, then I fear I've discovered that the preservation effort is permitting an impression that a greater public interest is of little importance to them.

In the alternative, it remains my opinion that if the preservation effort addresses the above basic considerations appropriately, it might easily achieve its goals.

Sincerely yours,



Stanley Bulbach, Ph.D.
239 West 15th Street
New York, New York 10011

212.243.9010
e-mail: letters@bulbach.com
website: www.bulbach.com



Arlene Simon, President
Kate Woods, Executive Director
Land Mark West!
45 West 67th Street
New York, New York 10023

Forward to Tony
Via Email

April 12, 2005

Re: Preserving the Exterior of 2 Columbus Circle

Dear Arlene and Kate,

At the end of our meeting on last Wednesday you recommended that I make some specific suggestions regarding my concern that your campaign to save 2 Columbus Circle is overlooking a key issue regarding the professional responsibility and ethics of the Board of the Museum of Art and Design a/k/a Museum of American Craft in that board's plans to destroy the exterior of 2 Columbus Circle.

I'm delighted to make those suggestions based upon my experience as a professional Contemporary American Craftsman, as a trained researcher with a doctorate from New York University, and as the head of my local block association, as a Board Member of the Chelsea Village Partnership, Inc., and as a public member of the local community board.

I question the potential success of Landmark West's exclusive focus of public attention upon the powerful role of City Hall and the Landmarks Commission in the threatened destruction of the exterior of 2 Columbus Circle. Yes, City Hall is pushing the project improperly. And yes, it is appropriate for Landmark West to focus on the failures of the Landmarks Commission in the Mayor's push. But there is at least one other key issue here of great importance regarding averting impending destruction.

That other key issue was forcefully expressed on November 29, 2003 by Steven H. Miller^{1/} in the *New York Times* when he asked "What sort of museum devoted to celebrating design would deliberately destroy its most important design artifact?" and stated that "Such action completely contradicts the preservation imperative that museums by definition gladly embrace."

Not only is MAD blatantly contravening its own ethical and professional mission as a museum of design, it is publicly trashing design "preservationism," including Landmark West and its supporters, in documents posted on its professional website.

If Landmark West wishes to preserve the exterior of 2 Columbus Circle, it cannot depend solely upon the Mayor's Landmarks Commission. But Landmark West can also challenge the museum itself for its unconscionable behavior.

^{1/} Adjunct Professor, graduate programs in museum professions, Seton Hall University; Former Chief Curator of the Museum of the City of New York; and current Executive Director of the Morris Museum, Morristown, New Jersey.

The sole comment Landmark West raises on its website along these lines is, unfortunately, only a defensive one that is hard for the public to find.^{2/} Where Landmark West could challenge Director Holly Hotchner aggressively for being destructive and anti-preservationist, the organization takes the weaker position of merely defending itself from the museum's distracting accusation of being obstructionist.

There is a rising concern among the public and within the museum profession itself, that a growing number of museums are running amok in a way that calls for challenges in the broad light of day with open public discourse. One immediate example of museums running amok is where the Whitney Museum advocates the destruction of buildings already landmarked. Many of these serious questions about current museum ethics have led to a recent avalanche of books such as *Whose Muse? Art Museums and the Public Trust*, ed. by James Cuno, *Eyewitness: Reports from an art world in crisis*, Jed Perl, *Tales from the Art Crypt: the painters, the museums, the curators, the collectors, the auctions, the art*, Richard Feigen, *Cultural Incorporated: museums, artists, and corporate sponsorships*, Mark W. Rectanus, etc. *Does Lindman?*

This criticism of museums acting like MAD is so intense that in 2000 the American Association of Museums issued new ethical guidelines calling for "increase transparency and accountability" in how its member museums operate. This professional organizational call was so stunning and powerful that it was addressed in an editorial in the New York Times, in a letter to the editor of the Times by the President and CEO of the AAM, as well as in a report in the Times. *Send these*

If Landmark West realistically wishes to prevent the destruction of the exterior of 2 Columbus Circle I strongly suggest that Landmark West begin to address this second key issue and begin throwing the spotlight on what the buyer of the property — the museum of design — is doing and saying.

I suggest that Landmark West start by asking your highest visibility supporters to co-sign a short, direct, open letter to the Association of American Museums and the New York Times that:

- publicly proclaims that the museum is in serious violation of its professional ethical responsibilities in its attempt to destroy this exterior and in its posting of a document on its website that attacks architectural preservationists as obstructionists;
 - publicly discloses the real estate background of the museum's Chairman of the Capital Campaign for the Museum of Art and Design, Jerome A. Chazen (shopping mall development related to Taubman properties) and also posts the names of all the other
- Call Tony + Mike
make this into a letter to Tom Wolfe*

^{2/} That page states: "Visit www.save2columbus.org to join 'The Silent Majority' of people who support a public landmarks hearing for 2 Columbus Circle!" But clicking the text "www.save2columbus.org" links instead to: <http://www.landmarkwest.org/advocacy/index.html>, which is not the correct webpage.

portion of the Down Payment and the portion of the Purchase Price received at Closing to pay and discharge the same.

(b) If, at the Closing, the Property is subject to any mortgage or mortgages or any liens or other encumbrances which are in a liquidated amount which may be satisfied by the payment of money and which are the result of the affirmative acts of Seller to further encumber the Property (all of the foregoing are collectively referred to as "Liens"), Seller shall be obligated to pay the same (but not in excess of the Down Payment and the portion of the Purchase Price received at Closing), and the existence thereof shall not constitute a Title Objection provided that such Liens are paid by Seller and Purchaser's title insurance company shall omit the same from Purchaser's title insurance policy. Nothing herein shall require the Seller to pay any sum to discharge any lien (including any Liens) or other encumbrance which is the subject of the letter referred to in 8(e) above.

(c) Notwithstanding anything to the contrary contained in this Section 12, if there shall be any title exceptions (other than the Permitted Encumbrances or exceptions to which Purchaser has agreed to take subject, as herein provided) which may be removed by delivery of affidavits from Seller, reasonably requested by Purchaser's title insurance company, in form and substance reasonably satisfactory to Seller and sufficient to permit omission of same from the title policy, then Seller shall furnish such affidavits at the Closing.

Section 13. **Notice**

Any notice, demand, or request that, under the terms of this Contract or under any statute, must or may be given or made by either of the parties hereto to the other party shall be in writing, and, except as otherwise expressly provided herein, shall be given by mailing the same by registered or certified mail addressed as follows:

If to Seller:

New York City Economic Development Corporation
110 William Street
New York, New York 10038
Attn: Vice President for Development

If to Purchaser:

Museum of Arts and Design
40 West 53rd Street
New York, New York 10019
Attn: Executive Director

Copy to Purchaser's Attorney:

Ross F. Moskowitz, Esq.
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York, New York 10038

Either party, however, may designate in writing any new or other address to which such notice, demand or request shall thereafter be so mailed. Any such notice, demand or request shall be deemed given when deposited in a general or branch post office, maintained by the U.S. Postal Service, enclosed in a registered or certified prepaid wrapper addressed as herein provided.

Section 14. Broker

Seller and Purchaser mutually agree that no broker brought about this sale. Purchaser agrees, however, to defend, indemnify and hold harmless the City and Seller and their respective officers, directors, members, principals, agents, representatives and employees from and against any obligation, liability, claim, demand, penalty, fine, damages, cost, expense and judgment incurred by Seller or the City as a result of any claim for commission or other similar compensation brought by any broker or brokerage firm or other firm or individual relating to the

board members so that the public begins to learn the identities of the artists and donors who are responsible for supporting the design museum's permanent destruction of this notable architectural design; and

great if
Tom can
point
finger

- publicly discloses that the museum refuses to come to the table to work constructively with the concerned local community to find a way to have the museum successfully use the building's location and interior while preserving the notable exterior design of 2 Columbus Circle.

I suggest that this open letter should also make specific reference to:

- the new ethical guidelines of the American Association of Museums calling for "increased transparency and accountability" in how its member museums operate and its applicability to the Museum of Art and Design's refusal to come to the negotiating table; and
- the statement of Laurie Beckelman, director of MAD's New Building Program, that "emphasizes that the museum's primary interest is, 'not the building but the site,' adjacent to a transit hub and midtown foot traffic." ("Preservation of 2 Columbus Circle Faces Further Setbacks," Thomas de Monchaux, archrecord.construction.com, March 16, 2005) acknowledging that the museum's key priorities are the location and the interior over a replaced exterior.

Can
Stanley
send?

I suggest that this open letter should then be published on Landmark West's website as the organization's opening salvo to raise the issue of the Museum of Art and Design's public accountability for trying to destroy the design of this significant building when such destruction is acknowledged by the museum as not paramount. Then the open letter could be circulated in a press release.

While the books I cited are recent, the first book that I read that began to raise some of these issues was Tom Wolfe's *The Painted Word*. If he and other respected supporters signed onto an open letter like this, that would finally begin to engage the professional, ethical questions in public about the Board of the Museum of Art and Design that "deliberately destroys its most important design artifact."

Sincerely,



Stanley Bulbach, Ph.D.
239 West 15th Street
New York, New York 10011

212.243.9010
e-mail: letters@bulbach.com
website: www.bulbach.com

think of other
good ppl
- Liz's list



Arlene Simon, President
Kate Woods, Executive Director
Land Mark West!
45 West 67th Street
New York, New York 10023

Via Email

April 12, 2005

Re: Preserving the Exterior of 2 Columbus Circle

Dear Arlene and Kate,

At the end of our meeting on last Wednesday you recommended that I make some specific suggestions regarding my concern that your campaign to save 2 Columbus Circle is overlooking a key issue regarding the professional responsibility and ethics of the Board of the Museum of Art and Design a/k/a Museum of American Craft in that board's plans to destroy the exterior of 2 Columbus Circle.

I'm delighted to make those suggestions based upon my experience as a professional Contemporary American Craftsman, as a trained researcher with a doctorate from New York University, and as the head of my local block association, as a Board Member of the Chelsea Village Partnership, Inc., and as a public member of the local community board.

I question the potential success of Landmark West's exclusive focus of public attention upon the powerful role of City Hall and the Landmarks Commission in the threatened destruction of the exterior of 2 Columbus Circle. Yes, City Hall is pushing the project improperly. And yes, it is appropriate for Landmark West to focus on the failures of the Landmarks Commission in the Mayor's push. But there is at least one other key issue here of great importance regarding averting impending destruction.

That other key issue was forcefully expressed on November 29, 2003 by Steven H. Miller^{1/} in the *New York Times* when he asked "What sort of museum devoted to celebrating design would deliberately destroy its most important design artifact?" and stated that "Such action completely contradicts the preservation imperative that museums by definition gladly embrace."

Not only is MAD blatantly contravening its own ethical and professional mission as a museum of design, it is publicly trashing design "preservationism," including Landmark West and its supporters, in documents posted on its professional website.

If Landmark West wishes to preserve the exterior of 2 Columbus Circle, it cannot depend solely upon the Mayor's Landmarks Commission. But Landmark West can also challenge the museum itself for its unconscionable behavior.

^{1/} Adjunct Professor, graduate programs in museum professions, Seton Hall University; Former Chief Curator of the Museum of the City of New York; and current Executive Director of the Morris Museum, Morristown, New Jersey.

The sole comment Landmark West raises on its website along these lines is, unfortunately, only a defensive one that is hard for the public to find.^{2/} Where Landmark West could challenge Director Holly Hotchner aggressively for being destructive and anti-preservationist, the organization takes the weaker position of merely defending itself from the museum's distracting accusation of being obstructionist.

There is a rising concern among the public and within the museum profession itself, that a growing number of museums are running amok in a way that calls for challenges in the broad light of day with open public discourse. One immediate example of museums running amok is where the Whitney Museum advocates the destruction of buildings already landmarked. Many of these serious questions about current museum ethics have led to a recent avalanche of books such as *Whose Muse? Art Museums and the Public Trust*, ed. by James Cuno, *Eyewitness: Reports from an art world in crisis*, Jed Perl, *Tales from the Art Crypt: the painters, the museums, the curators, the collectors, the auctions, the art*, Richard Feigen, *Cultural Incorporated: museums, artists, and corporate sponsorships*, Mark W. Rectanus, etc.

This criticism of museums acting like MAD is so intense that in 2000 the American Association of Museums issued new ethical guidelines calling for "increase transparency and accountability" in how its member museums operate. This professional organizational call was so stunning and powerful that it was addressed in an editorial in the New York Times, in a letter to the editor of the Times by the President and CEO of the AAM, as well as in a report in the Times.

If Landmark West realistically wishes to prevent the destruction of the exterior of 2 Columbus Circle I strongly suggest that Landmark West begin to address this second key issue and begin throwing the spotlight on what the buyer of the property — the museum of design — is doing and saying.

I suggest that Landmark West start by asking your highest visibility supporters to co-sign a short, direct, open letter to the Association of American Museums and the New York Times that:

- publicly proclaims that the museum is in serious violation of its professional ethical responsibilities in its attempt to destroy this exterior and in its posting of a document on its website that attacks architectural preservationists as obstructionists;
- publicly discloses the real estate background of the museum's Chairman of the Capital Campaign for the Museum of Art and Design, Jerome A. Chazen (shopping mall development related to Taubman properties) and also posts the names of all the other

^{2/} That page states: "Visit www.save2columbus.org to join 'The Silent Majority' of people who support a public landmarks hearing for 2 Columbus Circle!" But clicking the text "www.save2columbus.org" links instead to: <http://www.landmarkwest.org/advocacy/index.html>, which is not the correct webpage.

board members so that the public begins to learn the identities of the artists and donors who are responsible for supporting the design museum's permanent destruction of this notable architectural design; and

- publicly discloses that the museum refuses to come to the table to work constructively with the concerned local community to find a way to have the museum successfully use the building's location and interior while preserving the notable exterior design of 2 Columbus Circle.

I suggest that this open letter should also make specific reference to:

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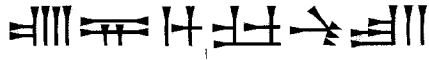
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Sincerely,



Stanley Bulbach, Ph.D.
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website: www.bulbach.com



Edward Able, Jr., President and CEO
Helen J. Wechsler, Director, International and Ethics Programs
American Association of Museums
1575 Eye Street NW, Suite 400
Washington DC 20005

June 30, 2005

**Re: “More Accountability,
More Transparency of Action”**

Dear Mr. Able and Ms. Wechsler:

In 2003 I had contacted you asking the American Association of Museums if the Ethical Guidelines of August 2000 that it previously publicized in a letter-to-the-editor of the *New York Times* and on the Internet still existed and applied to anything.

As part of my ongoing writing about questionable art museum practices and about the growing numbers of books published about these same questions, I sought your verification. Although art museums make increasing claims to maintaining academic standards and professional ethics, controversy still continues to rise.

You generously took the time to respond, assuring me that the AAM continued to urge increased accountability and transparency in its members' actions, and you advised me to join one of your organization's committees. Unfortunately, the travel requirements would have been unduly burdensome. Furthermore, having me join one of your committees does not adequately address the core question of your members' ethical and professional responsibilities to the public. And I raised my questions to you as a concerned member of the public and not as an AAM member.

The real concern was not what I could do in an AAM committee. The real concern is, what is the AAM doing about rising ethical and professional controversies arising from some of its members' unbridled behavior? The words in the AAM's Ethical Guidelines sound great, but are they anything more than just public posturing?

We are all familiar with the classic example of Brooklyn Museum Director Arnold Lehman telling the *New York Times* and the Court that he had selected the Saatchi Collection for exhibition at the Brooklyn Museum after inspecting it in person, when he then subsequently admitted that he had lied and not researched the work academically as part of the selection process and that it was actually selected based upon previously undisclosed financial and promotional criteria. So much for vaunted claims of academic validity and excellently trained taste underlying the art museum's review and selection processes.

Since you read the *New York Times*, you must be fully aware of the current controversy in New York City. This time it is the American Craft Museum gone out-of-control. It recently morphed into the Museum of Arts & Design (“MAD”) based upon marketing considerations according to its Board's statements to the *New York Times*.

(4) For purposes herein, Hazardous Substances shall mean any (i) "hazardous substances" as defined under the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Section 9601, et seq.), or (ii) "hazardous waste" as defined under the Resource Conservation and Recovery Act (42 U.S.C. Section 6901 et seq., or (iii) "hazardous materials" as defined under the Hazardous Materials Transportation Act (42 U.S.C. Section 5101 et seq.), or (iv) "hazardous waste" as defined under New York Environmental Conservation Law (Section 27-0901 et seq.), or (v) "hazardous substance" as defined under the Clean Water Act (33 U.S.C. Section 1321 et seq.), and the regulations adopted and publications promulgated pursuant to all such acts, and all other applicable laws, rules or regulations of all Federal, State and local authorities having jurisdiction over the Property.

(g) Purchaser shall prepare a completed detailed architectural design drawings and specifications within sixty (60) days from the date hereof for the renovation of the entire Property. The plans shall be consistent with the schematic drawings for sidewalk and landscaping work as referenced in Exhibit D attached hereto, and shall be, in Seller's sole and absolute determination and in consultation with the Department of City Planning, generally consistent with the illustrative drawings and renderings provided to the City Planning Commission (the "Commission") in connection with the Commission's approval of the conveyance hereunder pursuant to Section 197-c of the New York City Charter, with regard to exterior color, materials and configuration, as referenced in Exhibit E attached hereto. Seller shall review and comment upon such submitted plans and specifications within thirty (30) business days of receipt thereof for compliance with the requirements of this paragraph (g), and, provided that such submission contains a cover letter making specific reference to this paragraph of this Contract and the thirty (30) business day turn-around time set forth herein, if no

First we have a serious problem of what the primary purpose of a museum is. Most of the public understands it to be the dictionary definition: "A building, or part of one, in which are preserved and exhibited objects of permanent interest in one or more of the arts and sciences." But the first action of the so-called Museum of Arts & Design has been to buy a public building with a significant architectural design and then to plan to destroy that exterior design. Yesterday it just received the permit to do just that starting this coming Tuesday.

As to general principles? On its website, the museum has posted an article by a real estate writer that trashes all preservationists and "learned architects". So much for the professional principles of this particular AAM member.

During this controversy concerning the primary principles of museums (and the public monies that support them) we haven't heard a peep from your organization about how this conflicts with ethical and professional standards. Why is that? Are these standards only for press release reference?

Second, now we discover that the destruction of a notable architectural exterior of a building owned by the public has been achieved by MAD by means of illegal private communications leading to the denial of a normal public hearing regarding the public's property. This conspiracy is featured in this week's *New York Magazine*. This was achieved by MAD's hiring a former chair of the Landmarks Preservation Commission. And one wonders what kind of improper role MAD might have had its Board Member, Michael Bloomberg, play here too. (See: <http://newyorkmetro.com/nymetro/news/people/columns/intelligencer/12156/> and http://www.landmarkwest.org/advocacy/ad_02/2columbuscircle.html .)

This is not small potatoes. These allegations are laid out in the Verified Petition filed on behalf of LandmarkWest! by its attorney Whitney North Seymour, Jr., former Prosecutor of the Southern District of New York. The plaintiff secured copies of the private emails between the museum and the LPC through a Freedom of Information filing. The Verified Petition is available at: and its Exhibits which include the email are available on the Internet. In fact, the Petition includes the AAM's own Ethical Guidelines as Exhibit H. Clearly the public thinks more of the AAM's ethical standards than the AAM itself does.

Why are the guidelines cited in a serious lawsuit, while the AAM itself remains silent? Mr. Abel and Ms. Wechsler, does this mean that the Ethical Guidelines that the AAM proclaimed in the *New York Times* are little more than a Red Herring to distract people when one of its members destroys the public's potential landmarks, trashes preservation efforts in general, and conspires illegally to block a normal public hearing? If that isn't a grave problem of transparency and accountability in your membership, then what in Heaven's Name is?

The *New York Times* is raising questions about this in print. So is the World Monument Watch, NYS Preservation, The National Trust for Historic Preservation, DOCOMOMO, Municipal Art Society, New York Landmarks Conservancy, Fine Arts Federation, Modern Architecture

comments are received from Seller, such submission shall be deemed approved by Seller.

Purchaser shall incorporate any reasonable comments by Seller into the plans and specifications and resubmit such revised plans and specifications to Seller with respect to the requirements set forth in this paragraph (g). Nothing herein shall be construed to place on Seller any liability with respect to such plans and specifications, including without limitation any liability for any patent or latent defects or any compliance with applicable law.

(h) If Purchaser shall not comply with the requirements of 4(a), 4(b), 4(c), 4(d), 4(e) and 4(g), then Seller, after giving Purchaser notice and 20 business days to cure, may upon notice to Purchaser terminate this Contract on account of Purchaser's default, and shall have the remedies set forth in Section 15 hereof.

(i) In the event of any casualty affecting the Property prior to the Closing Date, Purchaser shall have right to terminate the Contract, and after such termination, Purchaser and Seller shall have no further obligations or liabilities under this Contract, except that Seller shall promptly thereafter deliver the Down Payment to Purchaser.

Section 5. The Closing

The closing of title pursuant to this Contract (the "Closing"), will take place at 1:00 p.m. on such date upon which Seller and Purchaser may agree at the offices of Seller as set forth above or at such other place within the City as Seller may designate upon five (5) business days prior written notice to Purchaser (the actual date of the Closing being herein referred to as the "Closing Date"), but in no event later than the date which is 90 days from the date that a decision favorable to the City is rendered by the New York Supreme Court (First Dept.) in the case of Landmark West !, et al. v. The City of New York and New York City Economic Development Corporation, No. 103689/05 (or, if an decision adverse to the City is rendered, from the date that

Edward Able, Jr. and Helen J. Wechsler
June 30, 2005
Page 3

Working Group, Committee for Environmentally Sound Development, New York Artists Equity Association, Committee for Post War Architecture, Recent Past Preservation Network, and many, many others. Why are their voices raised, while the AAM's is silent?

If AAM does not believe in the ethical guidelines it publicizes, then maybe its time for the public to know more about such a charade. Maybe it's time for the public to look more closely about public funding of AAM members.

And if the AAM does believe in those ethical guidelines, then it's high time for the AAM to insert itself into this growing controversy before the damage starts next week? Otherwise the damage done to 2 Columbus Circle next week will pale against the damage the AAM is permitting done by MAD to AAM's public credibility and reputation.

Sincerely,

COPY

Stanley Bulbach, Ph.D.
239 West 15th Street
New York, New York 10011

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e-mail: letters@bulbach.com
website: www.bulbach.com

cc: LandmarkWest!
The New York Times
Et al.