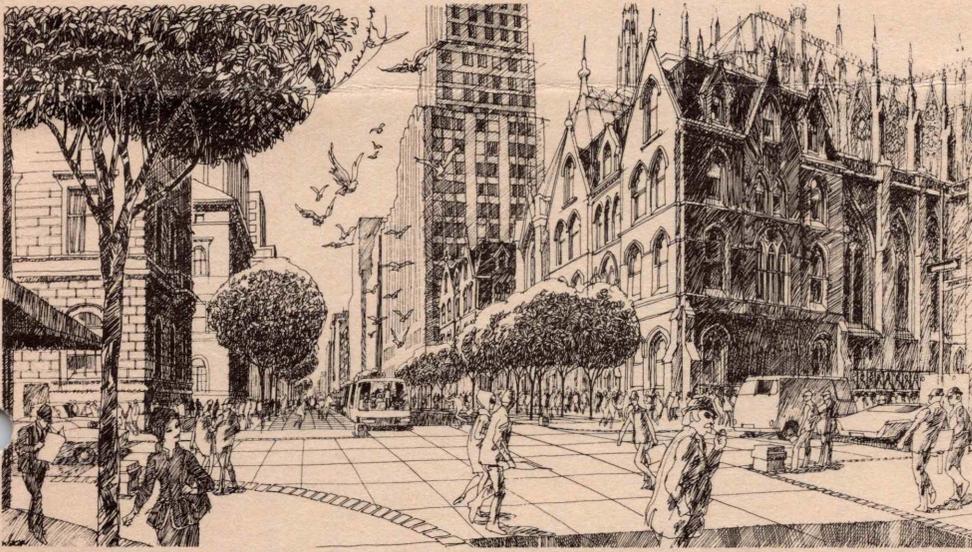


## Full Support For Madison Mall



The Madison Avenue Mall, 42nd to 57th Streets, has been approved by Community Board No. 5 by a 13-7 vote, and at this meeting the Mayor's go-ahead is expected.

On December 7 Jaquelin Robertson, Director of the Office of Midtown Planning and Development, was extensively questioned by Executive Committee members and others, and certain objections raised by the Fifth Avenue Association were reviewed. On the 8th, the Urban Planning Committee submitted a favorable recommendation to the Executive Committee, which approved it the next day.

The proposal calls for two 11-foot wide traffic lanes open to buses, minibuses, emergency and delivery vehicles, with crosstown traffic being permitted. Wide, 29-foot sidewalks would replace the present 13-foot sidewalks, with large trees, benches, new paving materials, new street lighting, signs and other street furniture. Local merchants, building owners and tenants on each block would be encouraged to participate in special plans for additional improvements. Minibuses serving shoppers from Herald Square to Bloomingdale's-Alexander's would run through the Mall

The crucial decision was to be by Community Board No. 5. While these Boards have no statutory power, their influence can be great. It held a

hearing on December 14, and President Frost presented the Chapter's position, in part as follows:

1. Madison Mall would create urgently needed usable open space for pedestrians in Midtown. This objective is wholeheartedly supported and the OMPD is to be congratulated for boldly developing this idea.
2. The successful functioning of a pedestrian mall depends upon the careful planning and implementation of alternative arrangements for the service of buildings, delivery of goods, emergency access, the transportation of people, parking, traffic circulation as well as the maintenance and operation of the mall environment itself.
3. If Madison Mall is to become a reality, the active support of all affected sections of the community is essential. At the very least, the business community must be assured that their functional requirements can be met even if they have continuing doubts about the favorable impact of the Mall on their business.
4. We are firmly convinced of the basic validity of this proposal and we are prepared to do all in our power to back its development and implementation.

## Executive Committee Actions

**December 9, 1971**

- Accepted Max Bond's resignation as Vice President with regret, noting that other commitments and scheduling difficulties were behind his decision.
- Appointed Samuel M. Brody to complete Max Bond's term as Vice President. Appointed Lewis Davis to replace Mr. Brody as Chairman of the Housing Committee.
- Appointed Frank Karelson III as legal counsel to the Chapter.
- Recommended to the membership that Donald Elliott, Chairman of the Planning Commission, be made an Honorary Member of the Chapter. This will be voted on at the January 14 Chapter meeting, as will a bylaw amendment to change "honorary associate" to "honorary member."
- Retained Julian Neski to design alterations at Chapter headquarters.
- Approved the Hospitals and Health Facilities Committee's request to publish a construction cost guide.
- Frank Munzer, Chairman of the Technical Education Committee, appeared to urge that architectural firms participate in JUMP, the federally-funded on-the-job training program.
- Discussed the recommendations of the Urban Planning Committee concerning the proposed Madison Mall (see article p.1) and resolved to support it at the Community Board No. 5 hearing and, further, through its implementation.

## The Noise Code: "A Much Needed Step In A Much Needed Direction"

Is anything going to be done about Noise? Finally, Yes. If Marvin Mills' Natural Environment Committee has its way, the NYC Noise Control Code will be passed in 1972.

Committee members testified twice in support of Int. No. 661, and on Nov. 30 sponsored a Symposium, organized by Manfred Riedel, that discussed its provisions.

Ranger Farrell of Ranger Farrell & Associates dominated the evening with his description of the Code, praising its broad-bush method. The Code contains three types of controls: A "Nuisance Law" ("No person shall make any unnecessary noise"); "Specific Regulations" for allowable sound levels of motor vehicles, air compressors, emergency signals, etc.; and "Ambient Noise Quality Requirements"—variables of time, space, usage and habitation density used for setting allowable levels of sound.

The Code is highly aware of what is enforceable, the lack of research data for standards, financial hardships brought by crack-downs on aircraft and rapid transit (which it glosses over). Most important are the powers given to make any investigation or study desirable for enforcing the Code and reducing noise.

Other speakers were Dr. Emil Pascarelli of Roosevelt Hospital and Stannard Potter, United Acoustic Consultants President. Robert Benin of the NYC Environmental Protection Agency spoke from the audience.

Architects can't oblige a client to use low-noise building equipment but can notify the City Council of their approval of the Code.

The proposed Code is available at the City Record Sales Office, 31 Chambers Street, NYC 10007.

DPH

## Willensky Appointed Chapter Public Relations Consultant

Chapter member Elliot Willensky, formerly chairman of the Public Relations Committee, has been appointed by the Executive Committee to act as a paid consultant to the Chapter on public relations matters.

Willensky is now developing an overall public relations program for the Chapter. The plan is scheduled for completion and presentation to the Executive Committee in January.

Activities of various committees, particularly the Public Service Fund and Political Affairs, will receive special attention.

Public Affairs Commission Chairman Tim Prentice indicated that the availability on a continuing basis, of a consultant who has first-hand knowledge of the profession will give the Chapter the capability of publicizing its positions and activities in an organized manner rather than as delayed reactions to outside events.

The Public Relations Committee will function in an advisory capacity offering recommendations to the Consultant.

JD

## President Frost Responds To Architects and The City Report

NYC/AIA President Frost addressed a letter to Mayor Lindsay last December 13th in response to the "Architects and the City of New York" report. We publish here a somewhat abbreviated version:

Dear Mayor Lindsay:

The Report on the **Working Relationships of Architects and the City of New York**, which we naturally find extremely interesting, raises in a specific way many of the issues to which our chapter has been calling attention for many years and makes recommendations most of which we support without question.

We strongly favor amending the Wickes Multiple Contract Law to eliminate the requirement for four separate contracts or at least provide an alternative and have so testified before the Henderson Committee of the State Legislature.

We have worked and are continuing to work with Administrator Musicus to improve the form of contract covering architectural and engineering services in connection with the City's building projects, and some progress has been made, although there are still many provisions we consider inequitable. Also, the administration of the contract by the city agencies leaves much to be desired if the city is really desirous of purchasing quality service from professionals.

The problem of establishing realistic budgets upon which to base architectural fees continues to be most difficult but we are hopeful that under the direction of Budget Director Grossman, himself a trained architect, that office will begin to understand that what the city gets for fees paid is just as important as the amount of the fees and that cut-rate fees seldom, if ever, produce buildings which are truly economical over their life span and become a source of pride for the people.

Probably the biggest impediment to equitable contract administration not only for architectural and engineering services but also for the construction of public buildings is the lack of provision for binding arbitration of disputes. At present, the decisions of the commissioners are final and may only be appealed through the Comptroller to the courts, a long and costly procedure.

The Reports's recommendation for a City Architect is, of course, most interesting to us. However, the report (quite properly) does not develop the full implications of such a move and we intend to study this idea as fully as we can in a reasonable length of time.

In public building, as you have so often pointed out about municipal government, the checks and balances have gotten out of hand. The watchdog agencies have become so negative as to inhibit or in some cases prohibit good work. We must find ways by which architects and engineers can be given full responsibility for the design process and be properly compensated to discharge that responsibility.

Sincerely yours,

Frederick G. Frost, Jr.  
President

## Chapter Contributes To Report

The *Times* gave front page coverage to a report by the Mayor's Urban Design Council of New York, entitled "The City of New York's Working Relationship with Architects", supervised by Charles Reiss, its Executive Director. The report recommends the creation of the Office of the City Architect and ascribes the low quality of architectural services to duplication of procedures and below standard fees.

Among Chapter members interviewed were past presidents David Todd, Giorgio Cavaglieri, and Daniel Schwartzman, Chairman of the Public Agencies Committee. Listed in its bibliography were 10 articles from *Oculus*. The Chapter is preparing a statement on the proposed Office of the City Architect.

KK

## Methods of Compensation

They NYC/AIA will shortly issue a brochure entitled "Methods of Compensation" prepared by the Fees & Contracts Committee. According to Curtis R. Fremond, the committee's chairman, the booklet is intended to complement the Institute's Statement of the Architect's Services. It is coordinated with the standard documents of the AIA for Owner Architect agreements and describes the more common and acceptable methods of compensation for architect's services; their application, advantages and disadvantages, and guidelines for use. The six methods selected are: Percentage of Construction Cost; Multiple of Direct Personnel Expense; Professional Fee plus Expenses; Fixed Sum Method; Per Diem or Hourly Method; and Composite Method. A Compensation Selector Table indicates recommended methods for a variety of services.

To date the percentage method in graph form has been issued by the Chapter and adopted with slight variations by other chapters and the NYSAA/AIA. For a number of years, many members have felt that the percentage of construction method has often been inappropriate under an extended and changing practice. A Task Force at the AIA in Washington is presently studying new approaches to the definition of an compensation for the architect's services. The California Council and the Northwest Region of the AIA have prepared in draft form methods for such definition. The Northwest Region has proposed a data bank into which professionals would feed time and cost figures of their completed services and from which in turn they may obtain reliable information for comparable projects. It is hoped that uniform and up-to-date procedures for services and compensation will result from these efforts.

The Fees & Contracts Committee is keeping in touch with these developments by the Institute, the NYSAA/AIA, and other chapters. In the meantime, in issuing the brochure, it is expected that the time-honored preponderance of the percentage method will be de-emphasized to the benefit of other methods available. Comments by Chapter members concerning the brochure and their experience in its use are welcomed by the Fees & Contracts Committee.

*CRF/JDK*

## Political Affairs Committee Meets With Blumenthal

Manhattan Assemblyman Blumenthal met informally with the Political Affairs Committee early in December to discuss ways in which the Chapter could establish closer contact with legislators with a view to presenting architects' viewpoints effectively. Mr. Blumenthal, who is the Deputy Minority Leader, noted that the profession was not doing a good job of keeping legislators informed. He pointed out that most of them have limited staffs and could use help in formulating legislation in areas of concern to the profession. Housing, transportation and the environment were some of the areas reviewed at the meeting. Blumenthal offered to help arrange meetings with some of the legislative committees working in fields of interest.

The Political Affairs Committee is planning other meetings with politicians to develop a regular program in liaison with the appropriate State Association Committees.

*JD*

## Bidding Professional Services

The ASCE has, upon pressure from the Justice Department, eliminated Article 3 of its Code of Ethics which made it unethical for any member of the society "to invite or submit priced proposals under conditions that constitute priced competition for professional services." This action is bound to have repercussions in the architectural profession.

Curtis R. Fremond, Chairman of the Fees & Contracts Committee, noted that while any Chapter action would be within the domain of the Ethics Committee, his committee is aware of the ASCE's action and is monitoring the developments as they apply to architect's compensation, especially in New York City.

The Fees & Contracts Committee will in the future be investigating fee guidelines for the repetitive use of building designs.

*JDK*

## Housing Design Affects Crime

On November 30th, the Housing Committee sponsored a presentation by Professor Oscar Newman of NYU on Defensible Space: The Effects of Design on Behavior. Newman's study, funded by the Justice Department's Law Enforcement Assistance Administration, explores "the physical design of housing and how its disposition in the urban environment affects crime, vandalism and the vulnerability of its inhabitants". The quantification of crime by a building's physical characteristics is basic to the study which looks to "crime as a measurement of the wholesomeness of the environment." In addition, funds have been granted to do modifications to existing environments for pre and post testing of hypothesis. Based on observations, the study is now assembling design directives for defensible spaces at all densities.

Newman defines "defensible space mechanisms" as those physical characteristics which, when employed in a housing development, will tend to reduce crime. Defensible spaces are spaces organized for visual surveillance and defined such that a group of people will feel that they have a controlling interest in its use and that they will assert themselves to protect it from intruders (territorial significance). He suggests that this can be accomplished, in part, by mechanisms which physically define the transition areas between public and semi-private spaces and the areas at the entry to housing units. Examples and statistics of projects both exhibiting and lacking defensible space mechanisms were presented; regardless of the quality of the architecture, those projects exhibiting defensible space mechanisms provided a significantly more wholesome environment for its inhabitants than those without.

Newman suggests that territorial attitudes of people are directly related to the wholesomeness of the environment and are born of the environment one is brought up in. It is these attitudes that the study is attempting to stimulate and develop.  
*JDK*

## Liability Insurance Meeting

The Professional Liability Committee is continuing its research into ways to reduce the cost of liability insurance and alternate means of obtaining same. Charles E. Hughes, the committee's chairman, reports that although progress to date has not been encouraging, the committee has not given up in its task. In an effort to present to the Chapter the problems surrounding liability insurance, the committee will be scheduling an open Chapter meeting to take place within the next few weeks. At that time a representative of a major insurance company will discuss liability insurance and its related problems as well as answer questions from a panel and from those members present. If you have any questions or have had any experience which you would like discussed, please contact Charles Hughes.

*JDK*

## AIA Press Conference

The National Institute held a press conference and reception on December 7th at Chapter headquarters to brief the press on some major new initiatives directed toward increasing professional involvement in the development of public environmental policy.

Max O. Urbahn, newly installed President of the Institute, S. Scott Ferebee, Jr., First Vice President and William L. Slayton, Executive Vice President presided.

Urbahn's summary of the new AIA commitment included three major programs:

- Expanded architectural services to deal with a new level of complexity.
- Analysis of problems related to environmental policy and to communicate the results to government.
- Availability of architectural services to those who need and can't afford it.

A question and answer period followed. Interest was expressed in students and political contributions.

*JAK*

## Candidates for Membership

Information received by the Secretary of NYC/AIA regarding the qualifications of candidates for membership will be considered confidential.

### *Corporate*

Lawrence John Becchina  
Barry Benepe  
Neil B. Mitchell  
Arnold Prato  
Frank Emile Sanchis III

### *Associate*

May C. Callas  
Bill Duffy  
Andrew R. Ewing, Jr.  
Anna M. W. Swezey

## Welcome to New Members

They NYC/AIA welcomes the following members:

### *Corporate*

Henry Wright  
Robert W. Yokom

### *Associate*

Nandoo Shridhar Khanolkar  
Borwar T. Dunbar

### *Unassigned*

Alvin A. Voit

## Nixon Vetoes Bill Containing CDC Funds

The Economic Opportunity Act of 1971 was vetoed by the President, apparently because of its provisions for child care. It will come up in revised form in Congress in early 1972.

Of particular interest to architects was a section in the bill authorizing design and planning assistance for people in urban and rural poverty areas. The national AIA was instrumental in having this section included. Specifically, it could provide operating funds for Community Development Centers (CDC's). This could be of crucial importance to The Architects' Technical Assistance Center (TATAC).

The Chapter supported the OEO bill through Senate committee and both houses, and it will continue to do so as the revised bill is considered. It is expected that the CDC provision will remain in the bill.

## Statewide Use of CSI Format

The Office Practice Committee is co-sponsoring a seminar with CSI and the New York State Council on Architecture on the adoption of the CSI specifications format for government work in New York State. In addition to the sponsors of this meeting, representatives of various state agencies have been invited to attend this meeting which will be held at the Roosevelt Hotel (Madison Avenue and 45th Street) on Wednesday, January 12, 1972 at 5:45 P.M.

The discussion will center around the pros and cons of the CSI 16 Division format in connection with a proposal to use this format for state agency work. Members of the Chapter are invited to attend what should be a most useful and informative session.

Keynote speaker will be Mr. John P. Jansson, Executive Director, N.Y. State Council on Architecture. Panel members include Glen H. Abplanalp, FCSI, P.E., Partner, Havens & Emerson; Charles F. Dalton, President, John Lowry, Inc.; Herbert W. Riemer, AIA, Partner, Morris Ketchum; Harold Rosen, FCSI, Chief of Specifications, Skidmore, Owings & Merrill, Moderator.

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George S. Lewis, Executive Director

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James Max Bond, Vice President  
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David P. Helpern  
Kurt Karmin  
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Linda Yang

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