

*The following is a press release from ECO (Emergency Coalition Organization to Save Washington Square Park) regarding Article 78 petition against the Art Commission, Index 06/100889*

Press Release

From: ECO (Emergency Coalition Organization to Save Washington Square Park)  
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The attorney for ECO (Emergency Coalition Organization to Save Washington Square Park), Ronald Podolsky, brought an Article 78 proceeding in State Supreme Court on January 24, 2006, (Index 06/100889) to annul the decision of the Art Commission's approval of the New York City Parks and Recreation Department's renovation proposal for Washington Square Park, specifically the relocation of the fountain and the statutes of Garibaldi and Holley. The basis of the lawsuit is a violation of the Freedom of Information Law (FOIL). Prior to the Art Commission hearing, a Parks Department spokesman stated that no one, not even the New York Times, would be able to see the proposal. This shows a deliberate intent to prevent those opposed from being able to comment on it effectively. ECO and other opponents of the plan were deprived of a meaningful opportunity to analyze the proposal and were thwarted from presenting an effective response to the Parks Department's project. They were surprised that although The Fine Arts Federation of New York opposed moving the fountain, and seven of the eleven members of the NYC Art Commission appointed by the Mayor are members of the Federation, the Art Commission nonetheless unanimously approved the plan.

The Article 78 was brought to vacate the Art Commission's unanimous decision and to petition the court to order a new hearing, in which time presumably the proposal will have been made available in sufficient time to permit knowing discourse respecting the proposed Parks Department renovation.

The Article 78 Petition is publicly available at:  
[www.preservewashingtonsquarepark.com](http://www.preservewashingtonsquarepark.com)