

## Free Concerts Rocked the City as Controversy Rolled On

by Nicole G. Anderson

Wednesday, September 01, 2010 12:00 AM

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Photo by [Sharese Ann Frederick](#) Sharon Jones & the Dap Kings performed last month as part of the Celebrate Brooklyn! festival in Prospect Park.

This year's summer concert season had barely begun when stampeding and general mayhem prompted the police to [shut down](#) a free concert by the rapper [Drake](#) at [South Street Seaport](#). And the summer continued with other controversies, mostly revolving around a performance series in Coney Island sponsored by Brooklyn President Marty Markowitz.

For most New Yorkers such disputes barely registered as this year's three-month stretch of free programming provided music fans with a good dose of culture that did not break the bank. For surrounding communities, the concerts have offered an economic boost. And for the promoters and nonprofits running them, the music festivals once again posed the challenge of getting funding for everything from the musical acts and maintenance crew to productions costs and security.

### Let's Put on a Show!

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Most free concerts takes place in parks throughout the city and are presented by a handful of independent nonprofits and producers. Depending upon the venue and performer, a show can attract anywhere from 500 to 25,000 concertgoers. The operating budget varies from festival to festival. [River To River](#) , with multiple venues of different sizes, has a budget of \$1.3 million. The [RiverRocks series](#) , which offers relatively small concerts in Hudson River Park, costs \$150,000 for the entire season.

Subsidized by a number of revenue sources, the free concerts rely heavily on money from sponsorships with additional support from foundations, food vendor agreements, benefit concerts, donations, the [Department of Cultural Affairs](#) , the [National Endowment of the Arts](#) and the [New York State Council on the Arts](#)

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Corporate sponsorships provide the bulk of funding for the free concerts from [Summer Stage](#) in Central Park to the Going to Governors music series. This season, the [City Parks Foundation](#) presented 110 free large-scale music, dance and theater programs in Central Park and 16 other parks across the city with the help of a presenting sponsor, Master Card, and two corporate partners, Jet Blue and AT&T.

In some instances, foundations give grants for specific types of programming. Every year, the American Express Foundation sponsors the American Express Roots Music Series as part of the [Celebrate Brooklyn!](#) season of concerts at the Prospect Park Bandshell.

### Spinoffs

These and other free concerts bring in economic activity, according to Jessica Kepler, development and marketing director for Celebrate Brooklyn! "Local businesses surrounding the park -- in Park Slope, Flatbush, Crown Heights, Windsor Terrace -- see a bump in business when Celebrate Brooklyn is in season," she said.

Celebrate Brooklyn also offers a membership level designated for local businesses called "Business Friends." This year, 67 local businesses gave their support to [BRIC](#) , which runs the concerts, by becoming a friend. The memberships for businesses start at \$600 and come with an ad in the programs as well as access to the VIP tent and reserved seating throughout the concert.

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Robin Schatell, the executive director of River To River, has seen the impact of the free cultural programming on the economic growth of downtown Manhattan. Over the last nine years, 8.25 million people have attended a River To River event, and they have, in turn, helped generate about \$315 million dollars in new economic activity for this area.

"We know who the audience is, we know how much they spend and we've had hundreds of thousands of people each summer over the course of the concerts. We know that they spend money downtown. We know they like to go out before and after the concerts. They [music series] have been an incredible economic driver for downtown and lower Manhattan," explained Schatell.

### A Rare Glitch

More often than not, the music festivals -- and sponsorships -- run like well-oiled machines, but the indie rock music series Pool Parties at [East River State Park](#) in Williamsburg almost came to an abrupt end this summer when bickering erupted between the promoter,

[Jelly NYC](#)

, and

[Open Space Alliance of North Brooklyn](#)

, the nonprofit that produces the free shows. Open Space Alliance

[canceled](#)

the Aug. 29 performances of Delorean, Dominique Young Unique and a surprise headliner, and in a press release, blamed it on "the continuing unmet financial obligations of the event's promoter, Jelly."

Jelly fired back with its own press release stating that it "had made every single contracted payment to The Open Space Alliance in full as outlined in our contract for the 2010 season." The promoter admitted to delaying the final payment when a conflict with a sponsor arose between them and Open Space Alliance.

After a week of feuding, the concert was reinstated when State Assemblymember [Joseph Lentol](#) and Sen.

[Charles Schumer](#)

stepped in to help mediate talks between the two parties. Two local businesses, Norman and Elaine Brodsky, owners of

[CitiStorage](#)

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[Douglaston Development](#)

, which is building The Edge, waterfront condos, pitched in and donated the remaining funds to Open Space Alliance.

This is not the first time Schumer has come to the rescue of the Pool Parties. Last summer, Jelly NYC and Open Space Alliance clashed over safety problems that took place at several concerts. Schumer [rallied](#) behind the promoters and was influential in the renewal of their contract for the 2010 season.

### Conflicts by the Sea

The controversy over concert at Coney Island's [Asser Levy Park](#) could prove more intractable, though. Earlier this summer, two synagogues, Temple Beth Abraham and the Sea Breeze Jewish Center tried to shut down the Markowitz's Seaside Summer Concert Series by suing the city for violating a rule banning amplified sound within 500 feet of a religious institution during services. Mayor Michael Bloomberg and the City Council overturned the ban to allow the concerts to continue with the caveat that, if concerts exceeded normal sound levels by 10 decibels or more, the concert would be canceled. The rationale was that measuring sound levels more accurately assessed any disturbance than distance.

But as the [Seaside Concert Series](#) was wrapping up the season, Markowitz was back in negotiations with opponents. After a [B-52s](#) concert in August, opponents returned to court with [evidence from a sound expert](#) that the music reached [illegal decibel levels](#). That threatened to cut the series short before the last scheduled concert.

The two parties reached an agreement, allowing last week's Annual Latin Music by the Sea to go on as planned. The producers of the concert series had to shell out \$2,750 to cover the costs of the plaintiff's sound expert. If the sound rose above the legal limit and was not immediately lowered, the show would be forced to shut down.

The concert, according to [published reports](#), apparently did comply with the edict for quiet -- to the dissatisfaction of some in attendance.

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"It's like music on mute!" Louis Perez told the Brooklyn Paper. "The performers should start doing sign language!"

Markowitz shared their displeasure. "We're under terrible constraint," he said of the decibel limit. "We didn't ask for this, it's being imposed on us."

Sponsors of other concerts must consider noise levels as well. The producers of the Governors Island concerts have not received complaints about any of their free offerings, but Ken Tesler of [Mad Dog Presents](#), which produces concerts on the island, says decibel levels are always a concern.

"We use sound meters and conduct testing in all of the boroughs and New Jersey. We go out of our way to minimize sound carrying. Sometimes the wind carries the sounds and makes it a little louder than other times. We're very aware of neighbors and work hard to make sure that the sound doesn't bother anyone," he said.

Meanwhile, noise is not the only complaint some Brooklynites have about Markowitz's concerts. The borough president has used "chain gangs" from Riker's Island -- clad in red and white striped uniforms -- to help set up chairs before the concert and break them down the following morning. Some local community members are [none too pleased](#) with Markowitz's maneuver to save money.

Both controversies seem likely to return for next year. Markowitz has indicated he would like to use jailed workers again though the Department of Corrections may have doubts. And, with the law on decibel levels expiring, Markowitz and his allies could try to pass a law allowing louder concerts next summer.

In spite of the tumultuous season, executive director and producer Debra Garcia wrote in an email, "We will continue to work with the responsible agencies to once again provide these wonderful free concerts!"