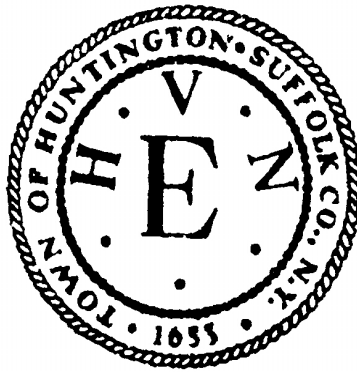


# **TOWN OF HUNTINGTON**

## **PUBLIC ART INITIATIVE**



### **Public Art Advisory Committee Guidelines & Administrative Plan**

**Prepared by the Huntington Arts Council  
and the Town of Huntington Division of Cultural Affairs**

**(as adopted by the Town Board 9/25/01)**

*Public art is a mirror that reflects the local environment, cultural values, and artistic vitality of the community in which it exists.*

*At its best, public art is more than just art installed in public places. It is a community-based process of dialogue, involvement, and participation. Public art enhances the quality of life for citizens by encouraging a heightened sense of place, enhancing a community's prestige, and enlivening the visual quality of the built environment.*

– Lake Douglas, public art consultant  
and former public art director at the Arts Council of New Orleans,  
from “Public Art Funding” Americans for the Arts (Dec. 2000)

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**TOWN OF HUNTINGTON PUBLIC ART INITIATIVE**  
**Public Art Advisory Committee Guidelines & Administrative Plan**

**1. PURPOSE**

These guidelines are presented for the purpose of establishing a Public Art Advisory Committee and policy and procedures for the implementation of an annual Public Art Initiative. These guidelines are to be reviewed periodically by the Public Art Advisory Committee and, with the approval of the Huntington Town Board, may be modified and incorporated into a broader and more defined Master Cultural Plan for the Town of Huntington.

**2. GOALS**

The primary goals of the Public Art Initiative are to create a better visual environment for the citizens of the Town of Huntington, Suffolk County, to foster the integration of the design work of artists into the development of Town public works projects whenever appropriate and feasible, and to promote tourism and the economic vitality of the Town through an annual program for the enhancement of public spaces. Specifically the Public Art Initiative seeks:

- 2.1. To further the mission and goals of the Town of Huntington by providing support and developmental opportunities for artists.
- 2.2. To select artists for projects whose art and collaborative design efforts represent the highest level of quality and integrity.
- 2.3. To select artists who will best respond to the distinctive characteristics of the project site and the community the project serves.
- 2.4. To foster the incorporation of the art and design skills of artists in Town public works projects whenever feasible and appropriate.
- 2.5. To select artists who can work successfully as members of the overall project design teams.
- 2.6. To identify and encourage active participation in the Huntington community by artists of Huntington, Suffolk County, and Long Island.

**3. DEFINITIONS**

- 3.1. **Public Art Initiative Plan** means a prioritized list of prospective public art projects, with budgets and recommended design approach, updated on an annual basis by the Public Art Advisory Committee in consultation with Town agencies anticipating capital improvement projects. This Plan will

be presented annually to the Huntington Town Board for their review and approval.

- 3.2. **Artwork** means work in any of a variety of media produced by professional artists. The Public Art Initiative should encompass the broadest possible range of expression, media, and materials. Works may be permanent or temporary, functional or non-functional.
- 3.3. **Artist Design Services** means professional services by visual artists to develop designs for artworks or other architectural, landscape, or urban design elements, either individually or as a member of a project design team.
- 3.4. **Public Art Advisory Committee** means a qualified citizens committee appointed by the Town Board to oversee the Town's Public Art Initiative. This committee shall be responsible for developing the annual Public Art Initiative Plan, ensuring the quality of the artworks created under the program, and determining the scope of individual public art projects. The Committee shall be advisory to the Town Board. Members of the Committee shall include artists, arts professionals, architects, designers, collectors, and/or other individuals from the community who are qualified to oversee a public art program. Recommendations of suitable candidates for appointment shall be sought from the Huntington Arts Council, the Town's Division of Cultural Affairs, visual arts organizations in the community, and other such sources as are deemed appropriate by the Town Board. The Committee shall be comprised of nine members, appointed by the Town Board, who shall serve staggered three-year terms. No member of the Committee shall serve more than two consecutive full terms, plus any partial term to which the member may be appointed. However, this rule shall not preclude reappointment of such former members after they have been absent from the Committee for a period of at least one year. The chairperson of the Committee shall be designated annually by the Town Board from the current membership of the Committee. Public Art Advisory Committee members shall serve without compensation.
- 3.5. **Public Art Fund** means a separate fund that is established by the Town for the Public Art Initiative.
- 3.6. **Acquisition** means the inclusion of an artwork in the Town Public Art Collection, whether by means of commissioning, purchase, gift or any other means.
- 3.7. **Accessioning** means steps taken by the Public Art Advisory Committee to designate and record artwork as part of the Town Public Art Collection.

- 3.8. **Deaccessioning** means the removal of an artwork from the Town Public Art Collection, whether it is disposed of by the Town or not.
- 3.9. **Professional Artist** means a person who has established a reputation of artistic excellence, as judged by peers, through a record of exhibitions, public commissions, sale of works, or educational attainment.

#### **4. DEVELOPMENT OF ANNUAL PUBLIC ART INITIATIVE PLAN**

- 4.1. The Public Art Advisory Committee shall, on an annual basis, create a Public Art Initiative Plan. This plan shall propose a prioritized list of prospective art projects, establish the project budgets, recommend the specific design approach for each project, and define the artist selection processes.
- 4.2. The Public Art Advisory Committee shall present to the Town Board the annual Public Art Initiative Plan for their review and approval. This presentation shall take place consistent with the schedule for adoption of the Town budget each year.
- 4.3. The Public Art Advisory Committee may, from time to time during the course of the year, modify the Public Art Initiative Plan. The Town Board shall review and approve any significant proposed changes in sites or budget in the approved Plan.

#### **5. USES OF THE PUBLIC ART FUND**

Each year the Town of Huntington shall allocate to the Public Art Fund an amount determined at the discretion of the Town Board. Such allocations shall not preclude the solicitation and acceptance of additional non-Town monies into the Public Art Fund in support of the purposes of the Public Art Initiative.

##### **5.1. Eligible Expenses**

Moneys in the fund may be expended for artist design fees, travel expenses, proposals/drawings/maquettes, artwork fabrication and materials, shipping or crating, site preparation, engineering fees, installation of artworks, insurance, framing, exhibition or display of artworks, or other purposes deemed necessary by the Public Art Advisory Committee for the implementation of the approved project.

- 5.1.1. Administrative services and associated expenses incurred during the administration of the program shall be an eligible Public Art Fund expense.

- 5.1.2. Whenever possible it shall be the policy of Public Art Initiative to contract directly with and make payments directly to artists, rather than galleries or artists' agents.

## **5.2. Eligible Artworks**

It shall be the policy of the Public Art Initiative that all artworks purchased and/or commissioned under this program shall be designed by professional artists. Such artworks may include, but are not limited to, the following:

- 5.2.1. Sculpture: freestanding, wall supported, or suspended; kinetic; electronic; in any material or combination of materials.
- 5.2.2. Murals or portable paintings: in any material or variety of materials, with or without collage or the addition of non-traditional materials or means.
- 5.2.3. Earthworks, fiberworks, neon, glass, mosaics, photographs, prints, calligraphy; any combination of forms of media including sound, literary elements, film, holographic images, and video systems; hybrids of any media and new genres.
- 5.2.4. Furnishings or fixtures, including but not limited to gates, railings, streetlights, signage, seating, if created by artists as unique elements or limited editions.
- 5.2.5. Artistic or aesthetic elements of overall architecture or landscape design if created by a professional artist or a design team that includes a visual artist.
- 5.2.6. Temporary artworks or installations, if such artworks serve the purpose of providing community and educational outreach.

## **5.3. Ineligible Artworks**

- 5.3.1. "Art objects" which are mass produced or of standard manufacture, such as playground equipment, fountains, or statuary elements, unless incorporated into an artwork by a project artist.
- 5.3.2. Reproductions, by mechanical or other means, of original works of art, except in the case of film, video, photography, printmaking, or other media arts.
- 5.3.3. Landscape architecture and landscape gardening, except where these elements are designed by a professional artist and/or an integral part of the artwork by the artist.

- 5.3.4. Services or utilities necessary to operate and maintain an artwork over time.

## **6. RESPONSIBILITIES**

### **6.1. The Town Board shall:**

- 6.1.1. Review and approve the annual Public Art Initiative Plan presented by the Public Art Advisory Committee.
- 6.1.2. Appropriate monies to the Public Art Fund as part of the annual budgeting process.
- 6.1.3. Approve contracts for artist design services and the purchase or commissioning of artworks.
- 6.1.4. Provide for the care and maintenance of artworks acquired through the Public Art Initiative.
- 6.1.5. Appoint members and a chairperson of the Public Art Advisory Committee.

### **6.2. The Public Art Advisory Committee shall:**

- 6.2.1. Be chaired by one of its members designated annually by the Town Board.
- 6.2.2. Develop the annual Public Art Initiative Plan, with a prioritized list of prospective projects, project budgets, design approaches, selection processes, and estimated timelines for each project.
- 6.2.3. Establish a pool of artist selection panelists.
- 6.2.4. Appoint members and a chairperson of artist selection panels for specific projects as needed.
- 6.2.5. Review and recommend to the Town Board the results of the artist selection panels.
- 6.2.6. Periodically review and recommend to the Town Board changes in the Public Art policies, guidelines, and procedures.



**6.3. The Artist Selection Panel shall:**

- 6.3.1. Be composed, in most cases, of at least five voting members, including one or two members of the Public Art Advisory Committee, two artists or arts professionals (designer, curator, arts administrator, etc.), one representative from the community, and, when appropriate, one representative from the Town department associated with the project. The artist selection panel may also include one or more non-voting advisors deemed appropriate by the Public Art Advisory Committee. The composition of each Artist Selection Panel will depend on the nature of each project and site.
- 6.3.2. Be chaired by a member of the Public Art Advisory Committee chosen by vote of the Committee.
- 6.3.3. Develop the project based on the charge from the Public Art Advisory Committee, including site, medium/media, scope of project, method of artist selection, significance of the project, and other relevant considerations.
- 6.3.4. Review the credentials, prior work, proposals, and other materials submitted by artists for the project.
- 6.3.5. Recommend to the Public Art Advisory Committee an artist or artists to be commissioned for the project, to be engaged to join the project design team, or whose existing work is to be purchased for the project.
- 6.3.6. Respond to the charge of the Public Art Advisory Committee, outlining how the selection of the artist(s) or artwork meets the criteria of the project.
- 6.3.7. Be sensitive to the public nature of the project and the necessity for cultural diversity in the public art program.

**6.4. The Artist shall:**

- 6.4.1. Submit professional credentials, visual illustrations, proposals, and/or project materials as directed for consideration by the Artist Selection Panel.
- 6.4.2. Conduct necessary research, including touring project sites, when possible.

- 6.4.3. If selected, execute and complete the artwork or design work, or transfer title of an existing artwork, in a timely and professional manner.
- 6.4.4. Work closely with the project manager and/or other design professionals associated with the project.
- 6.4.5. Submit to the Public Art Advisory Committee any significant changes in the scope of the project, color, material, siting, or design of the approved artwork.
- 6.4.6. Make a public presentation, conduct a community education workshop, or complete an artist residency at an appropriate time and forum in the community where the artwork will be placed, as required by the contract.

**6.5. The Division of Cultural Affairs shall:**

- 6.5.1. Provide staff support in coordination with the Huntington Arts Council to the Public Art Advisory Committee in administration of the Public Art Initiative.
- 6.5.2. Engage, with the approval of the Town Board, any additional professional assistance from the Huntington Arts Council, other area art organizations, conservation professionals, or other art experts as may be necessary and appropriate in support of the Public Art Initiative.

**6.6. The Huntington Arts Council shall:**

- 6.6.1. Work in cooperation with the Division of Cultural Affairs in providing additional support to the Public Art Advisory Committee.
- 6.6.2. Propose, for approval by the Town Board, modification of its annual arts services agreement with the Town of Huntington should administrative services requested by the Public Art Advisory Committee expand substantially in scope beyond the typical level of activity currently encompassed by this agreement.

**6.7. Conflicts of Interest**

Neither members of the Public Art Advisory Committee nor their immediate family members may be commissioned under, or receive any direct financial benefit from, any Town Public Art project during the term of their tenure on the Public Art Advisory Committee. This restriction shall extend for a period of one-year following termination of Committee membership and shall extend indefinitely for

any specific projects for which review and selection of artist(s) and/or artwork(s) had been initiated during the individual's membership on the Public Art Advisory Committee. Neither members of Artist Selection Panels nor their immediate family members are eligible for consideration for the project on which they are empanelled; however, this restriction shall not preclude their eligibility for any other projects undertaken by the Public Art Initiative. Members of the Artist Selection Panels shall declare any conflict of interest and abstain from voting if a conflict of interest arises.

## **7. SELECTION OF ARTISTS**

*Selecting the “appropriate” artist is the single most important decision in the public art process.* Special care must be taken in all aspects of artist selection in order to ensure the best possible public art project, taking into account the goals of the project, the community served and the nature of the site.

**7.1. Eligibility Requirements** for each project shall be established by the Public Art Advisory Committee in the formation of the annual Public Art Initiative Plan, which shall be reviewed & approved by the Town Board.

7.1.1. Artists will be selected on the basis of their qualifications as demonstrated by past work, appropriateness of the proposal to the particular project, and its probability of successful completion.

7.1.2. Specifically excluded are artworks created by students under the supervision of art instructors to satisfy course requirements; artwork by Town employees; and artworks by any member of the Public Art Advisory Committee or the Artist Selection Panel for the project, as well as artworks by immediate family thereof.

7.1.3. Selection of artists will be without regard to race, gender, or sexual orientation of the artist.

7.1.4. Typically selections will involve commissioned work by living artists. In general, the purchase of existing works will not be considered unless there are extraordinary circumstances that make this approach advisable for a particular project.

## **7.2. Methods of Selecting Artists**

7.2.1. *Open Call for Entries/Request for Qualifications (RFQ)* – Detailed information describing the project and how to apply are distributed and publicized through an RFQ. Artists submit, by a specified deadline, a package that includes a resume and slides of their prior work. The Artist Selection Panel reviews submissions and determines finalists, usually through an interview process.

Typically the Panel makes its decision based on the following: 1) aesthetic quality of artists' past work, 2) artists' demonstrated ability to respond to project site and context, and 3) the specific criteria for the given project. This is the most common method of selection.

7.2.2. *Limited Invitational/Curated Pool of Artists* – In contrast to an open call or RFQ, a short list or pool of artists qualified to accomplish a commission is developed and invited to apply. Review of submissions proceeds similarly to an open call process. This approach is typically used when the project schedule does not allow for an open call or when a specific set of skills is required.

7.2.3. *Blind Competitions/Request for Proposals (RFP)* – A detailed package of information, often including site plans, photos and competition guidelines is issued. Artists submit design proposals based on these guidelines. Names and qualifications of the artists are not disclosed to the Artist Selection Panel during the proposal review and selection process, ensuring a review based solely on the quality of the proposal based on the RFP criteria. This method is most frequently used for high profile projects of regional or national interest and with ample budgets to support the process.

7.2.4. *Combinations of these Methods* – Variations on these methods are sometimes employed (e.g. an RFQ can be used to determine project finalists, who are then invited to submit detailed proposals [RFP], sometimes in exchange for a stipend or honorarium).

### **7.3. Criteria for Selection of Artists or Artworks**

7.3.1. *Quality* – of highest priority are the design capabilities of the artist(s) and the inherent quality of the artwork(s).

7.3.2. *Media* – all forms of art may be considered, subject to any requirements set by the Artist Selection Panel or the Public Arts Advisory Committee.

7.3.3. *Style* – artworks of all schools, styles, and tastes should be considered for the Public Art Initiative.

7.3.4. *Nature* – artworks should be appropriate in scale, material, form and content for the immediate social and physical environments with which they relate.

7.3.5. *Permanence* – consideration should be given to structural and surface integrity, permanence and protection of artwork against

theft, vandalism, weathering, excessive maintenance and repair costs.

7.3.6. *Elements of design* – consideration should be given to the fact that public art is a genre that is created in public context and must be judged by standards that embrace factors other than aesthetic, including public participation, social and political attitudes, and functional consideration. Public art may also serve to establish focal points; terminate areas; modify, enhance or define specific spaces.

7.3.7. *Public liability* – artworks should be examined for unsafe conditions or factors that may bear on public liability.

7.3.8. *Diversity* – the Public Art Initiative should strive for diversity in style, scale, and media. The Initiative should also strive for an equitable distribution of artworks throughout the Town. Finally, the artist selection process should ensure that the interests of all concerned parties are represented, including the public, the arts community, and the Town.

## **8. STANDARDS FOR ACQUISITION, ACCESSIONING, AND DEACCESSIONING OF THE TOWN'S PUBLIC ART COLLECTION**

### **8.1. Acquisition and Accessioning**

8.1.1. Acquisitions should be directed toward artworks of the highest quality.

8.1.2. In general, artworks should be acquired without legal or ethical restrictions as to future use and disposition, except with respect to copyright and any other clearly defined residual rights that are incorporated into the contract with the artist(s).

8.1.3. A legal instrument of conveyance, transferring title of the artwork and clearly defining the rights and responsibilities of all parties, should accompany all acquisitions.

8.1.4. Acquisition of an artwork through the Public Art Initiative, either by direct purchase, commission, or by virtue of an artist's services on a project design team shall automatically result in the accessioning of the work into the Town Public Art Collection.

8.1.5. Gifts of artworks to the Town shall be accessioned into the Town Public Art Collection upon their review and approval by the Public

Art Advisory Committee and acceptance by the Town Board. (See Section 8.5 below for additional information on gifts.)

8.1.6. Complete accession records should be created and maintained for all artworks accessioned into the Town Public Art Collection.

8.1.7. Accessioning of artworks into the Town Public Art Collection implies a commitment to the ongoing preservation, protection, maintenance, and display of the artworks for the public benefit.

## **8.2. Deaccessioning**

Deaccessioning an artwork should be a seldom-employed action that must operate against the strong presumption that artworks have been permanently accepted into the Town's Public Art Collection so long as their physical integrity, identity, and authenticity are retained and their respective physical sites remain intact. Deaccessioning should NOT occur solely due to fluctuations in taste on the part of the Town, the Public Art Advisory Committee, or the public. All recommendations for deaccessioning shall include a plan for the disposition of the deaccessioned work (see "Disposal of Artworks" below). Deaccessioning a work shall occur upon recommendation by the Public Art Advisory Committee and approval by the Town Board. The presence of one or more of the following conditions shall be a valid basis for recommending deaccessioning:

8.2.1. The site for an artwork has become inappropriate because the site is no longer accessible to the public or the physical site is to be destroyed or significantly altered.

8.2.2. The artwork is found to be fraudulent or not authentic.

8.2.3. The artwork possesses substantial demonstrated faults of design or workmanship.

8.2.4. The artwork causes excessive or unreasonable maintenance.

8.2.5. The artwork is damaged irreparably, or to an extent where repair is unreasonable or impractical.

8.2.6. The artwork presents a physical threat to public safety.

8.2.7. A suitable place for display of artwork no longer exists.

8.2.8. The artwork is rarely displayed.

8.2.9. A written request for deaccessioning has been received from the artist.

### **8.3. Disposal of Artworks**

All recommendations for deaccessioning shall include a plan for the disposition of the work in question. This plan shall recommend one of the following disposition options:

- 8.3.1. The Town may, for appropriate reasons, elect to retain ownership of the work in its deaccessioned state, either in situ or in another location. In this case, deaccessioning shall officially remove the work from the Town Public Art Collection thus eliminating the Town's obligation to maintain and preserve it as a work of public art.
- 8.3.2. The Town may donate the work to an appropriate non-profit organization serving the community.
- 8.3.3. If not disposed of through the aforementioned methods, a work that is deemed to have retained sufficient monetary value to warrant recouping that value through sale, shall be disposed of through public sale such as a public auction.
- 8.3.4. Works that are deemed to have retained little inherent monetary value – and particularly those that have been irreparably damaged, possess substantial faults of design or workmanship, or present physical threats to public safety – may be declared “surplus” and disposed of in accordance with the Town's policy and procedures regarding surplus property.

### **8.4. Loans of Artworks**

In addition to acquisition of public art by gift, purchase, commission, or through funding the design services of an artist on a project design team, the Public Art Advisory Committee may also elect to recommend for approval by the Town Board the placement of public art via either long-term or short-term loan. The eligibility, review criteria, and approval procedure for placement of work on loan shall be the same as that for acquisition. Loans of artworks formally accepted through the Public Art Initiative process shall be accorded the same care as works in the Town Public Art Collection. However, the opportunity to secure short-term loans of public art through this process shall NOT preclude the Town's ability to secure loans or otherwise mount temporary exhibitions of artwork in its facilities at its discretion outside of the Public Art Initiative.

## **8.5. Town Acquisition of Artworks Outside the Public Art Initiative**

It is recognized that the Town may have previously acquired, and might for valid reasons continue to acquire, public art outside of the Public Art Initiative and its Public Art Fund. For example, gifts of state presented to the Town by foreign governments or by other political jurisdictions of the United States (municipal, state, or national) might be accepted by the Town Board outside of the Public Art Initiative for reasons other than their artistic quality. It is further recognized that the use of only those monies allocated to the Public Art Fund will have a limited impact on the visual environment of the Town. Consequently, Town Departments, with the approval of the Town Board, are encouraged to incorporate public art elements into capital improvement projects, and otherwise enhance the visual environment of Town facilities, using non-Public Art Fund monies whenever feasible and appropriate. The following guidelines are established regarding such activities:

- 8.5.1. Any public artwork already owned by the Town may be accessioned into the Town Public Art Collection upon recommendation of the Public Art Advisory Committee and approval by the Town Board.
- 8.5.2. Acceptance of gifts of artwork by the Town Board outside of the Public Art Initiative will not automatically result in the accessioning of the work into the Town Public Art Collection. However, such works may subsequently be accessioned into the Town Public Art Collection upon recommendation of the Public Art Advisory Committee and approval by the Town Board.
- 8.5.3. Town Departments interested in incorporating public art in capital improvement projects using non-Public Art Fund monies are requested to involve the Public Art Advisory Committee in the selection process through the formal adoption of the project as a Public Art Initiative in order to ensure proper community involvement and appropriate artistic review of this project element.
- 8.5.4. The Town Public Art Collection shall generally be limited to works of public art that originate as site-specific works or that are intended to be permanently installed at a specific site. Non site-specific artworks, including portable artworks that may be acquired or used to furnish Town offices and non-public spaces, shall generally not be included within the Town Public Art Collection. However, the Town, at its discretion, may request the assistance of the Public Art Advisory Committee in the review and selection of such works. Because these works do not carry the same connection with a specific site, along with inherent obligation to maintain this connection, inventory records for such works shall be maintained



separately from the accession records for the Town Public Art Collection.

## **9. MAINTENANCE OF THE TOWN'S PUBLIC ART COLLECTION**

Although the maintenance of Town property is typically the responsibility of the Town's Department of General Services, it is recognized that maintenance of the Town's Public Art Collection may, in certain circumstances, require specialized knowledge and procedures. The following outlines responsibilities for maintenance of the Town's Public Art Collection:

### **9.1. Project Artist(s)**

- 9.1.1. Within the terms of the contract, the artist shall guarantee and maintain the artwork against all defects of material or workmanship for a period of not less than one (1) year following installation.
- 9.1.2. Within the terms of the contract, the artist shall provide the Public Art Advisory Committee with detailed drawings of the installation of the artwork and with detailed instructions regarding routine and extraordinary maintenance of the artwork.
- 9.1.3. Within the terms of the contract, all repairs and restorations which are made to the artwork within the lifetime of the artist shall have the mutual agreement of the Town and the artist, and to the extent practical, the artist shall be given the opportunity to accomplish such repairs at a reasonable fee. Exempt from this requirement shall be any emergency repairs that may be required to ensure public safety.

### **9.2. Department of General Services**

- 9.2.1. Provide necessary and appropriate maintenance of the Town Public Art Collection, including such duties as regular custodial care, snow removal, and/or landscape maintenance. Maintenance shall be performed in accordance with any special instructions or procedures necessary for the preservation of the work as identified by the Public Art Advisory Committee.
- 9.2.2. Report immediately to the Public Art Advisory Committee, its chair, and "staff" (i.e. the Executive Director of the Huntington Arts Council and the Town Director of Cultural Affairs), any evidence of damage, deterioration, vandalism, or theft of artworks in the Town Public Art Collection.

- 9.2.3. Refrain from conducting any repair, movement, or removal of artworks in the Town Public Art Collection without prior authorization from the Public Art Advisory Committee, except for emergency repair, movement, or removal of works as may be necessary for public safety.
- 9.2.4. Upon authorization from the Public Art Advisory Committee, conduct any necessary repairs to works in the Town Public Art Collection in accordance with instructions and procedures approved by the Committee. Should such repairs require expertise or equipment available only from outside vendors or professionals, the Department of General Services shall provide any necessary assistance to any such vendors or professionals authorized by the Public Art Advisory Committee.

### **9.3. Public Art Advisory Committee**

A review process shall be established by the Public Art Advisory Committee to meet the following objectives.

- 9.3.1. To ensure there is a regular maintenance schedule for the Town Public Art Collection to preserve them in the best possible condition. Toward that end, the Committee's review shall ensure that information necessary to the proper maintenance of the Collection is conveyed to the Department of General Services.
- 9.3.2. To monitor the regular inspection for condition and location of artworks in the Town Public Art Collection.
- 9.3.3. To establish a regular procedure for effecting necessary repairs to artworks in the Town Public Art Collection.

## **10. DEVELOPMENT OF PUBLIC ART PROJECTS ON PRIVATE PROPERTY**

In order to encourage, for the public benefit of the Town's citizens, the development and installation of public art on private property that is visually accessible to individuals in the community, it shall be the policy of the Public Art Initiative to make available to private developers the expertise of the Public Art Advisory Committee and its community-oriented planning, review, and selection process. Such public/private partnership projects shall be governed by the following guidelines:

### **10.1. Partnership Project Eligibility**

- 10.1.1. Only projects proposed for sites that are visually accessible to the public shall be considered.

- 10.1.2. The Public Art Advisory Committee shall consider the suitability of the site, the appropriateness of the budget proposed for the project, provisions for maintenance and preservation of the work, the owner/developer's commitment to the goals and policies of the Public Art Initiative, and the current workload of the Committee in deciding whether to accept a private partnership project.
- 10.1.3. The Public Art Advisory Committee and the Town of Huntington reserve the right to decline any private partnership project at their discretion.

## **10.2. Partnership Project Funding**

- 10.2.1. The private partner engaged in a partnership project shall be responsible for all project costs, including artist and/or design fees, honoraria, travel & lodging expenses, engineering costs, materials, fabrication costs, transportation or shipping, construction or installation costs, public relations costs, and any other project-related incidental expenses.
- 10.2.2. The Public Art Advisory Committee and the Town of Huntington shall, at their discretion, determine if the size, scope, and complexity of the project and its administration require the private partner to reimburse some or all of its direct or indirect expenses in administration of the project.

## **10.3. Partnership Project Process**

The Public Art Initiative guidelines and procedures described in previous sections shall be applied to partnership projects with the following changes:

- 10.3.1. The private owner/developer shall provide the Public Art Advisory Committee with a written pledge to honor the Public Art Initiative's "Policy on Artists Rights" (Appendix A).
- 10.3.2. The private owner/developer of the site shall assume the role of the Town Board as described in 6.1 (excluding 6.1.5) for this project only with regard to approval of the plan and budget for the partnership project as well as approval of the results of the artist/artwork selection process.
- 10.3.3. A representative of the private owner/developer shall assume the role of the Town Department representative on the Artist Selection Panel for the partnership project.

- 10.3.4. All contracts for goods and services associated with the partnership project shall be made by the private owner/developer directly with the appropriate vendors or professionals.
- 10.3.5. The private owner/developer shall name the Town of Huntington as an additional insured in its comprehensive general liability insurance covering the project site and shall provide a Certificate of Insurance documenting this coverage.
- 10.3.6. The artwork(s) resulting from the partnership shall NOT be accessioned into the Town Public Art Collection, but shall typically become the property of the private owner/developer along with all associated rights, responsibilities, obligations, and liabilities.

## **11. PROVISION FOR REVIEW AND AMENDMENT**

These guidelines are subject to periodic review and revision by the Public Art Advisory Committee with the approval of the Huntington Town Board.

**TOWN OF HUNTINGTON PUBLIC ART INITIATIVE**  
**Public Art Advisory Committee Guidelines & Administrative Plan**

**APPENDIX A – POLICY ON ARTISTS RIGHTS**

**1. PURPOSE**

The Town of Huntington Public Art Advisory Committee wishes to create a climate wherein artists will thrive and receive the economic benefits of and recognition for their work. For that reason, it is important that the artists participating in the Public Art Initiative retain control over the artistic integrity of their artwork and receive equitable compensation for their creative endeavors.

**2. POLICY**

The Town of Huntington Public Art Advisory Committee strives to ensure the following rights to artists, which will be embodied in contracts for the commissioning or purchase of works of art:

- 2.1. **Right to Retain Work in Situ:** Recognizing that successful public art is generally inseparable from the site for which it is created, the Town will not move or remove an artwork unless the site is destroyed, temporary movement or removal of the work is required to effect repairs to either it or the site, the work is damaged beyond reasonable repair or restoration, the use of the space has significantly changed, or for reasons of public safety. Should it become necessary to move or remove an artwork, the Town will make reasonable efforts to consult with the artist before effecting such removal or relocation. However, the Town reserves the right to move or remove the artwork without notification in emergency situations where immediate threat to property or public safety is present.
- 2.2. **Right to Disclaim Authorship:** Recognizing the importance of preserving the integrity of an artwork, the Town will not intentionally alter, modify, or destroy an artwork unless such work is already damaged beyond reasonable repair or restoration. Nevertheless, if an artwork in the Town Public Art Collection is significantly altered, modified or destroyed, whether intentionally or unintentionally, the artist shall have the right to disclaim paternity authorship of the artwork. Should an artist choose to exercise this disclaimer, the Town, shall, upon receipt of such written request by the artist, remove any plaques, labels, or other identifying materials that associate the work with the artist.
- 2.3. **Right to Conservation and Maintenance of the Work:** The integrity of an artwork also depends upon regular conservation and maintenance. The Town commits to periodic inspection of the artworks in the Town

Public Art Collection and to making reasonable efforts to ensure that each artwork is properly and professionally maintained.

- 2.4. **Right to Consultation about Repairs:** The Town shall make reasonable efforts to notify the artist before undertaking repairs or restorations to the artwork when such work is undertaken during the lifetime of the artist. Where practical, the artist will be consulted and given an opportunity to accomplish the repairs or restorations at a reasonable fee. The Town reserves the right to make minor and/or emergency repairs without prior notification.
- 2.5. **Retention of Copyright:** The artist shall retain all copyrights associated with artworks acquired by the Town. The Town agrees that it will not copy or reproduce the artwork, or authorize third parties to do so, without the prior written permission of the artist or his/her estate, if deceased. Notwithstanding this policy, it shall be the practice of the Town to secure from the artist the right to make and reproduce photographs or other two-dimensional representations of the artwork for public, non-commercial uses, such as catalogues, brochures, guides and other educational or public relations purposes, including internet-based versions of such materials. Any commercial uses, such as images of the artist's work on T-shirts, coffee mugs, souvenirs, or other items intended for sale, shall require prior written permission of the artist.

**TOWN OF HUNTINGTON PUBLIC ART INITIATIVE**  
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**APPENDIX B – POLICY ON COMMUNITY OUTREACH**

**1. PURPOSE**

The Town of Huntington Public Art Advisory Committee recognizes that public art often takes forms that challenge public awareness. The long term success or failure of the public art program may depend upon significant efforts on the part of the Committee to reach out to the public in the form of community outreach and public education programs. These efforts can create a context in which the citizens can better understand and appreciate the artworks.

**2. POLICY**

The Town of Huntington Public Art Advisory Committee will commit to making meaningful outreach and public education a part of every public art project. This will ensure that the citizens of Huntington have full access to the artworks created under this program. Possible activities might include:

- 2.1. Efforts to raise the level of general awareness about public art, such as slide lectures or presentations to various community groups or service organizations.
- 2.2. Community involvement in the artist selection process, community representation on the artist selection panels, and public “unveilings” or dedications.
- 2.3. More formal public education programs, including sponsorship of public art lectures by local museums and galleries, guided tours of public art in the Town, and periodic symposia on public art.

**TOWN OF HUNTINGTON PUBLIC ART INITIATIVE**  
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**APPENDIX C – POLICY ON LOCAL VS. NON-LOCAL ARTISTS**

**1. PURPOSE**

The Town of Huntington Public Art Advisory Committee recognizes that public art programs can serve more than one purpose. While the primary objective is the enhancement of public spaces in Huntington for the general benefit of its citizens, a public art program can also be an important tool in developing the community of artists who reside in Huntington and the Long Island region.

**2. POLICY**

The Town of Huntington Public Art Advisory Committee shall seek a balance over time in the awarding of contracts for public art projects among artists who reside in Huntington, in other areas of Long Island, and in other areas of the nation. Factors such as the size of the public art and design project, the level of visibility of the public site, and the availability of outside funding all may influence the decision on the part of the Public Art Advisory Committee to seek artists from a local, regional, or national pool of artists.

Recognizing that it is difficult for Huntington artists to participate in public art project unless they have previous experience, the Town of Huntington Public Art Advisory Committee shall seek special opportunities to develop a growing pool of Huntington artists with experience in public art.