

# LIVE MUSIC FOREVER

## *It's back to Carnegie Hall for the Senior Concert Orchestra!*

**T**HESE MUSICIANS ARE at the height of their powers. The Local 802 Senior Concert Orchestra is made up of the most experienced professionals in New York City, many of them former musicians with the New York Philharmonic, the Met Opera, the New York City Opera, Broadway and the recording studios. In fact, I myself am proud to be a part of this ensemble. (In addition to being a lawyer, I play trombone and am a member of Local 802.) Each year, the ensemble – which is conducted by David Gilbert – performs a free, public concert, in addition to other activities. In years past, the concert was traditionally at Carnegie Hall. Lately, the orchestra played at Symphony Space, Merkin Hall and even at the High School of Performing Arts. But Carnegie is now in its future again. More on this below.

The Senior Concert Orchestra is run by the Senior Musicians Association, a nonprofit organized in 1966 by Local 802 to provide special services, activities and programs for its senior members. For more information (or to make a donation), call Gino Sambuco at (212) 245-4802, ext. 228.

Where does the Senior Concert Orchestra get its funding? As we all know, symphony orchestras in this country are very much dependent upon funding from public donations, philanthropic gifts and public grants for their very survival. Without these sources of revenue, many – if not all – orchestras without sizable endowments would perish. Donors often have to be cultivated by orchestra boards. This takes time effort and talent. However, on occasion, individuals with strong per-

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sonal ties to an orchestra wind up providing the lifeblood to help sustain it. Some individuals are so generous that they even leave bequests (through trusts or wills) to provide a one-time payment or even a consistent source of income to an orchestra.

For instance, Agnes Trill Funk made a sizable bequest to the Long Island Philharmonic in her will that will assist that orchestra in paying off some of the compensation and benefit contributions that it currently owes to its musicians. Funk, a noted philanthropist and music lover, cared deeply for the Long Island Philharmonic. In the case of Ms. Funk's estate, the bequest was a one-time contribution. Some estates, however, provide for recurring payments, which are intended



**EXPERIENCE MATTERS:** Musicians in the Senior Concert Orchestra rehearse for their annual free concert. The orchestra just negotiated an agreement that will allow them to return to Carnegie Hall for subsequent concerts. Photographs by Walter Karling.

to sustain an organization. Such is the case with the Lucille Lortel Foundation. Lucille Lortel's brother, Waldo Mayo, had been a Local 802 member who had conducted – and performed violin with – the Senior Concert Orchestra. In honor of her late brother, Ms. Lortel, herself a well-known actress, provided that a foundation she created through her will would help fund the Senior Concert Orchestra's performance, during which a young noteworthy violinist would receive a \$1,000 grant and perform as a soloist at Carnegie Hall.

Unfortunately, ambiguities in the will's language created some controversy over the amount of money the foundation was legally required to provide. While on one hand the will stated that it was Ms. Lortel's desire to underwrite the cost of the concert in perpetuity, in another section of the will, it only indicated that the foundation would "make arrangements to continue to support the concert." Not the clearest language at all. And so, several years ago, due in part to the effects of the financial recession, the foundation decreased its yearly grant to an amount that was insufficient to pro-

duce the concert at Carnegie Hall. After dozens of years presenting concerts at Carnegie, the Senior Concert Orchestra was relegated to performing in smaller venues with a reduced orchestra.

Last year, the Senior Musicians Association (whose board is composed of Gino Sambuco, Gilda Glazer, Avron Coleman and Doris Goltzer) sought my counsel, and together we proceeded to negotiate with the Lortel Foundation a settlement agreement to shore up its obligations under the will. It took a herculean effort and countless hours of negotiating, both internally and with the Lortel Foundation, whose board consists primarily of attorneys! Ultimately, we achieved an agreement that we believe will secure the survival of the Senior Musicians Association and will allow concerts to resume at Carnegie Hall for many, many years to come. Carnegie Hall management told me that they're thrilled to welcome the Senior Concert Orchestra back. It will be a triumphant return.

We all know the old joke: "How do you get to Carnegie Hall?" Well, I have a new punchline: "practice law!"



