



**MEETING OF THE  
BOARD OF DIRECTORS  
September 26, 2018 at 4:00 pm  
Spector Hall, 22 Reade Street  
New York, New York 10007**

**Directors Present:**

Diana L. Taylor, Chair

Michael Kuh

Jon Halpern

Alicia Glen

Karen Mintzer for NYS Department of Parks, Recreation and Historic Preservation

Thomas Berkman for NYS Department of Environmental Conservation

Alyssa Cobb-Konan for NYC Parks Department

Jeffrey Kaplan

**Appearances:**

**For the Hudson River Park Trust:**

Madelyn Wils, CEO and President

Daniel Kurtz, CFO and Executive Vice President, Finance & Real Estate

Noreen Doyle, Executive Vice President

Christine Fazio, General Counsel

Nicole Cuttino, Deputy General Counsel

Also present:

Connie Fishman, Hudson River Park Friends

Dan Miller, Hudson River Park Advisory Council

**The Press**

**The Public**

With a quorum being present Chair Diana L. Taylor called the meeting to order at 4:04 p.m. Chair Taylor noted that all the members of the Board of Directors (the “Directors” or the “Board”) of the Hudson River Park Trust (the “Trust”) had received the Board meeting materials in advance, and may ask questions or give comments in reference to the items on the agenda. Chair Taylor instructed the audience that questions would not be entertained.

Chair Taylor directed attention to the first item on the agenda, which was the approval of the minutes of the June 28, 2018 meeting of the Board of Directors.

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Approval of Minutes and Ratification of the Actions Taken at the June 28, 2018 Meeting of the Hudson River Park Trust Board of Directors**

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**RESOLVED**, that the Minutes of the Meeting of the Hudson River Park Trust Board of Directors held on June 28, 2018 are hereby approved by the Board of Directors, and all actions taken by the Directors present at such meeting, as set forth in the Minutes, are hereby in all respects, approved and ratified as actions of the Hudson River Park Trust, and a copy of such approved Minutes are hereby ordered filed with the records of Hudson River Park Trust.

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Chair Taylor then directed attention to the second item on the agenda: Authorization to Contract with Deborah Bradley Construction & Management Services, Inc. for Parkwide Pavement, Play Surface, and Fire Hydrant Infrastructure Restoration. Executive Vice President Noreen Doyle presented on behalf of the Trust. She stated that pavement, play surface and fire hydrant infrastructure capital repair and replacement would be required at Piers 25, 45, 51, and 84. Ms. Doyle stated work at each site was described in detail in the Board memo provided to all Directors so she would briefly highlight the work. Ms. Doyle continued to explain that the poured-in-place safety surface at the Pier 25 Playground would require restoration after approximately

eight years of heavy use and exposure to the elements. After approximately 17 years of life, the pavers of the elevated portion of Pier 45 have settled below the surrounding finished grade and the sand based structural soil the trees are growing within has become inert. The poured-in-place safety surface at the Pier 51 Playground requires restoration and cement poured in place to keep the play surface intact when it is exposed to the elements. Finally, the existing fire hydrant needs to be relocated and a new 6-inch waterline installed without a heat tracing element at Pier 84.

Ms. Doyle noted all Trust Procurement Guidelines were followed: A pre-bid meeting was held on June 6, 2018 and two bids were submitted and publicly opened on July 23, 2018 from the following firms: Deborah Bradley Construction and Management Services Inc. and Kelco Construction, Inc.

A Trust selection committee evaluated the bids for responsiveness. The low bid from Deborah Bradley, a WBE, satisfied the evaluative criteria. Thereafter, the Trust performed a responsibility determination for Deborah Bradley and the reference and background checks for Deborah Bradley were uniformly supportive. Trust staff determined that Deborah Bradley was the lowest responsive and responsible bidder for the proposed work. Funding for this contract is currently available through funds provided by Council Speaker Corey Johnson, Borough President Gale Brewer, Councilmember Margaret Chin and New York State.

Ms. Doyle therefore requested Board authorization to contract with Deborah Bradley Construction & Management Services, Inc. for the Parkwide Pavement, Play Surface, and Fire Hydrant Infrastructure Restoration Work in a Base Contract Amount of \$3,961,100 plus a 10% contingency, for a Total Board Authorization Amount of up to \$4,357,210 for a contract term through September 28, 2019.

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization to Contract with Deborah Bradley Construction & Management Services, Inc. for the Parkwide Pavement, Play Surface, and Fire Hydrant Infrastructure Restoration Work in a Base Contract Amount of \$3,961,000 plus a 10% Contingency, for a Total Board Authorization Amount of up to \$4,357,210**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to contract with Deborah Bradley Construction & Management Services, Inc. for the Parkwide Pavement, Play Surface, and Fire Hydrant Infrastructure Restoration Work in a Base Contract Amount of \$3,961,000 plus a 10% contingency, for a Total Board Authorization Amount of up to \$4,357,210 for a contract term through and including September 28, 2019; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

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Chair Taylor then directed attention to the third item on the agenda: Authorization to Contract with Gilbane Building Company for Parkwide Construction Management Services.

Ms. Doyle stated that, related to the prior Board agenda item, the Trust requires the services of a Construction Management Firm to provide comprehensive phased construction management services related to the Deborah Bradley construction work at the four piers. Ms. Doyle explained that all Trust Procurement Guidelines were followed for this action. On September 7, 2018, three firms submitted proposals including: Armand Corporation, Gilbane Building Company, and Hudson Meridian Construction Group. A selection committee comprised of the Trust's Design and Construction staff reviewed the submissions and evaluated each firm for responsiveness. Following the evaluation of the technical proposals and review of price proposals, the Evaluation committee determined that Gilbane was the most qualified firm to perform the services.

Ms. Doyle elaborated that Gilbane has extensive experience managing similar work and is well-versed in the Park's site and operational issues and constraints, as well as its procedures and protocols. Trust's staff met with Gilbane on September 14, 2018 to discuss the proposed services and to negotiate a lower price from that originally proposed. Gilbane responded by submitting a lower revised fee proposal of \$322,164. Ms. Doyle explained that the Trust staff determined that Gilbane, as the most qualified firm, offered a fee and cost proposal that was fair and reasonable and thus presents the "best value" to the Trust. Gilbane committed to meet the Trust's 30% combined M/WBE and 6% SDVOB participation goals for this contract. Funding for this contract is currently available through New York State and New York City.

Ms. Doyle therefore requested Board authorization to enter into a contract with Gilbane Building Company for Parkwide Construction Management Services for an eleven (11) month term in the amount of \$322,164.00 plus a 15% contingency, for a total Board Authorization Amount of up to \$370,488.60.

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Contract with Gilbane Building Company for Parkwide Construction Management Services in the Amount of \$322,164.00 plus a 15% Contingency, for a total Board Authorization Amount of up to \$370,488.60**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of September 26, 2018, a copy of which is ordered filed with the records of Hudson River Park Trust, the Board hereby authorizes Hudson River Park Trust to enter into a contract with Gilbane Building Company for Parkwide Construction Management Services for a 11-month term in the amount of \$322,164.00, plus a 15% contingency, for a total Board Authorization Amount of up to \$370,488.60; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

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Chair Taylor then directed attention to the fourth item on the agenda: Authorization to contract with Melk Urban Design LLC for landscape architectural services for Pier 97. Ms. Doyle explained that with recent funding provided by New York State, the Trust was taking steps to move forward with completion of the northernmost section of Hudson River Park including Pier 97, its associated upland area and connection to Riverside South. The Pier 97 pier structure was fully reconstructed in 2013 using settlement funds from the NYC Department of Sanitation, following successful litigation by Friends of Hudson River Park. Ms. Doyle stated the Trust needs a multi-disciplinary design and engineering team as the next step in transforming the area for landscaped active and passive recreation. The design scope would include the pier structure itself, the adjacent upland area, a comfort station and maintenance and operations facility, landscape finishes for a new over-water pedestrian platform between Piers 98 and 99, and any necessary restoration of sections of the esplanade, with a connection to Riverside South and any realignment necessary for the NYSDOT-owned bikeway.

Ms. Doyle further explained that the Trust followed all Procurement Guidelines and that a total of nineteen firms submitted proposals in response to the RFP on June 25. An initial Technical Review Committee comprised of Trust staff reviewed the proposals and scored each proposal according to the criteria set forth in the RFP. Following this review, eight firms were recommended for further consideration by an Evaluation Committee comprised of Trust staff, members of the Trust's Design Committee, and members of the Hudson River Park Friends Board.

Ms. Doyle then specified that the Evaluation Committee had further evaluated the eight short-listed firms and selected five candidates for interviews: James Corner Field Operations, Mathews Nielsen Landscape Architects, Melk Urban Design LLC, Starr Whitehouse Landscape

Architects, and West 8 Urban Design and Landscape. Interviews were held on September 11 and September 13. As a result of the interview process, the Evaluation Committee ranked Melk Urban Design LLC (dba !Melk) as the highest ranked firm pursuant to the RFP criteria, subject to further due diligence by Trust staff regarding the required responsibility determination and reference checks.

Ms. Doyle elaborated on the fact that Melk has considerable experience designing parks, including designing St. James Park in San Jose, Soundscape Park in Miami, Toronto Central Waterfront, the Pushkinskaya Embankment at Moscow's Gorky Park, Su He Wan Riverfront Park in Shanghai, and public open space at Pier 57 in Hudson River Park. The references and background checks for Melk were uniformly supportive.

The Evaluation Committee and Trust staff determined that Melk offered a fee and cost proposal that was fair and reasonable, and thus represents the "best value" to the Trust. Melk is a NYS certified MWBE firm and has committed to meet the Trust's 30% combined M/WBE and 6% SDVOB participation goal for this contract. The proposed contract term is 39 months. Funding for this contract is through New York State.

Ms. Doyle therefore requested authorization by the Board of Directors to enter into a contract with Melk Urban Design LLC (dba !Melk) for Landscape Architectural Services for Pier 97 for a 39-month term in the amount of \$2,661,947 plus a 10% contingency, for a total Board Authorization Amount of up to \$2,928,141.70.

Director Cobb-Konan asked what was the construction budget for Pier 97 and Trust staff responded that the range is expected to be between \$25 million and \$30 million. There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Contract with Melk Urban Design LLC (dba !Melk) for Landscape Architectural Services for Pier 97 for a 39-Month Term, in the Amount of \$2,661,947 plus a 10% Contingency, for a total Board Authorization Amount of up to \$2,928,141.70**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of September 26, 2018, a copy of which is ordered filed with the records of Hudson River Park Trust, the Board hereby authorizes Hudson River Park Trust to enter into a contract with Melk Urban Design LLC (dba !Melk) for Landscape Architectural Services for Pier 97 for a 39-month term in the amount of \$2,661,947 plus a 10% contingency, for a total Board Authorization Amount of \$2,928,141.70; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

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Chair Taylor directed the Directors to the next item on the agenda: amending the contract with Mueser Rutledge Consulting Engineers, Inc. Ms. Doyle detailed that at the July 2014 Board Meeting, the Board authorized the Trust to enter into an engineering services contract with Mueser Rutledge for the structural stabilization and restoration of the Morton Street Bulkhead and adjacent paved landscaped areas, for an original total amount of \$578,336. At the January 26, 2017 meeting, the Board authorized an amendment to the contract for additional geotechnical work and engineering services related to the selected repair option that would have less in-water impacts and less impact to the historic bulkhead, for a total amount of up to \$978,150. The contract was also extended by one year to August 4, 2018.

Ms. Doyle explained that, because the work related to the bulkhead and Morton Street upland is anticipated to be completed in summer 2019, the Trust needs to extend the Mueser contract by 13 months, to September 4, 2019.

Ms. Doyle therefore requested Board authorization to amend the contract with Mueser Rutledge Consulting Engineers, Inc. for an additional 13-month term, for no additional cost at this time.

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Amend the Contract with Mueser Rutledge Consulting Engineers, Inc. for the Morton Street Bulkhead Restoration Engineering Services For An Additional 13-Month Term**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Mueser Rutledge Consulting Engineers, Inc. for the Morton Street Bulkhead Restoration Engineering Services for an additional 13-month term; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

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Chair Taylor directed the Board to the next item on the agenda: Ratification of, and Authorization to, Amend Contract with New York City Parks Department for Parkwide Security Services. [Because there was no quorum for this agenda item, Ms. Doyle just briefly described the proposed budget but the action item was not voted on.]

Ms. Doyle explained that the Parks Enforcement Patrol has been providing 24/7 security services to Hudson River Park since 2004 through a contract, as amended, between the Trust and the New York City Department of Parks & Recreation. The last such amendment was approved by the Board at its September 28, 2017 meeting. The current contract expired on June 30, 2018.

As discussed at the last Board meeting, staff of the Trust and NYC Parks have been meeting to negotiate a new contract for security services. However, budgetary issues pertaining to the fringe benefit rate for PEP employees and staffing must be determined by Parks before a new contract can be finalized.

The Trust intends to extend the PEP Contract for up to seven months and to amend the PEP Contract for additional funding in an amount up to \$1,384,000 to provide additional security services during this period and will seek ratification by the Board at the Board's next meeting.

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Chair Taylor then directed the Board to the next agenda item: ratification of and authorization to amend the contract with Aldona Fire Protection, Inc. Ms. Doyle explained that at the May 28, 2015 meeting, the Board authorized the Trust to enter into a contract with Aldona Fire Protection, Inc. for Parkwide Monitoring, Inspection, Maintenance and Repair of Fire Alarm Systems for up to three years in a total Board Authorization Amount of up to \$158,685. On-going monitoring of building fire alarm systems is a code requirement of the City of New York. The contract with Aldona commenced on September 29, 2015 for a one-year term with two one-year options and expires at the end of this month. At its September 28, 2017 Board meeting, the Board authorized an amendment to the contract for an additional \$32,000 to add fire alarm monitoring and maintenance services at Pier 40, which location had not been included in the original contract, for a total Board Authorization Amount of up to \$190,685.

The Trust recently had to upgrade the existing fire alarm system protecting the Pier 84 building pursuant to new requirements of the New York City Fire Department. In order to commence this work the Trust amended its Aldona contract on August 3, 2018 for an increased contract amount of \$124,859 and extended its term by three-months to December 31, 2018. In

addition, the Trust has now learned that the Pier 40 fire alarm system needs a connection between the administration offices with the rest of the Pier 40 building. This additional work will require the Trust to enter into a new contract amendment with Aldona for up to \$15,000. The Trust therefore seeks Board ratification of the recent contract amendment for the Pier 84 work, and extension of term and authorization to enter into a new contract amendment with Aldona for a total Board Authorization Amount of up to \$330,544.

Ms. Doyle explained that the amended amount exceeds 20 percent of the original contract amount. However, undertaking a competitive process for this additional work is not in the best interest of the Trust. Aldona was the original fire alarm designer and installer at the Pier 84 building, along with Interphase Electric, a subcontractor, and thus has unique knowledge of the previously installed system. The contractor is necessary to bring the original installation up to current FDNY requirements so that the building can be permanently signed off by the Fire Department and the Department of Small Business Services, as required by Code. Therefore, this amendment complies with the Trust's Procurement Guidelines. Funding for this amendment is currently available through the Trust's approved operating budget.

Ms. Doyle therefore requested Board ratification of and authorization for the amendments to the contract with Aldona Fire Protection, Inc. for Parkwide Monitoring, Inspection, Maintenance and Repair Services of Fire Alarm Systems for an amendment amount of up to \$139,859, for a total Board Authorization Amount of up to \$330,544 and an extension of the term through December 31, 2018.

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST – Ratification of and Authorization for Hudson River Park Trust's Amendments to the Contract with Aldona Fire Protection, Inc. for Parkwide**

**Monitoring, Inspection, Maintenance and Repair Services of Fire Alarm Systems in an Amendment Amount of up to \$139,859, for a Total Board Authorization Amount of up to \$330,544 and an Extension of the Term through December 31, 2018**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and authorizes the Hudson River Park Trust's amendments to the contract with Aldona Fire Protection, Inc. for Parkwide Monitoring, Inspection, Maintenance and Repair Services of Fire Alarm Systems in an amendment amount of up to \$139,859, for a total Board authorization amount of up to \$330,544 and an extension of the term through December 31, 2018; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

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Chair Taylor then presented the next agenda item: Authorization to contract with Slade Industries Inc. for Pier 40 Elevator Inspection, Maintenance and Repair Services. Ms. Doyle explained that the current contract for elevator maintenance and repair at Pier 40 expired and the Trust seeks to enter into a new contract for elevator maintenance and repair services to maintain required permits with the City of New York. The Trust requires the services of a certified elevator inspection and maintenance company. The proposed contract includes routine inspections, maintenance and repairs for two traction elevators, servicing three floors at Pier 40. In addition to the inspection and maintenance work, recent amendments to the New York City Building Code require all automatic passenger and freight elevators to provide a system to monitor and prevent automatic operation with faulty door contact circuits by January 1, 2020. The proposed contractor will provide the required upgrades to enable the Trust to be compliant with the amended code.

The work for this contract will be based on a bid that includes (i) the fees for monthly inspection and maintenance (ii) the one-time cost of the elevator upgrades for legal compliance and (iii) the labor and material rates for any potential repairs. A contingency has been included to

address potential increases in the prices of materials and unanticipated repair work. In accordance with the Trust's Procurement Guidelines, the Trust sought the use of a centralized contract through the NYS Office of General Services.

The Trust released its notice of the mini-bid, which is required by the Office of General Services, on August 20, 2018. Three contractors submitted bids by the Trust's deadline of September 14, 2018. A committee comprised of Trust staff evaluated the bid proposals based on the criteria set forth in the mini-bid. Slade Industries Inc. was determined to be the lowest qualified bidder, or the contractor that offered the "best value" for the proposed work. Funding for this contract will be available through the Trust annual operating budget.

Ms. Doyle therefore requested the Board authorization to contract with Slade Industries Inc. for the Pier 40 Elevator Inspection, Maintenance and Repair Services for a five-year term in the amount of \$59,873.13 plus a 15% contingency, for a Total Board Authorization Amount of \$68,854.10.

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Contract with Slade Industries Inc. for the Pier 40 Elevator Inspection, Maintenance and Repair Services for a Five-Year Term in a Contract Amount of \$59,873.13, plus 15% contingency, for a Total Board Authorization Amount of up to \$68,854.10**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of September 26, 2018, a copy of which is ordered filed with the records of Hudson River Park Trust, the Board hereby authorizes Hudson River Park Trust to enter into a contract with Slade Industries Inc. for Pier 40 Elevator Inspection, Maintenance and Repair Services for a five-year term in the amount of \$59,873.13, plus a 15% contingency, for a total Board Authorization Amount of up to \$68,864.10; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

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Chair Taylor presented the next item to be discussed, which was the Ratification of, and Authorization to Purchase New Vehicles from Partsmaster, Inc. for Park Maintenance. Ms. Doyle explained how the terrorist attack on October 31, 2017 prompted NYSDOT and the New York City Police Department to immediately place barriers on the Route 9A Bike Path that runs parallel to the Park. The spacing between these barriers was mandated by NYSDOT and NYPD Counter terrorism to be no more than 60 inches, thus preventing access to the Bike Path by road vehicles. In late spring 2018, NYSDOT informed the Trust that it would be replacing the concrete barriers with new permanent bollards and that the barrier spacing was to be reduced to 48 inches. As a result, most of the Trust's park maintenance, security and service fleet (including those recently procured for the 60-inch gap) cannot traverse the Bike Path. In order to provide appropriate transportation to allow Trust staff and PEP officers to traverse and efficiently maintain the Park under these new conditions, the Trust must acquire vehicles that are narrow enough to pass through this revised 48-inch barrier spacing.

Trust staff proposed to enter into a purchase order with Partsmaster, Inc. to acquire the new vehicles on a sole source basis. Under the Trust's Procurement Guidelines, the Trust may contract on a sole source basis when only one contractor can supply the commodities required by the Trust. Trust staff conducted exhaustive research to find vehicles that are narrow enough to pass through the new barriers and can also provide the capabilities required by the Trust for maintenance and security. Trust staff reviewed vehicles manufactured by numerous companies including Toro, Club Car, John Deere, Taylor Dunn, Cushman, Polaris, Mahindra, and Bobcat. Utility vehicles manufactured by Motrec were the only vehicles found to be able to navigate the 48-inch barrier

constraint while providing the needed functionality. Motrec identified Partsmaster as its authorized U.S. General Services Administration vendor and as such the sole supplier for the Motrec vehicles.

The Trust finds the cost quoted by Partsmaster for the Motrec vehicles to be reasonable. Under the proposed purchase order, Partsmaster will provide the Trust with 41 vehicles of various models, as well as supply parts, equipment, and extended warranty for a total price of \$1,079,891.71. Trust staff received positive reviews from other entities using this equipment. The Motrec vehicles will also be environmentally friendly as they are electric powered instead of diesel or gasoline powered. For the reasons cited above, the Trust determined that this sole source procurement was permissible under the Trust's Procurement Guidelines. Funding for this contract is currently available through the Trust's approved operating budget and funding will be sought from the State of New York.

Ms. Doyle therefore requested Board ratification of, and authorization to, contract with Partsmaster, Inc. for the purchase of 41 new utility vehicles and related parts and equipment in an amount not to exceed \$1,079,891.71

Director Kaplan asked how much did the Trust spend on the previous purchase for vehicles that could pass through the 60-inch wide barriers. Trust staff responded about \$300,000 and it was looking to re-sell those vehicles. Director Kaplan stated that he was pleased that the Trust found electric vehicles. There being no further questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST – Ratification of, and Authorization to, Contract with Partsmaster, Inc. for the Purchase of Replacement Utility Vehicles and Related Parts and Equipment for a Total Board Authorization of \$1,079,891.71.**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and authorizes the Trust's contract with Partsmaster, Inc. for the purchase of replacement utility vehicles and related parts and equipment for a total Board authorization amount not to exceed \$1,079,891.71.

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

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Chair Taylor presented the next item to be discussed, which was the Authorization to Amend the Contract with Adjusters International, Inc. for FEMA Project Close-out Consulting Services. Ms. Doyle stated that in May 9, 2015 the Trust approved a sole source contract with Adjusters International, Inc. in the amount of \$48,111 for work in connection with completing FEMA applications and supporting documentation for reimbursement of expenses incurred as a result of Hurricane Sandy. At its meetings on September 29, 2016, June 8, 2017 and September 28, 2017, the Board of Directors authorized increases and term extensions to the Trust's sole source contract with Adjusters to up to \$360,000 and June 30, 2018.

To date, the Trust has expended \$34.2 million for Sandy repairs, of which \$21.9 million has been reimbursed, primarily with the assistance of Adjusters. The actual storm recovery contract work is complete. Ms. Doyle stated the Trust is now seeking to amend the contract for an additional \$11,000 and to extend the term by nine months, through March 31, 2019, in order for Adjusters to complete the review and analysis of Sandy documentation in connection with the FEMA and NYS Governor's Office of Storm Recovery close-out process. Ms. Doyle stated that the Trust anticipates that the entire contract amount of \$371,000 will be subsequently reimbursable by FEMA and the Governor's Office of Storm Recovery. The amended contract amount exceeds 20% of the original contract amount and the Trust has determined that it is in the best interests of

the Trust to amend the current contract with Adjusters, which continues to perform its services in a competent and satisfactory manner.

Ms. Doyle therefore requested Board authorization to amend the contract with Adjusters International, Inc. for FEMA project close-out consulting services in an amendment amount of \$11,000, for a total Board authorization amount of up to \$371,000 and an extension of the term through March 31, 2019.

Director Kuh asked if the additional \$12 million delta will be reimbursed and Trust staff stated that it is still in process of completing the paperwork and hopes that the additional funds will be reimbursed. There being no further questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Amend the Contract with Adjusters International, Inc. for FEMA Project Close-out Consulting Services in an Amendment Amount of \$11,000, for a Total Board Authorization Amount of up to \$371,000 and an Extension of the Term through March 31, 2019**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Adjusters International, Inc. for FEMA Project Close-out Consulting Services in an amendment amount of \$11,000, for a total Board Authorization Amount of up to \$371,000 and an extension of the term through March 31, 2019; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

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Chair Taylor then announced the next item of business to be addressed: Adoption of Negative Declaration for *Day's End* Public Art Installation at Gansevoort Peninsula, Approval of Amendment to General Project Plan, and Authorization to Enter into Large-Scale Donation, Installation and Maintenance Agreement with the Whitney Museum of American Art. Ms. Doyle

stated the Whitney Museum of American Art has proposed to donate a site-specific permanent public art installation entitled *Day's End* by David Hammons, an acclaimed artist with deep roots in New York City, on the south side of the Gansevoort Peninsula, at the site of the former Pier 52 pier shed. *Day's End* derives its inspiration and name from Gordon Matta-Clark's 1975 artwork in the same location, which was demolished in 1979. *Day's End* would be an open structure that precisely follows the outline, dimensions, and location of the original pier shed and would allude to the changing history of New York's waterfront.

Ms. Doyle stated the Trust proposes to enter into a Large Scale Donation, Installation and Maintenance Agreement with the Whitney, in which the Whitney would be responsible for all costs related to permitting, installation and maintenance of the sculpture in perpetuity. In support of the project, the Hudson River Park Act was recently amended to authorize the permanent installation of *Day's End* subject to certain conditions respecting its location, dimensions, funding and maintenance, all of which have been satisfied. Once constructed, *Day's End* would become a permanent part of the Park.

Ms. Doyle explained the Trust seeks approval by the Board of Directors of three separate board resolutions, including approval of the Environmental Review documents prepared under the New York State Environmental Quality Review Act; approval of an amendment to the General Project Plan; and authorization to enter into the Installation Agreement.

Ms. Doyle first addressed the Trust's Significant Action process that began on June 20, 2018. As required by the Act, the Trust published a Notice of Hearing and Public Comment Period on its website and in The City Record, the New York State Contract Reporter, The New York Post, the Villager and Chelsea Now, and the Notice was circulated to Community Boards 1, 2 and 4; the City Planning Commission; the Hudson River Park Advisory Council; local elected

officials; and other interested persons and organizations. The Trust held the Public Hearing at the Whitney Museum on July 23, 2018 and the Public Comment period remained open through August 22, 2018. All comments received as part of the Significant Action process are addressed in the Response to Comments document provided to the Board and also now available on the Trust's website.

Ms. Doyle informed the Board that most of the commenters, including the elected officials, support the Installation, although a few raised concerns that installing the sculpture in 2019, prior to the Trust undertaking design and construction of the Gansevoort Peninsula, would impede or significantly affect future plans for a beach on the Peninsula's south side. To address this concern, staff from both the Trust and the Whitney, along with several of the Whitney's designers, engineers and construction managers, attended a combined meeting of the Arts and Institutions and the Parks & Waterfronts committees of Manhattan Community Board 2 on September 5. The technical representatives from both the Whitney and the Trust concluded that the sculpture would not affect the Trust's ability to create a beach at the south side of Gansevoort. As addressed in the Response to Comments document, the Trust intends to proceed with the beach as part of the future design for the Peninsula and commits to working with the Community Board on design for Gansevoort as soon as a design team for this area is selected.

Next, Ms. Doyle addressed the Environmental Review conducted under SEQRA. The Trust served as the lead agency and caused an Environmental Assessment to be prepared by the Whitney and its consultants with oversight by Trust staff and Trust's outside counsel. The Environmental Assessment analyzed potential impact from the proposed project. The Environmental Assessment concluded that there would be no significant adverse impact to the environment as a result of construction or maintenance of the Installation.

Ms. Doyle elaborated that the Environmental Assessment included an analysis of the proposed project's consistency with the New York City Waterfront Revitalization Program pursuant to the New York State Coastal Zone Management Program and of potential adverse effects to archeological and architectural resources in accordance to the State Historic Preservation Act. The assessment found that the proposed Installation would not result in any adverse effects.

Ms. Doyle broke down each item according to the agenda. First, Trust staff requested that the Board approve the Environmental Assessment dated September 2018 and the issuance of a Negative Declaration finding that no environmental impact statement is needed for the proposed Installation.

Additionally, Trust staff recommended that the Board approve an Amendment to the General Project Plan to clarify that a permanent large-scale sculpture would be installed on the Pier 52 portion of the Gansevoort Peninsula consistent with the recent amendment to the Hudson River Park Act.

Finally, Trust staff recommended that the Board authorize the execution of the Installation Agreement between the Trust and the Whitney. Ms. Doyle explained the key terms of the Agreement are described in the Board memo, so Ms. Doyle highlighted just a few:

- Upon completion of the construction by the Whitney, the sculpture will be donated to the Trust and will become a part of the Park.
- The Whitney will prepare a maintenance plan for review and approval by the Trust and will be responsible for paying all costs related to the maintenance of the sculpture.

Ms. Doyle said that, because the donation by the Whitney would provide cultural, historic and artistic value to the south side of the Gansevoort Peninsula to the benefit of the Park, all costs for permitting, installation, and maintenance into perpetuity will be by the Whitney with no additional

costs to the Trust; additionally, the installation is supported by Manhattan Community Board 2, the elected officials and other local organizations, thus Trust staff recommend Board approval of the Installation Agreement.

The Trust therefore requested that the Board (i) approve the Environmental Assessment and adopt the Negative Declaration for the *Day's End* Public Art Installation at Gansevoort Peninsula pursuant to the State Environmental Quality Review Act; (ii) approve the Amendment to the General Project Plan related to the Pier 52 portion of the Gansevoort Peninsula; and (iii) approve and authorize the execution of the Installation Agreement with the Whitney Museum of American Art.

Director Berkman asked if any of the public comments would likely lead to litigation and Ms. Doyle answered no, given the support for the project and the enactment of the legislation. Director Kaplan asked if the Whitney maintains the sculpture in perpetuity and whether that includes insurance and Ms. Doyle responded yes. There being no further questions, upon a properly called motion, the following three resolutions each passed unanimously.

**HUDSON RIVER PARK TRUST – Approval of Environmental Assessment and Adoption of Negative Declaration Pursuant to the State Environmental Quality Review Act for the *Day's End* Public Art Installation at Gansevoort Peninsula Project**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby approves the Environmental Assessment for the *Day's End* Public Art Installation at Gansevoort Peninsula Project dated September 2018; and be it further

**RESOLVED**, that based on the Environmental Assessment, the Board hereby adopts the Negative Declaration, finding that the Project would not result in any significant adverse impacts to the environment that would require the preparation of an environmental impact statement; and be it further

**RESOLVED**, the Project is consistent with New York State's Coastal Management Program policies set forth in 19 NYCRR 600.5 and, to the maximum extent practicable, New York City's approved Local Waterfront Revitalization Program; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

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**HUDSON RIVER PARK TRUST – Approval of Amendment to the General Project Plan**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby approves and adopts the amendment to the General Project Plan regarding the Pier 52 portion of the Gansevoort Peninsula; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

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**HUDSON RIVER PARK TRUST – Approval of and Authorization to Enter into the Large-Scale Donation, Installation and Maintenance Agreement with the Whitney Museum of American Art**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby approves and authorizes the execution of the Large-Scale Donation, Installation and Maintenance Agreement with the Whitney Museum of American Art; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

After approval of the three resolutions, Nicholas Holmes of the Whitney Museum stated on behalf of Adam Weinberg and the entire Whitney, the Whitney Museum thanks the Trust Board for embracing the project. Chair Taylor thanked the Whitney as well.

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Chair Taylor directed the Board to the next item of business which was: Approval of and Authorization for Execution of Amendment No. 1 to Lease Agreement with Super P57 LLC for

Pier 57. Ms. Doyle noted that at its March 30, 2016 meeting, the Board of Directors authorized the Trust to enter into a lease agreement with Super P57 LLC for the redevelopment and operation of the reconstructed Pier 57 for cultural, entertainment and educational uses; general, professional, administrative and executive offices and ancillary uses; retail and restaurant uses, including a public marketplace; public access and public benefit uses, including public viewing areas, a perimeter public walkway, new public esplanades and a rooftop public open space; ancillary parking use; and maritime uses.

At the June 28, 2018 meeting, the Board was provided a copy of the proposed Amendment No. 1 to the Lease Agreement. Highlights of the proposed Amendment No. 1 include that it would increase the rent by \$1 million annually, escalating yearly by 3%, over the first 15 years, and would modify the minimum and maximum square footages for certain cultural, entertainment and educational uses and office uses. In addition, a public viewing area would be added, and P57 and its subtenant, Google, would make available more CEE on the ground floor and include a classroom and VR studio for the Trust's Estuary Lab, at no cost to the Trust. Google will also be required to make portions of the CEE space related to technology education available for meeting use by community organizations, and to limit displays of corporate signage or logos in public and CEE space.

Ms. Doyle explained no change would be required to the General Project Plan in order for the Board to approve Amendment No. 1. The Trust also issued a Technical Memorandum No. 3 pursuant to SEQRA which concluded that no significant adverse impacts would occur as a result of these modifications. On July 2, 2018, the Trust published a notice of hearing and public comment period on its website pursuant to the Act's Significant Action process and followed the same actions as described before for the Whitney's Significant Action process. The Trust held a

Public Hearing on August 1, 2018 and the Public Comment period remained open through September 7, 2018. All comments received as part of the Significant Action process are addressed in the Response to Comments document provided to the Board and posted on the Trust's website.

Trust staff hereby requests the Board to approve and authorize execution of Amendment No. 1 to Lease Agreement with Super P57 LLC.

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST – Approval and Authorization for Execution of Amendment No. 1 to Lease Agreement between Hudson River Park Trust and Super P57 LLC**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby approves and authorizes the execution of Amendment No. 1 to the Lease Agreement dated March 31, 2016, between Hudson River Park Trust and Super P57 LLC; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

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Chair Taylor directed the Board to the next agenda item: Authorization to Contract with New York State Industries for the Disabled, Inc. for Parkwide Interior Cleaning Services. Ms. Doyle noted that in June 2014, the Trust entered into a contract with New York State Industries for the Disabled, Inc. for Parkwide interior cleaning services, which were provided through NYSID's partner agency, FedCap Rehabilitation Services. That contract expired in June 2017. After determining that FedCap's performance was satisfactory, the Trust entered into a new one-year contract with NYSID beginning on October 1, 2017 through September 30, 2018.

The Trust now seeks to enter into a new contract with NYSID for a one-year term beginning on October 1, 2018 through September 30, 2019, with two one-year options to be exercised at the discretion of Trust staff based on NYSID's performance.

Ms. Doyle discussed NYSID, which is a New York State Preferred Source contractor that has provided good service to the Trust since 2014. NYSID has offered a cost proposal of \$506,050.74 for the contract term of October 1, 2018 through September 30, 2019 based upon current prevailing wage rates. While NYSID has not provided a cost proposal for option years 2 and 3, Trust staff seeks Board approval of up to a five percent increase each year, or \$531,353.28 in year 2 and \$557,920.94 in year 3, for a Board Authorization Amount for the three-year period of \$1,595,325.00. Trust staff also request Board authorization for a 10% allowance for additional cleaning at events and special projects. Funding for this contract is currently available through the Trust's approved operating budget.

Ms. Doyle therefore requested Board authorization to enter into a contract with New York State Industries for the Disabled, Inc. for Parkwide Interior Cleaning Services in a Base Contract Amount of \$506,050.74 for a one-year term with the option to extend for two one-year terms for a Board Authorization Amount of up to \$1,595,325.00 over a three-year period plus a 10% allowance, for a Total Board Authorization Amount of up to \$1,754,857.50

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Enter into Contract with New York State Industries for the Disabled, Inc. for Parkwide Interior Cleaning Services in a Base Contract Amount of \$506,050.74 for a One-Year Term with the Option to Extend for Two One-Year Terms for a Board Authorization Amount of up to \$1,595,325.00 over a Three-Year Period plus a 10% allowance, for a Total Board Authorization Amount of up to \$1,754,857.50**

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**RESOLVED**, based upon the materials presented to the Board at its meeting on September 26, 2018, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to enter into a contract with New York State Industries for the Disabled, Inc. for Parkwide Interior Cleaning Services in a Base Contract Amount of \$506,050.74 for a one-year term with the option to extend for two one-year terms for a Board Authorization Amount of up to \$1,595,325.00 over a three-year period plus a 10% allowance, for a Total Board Authorization Amount of up to \$1,754,857.50; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

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Chair Taylor directed the Board to the next agenda item: the Amendment to 2018 Investment Guidelines. Ms. Doyle explained that at the May 31, 2018 meeting, the Board approved the Trust's 2018 Investment Guidelines. At that time, Trust staff had informed the Board that it was in the process of finalizing an investment advisory agreement and an agreement with a custodian bank. In order to enter into an agreement with a custodian bank that allows the Trust to generate more income on Trust investments, Trust staff recommends amending the Investment Guidelines so that securities to be held by the custodian can include a certain class of money market mutual funds, as authorized by New York State Finance Law Section 98. The proposed amendment language has been provided to the Directors. The Trust seeks Board approval of an amendment to the 2018 Investment Guidelines to authorize the Trust to invest in certain mutual funds consistent with New York State Finance Law.

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST – Approval of Amendment to the 2018 Investment Guidelines for Hudson River Park Trust to Authorize the Trust to Invest in Certain Mutual Funds Consistent with New York State Finance Law**

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**RESOLVED**, the Board hereby approves the amendment to Hudson River Park Trust 2018 Investment Guidelines to authorize the Trust to invest in certain mutual funds consistent with New York State Finance Law; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

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Chair Taylor then directed the Board to the last agenda item: the appointment of Douglas Durst to the Trust's Design Committee. Ms. Doyle explained that the Board's Design Committee was created to advise on and oversee the design for Hudson River Park. Over the next several years, the Park will continue to be developed consistent with the goals of the Hudson River Park Act and the General Project Plan, and the Design Committee will continue to play a crucial role in overseeing future development of Park areas including Pier 97 and Gansevoort Peninsula, which will commence their design processes in the very near future.

Trust staff now recommends that the Board ratify the appointment of Director Durst to serve as a member of the Design Committee. Director Durst was an active participant with the Pier 97 landscape architect evaluation committee and his input was very valuable for this process.

There being no questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST- Appointment and Confirmation of Director Durst as a Member of the Hudson River Park Trust's Design Committee**

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**RESOLVED**, based on the materials presented at its September 26, 2018 meeting, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board of Directors hereby appoint and confirm Director Durst as a member of the Hudson River Park Trust's Design Committee; and be it further

**RESOLVED**, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

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After the completion of approval, ratification and discussion of the agenda items, Executive Ms. Doyle provided the President's Report. Ms. Doyle briefed the board members of completing the Trust's "Summer of Fun 2018" in the Park which began in June with a "20 Years of Piers" anniversary celebration at Pier 45, showcasing the Trust's line-up of free events staged throughout the summer season. Programs continued every week through mid-September. Highlights included an expanded "Healthy on the Hudson" exercise series featuring workouts with Lu Lu Lemon, Yoga, Tai Chi, Outrigger Paddling Sessions; "RiverKids" family performances; Friday night "Sunset on the Hudson" and "Thursday Night Jazz at Pier 84" and Blues Barbeque. These events continue to bring in strong attendance numbers.

The Estuary Lab team had another successful summer season of hands-on education and interactive scientific research. Some public programs, like "Shell-ebrate Oysters" and Community Eco-paddle, engaged community members with citizen science activities to support Park staff in monitoring and maintaining the Park's 400-acre estuarine sanctuary. Attendance at the Trust's old favorite Big City Fishing was greater than ever. Newly launched public programs, like "Science Saturdays" where families enjoyed larger than life experiments and nature inspired crafts were also a hit. Ms. Doyle said this past Saturday was the Trust's culminating environmental education event - which hosted the fifth annual SUBMERGE marine science festival with great success. The Trust had 8500 participants. This year the festival was held at Pier 84 and there was more wildlife than ever including the largest oyster found in the harbor in the past 100 years (discovered under Pier 40 by our contractors doing pier work this summer) and many other favorites such as tortoises, falcons and owls.

Trust staff finalized an agreement with Citibike for bike maintenance facilities in Pier 40 with ancillary offices. The concession is for 5 years with 2 two-year renewal options, and the first year rent is \$486,216. They have taken the space previously inhabited by State DOT's 9A group and adjacent warehouse space.

Trust staff is in the process of preparing a concession agreement with Citigroup for Citigroup's proposed construction and installation of a Water Taxi Landing at the south side of Pier 25 to transport its employees in a 49-passenger vessel between its Jersey City and Manhattan offices during day time hours; between 9:00 am and 4:00 pm. Citigroup would install the necessary floating dock and associated anchor piles, ramps and gangway for the Water Taxi Landing and pay all associated costs, which will then become the property of the Park. Citigroup's use of the landing is non-exclusive and the Trust may at some point allow other vessels to dock there. A water taxi landing at Pier 25 was permitted by both the New York State Department of Environmental Conservation and Army Corps of Engineers when the Park received its original permits in 1999 and 2000 in this location, and the landing has recently received construction authorization from both of these agencies. The water taxi service will eliminate the use of shuttle buses that currently serve Citigroup's employees - Citigroup currently runs over 15,000 bus trips per year.

As background, the Trust had issued a Request for Proposals on December 1, 2017 for a concessionaire to manage Pier 25, including the Water Taxi Landing. On January 3, 2018, Citigroup submitted, pursuant to the RFP, the only letter of interest with regard to the installation and operation of a non-commuter Water Taxi Landing at Pier 25 as a sub-concessionaire. Although the RFP failed, in accordance with the Trust's Guidelines for Revenue Generating Contracts, the

Trust determined that it was in its best interest to negotiate directly with Citigroup with respect to the installation and operation of a non-commuter Water Taxi Landing at Pier 25.

As part of the negotiation, the Trust requested that the marine vessel to be used under the agreement must meet best available technology for both minimizing air emissions and noise. Based on information provided by Citi Group, its proposed operator Water Taxi and the Trust's environmental consultant AKRF, a new engine that meets EPA Tier 3 standards is the best technology available. Citi Group has provided information about the new engine to be installed on its vessel and the emissions would be fewer emissions than EPA Tier 3 standards. The Trust is also requiring as part of the Concession Agreement that Citi Group upgrade the engine if best available technology improves in the future and to also ensure that the engine is routinely scheduled for maintenance.

Trust staff and Citi Group attended the Community Board 1 Waterfront, Parks and Resiliency Committee meeting on September 17, 2018 to provide information and has incorporated input from Community Board 1 into the agreement. The Water Taxi shuttle service is expected to commence the first quarter of 2019.

On August 17, 2018, the Trust issued a Request for Proposal for Owner's Representative Services for Capital Projects and Strategic Planning. The selected consultant is to assist PMDC staff on managing and assisting in all aspects of planning, design, procurement and construction for several projects in the Park. On September 21, 2018, the Trust received nine proposals which the Trust staff is currently evaluating. The Trust intends to award the contract to the most qualified respondent as determined by the criteria set forth in the RFP. Upon selection, the Trust will enter into a limited contract with the consultant and issue a Notice to proceed for up to \$100,000. The

Trust will present the selected consultant and fee schedule to the Board at its next meeting for ratification of the consultant selection and approval of the final contract.

As mentioned to the Directors before, the Trust was optimistic last winter that legislation allowing a longer lease term and permitting office use at Pier 40 would be introduced in 2018. Unfortunately, this has not yet occurred, but we are still hopeful that legislation will be proposed and enacted in 2019. Ms. Doyle explained that while efforts to pursue legislation continue, staff has adhered to the direction provided by the Board several years ago, and has only made necessary and emergency repairs to Pier 40, deferring other repairs that will eventually need to be done if the pier structure is not redeveloped. However, the Trust is now in the situation that certain repairs are required and are proceeding with requests for proposals for work that is essential to public safety. First, the elevated walkway on the southeast corner of the third level of Pier 40 needs repair. The existing steel structure is crumbling and the walkway has had to be closed. The Trust issued an emergency RFP on September 13 in order to engage a contractor to conduct these repairs. The Trust will likely select a contractor for this emergency work and staff will authorize work to proceed up to an initial \$200,000, after which time staff will seek ratification of and approval of the full contract amount at the Board's next meeting.

Next, the Trust has performed an assessment of the facade of Pier 40, which uncovered deteriorating brick work and parapets. An RFP is being developed and will be issued in early October for a contract to address these issues. The Trust will also issue an RFP for Parkwide paving, with a significant portion of the asphalt paving to occur at the north and south turnarounds at Pier 40. Cracks will also be filled in the pavement on the upper deck of Pier 40 and the west walkway at Pier 40 as part of this RFP.

Ms. Doyle said the Trust is also in the process of replacing the two air conditioners in some of the Pier 40 offices, which had unfortunately been out the entirety of summer 2018, resulting in difficult work conditions for some of its staff. The air handling system on the eastern side of Pier 40, which is needed to improve energy efficiency and to mitigate the risk of motor failure during the winter months, will also need to be replaced. Collectively, the Trust expects this work to cost around \$2 million, and will use some of the funds that New York City has provided specifically for repairs to Pier 40.

The most expensive repair that the Trust has been putting off for years is a new roof for the south shed and head house portions of Pier 40. Ms. Doyle recalled, four years ago, the Board asked the Trust to only replace half of the roof in hopes that a long term solution to Pier 40 would be identified before it had to spend further funds on the balance of the pier roof. In the meantime, the Trust has shut down portions of the south shed. The Trust continues to monitor the south shed and headhouse areas for safety but at some point, if unable to get a change in legislation, the Board will have to determine if the Trust should spend approximately \$25 million on replacing the balance of the roof and adding more parking to Pier 40 once such repairs are done. Over the coming months, the Trust will be doing an updated cost-benefit analysis which will be shared with the Board. While the Trust is slightly under budget on the first two phases of Pier 40 pile repairs, it will be unknown for a couple more years whether there will be leftover funds from repairing the piles that can be reapplied to other projects and repairs at Pier 40. This is a difficult position to be in, but Pier 40 is not generating the revenue needed to help maintain the Park in the manner that was intended.

Ms. Doyle introduced new Trust staff members to the Board. Ms. Fazio informed the Board that their Board packets also contained the parkwide safety statistics and five months of financials.

Chair Taylor then introduced Dan Miller to speak as the Chair of the Hudson River Park Advisory Council. Mr. Miller explained that the Council met once this summer and discussed the how the Whitney design might impact the greater Gansevoort Peninsula. Members were hoping the design for Gansevoort could occur before work began on *Day's End*. Mr. Miller explained that Madelyn Wils attended the entire meeting and answered questions of the Advisory Council and assured the Advisory Council that the sculpture would not impact the beach. At a follow up meeting at the Whitney in early September, it was once again reinforced that the 700 feet of frontage on the south shore of the Peninsula will not impact the feasibility of a future beach.

Mr. Miller explained that the Advisory Council also discussed Pier 57 and there were no changes from the previous Advisory Council review. There were asks for renewable and alternative energy methods that should be considered at Pier 57, as well as for future designs at Pier 40.

There was a lengthy discussion about the frustration of bikeway safety but this is kind of like a broken record. Mr. Miller stated it continues to get worse and we feel that there will be more accidents with the addition of the 48-inch bollards.

Mr. Miller continued that the Advisory Council also reviewed the incredibly successful New York Water Campaign that Bob Townley was in charge of, which filtered water and boxed water that was distributed through downtown Manhattan Youth Community Centers.

Chair Taylor then introduced Connie Fishman to speak on behalf of Hudson River Park Friends. Ms. Fishman explained that the Friends' staff is still gala fundraising. She stated that

Mike Novogratz, Friends' Chair, recently sent a letter to the Governor about moving forward with Pier 40 redevelopment and the need for legislation to ensure a successful RFP in the future. Friends' staff is trying to arrange a meeting with a delegation of Friends' board members and the Governor's staff on this topic. Ms. Fishman also noted that Friends is winding down its volunteer season. It has about a dozen events left in October and November, mostly out in the gardens doing things like bulb planting, both corporate and with neighborhood volunteers. Friends should reach about 60 volunteer events this year with approximately 2,000 volunteers.

Ms. Fishman continued that Friends' friendship banners are in various places in the park. They all have new branding and logos and hopefully will encourage people to join Friends' membership program. Ms. Fishman also introduced Cheryl Herman as the new Senior Director for Integrated Media who is working with both Friends and the Trust.

Chair Taylor then made a motion to go into Executive Session for a discussion on a real estate transaction, as permitted by the Open Meetings Law, and emphasized that no Board votes would be taken during this session. Upon approval of the motion, the Board went into Executive Session from 5:02 p.m. to 5:14 p.m.

After the Executive Session and there being no further business, Chair Taylor made a motion to adjourn, and the meeting was adjourned at 5:14 pm.