

**VIRTUAL MEETING OF THE  
BOARD OF DIRECTORS  
March 25, 2021 at 4:00 pm**

**MINUTES**

**Directors Present:**

Basil Seggos, Chair  
Vicki Been  
Leslie Wright for Director Kulleseid  
Michael Kuh  
Rose Harvey  
Sarah Nielson for Director Silver  
Aloysee Heredia Jarmoszuk  
Jeffrey Kaplan  
Purnima Kapur  
Lowell Kern  
Pamela Frederick  
Lawrence Goldberg

**Appearances:**

Hudson River Park Trust:  
Noreen Doyle, Acting President and CEO  
Daniel Kurtz, CFO and Executive Vice President, Finance & Real Estate  
Christine Fazio, General Counsel

**Also Present:**

Connie Fishman, Hudson River Park Friends  
Jeffrey LeFrancois, Advisory Council Chair

With a quorum being present, Chair Seggos called to order the March 25, 2021 meeting of the Hudson River Park Trust Board of Directors. He explained that due to the coronavirus pandemic and consistent with Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, this meeting is being held remotely via a Zoom teleconference enabling participation of the Directors and the general public.

Chair Seggos then noted that all Directors have received the Agenda materials in advance of this meeting and are free to ask questions or comment at any time on the action items submitted for approval today. Chair Seggos further noted that questions or comments from the audience will not be entertained at this meeting. I note that the Board memos and resolutions on today's agenda have been posted on the Trust website in the link entitled Board Meetings, Bylaws and Other Materials under Board Agendas and Minutes and thus are available to the public.

Chair Seggos then stated that there are five items on the Consent Agenda for today's meeting: 1) Approval of Minutes and Ratification of the Actions Taken at the January 28, 2021 Meeting of the Hudson River Park Trust Board of Directors; 2) Authorization to Extend Term of Contract with M&N Engineering for Piers 98-99 Marine Platform Engineer of Record; 3) Ratification of Contract Amendment with Carrier Communications for Phase 7 Parkwide Security Camera Expansion Project; 4) Authorization to Extend Contract with Carrier Communications for Parkwide Security Camera Maintenance Services; and 5) Approval of Hudson River Park Advisory Council's Amended By-Laws.

Chair Seggos then asked if there were any questions, there being none, upon a properly called motion, the following consent agenda items were unanimously approved.

**HUDSON RIVER PARK TRUST - Approval of Minutes of and Ratification of the Actions Taken at the January 28, 2021 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 January 28, 2021 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 the Hudson River Park Trust.

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**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Extend the Term of Contract with M&N Engineering, P.C. for Piers 98-99 Marine Platform Engineer of Record**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of March 25, 2021, 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 extend the term of contract with M&N Engineering, P.C. for Piers 98-99 Marine Platform Engineer of Record for an additional six months, through August 11, 2021; and be it further

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

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**HUDSON RIVER PARK TRUST – Ratification and Approval of Contract Amendments with Carrier Communications Corp. for Phase 7 Parkwide Security Camera Expansion Project for a Total Board Authorization Amount of up to \$501,191**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on March 25, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and authorizes the Contract Amendments with Carrier Communications Corp. d/b/a Multi-Media Communications for the Phase 7 Parkwide Security Camera Expansion Project for an additional \$121,191 and another one-year term for a Total Board Authorization Amount of up to \$501,191; and be it further

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

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**HUDSON RIVER PARK TRUST – Authorization for Hudson River Park Trust to Amend the Contract with Carrier Communications Corp. for Parkwide Camera Security Maintenance Services for an Additional \$189,768 Plus a 10 Percent Contingency for a Total Board Authorization Amount of up to \$282,745**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on March 25, 2021, 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 Carrier Communications Corp. for Parkwide Camera Security Maintenance Services for an additional

\$189,768 plus a 10 percent contingency over a three-year period for a Total Board Authorization Amount of up to \$282,745; and be it further

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

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### **HUDSON RIVER PARK TRUST - Approval and Ratification of the Revised Hudson River Park Advisory Council By-Laws**

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**RESOLVED**, based on the materials presented to the Board of Directors at its March 25, 2021 meeting, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby approves and ratifies the revised Hudson River Park Advisory Council By-Laws (dated 2021); and be it further

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

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Chair Seggos then proceeded with the corporate actions, introducing the first item: Request for Approval of April 1, 2021 – March 31, 2022 Fiscal Year Operating Budget.

Acting President Doyle began by explaining that in January, the Trust’s Audit and Finance Committees met to review the Preliminary Budget for Fiscal Year 2022, after which time the Preliminary Budget was posted to the Trust website and provided to all Directors. On this past Tuesday, the Audit and Finance Committees met again to review the Proposed Budget for Fiscal Year 2022, and that document has been shared with all Directors.

Ms. Doyle explained that because of the continuing economic effects of COVID on so many Park tenants and programs, tracking and preparing budgets have been especially challenging this year, and she then acknowledged the work of Dan Kurtz, Chief Financial Officer, and Sikander Zuberi, Vice President of Finance, for their efforts.

Director Kaplan then provided an overview of the Audit and Finance Committees’ review of the Proposed Budget. Director Kaplan began by stating that the Audit and Finance Committees reviewed the Proposed Budget this past Tuesday, which was largely the same budget that the

committees reviewed in January. He explained that by reducing operating expenses well below approved Fiscal Year 2021 budget, the Trust has managed to break even on an operating basis, even after taking into account reduced revenue and unreimbursed capital maintenance. He explained that there was obviously significantly reduced revenue due to COVID. Director Kaplan explained that he thought the Trust has been conservative in preparing the 2022 Fiscal Year budget. He explained that a \$3.5 million deficit, after deducting about \$6.2 million in total unreimbursed capital maintenance, could be comfortably handled from the Trust's reserves. He continued that the Trust was showing a very large budget for new construction at around \$59 million, the vast majority of which is covered from either the City, the State, air-rights sales, or the Trust's restricted reserves as sources. As these projects are very much dependent on City and State reimbursement and capital advances, it is important that the Directors carefully monitor these sources going forward. Lastly, as painful as it is to spend money on the dilapidated Pier 40 building, the Trust has budgeted about \$6 million for roof repair in fiscal year 2022. However, the Trust is seeing an increase in parking revenue from Pier 40, so that is still positive news.

Dan Kurtz then continued with the overview of the Proposed Budget. He stated that for fiscal year 2021, which is ending next Wednesday, the Trust is projecting total revenue of about \$25.7 million. That is about 15 percent less than the revenue budget the Board approved in March of last year. The primary reason for the shortfall is that the Trust's revenue from lease rents and occupancy agreements are projected at \$15.3 million this year, which is 20 percent less than what the Trust had anticipated in the approved fiscal year 2021 budget. This is exclusively due to the effect of COVID on Trust tenants, particularly the restaurant tenants, the public recreation tenants, the cruise tenants, and transportation tenants. For the upcoming Fiscal Year 22, the Trust is budgeting lease rents of \$16.4 million. This is a very conservative assumption, which includes the same 20 percent reduction from contract rent rents over the entire fiscal year. For FY 22, the Trust is also expecting sponsorship revenues to remain depressed at about \$220,000, and net field fees and other fees will not rebound very strongly from the prior year either. As Director Kaplan noted, parking revenue, however, is expected to have a modest rebound to \$7.7 million as new parking spaces are expected to come on-line when the Pier 40 roof work is completed later this calendar year. Overall, for FY22, the Trust is budgeting \$28 million of revenue, which is \$2.1 million less than what the Trust budgeted last year, but seven percent more than what the Trust is projected to actually receive in the fiscal year just ending. However, for FY22, if Trust rent and fee losses are

ten percent instead of 20 percent less than contract, the Trust will net an additional two million dollars and be able to match the FY 21 revenue budget numbers.

Mr. Kurtz continued that, on the operating expense side, the total amount budgeted for the fiscal year 2022 is \$25.3 million. If the Trust added the \$6.2 million for unreimbursed capital maintenance, total operating expense plus unreimbursed capital maintenance expense will be \$31.5 million. The Trust's largest single expense is salaries. In FY 21, the personnel cost of \$10 million was 11 percent less than budget due to a salary and hiring freeze, and the Trust reduced its seasonal and part-time employee expense by 45 percent. For FY 22, the Trust is expecting the personnel budget to increase to \$11.3 million and be flat with the FY 21 budget level, as the Trust is adding employees in its facilities, horticulture and outdoor maintenance departments to handle the expanded Park square footage and use. For instance, Pier 26 came fully online in FY 21. The Trust has also experienced an explosion of daily Park users, particularly due to COVID, that has increased maintenance, cleaning, and other costs associated with more intensive use of outdoor areas. The Trust is also expecting a modest increase in parking management costs this year, reflecting in large part the increase in the number of spaces available in the Pier 40 garage. In addition, the Trust will be increasing security in FY 22: the Trust is adding some PEP officers at different locations at Pier 83, at Pier 45, in front of Pier 40, and at Pier 26. On a functional basis, Park upkeep for grounds and facilities is the biggest single expense at 20 percent of total. Insurance is 17 percent of the total budget, but most of this is reimbursable from the City and the State. The Trust seeks to keep its admin costs below 20 percent, and expects this cost to total 17 percent for FY 22. Unreimbursed capital maintenance is budgeted at 16 percent. Other fixed costs are utilities and sanitation; put together they are about ten percent.

For the FY 22 the capital maintenance and capital equipment budget, total expenditures are budgeted in the vicinity of \$34.7 million: \$1.2 for equipment; \$33.5 for capital maintenance. On the capital maintenance side, that budget cost is largely covered by the use of restricted air rights funds that are used for the pile work at Pier 40. In addition, the Trust still has some money available through the generosity of the City for the Pier 40 roof repair. Through the New York City Council, particularly Councilmember Johnson, the Trust has money available for the Chelsea Waterside Park capital reconstruction. Among the capital maintenance expenses, the Pier 40 pile repair is the biggest single piece at \$11.6 million. The Trust will be in the final phase of the Pier 40 pile work during FY 22. As mentioned, the Southern Roof at Pier 40 is expected to finish mid-year at a cost

close to six million dollars. The reconstruction of Chelsea Waterside Park is expected to cost five-and-a-half million dollars. And other capital maintenance repairs that the Trust has not yet bid, or got a real number on, are estimated at two million dollars. On the new construction side, the Trust is looking to spend \$58.8 million. Adding that \$58 million to the \$34 million that the Trust anticipates spending on capital maintenance equals \$92 million in total for FY 22. That would be, in terms of construction activity, the greatest amount of construction activity ever undertaken by Hudson River Park in any single year of its history. So the Design and Construction Department is going to be extremely busy on construction, as will the Legal Department working on all the contracts, as will the Finance Department processing all the invoices. So it's going to be an extremely busy year all around for the Trust. The two major construction projects, as the Board knows, are the new construction of Gansevoort Park. The Trust anticipates spending about \$29.5 million funded by the City of New York on Gansevoort in FY 2022. In addition, the Trust anticipates spending about \$20.9 million funded by the State of New York to construct Pier 97 in FY 22. Also commencing this year is the estuary enhancement project -- although it is now underway, more construction will occur in FY 22. In addition, the Trust will be planning the final portion necessary for the completion of the Park, which is West 29<sup>th</sup> to West 44<sup>th</sup> Street. Lastly, for Pier 76, the Trust has a small allowance of \$750,000 available for the redevelopment of the portion of the Pier 76 premises that is currently not being undertaken by the State. Therefore, in summary, for FY 22, the Trust is looking at revenue of \$28 million, operating expenses of \$25.3 million, and unreimbursed capital maintenance costs of \$6.2 million, which yields an annual deficit of \$3.5 million. The Trust anticipates that the funding source for that deficit will be the Trust's net reserve position, which is approximately \$27.8 million.

Mr. Kurtz continued discussing the Trust's reserve, which is dedicated for capital maintenance and unanticipated operating expenses, such the \$34 million needed for repairs after Sandy. Mr. Kurtz concluded that Sikander Zuberi was the laboring oar in preparing the budget, and most of the other finance staff members and all the department heads were very active in developing this budget. The budget process started last November when staff started to put together their provisional numbers, looking at their actual expenses, and seeing what line items were not really being spent that could be cut. So this has been an ongoing process with regard to Trust staff, and Mr. Kurtz thanked all of them.

Chair Seggos then thanked Mr. Kurtz and asked if there were any questions or comments. There being none, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Approval of the Hudson River Park Trust April 1, 2021 – March 31, 2022 Fiscal Year Operating Budget**

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**RESOLVED**, based upon the materials presented to the Board of Directors of the Hudson River Park Trust at its meeting on March 25, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby approves the April 1, 2021 – March 31, 2022 fiscal year Operating Budget; and be it further

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

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Chair Seggos then referred the Directors to the next item before the Board: a request for Authorization to Contract with Dragonetti Brothers for Route 9A Median Landscape Services.

Acting President Doyle began by explaining that the landscaped medians and buffers adjacent to Hudson River Park were constructed as part of the redevelopment of Route 9A and are under the control and jurisdiction of the New York State Department of Transportation. Since 2002, the Trust has maintained aspects of these landscaped medians and buffers pursuant to an agreement with NYSDOT that reimburses the Trust's costs for these landscape services.

In accordance with the Trust's Procurement Guidelines, the Trust issued a Request for Proposals for Route 9A Median Landscape Services for the period between December 22, 2020 through January 19, 2021 and received eight proposals. A selection committee of Trust Staff reviewed the proposals pursuant to the evaluation criteria set forth in the RFP and ranked Dragonetti Brothers as the most qualified firm to perform the Services. Dragonetti has extensive experience working in New York City, including for the New York City Department of Environmental Protection. Dragonetti provided an annual fee proposal that offered the lowest pricing compared to the other respondents. Dragonetti proposes to meet the 30 percent MWBE subcontracting goals; however, due to limited subcontracting opportunities, the Trust has issued a waiver of the 6 percent SDVOB goal.

Ms. Doyle then requested Board authorization to contract with Dragonetti Brothers for Route 9A Landscape Maintenance Services in an amount of up to \$1,875,304 for a four-year term, explaining that NYSDOT will reimburse the Trust's costs.

Chair Seggos thanked Ms. Doyle and asked the Directors if there were any questions. Director Goldberg asked who performed the work before Dragonetti and if they sent in a new proposal. Mr. Kurtz stated the company was called U Arias and they also submitted a proposal. There being no further questions, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST – Authorization to Contract with Dragonetti Brothers Landscaping Nursery & Florist Inc. for Route 9A Landscape Maintenance Services in an Amount of up to \$1,875,304**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of March 25, 2021, 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 Dragonetti Brothers Landscaping Nursery & Florist Inc. for Route 9A Landscape Maintenance Services in an amount of up to \$1,875,304 for a four-year term; and be it further

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

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Chair Seggos then directed the Board to the next agenda item: a request for Authorization to Contract with Steven Dubner Landscaping for Gansevoort Peninsula General Construction and Marine Construction.

Acting President Doyle began by saying that an advertisement for a Request for Proposals for the Gansevoort Peninsula General Construction contract was published in the New York State Contract Reporter and on the Trust's website for the period between January 13 through February 17, 2021. The Trust received four proposals on the submission deadline. A separate advertisement for a Request for Proposals for the Gansevoort Peninsula Marine Construction contract was published in the New York State Contract Reporter and on the Trust's website for the period

between January 15 through February 26, 2021. The Trust received four proposals on the submission deadline.

Together, the General and Marine Construction contracts advance the first major phase of the transformation of Gansevoort Peninsula into public parkland, including construction of the beach, boardwalk, kayak launch, lawn for passive recreation, salt marsh, synthetic turf field, esplanades, and more. The design developed by James Corner Field Operations has received considerable support including from the local community.

Based on the submitted proposals, clarifications and interviews, Trust staff found Steven Dubner Landscaping to be the highest ranked respondent for both the General RFP and Marine RFP. Given that Steven Dubner was the highest ranked firm on both procurements, while also offering the reduced pricing for performing both scopes of work, as well as scheduling and coordination efficiencies gained by combining the two scopes, Trust staff recommends entering into a single contract for a two-year term for both scopes of work.

Dubner has committed to meet the M/WBE participation goal of 30%. The Trust will prepare a partial SDVOB waiver prior to entering into the contract.

Ms. Doyle then requested authorization by the Board to contract with Steven Dubner Landscaping, Inc. for Gansevoort Peninsula General and Marine Construction in an amount not to exceed \$23,817,935 plus a 10% contingency for a Total Board Authorized Amount of \$26,199,729, stating that funding for this contract will be provided from capital budget funds allocated by the City of New York.

Chair Seggos thanked Ms. Doyle and asked the Board if there were any questions or comments. There being none, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST – Authorization for Hudson River Park Trust to Contract with Steven Dubner Landscaping, Inc. for Gansevoort Peninsula General and Marine Construction in an Amount Not To Exceed \$23,817,935 Plus a 10% Contingency for a Total Board Authorized Amount of \$26,199,729**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on March 25, 2021, 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 Steven Dubner Landscaping, Inc. for the Gansevoort Peninsula General and Marine Construction in an amount

not to exceed \$23,817,935 plus a 10% contingency for a Total Board Authorized Amount of \$26,199,729; and be it further

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

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Chair Seggos then directed the Board to the next agenda item: a request for authorization to Contract with Deborah Bradley Construction for Pier 97 Shade Structures Fabrication and Installation.

Acting President Doyle began by stating that the Pier 97 Shade Structure Fabrication and Installation is the first of several construction contracts associated with transforming Pier 97 into public open space. This contract involves fabricating the distinctive metal shade structures off-site using advanced machining technology, which requires a substantial lead time.

An advertisement for a Request for Proposals for the Pier 97 Shade Structure Fabrication and Installation was published in the New York State Contract Reporter and on the Trust's website for the period from December 22, 2020 through February 5, 2021 and the Trust received six proposals on the submission deadline. A selection committee comprised of the Trust's Design/Construction staff reviewed the submissions and evaluated each submission according to the identified selection criteria in the RFP.

Based on the submitted proposals, clarifications and interviews, Trust staff determined Deborah Bradley Construction & Management Services to be the highest ranked proposer. Deborah Bradley has successfully completed a number of projects in Hudson River Park and is a NYS certified MWBE firm. Deborah Bradley will work with a specialty fabricator, AIP, on the production of the custom structures.

Ms. Doyle then requested authorization by the Board to contract with Deborah Bradley Construction & Management Services, Inc. for the Pier 97 Shade Structure Fabrication and Installation in an amount not to exceed \$1,340,400 plus a 10% contingency for a Total Board Authorized Amount of \$1,474,440, stating that funding for this contract is expected to be provided with capital funds from New York State.

Chair Seggos thanked Ms. Doyle and asked the Board if there were any questions or comments. In response to a question by Director Kern regarding any recourse the Trust would have against the fabricator, Ms. Fazio explained that the contract to be drafted with Deborah Bradley would require the contract she holds with the subcontractor to have similar language naming the Trust as an additional insured and indemnitee.

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 Contract with Deborah Bradley Construction & Management Services, Inc. for the Pier 97 Shade Structure Fabrication and Installation in an Amount Not To Exceed \$1,340,400 Plus a 10% Contingency for a Total Board Authorized Amount of \$1,474,440**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on March 25, 2021, 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 Pier 97 Shade Structure Fabrication and Installation in an amount not to exceed \$1,340,400 plus a 10% contingency for a Total Board Authorized Amount of \$1,474,440; and be it further

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

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Chair Seggos then directed the Board to the next item on the agenda: a request for Authorization to Amend the Contract with Gage Meyer Engineers for Pier 40 Roof Engineering Consulting Services.

Acting President Doyle began by reminding the Directors that in November 2019, the Board authorized the Trust to enter into a contract with Gage Meyer Engineers d/b/a EDG to produce construction documents for the reconstruction of the western and eastern portions of the Pier 40 Roof. The Board authorized additional funding in March 2020 for the completion of testing and probes. The Trust recently determined that priority repairs are needed at a portion of the ballasted roof at the mezzanine level due to spalling concrete. This section of the roof covers the

walkways around the courtyard field on three sides and was not included in the scope of the current roof contract. The Trust seeks to amend the contract for EDG to prepare construction documents to reconstruct the mezzanine level roof as a single source procurement because as the engineer of record, EDG, has unique knowledge of the Pier 40 roof's current and prior condition and because it is more efficient to have one engineer preparing the construction drawings for all the roof repairs.

Ms. Doyle then requested authorization by the Board to amend the contract with EDG for the Pier 40 Roof Engineering Consultant Services for an additional amount of \$188,000 for a Total Board Authorized Amount of \$616,008, stating that funding for this contract is available from the Trust's capital maintenance budget using restricted funds designated for Pier 40 infrastructure and, as available, New York City capital budget funds designated for Pier 40 infrastructure repair.

Chair Seggos thanked Ms. Doyle and asked the Board if there were any questions or comments. There being none, 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 Gage Meyer Engineers, PC d/b/a/ EDG for the Pier 40 Roof Engineering Consultant Services for an Additional Amount of \$188,000 for a Total Board Authorized Amount of \$616,008**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on March 25, 2021, 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 Gage Meyer Engineers, PC d/b/a EDG for the Pier 40 Roof Engineering Consultant Services for an additional amount of \$188,000 for a Total Board Authorized Amount of \$616,008; and be it further

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

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Chair Seggos then stated that the next item before the Board is a request to approve the List of On-Call Environmental Consulting Service Firms.

Acting President Doyle began by explaining that the Trust periodically has a need to engage environmental consulting firms to prepare environmental impact reviews under SEQRA, to support the Trust's preparation of environmental permit applications, to inspect and develop

protocols for appropriate handling or removal of potentially hazardous materials and to perform other compliance and monitoring services. The Trust thus released a Request for Proposals for On-Call Environmental Consulting Services on November 10, 2020 and received 27 proposals on the submission due date of December 18, 2020. A selection committee consisting of staff in the Trust's Legal and Real Estate Departments reviewed the proposals and initially determined that three were incomplete and therefore undertook a review of the remaining 24 pursuant to the evaluation criteria set forth in the RFP. After three rounds of review, the selection committee recommended that ten firms be approved by the Board to be on the Trust's on-call list as the highest ranked firms.

Ms. Doyle explained that the Trust would engage an environmental consulting firm on an as-needed basis and in no case would any individual retainer agreement exceed \$200,000 without prior Board approval.

Ms. Doyle thus requested Board approval for the following on-call list of environmental consulting firms for a five-year period as set forth more fully in the Board memo: AECOM, AKRF, Cameron Engineering, Core Environmental, D&B Engineers, HDR, Stantec, Tectonic Engineering, VHB and WSP, explaining that all consultants provided a robust list of certified MWBE and SDVOB subcontractors and funding would be available from the Trust's operating budget as approved by the Board each year.

Chair Seggos thanked Ms. Doyle and asked the Board if there were any questions or comments. There being none, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST – Approval of On-Call List of Environmental Consulting Firms for a Five-Year Period in an Amount Up to and in Accordance with the Trust's Annual Operating Budget**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting of March 25, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby approves the following list of on-call environmental consulting firms for a five-year period in an amount up to and in accordance with the Trust's annual operating budget and that no individual retainer agreement shall exceed \$200,000 without prior Board approval; and be it further

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

On-Call List of Environmental Consultants:

AECOM USA, Inc.  
AKRF, Inc.  
Cameron Engineering & Associates, L.L.P.  
Core Environmental Consultants, Inc.  
D&B Engineers and Architects, P.C.  
Henningson, Durham & Richardson Architecture and Engineering, P.C.  
Stantec Consulting Services Inc.  
Tectonic Engineering Consultants, Geologists & Land Surveyors D.P.C.  
VHB Engineering, Surveying, Landscape Architecture and Geology, P.C.  
WSP USA Inc.

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Chair Seggos then stated that the next and final item before the Board is a request for Authorization to Enter into the Lease Agreement with Intrepid Museum Foundation.

Acting President Doyle began by saying that over the past several years, Trust staff has negotiated a proposed new lease agreement with the Intrepid Museum Foundation for Pier 86. The Intrepid currently operates at the same location under an existing lease that originated in 1982 with New York City, prior to the Hudson River Park Act and the creation of the Park. Uses under the proposed Lease are restricted to an educational museum, including the docking and exhibition of historic vessels at the pier, and defined ancillary activities. The Intrepid will be required to assure and promote free public access to Pier 86 and to provide approximately 4,000 square feet of additional pier space for expanded public access use at a cost of approximately \$6 million.

The proposed annual rental under the proposed Lease of \$1 is less than the appraised fair market rent of \$190,000; however, the purpose of the proposed lease is also within the purpose, mission and governing statute of the Trust and is allowed under the New York State Public Authorities Law. While the Act requires the Trust to be financially self-supporting to the extent practicable, it also establishes other mandates that are non-monetary in nature, and the proposed Lease advances a number of these mandates. For example, the Intrepid Museum is a water-dependent use that enhances the natural, cultural and historic aspects of the river. The vessel is

listed on the National Register of Historic Places and is designated a National Historic Landmark, and visitors to the Intrepid benefit from a wide variety of museum activities and programs.

Under the proposed Lease, Intrepid will be responsible for all maintenance and repair, including the pier surface, pier structure and all bulkheads at the premises. In addition, the Intrepid will assume repair responsibility, subject to a cost cap limitation, for the section of the historic bulkhead extending south towards Pier 84. Intrepid will prepare and execute five-year repair plans based on regular inspections to be reviewed and approved by the Trust.

Under the proposed Lease, Intrepid will continue to offer a variety of veteran's support, environmental STEM programming and other educational opportunities for school children and others. As a result of the lease negotiation process including community input during the Significant Action process, the Intrepid will initiate a 50% discount on the price of museum admission to New York City residents in 2021. This is in addition to free museum admission for many visitors: in 2019, that number was 148,000.

Given the Intrepid's established track record of operating a successful waterfront museum; its extensive free programming; its commitment to provide, maintain, and expand public open space in Hudson River Park at Pier 86; its obligations to maintain a historic vessel and a National Historic Landmark; and the various aspects of the Trust's mission, staff has determined that there is a basis for the Board to determine that there is no reasonable alternative to the Lease that would achieve the same purpose and level of benefits and that the \$1 per year rent established previously by the City of New York remains appropriate. It should be noted that the City also charges \$1 rent for the approximately 55 not-for-profit cultural institutions on City owned land, and that staff considered such precedent during the lease negotiation process.

Ms. Doyle continued that the proposed Lease was subject to public review from January 15, 2021 to March 19, 2021 under the Trust's Significant Action process, which included a public hearing on February 17, 2021 and a corresponding public comment period. Staff also met with Community Board 4 on two occasions and the Advisory Council to provide information and to respond to questions. As noted in the response to comments document, while supporting the Intrepid and other aspects of the lease, Community Board 4 objects to the proposed \$1/year rent. Other organizations, individuals and elected officials, including Manhattan Borough President Gale Brewer, have expressed support for this amount given the Intrepid's and Trust's missions.

Ms. Doyle stated that the Directors have received a copy of the response to comments document prepared following the Significant Action that will also be posted on the Trust's website. The Board memo provided to the Directors also provides more information regarding the lease terms and the rationale for charging \$1 rent.

Ms. Doyle then requested Board approval to execute the proposed Lease with the Intrepid Museum Foundation.

Chair Seggos then thanked Ms. Doyle and asked if the Directors have any questions or comments. Director Kern then addressed the concerns raised by Community Board 4 including that the Intrepid initially did pay rent and the City reduced it at a time when the Intrepid was having financial difficulties but now the Intrepid is in better financial shape than the Trust; the \$190,000 appraised rental value already included the maintenance of the pier that the Intrepid has committed to; and the ship is not going anywhere so the Trust should use its leverage to get more rent. He further stated that the Community Board did not recommend a number and also recognized that due to COVID, the rent should not begin until after three years.

Ms. Nielsen asked when the chiller plant would be demolished and remade into public space and Mr. Kurtz responded that the work is expected to begin after the Lease is executed and be completed in the next two to three years. Director Harvey asked what the Trust staff thought of the \$1 rent and Ms. Doyle explained that Intrepid as a cultural institution is paying \$1 rent that is very similar to other large cultural institutions in New York City and that Trust staff did consider the cultural and educational and public benefits provided by the Intrepid in reaching this conclusion to ask the Board to approve the proposed Lease. Director Kern stated however the City has other means to obtain support for the cultural institutions but the Trust is dependent on generating revenue and the Intrepid is very different than the boathouses that also only pay \$1 rent. In response to additional Director questions and comments, Ms. Doyle and Mr. Kurtz explained additional benefits of the Intrepid including that it provides traffic crossing guards at the busy bikeway as well as stimulating tourism and the economy. Director Been also confirmed that the City charges \$1 rent for other cultural institutions. Directors Frederick and Goldberg both observed that currently the pier seems to be closed to the public and Ms. Doyle stated that is an important point that under the new Lease, messaging and signage must make it clear that the pier is open to the public. Mr. Kurtz also stated that Homeland Security however requires the detectors and security checks before anyone can access the pier.

Chair Seggos then asked if there were any further questions; there being none, upon a property called motion, the following resolution was approved by all Directors except Director Kern who opposed the resolution.

**HUDSON RIVER PARK TRUST – Authorization to Enter into Lease Agreement with Intrepid Museum Foundation**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting on March 25, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Directors hereby approve and authorize the execution of the proposed Lease between the Hudson River Park Trust and Intrepid Museum Foundation; and be it further

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

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Chair Seggos stated that completes the Board action items for approval and asked Ms. Doyle to present the President's Report.

Acting President Doyle began that with the contracts approved by the Board today, Gansevoort will soon be a very active construction site. Next week, the clean fill material that will compress existing soils in the area where the ballfield will be located will arrive on site. The fill will prevent future settlement and will be reused on site once the compaction is completed. In May, work associated with the contracts approved today will begin. Ms. Doyle then thanked New York City for approving all of the funds for this eagerly anticipated project. Ms. Doyle continued that because the Trust only received two proposals in response to its original electrical construction RFP for Gansevoort, the Trust released a new RFP last week with proposals due on April 16. The Trust is working with its construction manager to solicit additional proposals and hope that the two electrical contractors that previously proposed will submit again as well. Trust staff intend to bring the electrical construction contract selection to the next Board meeting for approval.

Ms. Doyle continued that the Whitney Museum expects the final phase of the *Day's End* sculpture to occur in April and be completed in early May. The Whitney is also planning a ribbon cutting on the Peninsula and Trust and Whitney staff are working together to coordinate

construction activities to avoid conflicts. The Trust is certainly looking forward to the grand opening of the *Day's End* sculpture and will of course share additional information about the ribbon cutting with the Directors as soon as details are finalized.

Another big opening to occur in mid-May is Pier 55, also known as Little Island. Trust staff is working closely with staff at Little Island on planning and logistical issues related to the opening and Trust staff will inform the Directors of the actual opening date. Little Island has a number of events planned for this summer that the public will be able to enjoy, and the uniquely designed pier will be another amazing location for New Yorkers and visitors to relax and have fun in a beautiful open space setting on the waterfront.

Progress continues on construction documents for Chelsea Waterside Phase 2, which includes the long awaited comfort station, expanded field and dog run areas, picnic area and more. The Trust expects to issue the first RFPs in late spring.

In addition to proceeding with the fabrication of the shade structures at Pier 97 as just approved by the Board, the Trust will also be releasing the general construction and electrical RFPs for Pier 97 construction this week. The RFP for structural concrete work that the Trust released in February resulted in only one proposal and thus failed so the concrete work will be incorporated into the general construction contract RFP. New York State will be providing the funds for Pier 97.

Yesterday, Governor Cuomo announced that the public will have access to Pier 76 as an interim public open space by June 1. State Parks has been leading this effort, including overseeing the demolition of the former NYPD tow pound building. Work has been occurring very quickly and is being performed by Galvin Brothers which also worked for State Parks on Shirley Chisholm Park along the waterfront in Brooklyn. More open space is always a good thing, especially during COVID, as we can all attest. We know that residents of NYC, particularly those living within Community Board 4, will be very eager to incorporate the new open space into their lives, and the Trust thanks State Parks for proceeding so quickly on this project. For the Board's reference, our Advisory Council has requested a discussion on Pier 76 at its next meeting on April 13th.

Fabrication of gabions, reef balls, and textured piles for the Tribeca Habitat Enhancements project is well under way. Based on Billion Oyster Project's schedule for oyster cultivation, the Trust believes initial deployment will start in July. The Park's River Project team has worked with scientists at the Hudson River Foundation, University of New Hampshire, Monmouth University

and New Jersey City University on baseline benthic and epibenthic surveys to support the science commitments that the Trust has also made as part of this project.

Ms. Doyle then addressed some River Project and Public Programs updates. The Public Programs department is working with sports leagues, schools and other permittees on safety protocols that will enable the Trust to continue offering playing time on the sports fields this spring. Field users clearly appreciate the opportunity to get outside and exercise and maintain a semblance of normalcy during these challenging times. People are also appreciating the fact that the new courtyard fields at Pier 40 now drain properly.

The Trust maintains regular communication with the State and City about evolving regulations for events and gatherings in the Park due to COVID. Staff is receiving many requests from schools, charitable organizations and others about the possibilities of conducting programs in the Park this year. At present, the Trust is permitting charity walks and runs with staggered start and finish times and attendance numbers in line with regulations set by the State and City. The Department is also permitting some film and photo shoots.

For the summer, the Public Programs department plans to conduct a hybrid program of virtual and in-person programming. For instance, the Trust expects the Hudson RiverKids series to be offered online only. Sunset on the Hudson will be pre-recorded in the Park using the pop-up approach the State and City are using, and then streamed to a larger audience with live introductions from the talent. Building on the success of the participatory dance programs, in 2021 the Trust will be including Afro-Caribbean dance and instruction as well as salsa, Bollywood and bhangra. Jazz at Pier 84 will be offered in person, as will Healthy on the Hudson fitness classes. The signature Blues BBQ event will become a one-day virtual festival, celebrating the history of this beloved event. All in-person events will either require advance registration or will have other controls to ensure capacity is aligned with social distancing and COVID 19 safety guidelines.

With last Saturday marking the first day of spring, the Park's River Project is looking forward to the coming season of educational programming and estuary research. Staff have begun offering some in-person science field trips to NYC schools while also continuing virtual tours. The Park's education team will also be hosting a number of teacher professional development courses focused on water quality and other research data. Staff is working with the Intrepid and Math for America on these initiatives which aim to increase data literacy by blending Park research with STEM education.

In the summer, staff will open the River Project Wetlab on the south side of Pier 40. The space features a flow-through aquarium that houses native Hudson River fish that was built by the original River Project. Over the winter, the Park's River Project made a number of improvements to the space including adding a Learning Lab that will now host the test processing for the Park's environmental DNA research and the Citizens' Water Quality Testing program. The River Project aims to open the Wetlab for both virtual and socially-distant public tours starting in mid-July.

Starting in the late spring, the River Project team will also be offering a number of virtual programs. The Trust looks forward to bringing back Live from the Field, a weekly behind the scenes look at Sanctuary science on Instagram Live, and Ask a Scientist, a monthly series that invites local scientists to share their work with a live Q&A session on Facebook Live. The Trust also aims to conduct some in-person programming, including through tours that can be managed safely with appropriate social distancing. Tour themes will include the Pier 26 Tide Deck, maritime history and local biodiversity, and the Trust will again be using the iNaturalist app to invite the public to help catalog flora and fauna in the Park. Additional programs are to be announced in the coming weeks.

Ms. Doyle stated that on February 26, she emailed a copy of the preliminary Draft Estuarine Sanctuary Management Plan to all Directors. As has been mentioned at past meetings, in 2017, Trust staff began the process of updating the ESMP. Along with a section devoted to progress and accomplishments under the original 2002 ESMP, the current ESMP includes a new 2021 – 2030 Action Agenda intended to guide the Trust and its partners in managing the Sanctuary through the current decade. To prepare the Action Agenda, Trust staff worked with a Technical Advisory Committee comprised of experts in research, habitat restoration, environmental education, and public access and recreation, including some members that are also on the Advisory Council. The Board's Sanctuary Committee has also met on several occasions to receive updates and to review an earlier draft of the Action Agenda.

The Advisory Council has recently requested the opportunity to review and discuss the ESMP before it goes out for public comment. Because the Advisory Council's next meeting is April 13th, Trust staff would appreciate receiving comments from any of the Directors who have feedback by the end of next week so that that the comments can be incorporated before circulating the draft Action Agenda to the Advisory Council.

The Trust expects to hear from many people during the public review process for the ESMP, as the Sanctuary is important to different users and user groups for different reasons. Staff believes it is important to begin soliciting feedback from the public this spring so that the Trust can bring a final ESMP to the Directors for approval after the completion of the public process this fall. The official ESMP will be the most essential tool for guiding the next phase of Park planning as it relates to the Sanctuary, and many people in the environmental community are looking to the Trust to deliver on it.

Ms. Doyle then acknowledged three members of the Park community who have or will soon be moving on. First, Commissioner Mitchell Silver of NYC Parks has announced that he will be leaving his position sometime later this spring. If Madelyn were here, she would be talking about what an important leader he has been, and she would speak specifically about his commitment and success at speeding up the delivery of open space projects to the public. Commissioner Silver is also a passionate advocate striving for all New Yorkers to feel welcome in their public open spaces, and we are all grateful to him for his leadership in this and other regards. Most of you also know Alyssa Cobb Konon of City Parks, in part because she sat beside you at many of our meetings over the years. Alyssa has taken a personal leave from Parks and we would be remiss in not thanking her for the enormous amount of time she spent on Trust issues. Despite being an incredibly busy person managing multiple divisions of Parks, Alyssa always picked up the phone for us, and always gave us guidance or pointed us to just the right person who could help us with an emerging issue. Most recently, she organized a team of Parks members to help us think about some of the resiliency questions we have been discussing with Battery Park City Authority. Alyssa also got things done, and she did it with good humor, intelligence and all around smarts. We will surely miss Alyssa and wish her well during her leave, and welcome Sarah Nielsen who will become a regular member of our meetings.

Last, Steve Zahn, NYS DEC Region 2 Director, will be retiring in a few weeks. I first met Steve in the late 1990s when he was in charge of regulatory permitting and Hudson River Park was the applicant. Since then, Steve's career has grown and evolved, but a constant over all these years is the extent to which the Park has relied on his advice and science-based expertise for all kinds of matters related to the Sanctuary. While serving as a widely-respected regulator and policy-maker, it's no secret that Steve Zahn is a marine scientist at his core, and Hudson River Park's Estuarine Sanctuary waters have benefited greatly from this fact. Always up-to-date on

emerging estuarine science, research and habitat enhancement technologies, we are greatly indebted to Steve for his unwavering assistance in the management of the Park's Estuarine Sanctuary, including his leadership on the Technical Advisory Committee for the creation and implementation of the Park's Estuarine Sanctuary Management Plan. Steve Zahn's dedication to public service, substantial expertise, and unfailing commitment to Hudson River Park has truly helped to make the park and estuarine sanctuary all that it is today. We are so grateful for all that he has contributed and wish him well in his future endeavors.

Ms. Doyle then completed her report by noting that the Board packet includes the PEP statistics, a list of all contracts between \$100,000 and \$200,000, a memo on FEMA disbursements that shows the Trust has received about \$29.9 million in reimbursements and is still owed about \$4.3 million, and the financials for the first eleven months of fiscal year FY20-21. Total operating revenues were \$23.6 million and operating expenses, including capital maintenance and equipment, were \$22.5 million, which are both lower than anticipated, but within expectations given COVID.

Chair Seggos thanked Ms. Doyle and asked Jeffrey LeFrancois to present the Advisory Council Report.

Mr. LeFrancois began by thanking the Directors for approving the Advisory Council By-Laws. He continued that the Advisory Council is undertaking some diversity, equity, and inclusion initiatives, including starting a new committee dedicated to figuring out how it can increase diversity and how it might work with the Park to highlight all the good work that they do on diversity, equity and inclusion internally and externally. He continued that the Advisory Council sent a letter to the Trust Chair and Vice Chair last week stating that the Advisory Council should have been made aware of the Intrepid lease status and details prior to the Significant Action process, given the AC's statutory status. He stated that he appreciates the Trust's recognition of the AC's desire to opine on the ESMP, as Ms. Doyle mentioned, before the draft is formally made public. And finally, the Advisory Council remains very concerned about the New York waterway bus parking at Pier 79, given the NYC ferry expansion that is expected this summer also at Pier 79. The goal of the AC is to understand what agency besides the Trust has enforcement authority to not have buses parked long-term and laying over. Given the expected increase in ferry commuters and use of the shuttle, this is an important issue for the Advisory Council as the future of the esplanade will play a critical role in connecting Pier 84 to Pier 76.

Chair Seggos thanked Mr. LeFrancois and asked Ms. Fishman to provide the Hudson River Park Friends report.

Ms. Fishman began by stating that Friends is launching a new campaign this spring called HRPK 550, care for every acre. The 550 refers to the Park's 550 acres. And this will become the new branding of Friends' annual fund that focuses on landscapes and gardens, education, and environmental sustainability. She continued that despite Friends' original FY '21 budget having included a steep reduction in the amount of cash it could send to the Trust, by the end of the fiscal year, Friends was able to send \$1.1 million total, double the \$550,000 that it had initially anticipated.

Friends' newly adopted budget for FY'22 at \$3.2 million is still relatively conservative compared to past years due to remaining uncertainties surrounding holding large in-person fundraising events. The hope right now is to be able to hold an indoor gala in the fall, at roughly half the capacity of a normal event with protocols for COVID in place. But if that's not possible, then Friends may have an outdoor-only gala instead. Friends' capital campaign fundraising for the Pier 26 Science Play area has now reached nearly \$2.1 million out of the original \$3.5 million needed. The goal is to raise the remaining funds for the playground by the end of this calendar year. The funds also now include a challenge match of \$1.3 million from Friends' Chair, Mike Novogratz. Friends also have the bi-weekly green team volunteers scheduled for every other Saturday beginning April 10th, and continuing through the fall. She concluded by thanking the Trust Maintenance and Horticulture staff on keeping the Park green and beautiful despite the enormous budget and public health challenges of last year.

Chair Seggos thanked Ms. Fishman for her report and then asked the Directors if there was any other business to discuss. There was no response. There being no further business, Chair Seggos called for a motion to adjourn and the virtual Board meeting was adjourned at 5:22 pm.