

**MEETING OF THE  
HUDSON RIVER PARK TRUST  
BOARD OF DIRECTORS  
Pier 57, Discovery Tank Classroom  
25 11<sup>th</sup> Avenue  
New York, NY**

**December 7, 2023 at 4:30 pm**

**MINUTES**

**Directors Present:**

Patrick Foster, Chair  
Leslie Wright  
Michael Kuh  
Rose Harvey  
Sarah Neilson  
Jeff Kaplan  
Michael Pastor  
Pam Frederick  
Christine Berthet

**Appearances:**

Hudson River Park Trust  
Noreen Doyle, President and CEO  
Kimberly Quinones, CFO and EVP, Finance & Real Estate  
Robert Atterbury, EVP of Park Relationships and Programs  
Robert Rodriguez, EVP of Park Management  
Christine Fazio, General Counsel  
Kevin Quinn, SVP of Design and Construction

Also present:

Daniel Miller, Advisory Council  
Olivia Arnow on behalf of Director Joshi

With a quorum being present, Chair Foster called to order the December 7, 2023 meeting of the Hudson River Park Trust Board of Directors.

The Chair began by explaining that the meeting was being recorded and would be posted on the Trust's website, and a stenographer would provide a transcript.

He stated that the Directors had received the Agenda materials in advance of the meeting and were free to ask questions or comment at any time on the action items submitted for approval but that questions or comments from the audience would not be entertained at the meeting. He further noted that the Board memos and resolutions on today's agenda had 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.

[Prior to starting the meeting, President Doyle began by extending a cordial welcome to the Trust's newest Director, Christine Berthet, who was appointed by Manhattan Borough President Mark Levine. President Doyle noted that while Ms. Berthet is new to this official aspect of Hudson River Park, she is already very familiar with many aspects of the Park having served as a Community Board 4 Board member for many years, including as a former Chair. President Doyle expressed optimism about harnessing Ms. Berthet's expertise in all aspects of traffic planning to frequent and excellent use, and with the sincere hope that her decision to accept the Borough President's appointment proves to be a source of lasting satisfaction. The other Directors welcomed Ms. Berthet to the Board. As noted below towards end of the Minutes, the Advisory Council report began before the Board adopted the consent agenda and corporate action items on the Agenda.]

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The Chair then stated that there are seven items on the Consent Agenda: 1) Approval of Minutes and Ratification of the Actions Taken at the October 3, 2023 Meeting of the Hudson River Park Trust Board of Directors; 2) Authorization to Contract with EFPR Group for Annual Financial Auditing Services; 3) Ratification and Approval of Extension of Contract Term with Gage Meyer Engineers, PC d/b/a EDG for Pier 40 Roof Engineering Consulting Services; 4) Ratification and Approval of Extension of Contract Term with Athletic Fields of America, Inc. for Chelsea Waterside Park Phase 2 Athletic Turf Replacement; 5) Ratification and Approval of Extension of Contract Terms for Pier 97 Building Construction Contractors; 6) Approval of Amendment to

Contract with Slade Industries Inc. for Pier 40 Elevator Inspection, Maintenance and Repair Services; and 7) Authorization to File the “Budget and Financial Plan” for FY 25 pursuant to Section 2801 of the Public Authorities Law.

The Chair then called for a motion to approve all of the items on the Consent Agenda. The following seven Resolutions were approved by the Directors. However, Director Berthet abstained from the vote related to the first item: the approval of the October 3, 2023 Minutes.

#### **HUDSON RIVER PARK TRUST - Approval of Minutes and Ratification of the Actions Taken at the October 3, 2023 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 October 3, 2023 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 to Contract with EFPR Group, CPAs, PLLC for Annual Financial Auditing Services**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of December 7, 2023, 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 EFPR Group, CPAs, PLLC for Annual Financial Auditing Services in a contract amount of \$277,000 over a five-year contract period, plus a 10% contingency, for a Total Board Authorization Amount of up to \$304,700; and be it further

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

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#### **HUDSON RIVER PARK TRUST – Ratification and Approval of Extension of Contract Term with Gage Meyer Engineers, PC d/b/a EDG for Pier 40 Roof Engineering Consultant Services**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the Hudson River Park Trust's extending the contract term with Gage Meyer Engineers, PC d/b/a EDG for Pier 40 Roof Engineering Consultant Services by an additional six months; and be it further

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

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**HUDSON RIVER PARK TRUST – Ratification and Approval of Extension of Contract Term with Athletic Fields of America, Inc. for Chelsea Waterside Park Phase 2 Athletic Field Turf Replacement**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the Hudson River Park Trust's extending the term of the contract with Athletic Fields of America, Inc. for Chelsea Waterside Park Phase 2 Athletic Field Turf Replacement by an additional one year, through June 30, 2024; and be it further

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

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**HUDSON RIVER PARK TRUST – Authorization to Extend the Terms of Contracts for the Pier 97 Building General Construction, Pier 97 Building Plumbing Construction, Pier 97 Building Mechanical Construction, and Pier 97 Building Electrical Construction**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 7, 2023, 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 Civetta & Sons, Inc. for the Pier 97 Building General Construction Work for an additional eight months, through August 31, 2024; and be it further

**RESOLVED**, the Board hereby authorizes the Hudson River Park Trust to extend the term of contract with Eastern Plumbing & Mechanical Contracting, Inc. for the Pier 97 Building Plumbing Construction Work for an additional eight months, through August 31, 2024; and be it further

**RESOLVED**, the Board hereby authorizes the Hudson River Park Trust to extend the term of contract with ACS System Associates, Inc. for the Pier 97 Building Mechanical Construction Work for an additional eight months, through August 31, 2024; and be it further

**RESOLVED**, the Board hereby authorizes the Hudson River Park Trust to extend the term of contract with Interphase Electrical Corporation for the Pier 97 Building Electrical Construction Work for an additional eight months, through August 31, 2024; and be it further

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

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**HUDSON RIVER PARK TRUST – Ratification and Approval of Amendment to Contract with Slade Industries Inc. for Pier 40 Elevator Inspection, Maintenance and Repair Services**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the Hudson River Park Trust's amendment of the contract with Slade Industries Inc. for Pier 40 Elevator Inspection, Maintenance and Repair Services by extending the contract for an additional six months and adding \$20,000 for a Total Board Authorization Amount of up to \$157,709; and be it further

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

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**HUDSON RIVER PARK TRUST – Authorization to File “Budget and Financial Plan” for FY 25 Pursuant to Public Authorities Law Section 2801**

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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 December 7, 2023, the President or the President's designee(s) is hereby authorized to file the “Budget and Financial Plan” for Fiscal Year 2025 pursuant to Section 2801 of the Public Authorities Law; and be it further

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

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Chair Foster then proceeded with the corporate actions, introducing the first item: Authorization to Enter into a Contract with EverGreene Architectural Arts, Inc. for Parkwide Art Maintenance & Conservation Services.

Regarding the first corporate action, President Doyle stated that the Trust staff has identified a need to retain a qualified art conservator to complete inspections and conditions reports for public artwork located throughout Hudson River Park. The conservator will create a maintenance plan for all the artwork and will support the Trust's staff in an on-call capacity with completing complex maintenance tasks, addressing vandalism, planning for larger conservation projects as needed, and providing training.

She stated that, in accordance with the Trust's Procurement Guidelines, an RFP for Parkwide Art Maintenance & Conservation Services was released on October 16, 2023 and the Trust received three proposals on the November 16 submission deadline. A selection committee comprised of Trust staff reviewed the submissions and evaluated each according to the identified selection criteria in the RFP and determined that EverGreene Architectural Arts, Inc. provided the best value to the Trust. She added that EverGreene has experience providing similar services for government agencies and large institutional clients, including the New York City School Construction Authority, Columbia University, and the Architect of the Capitol.

President Doyle explained that due to the highly specialized nature of the work and the limited number of firms that provide conservator services, the M/WBE and SDVOB goals were waived prior to the release of the RFP.

Accordingly, the President requested Board authorization to enter into a contract with EverGreene Architectural Arts, Inc. for Parkwide Art Maintenance & Conservation Services for a Total Board Authorization Amount of up to \$300,000 over a three-year period. Funding for this contract will be identified through the capital maintenance portion of the Trust's annual operating budget as approved by the Board of Directors each year.

Chair Foster 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 - Authorization to Contract with EverGreene Architectural Arts, Inc. for Parkwide Art Maintenance and Conservation Services**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of December 7, 2023, 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 for a three-year term with EverGreene Architectural Arts, Inc. for Parkwide Art Maintenance and Conservation Services for a Total Board Authorization Amount of up to \$300,000; and be it further

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

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Chair Foster moved onto the second item and the third item before the Board: Ratification and Approval of Contract Amendments with The Pace Companies New York, Inc., for Pier 40 Fire Sprinkler Restoration, and Ratification and Approval of Contract Amendment with Gilbane Building Company for Parkwide Construction Management Services for Pier 40 Fire Sprinkler Restoration-Related Work.

President Doyle began by stating that the Directors have received two separate Board memos regarding the amendments to the contracts related to the ongoing Pier 40 fire sprinkler restoration work, and she therefore will discuss the two memos together for efficiency.

She started by reminding the Directors that at its June 2017 meeting, the Board authorized the Trust to enter into a contract with The Pace Companies New York, Inc. for Pier 40 Fire Sprinkler Restoration Work for a Total Board Authorization Amount of up to \$3,630,000. She explained that the work is necessary to meet current FDNY codes and life safety standards and entailed repairs and upgrades to the aged Pier 40 fire sprinkler standpipe distribution network, including the integration of fire sprinklers with a fire pump system that was damaged and then redesigned and replaced following Hurricane Sandy. The original scope of work was developed to reuse existing infrastructure as much as possible.

President Doyle further explained that since then, Pace has performed work as intended, but the sprinkler system's age – original to 1960 -- coupled with Pier 40's 15-acre footprint has proven to be significantly more challenging than originally expected. She specifically noted that during the various pressure tests that have been conducted over the years, leaks continue to be discovered at portions of the system that have not yet been replaced, and the contract has been previously amended to add additional funding and time.

President Doyle continued by stating that at the December 2022 Board meeting, the Trust informed the Directors of its determination that full replacement of those portions of the system that have not already been replaced was warranted. At that time, the Board approved an amendment to the sprinkler system design contract with New York Engineers to prepare construction plans needed as the basis for a new public procurement for a sprinkler construction contractor. Unfortunately, preparing the construction bid drawings has taken longer than expected, partly due to the size and complexity of the Pier 40 sprinkler system, and partly because of significant staff changes at New York Engineers. To expedite the process, the Trust is now seeking proposals from the three on-call engineering firms previously approved by the Board of Directors to complete the required construction documents. Since this process will take some months, the Trust seeks to continue the current work being performed by Pace over the winter as it remains important to complete the sprinkler project as quickly as possible given public safety interests. The Trust has directed Pace to focus on completing the sprinkler replacement in a specific zone of Pier 40 during this period. To ensure that Pace's work is appropriately overseen during this period, the Trust also recommends amending the contract with Gilbane Building Company, which has served as the Construction Manager overseeing the sprinkler replacement work since 2017.

President Doyle elaborated that the Trust's Procurement Guidelines require the Trust to make a determination as to why employing a competitive process is not in the best interest of the Trust when the amount of an amendment increase is in excess of 20 percent of the original Total Board Authorized Amount. Despite the issues that have been encountered, the performance of both Pace and Gilbane has been good throughout the contract terms, and both firms now have significant experience with Pier 40's infrastructure and sprinkler system, along with the complexities of conducting the required work within a very busy parking garage and property. The scope and nature of the current work will not change once a new contractor can be brought on board, and it remains essential for public safety to continue the piping and sprinkler head replacement work while the competitive procurement process is undertaken. It is in the public's best interests to have FDNY sign-off on this project as quickly as possible.

With respect to the pricing for Pace, President Doyle articulated that the Trust has carefully reviewed the proposal from Pace and compared the scope and cost to prior sprinkler work completed at Pier 40 as well as published estimating data. The proposal was found to accurately reflect the time and necessary prevailing wage rates required to complete the work within the



specifically defined area and has thus been found to be reasonable. Gilbane will not increase its rates established in 2019 for the required additional oversight work.

She concluded that for all these reasons, the Trust seeks Board ratification and approval of two separate contract amendments: first for the contract with The Pace Companies New York, Inc. for Pier 40 Fire Sprinkler Restoration to add an additional \$2,000,000 for a Total Board Authorization Amount of up to \$7,755,955 and an extension of the contract term by one year. The second resolution is for Board ratification and approval of the amendment to the contract with Gilbane Building Company for an additional \$425,000 for a Total Board Authorization Amount of up to \$1,656,338. Funding for both contract amendments is currently available through the Trust's approved capital maintenance budget with funds designated for Pier 40 infrastructure.

Chair Foster asked if there were any questions or comments. A Director asked about whether the parking garage would be impacted and the President explained there may need to be some relocation of parking during the work. She also clarified another Director question explaining that due to procurement requirements, the Trust will need to release an RFP for future related work. There being no further questions, upon two separately called motions, the following resolutions passed unanimously.

#### **HUDSON RIVER PARK TRUST – Ratification and Approval of Amendments to the Contract with The Pace Companies New York, Inc. for Pier 40 Fire Sprinkler Restoration**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the amendments to the contract with The Pace Companies New York, Inc. for Pier 40 Fire Sprinkler Restoration of up to an additional \$2,000,000 for a Total Board Authorization Amount of up to \$7,755,955 and the one-year extension of the contract term, through November 1, 2024; and be it further

**RESOLVED**, that the President or the President's designee(s) be, and each of them is hereby, authorized to take such actions as the President or the President's 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 Amendment to Contract with Gilbane Building Company for Parkwide Construction Management Services for Pier 40 Fire Sprinkler Restoration-Related Work**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the amendment to the contract with Gilbane Building Company for Parkwide Construction Management Services of an additional \$425,000 for a Total Board Authorization Amount of up to \$1,656,338; and be it further

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

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Chair Foster moved onto the fourth item before the Board: Authorization to Amend Contracts with Alpine Construction & Landscaping Corp. and Gilbane Building Company for Pier 26 Science Play Area Construction and Construction Management Services.

President Doyle began by reminding the Directors that at the Trust's May 2018 meeting, the Board authorized the Trust to contract with Gilbane Building Company for Construction Management Services at Pier 26. At the December 2021 meeting, the Board authorized an amendment to the Gilbane contract that extended the contract term by 30 months, through November 30, 2023, and increased the contract amount by \$250,000 to enable Gilbane to continue providing construction management services related to the construction of the Pier 26 Science Play Area. At this time, construction of the new Science Play Area has nearly concluded, but additional time and funding for the construction management services is needed to complete the project inclusive of contract close out.

President Doyle explained that at the Trust's September 2022 meeting, the Board authorized the Trust to enter into a contract with Alpine Construction & Landscaping Corp. for construction of the Science Play Area. The Board approved an amendment to the Alpine contract at its June 2023 meeting to add an additional \$175,000 to cover the cost of installing larger concrete footings to address unanticipated subservice obstructions that were encountered during construction, and Alpine subsequently installed such footings successfully, and the large new sturgeon play structures were then installed. During recent installation of the fence footings, Alpine encountered additional unanticipated subsurface interference, resulting in the need for fence footing design modifications at an additional cost.

Accordingly, President Doyle requested Board authorization to amend the contract with Alpine Construction Landscaping Corp. for Construction of the Pier 26 Science Play Area by adding \$40,000 for a Total Board Authorization of up to \$2,743,418 and authorization to amend the contract with Gilbane Building Company for Construction Management Services by adding \$35,000 for a Total Board Authorization of up to \$2,964,732 and by extending the term of the Gilbane contract by six months. Funding for these amendments is available from Trust funds and discretionary allocations from the City Council and Manhattan Borough President.

Chair Foster asked if there were any questions or comments. There being none, upon a properly called motion, the following resolutions passed unanimously.

**HUDSON RIVER PARK TRUST – Authorization to Amend Contracts with Alpine Construction Landscaping Corp. for Construction of Pier 26 Science Play Area and with Gilbane Building Company for Construction Management Services for the Pier 26 Science Play Area**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 7, 2023, 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 Alpine Construction Landscaping Corp. for Construction of Pier 26 Science Play Area by adding \$40,000 for a Total Board Authorization Amount of up to \$2,743,418; and be it further

**RESOLVED**, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Gilbane Building Company for Construction Management Services for the Pier 26 Science Play Area by extending the contract term by six months and adding \$35,000 for a Total Board Authorization Amount of up to \$2,964,732; and be it further

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

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Chair Foster then asked President Doyle to present the President's Report.

President Doyle commenced her report with Design and Construction, noting that by this point in the year, the Trust had hoped that both the Pier 26 Science Play Area and Pier 97 would be open to the public. Both are ever so close to the finish line, but as the Board has previously heard, both projects have encountered construction delays for various reasons. At present, the Trust

believes that the Science Playground will be open before the new year. The Trust is awaiting the arrival of the fence panels; after those are installed, there will be one small additional concrete pour to complete. She underscored the fact that the Trust does not intend to make children, parents and other guests sit through a wintry opening ceremony but will certainly circulate the opening date once it is known and the Trust will certainly send pictures of happy children playing there, hopefully during their December breaks. She highlighted that it is an incredible project and acknowledged Hudson River Park Friends for leading the successful capital campaign to fund it. On Tuesday, some of the donors from Friends' Playground Committee were given a preview, and word is that they are as thrilled with the result.

President Doyle then addressed Pier 97 where the Trust made huge progress since the last meeting, with various contractors finishing up wood decking, guardrails, unit paving, and installation of site furniture, but again, supply chain delays and some earlier technical challenges foiled the plans for a fall opening. Because the public always wins when there is more open space to enjoy in New York City, the Trust is now planning to open a large portion of the pier before the end of the year, but to save its formal opening celebration for the Spring, when people will be able to enjoy the complete pier with its beautiful plants in bloom. She continued that over the winter, the Trust will be completing the pier's signature Belvedere and Overlook, followed closely thereafter by the new park building between Pier 97 and Pier 98 which is expected to be complete in early Spring. At the building, all structural steel and steel decking for the roof slab has been installed, and the contractor has begun installing supports for the aluminum composite façade system. Within the building, trade contractors have commenced installing electric and plumbing.

She commented that on any remotely sunny day, people will be enjoying views from the Gansevoort beach, and press on this project continues to roll in seemingly every week, with many people reaching this new park area via the new Gansevoort St. Crosswalk, which officially opened to the public on November 2, providing an additional entry point into a busy section of the Park for visitors. She proceeded to congratulate City and State DOTs and the Meatpacking District for their work to get this project done in record time.

President Doyle furthered that since October, the Trust has been working to complete the final remaining components of this 5.5-acre site. At this point, the Park building is nearly complete, and now that the fence is down, it is possible to see and enjoy this small but elegant architectural addition to the park, including its nod to Gordon Matta Clark's original Day's End, which was

nArchitect's inspiration for the unique building roof. She remarked that removal of the fence also allows people to see the large rain garden to the building's east which is one of a number of resiliency features incorporated at Gansevoort. She stated that next Monday, the Trust will be hosting an informal 11 am "paw-ty" at the new dog runs to mark their openings. The Trust expects some friendly competition to have the first dog in the runs.

On the topic of openings, President Doyle was excited to share that the Trust's new interim pickleball courts installed just south of Pier 76 were instant successes, with players from around NYC traveling to them including for the nighttime play – made possible through the reuse of solar lights once installed at Gansevoort. She specifically thanked Director Frederick for lending her family's pickleball gear for the opening. Because of her, several of the Trust's staff took their first steps towards becoming stars that the public will be able to watch when ESPN next airs the Carvana Professional Pickleball Association Games.

President Doyle then turned the attention to Design by reporting that on November 30th, the Trust held a public meeting in Tribeca to present the concept design for the Estuarium to the community to good reviews. The design team is now taking the comments received during the meeting into consideration as they move forward into the schematic design phase. She mentioned that the basic shape, location and volume have been established given site conditions, and the designers will be developing the basic shape and volume into a building design. Further development on the landscape and interior tanks, classroom, water intake and discharge systems, and back-of-house needs will also occur.

She emphasized that the Selection Committee of Trust staff and Board members from the Design Committee is continuing to review the proposals submitted for the West 29th to 46th Street Design Consultant RFP and is now in the interview phase. The Trust expects to be able to bring a recommendation for a new contract to the Board for consideration at the January 2024 Board meeting.

President Doyle noted that immediately adjacent to the Park, Vornado has begun construction at Pier 94, which is under the jurisdiction of the NYC Economic Development Corporation. She commended that Vornado has done a good job keeping the Trust up to date on its construction plans and timing and is working with the Trust proactively to coordinate construction in a limited portion of the Clinton Cove park section where some utility work needs to occur, potentially as early as February. The Trust is working with Vornado on ways to minimize

the disruption and will keep the Trust's website updated if there are any closures or detours. The Trust will also issue a work permit for any work that would take place in Hudson River Park.

Finally, President Doyle was delighted to share the news that earlier this week, Pier 57 received its third significant preservation award from the Preservation League of New York, which recognizes people and projects that champion the essential role of preservation in community revitalization, sustainable economic growth, and the protection of the historic buildings and landscapes. She added that the pier had also previously received the New York Landmarks Conservancy's Lucy G. Moses award as well as recognition from the NYS Office of Historic Preservation. She also mentioned that at each of the awards ceremonies she attended on behalf of the Trust, she was moved to hear the stories from other awardees. She acknowledged that it had made her even prouder to know the role that Hudson River Park – and of course the Trust's private sector partners at RXR, Young Woo, Baupost, Google, Jamestown, and City Winery – played in bringing this unique building back to life for the benefit of the community and park overall.

President Doyle then turned to Public Programs and River Project, where it is starting to be the Trust's slightly quieter programming season after a very busy fall. In late October, the Trust hosted another successful "Release of the Fishes" event in the Pier 40 Wetlab. This year, over 400 community members joined together to help shut down the Park's tanks, return this season's fish ambassadors back to the river, and celebrate the conclusion of the Trust's 2023 Wetlab season. She detailed that four Visiting Scholars created posters summarizing their research in the Park, and scientists Hope Kenmore and Tom Quigley came in person to present their projects on Park pollinators and toadfish vocalization behaviors. Cathy Drew, the founder of The River Project, talked to participants about BIG, the largest oyster found in the NYC Harbor at Pier 40, and Dr. Jeff Levinton, a SUNY professor and member of the Technical Advisory Committee, sang a Release-themed song on the ukulele. Many environmental partners also joined Release of the Fishes, including Randall's Island and Gowanus Dredgers. The Trust concluded the night with sharing findings from the Citizen Water Quality Testing Program and celebrated the work of 2023 season's pathogen testing program with tours of the Trust's pathogen processing lab.

She continued that the Trust's Pumpkin Smash event at Pier 84 welcomed more than 1,700 participants who together smashed 3,000 pounds of pumpkin into compost to help keep the Park green and growing. This was 1,000 more people than in 2022, and the Trust received terrific radio and television coverage for this event as well.

She then reported that on November 11, the Trust launched its first Blue Team volunteer event in collaboration with Hudson River Park Friends. Park staff were joined by six volunteers who helped collect and categorize thousands of pieces of plastic collected from Gansevoort's southern shoreline including through use of the Trust's new Wasteshark. Altogether, the Blue Team removed about 50 pounds of trash and recyclables, and the Trust is looking forward to hosting more Blue Team volunteer events in the coming seasons. Regarding the WasteShark, she mentioned that the Trust had an on-line competition running to name this new in-water trash fighting tool and is about to post the finalist names on the Trust's social media channels so that the public can vote on the final name.

President Doyle called attention to a captioned photo essay by the New York Times featuring the Trust's Tribeca Habitat Enhancement project this past weekend. The story highlights the work the Trust is doing to enrich habitat and conduct research on the structures that the Trust has installed, and it has been rewarding to see press attention growing for the work the Trust has done in support of the Estuarine Sanctuary.

On the topic of habitat, she relayed that last week the Trust spotted its first ever bald eagle hanging out at the Gansevoort salt marsh with a freshly caught eel. She was excited to share that a terrific Instagram video about the animals in the Wetlab by Lauren Scala – a longtime reporter in New York City who covered Gansevoort for her show Live New York – has gone viral. She added that Lauren is a huge advocate for animals, and her video introduced many people to the wonders living in the Hudson River. Programs will continue at Pier 57 over the winter, and the Trust's Public Programs and River Project departments are working hard at present to plan their 2024 seasons.

President Doyle then shared with the Directors that the Trust's Horticulture, Facilities and Maintenance units have been readying the park for cold weather season, turning off water in various park buildings, irrigation systems and fountains, making sure heat systems are functioning, and doing the thousands of other tasks needed to keep the park safe and functioning. Together with Friends volunteers, the Trust's staff has been busy planting new trees, 5,000 shrubs & perennials, and close to 30,000 woodland and other bulbs including crocus, glory of the snow, daffodils and orange and white tulips. She pointed out that as of early November, the Park had hosted 2200 corporate volunteers recruited by Friends – the highest number ever -- and the Trust's amazing

Neighborhood Gardeners (community volunteers) have given the Park 675 hours of volunteer work so far this year.

President Doyle explained that State Finance Law requires a mid-year budget update with explanations of variances greater or lesser than 5% of the adopted budget. Details of these variances are included in the six-month financials that were prepared by Kim Quinones and Sikander Zuberi and distributed to the Board. They will also be posted on the Trust's website. She then provided a high-level review of the results for the first half of the year (though September 30th) and an update on the Trust's spending on capital projects.

She stressed that the bottom line is that at mid-year, the Trust is a bit ahead in revenues and a bit under on spending. The Trust's adopted budget assumed an Operating Surplus (prior to capital maintenance) of \$4.1 million for FY 24. Right now, it appears that the Trust will exceed that number at year-end. She furthered that Total Revenues are at \$22.5 million, or 60% of budget (\$37.3 million). She noted that the Parking Garage, once again, is a strong contributor, with revenues of \$5.9 million, 55% of budget, reflecting continued strong occupancy and active management of the parking garage. Lease and permit revenue is at 65% of budget, reflecting the expected higher revenues for occupancies that are active or more active during the warmer months.

She continued to explain that on the Expense side, the Trust has Total Direct Park Operating Expenses of \$12.5 million as of September 30th, or 41% of budget (\$30.3 million). Personnel vacancies contributed to the lowered spending, along with deferred hiring pending completion of new park areas. The delay in opening new park areas also results in delayed spending for contracted services, such as Doe Fund and PEP. The budget also includes certain contingencies for weather-related expenses and additional work that could be required in Q3 and Q4. Net reimbursements for certain expenses (median landscaping, legal and special project consultants), total Net Operating Expenses are at 39% of annual budget as of September 30th.

On the capital spending side, she expounded that new construction has proceeded at a robust pace, with \$27.3 million spent as of mid-year vs. a budgeted \$42.4 million for the full year. Construction at new park areas is continuing through Q3 and Q4. Capital maintenance spending is currently lagging, with Upland and Park Piers spending at 22% of budget and Pier 40 cap M at 36%. Spending in both categories is expected to increase in Q3 and Q4, although some projects have been rescheduled for FY 25 because of a combination of staff bandwidth and the upcoming



procurement processes needed for the Pier 40 sprinkler as previously discussed, as well as other projects.

She highlighted that the Trust's adopted FY 24 budget projects a deficit as a result of the expectation that the Trust will be directly funding various capital maintenance projects for which other sources of funding are not available. While mid-year numbers currently indicate a modest surplus, the year-end result will depend on the extent of spending against intended capital maintenance projects funded by the Trust's reserves.

President Doyle then updated the Board briefly on the status of the Trust's insurance renewal. Overall, the Trust saw a small decrease in its premium for the general liability coverage by approximately \$280,000 for the period that commenced on December 1, or \$5.074 million as compared to \$5.356 million last year. The decrease is generally due to the fact that the Trust expected construction budget for 2024 is much less than in 2023. She reminded the Board that the State and City reimburse the Trust's cost for general liability coverage pursuant to the Hudson River Park Act. The Trust is not reimbursed for any of its other insurance policies such as property, flood, directors and officers, workers comp. etc. Effective December 1, the Trust's commercial property was also renewed, and the annual premium increased by \$22,000 for a total of \$202,000. She was pleased with the services provided by the Office of General Services and its insurance broker AJ Gallagher for doing a fantastic job on obtaining quotes and trying to keep the Trust's and the State's and City's costs down as much as possible.

Finally, she extended her gratitude to the Directors and all the elected officials, representatives from Community Boards 1, 2 and 4, the Advisory Council and Hudson River Park Friends for their participation in the Trust's Pier 76 Task Force, which had its last meeting on November 15. She explained that in addition to the collective positive spirit and openness to discussion, the Task Force collectively did excellent work in advancing ideas that could help the Trust meet its dual goals for Pier 76: creating extensive high quality public open space and generating revenue needed to support the whole park's operations through a future commercial use on a portion of the pier. She cautioned that rebuilding this huge structure will be very costly, and there was discussion also about the need for what the Trust called "outside monies" – whether from future air rights sales, bond act or other proceeds, or future public contributions for core pier and park infrastructure.

She added that the Trust did not seek a vote or other final recommendation from the Task Force, but did ask participants to review several summary documents prepared by the Trust staff and its terrific consultants – Carl Weisbrod and Kristina Pecorelli of HR&A and Lisa Switkin and James Teneyenhaus of Field Operations – where the Trust endeavored to encapsulate the many issues, ideas and opportunities that were discussed. She continued that the Trust is currently working with leadership at Community Board 4 on its intent to attend public meetings at CB4 in January and February to bring the conversation to a larger audience. Many of the ideas discussed during the Task Force would require changes to the Hudson River Park Act, zoning or other actions. The Trust is hoping to gather additional input during the public discussions to inform next steps.

And finally, she stated that the Trust has shared with all Directors the proposed Board meetings schedule for 2024. The Trust is planning to hold the Thursday meetings at 4:30 pm for the six meetings scheduled every other month. However, for the March meeting, as it is often difficult to get the necessary quorum given holidays and vacation schedules, she is asking the Directors to hold both the last Tuesday and Thursday of that last week of March to ensure the Board Meeting will meet a quorum to approve the final budget prior to the next fiscal year starting April 1. She informed the Directors that a copy of the proposed schedule has also been provided to them as part of the Board handouts and asked the Directors to reach out if they have any questions or wish to change the schedule. She also announced that the Trust plans to continue to use Pier 57 for all its meetings.

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The Chair introduced Daniel Miller to provide the Advisory Council report. [Advisory Council Report was presented at the start of the meeting prior to commencing the Consent Agenda.] Mr. Miller reported that the Advisory Council November meeting's discussion mainly revolved around the positive usage of the new park at Gansevoort Peninsula, acknowledging individuals who contributed to its success. He also stated that the Council discussed such topics as skateboarders on tables, cycling in Gansevoort, water safety rules, and slipperiness of rocks. The meeting also touched on e-bikes, discussing proposed legislation by State Senator Brad Hoylman and exploring the possibility of implementing speed limits. Lastly, the Council discussed the

Battery Park City Authority Resiliency Project, with positive feedback on how the Authority has been addressing concerns by minimizing impact to the Park.

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The Chair noted that Connie Fishman was not present to deliver the Hudson River Park Friends' Report.

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The Chair thanked all the presenters and then asked the Directors if there was any further business for the public portion of the meeting. There being none, Chair Foster called for a motion to adjourn the public portion of the meeting and to move into Executive Session to address pending real estate matters. The public portion of the meeting adjourned at 5:12 PM. The Executive Session ended at 6:00 PM. No actions occurred during the Executive Session.