

**HUDSON RIVER PARK TRUST  
MINUTES  
Of a  
Meeting of the Directors  
Held on  
March 25<sup>th</sup>, 2010  
Hudson River Park Trust  
City Planning  
Spector Hall  
22 Reade Street  
New York, New York 10007  
4:06 p.m.**

*Directors Present:*

**Diana L. Taylor, Chair  
Adrian Benepe, Commissioner NYCDPR  
Lawrence B. Goldberg  
Pamela Frederick  
Franz Leichter  
Joseph B. Rose (Via Visual Electronic Communication)  
Henry J. Stern  
Rachel Gordon, Representing NYSOPRHP Commissioner Ash  
Suzanne Mattei, Representing NYSDEC Commissioner Grannis**

*For the Corporation:*

**Connie Fishman, President  
Noreen Doyle, Executive Vice President  
Laurie Silberfeld, General Counsel  
Maryann Monte, Assistant Secretary  
Karen D. Jennings, Assistant Treasurer**

*HRPT Staff:*

**Marc Boddewyn  
James Koth  
David Katz  
Other Staff**

*Also Present:*

**Arthur Schwartz, Chair HRPT Advisory Council  
The Public  
The Press**

At 4:06 pm Chair Taylor called the March 25<sup>th</sup>, 2010 meeting of the Hudson River Park Trust to order.

The first order of business was the approval of the Minutes of the January 28, 2010 Board of Directors meeting. Chair Taylor asked if there were any comments or questions. There being none, she then asked for a motion to approve. Ms. Gordon moved and Director Benepe seconded the motion. A vote was then taken and the following resolution was unanimously adopted:

**HUDSON RIVER PARK TRUST - Approval of Minutes, and Ratification of the Actions Taken at the January 28<sup>th</sup>, 2010 Meeting of the Directors of Hudson River Park Trust**

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**RESOLVED, that the Minutes of the Meeting of the Hudson River Park Trust Board of Directors held on January 28<sup>th</sup>, 2010 are hereby approved, all actions taken by the Directors present at such meeting, as set forth in the individual Minutes of such meeting, are hereby, in all respects, approved and ratified as actions of the Hudson River Park Trust, and copies of such approved Minutes are hereby ordered filed with the records of the Corporation.**

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Chair Taylor then asked President Fishman to present the next item before the Board, authorization to contract with Reicon Group, LLC for Pier 40 South Side dock construction and installation.

President Fishman stated that after September 11<sup>th</sup>, 2001, Hudson River Park's Pier 25 mooring field was relocated to the south side of Pier 40 so that World Trade Center debris removal activities could take place in the water just north of Battery Park City. State DEC and the Army Corps of Engineers have allowed us to keep the mooring field at Pier 40 until after Pier 25 is complete and the mooring field can move back, which will occur in Spring of 2011. There are 18 moorings at Pier 40. There is also a dock used by the boat owners for their dinghies when they embark and disembark from their vessels. The Trust's operations and enforcement vessels

currently share this same dock. The combination of public and private, motorized and non-motorized vessels at Pier 40 creates a condition that the Trust would like to improve by installing additional dock space for its own vessels, separating them physically from the mooring field dinghies and from the adjacent kayaking programs.

The new docking facility would consist of 900 square feet of floats with an access platform and ramp. In addition to improving water safety, the new dock would also hopefully prevent damage to the vessels that can result from water turbulence or vandalism. Finally, the new docks would provide space for other agencies (Coast Guard, DEC, FDNY and NYPD), to dock at Pier 40 when necessary.

The current contract calls for the removal of damaged fendering, providing a new aluminum platform and ramp, and installing salvaged floating docks and six steel mooring piles to secure them. The contract was procured in the form of a lump sum bid for all work. The proposed docks were originally permitted under authorizations obtained in 2006 which will be reconfirmed with the relevant agencies before work proceeds.

The contract was advertised and bid in accordance with the Trust's procurement guidelines. Five bids were submitted on March 19th, 2010, ranging from \$129,500.00 to \$230,000.00.

A committee of Trust staff evaluated all bids and checked references and the Reicon Group, LLC was determined to be the lowest qualified and responsive bidder for the proposed work.

President Fishman requested authorization to contract with Reicon Group, LLC an amount of \$129,500.00 plus a 10% contingency, for a total contract authorization of \$142,450.00 for furnishing and installing the Pier 40 Southside Operations Dock.

Chair Taylor asked if there were any questions or comments. There being none, she called for a motion. Ms. Gordon moved, and Director Benepe seconded such motion. A vote was then taken and the following resolution was unanimously adopted:

**HUDSON RIVER PARK TRUST -Authorization for Hudson River Park Trust to Contract with Reicon Group, LLC for Segment 3 – Pier 40 Southside Operations Dock Construction for an amount not to exceed \$142,450.00.**

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**RESOLVED, based on the materials presented to this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby authorize the Hudson River Park Trust to contract with Reicon Group, LLC in an amount not to exceed \$142,450.00 for Pier 40 Southside Operations Dock Construction; and be it further**

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

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Chair Taylor asked President Fishman to please present the next item, authorization to amend the contract with Skanska USA for Segment 5 Construction Management Services in connection with Pier 53 Fire Department of New York construction.

President Fishman explained that for several years now the Trust's contractors have been rebuilding Pier 53 and the Marine One Firehouse for the New York City Fire Department. Construction of the new pier was completed last spring and firehouse construction began late last summer. The building construction was initially anticipated to be completed this coming summer but delays by the general contractor have caused the schedule to slip by approximately nine months. The new schedule contemplates completion of the firehouse in spring of 2011.

Given the delay, an amendment is needed for the segment 5 construction management contract with Skanska USA.

Skanska was selected to be the segment 5 construction manager after a competitive bidding process. The proposed amendment to their contract was negotiated, reviewed and approved in consultation with the FDNY, having been previously amended in January of 2008 to cover Pier 53. The amendment provides for additional compensation and an extension of time in order to complete construction management services for all work associated with Pier 53 and the new firehouse. FDNY will reimburse the Trust for all costs associated with this amendment under our current reimbursement agreement.

President Fishman requested authorization to extend and amend the Segment 5 Construction Management contract with Skanska USA in connection with the reconstruction of Pier 53 and the Marine 1 Firehouse through completion of all work in the amount of \$499,796.00, plus a 10% contingency for a total contract amendment of \$549,776. Total board authorization to date for Skanska USA in segment 5 is \$15,815,557. This amount is inclusive of all work they have performed for the Hudson River Park Trust, the NYPD at Pier 76 and the Fire Department at Pier 53.

The Chair asked if there were any questions or comments.

Director Leichter asked if the Trust would be reimbursed for this.

President Fishman answered in the affirmative.

Chair Taylor asked if there were any additional questions or comments. There being none, she then asked for a motion to approve. Director Frederick moved and Ms. Gordon seconded the motion. A vote was then taken and the following resolution was unanimously adopted:

**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to amend the contract with Skanska USA for Construction Management Services in connection with the reconstruction of the Pier 53 FDNY Marine 1 Firehouse facility by an additional \$549,776 for a total amount not to exceed \$15,815,557.**

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**RESOLVED, based on the materials presented to this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby authorize the Hudson River Park Trust to enter into a contract with Skanska USA for an amended amount of \$549,776 (and a total contract authorization to date not to exceed \$15,815,557.00), to provide Construction Management services for the Pier 53 FDNY Marine 1 Firehouse; and be it further**

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

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Chair Taylor asked President Fishman to please present the next item, authorization to amend the contract with Public Works Inc., for the Blues Barbeque Festival, Production Services.

President Fishman explained that for the past ten years, the Trust's summer program has included the Blues Barbeque Festival, a free, day-long summer festival celebrating blues music and barbequed foods. The Trust works with a production company to manage all aspects of the event's production. This event is very popular and has become a signature feature of our summer events calendar.

The contract for production services for the festival was advertised and bid in accordance with the Trust's procurement guidelines. Three proposals were received ranging from \$82,300 to \$112,450. Following a review of the proposals, Trust staff determined that Public Works, Inc. was the lowest and best qualified bidder demonstrating the necessary experience and most favorable financial terms of the three proposals.

In addition to producing the Blues Barbeque Festival, Public Works, Inc. has extensive experience producing high profile New York City events such as the New York Marathon, Macy's Fireworks spectacle and the Greenwich Village Halloween Parade. They also have strong relationships with established and emerging blues artists, allowing them to bring in a talented line up at a competitive rate.

President Fishman requested authorization to contract with Public Works, Inc. for the 2010 Blues Barbeque Festival event production services for a one-year term, with three optional one-year renewals at the Trust's discretion. Each year's annual contract value is \$82,300.00, bringing the total authorization, inclusive of all four years, to \$329,200.00 if the Trust authorizes all three renewals.

Chair Taylor asked if there were any additional questions or comments. There being none, she then asked for a motion to approve. Director Benepe moved and Director Frederick seconded the motion. A vote was then taken and the following resolution was unanimously adopted.

**HUDSON RIVER PARK TRUST – Approval of a One Year Contract with Public Works, Inc. for the 2010 Blues Barbeque Festival Event Production Services in an amount not to exceed \$82,300 for Year One of the Contract, plus Three Optional Annual Renewals at the same amount as Year One, for a Total Contract Authorization of \$329,200.00.**

**RESOLVED, based on the materials presented to this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby authorize the Hudson River Park Trust to contract with Public Works, Inc. for a One Year Term, with Three One-Year renewal options, for Blues Barbeque Festival Event Production Services in an amount not to exceed \$82,300 for Year One of the potential Four Year Contract. If exercised by the Trust, renewal options for years two, three and four are hereby authorized as well in amounts not to exceed \$82,300 of each of the renewal years for a total contract authorization not to exceed \$329,200.00; and be it further**

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

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Chair Taylor asked President Fishman to please present the next item, authorization to renew the contract with the DOE Fund, Inc. for general park maintenance services.

President Fishman explained that since 2001, general park maintenance services such as collecting and bagging refuse, removing graffiti, cleaning park furnishings, cleaning pavements, shoveling snow and assisting with other special projects have been provided by the Doe Fund under a series of contracts previously approved by the Board. Trust staff continues to be satisfied with their performance and their responsiveness to Park needs.

The Doe Fund is a member organization of the Industries for the Disabled, which is recognized by the State of New York as a “preferred source” vendor under State Finance Law Section 162. The Doe Fund program provides housing, counseling, educational and worker training to formerly homeless individuals and operates facilities throughout the City and in Philadelphia and Jersey City. They do extensive intake screening, case management and regular drug testing of their program participants. Doe Fund workers are available to fulfill the Trust’s maintenance obligations not only in the park but also in the Route 9A bikeway, medians and buffer areas through a reimbursement agreement with the State DOT.

The proposed new contract, which would be for a one-year term with two possible one-year renewals at the Trust’s option, will provide eighteen Doe Fund workers and three supervisors year-round from 7:00 am - 11:30 pm and a separate crew of six workers and one supervisor for Route 9A median maintenance. The median maintenance work, valued at

\$224,137.35, will not be implemented until the FY2011 reimbursement agreement between the Trust and State DOT is in place.

President Fishman requested authorization to contract with the Doe Fund for \$750,710 plus a 10% contingency for services in the park, plus \$224,137 for services provided to State DOT for a total of \$1,049,918.00.

The Chair asked if there were any comments or questions.

Director Leichter asked if the workers were staggered and if staff was satisfied with the performance of the work.

President Fishman explained that shifts were staggered seasonally, and that not only were we satisfied but the public seemed satisfied too.

Chair Taylor asked if there were any additional questions or comments. There being none, she then asked for a motion to approve. Director Frederick moved and Ms. Gordon seconded the motion. A vote was then taken and the following resolution was unanimously adopted.

**HUDSON RIVER PARK TRUST -Authorization for Hudson River Park Trust to Contract with The Doe Fund for Park Maintenance Work for an Amount Not to Exceed \$1,049,918.00.**

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**RESOLVED, based on the materials presented to this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby authorize the Hudson River Park Trust to contract with The Doe Fund in an amount not to exceed \$1,049,918.00 for the park maintenance work; and be it further**

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

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Chair Taylor asked President Fishman to please present the next item, authorization to renew the contract with the City Parks for Park Enforcement Patrol Security Services.

President Fishman stated that because we do not have an additional member over our quorum, and Commissioner Benepe cannot vote on this particular matter, we plan to bring this matter back for approval at the May 2010 meeting. Staff discussed this with Parks, and Park will allow us to keep the current contract on essentially a hold over status. This will allow HRPT to bill for services between now and May when we approve the contract which will be retroactive to April 1<sup>st</sup>, 2010.

Chair Taylor asked for a vote to table the item.

Director Goldberg moved, Ms. Gordon seconded, all voted in favor. Chair Taylor advised that the motion carried.

Director Stern asked a question on the previous item, the new contract with the DOE Fund. Director Stern asked if there were any other agencies or organization providing a similar service.

President Fishman explained that in the past we used a service through the Vera Institute, called VIP, which was a part of their program for rehabilitating people who had been incarcerated. They bid in 2004, the last bidding process held for such services. Ms. Silberfeld informed the Directors that the 2004 procurement process included Vera and other firms providing such services, the DOE Fund came out the best of all of them. Given their status under State Finance Law section 162, the Trust is free to continue to use them.

Director Stern stated that he has no objection to this firm, but asked if staff would look into other firms also.

Chair Taylor stated that the next time this contract comes up for bidding, staff will look into the other qualified firms.

Chair Taylor asked President Fishman to present the next two items on the agenda, an extension of two separate contracts with Kelco Construction.

President Fishman stated that since 2002, the Trust has been maintaining the landscaped medians and buffers that are a part of Route 9A and adjacent to Hudson River Park in accordance with a series of reimbursement agreements with State DOT. The landscape maintenance work is divided between Battery Place and Horatio Street and Horatio Street to West 59th Street. All work in the Route 9A areas is performed in conformance with City and State DOT requirements. As per the Trust's Sanctuary Management Plan, it is also performed with minimal use of toxic chemicals and fertilizers.

Currently, landscape work throughout the 9A medians is done by Kelco Construction, Inc., which won two separately bid procurements back in May of 2007. Each of the two Kelco contracts provides for a one-year term with three optional one-year renewals at the Trust's discretion. As with prior years, the overall scope of work to be performed under both contracts includes plant health care, maintenance mulching, weeding, soil testing, fertilizing, irrigation system maintenance, installation of replacement plants, hand watering and tree pruning.

Trust staff has been very satisfied with Kelco's performance to date. Staff is seeking to extend the term of each contract to allow Kelco to complete certain tasks provided for under last year's contract renewals that are not yet complete. No additional monies are sought as part of either contract amendment.

President Fishman requested to approve contract extensions through May 31, 2010 or until all funds are exhausted, for the two separate contracts with Kelco Construction, Inc. for Route 9A landscape maintenance work in Segments 5-7 and Segments 2-4.

Chair Taylor asked if there were any additional questions or comments.

Director Benepe asked if Kelco will be replanting in the areas that are currently barren or is that not part of these contracts.

President Fishman stated that replanting is not part of these contracts. The Trust has a separate agreement with the New York Restoration Project as part of their Million Trees Program, they will be giving us trees for the medians to replace the trees that have died. The ground cover is the responsibility of the New York State Department of Transportation's Route 9A project.

President Fishman asked Mr. Koth, Vice President for Management and Operations to explain the replanting program.

Mr. Koth explained that staff is in the process of restoring the tree canopy which will be completed this season.

Staff is working with State DOT's Route 9A office to get additional resources to restore the understory material. Staff is also pursuing grant funding.

Director Benepe stated that it is unlikely that the barren areas will become green if it's up to the State resources.

A detailed discussion ensued regarding the large barren areas in the median and in the buffer areas.

Chair Taylor stated that this is a very big issue which has to be studied further and suggested that a committee of the Board be set up to discuss this and see if it could be resolved as quickly as possible.

Chair Taylor asked if there were any additional questions or comments. There being none, she then asked for a motion to approve the two separate contracts. Ms. Gordon moved and Director Goldberg seconded the motion. A vote was then taken and the following resolutions were unanimously adopted.

**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to extend the term of the Route 9-A landscape maintenance contract with Kelco Construction Inc. for Segments 2-4 until May 31, 2010.**

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**RESOLVED, based on the materials presented to this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby authorize the Hudson River Park Trust to extend the term of the Route 9-A landscape maintenance contract with Kelco Construction Inc. for Segment 2-4 until May 31, 2010; and be it further**

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

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**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to extend the term of the Route 9-A landscape maintenance contract with Kelco Construction Inc. for Segments 5-7 until May 31, 2010.**

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**RESOLVED, based on the materials presented to this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby authorize the Hudson River Park Trust to extend the term of the Route 9-A landscape maintenance contract with Kelco Construction Inc. for Segment 5-7 until May 31, 2010; and be it further**

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

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The Chair asked President Fishman to present the next item before the Board, approval to contract with Aldona Fire Protection Inc. for parkwide monitoring, inspection, repair & maintenance of Life Safety Systems.

President Fishman stated that the Trust is responsible for providing fire alarm monitoring, inspection, repair and maintenance services for all public park buildings, including Pier 40. Later this year, three additional buildings in the Tribeca section of the park will be opened that will also require fire detection and alarm services. The current provider of these services, Aldona Fire Protection, is now completing its fifth year and as such, the Trust is required to rebid these services with a new scope that will incorporate the planned Tribeca opening in the fall.

This contract was publicly advertised and bid in accordance with Trust procurement guidelines with four firms picking up bid packages. However, only one firm, Aldona Fire Protection, Inc., (the current contractor), submitted a bid for the contract. The proposed bid, \$44,736 for the first year, is less than the amount the Trust is paying Aldona under its current contract. Staff was able to negotiate further savings with Aldona as their bid had anticipated that the Pier 25 and Tribeca buildings would be open all 12 months of the new fiscal year rather than only six. Aldona agreed to reduce its bid for the first year of the contract by \$2,280, bringing the amount for year one to \$42,456. The annual contract amount for the two optional renewals would be \$44,736 per year, for a total contract amount over the three year term of \$131,928. Staff also proposes that the authorization include a 5% contingency for items not covered in the bid amount, like vandalism or other damage beyond normal wear and tear.

President Fishman requested the Trust to contract with Aldona Fire Protection, Inc. for a one year term with two possible one year renewals at the Trust's discretion for a total contract amount not to exceed \$138,525.00.

Chair Taylor stated that before the Members take up this Aldona Fire Protection contract, it should be noted that Commissioner Benepe's statement regarding the State maintenance of the bikeway and Route 9A, should not be construed to be in favor of letting the State off the hook on that matter.

Ms. Gordon stated that the State so noted.

Chair Taylor asked if there were any questions or comments. There being none, she then asked for a motion to approve. Ms. Gordon moved and Director Stern seconded the motion. A vote was then taken and the following resolution was unanimously adopted.

**HUDSON RIVER PARK TRUST -Authorization for Hudson River Park Trust to Contract with Aldona Fire Protection, Inc. for Fire Alarm Monitoring, Inspection and Repair Services in Hudson River Park for a one year term with 2 one-year renewal options in an amount not to exceed \$138,525.00 over the possible three year term.**

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**RESOLVED, based on the materials presented to this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby authorize the Hudson River Park Trust to contract with Aldona Fire Protection, Inc. for Fire Alarm Monitoring, Inspection, and Repair Services for a one year term, with 2 one-year options to renew, in an amount not to exceed \$138,525.00 over the total possible three year term; and be it further**

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

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Chair Taylor asked President Fishman to present the next item before the Board, approval to extend the contract with Sirina Fire Protection for Pier 40 Fire Suppression Systems, repair and maintain Pier 40's fire suppression system.

President Fishman stated that in 2006, the Trust contracted with Sirina Fire Protection, Inc., the lowest bidder in a competitive procurement process, for services to repair and maintain Pier 40's fire suppression system. The Trust Board subsequently amended that contract in September of 2007 to allow for the completion of repairs that were identified during the overall facility assessment for an amount not to exceed \$310,103.

Since that time, Sirina has completed emergency repair work originally identified in 2006 and additional work identified during 2007. Approximately \$20,000 remains under the 2007 contract amendment that can be applied to continued inspection and maintenance services consistent with the National Fire Protection Association's (NFPA) requirements through the balance of this year. To date, Sirina has performed all work to the satisfaction of Trust Maintenance and Operations staff and has agreed to hold to their previously submitted price through the extension period.

President Fishman requested the Board to authorize the Trust to extend the contract with Sirina Fire Protection, Inc. through December 31, 2010 or until all monies have been exhausted, to allow for continued inspection, maintenance and repair services of Pier 40's fire suppression system. No additional monies are sought in connection with this amendment.

Chair Taylor asked if there were any comments or questions.

Director Stern asked who would be responsible to the car owners if the entire Pier burned down.

President Fishman explained that both the Trust and the garage operators have insurance.

Chair Taylor asked if there were any additional questions or comments. There being none, she then asked for a motion to approve. Director Leichter moved and Ms. Gordon seconded the motion. A vote was then taken and the following resolution was unanimously adopted.

**HUDSON RIVER PARK TRUST -Authorization for Hudson River Park Trust to extend the term of the contract with Sirina Fire Protection, Inc. for Pier 40 Fire Suppression System repair and replacement services to allow for a continuation of such services until December 31, 2010.**

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**RESOLVED, based on the materials presented to this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby authorize the Hudson River Park Trust to extend until December 31, 2010 the term of the contract with Sirina Fire Protection, Inc. to provide for continued Pier 40 Fire Suppression System repair and replacement services; and be it further**

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

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Chair Taylor asked President Fishman to present the next item, approval of the Hudson River Park Trust fiscal year 2010/2011 operating budget.

President Fishman stated that the proposed Trust Operating Budget for Fiscal Year 2011 is \$15,305,361, which includes an overall increase of two percent over the current fiscal year. The increase is due entirely to rising Personal Services costs, which are the result of rapidly rising fringe benefits (particularly pension, medical benefits, and the new NY Metro Tax); cost of living or merit increases averaging 2.5%; and a new hire at an executive staff level – for a position that would oversee Finance and Real Estate Development, commercial property management, Pier 40 Parking, and other finance, real estate and commercial property related issues as required. Proceeding with this new position would be dependent upon moving ahead

with either the Pier 57 Young Woo & Associates development proposal and/or with an interim plan for Pier 40 for implementing major capital repairs and re-occupying currently vacant space with interim commercial uses. This overall increase in personal services is partially offset by a 2% decrease in non-personal services from the prior year. As detailed in your Board packages, while we will maintain the same spending levels for security, sanitation services and utilities, which are our three largest operational expenditures other than staff, we are proposing reductions in advertising, consulting, printing and reproduction and other outside services.

The proposed budget also provides for an increase of 22% in Capital Maintenance costs over the current fiscal year, which primarily relates to completing approximately \$1.1 million dollars worth of safety and ADA-related improvements at Pier 40.

With revenues projected at just over \$16 million and Operating Expenses projected at \$15.3 million, the Trust would have a surplus of \$750,000 for the coming year on a strictly operating basis. However, when combined with projected spending on park Capital Maintenance of more than \$1.9 million, the actual net income for next year is projected at negative \$1.2 million. If approved, Trust reserve funds would be used to cover the projected deficit.

President Fishman requested approval of the Trust's FY 2011 Operating Budget as presented for the period April 1, 2010 to March 31, 2011.

Chair Taylor stated that before this item is opened up for discussion, she wanted to inform the public that all operating and maintenance costs in the park are internally generated or they are covered from internally generated fund. No State money funds this budget.

Director Stern asked about the governance of the Brooklyn Bridge Park.

Director Benepe led a discussion on the Brooklyn Bridge Park.

Chair Taylor asked that this discussion be held at another time and the Board should now take up the 2010/2011 Operation Budget.

Chair Taylor asked if there were any comments or questions.

Director Goldberg asked if this was the first year that the capital maintenance will be in the negative.

President Fishman answered in the affirmative, but that since we haven't had an audited financial statement done yet this year, it is estimated in the range of \$200,000 (in the negative).

Discussion ensued regarding the necessary higher costs of the repairs that have to be done in the lobbies, entrances, stair cases and elevator at Pier 40.

Director Benepe inquired about the personal services costs which have increased, primarily related to fringe benefits and pensions. There are also some decreases in revenue, specifically in fees and in parking.

The decrease in parking income is related to the deterioration of the pier and the economy.

President Fishman explained that there are a number of areas where we can't park cars. We have also changed our parking operator, we have been working with the new operator for two months and we believe that they are working on a plan that will re-occupy most of those spaces.

Regarding the fees, we are closing Chelsea Waterside field for three months (June to September) to replace the turf. The Trust will not have the sports fees that would normally be related to this facility.

Director Benepe led a very detailed discussion on the money needed for the maintenance of Pier 40.

Director Leichter asked if we have any other big leases coming due.

President Fishman explained that we are in negotiation with Con Edison at Pier 98.

Director Leichter stated that the budget is only showing a three percent increase in revenues and fees. Are we expecting a significant increase from Circle Line?

President Fishman informed the Directors that the Circle Line increase is reflected in the current Fiscal Year's Budget.

The biggest decrease is the fees that we used to receive from the tourist flights that left from the heliport. This year that generated about \$600,000, last year it generated about \$800,000.

Director Stern expressed his concern about the Hudson River Park is a growing park. Over the long term to have revenue prospects dependent upon external revenue, if it comes in -- we ought to encourage it and to stimulate it. But to have the bottom line of the park depending on the kindness of strangers is something which can be quite troublesome.

Chair Taylor stated that it is better to be in our position than in a State Parks position. We have control this way and many State Parks are being cut back.

The Chair led a discussion about the Trust's ability of control its revenue.

Chair Taylor asked if there were any additional questions or comments. There being none, she then asked for a motion to approve. Director Frederick and Ms. Gordon seconded the motion. A vote was then taken and the following resolution was unanimously adopted.

**HUDSON RIVER PARK TRUST - Approval of the FY 2010-2011 Hudson River Park Operating Budget**

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**RESOLVED, based on the materials presented at this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby approve the FY 2010-2011**

**Operating Budget as presented for the period April 1, 2010 to March 31, 2011; and be it further**

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

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Chair Taylor asked President Fishman to present the next item, adoption of the Hudson River Park Trust Mission Statement and Performance measures.

President Fishman explained that the 2009 Public Authorities Reform Act and subsequent policy guidance issued by the New York State Authority Budget Office require the Trust to submit a statement of its mission and to identify its performance measures with the Authority Budget Office by March 31, 2010. As detailed in your Board package, the proposed response sets forth the Hudson River Park Trust Mission Statement and performance goals, which are derived directly from the Hudson River Park Act. The format and information provided in the proposed submission follows the model and instructions provided by the NYS Authority Budget office. As stated in the proposed submission, the Hudson River Park Trust was created by an act of the NYS Legislature in 1998 to plan, design, build, operate and maintain the 5-mile, 550-acre Hudson River Park. Our goals which are established in the legislation are to:

- Plan, design and construct the Park;
- Operate and maintain the Park;
- Provide free and/or low cost public recreational, educational and cultural opportunities;
- Promote environmental stewardship and enhance the estuarine sanctuary;
- Establish an estuarine sanctuary management plan;
- Promote economic development and tourism in the state of New York; and
- Operate on a model of economic self-sufficiency

The Directors were requested to adopt and approve the release of the Hudson River Park Trust Mission Statement and Performance Measurements.

Chair Taylor asked if there were any questions or comments.

Director Stern asked for the chapter reference in the law.

Ms. Silberfeld stated that it was chapter 592 of the laws of the State of New York for 1998.

President Fishman stated that the mission statement will be amended to reflect the Chapter reference.

Chair Taylor asked if there were any additional questions or comments. There being none, she then asked for a motion to approve. Director Rose moved and Director Leichter seconded the motion. A vote was then taken and the following resolution was unanimously adopted.

**HUDSON RIVER PARK TRUST – Adoption and Approval to Release the Hudson River Park Trust Mission Statement and Performance Measurements**

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**RESOLVED, based on the materials presented at this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby adopt and approve the release of the Hudson River Park Trust Mission Statement and Performance Measurements; and be it further**

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

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Chair Taylor asked President Fishman to present the last item before the Directors, adoption and ratification of the Revised Hudson River Park Advisory Council Bylaws.

President Fishman informed the Directors that Section 15 of the Hudson River Park Act directs the creation of the Hudson River Park Advisory Council (“Council”) consistent with the

provisions of the Hudson River Park Trust By-laws. The Trust By-laws mandate that the Council By-laws and any amendments to them shall become effective upon the affirmative vote of a majority of the Council members and the subsequent approval of the Trust. The Council By-laws were initially approved by the Trust Board in March, 2000 and last amended in July 2005.

This past fall, the Council's membership committee identified and recommended further revisions to the Advisory Council By-laws that are intended to facilitate participation by the Council community members, make it easier for additional organizations to join the Council, clarify expectations of members, and enhance the overall workings of the Advisory Council. The specific changes made to the By-laws are identified in the Advisory Council report that is included in your Board package. These changes were adopted by the Advisory Council at its March 9, 2010 meeting.

The Directors are requested to authorize adoption and ratification of the Revised Hudson River Park Advisory Council By-Laws.

Chair Taylor asked if there were any questions or comments. There being none, she then asked for a motion to approve. Ms. Gordon moved and Director Benepe seconded the motion. A vote was then taken and the following resolution was unanimously adopted.

**HUDSON RIVER PARK TRUST - Authorize Adoption and Ratifications of the Revised Hudson River Park Advisory Council By-Laws**

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**RESOLVED, based on the materials presented to this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby authorize adoption and ratification of the revised Hudson River Park Advisory Council By-Laws; and be it further**

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

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Chair Taylor thanked Ms. Fishman and asked to hear next from the Hudson River Park Advisory Council Chair Arthur Schwartz.

President Fishman informed the Directors that she wanted to thank Mr. Schwartz for his Chairmanship of the Advisory Council. The next Chair will be from CB 1.

Mr. Schwartz advised the Board that the next Chair will Mr. Bob Townley from Community Board No. 1.

Mr. Schwartz's report is attached.

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There being no further business, Chair Taylor requested a motion to adjourn. Ms. Gordon moved to adjourn; Director Benepe seconded. All voted in favor and the meeting was adjourned at 5:10 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Maryann Monte". The signature is written in a cursive style with a horizontal line underneath.

Maryann Monte