

**VIRTUAL MEETING OF THE  
BOARD OF DIRECTORS  
December 3, 2020 at 4:00 pm  
Electronic ZOOM Call**

**MINUTES**

**Directors Present:**

Basil Seggos, Chair  
Vicki Been  
Erik Kulleseid  
Michael Kuh  
Mitchell Silver  
Aloysee Heredia Jarmoszuk  
Jeffrey Kaplan  
Purnima Kapur  
Lowell Kern  
Pamela Frederick  
Lawrence Goldberg

**Appearances:**

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

Also present:

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

With a quorum being present, Chair Seggos called to order the December 3, 2020 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 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. He explained that questions or comments from the audience will not be entertained at this meeting but 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 7 items on the Consent Agenda for our meeting today: 1) Approval of Minutes and Ratification of the Actions Taken at the October 1, 2020 Meeting of the Hudson River Park Trust Board of Directors; 2) Authorization to Amend Contract with Gilbane Building Company for Parkwide Construction Management Services related to Pier 40 Sprinkler System; 3) Authorization to Amend Contract with Deborah Bradley Construction and Management for Bloomfield to West 14<sup>th</sup> Street Bikeway and Lay-By Work; 4) Authorization to Extend Contract with O&S Associates, Inc. for Design and Consultant Services for the Pier 40 Façade Restoration Project; 5) Authorization to Extend Contract with M&N Engineering for Parkwide Marine Inspection Service; 6) Authorization to Adopt new Document Retention Schedule; and 7) Ratification of Board Committee Members.

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 October 1, 2020 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 1, 2020 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 Amend 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 3, 2020, 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 Gilbane Building Company for Parkwide Construction Management Services by an additional \$220,000 for a Total Board Authorization Amount of \$1,201,338; 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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**HUDSON RIVER PARK TRUST – Authorization to Amend Contract with Deborah Bradley Construction & Management Inc. for the Bloomfield Street to West 14<sup>th</sup> Street Bikeway & Lay By Work for an Additional Amount of \$136,084 for a Total Board Authorization Amount of up to \$3,319,869**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 3, 2020, 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 Deborah Bradley Construction & Management Inc. for the Bloomfield Street to West 14<sup>th</sup> Street Bikeway and Lay-By Work for an extended term through June 30, 2021 and an additional amount of \$136,084 for a Total Board Authorization Amount of up to \$3,319,869; 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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**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Extend the Term of Contract with O&S Associates, Inc. for Design and Consultant Services for the Façade Restoration Project at Pier 40**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of December 3, 2020, a copy of which is ordered filed with the records of Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to extend the term of contract with O&S Associates, Inc. for Design and Consultant Services for the Façade Restoration Project at Pier 40 by eighteen months, through August 31, 2022; 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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**HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Extend the Term of Contract with M&N Engineering, P.C. for Parkwide Marine Inspections**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of December 3, 2020, a copy of which is ordered filed with the records of 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 Parkwide Marine Inspection for an additional two years, through May 11, 2023; 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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**HUDSON RIVER PARK TRUST - Adoption of the Records Retention and Disposition Schedule LGS-1 issued by the New York State Archives and Records Administration as the Document Retention and Disposition Policy of the Hudson River Park Trust**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 3, 2020, a copy of which is filed with the records of the Hudson River Park Trust, the Board hereby adopts *Retention and Disposition Schedule LGS-1*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, as the Trust's Document Retention and Disposition Policy; and be it further

**RESOLVED**, that in accordance with Article 57-A:(a) only those records will be disposed of that are described in *Retention and Disposition Schedule LGS-1* after they have met the minimum retention periods described therein; and (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods; 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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**HUDSON RIVER PARK TRUST- Appointment of Members to and Ratification of the Hudson River Park Trust Board of Directors' Audit, Finance & Investment, Design, and Governance Committees**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting on December 3, 2020, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Directors hereby appoint Aloysee Heredia Jarmoszuk as a member of the Hudson River Park Trust Board's Audit Committee and ratify the membership of the Audit Committee to include Directors Basil Seggos, Vicki Been, Aloysee Heredia Jarmoszuk, Jeffrey Kaplan, Michael Kuh and Tom Pegues; and be it further

**RESOLVED**, the Directors hereby appoint Aloysee Heredia Jarmoszuk and Lowell Kern as members of the Hudson River Park Trust Board's Finance & Investment Committee and ratify the membership of the Finance & Investment Committee to include Directors Jeffrey Kaplan, Basil Seggos, Vicki Been, Aloysee Heredia Jarmoszuk, Michael Kuh, Lowell Kern, Purnima Kapur and Tom Pegues; and be it further

**RESOLVED**, the Directors hereby appoint Lowell Kern as a member of the Hudson River Park Trust Board's Design Committee and ratify the membership of the Design Committee to include Directors Pamela Frederick, Erik Kulleseid, Basil Seggos, Mitchell Silver and Lowell Kern; and be it further

**RESOLVED**, the Directors hereby appoint Aloysee Heredia Jarmoszuk and Lowell Kern as members of the Hudson River Park Trust Board's Governance Committee and ratify the membership of the Governance Committee to include Directors Basil Seggos, Vicki Been, Lawrence Goldberg, Aloysee Heredia Jarmoszuk, Michael Kuh, and Lowell Kern; 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 resolutions.

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Chair Seggos then proceeded with the corporate actions, introducing the first item: Authorization to Contract with Dack Consulting Solutions, Inc. for Chelsea Waterside Park Phase 2 Construction Management Service.

President Wils began by explaining that at its September 2019 meeting, the Board approved the Trust entering into a contract with Abel Bainnson Butz for the design of the Chelsea Waterside Park Phase 2 project. The project would include a new comfort station, dog run and picnic area, among other improvements, and the design has been presented to Manhattan Community Board 4 which is strongly supportive of the proposed upgrades.

Ms. Wils continued that in accordance with the Trust Procurement Guidelines, the Trust issued an RFP for Construction Management Services and received 10 proposals on the September 10, 2020 submission deadline. The Trust's selection committee interviewed five of the firms and based on the criteria provided in the RFP, the Trust recommends entering into a contract with

DACK Consulting Solutions for construction management services in an amount not to exceed \$1,210,000, including contingency, which work will include oversight of the pre-construction, construction and post-construction phases of the Chelsea Waterside Park Phase 2 project. Dack is a New York State-certified MWBE firm. Ms. Wils explained that funding for this contract is available from the Trust's capital maintenance budget using restricted funds generated from the sale of air rights in Manhattan Community Board 4 and funding from Speaker Johnson for the ball field. The Trust intends to issue an RFP for the construction work this winter so that construction can commence in the spring 2021.

Ms. Wils then requested Board authorization to enter into a contract with DACK Consulting Solutions, Inc. for Chelsea Waterside Park Phase 2 Construction Management Services for an amount of up to \$1,100,000, plus a 10% contingency, for a Total Board Authorization of up to \$1,210,000.

Chair Seggos thanked President Wils and asked the Board if there were any questions or comments. Director Kern commented that Community Board 4 is very pleased with the design and that it meets the community's needs. There being no further questions or comments, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization to Contract with DACK Consulting Solutions, Inc. for Chelsea Waterside Park Phase 2 Construction Management Services in an amount of up to \$1,100,000, plus 10% contingency, for a Total Board Authorization Amount of up to \$1,210,000**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 3, 2020, 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 DACK Consulting Solutions, Inc. for the Chelsea Waterside Park Phase 2 Construction Management Services in an amount of up to \$1,100,000, plus a 10% contingency, for a Total Board Authorization Amount of up to \$1,210,000; 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 Seggos then directed the Directors to the second item before the Board: a request for Authorization to Amend Contract with Prestige Stone & Pavers Corp. for Parkwide Unit Pavement Restoration.

President Wils began by explaining that at its May 30, 2019 meeting, the Board authorized the Trust to enter into an on-call contract with Prestige Stone & Pavers Corp. for the Parkwide Unit Pavement Restoration, which included the replacement of damaged pavers and deteriorated expansion joint material placed between the bulkhead and the esplanade pavers at certain locations throughout the Park. At its January 23, 2020 meeting, the Board authorized an additional \$350,000 plus a 10% contingency for work to be performed in 2020, for a Total Board Authorization of \$660,000.

Trust staff has identified additional work for 2021, including required paving repair work at Piers 62, 63 and 64 and therefore seeks Board authorization for an additional \$330,000. Trust staff have been pleased with the repair work performed over the past two years by Prestige, a NYS-certified MWBE firm, and the unit pricing for this amendment will be the same as approved for the initial contract. Funding for this amendment will come from unexpended funds in the Trust's current year capital maintenance budget and from the capital maintenance budget for Fiscal Year 2021 to be presented for approval by the Board in March 2021.

Ms. Wils then requested Board authorization to amend the contract with Prestige Stone & Pavers Corp. for the Parkwide Unit Pavement Restoration for an Amendment Amount of \$330,000 for a Total Board Authorization Amount of up to \$990,000. President Wils added that the Trust has been very pleased with their work.

Chair Seggos thanked President Wils and asked the Board if there were any questions or comments. Director Goldberg asked what the life expectancy of a paver was and whether the repair work indicated a design flaw. President Wils explained that the park has an overall 50-year-life expectancy but the pavers need more frequent repairs given the fact that vehicles drive over them, such as emergency vehicles, and the expansion joints are more of a challenge. She further explained that the repair work is normal wear and tear and not a design flaw. There being no further questions or comments, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization to Amend Contract with Prestige Stone & Pavers Corp. for Parkwide Unit Pavement Restoration for an Amendment Amount of \$330,000 for a Total Board Authorization Amount of up to \$990,000**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 3, 2020, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board of Directors hereby authorizes the Hudson River Park Trust to amend its contract with Prestige Stone & Pavers Corp. for Parkwide Unit Pavement Restoration for an Amendment Amount of up to \$330,000 for a Total Board Authorization Amount of up to \$990,000; 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 Seggos then directed the Directors to the next item before the Board: a request for Authorization to Amend Contract with Structural Preservation Systems, LLC for Pier 40 Roof Reconstruction – Phase 4.

President Wils reminded the Director that at the March 30 and May 28, 2020 meetings, the Board authorized the Trust to enter into a contract with Structural Preservation Systems for the Pier 40 roof reconstruction of the southern shed for a Total Board Authorization Amount of up to approximately \$12.8 million. Ms. Wils explained that, after the wearing layer on the roof was removed, additional areas requiring structural concrete plank repair and replacement were discovered. The Trust has also decided to add the replacement of the passive field to SPS's scope in order to install the new field as quickly as possible after the installation of the roofing membranes so that the passive field can be available for public use in the summer 2021. The amount to be charged by SPS of up to \$2 million for this additional work have been determined to be fair and reasonable by the Trust's roofing architect and construction manager. Ms. Wils explained that funding for this contract as amended is available from the Trust's capital maintenance budget, with funds provided through both air rights sale proceeds allocated for Pier 40 infrastructure repair and \$700,000 from Speaker Johnson for the passive roof field.

Ms. Wils then requested Board authorization to amend the contract with Structural Preservation Systems, LLC for the Pier 40 Roof Reconstruction Phase 4 work for an additional amount not to exceed \$2,000,000 for a Total Board Authorization Amount of up to \$14,798,500.

Chair Seggos thanked President Wils and asked the Board if there were any questions or comments. Director Kern asked how much money has the Trust put into repairing Pier 40. President Wils explained that this is a frequent topic discussed by the Directors and she estimated that since 2011, about \$175 million, including the pile repairs. These costs are mainly to make the building safe. There being no further questions or comments, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST – Authorization to Amend Contract with Structural Preservation Systems, LLC for the Pier 40 Roof Reconstruction Phase 4 for an Additional Amount of \$2,000,000 for a Total Board Authorization Amount of up to \$14,798,500**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 3, 2020, 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 Structural Preservation Systems, LLC for the Pier 40 Roof Reconstruction Phase 4 for an additional amount of \$2,000,000 for a Total Board Authorization Amount of up to \$14,798,500; 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 Seggos then directed the Directors to the fourth item before the Board: request for Authorization to Amend Contract with NY Asphalt, Inc. for Parkwide Asphalt Pavement Repairs and On-Call Paving Services.

President Wils began by stating that at the March 30, 2020 meeting, the Board authorized the Trust to amend the contract with NY Asphalt, Inc. for Parkwide Asphalt Pavement Repairs and On-Call Services for an additional two-year term and a Total Board Authorization Amount of \$389,623 in order to complete repair work at the Pier 40 south walkway and mezzanine parking ramp. The Trust has identified a number of paving and related projects required for 2021, including concrete repairs at Pier 40, primarily within the Pier 40 Parking Garage. For this work, the Trust solicited competitive proposals from among the Trust's existing on-call general construction and paving contractors. NY Asphalt's price was the lowest and this contractor has successfully completed similar scopes of work for the Trust in the past. As a result, the Trust requests authorization to increase the NY Asphalt contract by \$505,000. Trust staff proposes

transferring a portion of unspent authorized funding of \$990,000 from the on-call general construction contractors that had been approved by the Board in September 2019 to fund this amendment.

Ms. Wils then requested Board authorization to transfer funding from the on-call general construction contracts and amend the contract with NY Asphalt, Inc. for Parkwide Asphalt Pavement Repairs and On-Call Paving Services by \$505,000 for a Total Board Authorization of up to \$894,623.

Chair Seggos thanked President Wils 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 to Transfer Funding from the On-Call General Construction Contracts and Amend the Contract with NY Asphalt, Inc. for Parkwide Asphalt Pavement Repairs and On-Call Paving Services**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 3, 2020, 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 transfer funding from the On-Call General Construction contracts and amend the contract with NY Asphalt, Inc. for Parkwide Asphalt Pavement Repairs and On-Call Paving Services to increase the contract amount by \$505,000 for a Total Board Authorization for the NY Asphalt contract of up to \$894,623; 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 Seggos then directed the Directors to the next and final item before the Board: a request for Authorization to Contract for Pier 40 Parking Garage Operator.

President Wils began by explaining that parking from the Pier 40 garage comprises a significant source of operating revenue for the Trust. For Fiscal Year 2020, parking revenue, net of taxes, was approximately \$7.66 million, or 24% of the Trust's total operating revenue. Associated operating expenses for the parking garage in the fiscal year totaled \$1.85 million such that net parking income to the Trust was \$5.81 million. The Trust employs a professional parking management company to operate the garage, and most direct operating costs are covered and become an expense under that contract.

Ms. Wils continued that the contract for the current parking garage operator expires on December 31, 2020 and thus Trust staff have proceeded with a competitive process to procure a parking garage operator under a new contract. In accordance with the Trust's Procurement Guidelines, the Trust issued a Request for Proposals for Professional Management and Operations of Pier 40 Parking Garage and received four proposals on the submission deadline of October 20, 2020. A selection committee comprised of the Trust's Property Management and Finance staff and its independent parking consultant reviewed the submissions in accordance with the selection criteria identified in the RFP and also interviewed all four respondents.

Upon completion of proposal review and interviews, and the submission of "best and final" management and incentive fee offers, the selection committee determined that Manhattan Parking Group LLC, a family owned and operated company that has been a leader in the parking industry in New York City since 1964, was best qualified to provide the parking garage management services.

Ms. Wils explained that the term of the proposed agreement will commence on January 1, 2021 and expire on March 31, 2026 and may be extended for up to two additional two-year terms. The management fee is \$75,000 for the first year and increases by two percent each year during the term. MPG will also be paid an incentive fee of ten percent in excess of the net operating income each year as a means to motivate the parking garage operator to increase parking revenue through marketing and group account sales, and decrease operating expenses by competitively bidding its sub-contractor work and vendor suppliers and employing staff labor and other resources most efficiently. For the initial five years and three months term, the Trust projects the management fee, incentive fee and reimbursable expenses to be around \$1.7 million per year. Funding for this contract is available from the Trust's operating budget as approved by the Board each year. At the end of the initial 5-year and three-month portion of the term, the contract will be presented again to the Board for a new funding authorization for the renewal terms, if granted.

Ms. Wils then requested Board authorization to enter into a contract with Manhattan Parking Group LLC for Professional Management and Operations of Pier 40 Parking Garage for an amount of up to \$8,753,511, for a five year and three month term with two successive two-year options to renew, plus a 10% contingency, for a Total Board Authorization of up to \$9,628,862.

Chair Seggos thanked President Wils and asked the Board if there were any questions or comments. Director Kaplan asked if there is an out if the approved vendor does not work out and

President Wils explained that all Trust contracts have a termination clause. Director Kuh asked if there were any issues with the current operator and President Wils explained that the existing vendor was getting larger and thus slowing down in responding to some issues the Trust had and thus the Trust believes using a smaller company would be more beneficial at this time. Director Kuh asked if the Trust uses the same consultant and President Wils stated yes and Dennis was part of the selection committee. There being no further questions or comments, upon a properly called motion, the following resolution passed unanimously.

**HUDSON RIVER PARK TRUST - Authorization to Contract with Manhattan Parking Group LLC for Professional Management and Operations of Pier 40 Parking Garage in an amount of up to \$8,753,511, plus 10% contingency, for a Total Board Authorization Amount of up to \$9,628,862**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on December 3, 2020, 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 Manhattan Parking Group LLC for the Professional Management and Operations of Pier 40 Parking Garage in an amount of up to \$8,753,511, plus a 10% contingency, for a five year and three month term with the option to extend for two additional successive two year periods for a Total Board Authorization Amount of up to \$9,628,862; 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 Seggos stated that concluded the corporate actions before the Board and asked President Wils to provide her President's Report.

President Wils began by explaining that Hudson River Park's 2020 virtual programming came to a close at the end of October. The successful season featuring events from Public Programs and the Park's River Project culminated with over 101,000 views through the Hudson River Park website and Facebook pages. The Trust is very pleased with the extent to which it was able to pivot from live programming to virtual programming, and it was gratifying to see the audience expand, with Hudson River Park's social media channels welcoming viewers from across the United States and from South America during the Sunset Salsa dance series and the Sunset on the Hudson music performances in particular. The Park will continue to offer 2020 season on-demand videos for public viewing throughout the year. The videos highlight science, education and cultural programming.

President Wils then reported that the Hudson River Park's River Project published an article, four years in the making, in the Marine Pollution Bulletin Journal last month entitled "The presence and significance of micro-plastics in surface water in the Lower Hudson River Estuary 2016–2019: A research note." This was a culmination of study of the Hudson River Estuary by Trust staff. Highlights of the report include that micro-plastics are found throughout surface waters of the Lower Hudson River Estuary, fragments are the most abundant category of micro-plastics found, and combined sewer outflows are a likely source of micro-plastics entering the Lower Hudson River Estuary.

President Wils further stated that this fall, River Project staff worked with NYSDEC to develop a plan to survey benthic habitat in the portion of the river that would be enhanced through the Tribeca Habitat Enhancements project that was discussed at the October 1 Board meeting. The Trust contracted with the Hudson River Foundation, in collaboration with the University of New Hampshire and Monmouth University, to sample for bottom type and benthic invertebrate community composition. In addition, staff worked with Dr. Allison Fitzgerald of New Jersey City University to expand the epibenthic survey that occurred at other park locations in 2019 to include Pier 34 and the rubble fields at the former Piers 27, 28, and 29. This research used a novel research technique, the Clearwater Box and GoPro, to video pilings at Pier 34 to achieve a baseline assessment of epibenthic community composition. In addition, divers from Moffat & Nichol provided dive inspection video of select piles at Pier 34's south finger, and an Underwater Acoustic Imaging survey at former Piers 27, 28 and 29 to provide a visualization of substrate features at and above the mudline. All samplings and completed video are currently being analyzed by Dr. Fitzgerald.

President Wils stated that on November 7, the Trust had its first, reservation only, in-person program - the third annual Pumpkin Smash, an event to promote composting and sustainability in Hudson River Park. The participants smashed over 1000 pounds of pumpkins which were then added to the Park's compost. Finally, sports teams continue to make heavy use of all of the Park's fields. Following the opening of Pier 26, staff added the pier's Sports Court to the group of locations where organized sports play is permitted, though at Pier 26, after school hours and some weekend hours are reserved each day for unstructured play as well. The Park continues to permit for the winter season, as outdoor sports remain one of the few ways that kids and adults can interact

during the pandemic. Director Frederick asked what was used to smash the pumpkins and President Wils stated a baseball bat.

President Wils then provided an update on the status of design and construction. First, James Corner Field Operations is finishing 100% construction documents for Gansevoort Peninsula, with the design expected to be completed in December. The Trust plans to start construction on the south end of Gansevoort Peninsula -- the new beach area -- in early spring 2021 or as soon as the Trust receives its environmental permits. The Trust will be releasing a Request for Proposals for the Gansevoort Peninsula Surcharge program tomorrow with proposals due on January 8, 2021. As the Trust has progressed with the design for Gansevoort Peninsula, the design team's engineers have recommended that fill material be delivered and pre-loaded over the future sports field and adjacent areas for a period of four months prior to the Trust commencing construction to ensure existing fill properly compacts and future settlement is not an issue. This fill will then be re-used throughout the site to achieve proposed grades, which on the sports field will be an additional 5-6 feet. In order to meet the overall proposed construction schedule, Trust staff decided it was prudent to issue an early RFP for this more limited work comprised of sourcing, delivering, and installing general fill at the Peninsula as soon as possible. In order to have the work commence in mid-January, the Trust intends to enter into a contract with the selected vendor for up to \$200,000 and then have the Board of Directors ratify and approve the full contract amount at the next Director meeting scheduled for January 28, 2021.

President Wils continued that work by the Whitney Museum of American Art regarding the construction of the *Day's End* large scale sculpture continues. The Whitney intends to have the superstructure installed this winter, although the Trust does not have a date for when the installation will be complete. Ms. Wils stated that she will keep the Directors informed of the status as the Trust looks forward to enjoying this new monumental permanent sculpture of the former Pier 52 pier shed created by the New York artist David Hammons in the very near future.

President Wils explained that !melk Landscape Architecture and Toshiko Mori Architects submitted 60% construction documents for the Pier 97 park and comfort station in mid-October and November respectively. New construction cost estimates are being prepared based on these documents to confirm anticipated budgets. The final construction documents are due by the end of December for the park and end of January for the comfort station. The design consultant team is preparing required permit applications as required by various agencies in anticipation of an early

spring 2021 groundbreaking. Additionally the Public Design Commission granted approval for the park, comfort station, and wayfinding signage designs following multiple series of comments.

An early RFP package to fabricate certain custom elements of the design will be issued in the next few weeks. These items will be procured separately and ahead of the Pier construction which will save time & money and allow for better quality control.

President Wils then began discussing Pier 76 by reminding the Directors that the Trust had initiated a Pier 40/76 task force in January of this year at the Governor's behest with instructions to the Trust to develop a plan with the community for the two piers. Due to the pandemic, the Trust was not able to complete the work of the Task Force and make formal recommendations to the Governor. However last spring, the Hudson River Park Act was amended as part of the April 1 budget to require the City to vacate Pier 76 by December 31, 2020, or be required to pay very substantial fees to the Trust if the tow pound does not meet the deadline, although the fee can be waived by New York State if the City provides evidence of its effort to relocate the existing tow pound uses. The Trust reconvened the Task Force on October 29th to discuss the future of Pier 76. Many of the Trust's Directors participated as did the members of the Community Boards, elected officials and other invited guests. The meeting was moderated by Lisa Switkin of James Corner Field Operations and Carl Weisbrod of HR&A. The focus of the meeting was to review the work that had been done by the Task Force previously, acknowledge that the economy has faltered and therefore future development of both Piers 40 and 76 would be put on hold until a recovery was on the horizon and introduce the idea of interim park uses on Pier 76 once the tow pound relocates. The October 29 meeting was successful in that all those that participated agreed with an approach for temporary interim uses on that Pier. Subsequently, the discussion was continued at a meeting held by Community Board 4's Waterfront, Parks & Environment Committee on November 12. Both Chair Seggos and President Wils along with Lisa Switkin and Carl Weisbrod provided a presentation which included potential interim uses for Pier 76. The CB4 committee members recommended that uses similar to what had existed at Piers 54 and 97 in the past, such as a space for concerts and other large events such as Heritage of Pride, bicycle riding learning areas, a food and beer garden and an area to be used by local theatre groups would make the most sense for the temporary interim uses. The committee intends to raise these interim options with the full community board. Director Kern stated that the Community Board had met and would be providing a letter to the Trust on the interim measures.

President Wils then stated that the Trust will be proceeding with the Intrepid lease and intends to inform the Community Board next week and begin the formal significant action process early next year.

President Wils then provided the Directors with an update on the Trust's finances for the first seven months of our fiscal year, or through October 31, 2020. She noted that the Board packet sent to all Directors has the financials for both the first six and first seven months of the fiscal year, including a comparison of the 2021 budget with the first seven months of actuals. She also explained that Trust staff has also kept the Directors of the Finance Committee informed of the Trust's fiscal situation and any Director should feel free to contact Dan Kurtz, President Wils or Director Kaplan with any questions. President Wils continued that, as noted in Schedule 1 in the Financial packet for the first seven-month period, total revenues are at \$13.7 million through October 31, 2020, or 46 percent of what was budgeted. This reflects less revenue than anticipated for the new fiscal year starting April 1, due to delays in opening many of the new concessions, the fact that the Park could not hold events due to the limited size of gatherings in the Park, and loss of revenue from the Trust's tenants and occupants due to COVID that has resulted in a need to allow many of them to delay payment of a portion of rent into next year.

However, the Trust has also reduced its operating expenses and thus operating expenses and revenue are break even at this point. The Trust does not expect to have any surplus operating revenue at the end of the fiscal year as is typical for the last few years that would then be available for capital maintenance projects that are not paid by the State or the City or funded through air rights sales.

President Wils stated that the Trust managed to keep the Park in excellent condition during the pandemic and thanked the Trust's facilities and operations staff for their magnificent work at keeping the Park in such good condition. She noted that several of the Staff got sick at the beginning of the pandemic but came back to work thereafter, and the staff knowing of the risk showed up to work each day to keep the Park clean and safe and in excellent condition. Ms. Wils stated that she cannot thank them enough.

President Wils further noted that the Board packet contains a memo from the Trust's insurance broker Cool Insuring Agency and a table that summarizes the Trust's general liability insurance premiums from 2015 to the present. As a reminder, the last policy covered 9 months of operations due to the Trust's interest in aligning the insurance policy renewal with the timing of

State budget planning. The new \$100 million general liability and excess/umbrella policy for the one year period started December 1.

Unfortunately, there are fewer insurance carriers providing primary or the first layer of excess coverage policies as compared to the past and it is a sellers' market, so the Trust saw another huge increase in the annual premium – a shockingly approximate \$1.9 million increase from last year. Cool reached out to over 40 carriers to procure the Trust's \$100 million tower of liability coverage but many declined to provide a quote. Challenges that were cited by the Carriers include our New York City venue, the uniqueness of park operations, the amount of construction activity in the park, terrorism concerns, such as the number of claims from the October 31, 2017 terrorist attack that occurred outside the Park but on the adjacent SDOT owned bikeway, and the potential for large gatherings of people. The New York Office of General Services also confirmed that across the country, the premiums are going up considerably for all industries.

President Wils then thanked Director Pegues who participated in this process and provided advice to Cool, OGS and the Trust on ways to reduce the value of the loss claims and also was instrumental in working with Trust staff on a reduction in the broker and OGS service fees. However, even with the reduction in the broker and OGS fees, the premium for this year is approximately \$5.68 million. Pursuant to the 2013 Hudson River Park Act Amendment, the Trust is reimbursed for the premium by both New York State and New York City and thus this increase does not impact the Trust's budget. President Wils concluded that the State's portion has been paid out of the \$3.2 million provided to the Trust from the Environmental Protection Fund; however, the State's portion going forward exceeds this and is now about \$3.7 million.

President Wils then announced that Bill Rettig, the Trust's Senior Director of Facilities, is retiring at the end of this year. She explained that Bill has been one of the most dedicated employees here at the Trust, always working long hours to make sure the Park and its facilities are in good condition and safe for the workers, employees and Park Patrons. Bill has been such a joy to work with and she and the other Trust staff have been always amazed at his vast knowledge and understanding of every portion of the Park and its facilities. Bill will be missed and the Trust wishes him well as he moves on to his next adventure. Fortunately, Bill has been doing a wonderful job in transitioning his position to Dwayne Cremona and the Trust looks forward to working with Dwayne in his new capacity as Senior Director of Facilities this coming year. The Trust has also back-filled several positions this fall with new Trust employees, including Christina Singh as

Director of Operations, Roseann Julien as Senior Attorney, Denise Ruggiero as Insurance and Records Manager, and Helena Kilburn as part time Administrative Assistant to Facilities and Public Safety.

President Wils then concluded by informing the Directors that in their Board packets, they can also find the PEP statistics for October and a list of any contracts executed between \$100,000 and \$200,000. Ms. Wils also explained that the Trust has received over \$28 million in reimbursements from FEMA related to Hurricane Sandy and are awaiting about another \$5.6 million.

Chair Seggos then asked Jeffrey LeFrancois to provide the Advisory Council report. Mr. LeFrancois began by stating that the Advisory Council has been meeting monthly but will resume to every two months in 2021. At the October meeting the Trust staff had provided a report on the Tribeca Enhancements Project which led the Advisory Council to send a letter to the Trust asking that the infrastructure be laid deeper in the water to protect the human power boating community. He further explained that EDC has agreed to the Advisory Council's request that there be a no ferry zone within 100 yards of the bulkhead. He concluded that the Advisory Council was in the process of amending its by-laws and the Greenway, signage and park safety will continue to be topics of the Advisory Council.

Chair Seggos thanked Mr. LeFrancois and then asked Connie Fishman to provide the Hudson River Park Friends report. Ms. Fishman reiterated what President Wils had stated in thanking Hudson River Park Trust staff for maintaining the Park in such good condition during a pandemic and with less resources. Friends had its virtual gala on October 21, 2020 and raised \$1.25 million, short of the \$3 million in a typical year but exceeding the \$1 million goal for this year. The highlight was the video thanking the Operations and Horticulture staff. Friends has begun its year end campaign with a goal of \$100,000 and two board members have provided a \$50,000 match. The winter playground committee luncheon was canceled but the committee will instead be contributing to a giving tree near the playground at Pier 25. At the end of the campaign, a plaque will be placed next to the tree with the name of the donors. Due to COVID - 19, there has been a loss of active Friends' members, but Friends still had a smaller set of volunteers doing gardening in the Park, and the last corporate clean up – with Pfizer – was scheduled that week.

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 other business, Chair Seggos called for a motion to adjourn and the virtual Board meeting was adjourned at 4:58 pm.