

HUGH L. CAREY BATTERY PARK CITY AUTHORITY

Meeting of the Members
200 Liberty Street, 24th Floor
New York, NY 10281
October 11, 2022

Members Present

Martha Gallo, Acting Chair
Louis Bevilacqua, Member
Donald Capoccia, Member
Anthony Kendall, Member
Catherine McVay Hughes, Member
Lester Petracca, Member

Authority Staff in Attendance: Benjamin Jones, President and Chief Executive Officer
Sharmila Baichu, Vice President of Human Resources
Marie Baptiste, Deputy Treasurer
Gwen Dawson, Vice President, Real Property
Pamela Frederick, Chief Financial Officer/Treasurer
James Gallagher, Special Counsel
Abigail Goldenberg, General Counsel
Craig Hudon, Vice President of Parks Programming
Karl Koenig, Controller
Vanessa Mesine, Treasury/Revenue Accountant
Eric Munson, Chief Operating Officer
Lauren Murtha, Paralegal/Assistant Corporate Secretary
Jahmeliah Nathan, Vice President of Administration
Robert Nesmith, Chief Contracting Officer
Ryan Torres, Vice President of Parks Operations

The meeting, called on public notice in accordance with the New York State Open Meetings Law, convened at 2:04 pm.

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The first item on the agenda was a request for approval of the minutes of the September 1, 2022 meeting. Upon a motion made by Mr. Bevilacqua and seconded by Mr. Kendall, the following resolution was unanimously adopted:

APPROVAL OF MINUTES OF THE SEPTEMBER 1, 2022 MEETING

BE IT RESOLVED, that the minutes of the meeting of the Members of the Hugh L. Carey Battery Park City Authority held on September 1, 2022, are hereby approved.

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Next, there were four comments submitted by the public that were presented during the period of public comment.

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Ms. Frederick then provided the Members an update from the Audit Committee, which met immediately prior to this meeting and was attended by the Committee Chair, Anthony Kendall and committee member, Martha Gallo. She noted three items were covered. The first was a review of the April financial statements presented by Dan McElwee, our independent auditor from Marks Paneth. Mr. McElwee also presented the audit plan for 2023 in which one of the key focus points was the implementation of GASB 87, as shown in the April statements and which meet the requirements of the State for in terms of implementation. The other item covered was the Committee's unanimously approval to recommend to the full Board approval of the list of prequalified underwriters being presented today. The third item was other business which provided an update on our upgrade and the use of Great Plains and the rollout expected for cloud implementation.

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The next item on the agenda was the M/WBE Utilization Report presented by Ms. Nathan.

Mr. Nathan reported that for the month of August 2022, 28.42% of the Authority's total qualifying spend of \$1.3 million was paid to MWBEs. Of this amount 5.75% was paid to MBEs, 2.1\$ to MBE prime contractors, and 3.65% to MBE subcontractors. And of that same total qualifying spend, 22.67% was paid to WBEs, 15.87 to WBE prime contractors, and 6.8% to WBE subcontractors.

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The next item on the agenda was an update on the Authority's resiliency projects by Mr. Jones.

Mr. Jones first briefly discussed the NY & NJ Harbor & Tributaries Focus Area Feasibility Study ("HATS") conducted by the United States Army Corps of Engineers, which analyzed coastal storm risk management in the New York City/New Jersey region. They released a feasibility study in September and their recommended approach, known as Option 3B, did not include a sea barrier that was previously under consideration and would have provided broader protection to lower Manhattan and beyond. Instead, Option 3B relies on a layered approach to resiliency for the region and includes and acknowledges efforts already underway, including the Lower Manhattan Coastal Resiliency Initiative of which our plans are a part. It should be noted that, again, this is a step in a long process for the Army Corps of Engineers' feasibility study. and folks can provide public comment to the Corps through the NYNJHarbor.TribStudy@usace.army.mil.

He then discussed the ongoing Northwest Battery Park City Resiliency Project. This presentation showed the project area, which extends along the western perimeter of Battery Park City along the river, and the North end going into Tribeca to reach the necessary high point. He then explained that the project was divided into segments, AKA "reaches." Together there were seven reaches, each with different attributes along the stretch of the project area. He noted all of the information on this project and our other projects were available on the resiliency page of the Battery Park City Authority website and he encouraged folks to look at the recordings of the meetings, and the presentations, and the alignment option details.

He then spoke about the South Battery Park City Resiliency Project (“SBPCR Project”), with a reminder that the South project was designed to provide flood protection independent of other resiliency measures and must qualify for FEMA certification, which will help lower flood insurance costs for those within the protected area. He also mentioned the Authority was pursuing a WEDG certification, which is a science-based rating system developed by the Waterfront Alliance to maximize resilience ecology and access at the water’s edge.

Mr. Jones then noted the recent announcement to engage the public in the development of concepts for activating open space across the street from Wagner Park during the two years that it would be under construction and consider an array of potential opportunities for residents and other users to create a more active space for activities ranging from fitness to social seating to lounging and more. There was a survey online, under the *News* section of the Battery Park City Authority website. He also noted that we were collaborating more closely with The Battery to amplify awareness and use of the many green spaces that will remain open while construction happens on a number of these projects, from the Great Lawn in the Battery all the way to Rockefeller Park in Battery Park City.

Lastly, he mentioned the successful Climate Week held with the Battery Park City Authority participating in a range of activities from programs to conferences and more. And that work continued, particularly focused on expanding compost and our zero-waste certification for our parks and public spaces, and our tree inventory and biodiversity study is underway.

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The next item on the agenda, presented by Ms. Dawson, was an approval of EIS Findings Statement.

Ms. Dawson began by presenting the adoption of the EIS finding statement for the South Battery Park Resiliency Project. This project will provide risk reduction for the southern portion of Battery Park City, as well as parts of Lower Manhattan.

She then explained that on March 18, 2021, the Authority issued a letter to various involved and impacted public agencies notifying them of its intent to assume the role of lead agency for the environmental impact review of this project to be undertaken pursuant to the New York State Environmental Quality Review Act, or SEQRA, and none of those recipients objected to BPCA’s role as lead agency. Lead agency means that the Authority undertook the responsibility for performing the EIS and the responsibility for determining whether or not there were adverse impacts resulting from the project.

The Authority determined that the project had the potential to have adverse impacts and published a draft scoping document for a draft environmental impact statement on September 28, 2021. There was a public comment period that followed the issuance of that draft scoping document, and there was a public meeting that was held to receive comments on the scoping document on October 13, 2021. A notice of completion of the draft EIS, or the DEIS was published on May the 2, 2022, and that started another public comment period, which extended through June the 10, 2022. In the Intervening time, a public hearing was held on May 19, 2022, during which comments were invited from the public.

Ms. Dawson continued to explain that a final EIS or a FEIS was subsequently prepared, which reflected certain adjustments to the design, adjustments which included an enlargement of the lawn associated with the Wagner Park design which was achieved in response to the desires of the community and expressed through concerns and suggestions by local public officials. That adjustment was included in the final EIS along with certain other revisions as necessary, and responses to all of the substantive comments that were received in response to the draft EIS. The FEIS analyzed the potential environmental impacts of the project for the 2024 analysis year, which is when the project is slated to be completed. The FEIS analysis concluded that for the categories that were studied there would be no significant adverse operational, meaning long-term, or construction temporary impacts on land use, zoning and public policy, shadows, neighborhood character, natural resources, water and sewer infrastructure, transportation, hazardous materials, energy, air quality, greenhouse gas emissions, noise, and vibration. The FEIS has been prepared consistent with New York State Coastal policies. The FEIS concluded that the project would have significant adverse impacts on historical and cultural resources, as well as urban design and visual resources at Wagner Park, and would have a temporary significant impact on open spaces during construction. Mitigation has been proposed for all the impacts identified, although the impacts to urban design and visual resources and open space cannot be fully mitigated.

She further explained that the FEIS was publicly issued on September 28th, and a proposed finding statement has been prepared to summarize the analysis and conclusions of the FEIS. The proposed finding statement was being submitted for approval and adoption by the Board of the Authority in its capacity as the lead agency for the SEQR environmental review process. As a result, the Real Property department recommends that the Board approve the proffered resolution, which approves and adopts the proposed finding statement for the South Battery Park City Resiliency Project FEIS and that the Board authorize the project to proceed specifically noting as follows: that the Board has reviewed the proposed finding statement, which summarizes the analysis and conclusions of the FEIS; that the Authority has determined that the project is consistent with New York State's Coastal policies; that the project will provide critical protection against climate change in Lower Manhattan consistent with the other projects identified as part of the City of New York's Lower Manhattan Coastal resilience efforts; and that the Board adopts the proposed finding statement and determines that the Authority should proceed with the project while reserving its rights to review and approve any and all procurements associated with the project as required by the Authority's procurement guidelines.

Upon a motion made by Ms. McVay Hughes and seconded by Mr. Capoccia, the following resolution was unanimously adopted:

RESOLUTION ADOPTING SEQR FINDINGS STATEMENT FOR SBPCR PROJECT

WHEREAS, in response to the devastating impact of Superstorm Sandy in Lower Manhattan and in anticipation of future severe storm activity related to climate change and in anticipation of severe storms in future years, Battery Park City Authority (the "Authority") had proposed undertaking certain resiliency projects to protect the neighborhood and surrounding area from the threats of storm surge, intense precipitation events, and sea level rise; and

WHEREAS, the Authority has undertaken a detailed design process to determine how to meet the requirements for FEMA accreditation and to allow for future protection against a 100-year storm event in the southern portion of Battery Park City and the surrounding area of Lower Manhattan;

WHEREAS, the Authority has proposed to undertake the South Battery Park Coastal (SBPCR) Project, which includes a flood alignment composed of multiple different integrated features such as flip-up deployable gates (flip-up deployables), glass-topped floodwalls, buried floodwalls underneath terraced slopes, exposed floodwalls, and bermed floodwalls, as well as certain interior drainage improvements;

WHEREAS, the flood alignment runs from 1st Place and the Museum of Jewish Heritage, through Wagner Park, across Pier A Plaza, and then along the north side of the Battery Bikeway in The Battery to higher ground near the intersection of Battery Place and State Street;

WHEREAS, on March 18, 2021, the Authority issued a letter to various involved and interested agencies notifying them of its intent to assume the role of lead agency for the environmental impact review of the SBPCR Project to be undertaken pursuant to the New York State Environmental Quality Review (SEQR) Act, none of which objected;

WHEREAS, the Authority determined that the SBPCR Project had the potential to have adverse impacts and published a Draft Scoping Document for the Draft Environmental Impact Statement (EIS) on September 28, 2021;

WHEREAS, the public comment period for scoping began on September 28, 2021, a public meeting was held on October 13, 2021, and comments were accepted through October 29, 2021;

WHEREAS, a Notice of Completion of the Draft EIS (DEIS) was published on May 4, 2022, which started the public comment period for the DEIS. The Final Scoping Document was published with the DEIS, incorporating all comments on the Draft Scoping Document;

WHEREAS, a public hearing on the DEIS was held on May 19, 2022, and the public comment period concluded on June 10, 2022;

WHEREAS, in response to concerns raised by the community and elected officials subsequent to the publication of the DEIS, in August 2022, the Authority announced that it would make changes to the design of the new Wagner Park to increase the lawn space by an additional 12,800 sf and totaling 30,050 sf of lawn area in Wagner Park, as well as adding ten more trees to within Wagner Park, for a total net increase of 126 trees;

WHEREAS, a Final EIS (FEIS) was prepared, which reflected the changes to the design, included responses to all substantive comments on the DEIS, and made other revisions as necessary;

WHEREAS, the FEIS analyzed the potential environmental impacts of the Proposed Action for the 2024 analysis year, when the SBPCR Project is expected to be completed. The FEIS analyses concluded that the SBPCR Project would have no significant adverse operational or construction impacts on: land use, zoning and public policy, shadows, neighborhood character, natural resources, water and sewer infrastructure, transportation, hazardous materials, energy, air quality, GHG emissions, noise and vibration.

WHEREAS, the FEIS concluded that the SBPCR Project would have significant adverse impacts on historical and cultural resources as well as urban design and visual resources, and would have a temporary significant impact on open space resources during construction;

WHEREAS, mitigation has been proposed for all impacts identified, although impacts to urban design and visual resources and open space cannot be fully mitigated;

WHEREAS, the Board has reviewed the proposed Findings Statement, which summarizes the analyses and conclusions of the FEIS;

WHEREAS, the Authority has determined that the SBPCR Project is consistent with New York State's coastal policies;

WHEREAS, the SBPCR project will provide critical protection against climate change in Lower Manhattan, consistent with the other projects identified as part of the City of New York's Lower Manhattan Climate Resilience efforts;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adopts the Findings Statement as drafted and determines that the Authority should proceed with the SBPCR Project, while reserving its rights to review and approve any and all procurements associated with the SBPCR Project as required by the Authority's Procurement Guidelines.

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The next item on the agenda, presented by Ms. Dawson, was a request for approval of another SBPCR Project requirement.

Ms. Dawson reminded the Members that the South Battery Park City Resiliency Project would be implemented through three separate construction contracts, each addressing a specific area within the project area. This was the second contract for the Museum of Jewish Heritage and Wagner Park site work that was being proposed with a contractor, Posillico/Bove – Joint Venture ("JV"). The proposed contract would encompass all the work associated with the construction of the redesigned Wagner Park, but also the site work associated with the work adjacent to the Museum of Jewish Heritage and First Place. This construction package and the contractor would be closely coordinated with a companion contract which was approved last month by the Board for the demolition of the existing Wagner Park Pavilion and the construction of the new Pavilion structure.

She noted that a third construction package would be procured in the coming weeks for the infrastructure and site work associated with Pier A Plaza, the Battery, and interior drainage elements. The site work will include, but not be limited to, the demolition of the existing surface and subsurface elements, the installation of foundations, including piles for floodwalls and site structures, the construction of the flood barrier elements, the construction of tide gate and sewer site elements, the installation of irrigation and water reuse systems, the installation of plantings and trees, and the installation of hard scape elements and other site furnishings. The Wagner NJH site project was designed to achieve Waterfront Edge Design Guidelines (WEDG) certification for the project site, while the Pavilion project was designed to achieve International Living Future Institute (ILFI) zero-carbon certification for the new Pavilion building.

She then described in detail the procurement process for the selection of this contractor starting with a request for proposals issued by the Authority on April 18, 2022 and directed to qualified general construction contractor firms to perform the site work. Mandatory site project walk-throughs were scheduled for May 2nd and May 19th. On July 29th, proposals were received

from six firms. Based on preliminary scoring of the proposals by the evaluation committee, reflected of the stated criteria in the RFP, it was determined that the lowest scoring firm, Padillo, should be eliminated from further consideration. The committee then elected to interview the remaining five proposers, which included EE Cruz, JR Cruz, SLS, Restani, and Posillico/Bove. Following the interviews, Posillico/Bove was the highest technically rated firm scoring slightly higher than the second highest rated proposer, EE Cruz. The committee then proceeded to evaluate the cost proposals. The cost proposals for the work ranged from \$74,405,700.00 to \$119,560,000.00. There was also pricing provided for a barge alternate that ranged from \$350,000.00 to \$7,700,000.00. The barge alternate was to provide the option to deliver materials by barge as a means of reducing the truck traffic through the neighborhood.

During the course of the proposal evaluations, the committee determined that there were some additional opportunities for some cost savings that we wanted to incorporate into the proposals. In addition, the proposal to enlarge the lawn was approved, and also incorporated into the design of the site work as an adjustment to the existing design. These modifications and adjustments were communicated to the proposers through a request for best and final offer, and on September 26, 2022, the Authority received best and final offer submissions from all five of the remaining proposers. Upon receipt of the best and final offer submissions, it was the responsibility of the committee to determine which of the proposers represented the best value to the Authority given the requirements of the project. We were in the fortunate position of having a proposer that was the highest technically rated proposer submitting the lowest cost proposal for the project, and the cost proposal being \$15 million less than the nearest other submission. To make sure that all elements of the scope were adequately covered by the Posillico/Bove, joint venture, we scheduled a descoping meeting with the evaluation committee and the team for Posillico/Bove during which all elements of the scope were reviewed and at the conclusion of that scoping meeting, both the evaluation committee and the construction manager, LIRO, who had served as the evaluation committee's technical advisor, were satisfied that the Posillico/Bove team had captured all elements of the project scope, that they were qualified to perform the work, and the committee unanimously determined that the Posillico/Bove joint venture represented the best value to the Authority given the requirements of the project.

The Posillico/Bove team has demonstrated its understanding of the project and has extensive proven experience with the successful completion of complex site excavation restoration and landscaping related projects in the New York metropolitan area, including the construction of Starlight Park in the Bronx, the World Trade Center redevelopment, MTA e-line connector project, and the Garvies Point Waterfront redevelopment project in Long Island. Its past comparable experience enabled Posillico/Bove to devise a highly thoughtful construction approach for the project that includes a comprehensive list of potential risks and corresponding mitigation strategies, and a sequencing approach and schedule that satisfies the Authority's requirements and required coordination with the Pavilion project. As a result, the real property department recommends that the Authority enter into a 30-month contract with Posillico/Bove in the lump sum amount of \$74,653,200.00 which includes \$3,400,000.00 in allowances to perform the general construction contractor services associated with the Wagner NJH site project.

Ms. McVay Hughes asked if the contract included a person to coordinate or work with the community. Ms. Dawson replied yes.

Upon a motion made by Mr. Petracca and seconded by Mr. Capoccia, the following resolution was unanimously adopted:

AUTHORIZATION TO EXECUTE A CONTRACT WITH POSILICO/BOVE – JOINT VENTURE FOR THE SOUTH BATTERY PARK CITY RESILIENCY PROJECT: WAGNER PARK / MUSEUM OF JEWISH HERITAGE SITE WORK CONSTRUCTION SERVICES

BE IT RESOLVED, that in accordance with the materials submitted at this Board meeting, the President and Chief Executive Officer (the “President”) of the Battery Park City Authority (the “Authority”) or his/her designee(s) be, and each of them hereby is, authorized and empowered to enter into a thirty (30) month contract with Posillico/Bove – Joint Venture in the lump-sum amount of \$74,653,200, inclusive of three million, four-hundred thousand dollars (\$3,400,000) in allowances, to perform the general construction contractor services associated with the South Battery Park City Resiliency Project: Wagner Park/Museum of Jewish Heritage Site Work Construction Services; and be it further,

RESOLVED, that the President or his/her designee(s), and each of them hereby is, authorized and empowered to execute and deliver the Contract on behalf of the Authority, subject to such changes as the officer or officers executing the Contract shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority, such approval to be conclusive evidence by the execution and delivery of the Contract; and be it further,

RESOLVED, that the President or his/her designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and to take all such other and further actions as may be necessary, desirable or appropriate, in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other and further actions heretofore taken are hereby ratified, and any actions hereafter taken are confirmed and approved.

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The next item on the agenda, presented by Ms. Frederick, was an approval of a list of Pre-Qualified Underwriters.

Ms. Frederick mentioned earlier in the Audit Committee report that the Committee reviewed the list of Pre-Qualified Underwriters and recommended that the Board approve it. The list consisted of prequalified underwriters that would be considered in assisting the Authority as we go back to market for our next bond issue.

Upon a motion made by Mr. Petracca and seconded by Mr. Bevilacqua, the following resolution was unanimously adopted:

APPROVAL OF A PRE-QUALIFIED LIST OF UNDERWRITERS

BE IT RESOLVED, that in accordance with the materials submitted at this Board meeting, the BQUL attached hereto as Exhibit A which was previously presented to the Board on August 28, 2018 is hereby approved through August 27, 2024, and the President and Chief Executive Officer (the “President” of the Battery Park City Authority or his/her designee(s) be, and each of them hereby is, authorized and empowered to select and retain underwriters from among the list for the sale of Authority bonds ; and be it further

RESOLVED, that the President or his/her designee(s), and each of them hereby is, authorized and empowered to execute and deliver agreements retaining such underwriters on behalf of the Authority, subject to such changes as the officer or officers executing the Agreements shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority, such approval to be conclusive evidence by the execution and delivery of the Agreement; and be it further

RESOLVED, that the President or his/her designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and to take all such other and further actions as may be necessary, desirable or appropriate, in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other and further actions heretofore taken are hereby ratified, and any actions hereafter taken are confirmed and approved.

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Ms. McVay Hughes made a motion to enter Executive Session, which was seconded by Mr. Capoccia, to discuss the negotiations related to the lease of real property, the publicity of which could substantially affect the value of the relevant properties. The Members entered Executive Session at 3:02 p.m.

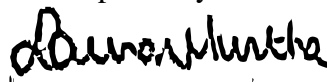
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The Members exited Executive Session at 3:50 p.m.

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There being no further business, upon a motion made by Ms. McVay Hughes and seconded by Mr. Kendall, the Members unanimously voted to adjourn the meeting. The meeting thereupon adjourned at 3:50 p.m.

Respectfully submitted,



Lauren Murtha
Assistant Corporate Secretary

Public Comment
September 1, 2022

1. Pat Smith, the President of the Battery Park City Homeowner's Coalition:

As we have for the last 12 months, the members of the Battery Park City Homeowners Coalition, the people of this community you are duty bound to serve stand ready to negotiate with the Battery Park City Authority to achieve a fair and equitable solution to the problem of ground rents. We need a resolution which enables the more than 5,000 people who own homes in this community to remain in their homes, to leave their homes to their children, or to sell their homes at a reasonable price when life dictates that they move on. We need a global resolution which extends to at least 2119 so we can put the issue of ground rents behind us. We need a resolution which allows the BPCA to operate, to maintain this most beautiful public space, and to meet its bond obligations to improve the space and to protect it from rising sea levels. Working together we can get this done. The recently enacted ground rent agreement between the BPCA and River and Warren reset the ground rent at \$1,683,000.00. Compared to the Homeowner's Coalition proposal of \$1,450,000.00. The difference is about what the BPCA paid the consultant who negotiated on its behalf. The agreement calls for a 3% annual increase compared to the 1% annual increase proposed by the Coalition. Good-faith negotiations can close the gap between 3% and 1%. Again, let's get this done. If you could bear me through one minute more. The Homeowner's Coalition has taken no position on Wagner Park. We are laser focused on ground rents, on preserving affordability, a goal we hope you share. The 18 condo Board presidents who make up this Coalition are the grassroots elected representatives of the more than 5,000 homeowners in this community. Not one of these presidents has approached the Coalition about Wagner Park. This then is a purely personal position. Ten years after Sandy, 16,000 souls are living at the water's edge looking to you to protect their homes. Some people seem to have a different agenda, they want to talk the solution to death. I hope to God these people are out there with sandbags when the waters rise. Board members, you have discussed this, studied this long enough. Get it done before it's too late. Thank you.

2. Christine Dimick:

Thank you, Madame Chair, and thank you to the Board. Good afternoon. And my name is Christine Dimick. I'm the author of Detox your Home and also the host of the Apple Podcast Be the Change. I have spoken on environmental issues at both the United Nations in New York City as well as Geneva. I am a Battery Park City resident, and I live across from Wagner Park. But I'd like to comment today on the resiliency plan you approved for Wagner Park and areas surrounding it. I'm here to speak so it goes on record that there are better resiliency plans out there that would provide the exact same storm surge protection as your plan and would not require the destruction of Wagner Park. I will say it again, there are resiliency plans that would provide the same amount of flood protection as your plan and would not require the destruction or rebuilding of Wagner Park. I recently spoke with the former horticultural director of Wagner Park in Battery Park City, a position they held for a decade. You would be surprised to know that Wagner Park was actually built to flood. There is a system under the large lawns to drain the water back into the Hudson, and all the plants were thoughtfully chosen to withstand winds and waters. In fact, during Super Storm Sandy Wagner Park had under \$1,000 in damage, and two plants lost. It is not the source of the flooding or failure. In fact, Wagner is a successful example of how we should be building our coastal parks. The flooding came from the tunnel. Your plan addresses that, but for some unbeknownst reason to all of us in the neighborhood, or most of us rather, the BPCA Board has chosen the plan that will sacrifice the park. A friend told me he doesn't recycle paper because it is

the right thing to do. He does it because he cares about the trees. He cares about preserving life. I care about the trees and the animals in this beautiful neighborhood, and I care enough about to give my time and efforts to come and save it. So, I ask all of you to care, to care for this community, and do the right thing. Wagner does not have to be destroyed. You know this. You may never be called out on this again, but you will have to live with that decision and knowing you destroyed nature and trees and life when it didn't have to be destroyed. So please, don't do it. Don't make it your legacy, and there is another plan. Thank you.

3. Greg Schelin:

Good afternoon, everyone. Again, my name is Greg Schelin. I live in Battery Park City with my wife and my two daughters, one of them is joining me here today. I'm also a member of the Battery Park City Neighborhood Association. I requested to speak to ask that you not vote today on the final environmental impact statement for the South project. Here's why. The final environmental impact statement was first published on September 28th, 13 days ago. One reason for the publication is to allow involved agencies and interested parties time to comment on the statement, and for your consideration. Then if you want, you will have the discretion to comment, to make changes, whatever it is you think is the right response. This is a major project, \$200 million. It's going to fully demolish a park, which is central to the character of the community, it's going to rebuild a new park that reduces active green space by more than 10%. It's doing this at a time where communities are asking for more green space, not less green space. The statement itself that we have to review is over 500 pages. It's intricate and it's expensive with respect to facts and analysis. Those facts and analysis incorporate and reference other documents that are thousands of pages in length. There's not enough time to review it. The Community Board has not met between September 28th and today. We are fortunate enough that certain organizations have renowned architects, landscape designers, and other professionals who are reviewing the statement with us so we can give you meaningful comments for you to evaluate and make your determination. Please don't rush this judgment. We're asking you to adjourn the meeting, or adjourn the vote I should say, to your regular scheduled Board meeting at the end of this month. We're asking for a meaningful opportunity to be heard and to be considered. Okay. Thank you for your time.

4. Lizbeth Herschew:

We have a newborn at home, so I rushed. So we own a two-bedroom unit in the Millennium Towers in South Battery Park. I know a lot of people quarantined out of the city during the pandemic. My family and I at the time we had a 10-year-old boy, my husband, myself, we quarantined in the city. We were at Millennium Towers for all of 2020 and 2021, and Wagner Park was our refuge. We were there all the time. It's like Greg mentioned earlier, it really lends to the character of the neighborhood. I didn't even know there was a resiliency project in place even though we've lived at Millennium Towers and owned there since 2014. So I was quite surprised when I heard about the plan to demolish the park about a few months ago. And I would also like to request more time. It's such a beautiful park, and it means so much to the community of South Battery Park and North Battery Park. If something could be done which makes it resilient without destroying the park, without spending the \$200 million, I request that BPCA use a little more time, and maybe some community feedback because I believe if the feedback from the community was taken a number of years ago, like five years ago, and recently I don't think anything has been done in terms of a survey and taking the community's input in the last six months. So if that is possible that will be very much appreciated. And if we could maybe hire an organization like SCAPE to review the design that is going to be implemented. I think before spending millions of dollars it's warranted

that we review it one more time. Yeah, that's pretty much all I have to say. Thank you. Thank you for your time.