HUGH L. CAREY BATTERY PARK CITY AUTHORITY
Meeting of the Members
200 Liberty Street, 24th Floor
New York, NY 10281
March 21, 2024

Members Present
Donald Capoccia, Chair
Louis Bevilacqua, Member (remote)
Martha Gallo, Member
Catherine McVay Hughes, Member
Lester Petracca, Member

Authority Staff in Attendance:	Raju Mann, President & CEO Sharmila Baichu, Chief Human Resources Officer Brett Beecham, Associate General Counsel Zachary Bergen, Deputy General Counsel, Procurement & Contracts Daniel C. Carmalt, Esq., Chief Construction Counsel Gwen Dawson, Senior Vice President, Real Property Pamela Frederick, Chief Financial Officer/Treasurer Claudia Filomena, Senior Director of Capital Projects and Resiliency Sarah Fisher Curtin, Director of Sustainability James Gallagher, Special Counsel, Capital Projects Megan Hood, Deputy General Counsel, Real Estate Angela Howard, AVP of Construction & Site Management Craig Hudon, Vice President of Parks Programming Karl Koenig, Controller Eric Munson, Chief Operating Officer Lauren Murtha, Paralegal/Assistant Corporate Secretary Jahmeliah Nathan, Vice President of Administration Jason Rachnowitz, Deputy Controller Aline Reynolds, Senior Technical Communications Manager Kimberlae Saul, AVP Planning & Design Nicholas Sbordone, Vice President of Communications and Public Affairs Alexis Torres Cid, Chief of Staff Ryan Torres, Vice President of Parks Operations Yves Veve, Senior Director of Infrastructure
Others in Attendance:	Various Members of the Public

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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Mr. Capoccia noted this was not only a special day because it's BPCA's Board meeting, it was also the birthday of one of Lower Manhattan's greatest advocates and cheerleaders, Catherine McVay Hughes. Happy birthday, Catherine.

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The first item on the agenda was a request for approval of the minutes of the January 30, 2024 meeting. Before the vote on the Minutes, Mr. Beecham briefly clarified the record for approval of the EW Powell Amendment from the previous meeting.

Mr. Beecham stated that the Board considered a request to increase the change order allowance for the EW Howell contract. In approving the resolution, the Chair commented that he had a concern about a pending change order request related to the concrete color. We want to make the record clear that the resolution approved by the Board is the written resolution that was presented to the Board at the meeting, and that the Chair's concern was not intended to modify the written resolution voted on by the Board. That said, we hear the Chair's reluctance to approve additional compensation related to concrete color and will proceed through the change order process with that front of mind. To the extent that we recommend any additional compensation for that work after our full review of the existing scope in the contract, we will present that change order to the Board for its consideration.

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

<u>APPROVAL OF MINUTES OF THE JANUARY 30, 2024 MEETING</u>

BE IT RESOLVED, that the minutes of the meeting of the Members of the Hugh L. Carey Battery Park City Authority held on January 30, 2024, are hereby approved.

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Next, there was one comment submitted by the public that was presented during the period of public comment.

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Next item on the agenda was the President’s report.

Mr. Mann reflected on his three months by first thanking the Board and the BPCA team for being patient as he gets up to speed. He emphasized that Battery Park City is really one of the most successful urban development projects in the last 50 years anywhere in the U.S with world-class parks and as one of the safest neighborhoods in New York City. He stated that the next 12 months will be critical for the Resiliency work in order to build a waterfront for the 21st century.

Mr. Mann continued, expressing that he was excited about working with Nick on building relationships in Lower Manhattan, as well as updating our strategic plan and what we plan on doing the next five years. He plans to take into consideration the feedback of the Board, the staff and other stakeholders to really make sure the strategic plan is reflective of what we're trying to achieve. He wants to ensure we are all working together to improve our adoption of technology and improve our practices and processes internally.

He concluded stating he is hopeful and excited about leaving this place and this neighborhood better than we found it.

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Ms. Frederick first provided the Members with an update from the Audit Committee which met prior to this meeting. Attending were Acting Chair Martha Gallo and Member Lester Petracca. The committee reviewed the Conservancy tax filings, the IRS 990-N, and the CHAR-500. In attendance were Phil Marciano, the lead partner at C-Biz on our account, and they serve as tax accountant for this matter, and Magdalena Czerniawski, the tax partner. The committee voted to recommend to the Conservancy, and the Conservancy later voted to authorize the Authority to file the IRS 990 and the New York State CHAR-500 on behalf of the Battery Park City Parks Conservancy.

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

Ms. Nathan began by explaining that the monthly report presented to the Members disaggregated the amounts paid to minority-owned business enterprises (MBEs) and woman-owned business enterprises (WBEs), as well as the amounts paid to prime and sub-contractors. However, given the significance and scale of the Authority's resiliency construction portfolio (the "Resiliency Program"), going forward this report also will include separate information regarding MWBE utilization on the Authority's Resiliency Program, as well.

With that, Ms. Nathan reported that tor the month of January 2024, approximately 25%, or $222,820.18 of the Authority's non-resiliency total qualifying expenditure of $884,577.65 was paid to MWBEs.

For the month January 2024, approximately 12%, or $1,768,129.75 of the Authority's Resiliency Program's total qualifying expenditure of $14,922,017.39 was paid to MWBEs. She noted that these months included significant payments for contractor general conditions expenses (e.g., insurance premiums) which are not excluded in reporting, despite the lack of availability of MWBE/SDVOB capable of meeting the Authority's specific requirements. In accordance with applicable New York State law and the Authority's Procurement Guidelines, each contract for the Resiliency Program has been assessed for MWBE utilization goals — typically 15% for MBEs, 15% for WBEs, and 6% for SDVOBs.

Ms. Nathan concluded that for the month of January 2024, approximately 13%, or $1,990,949.93 of the Authority's non-resiliency total qualifying expenditure of $15,815,586.04 was paid to MWBEs. Charts detailing each utilization were made available.

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The next item on the agenda was an update on the Authority's resiliency projects by Ms. Filomena and Mr. Veve.

For our Northwest Resiliency Project, Ms. Filomena stated we have our 40% design solution, which has been with the agencies having jurisdiction since last month. Comments were expected by end of week those designs. Meetings continued with agencies and stakeholders. Once those 40% design comments were received, those meetings will be with, but not limited to New York City DEP, New York City and State DOT, the Port Authority of New York and New Jersey, Borough of Manhattan College, Independence Plaza, Brookfield, and the Hudson River Park Trust. Our Army Corp and Department of Environmental Conservation Joint Permit Application is on track to be filed at the end of March for all the in-water work. We presented to Community Board 1 Environmental Protection Committee as part of the Lower Manhattan Coastal Resiliency Quarterly Update, Reaches 1, 2, and 4 with some additional details and some design development that's happened since our November 30th meeting. There was a lot of great feedback from the community, and in April we are set to present design updates to Reach 1 and Reach 5.

For the South Project, Mr. Veve stated that since the last update the installation of the concrete foundation walls for the Pavilion were completed, along with all the infrastructure required for the electrical and plumbing for the Pavilion. We are in the midst of installation of concrete for our retaining walls and the floodwall. The work on First Place has progressed with our micro piles, and for the sheet pile wall we have completed with installation of anchoring as well as the compaction of all subsurface lightweight fill. On First Place work continues with the relocation of the Verizon and ConEd lines. For the area that is the Pier A Plaza and the Battery work, we continue to do our test bits for ConEd. demolition on site continues as well as partial salvaging. Drawings were received from ConEdison and by the end of the month we will begin the relocation of both gas and electrical lines.

For Sustainability updates, Ms. Fisher Curtin explained that we recently submitted our Zero-Emissions Vehicle plan as part of New York State's commitment to leading by example and converting our New York State fleet to being 100% zero omission vehicles by 2035. With the purchase of two vehicles in Parks Operations, this year our fleet will be 85% zero omission vehicle, and we submitted information about how we will meet that larger goal. In addition, Parks Operations recently recycled 41 pounds in nitrile gloves collected since summer 2023, and these recycled gloves will be made into decking. And continuing on the diverting from landfill topic, 653 pounds of old and outdated BPCA staff uniforms collected since 2021 were recycled this month. Parks Operations found a local vendor to upcycle this material and to be made into rags, shredded into fiber products, and used for purposes like insulation, carpet padding, and mattresses.

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Next, Mr. Munson provided a Security Update.

He began by explaining any discussion on security in Battery Park City needs to start with the PD's First Precinct. Back in 2018, they started a neighborhood policing program, which established the neighborhood coordination officers. There are four neighborhood coordination officers that cover our area. In Battery Park City, we are able to supplement PD's work with our own contract for unarmed security patrols, Allied Universal has been the vendor that we use for these services. We also use geotags, which are basically QR Codes that the Ambassadors can scan to demonstrate that they checked out of reach spots, or spots that wouldn't ordinarily be caught. In addition to those, surveilling the neighborhood, they also notify park patrons if they're breaking the rules and as a result of a collaboration with the NYPD we have a special patrol officer program that enables a select few staff from Allied to issue OATH summonses for limited violations. Their command center is located at 200 Rector Place.

He continued explaining that there is some limited CCTV footage that gets funneled there. They field calls from the community and dispatch staff accordingly, and they manage the reporting out of that location. They staff the lobby at 75 Battery Place, and field inquiries there, and patrol the Community Center at Stuyvesant High School to the extent that there's a scrimmage on the basketball court or something like that. But overall, they really do play this great coordinating role not just with us and our staff, but also with the NYPD and with Brookfield Security on safety matters. Battery Park City is the safest neighborhood and the safest precinct and the safest city in the world. Even those who are unhoused are engaged by Allied and every time they are offered services. We work with the Downtown Alliance, the Department of Homeless Services, the Department of Social Services, and the not for profit organizations that support homeless outreach in Lower Manhattan, and that's primarily Gotthard, to make sure that these folks are offered services and connected to services if they want them.

Mr. Munson ended by again stating we have an incredibly safe neighborhood. There are some issues that are being managed, and Allied provides key support to the NYPD on quality-of-life issues and helps with the overall coordination and management of our security posture here in Battery Park City, and that coordination is just critical to our ongoing success in keeping it as safe as it is.

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The next item on the agenda, presented by Mr. Munson, was approval of the March Consent Agenda items.

Mr. Munson first reminded the Members that according to our Procurement Guidelines, every contract or amendment exceeding a year in duration needs the Board's approval. To address that statutory requirement more efficiently, these items going forward will be bundled into a single agenda item. This agenda is for any contract or amendment that does not exceed $500,000 but extends the term of the agreement beyond a year, or an administrative item. He then gave a brief description of each item.

The first item presented was our property disposition guidelines, which is an unchanged requirement that the Authority has guidelines with OGS to approve the manner in which we disclose of our real property exceeding $5,000. Next was a public art cleaning and maintenance contract for three years, and $489,115.50 with Altus Metal and Marble. After that was a three-year, $116,111.04 agreement with Genuine Plumbing and Heating for a reduced pressure zone backflow preventer inspection and maintenance. Then was a five-year $60,000 agreement with TASK to administer our employee's flexible spending account, transit and wellness benefit programs. Also, he presented a three-year $15,000 agreement with CPR and safety consulting and training for CPR safety and training, and lastly, a seven-month extension of the Board's approval of our panel of on-call construction managers while we complete the procurement for a successor panel.

Upon a motion made by Mr. Petracca and seconded by Ms. Gallo, the following resolutions were unanimously adopted:

APPROVAL OF GUIDELINES FOR THE DISPOSITION OF PERSONAL AND REAL PROPERTY

BE IT RESOLVED, that the Guidelines for the Disposition of Personal and Real Property Owned by the Authority (the "Guidelines") as presented to this meeting, be, and hereby are approved; and be it further

RESOLVED, that the Contracting Officer shall file the Guidelines as soon as practicable with the New York State Comptroller; and be it further

RESOLVED, that the Guidelines be posted on the Authority's website; and be it further

RESOLVED; that the Assistant Corporate Secretary of the Authority be, and hereby is, directed to file the Guidelines with the minutes of this meeting.

APPROVAL TO ENTER INTO AN AGREEMENT WITH ALTUS METAL AND MARBLE MAINTENANCE

BE IT RESOLVED, that in accordance with the materials presented to this meeting, the President & CEO (the "President") of the Authority, or her/his designees be, and each of them hereby is, authorized and empowered to execute an agreement providing for a payment to the Gottesman Organization, dba Altus Metal and Marble Maintenance in the not to exceed amount of $489,115.50 for a term of three (3) years; 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 agreement on behalf of the Authority, subject to such changes as the officer or officers executing the agreement shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority; and be it further

RESOLVED, that the President or her/his designees be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and take all such other and further actions as may be necessary, desirable or appropriate in connection with the transaction contemplated in the foregoing resolution, 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.

<u>APPROVAL TO ENTER INTO AN AGREEMENT WITH GENUINE PLUMBING & HEATING FOR REDUCED PRESSURE ZONE BACKFLOW PREVENTERS INSPECTION SERVICES</u>

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 or his/her designee(s) be, and each of them hereby is, authorized and empowered to enter into an agreement with Genuine Plumbing & Heating for the Reduced Pressure Zone Backflow Preventers Inspection Services a term of three (3) year and for a not-to-exceed amount of $116,111.04, 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 agreement on behalf of the Authority, subject to such changes as the officer or officers executing the agreement shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority; 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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RESOLVED, that the President or his/her designee(s), and each of them hereby is, authorized and empowered to execute and deliver the agreement on behalf of the Authority, subject to such changes as the officer or officers executing the agreement shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority; 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

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.

AUTHORIZATION TO ENTER AN AGREEMENT WITH TOTAL ADMINISTRATIVE SERVICES CORPORATION TO PROVIDE BENEFIT ADMINISTRATION SERVICES

BE IT RESOLVED, that in accordance with the materials presented at this meeting, the President & CEO (the "President") of the Authority, or her/his designees be, and each of them hereby is, authorized and empowered to execute an agreement with Total Administrative Services corporation to provide benefits administration services for a term of five (5) years in the not-to-exceed amount of $60,000; 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 agreement on behalf of the Authority, subject to such changes as the officer or officers executing the amendment shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority; and be it further,

RESOLVED, that the President or her/his designees be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and take all such other and further actions as may be necessary, desirable or appropriate in connection with the transaction contemplated in the foregoing resolution, 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.

APPROVAL TO ENTER INTO AN AGREEMENT WITH CPR & SAFETY CONSULTING AND TRAINING, LLC FOR CPR AND FIRST AID TRAINING 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 or his/her designee(s) be, and each of them hereby is, authorized and empowered to enter into an agreement with CPR & SAFETY CONSULTING AND TRAINING, LLC to provide CPR & First Aid Training Services for a term of three (3) years for a not-to-exceed total amount of $15,000.00, 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 agreement on behalf of the Authority, subject to such changes as the officer or officers executing the agreement 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.

AUTHORIZATION TO EXTEND APPROVAL PERIOD OF CURRENT PREQUALIFIED PANEL OF ON-CALL CONSTRUCTION MANAGEMENT FIRMS

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 extend the Authority's approval of the following panel of pre-qualified construction management firms (the "Current CM Panel") by seven (7) months, from March 24, 2024 through October 24, 2024 – during which time the Authority may continue to assign work to the Current CM Panel on an as-needed/as-requested basis in accordance with the requirements of the Pre-Qualified Vendor Policy:

- AECOM U.S.A., Inc.,
- Elite Construction Company of New York, L.L.C.,
- Epic Management of New York, L.L.C.,
- Hudson Meridian Construction Group, L.L.C.,
- JMT of New York, Inc.,
- LiRo Program and Construction Management, PE P.C.,
- M&J Engineering, P.C., and,
- Yrban Engineers of New York, D.P.C.

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 resolution, 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 a request to approve the reallocation of Series 2013A Bond Funds and Series 2019A and Series 2019B Bond Funds.

Ms. Frederick explained this approval was to reallocate $3.6 million of the 2019 bond funds, and $2.9 million of the 2013 A bond funds. These monies primarily reflect the amounts remaining post the completion of certain projects below the originally approved and bonded amounts. And of note, these projects include the ball fields resiliency, as an example, which Gwen Dawson and her design and construction team did a great job of coming in on time and under budget. I think it set the pace for our resiliency project. Together everyone on the team really managed these projects quite well, which has allowed us to come before you to recommend the $6.5 million reallocation of those funds to their respective general infrastructure funds.

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

RESOLUTION APPROVING THE REALLOCATION OF SERIES 2013A BOND FUNDS

BE IT RESOLVED, that in accordance with the materials presented to this meeting, the reallocation of $2,926,705 of Series 2013A Bond funds is hereby approved; and be it further RESOLVED, that the President of the Authority or his 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 reallocation contemplated in the foregoing resolution, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

APPROVAL OF REALLOCATION OF THE SERIES 2019A BONDS AND SERIES 2019B BOND FUNDS.

BE IT RESOLVED, that approval of the reallocation of $3,552,012 in 2019A Sustainability Bond funds to its respective General Infrastructure funds and the re-allocation of $150,000 in 2019B Bond funds to its respective General Infrastructure funds, substantially in the form presented at this meeting be, and hereby is, approved and ordered filed with the records of the Authority; and be it further

RESOLVED, that the President of the Authority or his designee(s) be, and each of them hereby is, directed to reallocate the 2019A and 2019B Bond funds in the manner consistent with the information presented at this meeting.

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The next item on the agenda, presented by Ms. Dawson, was an authorization to enter into a contract with Pullman SST, Inc. for the Pier A Windows and Doors Restoration, Repair and Replacement Project.

Ms. Dawson began by explaining that we are undertaking a few projects that relate to Pier A that are consistent with our obligations to maintain that building in good and working order. The most recent one is a project to restore and replace some of the windows and doors in Pier A. The building has 107 windows and 12 exterior doors on the first floor. With the first restoration of the Pier back in 2013, the recommendation from our design preservation consultant was that we did not need to replace the windows at that time, but that we needed to monitor them over time, which we have done. In response to the most recent assessment of the windows and doors, it was determined that several of them are suffering from some deterioration mostly related to the marine environment that the building is in. There is saltwater intrusion that requires the restoration of some of the windows, the hardware, the glazing, and in some cases the sills, for about 59 of that total 107 windows and then certain of the doors. An RFP was issued resulting in two responses: Pullman SST and Stalco Construction. The evaluation committee evaluated the two proposals and concluded that Pullman was the higher of the two with respect to its technical scores. In evaluating the cost, there was a significant difference ad as a result we issued a request for best and final offer. The final offers still resulted in a 17% discrepancy between the cost proposers, the Pullman proposal being the higher of the two at $1,316,080. However, because of the very significant difference in the technical scores, the conclusion of the evaluation committee is that the Pullman proposal still represents the best value for the Authority given the requirements of the project. Pullman has very, very wide, and extensive experience with windows and building envelopes and historic buildings in New York City, has its own staff that performs the work. The committee was extremely impressed with both their background experience, their staffing, but also their approach to this project, and considers this something that really justifies the cost differential in this case. So as a result, she then recommended the execution of a 12-month contract with Pullman in the lump sum amount of $1,316,080, inclusive of an add alternate of $102,857 to add security film for the first-floor windows and doors. That was an add alternative because although right now the building is not occupied, we are trying to make some plans for that in the future, so we want to hold off on making the call as to whether that film is necessary for security purposes as we proceed with the project.

Ms. McVay Hughes asked if it would be ready when the resiliency project at Pier A is completed in 2025. Ms. Dawson replied yes, and that certainly part of the advantage of doing this work at Pier A during the South Battery Park City Resiliency Project is that everything is behind the construction fence right now, and we're taking advantage of the fact that this is all happening concurrently.

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

AUTHORIZATION TO EXECUTE A CONTRACT WITH PULLMAN SST, INC. FOR THE PIER A WINDOWS AND DOORS RESTORATION, REPAIR AND REPLACEMENT PROJECT: GENERAL CONTRACTOR 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 an twelve (12)-month contract with Pullman SST, Inc. in the lump-sum amount of one million, three-hundred-and-sixteen thousand and eighty dollars ($1,316,080) – inclusive of an add-alternate priced at one-hundred-and-two thousand, eight-hundred and fifty-seven dollars ($102,857) – to perform the general construction contractor services associated with the Pier A Windows & Doors Restoration, Repair and Replacement Project; 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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Mr. Petracca made a motion to enter Executive Session, which was seconded by Ms. Gallo, to discuss 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 2:52 p.m.

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The Members exited Executive Session at 3:45 p.m.

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There being no further business, upon a motion made by Ms. McVay Hughes and seconded by Ms. Gallo, the Members unanimously voted to adjourn the meeting. The meeting thereupon adjourned at 3:46 p.m.

Respectfully submitted,

LMurtha

Lauren Murtha
Assistant Corporate Secretary

Public Comment
March 21, 2024

Pat Smith: Nick, thank you. On behalf of the more than 5,000 homeowners in Battery Park City, the most highly taxed homeowners in New York, we wish Catherine McVay Hughes a happy birthday. The Coalition, it's been two months since the Coalition met with the Battery Park City Authority to achieve fair and reasonable ground rents. And these most highly taxed homeowners in New York City are waiting for some creative ideas from you, our landlord. For example, you can find ways to help the 18 condo buildings in this community achieve a higher level of energy efficiency, helping us alleviate the enormous fines pending under New York City Local Law 97. Or we could work with the City to devise other ways to use some of the special purpose fund, the joint purpose fund, to benefit the people of this community. When State Senator Brian Kavanagh presided over a meeting of the BPCA and the Homeowner's Coalition 10 months ago he challenged both parties to come up with new negotiation offers. The Coalition submitted its offer to you and to Senator Kavanagh in October and reinforced its offer in January. We are awaiting for your offer so we can work together to resolve this issue. Thank you.