BROOKLYN BRIDGE PARK CORPORATION

MEETING
of the
BOARD OF DIRECTORS

Brooklyn Borough Hall
210 Joralemon Street
Brooklyn, New York

January 22, 2016
11:10 A.M.

BEFORE:

ALICIA GLEN,
THE CHAIR
2

APE ARAN ES:

BOARD OF DIRECTORS:

Alicia Glen, Chair
Joanne Witty, Vice Chair
Margaret Anadu
Peter Aschkenas
Steven M. Cohen
Shari Hyman
Stephen Levin
Mitchell Silver
Maria Torres-Springer
Martin Connor
Henry B. Gutman
Edna Wells Handy
Michael Stinson
Stephen Merkel
William Vinicombe
APPEARANCES:
FOR BBPDC:
Regina Myer, President
Suma Mandel
David Lowen
Other Staff

ALSO PRESENT:
The Public
The Press

Marc Russo, Stenographer
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PROCEEDINGS

CHAIRWOMAN GLEN: Hello, everybody.

Are we on?

Good. Okay.

Sorry for starting a few minutes late.

The meeting of the Board of Directors of Brooklyn Bridge Park Corporation is hereby called to order.

I ask that Suma Mandel, the Secretary of the Corporation, act as Secretary and confirm that there is a quorum for today's meeting.

MS. MANDEL: We have a quorum.

CHAIRWOMAN GLEN: Thank you.

So prior to addressing the voting items on today's agenda, I would first like to welcome the board members, various State and City officials, Regina Myer and her staff everybody else in attendance today.

And, again, I also want to thank the members of the public for joining us here at Brooklyn Borough Hall and, of course, the fabulous Borough President Adams and his staff for
accommodating us in his house. It's terrific to be able to be here today.

So as is our practice, following the agenda items, we will hear any comments from members of the public. If you wish to speak, please complete a speaker or registration card that can be found at the table where you signed in.

When formulating your comments, please note that our policy is to limit speakers to one two-minute turn per speaker.

This meeting is scheduled to end by 12:15 because we started a little bit late. And I would really appreciate people being respectful of this time limit so that we can have as many people speak as possible.

I'd also like to welcome to the board, three new Directors.

Maria Torres-Springer, who is the President and CEO of the New York City Economic Development Corporation and a Brooklyn resident of Park Slope, who I know her kids have spent many a happy hour in the park.

William Vinicombe was nominated and appointed to the board by the Mayor to fill the
seat vacated by Director Offensend. Mr. Vinicombe
is a former Chair of Community Board 2 and a
resident of Ridge Plaza.

Finally, Michael Stinson was
appointed to the board by the Mayor upon the
nomination of Assemblymember Simon to replace
outgoing Director Jeffe. Mr. Stinson is
Chief-of-Staff to Assemblyman Simon.

So on behalf of the board, thank
you ahead of time for all the hard work and your
time.

So let's get started with the
voting items for today's meeting.

The first item on the agenda for
today is the approval of the minutes from the June
11th, 2015 meeting of the Directors. A draft of
the proposed -- sorry, a draft of the proposed
minutes has been circulated to the Directors prior
to today's meeting, along with materials for the
other items to be considered today by the
Directors.

Does anybody have any questions,
changes or corrections to the proposed minutes?

(No response.)
CHAIRWOMAN GLEN: Wow. Great.

If not, I request a motion to approve the minutes of the June 11, 2015 Board of Directors meeting.

DIRECTOR GUTMAN: So moved.

CHAIRWOMAN GLEN: Second.

DIRECTOR CONNOR: Second.

CHAIRWOMAN GLEN: All in favor?

(Chorus of "ayes.")

CHAIRWOMAN GLEN: Any against?

(No response.)

CHAIRWOMAN GLEN: Motion is approved.

The second item on the agenda consists of a few items related to the Corporation's annual meeting. And I will ask Jelani Watkins, the Park's Director of Finance, to make a presentation of the Corporation's 2015 audited financial statements, which are located behind the second tab of your board book.

Director Torres-Springer will then provide us with the Audit and Finance Committee's perspective and collectively, and for everybody,
this will be considered both the annual report and
the annual audit report under the bylaws.

Thank you.

MR. WATKINS: Thank you, Chair
Glen.

The purpose of this presentation
is to obtain board approval of the audited
financial statements for fiscal year 2015.

Before we go over our financial
results, I would like to mention that our external
auditors have issued an unmodified opinion in the
audit report indicating that our financial
statements fairly represent the financial position
of BBP as of June 30th, 2015.

Additionally, in their management
level, the auditors pointed out that all of the
prior year management recommendations were resolved
with no recommendations for this fiscal year.

A copy of the audited financials
can be found behind tab 2 in your board materials.
Please refer to page 9 for a copy of the income
statements.

The total operating revenues for
fiscal year 2015 amounted to $33.6 million, a 20
percent decrease from fiscal year 2014 total revenue. The decrease was mainly due to the charges and non-recurring revenues that tend to fluctuate year over year. A good example would be the $17 million collected in one-time rent this fiscal year versus the $35 million collected under the same category for fiscal year 2014.

Total operating expenses increased by 30 percent year over year to reach $13 million in fiscal year 2015. This increase is mainly due to $1.6 million increase in depreciation expense as we continue to add assets and build the park.

We added 12 acres of parkland in fiscal year 2014.

Accordingly, our operating income for the underlying fiscal year is $20.6 million compared to $32.4 million in fiscal year 2014.

Non-operating income amounted to $30 million in fiscal year 2015, virtually unchanged year to year.

The overall net position increased by $51 million during the fiscal year compared to a $62.5 million increase in fiscal year 2014.

Please refer to page 8 for a copy of our statement of net position.
Total assets increased year over year by $28 million to reach $268.7 million on June 30th, 2015. The main source for this increase was a $34 million increase in net capital assets, reaching approximately $184 million at the end of fiscal year 2015.

Total liabilities reached approximately $30 million on June 30th, 2015, a $3 million decrease year over year. This decrease was mainly due to recognizing revenues for capital funds spent on construction projects which resulted in a decrease in deferred revenue.

The above-mentioned $48 million increase in total assets, combined with the $3 million decrease in liabilities, resulted in approximately $51 million year over year increase in net position, which is approximately $239 million on June 30th, 2015.

CHAIRWOMAN GLEN: That is your -- and Maria, are you going to --

MS. TORRES-SPRINGER: Yes.

CHAIRWOMAN GLEN: Please give us a committee --

MS. TORRES-SPRINGER: Yes, as
Jelani mentioned earlier, the Audit and Finance Committee did meet with BBP staff and with the auditors at Marks Paneth. A good discussion based on that discussion, we were comfortable with the financial position of the organization, the validity of the financial statements, and that the financial controls, sufficient ones were in place for the organization.

At this point, I'd really like to thank BBP staff and the Marks Paneth team for all of the work here.

So based on that meeting and that discussion, we recommend that the full board approve the audited financial statements for the organization for fiscal year '15.

CHAIRWOMAN GLEN: Thank you.

Do any of the Directors have any questions about the financials or any other questions related to either the presentations?

(No response.)

CHAIRWOMAN GLEN: No? Okay. Terrific.

If there are no further questions, then I would request a motion to approve this
request.

DIRECTOR GUTMAN: So moved.

DIRECTOR ASCHKENASY: Second.

CHAIRWOMAN GLEN: Thank you.

All in favor?

(Chorus of "ayes.")

CHAIRWOMAN GLEN: Against?

(No response.)

CHAIRWOMAN GLEN: Motion is approved.

The next item on the agenda is the authorization to enter into a contract for audit services. And I'll ask Mr. Watkins to present this item as well.

MR. WATKINS: Thank you, Chair Glen.

BBP's existing audit contract with Marks Paneth LLP is said to expire in conjunction with the filing of the 2015 tax return later this year.

As such, in November of 2015, BBP issued a Request for Proposal for an accounting firm to perform audit, tax return and other related services.
Seven firms attended the preliminary information session with three firms ultimately submitting proposals. After interviewing the firms, and based on the selection criteria of relevant experience, technical approach, proposed audit team and price, the selection committee unanimously re-selected Marks Paneth LLP as the winning RFP respondent.

The contract will cover services for fiscal year 2016 through 2018 with an optional one-year extension to 2019. The value of this contract is estimated at $151,000.

The Directors are hereby requested to:

1. Authorize BBP to enter into a contract with Marks Paneth for a contract price not to exceed $151,000 for the performance of annual audit, tax preparation and other related services, including any additional services and projects required;

2. Delegate to the President the authority to exercise the option to extend the contract for one additional year without further action of the Directors; and,
3. Authorize the taking of related actions.

Thank you.

CHAIRWOMAN GLEN: Do any Directors have any questions related to this item?

DIRECTOR HANDY: I have a question.

CHAIRWOMAN GLEN: Okay. Edna.

DIRECTOR HANDY: It's Edna Handy.

And it will be a recurring question with respect to all contracting.

What efforts did we take to ensure that we made outreach to the MWBE community to make them aware of the contract to have them involved in the application process?

MR. WATKINS: Well, we sourced the list -- the Controller's list of approved MWBE CPA firms and we reached out to them directly to apply.

DIRECTOR HANDY: And did any of them attend the --

MR. WATKINS: Yes, they attended the meeting and two of the respondents were MWBE firms.

DIRECTOR HANDY: I'm sorry.
MR. WATKINS: Two of the respondents were MWBE firms.

DIRECTOR HANDY: Two of the -- so of the three applications, --

MR. WATKINS: Right.

DIRECTOR HANDY: -- two were MWBE --

MR. WATKINS: Correct.

DIRECTOR HANDY: -- and one was existing?

MR. WATKINS: Yes.

DIRECTOR HANDY: And what were the criteria used in --

MR. WATKINS: So the criteria was, once again, relevant experience, price and strength of audit team. And Marks Paneth by far had the strongest audit team. They had relevant experience and the price was similar to some of the other respondents.

DIRECTOR HANDY: Thank you.

MR. WATKINS: You're welcome.

CHAIRWOMAN GLEN: Any other questions with respect to this item?

(No response.)
CHAIRWOMAN GLEN: Okay. At this point, I would like to ask the Directors for a motion to approve this request.

DIRECTOR ASCHKENASY: So moved.

CHAIRWOMAN GLEN: Second?

DIRECTOR CONNOR: Second.

CHAIRWOMAN GLEN: All in favor?

(Chorus of "ayes."

CHAIRWOMAN GLEN: Against?

(No response.)

CHAIRWOMAN GLEN: Motion is approved.

Thank you.

The next item on the agenda is the approval of Corporate governance actions and I will now ask Ms. Mandel to present this item.

MS. MANDEL: Thank you, Chair Glen.

The board has adopted a number of policies required by the Public Authorities Accountability Act, or the PAAA, which must then be ratified on an annual basis.

We've distributed reviews -- revised resolutions at your seats, marked to
reflect that we are today ratifying the procurement policy, as amended, on June 11th, 2015, which we also provided for your reference.

Copies of the balance of the policies referenced in the resolution for which we are seeking ratification today, are included behind tab 4 in your board books.

Today we are asking the board to ratify these policies for fiscal year 2015, as required by the PAAA.

Additionally, earlier this year, Chair Glen appointed Director Torres-Springer as the Chair of the Audit and Finance Committee.

Pursuant to BBP's bylaws, we are asking the Directors to approve this appointment.

The Directors are hereby being asked to:

Ratify the policies described in the resolution as required by the PAA;

Approve the appointment of the Chair of the Audit and Finance Committee; and,

Authorize the taking of related action.

CHAIRWOMAN GLEN: Thank you.
Do any of the Directors have any
questions or wish to discuss any of these items?

DIRECTOR HANDY: It's Edna
Wells-Handy again.

At the last meeting I was selected
to join the Governance Committee. So I was a
little surprised to see all these policies related
to Governance and not having seen them in committee
and now wonder what the process is for submitting
Governance documents to the full board and not
having it go through the subcommittee, as we have
done with the audit report?

MS. MANDEL: So to be clear, there
have been no changes to these policies. We are
simply ratifying the existing policies as required
procedurally by the PAAA.

So it has not been our practice to
bring existing policies to the board for -- to the
Governance Committee for ratification. However,
going forward, I -- you know, I'm -- we're happy to
do that.

CHAIRWOMAN GLEN: It seems to me
that it would be perfectly reasonable to have a
Governance Committee prior to having the entire
board adopt the -- the procedures. But just to be
clear of the substance, there's been no change. It
doesn't mean that you shouldn't have an opportunity
to look at it again.

DIRECTOR HANDY: So no change
should come from the board, not from the staff
saying there's no change but the board -- looking
at the two of them saying there's no change and
then recommending that to the full board.

With the -- look, if we're talking
governance that -- to the full board -- if we're
talking governance, part of the board liability is
its ability to rely on actions of the
subcommittees. So with this board we're not given
the opportunity to rely on the expertise of the
subcommittee in bringing almost ten items to the
full board.

DIRECTOR GUTMAN: As the Chair of
the Governance Committee, I'd be entirely happy
going forward to have as part of the process -- and
I know that a number of these things, since I'm
also on the Audit and Finance Committee, a number
of these items, although it would appear as
Corporate Governance, aren't -- who are actually
substantively reviewed by the Audit and Finance Committee. So there's no absence of review. I think the question is, which committee does what. Going forward, I would be quite happy --
CHAIRWOMAN GLEN: You have a joint committee of --
DIRECTOR GUTMAN: -- to have a joint committee or to have our committee meet to do that. To this point to the stuff that we addressed, there's been other issues involving the CAC. So going forward we can certainly do that. But I have no reason to doubt the representations --
DIRECTOR HANDY: Nor do I.
DIRECTOR GUTMAN: -- and these do look very --
DIRECTOR HANDY: Let me be clear.
DIRECTOR GUTMAN: These do look like the ones we voted on last year.
DIRECTOR HANDY: Sure. So let me be clear.
DIRECTOR GUTMAN: And the year before.
DIRECTOR LEVIN: And the year before -- so.

DIRECTOR HANDY: So let me be clear. I'm not doubting staff's representation. But it's called governance. And there's a reason for it -- so.

DIRECTOR GUTMAN: I'm happy -- I accept the suggestion as a good idea and we'd be happy to do that going forward.

DIRECTOR HANDY: I think it's a bit more than idea. It's a requirement.

DIRECTOR GUTMAN: Are we required to do this?

MS. MANDEL: Well, if there's -- if there's a concern that the policies in your book have somehow changed and you need the opportunity to compare them, I just want to point out that the resolutions themselves do not ask you to ratify the policies as attached. They ask you to ratify the policies as adopted on the dates listed in the resolution.

COUNCILMAN LEVIN: If I may, I just want to second Ms. Wells-Handy's recommendation that it's not -- it is in the best interest of this
board and of the Corporation to have full
transparency. And if something is to be voted on by
the entire board, it is best practice to have that
recommendation come through committee fully, voted
out, and then be recommended to the entire board
for ratification of what the committee -- that's
the same governance that we have at the City
Council. It's the same governance that we have at
Community Boards and it ought to be adopted.

MS. MANDEL: Yes, we're happy to
adopt that going forward.

CHAIRWOMAN GLEN: All right.

So Councilman, I think you're
right. And, of course, you've been on this board
for a long period of time, so apparently that
wasn't prior practice. But if we want to do it on
a go-forward basis, then we can do that as well.
And so why don't we agree that on a go-forward
basis, we'll adopt that approach, that prior to any
governance resolutions being brought to the full
board, the Governance Committee, either in a joint
committee meeting with Audit, or independently,
depending on people's schedules, we'll make sure
that we've had the subcommittee approvals at that
board so that subcommittee can represent it to the
board.

So I appreciate the comment in
terms of improving our process.

So I would ask, however, since
it's imperative that we do this as part of our
annual meeting, that we adopt it today and we can
always do better in the future.

So I would ask for a motion to
move these items?

DIRECTOR GUTMAN: So moved.

CHAIRWOMAN GLEN: Second?

DIRECTOR HYMAN: Second.

CHAIRWOMAN GLEN: All in favor?

(Chorus of "aies" with Director
Handy opposed.)

CHAIRWOMAN GLEN: Against?

DIRECTOR HANDY: Opposed.

CHAIRWOMAN GLEN: Okay. That's
one opposed.

Thank you.

Okay. The next item on the agenda
is the authorization to enter into the license for
the Pier 1 food concession kiosk.
David Lowen, the Park's Vice President for Real Estate, will present this item.

MR. LOWEN: Good morning.

The Pier 1 concession kiosk is located at the western terminus of Old Fulton Street, adjacent to the Fulton Ferry Landing.

The concession space consists of approximately 120 square feet of kitchen and service space with electric, water and sewer connections.

The kiosk is part of the Pier 1 Gatehouse Building and also includes utility space for park electric and water service.

From 2010 to 2012, Ditch Plains operated a concession in the space and after a short period of vacancy during the 2013 season, BBP granted short-term concession licenses for the kiosk during the 2014 and '15 seasons to Lizzmonade, selling an assortment of cold and hot drinks.

In December of 2015, BBP released a request for proposals to find a longer term tenant for the space. An RFP information system was held on December 18th, which attracted 17
potential respondents. Responses were due on January 5th and BBP received eight responses. After reviewing proposals and interviewing the team members, the selection committee unanimously decided to recommend entering into a license agreement with Lizzmonade based on their competitive financial offer, extensive operating experience, financial capability and the high quality and suitability of their planned operations.

Lizzmonade will continue to serve fresh, artisanal lemonades that are made to order, as well as hot and iced coffee.

In addition, they will be supplementing their offerings with some snacks, which may include fresh fruit cups, yogurt parfaits and dried fruit.

In addition to operating the Pier 1 concession for the past two seasons, Lizzmonade has also operated a food concession at the pop-up pool since 2013. During this time Lizzmonade has won rave reviews from park goers and has shown a high commitment to quality and customer service.

In addition, Lizzmonade will
commit to significant capital upgrades to the space, including the installation of air conditioning and improving signage.

BBP is requesting authorization to enter into a license agreement with Lizzmonade for the kiosk in terms -- for a term of five years with three one-year extensions at BBP's discretion.

The annual license fee will be the higher of a minimum guaranteed payment of $30,000 a year, with annual escalations, or ten percent of gross sales.

CHAIRWOMAN GLEN: Thank you.

Please, Peter.

DIRECTOR ASCHKENASY: The operations and Budget Committee met twice; once on January 11th, to discuss generally reviewing the operations of the park and specifically this issue came up and there was extensive conversation about it.

We then had a special telephone conference call on January 15th to review the recommendations of staff. We looked at it, I think, pretty carefully and unanimously voted to present to the full board our belief that this was
an excellent selection to the Park.

Thank you.

CHAIRWOMAN GLEN: All right.

Does anyone else have any questions or comments on this item?

DIRECTOR HANDY: The same question, --

MR. LOWEN: Sure.

DIRECTOR HANDY: -- efforts to encourage MWBE.

MR. LOWEN: I should note that Lizzmonade is not currently an MWBE but they are in the process of applying for MWBE certification.

DIRECTOR HANDY: Great. And the process for encouraging others to bid?

MR. LOWEN: We -- you know, we reach out to a pretty wide net when we do our concessions. We have a list of people who have contacted us and shown interest and we also advertise in the City Record, as well as reach out to Borough Hall and other institutions to see if anyone -- anyone who has a list of concessionaires who would be interested in operating in parks.

That's, you know, put it on our distribution list.
I think our distribution list for this RFP was in the several hundreds -- so.

CHAIRWOMAN GLEN: Any other questions?

(No response)

CHAIRWOMAN GLEN: Okay. If not, I'd like to ask the Directors for a motion to approve this request?

DIRECTOR ASCHKENASY: So moved.

CHAIRWOMAN GLEN: Second.

DIRECTOR GUTMAN: Second.

CHAIRWOMAN GLEN: Thank you. All in favor?

(Chorus of "ayes.")

CHAIRWOMAN GLEN: Against?

(No response.)

CHAIRWOMAN GLEN: Motion is approved.

The next item on the agenda is the authorization to enter into agreements relating to capital projects.

Ms. Myer, Pat Kirschner and I've also asked Robert Collier, who is the Deputy Commissioner at the New York City Department of
Transportation, and the Chief Engineer for Bridges, to participate in this presentation with respect to capital projects and particularly focusing on the Squibb Bridge issue.

PRESIDENT MYER: Thank you, Chair, Glen.

I wanted -- before Pat talks about our other capital items, I would like to talk about Squibb Bridge in depth.

The Squibb Bridge represents a collaborative effort of the Brooklyn Bridge Park, City Parks Department, local elected officials and numerous community groups to improve opportunities for pedestrian connectivity from Brooklyn Heights to the Park.

As a part of both the 2010 and 2011 MOUs negotiated by the City, State and the local elected officials, which allowed development of the Park to proceed, the City agreed to work in good faith to commence construction of the bridge within 18 months of it being fully funded. And this funding was provided by the City in the FY '11 and '12 budgets, via contributions from the Mayor, the Borough President and the City Council.
In November 2011, following a design competition, BBP, in close consultation with Parks and Michael Van Valkenburgh Association, selected HMTB, an award-winning engineering firm, which has been engaged on a number of major public bridge projects, as well as pedestrian bridge projects in the nation, to design and engineer the bridge and provide construction administration services during construction.

The selection committee determined that the design was the most appropriate for the site, echoing the material context of the park and featured an underslung suspension design, fully supported from below to completely open up the views in all directions crossing into the park. HMTB's proposed design also had the lowest estimated construction cost.

In December of 2011, BBP assisted by HMTB and other consultants, selected a contractor to construct the bridge and proceeded with the construction of the bridge and the surrounding landscape.

And in March 2013, the bridge opened. It was an immediate success and provided a
vital circulation link for pedestrians, offering
park visitors a convenient and dramatic approach to
the waterfront.

Following its opening, as a part
of our standard protocol, we regularly monitored
the bridge and in August 2014, we observed
significant misalignment and immediately closed the
bridge. Since that time we've worked diligently
with HMTB to repair and reopen the bridge.

To further ensure safety, in
October 2011, we hired Arup, one of the world's --
another one of the world's top engineering firms to
perform a structural peer review of the bridge and
repair detail, as well as another engineering firm,
Atlantic Engineering Laboratories, to perform
special inspections to confirm that the repair was
performed in accordance with plans and
specifications.

After developing and fully vetting
a repair plan and receiving approval of the board,
in February 2014 to move forward, BBP worked with
HMTB and its other consultants and contractors for
the next ten months to execute this repair plan and
reopen the bridge in as timely and cost effective
way as possible.

We worked with HMTB in good faith for the past 16 months to reopen the bridge, relying on their professional expertise and integrity. We made repairs to decrease lateral distortion and add to the stability of the bridge and then we agreed to conduct additional additional series of investigations towards the end of which it ultimately became apparent that HMTB was either unwilling or unable to provide a workable solution for reopening the bridge.

At this point, we can no longer recommend working with the original engineer of record. We've concluded that the best course of action to reopen the bridge is to remove HMTB from the project and retain Arup, the engineer that peer reviewed the bridge and repair detail, as the new engineer of record.

In addition, the City's DOT Division of Bridges will join our review team, consulting with us on all aspects of repair and construction.

At this point, I want to turn this over to Bob Collier.
MR. COLLIER: So as you know, New York City Division of Bridges runs one of the larger bridge programs, municipal bridge programs, in the country. We have many historic and complex structures and we know that this is vital to the region.

A VOICE: Could you speak into the mic, please.

MR. COLLIER: The -- the program we run also includes many pedestrian bridges and -- and that program includes many parks' bridges. So we do run with Parks on currently 118 bridges.

On this project, our expertise will guide the future decisions that are made in reopening the Squibb Bridge. We'll look through the design details, the retrofit, the construction and we have extensive experience in bringing projects to fruition.

We look forward to reopening the Squibb Bridge.

Thank you.

PRESIDENT MYER: Thanks, Bob. Today we are seeking board authorization to engage Arup to design and oversee
implementation of a plan to complete stabilization
of the bridge, which entails installation of a
retrofit that will modify the original design.
The projected cost of their
services is $516,000. We have confidence in Arup's
expertise and ability to complete this repair
process along with the extensive DOT review.
It was competitively selected to
perform the peer review.

After the past year, they have
demonstrated exceptional insight and knowledge of
the structural issues. Once Arup finalizes its
proposal, which we will estimate will take about
six months, we will issue an RFP for the
recommended repairs and return to the board to
request approval of that contract as soon as
possible.

Additionally, as we previously
advised you, we will vigorously pursue recovery for
the cost of repairs.

This morning, we filed a lawsuit
against HMTB for claims relating to the bridge's
defective design. We, of course, will keep you
apprised of the progress of the lawsuit.
We'll also provide a copy to you of the complaint filed earlier today and upon reopening a report regarding the steps to ensure the bridge's safety, as discussed in the February 2015 meeting.

CHAIRWOMAN GLEN: Thank you.

I just want to note for everybody that we do have an Executive Session scheduled at the end of this meeting. So I would ask Directors to defer any questions relating specifically to the litigation to the Executive Session. Obviously, any other questions regarding the proposed design services contract, we should have that conversation now.

Steve.

DIRECTOR COHEN: I just have a couple of questions in light of the history over the last 16 months or so since the bridge was closed.

To begin with, I recall that approximately a year ago, the board was asked to authorize the expenditure of, I think, of about $700,000, $750,000 in connection with looking at the problems and to begin remediation efforts. And
I'm just wondering if you could detail for the board and those in attendance, what that involved, what happened to that money? Is this something that has led you now to conclude that that was a wasted effort? Or is that part of a continuing effort?

PRESIDENT MYER: Thanks, Steve. You're right. In February, February of last year you authorized funds to -- to repair the bridge. All of those funds were spent and the good news is, is that the lateral distortion was fixed with that -- with those funds. So that fix is in place and we have not wasted funds on that fix. That fix has -- engineers have ascertained that that fix is required.

The next step is, unfortunately, that another fix is required for this bridge and that is what we've engaged Arup and what we were talking to DOT about.

DIRECTOR COHEN: And has Arup, which I gather got involved about, it sounds like from the chronology about a year ago, has Arup been part of the efforts to remediate the bridge or was that the prior entity, HMTB?
PRESIDENT MYER: HMTB was the lead -- was the designer to remediate the bridge. Arup at that point was only peer reviewing the work that HMTB did. So in this case, their scope is significantly expanding to address these other items.

DIRECTOR COHEN: But this is not a new issue to Arup. It sounds like they've been involved. It's not as if you've --

CHAIRWOMAN GLEN: We're not starting de novo.

DIRECTOR COHEN: That's what I'm asking.

PRESIDENT MYER: No.

CHAIRWOMAN GLEN: But we're trying to actually move forward in a more expeditious way and have another set of eyes on this --

PRESIDENT MYER: Correct.

CHAIRWOMAN GLEN: -- so that we don't have the same conversation a year from now.

DIRECTOR COHEN: Great. And look, I -- speaking only for myself, I welcome that DOT is now involved. I would encourage you to please, keep us all informed and, you know, from my
standpoint, the more aggressive and the more
vigorously you can be in manhandling this thing to
completion, I think we all will be grateful. You
know, that bridge is an extraordinary, or was an
extraordinary amenity to the community and, you
know, as far as I'm concerned, we have to place a
priority on getting that reopened in a safe fashion
and then seek whatever remediation or recovery --
or whatever recovery we can.

CHAIRWOMAN GLEN: I think -- I
think that's absolutely right.

Are there other questions for
staff or for DOT with respect to this?

Councilman.

DIRECTOR LEVIN: In bringing Arup
on that, obviously, they're the peer review firm,
will we be bringing on a second firm to do peer
review of Arup's work or is that something that
happens only --

(Laughter.)

DIRECTOR LEVIN: -- during
construction?

CHAIRWOMAN GLEN: These are your
tax dollars at work right here. This is -- enough
-- we're not going to hire -- that's why we're bringing DOT in.

DIRECTOR LEVIN: Okay. I understand that DOT does -- I mean, obviously, you operate and maintain our major bridges and, as you said, bridges with the Parks Department. This is a different sort of bridge. I mean, you don't have any other bridges, I don't think, in your portfolio that are like this, are wood or have the kind of give that has been -- I mean, is there -- I'm just -- do you think that it is totally within DOT's expertise to be able to conduct a peer review as a separate engineering firm would be able to do?

And -- or, you know, is it entirely -- do you have the resources to do it? Do you have the expertise to do it?

MR. COLLIER: We do have the resources. We do have other bridges that are wood in the -- in the City inventory, not to this design but we do have other bridges around.

I think we can keep up with where everybody's going and we'll -- we're going to attempt to do this in house. We do have an entire in-house design group that I have at my disposal to
review.

DIRECTOR LEVIN: And do you think that, candidly, do you think that you have the independence to be able to conduct a thorough peer review as a separate engineering firm would be able to do?

MR. COLLIER: I believe we do. We're probably better at it than some of the engineering firms.

DIRECTOR LEVIN: Thank you.

A DIRECTOR: At least one.

(Laughter.)

CHAIRWOMAN GLEN: But in all seriousness, I think, Councilman, the point is -- I think what we want to do is stay very close to this and provide, you know, if not, monthly may not be appropriate, but real time feedback so that if issues are being flagged, we can address them.

And again, having a person who, like I said, works so closely with the City and the Parks Department and, obviously, everybody's incentives here are highly aligned. So I think this -- I think it's a terrific addition to the team and I also think we have confidence in Arup's
ability based on other work that they've done.

So are there any other questions

with respect to this?

(No response.)

CHAIRWOMAN GLEN: What I'd like to
do, I know that we also have other capital items at
which point then we can vote on all these items.

PRESIDENT MYER: Can we do -- do

you want to do it after?

CHAIRWOMAN GLEN: Can we finish

the capital -- let's finish the capital items and

then Senator Squadron's going to make a brief

presentation.

Thank you.

PRESIDENT MYER: Go ahead, Pat.

MS. KIRSCHNER: Thank you.

The agreements being presented for

consideration and approval today represent a total

requested authorization of $12,697,493, to be

funded from the capital budget and are described in

further detail in Exhibit A.

All contractors were selected

through a competitive process.

We are pleased to request
authorization to build a new maintenance and
operations facility and boathouse on Pier 5
Uplands. Both of these buildings have been
designed by Architectural Research Office, ARO.
These buildings are part of the City capital
allocation of FY '14.

I want to show you a few slides.
So this is -- they're on both
screens. But I'm going to stand here. Let me know
if you can't hear me.

Here's the Pier 5 Uplands project,
which we looked at in -- what was that, June, I
guess. And we started this work in September and
construction has begun.

Here's Furman Street, Joralemon
Street, the Montague Fan Plant and the turnaround.

So the -- this is our office, this
is where our administrative offices are.

This is where the new M&O building
is going to be and the new boathouse.

This plan increases green space
with these lawns. These are terraced and sloped
lawns.

We have a grove here of shade.
trees and a water garden along here and another
sound attenuating berm.
We also have this loop -- the loop
around here on Montague Street is a dropoff right
next to the boathouse. And an improved entrance,
pedestrian entrance here at Joralemon.
If you're standing right here
looking up at the Heights, this is what you'll see.
Here's the new boathouse. You can see it's a
two-layer boathouse, it's two levels. Underneath
there's boat storage and up above is the public
restrooms and a -- I think the next slide shows
better.
We have -- now we're standing on
the promenade looking down at the boathouse. The
restrooms are in this corner. The storage areas
for boats is below, and there's a wonderful meeting
room up on the top.
You can see we're really close to
the Pier 4 beach, the community dock and the
dropoff.
This is the view from inside on
the top layer. This is a work room for boat
building, meetings, lectures and has a terrific
view of the harbor.

Now we're back up on the promenade looking out over the Pier 5 Uplands. This is the location of the new M&O building, close to our offices here, tucked into the berm.

This is the street view. This is Furman Street. The -- Furman Street, as you all know, this is kind of the tough kind of corner right now. So this plan is -- we worked really hard to enliven the street fronts. The building has a variegated, sort of saw tooth edge that's made of prefabricated material and glass. It has -- we've opened up this whole corner. This is where the horticultural center is going to be, the lab, which is in the sunny corner.

It -- ARO worked really hard. They gave us a simple utilitarian design. It's elegant, efficient and was very cost effective.

This is the picture of the building from inside in the work area. There's, you know, our storage area. We have bins here for compost and soil. This is our protection area, our charging station for the electric vehicles.

Inside we've got trash handling
equipment, storage room, work shop, metal shop, wood shop, some offices for managing all that. And then, again, a horticultural lab is here.

CHAIRWOMAN GLEN: Okay. Great. Beautiful. MS. KIRSCHNER: Yeah, it is beautiful.

These new buildings will provide much needed support to maintain the park and provide water access amenities.

We issued an RFP to construct the buildings and have selected PJS Group, who scored the highest, including exceeding the MWBE goals, to do the work.

These buildings will be constructed with City capital and operational funds.

And now the final capital item.

Pier 2 Uplands Park Design requires an amendment to our existing contract with MBVA, most recently amended by the board in February of 2015, to include additional sub consulting. This will be funded through the capital budget.
BBP staff recommends authorization of these requests.

CHAIRWOMAN GLEN: Thank you.
And thank you for the presentation.
It's beautiful.
Any questions on these items for Pat before we take a vote?

DIRECTOR HANDY: So thank you for the MWBE reference --

MS. KIRSCHNER: Yes.

DIRECTOR HANDY: Can you tell me what you mean by exceeding MWBE goals?

MS. KIRSCHNER: When the -- when they submit their proposal, each contractor has to outline how they're going to meet the MWBE goals, which is 20 percent of the subcontracting parts of the bid. And they -- they were at almost 30 percent. So -- and they know that we take it very seriously.

DIRECTOR HANDY: And do we have a monitoring process in place for all this?

MS. KIRSCHNER: Yes, yes, we -- yes, absolutely, we keep track of everything.
CHAIRWOMAN GLEN: Other questions?

(No response.)

CHAIRWOMAN GLEN: Okay. If not, Senator Squadron has requested a few minutes to speak prior to the vote. This is a departure from our practice, usually. But I'm willing and happy to do it today in light of the fact that he's actually representing Director Ott, who was unable to attend today's meeting, so we welcome Senator Squadron.

SENATOR SQUADRON: Thank you very much.

And first of all, I really do appreciate the courtesy for allowing me to speak at this time since my appointee is not able to be here today and it's by Herculean efforts on all sides to logistically bring him in electronically. It was simply not possible, so I really do appreciate the courtesy being extended to me by the Chair and the entire board.

Before the Squibb Park Bridge vote, I -- I thought it was critical to provide a little history on the Squibb Park Bridge.
In 2011, Assemblymember, former Assemblymember Millman and I, signed an MOU with the City that delayed and reduced housing in the Park. As, I think, everyone in this room knows, I continue to oppose the luxury housing model to fund the park that is more than a decade old.

Critically the MOU also ensured capital funding for the park and required the construction of a number of important amenities, including the Squibb Park Bridge.

Borough President, at the time, Markowitz, and Councilmember Levin, still current, allocated City capital dollars for its construction, which cost, I think $4.1 million.

It opened in March of 2013 and provided a vital access point, as Board Member Cohen said, to the park, to which no other access exists between Joralemon Street and Fulton Street, a critical point to remind ourselves of.

The bridge was closed in August of 2014. That means the bridge has now been closed for longer than it was open.

From the beginning there was a distinct lack of communication and transparency on
the bridge's closure. For the first few weeks, the
closure was not just of the bridge but included
Squibb Park itself, as well, a City Parks
Department park.

My office and others objected. We
worked together to get the park reopened but
without any explanation for the park's closure.

In October 2014, the park told a
reporter the bridge would be open by the spring.
There was no comment about the cause of the closure
beyond the initial report of misalignment.

Almost a year ago, at the park's
February board meeting, Board Member Ott raised
serious concerns about the cost of repairing the
multi-million dollar project so soon after its
initial construction and long-term concern about
public confidence and the bridge's integrity.

Board Member Ott, along with
Councilmember Levin and Board Member Cohen made two
requests:

1. That the costs would be
recovered; and,

2. That the park would release a
public incident report.
Chair Glen Agreed. Said, "We're getting the bridge open but simultaneously making sure we're exercising any of our rights under the various insurance and potential claims.

President Myer also agreed. I think now we'll consider that but right now we don't want to jeopardize any possibility of litigation.

Right now the goal is to get the work underway and to get the engineers to sign and seal and assure this is a safe project.

In April last year, my colleagues and I sent a letter urging that the incident report move forward.

On May 3rd last year, the park missed its own deadline for reopening the bridge but assured us that a permanent solution had been identified. They projected reopening in late spring or early summer.

On July 14th last year, we were told by the corporation that repairs had been made and the bridge was, "currently undergoing final inspections and awaiting occupancy permits from the City."
At the one-year anniversary of the closure, last August, my colleagues and I asked the park for the specific status of current inspections, any additional inspections required, those responsible for the inspections and a time line for full reopening. The Corporation did not answer this letter from the community's representatives in detail.

Instead, it again offered vague assurances it was working with the engineers and City authorities to reopen the bridge and, again, promising an incident report but only at some point in the future.

Through the fall we were told it was proceeding and then we were told nothing until yesterday.

Today's news is disturbing for many reasons. And I appreciate the board's conversation because primarily it's about the fact this community amenity is still closed and there's not a clear path to reopen it. I appreciate the fact that we got a time line for that with a six-month period, followed by an RFP, followed by construction.
But the lack of transparency over time that I've just outlined is also disturbing. This is a public amenity in which the community and its representatives have an interest. The pattern of scant information sharing and collaboration are unacceptable and do not sufficiently acknowledge the public role in this public amenity.

It is critical that we get assurances that this will change.

Second, more money is being allocated for the bridge repair but no incident report is available, no time line for an incident report has been shared and there's no sense of the scope of what such a report would cover.

Third, I'm very pleased the DOT is now involved. I agree that I'd rather hire DOT than a whole lot of folks. But why weren't they involved over the last 17 months?

This information must all be shared for transparency and, also, to begin to rebuild public confidence and the bridge's structural integrity.

Moving forward, I urge the park staff and the board to get the bridge open safely
and quickly, which we've heard a commitment to
today and I do highly appreciate. And to, also,
simultaneously be more transparent and
collaborative on this issue and, frankly, many
others.

I hope a commitment to both goals
is made explicitly today before the vote.

One other agenda item I note today
is the consultant for the water feature, the Pier 2
Uplands that was just described. This is the same
location of the park's pool, which was another
amenity we secured from the City in the 2011
Memorandum of Understanding.

As you will note in your board
packets, my colleagues and I are urging that the
pool not be replaced until a permanent pool is
available. I've been assured that nothing about
this vote impacts that decision.

I urge that the consultant be
directed to also begin a feasibility study on the
permanent pool and I do encourage the board to
engage the public on this issue before any
decisions are made.

I really appreciate the
opportunity. I do hope that moving forward we will get the bridge open. We'll have a more collaborative relationship with a higher level of transparency and I really do, yet again, thank you for the opportunity to speak out of order today, Chair.

Thank you.

CHAIRWOMAN GLEN: Thank you, Senator Squadron.

At this point, I would like to ask the Directors for a motion to approve the requests -- the resolutions that were in your packet?

DIRECTOR COHEN: So moved.

CHAIRWOMAN GLEN: Second?

DIRECTOR HYMAN: Second.

CHAIRWOMAN GLEN: All in favor?

(Chorus of "ayes."")

CHAIRWOMAN GLEN: Against?

(No response.)

CHAIRWOMAN GLEN: Motion is approved.

Thank you.

I will now turn it over to Ms. Myer for presentation of the President's report.
And then, in light of time, I do want to make sure -- can we -- I will go to 12:30 because this did take a little longer than I expected so I would like to give folks in the audience an opportunity to speak. So that would be my intention if people can stay until 12:30. So I would appreciate it.

Regina.

PRESIDENT MYER: Thank you, Chair Glen.

I have a brief President's report. Since we last met in June, we've opened several new sections of the park.

Here you can see the John Street section and then, of course, the new Main Street section of the park, 99 Plymouth Street, providing space for the Conservancy's education program and, also, space for community art installations relating to the waterfront history and environment.

In October, many of you joined us for the opening of the Pier 6 parkland with a major flower field that we look forward to opening in spring.

In terms of park construction,
many of you heard Pat's presentation on Pier 5 Uplands. We broke ground over the winter. That's the former Schmorgasbord space and we expect work to be completed in 2017.

With funds allocated by the Mayor last year, we're moving ahead with the plans for Pier 3 and the Pier 2 Uplands. These sections are in the design phase now. We enjoyed reviewing those plans with you last month.

In addition to the park openings already mentioned, it was fantastic to open St. Ann's Warehouse in its permanent home of Tobacco Warehouse last October. We are now accepting permit applications for the community space known as the studio and the triangle garden is set to open in spring.

We've included our 2015 programming wrap-up press release in your materials so you can read about the fantastic season we've had. Along with the Conservancy, we're currently working on events for next spring.

In -- yet behind -- Please Touch the Art, in partnership with the Public Art Fund, has been an incredible success this year. The
water sculpture appearing rooms is no longer
working, of course, although the mirror labyrinth
and the modified benches will be on view until
April.

We're also extremely fortunate to
have benefited from a partnership with Two Trees,
bringing Deb Kass' Oy Yo to the Main Street lawn.
The piece has been fantastically popular with
visitors. I heard it almost broke Instagram.

In terms of development, in terms
of update, Alli's Construction is moving ahead on 1
John Street with facade work continuing and a
projected opening this summer.
The studio annex of the Brooklyn
Children's Museum is on time and we expect them to
open some time in the summer.

At Empire Stores, the current work
is proceeding with the installation of the curtain
wall on the roof top additions and utilities.
West Elm, which occupies nearly a
third of the development, is expected to open its
office and retail on Main Street this summer. And
their signed retail tenants include Chinola,
Vinegar Hill House and Feed.
The Historical Society is finalizing their plans at the Empire Store, projecting a soft opening in September. The new space will immerse visitors in the dynamic history of Brooklyn's waterfront with multi-media exhibits, interactive features and digital displays.

The marina is open -- is -- we're anticipating the opening this spring. So far, four of the five docks have been installed. In addition to renting out boat slips, the marina will house a sailing club and dock club offering accessible boating programs.

Moving on in terms of other development sites. To recap at Pier 6, pursuant to the May 2015 settlement on the Pier 6 development lawsuit, we submitted a request to ESD for a modification to the Park's General Project Plan to explicitly allow affordable housing, community facilities, including universal Pre-K, closure of the Loop Road in order to add 10,000 square feet of open space and a reduction in the height of each building by three stories.

Following our request, on June 22nd and 25th, the boards of BBPDC and ESD
respectively adopted the GPP modification. ESD has
held its public hearing on the modification on July
30th and written public comment period ended on
August 31. We expect that the next step in the
process is that for BBPDC and ESD to vote on
affirming the GPP modification and we'll brief you
on this progress at the next board meeting.

In terms of Pier 1, on the legal
front, in September Judge Knipel denied Save the
View's Now motion for a preliminary injunction on
the construction of the building and dismissed the
case. Save the View Now has filed a petition in
the Court of Appeals, seeking to enjoin
construction.

This motion was rejected by the
Appeals Court in December.

Last week, they submitted
additional papers to the Appeals Court, appealing
Judge Knipel's decision. A court date on these
papers has not been scheduled.

In early December, the same group
was joined by the Brooklyn Heights Association in
filing a second lawsuit on the Pier 1 development
site alleging that the southern building infringes
on the scenic view corridor.

In late December, Judge Knipel denied a temporary motion for temporary restraining orders.

On non-lawsuit Pier 1 news, the projected opening for the apartments is -- is this summer and the hotel is scheduled to open in the fall.

At the Pier 5 and 6 Loop Road, overall the pilot project this summer converting the Loop Road to one-way northbound travel and replacing the parking spaces with a dropoff was a success. We're now working with Sam Schwartz, our traffic engineer and DOT, to review feedback so we can propose significant -- excuse me, specific design changes to ensure safety and accessibility. Once we've reviewed these with DOT and the MTA, since the bus also stops at the Loop Road, we will engage the CAC for community feedback well before working to implement the changes.

Lastly, in terms of the Community Advisory Council, in -- on September 9th, 2015, the CAC passed a resolution stating, in accordance with the letter of the NYC Controller, we ask that the
Brooklyn Bridge Park actively pursue the opportunity to issue a bond for any capital need and on the basis of financial transparency to permit participation in the process by the CAC. In light of the fact that OMB has made it clear that it does not support this mechanism of funding, the park operations and maritime infrastructure needs, we will not be acting -- we will not recommend acting on this resolution.

As I also mentioned at our last meeting in June, the CAC proposed amendments to its bylaws in response to the withdrawal of the Community Board 2 representative who had served, as mandated by the bylaws, as one of the two co-chairs.

We met with representatives of the CAC to provide preliminary comments on these proposed amendments, none of which were incorporated in the version subsequently approved by the CAC.

These were referred to the BBP board of Governance Committee for review. As the CAC was not responsive to the suggestions the board
-- excuse me, the Governance Committee suggestions, the committee recommends not considering the currently proposed amended bylaws. And as a result, BBP staff has recommended not acting on the outstanding membership approvals at this point.

We hope to continue to work with the CAC and the Governance Committee on this item. And that's the end of my President's report.

CHAIRWOMAN GLEN: Thank you, Regina.

Do any Directors wish to make any comments or raise any other matters with respect to the President's report?

(No response.)

CHAIRWOMAN GLEN: Okay.

Thank you very much.

Are there any other matters that the Directors would like to speak to now? And as I said, we will have a few minutes for Executive Session afterwards if there are --

DIRECTOR GUTMAN: If I could --

CHAIRWOMAN GLEN: Hank.

DIRECTOR GUTMAN: The Chair didn't
invite Directors to say anything after Senator Squadron and we've now voted. But I would just like to make clear for the record, that everybody on this side of the table is incredibly frustrated that the Squibb Park Bridge, has been closed for as long as it has been.

Speaking personally, as my friend Mr. Cohen did before, I live two blocks from that bridge. It was the way I went to the park multiple times a week. My elderly parents live around the corner. It was the only way they could get to the park by foot, which is a true of a lot of older people, younger people like those P.S. 8 school kids, who routinely -- I would routinely see going down there as classes and it's also true for the disabled.

So there's nobody in this room who hasn't been at least involved in the park, either as board or staff, that hasn't been deeply committed from the outset to fixing that bridge as promptly as we could, being in the position to assure the public that it was safe and getting back to that.

And, yes, to the extent that there
were monetary issues, in due course recovering them
from the people who were responsible, which is why,
as you may have noticed earlier, but was not
reflected in the Senator's remarks, we sued them
today to recover that money. Once the litigation
starts, there isn't going to be an incident report
because we're in litigation. We are doing what we
can do.

The decision of the park in the
first instance to try and work with the engineer,
highly regarded, well respected, well respected,
used on lots of big projects all over the country,
to fix his own work and stand up for it and certify
it, was the appropriate response. That was the
quickest way home.

Sadly, he refused to do it. And
to the extent that you've recited, all of those
times when people thought it was going to happen,
those were honest reports based on the state of
communications with the engineers, who we counted
on, who park staff counted on, in good faith to fix
this. He failed. We've sued him and we've now
reluctantly had to move on to somebody else.

So that's the true situation. We
can't talk more about it publicly because it is in litigation. I trust the Senator understands that. And whether or not the Senator understands it, it is the fact. And I don't want anybody to think that this board, or any of the people in the park, have not been deeply committed to fixing that bridge, for personal reasons, for our fiduciary duty reasons and for all reasons from the very beginning. And we're all doing the best we can.

CHAIRWOMAN GLEN: Thank you,

Director Gutman.

So if there are no other comments or questions at this time, for the remainder of the meeting, we will hear comments from the members of the public.

As I said, we'd like to go until 12:30 and I actually think we'll be able to make it based on the number that I have here. If there anybody else that wishes to speak, there's a sign-up table outside.

As I said, each speaker must limit their remarks to two minutes to allow everyone who wishes to speak. There will be a warning bell after one minute, or one-and-a-half minutes and you
will have 30 seconds to conclude your remarks. After two minutes the bell will ring a second time and you will be asked to stop.

The first three times are:

Nancy Webster.

Lucy Koteen; and,

Maria Espinal.

Nancy.

MS. WEBSTER: Hi.

Thank you.

I'm Nancy Webster with the Brooklyn Bridge Park Conservancy and just a couple of quick things to say.

Regina had pointed out in her President's report about the opening of 99 Plymouth and within that, the Conservancy's environmental education center.

So after opening that center in September, we've had over 3,000 members of the public and school children come through to learn more about what Brooklyn Bridge Park has to teach us all about -- about New York Harbor, the Hudson River Estuary and the native flora and fauna in this region.
So I'd like to extend a personal invitation for all members of the Brooklyn Bridge Park board to come in, visit us there. It's a charming, engaging, wonderful room and we would love to show it off to you.

Second, I just wanted to say on behalf of the Conservancy, we're very excited about continued park progress. The beginning of construction of the Pier 5 Uplands, the boathouse and the maintenance and operations building. I think what we can certainly say about this park is forward progress in park construction still continues. It's very exciting for those of us who program and work with the park on a day-to-day basis.

And then, finally, a note about Squibb Bridge.

Certainly, it has been a long and complicated process getting this very innovative piece of bridge engineering to function as we certainly hope that it all will. We're very happy to hear that there's going to be some additional forward progress on this and we look forward to the bridge opening as soon as we can -- certainly park
constituents have very much enjoyed it.

Thank you all.

CHAIRWOMAN GLEN: Thank you.

Lucy Koteen.

And then Maria Espinal.

MS. KOTEEN: Hi. Good afternoon.

Thank you for this opportunity.

My name is Lucy Koteen. I am the co-chair of the Brooklyn Bridge Park, CRC, the Community Advisory Council and just -- I hope this is brief.

I just want to say that the priority in this community is for more open public space and it must be the highest priority as we see the area flooded with thousands of new units, virtually across the street from the park at the Lidge development site.

And we ask, where will all the current and new residents go for park space? The community associations and local elected officials speak with one voice when we say, please, do not build two new towers in our open space. Do not build in what is meant to be the grand entrance to the park. Do not build in a flood zone.
And I have to add, every day the predictions for sea level rise are worse than the day before.

And do not build in the community where infrastructure needs have not kept up with the population increase.

Both the City and State Controller have said that legally the park can apply for a bond for the capital expenses if there is, indeed, a shortfall. And it is highly disputed as to whether there is a lack of funding to pay for capital needs.

We request that you respect the residents, the CAC and our elected officials and work with us to satisfy both the needs of the community and the park so that we all have a satisfactory conclusion.

And we would be happy to meet with you and your convenience at any time to discuss this further.

Thank you for your attention.

CHAIRWOMAN GLEN: Thank you.

Maria Espinal; and then,

Tiffany Faulk.
Followed by Ren Richmond.

MS. ESPINAL: Good afternoon.

My name is Maria Espinal. I am the representative of Build Up NYC. We are an alliance of over 200,000 hard working men and women in construction, building services and hospitality industries. Together we advocate for safe, responsible development that strengthens our communities.

We are here today in support of Pier 6 development and the proposed changes to the General Project Plan, which bring much needed good jobs and affordable housing to the Brooklyn waterfront. The developer has listened and made changes. The changes to the plan were very responsive to community concerns.

One of the biggest changes is the reduced height of the building by three floors to maintain the wonderful views.

The inclusion of 30 percent affordable housing in the development is for hard working middle class families like my own, who will be able to continue to live in Brooklyn.

Additional community benefits that
are in the modification to the plan are:

75-seat Pre-K community seat
spaces and much needed public bathrooms for park goers.

And the project will create hundreds of safe jobs and create a stable revenue for the park.

Yesterday, we went with a group of Build Up NYC members to the Empire State Development Corporation board meeting to urge them to green light Pier 6. We reminded the ESDC that over 500 residents of the community signed postcards supporting the changes to the GPP.

We strongly urged support of the proposed changes to the GPP.

We also encouraged continued engagement with the local elected officials and the Brooklyn community.

Thank you for the opportunity to testify today.

We urge you to keep the modifications to the GPP and allow the development to move forward. Let's green light Pier 6.

And I do have copies of testimony
to give you.

CHAIRWOMAN GLEN: Thank you.

Tiffany Faulk.

Followed by Ren Richmond.

Followed by Dwayne Fernandez.

Thank you.

MS. FAULK: Good afternoon.

I'm speaking on behalf of Tiffany Faulk, who could not be here today due to a family matter.

Good afternoon.

My name is Tiffany Faulk. I'm a resident of Brooklyn and I am a heat and frost insulator from Local 12.

I'm here representing Build Up NYC. I came today to show support for the changes to the General Project Plan on Pier 6 at Brooklyn Bridge Park.

It's great that a responsible developer has been selected. In these times it is important that developers who are entrusted to move public projects forward have track records of respecting communities and using contractors that provide good, safe jobs and benefits to people like
Because the park is so active and such a valued treasure for all of Brooklyn, it is important that everyone's concerns are addressed. We believe these changes, better views, community space and affordable housing address those concerns.

This development will keep the park financially secure for years to come. So let's green light Pier 6.

Thank you.

CHAIRWOMAN GLEN: Ren Richmond.

Dwayne Fernandez.

Judi Francis.

MR. RICHMOND: Hi. I just want to talk about the -- I want to -- I'm going to talk about PILOT and tax assessments, but just a comment about the reduction in height.

As the director of the litigant whose lawsuit was settled, you know, we -- it was not our request, we had no input in that reduction. That just goes back to the height in the 2005 FEIS. So there's no actual real reduction in height. And the community hasn't been listened to in that
regard.

What I really want to talk about today is the projections for tax revenue for the park. There are a number of issues in the Denham report, which I'll talk about briefly. When we -- it's obvious given the increase in local real estate values and no increase in the projections in recent years, but it just doesn't make sense.

So we hired Rosen and Associates, which is an appraiser with decades of experience in doing this kind of assessment, who did detailed analysis using comps under the proper methodology. and it comes out with revenue that's not -- tax revenue that's not $5 million per year greater than projected by the park, not $10 million per year greater, it's more than the entire operating budget of the park upon completion. The numbers that this Pier 6 is being based on are just wrong. And this is hard evidence. It's evidence that would stand up in court and it's something that this board should seriously consider.

We'll send out the report. I just got it yesterday. It should come out next week.

With respect to the Denham report,
1 I thank the park for allowing us to meet with
2 Barbara Denham. There are some real issues for us.
3 It's not -- she didn't follow the proper
4 methodology, which we'll discuss in the letter
5 that's coming.
6
7 Second, if you look at, for
8 instance, her commercial analysis on Empire Stores,
9 she looked at basically the entire borough of
10 Brooklyn. She divided it into a central business
11 district and a non-central business district. This
12 just makes no sense and it has nothing to do with
13 the proper methodology if you actually look at it.
14
15 So she considers that the park is
16 using $38 a square foot in revenue versus what's
17 being asked is, you know, $65 to $85 in the office.
18 It just makes no sense.
19
20 Then with respect to the
21 residential side, if you look at her comp set, she
22 excluded -- she used Property Shark and excluded
23 buildings that have abatements. So, basically, if
24 you look at the set, these are all old buildings so
25 the analysis is skewed older. There needs to be a
26 proper analysis here.
27
28 (Bell ringing.)
MR. RICHMOND: All right.

I'll stop.

Thank you.

CHAIRWOMAN GLEN: Wow, that's aggressive ding ding.

(Laughter.)


Dwayne Fernandez.

Judi Francis; and then,

Linda DeRosa.

(No response.)

CHAIRWOMAN GLEN: Or no.

Judi Francis?

(No response.)

CHAIRWOMAN GLEN: No. Okay -- or yes, no?

MS. DE ROSA: Linda DeRosa.

CHAIRWOMAN GLEN: Linda, okay.

MS. DE ROSA: Hi.

Thank you.

I'm Linda DeRosa from the Willowtown Association. And I briefly just want to reinforce Senator Squadron and Councilmember
Levin's commitment and concern regarding the long closed Squibb Park Bridge and we hope that this vital and sorely missed access point will now, hopefully, finally move to a swift reopening.

Thank you.

CHAIRWOMAN GLEN: Thank you.

Okay. So that was all I had in terms of public speakers.

So I would now ask for a motion to enter into Executive Session to discuss the pending litigation.

DIRECTOR GUTMAN: So moved.

CHAIRWOMAN GLEN: Second.

DIRECTOR HYMAN: Second.

CHAIRWOMAN GLEN: All in favor?

(Chorus of "ayes.")

CHAIRWOMAN GLEN: Okay.

So we'll have to clear the room now so the board can meet in Executive Session.

We will advise you when the session's over and the public portion of the meeting resumes.

However, please note that you're more than welcome to wait until we are done and at
which point we'll adjourn the meeting immediately
after the executive session.

Thank you.

(At 12:22 p.m., an Executive
Session was convened.)

(At 12:57 p.m., the executive
session adjourned and the public meeting
reconvened.

CHAIRWOMAN GLEN: Okay. I want to
note for the record, there were no votes taken
during the Executive Session.

It is now -- it's not noon, it's
one.

I want to thank everyone for their
time today and ask for a motion to adjourn today's
meeting.

DIRECTOR GUTMAN: So moved.

DIRECTOR CONNOR: Second.

CHAIRWOMAN GLEN: All in favor?

(Chorus of "ayes.")

CHAIRWOMAN GLEN: Thank you.

The meeting is now adjourned. Thank you, everybody.

(At 1:00 p.m., the proceedings
were concluded.)
STATE OF NEW YORK )
SS.
COUNTY OF NEW YORK )

I, MARC RUSSO, a Shorthand (Stenotype) Reporter and Notary Public within and for the State of New York, do hereby certify that the foregoing pages 1 through 80, taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.

IN WITNESS WHEREOF, I have hereunto set my name this 18th day of February, 2016.

Marc Russo

MARC RUSSO
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