

Brooklyn Bridge Park Corporation d/b/a  
Brooklyn Bridge Park  
Meeting of the Directors  
Held at Brooklyn Borough Hall  
209 Joralemon Street  
Brooklyn, NY

February 26, 2015

MINUTES

The following members of the Board of Directors were present:

Alicia Glen – Chair  
Margaret Anadu  
Peter Aschkenasy  
Steven Cohen  
Henry Gutman  
Shari Hyman  
Kyle Kimball  
Stephen Levin  
Stephen Merkel  
David Offensend  
Zeeshan Ott  
Joanne Witty

Also present was the staff of Brooklyn Bridge Park (“BBP”), the Mayor’s Office, the New York City Department of Parks and Recreation, the New York City Economic Development Corporation, the New York City Law Department and members of the press and public.

Chair Glen called the meeting to order at approximately 11:10am. Suma Mandel, Secretary and General Counsel of BBP, served as secretary of the duly constituted meeting and confirmed that a quorum was present.

Prior to proceeding with the agenda items, Chair Glen introduced and welcomed Ptahra Jeppe, who was expected to be appointed to the Board to replace outgoing Director Strahle.

**1. Approval of Minutes**

Upon motion duly made and seconded, the minutes of the November 11, 2014 Board of Directors meeting were unanimously approved.

**2. Authorization to Enter into Agreements relating to Park Construction**

Patricia Kirshner, BBP’s Vice President of Capital Operations, presented the item.

In response to questions regarding repairs to Squibb Park Bridge, Ms. Kirshner and Ms. Myer stated that the Park was focused on safely restoring an important and vital connection to the Park as soon as possible and that BBP was continuing to investigate what caused the misalignment and intended

to pursue recovery of these costs from any responsible parties. Director Cohen expressed the importance of ensuring that that BBP was doing everything that it could do to recover the funds that it was spending from remediation. Ms. Mandel confirmed that BBP was doing so. Chair Glen added that BBP was working to open the bridge and simultaneously exercising any of its rights under the various insurance and other claims. In response to additional questions, Ms. Myer and Ms. Kirshner also advised that all repairs would be approved by engineers and the appropriate authorities to ensure the safety of the bridge before it is reopened, that the bridge monitoring data used to create the plan for repair would also help determine the cause of the misalignment, and that there would be a third party report on the cause of the misalignment. Ms. Myer stated that BBP would consider publicly releasing this report, but did not want to compromise BBP's ability to recover repair costs in litigation.

Upon motion duly made and seconded, the resolutions attached hereto as Schedule A were unanimously adopted.

**3. Authorization to Enter into Agreements relating to Maritime Repairs**

Ms. Kirshner presented the item. Upon motion duly made and seconded, the resolutions attached hereto as Schedule B were unanimously adopted.

**4. Recommendation of the Brooklyn Bridge Park Community Advisory Council ("CAC") to Appoint New Members**

Chair Glen tabled the item pending further evaluation of the request.

**5. Approval of Appointments to the Budget and Operations Committee**

Chair Glen requested approval of her appointment of Director Aschkenasy as Chair and Director Ott as a member of the Budget and Operations Committee. Upon motion duly made and seconded, the Chair's appointments were unanimously adopted.

**6. Presentation of the President's Report (Non-Voting Item)**

Ms. Myer then updated the Board on the Park's progress, including: (i) development sites construction; (ii) the Pier 6 uplands development RFP; (iii) the loop road traffic pilot program; (iv) ongoing litigation; (v) Squibb Bridge; (vi) Park construction; (vii) three recent CAC resolutions, which were distributed to Directors prior to the meeting; (viii) Park programming and operations; and (ix) the upcoming fifth anniversary of the Pier 1. Ms. Myer also recognized three founding members of the CAC who had recently stepped down and thanked them for their years of service: Ben Bankson, Peter Flemming and T.K. Small.

In response to a request from Director Levin for a motion on one of the CAC resolutions which called for the halt of construction on the Pier 1 and Pier 6 development sites, Chair Glen explained that the Chair, in consultation with management, had determined that the resolutions would be included with the director materials for information purposes but would not be the subject of a vote. In response to a question from Director Ott regarding the process for adding voting items to the agenda, Chair Glen

reiterated that all agenda items are considered prior to the Board meeting by the Chair in consultation with BBP management.

**7. Public Comment**

Members of the public spoke, including representatives of the Brooklyn Bridge Park Conservancy, the CAC, People for Green Space Foundation Inc., Save the View Now, the PS 8 PTA, Build Up NYC, the DUMBO Neighborhood Alliance, and the Atlantic Avenue LDC.

**8. Adjournment**

There being no further business, Chair Glen requested a motion to adjourn the meeting, and upon the motion being duly made and seconded, the meeting was adjourned at approximately 12:20 PM.

Respectfully submitted,

/s/ Suma Mandel  
Suma Mandel  
Secretary

Dated: June 11, 2015

Schedule A

February 26, 2015

**AUTHORIZATION TO ENTER INTO AGREEMENTS RELATING TO PARK CONSTRUCTION, AND  
AUTHORIZATION TO TAKE RELATED ACTIONS**

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BE IT RESOLVED, that Brooklyn Bridge Park Corporation (“BBP”) is hereby authorized to enter into the capital construction agreements described on Exhibit A attached hereto; and be it further

RESOLVED, that the President of BBP, or her designee(s), be, and each of them hereby is, authorized and directed, in the name and on behalf of BBP, to execute and deliver any and all documents and take all such actions as the President of BBP or her designee(s) may deem necessary or proper to effectuate the foregoing and in connection with the implementation of the work pursuant to the agreements.

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Exhibit A  
PARK CONSTRUCTION AGREEMENTS

<b>Contractor Name</b>	<b>Project Site</b>	<b>Agreement/ Amendment</b>	<b>Requested Authorization Amount</b>	<b>Source of Funds</b>	<b>Total Amount under New Agreement</b>	<b>Description of Project</b>
Russo Development Enterprises	Pier 5 Uplands	New Contract	\$521,870, inclusive of a \$68,070 contingency	Capital Budget	\$521,870	General construction services for the demolition services for Building 56. The services to be provided will include the provision and management of any subcontractor trade work. Russo Development will perform utility disconnection, site clearance and demolition, and restore the site to a level, at-grade surface.
Michael Van Valkenburgh Associates, Inc.	Pier 3, Pier 2 Uplands, Joralemon St.	Amendment	\$2,300,531 inclusive of a 15% contingency	Capital Budget	\$32,750,707	The scope of services includes work performed by MVVA and their sub-consultants for geotechnical, electrical, and civil engineering at Pier 3 design and Construction administration, Pier 2 Uplands, Old Dock Street, and Pearl Street, Joralemon and other on-call services.
AKRF, Inc.	Pier 5 Uplands	Amendment	\$147,000	Capital Budget	\$3,718,263	Additional scope of services to include the provision of environmental consulting related to the Pier 5 Uplands project for archaeological and Stormwater Pollution Prevention Plans (SWPPP).

Stalco Construction, Inc.	Plymouth Street Building	Amendment	\$799,356	Capital Budget	\$4,647,955	Additional scope include asbestos abatement, extended general condition costs caused by an extension to the schedule, brick remediation works after the demolition of the paint shed, miscellaneous utility relocations, miscellaneous design development, the Conservancy Community Room Fit out and the provision of a new material lift.
Kelco Construction Inc.	Squibb Park Bridge	Amendment	\$681,111 inclusive of a \$79,068 contingency	Capital Maintenance Reserve	\$7,211,718	Additional scope for remediation of Squibb Bridge to correct certain conditions that require modification and restore the Bridge to proper operating condition. The amended scope includes engineering, peer review, surveying, labor, materials and equipment to restore the Bridge and allow pedestrian use. It also includes continued ongoing monitoring, cost management, and coordination services.
<del>Atlantic Engineering Laboratories of New York, Inc.</del> Special Testing & Consulting, LLC <sup>1</sup>	Parkwide	New Contract	\$206,250	Capital Budget	\$206,250	Third party inspection services including concrete, structural steel and other DOB required inspections. The inspection services include maintaining accurate written and photographic records of all tests and inspections, and providing reports and data for all materials tested and inspected.
		<b>TOTAL</b>	<b>\$4,656,118</b>			

Notes:

\* Support for the Capital Budget comes from existing capital grants from New York City allocated in Fiscal Years 2014 and 2015

<sup>1</sup> Revised as marked to correct clerical error

**Schedule B**

February 26, 2015

**AUTHORIZATION TO ENTER INTO AGREEMENTS RELATING TO MARITIME REPAIRS, AND  
AUTHORIZATION TO TAKE RELATED ACTIONS**

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BE IT RESOLVED, that Brooklyn Bridge Park Corporation (“BBP”) is hereby authorized to enter into the agreements described on Exhibit A attached hereto; and be it further

RESOLVED, that the President of BBP, or her designee(s), be, and each of them hereby is, authorized and directed, in the name and on behalf of BBP, to execute and deliver any and all documents and take all such actions as the President of BBP or her designee(s) may deem necessary or proper to effectuate the foregoing and in connection with the implementation of the work pursuant to the agreements.

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Exhibit A  
CAPITAL PROJECT AGREEMENTS

Contractor Name	Project Site	Agreement/ Amendment	Requested Authorization Amount	Source of Funds	Total Amount under New Agreement	Description of Project
Phoenix Marine	Pier 1 Bulkhead, Wharf 1-2	New Contract	\$3,164,927 inclusive of a \$412,817 contingency	Maritime Reserve	\$3,164,927	Planned emergency repairs to south and north faces of Pier 1 bulkhead, filing washouts and related repairs. Rehabilitation of wharf bulkhead between Piers 2 and 3, including new concrete fascia, repairing joints and spall repairs.
Reicon Group, LLC	Pier 6 Bulkhead	New Contract	\$1,677,968 inclusive of a \$218,865 contingency	Maritime Reserve	\$1,677,968	Planned emergency repair to the bulkhead under pier 6, including new concrete fascia, rip rap scour protection, and cathodic protection.
D'Onofrio General Contractors Corp.	Pier 3 Piles	Amendment	Increase of \$4,787,450, inclusive of an additional \$200,000 owner's allowance and \$624,450 contingency	Maritime Reserve	\$13,431,085	Additional Scope to the pile repair program of Pier 3 to bring the pier to a capacity to support additional deck loads for the topside park design.
<del>Special Testing &amp; Consulting, LLC</del>  Atlantic Engineering Laboratories of New York, Inc. <sup>2</sup>	Parkwide	New Contract	\$282,084	Maritime Reserve	\$282,084	Third party inspection services including concrete, structural steel and other DOB required inspections. The inspection services include maintaining accurate written and photographic records of all tests and inspections, and providing reports and data for all materials tested and inspected.
<b>TOTAL</b>			<b>\$9,912,429</b>			

<sup>2</sup> Revised as marked to correct a clerical error