

Brooklyn Bridge Park Corporation d/b/a
Brooklyn Bridge Park
Meeting of the Board of Directors
Held via teleconference

June 3, 2020

MINUTES

The following members of the Board of Directors were present by teleconference:

Joanne Witty – Vice Chair
Peter Aschkenasy
Martin Connor
Ali Davis
Henry B. Gutman
Edna Wells Handy
James Katz¹
Martin Maher²
Stephen Merkel
Susannah Pasquantonio
Andrea Phillips
William Vinicombe
Matt Wing

Also present on the call was the staff of Brooklyn Bridge Park Corporation (“BBP”) and members of the public.

Vice Chair Witty called the meeting to order at approximately 10:05 a.m. Amy Lojek, BBP’s General Counsel and Secretary of the Corporation, confirmed that a quorum was present. Prior to proceeding with the agenda items, Vice Chair Witty welcomed the Board and BBP staff, and members of the public. Eric Landau, BBP’s President explained ground rules for the teleconference and stated that the meeting was being streamed live on a YouTube Live channel.

1. Approval of Minutes

Upon motion duly made and seconded, the minutes of the April 1, 2020 Board of Directors meeting, attached hereto as **Schedule A** were unanimously approved.

2. Presentation of the President’s Report (Non-Voting Item) and Approval of the Fiscal Year 2021 Operating Budget, Capital Budget, and PAAA Budget Report (Voting Item)

Mr. Landau provided updates on the park, including: (i) the past year’s programming; (ii) the recent opening of the Oddfellow’s concession; (iii) the current impact of COVID-19 on the park; (iv) the Brooklyn Library’s annex at 1 John Street, including the planned release of an RFP for a long-term tenant

¹ Director Katz joined the call during item #2.

² Director Maher joined the call during item #1 and recused himself from voting on item #3.

for that space this fiscal year; (v) ongoing preventative maintenance; (vi) reconstruction of the Greenway, which is now substantially complete; and (vii) Squibb Park Bridge, which was installed in April and opened to the public in May (two months ahead of schedule); (viii) the status of Pier 2 Uplands, which is anticipated to be completed and open to the public in July; (viii) the reconstruction of the bulkhead at New Dock Street, and (ix) the Brooklyn Bridge Plaza project, which recently received NYC Landmarks Preservation Commission approval, with an anticipated groundbreaking in Fall 2020 and completion December 2021.

Mr. Landau also reviewed planned upcoming projects in the park, including: (i) the replacement of turf at Pier 5; (ii) the redesign of the turnaround at Pier 1; and (iii) design and construction of Pier 6's northwest corner. He explained that the future permanent pool at Squibb Park has not progressed, as we are working with the City to determine any potential impact with the BQE project.

Mr. Landau then presented the Fiscal Year 2021 Operating and Capital Budget, noting that despite increased costs of staff, supplies and equipment to support the opening of Pier 2 Uplands, the operating budget decreased, primarily due to staff attrition and small reductions in contingency funds. He also mentioned that projected total revenue is intended to slightly increase, but does include a decrease in revenue specifically from permits and concessions due to the COVID-19 pandemic.

Director Merkel confirmed that the BBP Audit & Finance Committee had reviewed and was comfortable proceeding with the authorization. Upon motion duly made and seconded, the resolutions attached hereto as **Schedule B** were unanimously adopted.

3. Authorization to Enter into Renewal of Park Enforcement Patrol Agreement with the NYC Department of Parks and Recreation

Jamie Warren, BBP's Assistant Vice President of Operations, presented a proposed extension to the contract with the New York City Department of Parks & Recreation for security services in the park.

Director Aschkenasy confirmed that the BBP Budget and Operations Committee had reviewed and was comfortable proceeding with the authorization.

In response to a question from Director Wells Handy about why the proposed contract extension was only one year, Ms. Lojek responded that BBP determined it was in its best interest to extend the existing contract for one year, and that BBP would then negotiate with the NYC Parks Department to execute a new agreement, which will include a longer term.

In response to a question from Director Phillips, Ms. Warren explained that BBP is regularly updated by PEP regarding any incidents in the park. She further explained that she had participated in a recent training with PEP on best practices to respond to protest related incidents in the park.

Upon motion duly made and seconded, the resolutions attached hereto as **Schedule C** were unanimously adopted.³

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³ Director Maher recused himself from voting on this item.

1. Public Comment

Nancy Webster from the Brooklyn Bridge Park Conservancy stated that the Conservancy is looking forward to restarting programming and educational classes in the park whenever possible, utilizing appropriate safety precautions. She also thanked BBP staff for their hard work in keeping park open during this difficult time.

2. Adjournment

Vice Chair Witty noted that the final item on the agenda was an Executive Session and asked the Board whether there was any Director who believed that an Executive Session was necessary.

Hearing none, and there being no further business, Vice Chair Witty requested a motion to adjourn the meeting, and upon the motion being duly made and seconded, the meeting was adjourned at approximately 10:50 a.m.

Respectfully submitted,

/s/ Amy Lojek
Amy Lojek
Secretary

Dated: August 12, 2020

SCHEDULE A

Brooklyn Bridge Park Corporation d/b/a
Brooklyn Bridge Park
Meeting of the Board of Directors
Held via teleconference

April 1, 2020

MINUTES

The following members of the Board of Directors were present by teleconference:

Joanne Witty – Vice Chair
Peter Aschkenasy
Martin Connor
Ali Davis
Henry B. Gutman
Edna Wells Handy
Martin Maher
Stephen Merkel¹
Susannah Pasquantonio
Andrea Phillips
Tucker Reed²
William Vinicombe
Matt Wing

Also present on the call was the staff of Brooklyn Bridge Park Corporation (“BBP”) and members of the public.

Vice Chair Witty called the meeting to order at approximately 10:05 a.m. Amy Lojek, BBP’s General Counsel and Secretary of the Corporation, confirmed that a quorum was present. Prior to proceeding with the agenda items, Vice Chair Witty welcomed the Board and BBP staff, and members of the public. Eric Landau, BBP’s President, explained that as a result of the pandemic, this meeting was being held as a teleconference in accordance with Governor Cuomo’s Executive Order temporarily suspending the Open Meetings Law to allow public bodies to hold meetings without in-person attendance, and explained ground rules for the teleconference.

1. Approval of Minutes

Upon motion duly made and seconded, the minutes of the December 4, 2019 Board of Directors meeting were unanimously approved.

2. Presentation of the President’s Report (Non-Voting Item)

Mr. Landau provided updates on: (i) the impact of COVID-19 and related restrictions on the park and BBP staff, concessions, and capital construction projects; (ii) essential and non-essential construction projects; (iii) the status of Squibb Park Bridge replacement; and (iv) the planned Brooklyn Bridge Plaza

¹ Director Merkel joined the teleconference meeting during Item #2.

² Director Reed joined the teleconference meeting during Item #1.

project. Director Matt Wing asked about social distancing measures and enforcement in the park; Alternate Director Ali Davis described the City's discussions around closing playgrounds and the use of 311 to report violations of social distancing measures.

3. Authorization to Enter into a Contract for Audit, Tax, and Related Services

Mr. Landau presented a proposed agreement for audit, tax, and related services with Marks Paneth, LLP for consideration and approval by the Board of Directors.

Director Stephen Merkel, Chair of the Audit & Finance Committee, confirmed that the Audit & Finance Committee had reviewed and was comfortable proceeding with the authorization.

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

4. Authorization to Enter into an Amendment to an Existing Agreement with Gardiner & Theobald, Inc. Relating to Owner's Representative Services

Mr. Landau presented a proposed amendment to an existing agreement with Gardiner & Theobald, Inc. relating to owner's representative services for consideration and approval by the Board of Directors.

Director Merkel confirmed that the Audit & Finance Committee had reviewed and was comfortable proceeding with the authorization.

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

5. Authorization to Enter into an Agreement Relating to a Maritime Maintenance Project

Mr. Landau presented a proposed agreement relating to a maritime maintenance project with Trevcon Construction Co. for consideration and approval by the Board of Directors.

Director Merkel confirmed that the Audit & Finance Committee had reviewed and was comfortable proceeding with the authorization.

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

6. Public Comment

No public comment was made.

7. Adjournment

Vice Chair Witty noted that the final item on the agenda was an Executive Session and asked the Board whether there was any Director who believed that an Executive Session was necessary.

Hearing none, and there being no further business, Vice Chair Witty requested a motion to adjourn the meeting, and upon the motion being duly made and seconded, the meeting was adjourned at approximately 10:50 a.m.

Respectfully submitted,

/s/ Amy Lojek

Amy Lojek

Secretary

Dated: June 3, 2020

SCHEDULE A

ATTACHMENT A

April 1, 2020

AUTHORIZATION TO ENTER INTO CONTRACT FOR AUDIT, TAX, AND RELATED SERVICES

BE IT RESOLVED, that Brooklyn Bridge Park Corporation ("BBP") is hereby authorized to enter into a contract with Marks Paneth, LLP for the performance of annual audit, tax preparation and related services, including any additional services and projects required, for BBP's 2020, 2021, and 2022 fiscal years for a contract price not-to-exceed \$144,600; and be it further

RESOLVED, that the President of BBP is authorized to exercise the option to extend the Contract term for one additional year to include BBP's 2023 fiscal year, on the terms and conditions set forth in the Contract, without further Board authorization; and be it further

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

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SCHEDULE B

ATTACHMENT A

April 1, 2020

AUTHORIZATION TO ENTER INTO AMENDMENT TO AN EXISTING AGREEMENT WITH GARDINER & THEOBALD, INC. RELATING TO OWNER'S REPRESENTATIVE SERVICES AND AUTHORIZATION TO TAKE RELATED ACTIONS

BE IT RESOLVED, that Brooklyn Bridge Park Corporation ("BBP") is hereby authorized to enter into an amendment with Gardiner & Theobald, Inc. for owner's representative services through the end of 2021 for the amount of \$871,767; and be it further

RESOLVED, that the President of BBP, or their 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 or their 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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SCHEDULE C

ATTACHMENT A

April 1, 2020

**AUTHORIZATION TO ENTER INTO AN AGREEMENT RELATING TO A MARITIME MAINTENANCE PROJECT
AND AUTHORIZATION TO TAKE RELATED ACTIONS**

BE IT RESOLVED, that Brooklyn Bridge Park Corporation ("BBP") is hereby authorized to enter into an agreement with Trevcon Construction Co. for the implementation of a new steel sheet pile bulkhead to replace the existing, failing concrete wall for a contract price not-to-exceed \$1,676,400; and be it further

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

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SCHEDULE B

APPROVAL OF THE FISCAL YEAR 2021 OPERATING BUDGET, CAPITAL BUDGET AND PAAA BUDGET REPORT

RESOLVED, that the proposed Operating Budget for the Brooklyn Bridge Park Corporation ("BBP") for the period from July 1, 2020 through June 30, 2021 in the total sum of \$13,281,523 as presented at this meeting and ordered filed with the records of BBP be, and hereby is, subject to the availability of funds, ratified, approved and adopted in all respects; be it further.

RESOLVED, that the proposed Capital Budget for the Brooklyn Bridge Park Corporation ("BBP") for the period from July 1, 2020 through June 30, 2021 in the total amount of \$5,426,951, as presented at this meeting and ordered filed with the records of BBP be, and hereby is, subject to the availability of funds, ratified, approved and adopted in all respects; and be it further

RESOLVED, that the President of BBP, or their designee(s), be, and each of them hereby is, authorized and directed to cause BBP to undertake the tasks and incur the expenditures identified in the Fiscal Year 2021 Operating Budget and Capital Budget; and be it further

RESOLVED, that the proposed Budget and Financial Plan of BBP be submitted to the New York State Authorities Budget Office in accordance with PAAA; and be it further

RESOLVED, that the President of BBP, or their designee(s), be, and each of them hereby is, authorized and directed to cause BBP to undertake the tasks to be in compliance with PAAA; and be it further

RESOLVED, that the President of BBP, or their designee(s), be, and each of them hereby is, authorized and empowered to execute all documents and to take all actions as necessary or appropriate to effectuate these resolutions.



SCHEDULE C

ATTACHMENT A

June 3, 2020

**AUTHORIZATION TO ENTER INTO AN AMENDMENT TO A CONTRACT FOR THE SERVICES OF THE PARKS
ENFORCEMENT PATROL OF THE NEW YORK CITY DEPARTMENT OF PARKS & RECREATION**

BE IT RESOLVED, that BBP is hereby authorized to enter into an amendment to the current contract with the City for security and law enforcement services in the Park, to extend the term for one (1) year commencing July 1, 2020; and be it further

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

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