

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

**COMMITTEE ON OPERATIONS
MINUTES**

Thursday, February 3, 2011

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**MINUTES OF
COMMITTEE ON OPERATIONS**

225 Park Avenue South

New York, NY

Thursday, February 3, 2011

PRESENT:

Hon. Anthony R. Coscia, Chair
Hon. Henry R. Silverman, Vice-Chair
Hon. H. Sidney Holmes III
Hon. David S. Steiner
Committee Members

Hon. Jeffrey A. Moerdler
Hon. David Samson
Hon. Anthony J. Sartor
Commissioners

William Baroni, Jr., Deputy Executive Director
Darrell B. Buchbinder, General Counsel
Karen E. Eastman, Secretary

Susan M. Baer, Director, Aviation
Francis A. DiMola, Director, Real Estate and Development
Michael G. Fabiano, Chief Financial Officer
Michael B. Francois, Chief, Real Estate and Development
Linda C. Handel, Deputy Secretary
Mark D. Hoffer, Director, New Port Initiatives, Port Commerce
Cristina M. Lado, Director, Government and Community Affairs
Jamie E. Loftus, Chief, Public and Government Affairs
Ronald Marsico, Assistant Director, Media Relations, Public Affairs
James E. McCoy, Manager, Board Management Support, Office of the Secretary
Sanjay S. Mody, Advisor to the Chairman
Lillian D. Valenti, Director, Procurement
Andrew S. Warshaw, Chief of Staff to the Executive Director
David M. Wildstein, Director, Interagency Capital Projects, Office of the Deputy Executive Director

Guest:

Johanna Jones, Assistant Counsel, Authorities Unit, Office of the Governor of New Jersey

The Committee meeting was called to order in public session by the Chair at 10:07 a.m. and ended at 10:12 a.m. The Committee met in executive session following the public session.

Action on Minutes

The Secretary reported that the Minutes of the meeting of May 18, 2010 had been signed and distributed to the Commissioners.

Whereupon, the Committee approved the Minutes of the meeting of May 18, 2010.

**HUDSON-RARITAN ESTUARY RESOURCES PROGRAM – FUNDING AGREEMENT
FOR THE ACQUISITION OF THE “HARLEM RIVER PROMENADE AT
DEPOT PLACE” PROPERTY IN THE BRONX, NEW YORK**

It was recommended that the Committee on Operations (the Committee) authorize the Executive Director to enter into an agreement with the Trust for Public Land (TPL), a national non-profit land conservation organization, for the Port Authority to provide TPL with an amount not to exceed \$1.2 million, representing the bulk of TPL’s costs to purchase approximately .58 acres of certain real property known as the “Harlem River Promenade at Depot Place,” located in the Bronx, New York and designated on the Bronx County Tax Map as Block 2541, Lots 122 and 159 (the Property), for inclusion in the Hudson Raritan Estuary Resources Program (the Program). Funding by the Port Authority would be subject to the grant of a perpetual encumbrance with respect to the Property for the benefit of the Port Authority created in a manner satisfactory to the Port Authority, either through a conservation easement or a restrictive deed covenant ensuring the site’s preservation as a natural site in perpetuity. At closing, the Property subsequently would be conveyed to the New York City Department of Parks and Recreation for public park purposes.

On July 26, 2001, the Board authorized the Executive Director and/or General Counsel, either one acting individually, to acquire, for and on behalf of the Port Authority, one or more sites in New York and New Jersey in the Port District areas of the Hudson-Raritan Estuary that may be identified by Port Authority staff as suitable for conservation, ecological enhancement, public access or environmental mitigation in support of Port Redevelopment, Economic Development and other Port Authority Capital Programs, in each case, with the final details of the acquisition to be presented to the Committee for approval prior to the acquisition. At the November 21, 2002 meeting of the Board, the Program was certified as a Port Authority facility.

The Property has been identified by staff as a natural resource suitable for conservation and public access that meets the Board’s eligibility for funding through the Program. TPL would acquire the Property from its current owner for approximately \$1.25 million, of which the Port Authority would provide TPL with an amount not to exceed \$1.2 million. TPL would contribute \$50,000 toward the total purchase price. The Property would be donated to the New York City Department of Parks and Recreation, which would use it to create a greenway connecting to the Roberto Clemente State Park. The area in which the Property is located is currently underserved for public access to waterfront property for recreational and open space purposes.

The acquisition of the Property would advance the Port Authority’s Capital Investment Plan sustainability policy goal of protecting 50 acres of land per year from development. Protecting the Property is critical to meeting the local community’s goals of opening this stretch of the Harlem River for public use and enjoyment. The Port Authority would not be responsible for any environmental clean-up costs in the event that environmental issues exist.

Pursuant to the foregoing report, the following resolution was adopted by the Committee with Commissioners Coscia, Holmes, Silverman and Steiner voting in favor; none against:

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into a memorandum of agreement with the Trust for Public Land (TPL) to provide TPL with an amount not to exceed \$1.2 million, representing the bulk of TPL’s costs to purchase approximately .58

acres of certain real property known as the “Harlem River Promenade at Depot Place,” located in the Bronx, New York, for inclusion in the Hudson Raritan Estuary Resources Program, and such other related agreements as may be necessary in connection therewith, substantially in accordance with the terms outlined to the Committee; and it is further

RESOLVED, that the form of all of the foregoing agreements shall be subject to the approval of General Counsel or his authorized representative.

Whereupon, the meeting was adjourned.

Secretary