

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

**COMMITTEE ON OPERATIONS
MINUTES**

Thursday, October 22, 2009

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**MINUTES OF
COMMITTEE ON OPERATIONS**

225 Park Avenue South

New York, NY

Thursday, October 22, 2009

PRESENT:

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

Karen E. Eastman, Secretary

Susan M. Baer, Director, Aviation
Steven J. Coleman, Assistant Director, Media Relations, Public Affairs
Francis A. DiMola, Director, Real Estate Services
Sandra E. Dixon, State Legislative Representative, Government and Community Affairs
Michael G. Fabiano, Deputy Chief Financial Officer/Comptroller
Michael B. Francois, Chief, Real Estate and Development
Mark D. Hoffer, Senior Counsel, Law
Lawrence S. Hofrichter, Deputy General Counsel - Corporate
James E. McCoy, Manager, Board Management Support, Office of the Secretary
I. Midori Valdivia, Leadership Fellow, Human Resources

The Committee meeting was called to order by Commissioner Steiner at 10:45 a.m. and ended at 11:00 a.m.

Action on Minutes

The Secretary reported that the Minutes of the meeting of September 24, 2009 had been signed and distributed to the Commissioners.

Whereupon, the Committee approved the Minutes of the meeting of September 24, 2009.

**HUDSON-RARITAN ESTUARY RESOURCES PROGRAM – FUNDING AGREEMENT
FOR THE ACQUISITION OF THE 88th STREET BEACH PROPERTY
IN HAMMELS, NEW YORK (ROCKAWAY BEACH)**

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 \$1.925 million, representing TPL's costs to purchase approximately 1.1 acres of certain real property known as "88th Street Beach," located in Hammels (Rockaway Beach), Queens County, New York, and designated on the Queens County Tax Map as Block 16109, Lots 70 and 185 (the Property), for inclusion in the Hudson-Raritan Estuary Resources Program (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 for the benefit of the Port Authority. At closing, the Property would subsequently 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, Hudson on the Bay, LLC, for approximately \$1.925 million, of which the Port Authority would fund TPL an amount not to exceed \$1.925 million. The Property, which consists of wetlands, beachfront property and vacant land, would be converted to a nature park, including the installation of a boat ramp, which would provide recreational access to the Jamaica Bay for area residents.

This acquisition of the Property would advance the Port Authority's Updated 2007-2016 Capital Investment Plan Sustainability Policy goal of protecting 50 acres of land per year from development. Protecting the Property also would provide vital public recreation space and waterfront access to an underserved community that is significantly affected by Port Authority facility operations. 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 Bauer, 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 an agreement with the Trust for Public Land (TPL) for the Port Authority to provide TPL with an amount not to

exceed \$1.925 million, representing TPL's costs to purchase approximately 1.1 acres of certain real property known as "88th Street Beach," located in Hammels (Rockaway Beach), Queens County, New York, and designated on the Queens County Tax Map as Block 16109, Lots 70 and 185, for inclusion in the Port Authority's 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 the foregoing agreements shall be subject to the approval of General Counsel or his authorized representative.

Whereupon, the meeting was adjourned.

Secretary