

BATTERY PARK CITY PARKS CONSERVANCY CORPORATION

Meeting of the Directors  
200 liberty Street, 24<sup>th</sup> Floor  
New York, NY 10281  
October 23, 2017

Directors Present

Dennis Mehiel, Chairman/CEO  
Hector Batista, Member  
Louis Bevilacqua, Member  
Catherine McVay Hughes, Member  
Lester Petracca, Member  
George Tsunis, Member

Conservancy Staff in  
Attendance:

Benjamin Jones, Acting President, Chief Administrative Officer and VP  
of Internal Audit  
Anne O'Neill, Director of Horticulture, Sustainability and Landscape  
Design  
Bruno Pomponio, Director of Parks Operations  
Alix S. Pustilnik, Vice President/Secretary

Authority Staff in Attendance:

Lauren Bruggess-Murtha, Paralegal/Assistant Corporate Secretary  
Marie Cornielle, Deputy Treasurer  
Gwen Dawson, Vice President, Real Property  
Abigail Goldenberg, Special Counsel and Risk Officer  
Nimisha Haribaran, Executive Assistant/Contract Manager  
Craig Hudon, Director of Parks Programming  
Susie Kim, Deputy General Counsel  
Karl Koenig, Controller  
Kevin McCabe, Chief of Staff/Special Assistant to the Chairman/CEO  
Robert Nesmith, Chief Contracting Officer  
Anthony Peterson, Director of Diversity Programs  
Jason Rachnowitz, Director of Financial Reporting  
Jose Rosado, Director of Site and Property Management  
Nicholas Sbordone, Vice President, External Affairs  
Nicole Stallworth-Roper, Associate General Counsel  
Alexis Torres, Special Advisor to the President/COO

Others in Attendance:

Warren Ruppel, Marks Paneth  
Therese Loeb Kreuzer, Downtown Post NYC  
Various Members of the Public

The meeting of the Directors convened at 2:30 p.m.

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The first item on the agenda was the approval of the minutes of the May 22, 2017 meeting. Upon a motion made by Mr. Batista and seconded by Mr. Petracca, the following resolution was unanimously adopted:

**APPROVAL OF MINUTES OF THE MAY 22, 2017 MEETING**

BE IT RESOLVED, that the minutes of the meeting of the Directors of the Battery Park City Parks Conservancy Corporation held on May 22, 2017 are hereby approved.

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The next item on the agenda, presented by Mr. Pomponio, was an authorization to amend the contract with Slade Industries, Inc. for the elevator and lift maintenance services.

Mr. Pomponio explained to the Directors that the Wagner Park pavilion elevator door requires service in order to return it to an operational state and an extension of time is required to perform this work. A new RFP is currently in process and those bids received are being evaluated and this amendment would allow enough time to complete the work and the RFP evaluation process in order to get a new contract in place without any lapse in time.

Upon a motion made by Mr. Batista and seconded by Mr. Tsunis, the following resolution was unanimously approved:

**AUTHORIZATION TO AMEND THE CONTRACT WITH SLADE INDUSTRIES, INC. FOR NON-ROUTINE ELEVATOR AND LIFT MAINTENANCE SERVICES**

BE IT RESOLVED that in accordance with the materials presented to this meeting, the President (the "President") and Chief Operating Officer of the Battery Park City Parks Conservancy (the "Conservancy") or her/his designee(s) be, and each of them hereby is, authorized and empowered to amend the Contract with Slade Industries, Inc. to allow for an additional six (6) month time extension, with a new expiration date of February 5, 2018. The proposed amendment would not add additional funds and the not-to-exceed total contract amount would remain at \$45,000.00, and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the contract on behalf of the Conservancy, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Conservancy, such approval to be conclusively evidenced by the execution and delivery of the contract; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

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The next item on the agenda, presented by Mr. Pomponio, was an authorization to enter into an agreement with KG Power Systems for Air Compressor Replacement Maintenance/Services.

Mr. Pomponio explained that Parks maintains all of the fencing and ornamental metal throughout the parks. At our 75 Battery Place facility there is a sand blasting room, paint booth and two air compressors that allows Parks to perform the necessary maintenance to the wrought iron fences, he noted. One of the compressors failed on us and needs to be replaced. Therefore, we are requesting a three-year agreement with KG Power who is the sole distributor of the equipment and the soul source provider of the maintenance/repair services.

Upon a motion made by Mr. Petracca and seconded by Ms. McVay Hughes, the following resolution was unanimously approved:

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH KG POWER SYSTEMS FOR 75 BATTERY PLACE AIR COMPRESSOR REPLACEMENT MAINTFNANCE/SERVICE**

BE IT RESOLVED, that the President and Chief Operating Officer (the "President") of the Battery Park City Parks Conservancy (the "Conservancy"), or her/his designees be, and each of them hereby is, authorized and empowered to execute an agreement for three (3) years, between the Conservancy and KG Power Systems in the not-to-exceed amount of \$41,125.53 (the "Agreement") for the installation of a new air compressor, maintenance/service for the new and existing compressors and an allowance for unforeseen repairs throughout the term of the Agreement; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the Agreement on behalf of the Conservancy, subject to such changes as the officer or officers executing the Agreement shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Conservancy, such approval to be conclusively evidenced by the execution and delivery of the Agreement; and be it further

RESOLVED, that the President of the Authority, or her/his designees be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and take all such other and further actions as may be necessary, desirable or appropriate in connection with the transaction contemplated in the foregoing resolution, and any such execution of documents and any other and further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

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The next item on the agenda, presented by Mr. Pomponio, was an authorization to enter into an agreement with IRL Systems, Inc. for Fire Alarm Testing, Inspection and Maintenance.

Mr. Pomponio explained that BPCP's have fire alarm systems that need to be maintained and inspected regularly. Since the BPCP HQ is a condo unit in The Visionaire it is therefore tied into the same fire alarm system used by the building. He mentioned that IRL currently services The Visionaire's fire alarm system as well as BPCP's. By having the same provider this allows

for better continuity between BPCP and The Visionaire. If BPCP and The Visionaire had different providers it would be more costly and time consuming, he noted. For this reason, IRL is considered a single source provider to maintain, test and inspect BPCP's fire alarm systems and Board approval is required to enter into a five (5) year agreement with IRL Systems, Inc. for a total not-to-exceed amount of \$60,904.00 for the testing, inspection and maintenance of the fire alarm system at BPCP HQ.

Upon a motion made by Mr. Batista and seconded by Mr. Bevilacqua, the following resolution was unanimously approved:

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH IRL SYSTEMS, INC. FOR FIRE ALARM TESTING, INSPECTION AND MAINTENANCE**

BE IT RESOLVED, that the President and Chief Operating Officer (the "President") of the Battery Park City Parks Conservancy (the "Conservancy"), or her/his designees be, and each of them hereby is, authorized and empowered to execute an agreement for five (5) years, between the Conservancy and IRL Systems, Inc. in the not-to-exceed amount of \$60,904.00 (the "Agreement") for fire alarm testing, inspection and maintenance at the Conservancy's headquarters located at 75 Battery Place and for the Wagner Park Pavilion facilities located at 20 Battery Place; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the Agreement on behalf of the Conservancy, subject to such changes as the officer or officers executing the Agreement shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Conservancy, such approval to be conclusively evidenced by the execution and delivery of the Agreement; and be it further

RESOLVED, that the President of the Conservancy, or her/his designees be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and take all such other and further actions as may be necessary, desirable or appropriate in connection with the transaction contemplated in the foregoing resolution, and any such execution of documents and any other and further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

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The next item on the agenda, presented by Mr. Pomponio, was an authorization to execute a Contract with Raymond of NJ, LLC. For the Parks HQ Warehouse Equipment Maintenance Services.

Mr. Pomponio began by mentioning we have warehouse equipment at 75 Battery Place which utilizes three forklifts for operational needs, two RRS-R30TT walkie stacker trucks and one TRT transtacker truck, for very narrow aisles. This equipment, he explained, was purchased and is maintained by Raymond, therefore, they are a sole source provider. This request is to enter into an agreement with Raymond of New Jersey, LLC for a five-year term not to exceed an amount of \$167,346.40 to maintain and to keep the equipment in a good and safe working condition.

Upon a motion made by Mr. Bevilacqua and seconded by Mr. Tsunis, the following resolution was unanimously approved:

**AUTHORIZATION TO EXECUTE A CONTRACT WITH RAYMOND OF NJ, LLC, FOR PARKS HQ WAREHOUSE EQUIPMENT MAINTENANCE SERVICES**

BE IT RESOLVED that in accordance with the materials presented to this meeting, the President (the "President") and Chief Operating Officer of the Battery Park City Parks Conservancy (the "Conservancy") or her/his designee(s) be, and each of them hereby is, authorized and empowered to enter into a five (5) year contract with Raymond of NJ, LLC. (the "Contract"), for maintenance of the RRS-R30TT walkie stacker truck and the TRT transtacker trucks for \$142,346.40 for routine scheduled maintenance and an allowance of \$25,000.00 for non-routine maintenance and repairs, for a total not-to-exceed amount of \$167,346.40, and be it further

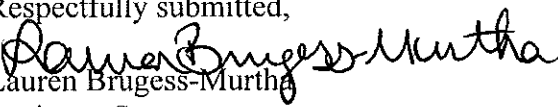
RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the Contract on behalf of the Conservancy, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Conservancy, such approval to be conclusively evidenced by the execution and delivery of the Contract; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

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There being no further business, upon a motion made by Mr. Petracca and seconded by Ms. McVay Hughes, the meeting thereupon adjourned at 2:45 p.m.

Respectfully submitted,

  
Lauren Bruggess-Murtha  
Assistant Secretary