

HUGH L. CAREY BATTERY PARK CITY AUTHORITY  
Meeting of the Members  
200 Liberty Street, 24<sup>th</sup> Floor  
New York, NY 10281  
August 15, 2017

Members Present

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

Authority Staff in Attendance: Shari C. Hyman, President/COO  
Brett Beecham, Associate General Counsel  
Nidia Blake-Reeder, Director of Event Coordination and Management  
Marie Cornielle, Deputy Treasurer  
Gwen Dawson, Vice President, Real Property  
Abby Erlich, Director of Community Partnerships and Engagement  
Abigail Goldenberg, Special Counsel and Risk Officer  
Benjamin Jones, Chief Administrative Officer and VP of Internal Audit  
Susie Kim, Deputy General Counsel  
Karl Koenig, Controller  
Kevin McCabe, Chief of Staff/Special Assistant to the Chairman/CEO  
Brenda McIntyre, Vice President, Human Resources  
Robert Nesmith, Chief Contracting Officer  
Anne O'Neill, Dir. of Horticulture, Sustainability & Landscape Design  
Anthony Peterson, Director of Diversity  
Bruno Pomponio, Director of Parks Operations  
Alix Pustilnik, General Counsel  
Jason Rachnowitz, Director of Financial Reporting  
Nicholas Sbordone, Director of Communications and Public Affairs  
Nicole Stallworth-Roper, Associate General Counsel  
Alexis Torres, Special Advisor to the President/COO

Others in Attendance: Bob Cheddar, PFM  
Paul Hennessey, COOL Insurance  
Various Members of the Public

The meeting, called on public notice in accordance with the New York State Open Meetings Law, convened at 2:05 p.m.

The first item on the agenda was the approval of the minutes of the May 22, 2017 meeting. Upon a motion made by Mr. Petracca and seconded by Mr. Batista, 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 Members of the Hugh L. Carey Battery Park City Authority held on May 22, 2017 are hereby approved.

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There were six individuals who presented during the period of public comment.

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The next item on the agenda was the M/WBE Report presented by Mr. Peterson.

Mr. Peterson updated the Members on the State's First Quarter M/WBE Utilization Report and the SDVOB Utilization Report.

For the First Quarter of Fiscal year 2017, 35.52% or \$982,187.74 of the Authority's and Conservancy's total expenditures of \$2,764,904.92 was paid to M/WBEs. Of this total amount, approximately 20.39% or \$563,754.27 was paid to MBEs and approximately 15.13% or \$418,433.47 was paid to WBEs. 17.63% (\$487,334.12) was paid directly to M/WBEs (\$183,904.25-MBE/\$303,429.87-WBE) and 17.90% (\$494,853.62) was paid to MWBEs as Sub-contractors (\$379,850.02-MBE/\$115,003.60-WBE).

He added that for the First Quarter of Fiscal year 2017, 32.34% or \$401,594.33 of the Authority's and the Conservancy's total expenditures of \$1,241,892.42 was paid to SDVOBs.

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Next, there was a presentation of the Authority's Investment portfolio by Bob Cheddar from PFM. Mr. Cheddar explained how the funds are being managed. He also discussed the aggregate portfolio composition by sector to provide a sense of how the funds are being invested.

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Mr. Batista made a motion to enter Executive Session to discuss matters pertaining to litigation, the proposed acquisition, sale or lease of real property or the proposed acquisition, sale or exchange of securities, which was seconded by Mr. Petracca. The Members entered Executive Session at 2:33 p.m.

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Upon a motion made by Mr. Petracca and seconded by Mr. Batista, the Members exited Executive Session at 2:52 p.m. and resumed the public meeting.

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The next item on the agenda, presented by Mr. Jones, was an authorization to enter into an agreement with Liv Art Inc. ("Liv Art") for the Police Memorial Engraving Services and with 212/Harakawa Inc. DBA Two Twelve ("212") for the Police Memorial Design Services.

Mr. Jones explained that both of these contracts relate to the police memorial and our annual efforts to add names to the Memorial of Fallen Officers, as dictated to us by the NYPD. Continuing with those efforts we now need two new contracts to provide those services, both to design the names for the wall, and then to subsequently engrave them on the wall. Liv Art is the company that has historically been carving the names in the police memorial and 212 assists with the design for the carvings. This request, he added, is to enter into contracts with both of those certified MWBE firms for a period of three years; the budget for Liv Art is \$90,000 and the budget for 212 is \$60,000, which is based on an estimate for the number of names given to us.

Upon a motion made by Mr. Petracca and seconded by Mr. Tsunis, the following resolutions were unanimously adopted:

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH LIV ART INC. FOR POLICE MEMORIAL ENGRAVING SERVICES**

BE IT RESOLVED, that in accordance with the materials presented to this meeting, the President of the Authority or her designee(s) be, and each of them hereby is, authorized and empowered to enter into an agreement between the Authority and Liv Art Inc. in an amount not to exceed \$90,000.00 over three (3) years for the engraving services needed to add additional names to the Police Memorial.

RESOLVED, that the President of the Authority or her designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the agreement on behalf of the Authority, 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 interests of the Authority, 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 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 and further actions heretofore taken are hereby ratified and any actions hereafter taken are in all respects confirmed and approved.

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH 212/HARAKAWA INC. DBA TWO TWELVE FOR POLICE MEMORIAL DESIGN SERVICES**

BE IT RESOLVED, that in accordance with the materials presented to this meeting, the President of the Authority or her designee(s) be, and each of them hereby is, authorized and empowered to enter into an agreement between the Authority and Two Twelve in an amount not to exceed \$60,000.00 over three (3) years for the design services needed to add additional names to the Police Memorial.

RESOLVED, that the President of the Authority or her designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the agreement on behalf of the Authority, 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 interests of the Authority, 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 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 and further actions heretofore taken are hereby ratified and any actions hereafter taken are in all respects confirmed and approved.

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The next item on the agenda, presented by Mr. Jones, was an authorization to enter into an agreement with Crowe Horwath for Consulting Services related to Finance, Accounting, and Auditing.

Mr. Jones explained that this contract for consulting services is related to finance, accounting and auditing. It would primarily carry out the Authority's internal audit program, review our internal controls, provide guidance on how to tighten those controls and improve operations more broadly.

Based on the technical review, Crowe Horwath was unanimously first in the rankings of the Evaluation Committee's scores. They are a large internal audit and consulting advisory firm with a government-specific practice, as well as real estate practice and internal audit specialty. They have a vast amount of experience with municipalities and authorities and the references that we checked gave them great reviews and also spoke specifically to a number of their efforts that are similar to our needs here, in terms of review of internal controls and providing helpful guidance for operations.

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

#### **AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CROWE HORWATH**

BE IT RESOLVED, that in accordance with the materials presented to this meeting, the President of the Authority or her designee(s) be, and each of them hereby is, authorized and empowered to enter into an agreement between the Authority and Crowe Horwath in an amount not to exceed \$900,000 over a period of three (3) years and not to exceed \$300,000 each year, with an option for two (2) one (1)-year extensions for consulting services related to finance, accounting, and auditing.

RESOLVED, that the President of the Authority or her designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the agreement on behalf of the Authority, 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 interests of the Authority, 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 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 and further actions heretofore taken are hereby ratified and any actions hereafter taken are in all respects confirmed and approved.

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The next item on the agenda, presented by Mr. Jones, was an authorization to amend the agreement with Lemire LLC for background screenings.

Mr. Jones explained that this amendment request is purely because of the duration of the contract. This is for an amendment of time to our contract with Lemire, who provides background investigative services, to look into vendors that the Authority has engaged with and make sure that their background checks out. Existing funds remain in the contract, he noted, so the request is only an extension to the expiration of the contract for two additional years, without adding additional money, so we can continue using these investigative services.

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

**AUTHORIZATION TO AMEND AGREEMENT WITH LEMIRE LLC FOR BACKGROUND SCREENINGS**

BE IT RESOLVED, that in accordance with the materials presented to this meeting, the President of the Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to amend the agreement (the "Amendment") between the Authority and Lemire LLC to extend it for two (2) years.

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

RESOLVED, that the President of the Authority 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 and further actions heretofore taken are hereby ratified and any actions hereafter taken are in all respects confirmed and approved.

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The next item on the agenda, presented by Ms. Pustilnik, was an authorization to enter into an agreement with West Publishing Corporation for web-based legal research services.

Ms. Pustilnik explained that the Legal Department uses Westlaw, an OGS provider of web-based legal and other research services. This contract is longer than a year in duration and therefore the board is requested to approve it. The approval is for a three-year contract at the total cost of \$47,000.

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

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WEST PUBLISHING CORPORATION FOR WEB-BASED LEGAL RESEARCH SERVICES**

BE IT RESOLVED, that in accordance with the materials submitted at this meeting, the President and Chief Operating Officer (the "President") of the Battery Park City Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to enter into an agreement with West Publishing Corporation for web-based legal research and fraud prevention services in an amount of \$47,254.16, including annual escalations, for a three (3) year contract; and be it further

RESOLVED, that the President of the Authority 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 Authority, subject to such changes as the officer or officers executing the agreement shall, with the advice of counsel, approve as necessary and appropriate in the best interest of the Authority, 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 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 Ms. Pustilnik, was an authorization to amend the retainer agreement with Sher Tremonte, LLP for litigation services.

Ms. Pustilnik explained that this approval is to add an additional \$275,000 to the existing retainer with Sher Tremonte, who represents us in ongoing litigation. This would bring us to a total amount of \$500,000, requiring the board's approval on our money threshold. Also, she added, the amendment is requesting to extend the expiration date from December of 2017 to December of 2018.

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

**AUTHORIZATION TO AMEND THE RETAINER AGREEMENT WITH SHER TREMONTE, LLP. FOR LITIGATION SERVICES**

BE IT RESOLVED, that in accordance with the materials submitted at this meeting, the President and Chief Operating Officer (the "President") of the Battery Park City Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute an amendment (the "Amendment") to the retainer agreement with Sher Tremonte, LLP for litigation services, increasing the amount payable thereunder by \$275,000 for a total not-to-exceed amount of \$500,000 and extending the termination date to December 20, 2018; and be it further

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

RESOLVED, that the President of the Authority 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. Jones, was an authorization to accept the 2017-2018 Insurance Program and an authorization to pay the Related Insurance Premiums.

Mr. Jones stated, for the benefit of the new board members, that the Authority has an insurance program with a range of different types of coverages to protect primarily our infrastructure and our assets within Battery Park City. Three years ago, he explained, the Authority began using the services of New York State's Bureau of Risk and Insurance Managements to obtain the insurance coverages. Through that program, the Authority engaged Cool Insuring Agency ("Cool") as its broker of record.

Paul Hennessey then explained to the Board the high level of the different coverages to familiarize the Board with what the insurance program is comprised of.

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

**AUTHORIZATION TO ACCEPT THE 2017-2018 INSURANCE PROGRAM AND  
AUTHORIZATION TO PAY THE RELATED INSURANCE PREMIUMS**

BE IT RESOLVED, that the Members hereby authorize the President and Chief Operating Officer (the "President") of the Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to accept the 2017-2018 Insurance Program and to authorize the payment of the insurance premiums in the total amount of \$1,501,268.00, subject to such changes as the officer or officers, with the advice of counsel, shall approve as necessary and appropriate and in the best interest of the Authority; and be it further

RESOLVED, that the President of the Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute any 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 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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There being no further business, upon a motion made by Mr. Petracca and seconded by Mr. Batista, the Members unanimously voted to adjourn the meeting. The meeting thereupon adjourned at 3:23 p.m.

Respectfully submitted,  
Susie Kim, Assistant Corporate Secretary





**Public Comment**  
August 15, 2017 Board Meeting

1. My name is Todd Fine. I'm a historian of Arab-American Literature. I'm the president of the Historical Society for the little Syrian neighborhood. We are concerned about the potential closure of St. Joseph Chapel in Battery Park City, but we would like to thank the BPCA for the efforts that it made in negotiations between the Archdiocese and with FRAT [PH] to pursue, save our chapel in lieu of payments, in lieu of taxes or rent negotiations. That is a critical recognition that this church needs to be saved and that decision can be a basis to still save the church and historians, people in the 9/11 families, parishioners, people in Battery Park City are still want to save the church and we believe that Battery Park City can work to re-purpose this church in a way that maintains the memorial to 9/11, to dedicate to the firefighters, police officers and preserve the Arab-American heritage, the beautiful Arabic stained glass in that facility and its dedication as a memorial to 9/11. We've identified three principles that we think could go into a re-continued operation of that space. It should be, it could be a community space for people in Battery Park City to use. My understanding is there's a lack of community space for religious institutions. This would be the last church that Battery Park City will close. No more religious institutions. But there's a desire for that; it could be rented in that space. Additionally, there's a desire among 9/11 families for a peaceful, calm memorial space for them to contemplate 9/11, that doesn't exist in basically this entire area and a lot of people have used and there's a desire for that to be picked a place there. Potentially the family room, that 9/11 families put artifacts into Albany, could be re-purposed into that space. There's a department in conjunction with that. Also that space could become an interfaith prayer center. It doesn't have to be all Catholic art related to 9/11. There could be Jewish; other Protestant denominations, Hindu, Muslim, art, all dedicated into that space; a peaceful place for locals, for survivors, for family members to remember 9/11. If this church closes, it will be an international embarrassment. It will mean that the 9/11 recovery has failed because it doesn't protect community institutions and historical things. Everything will be luxury retail, which will be a disaster for BPCA and the city and the country.  
Thank you.

2. Hello. So I am Marion Bergman and I am a volunteer on the Steering Committee for the Battery Park City Seniors. A few years back I was on the BPC task force working with community board members and asked for Asphalt Green to try to get space for seniors to have programs in. And I recently reviewed the agreement documents with Battery Park City Authority and Asphalt Green and I found that there are very specific space requirements that they should be given to the community. Literally 35 hour's worth of space. Now the seniors are now getting two hours from them and it was an intense struggle to get it and they tend to disregard our requests. They tend to not communicate with us when they make changes. People show up for a class and it's in another space. And I think that's literally because the person who runs Asphalt Green in Battery Park City has no idea that there is an obligation to be open to the community and they think they're doing us a great charity -- in our space. I also notice the documents require two coordinators; one at Battery Park City Authority, one at Asphalt Green, to facilitate the use of this community space. So I would at some point like to know who that facilitator/coordinator is so we can work together. And be able to work together on behalf of Battery Park City seniors in the neighborhood. In addition, there are changes to what's specified, in terms of the space to be given, in terms of time and space and so I think it may be time to review that again and update that agreement, so it syncs up with what's happening and what we would like to see happening.  
That's it. Thank you.



3. Members of the board and residents of Battery Park City, my name is Aaron Foldenauer and I'm a candidate for New York City Council here in lower Manhattan. I'm running against Margaret Chin; given her ineffective leadership across District 1, particularly here in Battery Park City. We are facing an affordability crisis. And I respectfully submit that both Chin and the Authority have lost sight of the needs of our local residents in favor of special interests in the real estate lobby. The very purpose of Battery Park City is to "sustain a balanced community of commercial, residential and retail space."

Sadly, Battery Park City is now one of the more expensive neighborhoods in Manhattan and many apartments that used to be affordable are now market rate. Furthermore, the retail options here are increasingly unaffordable and cater to wealthy tourists and the super-rich. Even those who can afford to purchase an apartment are faced with high carrying costs, such as ground rent and facility fees.

Worse yet, residents of Battery Park City do not actually own these apartments, because ownership is due to revert to the Authority in some decades to come. This creates needless risk and uncertainty in the marketplace and for local residents. Safety and ineffective use of the Authority's funding are also critical concerns. Respectfully, the lack of local representation on the board is illustrative of the disconnect between the Authority and its residents; residents who tell me that there is taxation without representation, may be onto something. A number of residents of Battery Park City have told me that Margaret Chin has failed to ever respond, not even with a form letter, when they have reached out to her office with concerns about this community and this is further proof that Margaret Chin caters only to the needs of certain parts of Manhattan and not others. Again, my name is Aaron Foldenauer and I look forward to working with you.

4. Good afternoon, my name is Tammy Meltzer and I am the chair of Battery Park City of Community Board 1. I come before you this month to welcome Catherine McVay Hughes and George Tsunis to the BPCA board. As many of you know, the residential community in Battery Park City makes up nearly half of the revenues collected by the Authority. Decisions determined in this room directly affect the quality of life of the people who live here 24 hours a day. Not just business hours, nor on a tour, nor attending some of our amazing events here. In recent times the BPCA has partnered with the Community Board to form working groups that have addressed bicycle and pedestrian safety on the Esplanade and some of the senior group activities. Together input prior to plans being drafted and being presented to the community. This type of partnership and communication in addressing the needs of potential concerns of the community, prior to presenting a plan and then seeking feedback is far more productive.

However, this has not been the process utilized by some of the larger redevelopment projects spurred by the Battery Park City Authority that most greatly affects the quality of life of the residents. Questions of what takes priority for redevelopment and resiliency are paramount to start the process with the input of community in the beginning. These are decisions that need to be made with the community as a partner, not a closed system. There are still no legal residents of Battery Park City on this board. And when you all go home today, we will still be here. Most important, the community board is a place of Socratic dialogue that meets monthly. I welcome board members, both new and existing, to come to a Battery Park City Committee Board Meeting, to hear directly from the community as we discuss issues. Catherine can tell you, we're not horrible people.

We want to welcome you and give you firsthand access to hear directly from the community and areas of resiliency redevelopment and understand the priorities of the stakeholders most greatly affected. It is in all of our interests to ensure the safety of the people and the assets, prosperity and quality of life in Battery Park City for today and the future.

Thank you and welcome.

5. My name is Justine Cuccia and I've been a resident of Battery Park City for more than 20. Let me begin by welcoming the three new members to the board, the BPCA and inviting them to continue the

process of engagement and collaboration with the community that was ably begun by Chairman Dennis Mehiel and President Shari Hyman. Today I'm asking the board to consider an opportunity to forge a closer relationship with everybody who lives and works in Battery Park City. The space that has for 30 years plus housed St. Joseph's Chapel is likely soon to become vacant. I should pause here to thank Dennis and Shari and the Lovecraft Organization for all that they did to assist, to attempt to assist to save the chapel in its local, in its present location, but it appears that all the, despite their efforts, it's not going to be successful and the Archdiocese is likely to close the chapel before the end of 2017. But that doesn't mean that the space must be lost to the community forever. Indeed, the chapel is not merely a house of worship. It's also the official Catholic memorial to September 11th and with the BPCA's help it can continue in this role, but be expanded to function as a memorial to all the people who lived in Battery Park City and Lower Manhattan during the terrorist attacks that took place 17 years ago and a memorial to all the people, including you all here, who moved here in the months after and followed and who are still here today and helped rebuild Battery Park City.

Today Battery Park City and Lower Manhattan are thriving, but that would not have been possible without the commitment of the people who stayed; the people who chose to come here in the years after 2001 when no one even knew if Lower Manhattan would come back. But there is no memorial to their experience and what they have accomplished exists nowhere. Battery Park City is already home to monuments that commemorate the potato starvation in Ireland, the sacrifices made by the police officers and the suffering of the victims of the Holocaust. It clearly falls within the Battery Park City's Mission Statement to create and maintain such monuments, by setting aside land to house them and funds to maintain them. Sorry, I'm almost done. Space will shortly become available within Gateway Plaza and the short fund that's occupied by the chapel and I'm asking this board to consider allocating funds to take over this space and help create a memorial to residents of Battery Park City and Lower Manhattan who helped to rebuild this community. Because the proposal is too long, I just can't keep talking, I'm done already; in my proposal that was written that I submitted by mail, you know, by my email to Mick, please read it because it would be more than just a health; it would be a community space and I think that Todd Fine spoke to some of the other possible options and Michael Burke, had he been here, he would be talking about some other options that we've explored.

I don't know yet if it's possible, but we please beg you to take a look at it.

6. Jeannette Wymer, BPC Resident, 2 South End Avenue (The Cove Club) Last time Shari talked about pedestrian safety on the Esplanade, from the Gateway to the river. I heard that there was response that there's a Bicycle Committee that is taking care of that. I think that we should have a disinterested party take care of pedestrian safety on both sides; the bike path and also the river path, because it's very unsafe there, whether you're walking or running. I walk there, I run there and I don't think that bikes should be on the Esplanade when they have a bike path and I also don't believe that the bike committee should be deciding whether pedestrian safety is important, if they have an interest, because they want to bike there. So I really think it's really important for the board to really look over this, because it -- safe there. You have the city bikes there, surely. Bruno's team can tell you, they're out there with their cart; it's just not safe. You know, and I think a community would deserve to be safe and we do need to find a solution for the bike path, for that area to be safe, but they should not be on the Esplanade, at the same time there are people with carriages, their families, and I know you don't all live here, so you don't understand like what it's like to just walk there and it's a beautiful area and it's it tough to worry that, you know, people from our neighborhood are biking there and people not from our neighborhood are biking along the river. And they are also parts of -- where they have to dismount, but where I live, they don't have to dismount, which I start, you know, at the end of South End, where the regatta and the Gateway, so I really would like you to consider this. The last time I was told that there's a committee that's doing it

and then I realized it's a bike committee. So really, I mean, the board should just maybe take a walk and see and make that decision as opposed to the bike committee. So thank you.

Letter To the Board of the Battery Park City Authority.

My name is Michael Burke. On September 11 my brother, Capt. William F. Burke, Jr., Eng. Co. 21, gave his life.

I am Director of Save the Sphere, which successfully fought to return the Sphere to the World Trade Center site. This week work will begin on installing it in Liberty Park, overlooking the memorial. A ceremony will be held in the coming weeks.

I am also co-founder of the Capt. Billy Burke 1 WTC Stair Climb. Proceeds go to the famous Tunnel to Towers fund that builds homes for catastrophically injured vets and to support the families of police officers and firefighters killed in the line of duty.

I wrote to you now to offer my support for returning the Family Room as part of the Battery Park City September 11 Memorial at St. Joseph's Chapel as described by Justine Cuccia and Todd Fine.

Nothing was more personal or closer to the heart to the families than the family room. And of course that's true: it was created from our hearts.

I know I speak for every family member, and I do sincerely mean all. All would support bringing the Family Room to such a reverent, special place where they could visit it in private contemplation and memory.

St. Joseph's Chapel would be special place for the families and Battery Park residents. I beseech the BPCA to support this noble effort.

Thank you.

Michael Burke