

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

COMMITTEE ON OPERATIONS

MINUTES

Thursday, April 26, 2012

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**MINUTES OF
COMMITTEE ON OPERATIONS**

225 Park Avenue South

New York, NY

Thursday, April 26, 2012

PRESENT:

Hon. David Samson, Chair
 Hon. Jeffrey H. Lynford, *pro tem*
 Hon. Scott H. Rechler, *ex officio*
 Hon. David S. Steiner
 Committee Members

Hon. Jeffrey A. Moerdler
 Commissioner

Patrick J. Foye, Executive Director
 William Baroni, Jr., Deputy Executive Director
 Karen E. Eastman, Secretary

Steven A. Borrelli, Assistant Director, Port Business Development, Port Commerce
 Steven J. Coleman, Deputy Director, Media Relations
 Stephanie E. Dawson, Acting Chief Operating Officer
 Michael G. Fabiano, Chief Financial Officer
 Michael B. Francois, Chief, Real Estate and Development
 Mark D. Hoffer, Director, New Port Initiatives, Port Commerce
 Lawrence S. Hofrichter, Deputy General Counsel
 Richard M. Larrabee, Director, Port Commerce
 John H. Ma, Chief of Staff to the Executive Director
 Lisa MacSpadden, Director, Media Relations
 Michael G. Massiah, Director, Management and Budget
 James E. McCoy, Manager, Board Management Support, Office of the Secretary
 Patrick O'Reilly, Senior Advisor to the Chairman
 Jared Pilosio, Staff External Relations Representative, Government and Community Affairs
 Monika A. Radkowska, Principal Board Management and Support Specialist, Office of the
 Secretary
 David M. Wildstein, Director, Interagency Capital Projects, Office of the Deputy Executive
 Director

Guest:

Regina Egea, Director, Authorities Unit, Office of the Governor of New Jersey

The Committee meeting was called to order in public session by the Chair at 9:05 a.m. and ended at 9:45 a.m. Commissioner Moerdler was present for a portion of the public session. The Committee also met in executive session following the public session.

Action on Minutes

The Secretary reported that the Minutes of the meeting of September 22, 2011 had been signed and distributed to the Commissioners.

Whereupon, the Committee approved the Minutes of the meeting of September 22, 2011.

HUDSON-RARITAN ESTUARY RESOURCES PROGRAM – AGREEMENT FOR THE ACQUISITION OF A CONSERVATION EASEMENT ON A PORTION OF THE WILLIAM H. POUCH SCOUT CAMP PROPERTY IN STATEN ISLAND, NEW YORK

It was recommended that the Committee on Operations (the Committee) authorize the Executive Director to enter into agreements with the Trust for Public Land (TPL), its designee, the New York State Department of Environmental Conservation (NYSDEC), and the City of New York (City), as necessary, for the Port Authority to provide an amount not to exceed \$4 million toward the total \$5 million cost to acquire a conservation easement on an approximately 42.7-acre portion (Staten Island Tax Map, Block 937, Lots 1 and 2) of an approximately 113.6-acre piece of real property owned by the Boy Scouts of America, Greater New York Councils and known as the “William H. Pouch Scout Camp Property” (Property) in Staten Island, New York, for inclusion in the Hudson-Raritan Estuary Resources Program (Program).

The provision of funds 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, through a conservation easement ensuring the site’s preservation as a natural site in perpetuity. The acquisition of the conservation easement by TPL, for the benefit of the Port Authority, would ensure the site’s preservation as a publicly accessible, natural area in perpetuity, while permitting the current owner to maintain its existing camp-related facilities and program space. The easement would eliminate the potential future threat of development at the site, which is located adjacent to, or in near proximity to, other lands protected by the State of New York and the City of New York comprising the “Staten Island Greenbelt,” including High Rock Park, Richmond Parkway, Blood Root Valley Nature Preserve, Kaufman Camp Unique Area and Saint Francis Woodland.

TPL would acquire the conservation easement for the Property from the Greater New York Councils, Boy Scouts of America for \$5 million and transfer the easement to NYSDEC. The Port Authority would provide TPL and its designee, NYSDEC, with an amount not to exceed \$4 million, and the City would provide the remaining \$1 million toward the cost of the easement. The Property was appraised for TPL on December 6, 2011 by Goodman-Marks Associates, Inc. of Mineola, New York, which valued the conservation easement at \$5.26 million. The Port Authority retained Real Estate Solutions of Bayville, New York to prepare a review appraisal report of the TPL appraisal, which confirmed the value conclusion of the TPL appraisal.

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 suitable for conservation and public access. The Property is considered a priority acquisition for the Program, because it contains mature forest, a natural pond (Ohrback Lake) and several wetland complexes. Acquisition of this site for conservation purposes is supported by various entities, including the State of New York, the City of New York and key federal and state natural resource agencies.

Acquisition of this site also would advance the Port Authority's sustainability goal of protecting 50 acres of land per year from development. The Port Authority would not be responsible for any environmental clean-up costs in the event that environmental issues exist. The acquired Property would be included in the Program facility.

Pursuant to the foregoing report, the Committee adopted the following resolution, with Commissioners Lynford, Rechler and Samson voting in favor; Commissioner Steiner recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Committee being present.

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into agreements with the Trust for Public Land, its designee, the New York State Department of Environmental Conservation, and the City of New York, as necessary, for the Port Authority to provide an amount not to exceed \$4 million toward the total \$5 million cost to acquire a conservation easement on an approximately 42.7-acre portion (Staten Island Tax Map, Block 937, Lots 1 and 2) of an approximately 113.6-acre piece of real property owned by the Boy Scouts of America, Greater New York Councils and known as the "William H. Pouch Scout Camp Property" in Staten Island, New York, for inclusion in the Hudson-Raritan Estuary Resources Program, and to enter into such other related agreements as may be necessary in connection therewith, substantially in accordance with the terms outlined to the Committee on Operations; 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