

Exhibit Book
Joint Metro-North and Long Island Committees Meeting
2/22/2016

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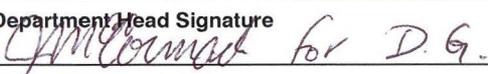
Joint MNR/ LIRR Committee Meeting

Monday, February 22, 2016

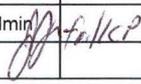
Additional Action Item

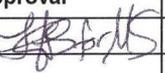
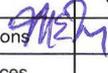
- **Second Memorandum of Understanding (MOU) between MNR and City of Newburgh for Reimbursement of Ferry Landing/ Parking Lease**

Staff Summary

Subject Second Memorandum of Understanding (MOU) between MNR and City of Newburgh for Reimbursement of Ferry Landing/ Parking Lease	Date February 4, 2016
Department Operations Planning and Analysis	Vendor Name N/A
Department Head Name Delana Glenn	Contract Number N/A
Department Head Signature 	Contract Manager Name N/A
Project Manager Name Scott Ornstein	Table of Contents Ref#

Board Action					
Order	To	Date	Approval	Info	Other
	M-N Comm. Mtg.	2-22-16	X		
	MTA Board Mtg.	2-24-16	X		

Internal Approvals			
Order	Approval	Order	Approval
6	President 		Budget
	VP Operations		VP Capital Programs
4	VP Financial Admin 		Engr/Const
	Controller		Project Reporting

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
1	VP Planning 	3	Government Relations 		Labor Relations	2	General Counsel 
	Press		VP Human Resources		Human Resources	5	Executive Vice-President 

PURPOSE: To obtain MTA Board approval for Metro-North to enter into a Second Memorandum of Understanding (Second MOU) with the City of Newburgh, New York (the City) for Metro-North to reimburse the City for lease payments for the parking and ferry landing facilities used by the Newburgh-Beacon ferry for the period January 1, 2016 through January 31, 2017.

DISCUSSION: In August 2004 Metro-North and the City entered into an agreement concerning the mooring, docking, and use of facilities in Newburgh to be used for the Newburgh-Beacon Ferry. Under that agreement, the City would lease from a private landowner the land and facilities to create a ferry dock and 250-space parking facility for ferry riders. At the same time, the City and the New York State Department of Transportation (NYSDOT) entered into a contract by which NYSDOT reimbursed the City for the rent payments under the lease; that contract has since expired and will not be renewed by NYSDOT. NYSDOT has reimbursed the City for the lease payments through April 2015. Under an MOU dated May 26, 2015 between Metro-North and the City previously approved by the MTA Board, Metro-North reimbursed the City for lease payments from May through December 2015, at the monthly rate of \$21,278.

The City has entered into a lease extension with the property owner through January 31, 2017, which provides for no increase in rental payments from the prior lease. Under the proposed Second MOU Metro-North will reimburse the City for the same period of time as the lease extension (January 1, 2016 – January 31, 2017). The Second MOU also provides that the City and Metro-North will work together in a diligent, cooperative and time sensitive manner to identify and make available alternative locations for the Ferry Service and parking facility, as well as work together to identify other sources of funding. The Second MOU has been authorized and executed by the City.

The City does not have the resources to shoulder the expense of the ferry facility property lease. If Metro-North does not reimburse the City for the expense of leasing the ferry facility lands, the lease will terminate and the Newburgh-Beacon Ferry service would be interrupted.

The legal name of MTA Metro-North Railroad is Metro-North Commuter Railroad Company



Staff Summary

NYS DOT has provided Metro-North with Congestion Mitigation/Air Quality (“CMAQ”) funds, which may be used as reimbursement for assistance payments made to the City by Metro-North to fund the lease extension through January 2017. The MTA Board approved Metro-North’s acceptance of these funds for various connecting services-related projects, including the Newburgh-Beacon Ferry. Of the CMAQ funds, \$255,336 will be used to fund the reimbursement to the City. Funding for January 2017 will be identified and reflected in the 2017 budget process.

BUDGET IMPACT: Metro-North has already received the CMAQ funding from NYS DOT, of which \$255,336 is available to be programmed for this purpose. There is no net impact on the operating budget.

ALTERNATIVE: If Metro-North does not enter into this Second MOU, then the City would terminate the lease agreement for the Newburgh-Beacon Ferry landing, parking facility, and mooring rights. The likely impact of this action would be interruption of the ferry service while a new site is identified, procured, and any required improvements are constructed.

RECOMMENDATION: That the MTA Board grant approval for MNR to enter into a Second Memorandum of Understanding with the City of Newburgh regarding reimbursement of lease expenses paid by the City for land used for the Newburgh-Beacon ferry landing and parking facility for the period January 1, 2016 through January 31, 2017.