

# **INFORMATION ITEMS**

# Staff Summary

<b>Subject</b> <b>SHORT-TERM PARKING PERMIT BETWEEN MNR AND THE TOWN OF OSSINING FOR USE OF PARKING LOTS 14A AND 14B AT THE OSSINING STATION, TOWN OF OSSINING, NY</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>JASON ORTIZ</b>

<b>Date</b> <b>MAY 28, 2025</b>
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	MNR	05/28/25		X	
2	Finance Committee	05/28/25		X	
3	Board	05/28/25		X	

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

AGENCY: MTA Metro-North Railroad ("MNR")

PERMITTEE: Town of Ossining

LOCATION: Ossining Station, Town of Ossining, Westchester County, NY ("Station")

PREMISES: Parking lots 14a and 14b (112 spaces total) on the west side of the Station

USE: Use of station parking in connection with a public event

TERM: Saturday, April 26, 2025, 5:00 a.m. to 7:30 p.m.

COMPENSATION: None

## COMMENTS:

Pursuant to the Board-approved policy on October 24, 2002, governing the short-term licensing of railroad facilities by municipal and not-for-profit corporations for non-commercial activities which allows for the issuance of short-term permits for these types of uses provided that no single event exceeds 72 hours, the Permittee was granted permission to utilize 112 parking spaces in Lots 14a and 14b at the Station for the Town of Ossining's annual Earth Day event on Saturday, April 26, 2025, from 5:00 am to 7:30 pm.

MTA Legal drafted the Short-Term Permit Agreement as to form and the Permittee provided appropriate insurance coverage and indemnification.

# Staff Summary

<b>Subject</b> <b>PERMIT AGREEMENT BETWEEN B&amp;T &amp; PHILIP KAPLAN GLASS AND MIRROR LLC FOR THE INSTALLATION OF A WINDOW ON THE THIRD FLOOR OF 633 THIRD AVENUE, NEW YORK, NY</b>	<b>Date</b> <b>MAY 28, 2025</b>
<b>Department</b> <b>REAL ESTATE</b>	<b>Vendor Name</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>	<b>Contract Number</b>
<b>Department Head Signature</b>	<b>Contract Manager Name</b>
<b>Project Manager Name</b> <b>JASON ORTIZ</b>	<b>Table of Contents Ref. #</b>

Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	Finance Committee	05/28/25		X		1	Legal		
2	Board	05/28/25		X		2	Chief Administrative Officer		
						3	Chief Financial Officer		
						4			

AGENCY: MTA Bridges and Tunnels ("B&T")

PERMITTEE: Philip Kaplan Glass and Mirror LLC

LOCATION: Midtown Tunnel exit street adjacent to 633 Third Avenue, New York, NY

PREMISES: Sidewalk area and one (1) traffic lane

USE: Staging in support of an adjacent property improvement

TERM: One (1) Day

COMPENSATION: \$1,566.92

## COMMENTS:

Pursuant to MTA Board-approved policy for short-term access agreements on behalf of B&T, dated May 22, 2006, MTA Real Estate entered into a permit with Philip Kaplan Glass and Mirror LLC for the closure and use of the sidewalk area and one traffic lane of Midtown Tunnel exit street between East 40<sup>th</sup> Street and East 41<sup>st</sup> to install a window on the third floor of 633 Third Avenue, New York, NY. The requests and plans were reviewed and approved by B&T.

MTA Legal drafted the Permit to Enter, approved as to form and Permittee provided appropriate insurance coverage and indemnification for the above use.

# Staff Summary

<b>Subject</b> <b>PERMIT WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION FOR CONSTRUCTION OF ACCESSIBILITY IMPROVMENTS AT BROADWAY JUNCTION SUBWAY STATION IN BROOKLYN, NY</b>	<b>Date</b> <b>MAY 28, 2025</b>
<b>Department</b> <b>REAL ESTATE</b>	<b>Vendor Name</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>	<b>Contract Number</b>
<b>Department Head Signature</b>	<b>Contract Manager Name</b>
<b>Project Manager Name</b> <b>ARTURO ESPINOZA</b>	<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	05/28/25		X	
2	Board	05/28/25		X	

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
3	Chief Administrative Officer		
2	Chief Financial Officer		

AGENCY: MTA Construction & Development ("MTA C&D")

PERMITTOR: New York City Department of Parks & Recreation ("Parks")

LOCATION: Portion of Kings County Block 1547, Lot 1 in Callahan-Kelly Playground (the "Park") adjacent to MTA New York City Transit's ("NYCT") Broadway Junction subway station in Brooklyn, NY

PREMISES: Approximately 14,316 square feet

USE: Staging and construction of accessibility improvements at the Location

TERM: Six (6) months commencing as of March 26, 2025

COMPENSATION: None

## COMMENTS:

In support of a capital project to install accessibility improvements at the Broadway Junction subway station complex serving the A, C, J, Z, and L lines, temporary and permanent easements authorized via alienation legislation in adjacent property belonging to Parks as was described in the attached Staff Summary dated November 29, 2023.

In advance of the aforementioned property acquisitions, MTA C&D commenced construction within Parks property following the March 17, 2025 certification of MTA's mapping application for the de-mapping of Sackman Street into the City of New York's Uniform Land Use Review Procedure ("ULURP") which commences the process of officially changing the City Map, which is a necessary condition for Parks to enter into an easement agreement granting MTA C&D all the necessary property rights to construct, maintain, and operate the accessibility improvements. Therefore, this permit agreement bridges the gap between the ULURP certification date and the execution of the easement agreement.

Parks prepared the permit agreement and MTA Legal approved to as form. MTA Real Estate is authorized to enter directly into a permit agreement with Parks to a MTA Board policy for short-term construction access agreements dated November 15, 1999 and last modified June 23, 2011.

# Staff Summary

<b>Subject</b> <b>ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS FROM THE NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION IN SUPPORT OF ACCESSIBILITY IMPROVEMENTS AT NYCT'S BROADWAY JUNCTION STATION IN BROOKLYN, NY</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>ARTURO ESPINOZA</b>

<b>Date</b> <b>NOVEMBER 29, 2023</b>
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/27/23	X		
2	Board	11/29/23	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
3	Chief Administrative Officer		
2	Chief Financial Officer		

AGENCY: MTA New York City Transit ("NYCT")

GRANTOR: New York City Department of Parks and Recreation ("Parks")

LOCATION: Portion of Kings County Block 1547 Lot 1 in Callahan-Kelly Playground ("the Park") adjacent to NYCT's Broadway Junction subway station in Brooklyn

EASEMENT AREA: Temporary easements totaling 14,316 square feet and permanent easements totaling 9,616 square feet

USE: Construction, maintenance, and operation of accessibility improvements

ACTION REQUESTED: Authorization to enter into easement agreements

COMPENSATION: \$8,330,000 for all easements with an offset of \$3,600,000 for a portion of Sackman Street to be transferred to Parks and additional offsets of parcels worth at least \$4,730,000 to be transferred to Parks.

## COMMENTS:

In support of a capital project to install accessibility improvements at the Broadway Junction subway station complex serving the A, C, J, Z, and L lines, temporary and permanent easements need to be acquired in adjacent property belonging to Parks. The easements will allow for the expansion of the station headhouse to create space for new elevators and ramps along with new aerial bridges to improve circulation throughout the station complex.

New York State legislation, included in the 2020-2021 Enacted Budget, added PAL 1266 (12-a) to create a new valuation procedure for transfers to or acquisitions by the MTA of City of New York (the "City") owned real property, or interests in real property, needed by the MTA for certain capital projects in the 2015-2019 and 2020-2024 capital programs. The legislation adding PAL 1266 (12-a) was enacted so that the MTA can acquire from the City the real property interests needed for critical MTA capital projects timely, efficiently, and cost-effectively.

# Staff Summary

## FINANCE COMMITTEE MEETING



### ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS FROM THE NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION IN SUPPORT OF ACCESSIBILITY IMPROVEMENTS AT NYCT'S BROADWAY JUNCTION STATION IN BROOKLYN, NY (Cont'd.)

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PAL 1266 (12-a) requires valuations of the City's real property interests and negotiations with the City to determine fair market value to be conducted after 1) the MTA has identified the need for such property interests, and 2) the City has consented to their transfer or acquisition.

The MTA has identified to the City the real property interests that the MTA needs to construct the accessibility improvements at the Broadway Junction subway station complex, and the City has consented to the transfer / sale of said real property interests to the MTA.

The New York State Assembly and Senate in June 2022 approved a bill authorizing this parkland alienation for the MTA acquisition of said real property interests at Parks' Callahan Kelly Playground and the Governor signed the bill in August 2022. An additional bill for technical corrections to the 2022 legislation was passed in May 2023 and signed by the Governor in July 2023.

Pursuant to PAL 1266 (12-a), after the MTA acquires title to the real property interests, the MTA will make a written offer to compensate the City the fair market value for said real property interests, based on an appraisal, and if needed will commence negotiations with the City to determine fair market value.

Since the Park received federal funding, any action to alienate any portion of the Park requires an additional process overseen by the National Park Service called conversion, the result of which is a requirement for identifying property whose value meets or exceeds the value of the real property interests alienated from Parks to serve as substitute parkland to be transferred to Parks permanently. Only property of sufficient recreational usefulness as a park qualifies; it is insufficient to compensate Parks with funds. One such parcel was identified early in the process and was included in the 2022 alienation legislation: the portion of Sackman Street adjacent to the Park. Thus, the alienation legislation authorized NYCT to undertake the process of a mapping action to formally discontinue and close a portion of Sackman Street (known as a "de-mapping") bordering the Park and then subsequently transferring jurisdiction of such de-mapped area to Parks.

An independent valuation of the easement areas alienated from Parks and the portion of Sackman Street to be transferred to Parks resulted in a shortfall of \$4,730,000 and the need to identify additional parcels in the Borough of Brooklyn to make up the difference. A significant driver of that shortfall is the requirement to value the temporary easements as permanent easements when the duration of the temporary occupancy is greater than 6 months, which is the case in this project. Therefore, in order to make up the shortfall, MTA identified additional parcels controlled by NYCT and they are being appraised. MTA Real Estate will negotiate terms and work with Parks to transfer the desired parcels to Parks' jurisdiction. The property acquisition will be subject to satisfactory completion of any necessary environmental reviews.

Based on the foregoing, MTA Real Estate requests authorization to proceed with negotiations and enter into easement agreements with Parks at the above-described terms and conditions. This Staff Summary will be updated to include any of the additional parkland replacement parcels identified to satisfy the above-described shortfall and the final terms and conditions will be presented to the Finance Committee and Board for approval.

# REPORT ON AGREEMENTS ENTERED INTO DIRECTLY BY THE REAL ESTATE DEPARTMENT PURSUANT TO BOARD POLICY

**MAY, 2025**

Agency/Transaction Manager	Renewal/RFP Generated	(Lessee or Licensee)	Location/ Use	Term	Rental		Annual Increases		Price/SF	
<b>MNR/ Kim Trevisan</b>	New License	Licensee / Central Watch	Grand Central Terminal / Retail Sales of Watches & Watch Repairs	3 Years	Year 1	\$168,640.00	Year 2 3% Year 3 3%		Year 1	\$535
					Year 2	\$173,699.20			Year 2	\$551
					Year 3	\$178,910.17			Year 3	\$568
					<b>TOTAL</b>	<b>\$521,249.37</b>				