

**JUNE 2025**  
**MTA REAL ESTATE**  
**FINANCE COMMITTEE AGENDA ITEMS**

**1. TRANSACTIONAL ACTION ITEMS**

MTA Metro-North Railroad

- a. Amended and restated easement with Congregation Machzikei Hadas for property on the Piermont Line adjacent to Spring Valley

MTA Long Island Rail Road

- b. License with BNSF Railway Company for the use of a parcel of land and sidetrack along the Central Branch in connection with the Ryder Cup golf tournament in Uniondale
- c. License with PHQ Enterprises LLC for property to be used for storage on the Montauk Branch in East Hampton

MTA Bridges and Tunnels

- d. Amendment to the license agreement with The National September 11 Memorial and Museum for use of the Battery Parking Garage in connection with the tribute in light ceremony

**2. INFORMATION ITEMS**

- a. Report on agreements entered into directly by the Real Estate Department pursuant to Board policies

<u>Legal Name</u>	<u>Popular Name</u>	<u>Abbreviation</u>
<u>New York City Transit Authority</u>	<u>MTA New York City Transit</u>	<u>NYC Transit</u>
<u>The Long Island Rail Road Company</u>	<u>MTA Long Island Rail Road</u>	<u>LIRR</u>
<u>Metro-North Commuter Railroad Company</u>	<u>MTA Metro-North Railroad</u>	<u>MNR</u>
<u>Triborough Bridge and Tunnel Authority</u>	<u>MTA Bridges and Tunnels</u>	<u>MTA B&amp;T</u>
<u>MTA Construction and Development Company</u>	<u>MTA Construction and Development</u>	<u>MTA C&amp;D</u>
<u>MTA Bus Company</u>	<u>MTA Bus Company</u>	<u>MTA Bus</u>
<u>MTA Grand Central Madison Operating Company</u>	<u>Grand Central Madison</u>	<u>GCMC</u>

*Staten Island Rapid Transit Operating Authority is a subsidiary of the Metropolitan Transportation Authority. Its popular name is MTA Staten Island Railway (abbreviated as SIR).*

*Manhattan and Bronx Surface Transit Operating Authority is a subsidiary of the New York City Transit Authority (abbreviated as MaBSTOA).*

# **MTA METRO-NORTH RAILROAD**

# Staff Summary

<b>Subject</b> <b>AMENDED AND RESTATED EASEMENT WITH CONGREGATION MACHZIKEI HADAS OF BELZ FOR PROPERTY ON THE PIERMONT LINE IN SPRING VALLEY, NY</b>	<b>Date</b> <b>JUNE 25, 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	06/23/25	X			1	Legal		
2	Board	06/25/25	X			2	Chief Administrative Officer		
						3	Chief Financial Officer		

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

GRANTEE: Congregation Machzikei Hadas of Belz ("CMHB")

LOCATION: Piermont Line at stations monument 522 and adjacent to 3 North Cole Avenue, Spring Valley, New York

EASEMENT AREA: Twenty-five foot (25') wide parcel of land over the Piermont Line

USE: Ingress and egress of (i) emergency vehicles and personnel, and (ii) school buses serving the school located on Grantee's Premises

ACTION REQUESTED: Authorization to enter into a second amended and restated deed of easement with CMHB to amend the use of the Easement Area to also include ingress and egress of passenger vehicles

TERM: Perpetual

COMPENSATION: One-time fee of \$7,500.00

## COMMENTS:

MTA Real Estate received a request from CMHB, the commercial property owner of 3 North Cole Avenue, Spring Valley, New York ("CMHB's Property"), to expand its existing authorized use of MNR property along the Piermont Branch situated adjacent to CMHB's Property.

The Easement Area is subject to a Deed of Easement ("Easement"), dated December 20, 1988, between MNR and CMHB for a twenty-five foot (25') wide driveway connecting the CMHB Property, for access only by emergency vehicles and personnel. Subsequently, an Amended and Restated Deed of Easement, dated June 11, 1992, was entered into by MNR and CMHB to include the use of the driveway by school buses in connection with a private school located on CMHB's property.

CMHB will be constructing a seventy-five thousand square foot building on its Property to accommodate additional students and to further provide increased transportation safety, CMHB is requesting to expand the use provisions of the Easement Area to include access for personal vehicles.

## **FINANCE COMMITTEE MEETING**

### **AMENDED AND RESTATED DEED OF EASEMENT WITH CONGREGATION MACHZIKEI HADAS OF BELZ AT 3 NORTH COLE, SPRING VALLEY, NY (Cont'd)**

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MNR approved CMHB's request to expand the use of the Easement Area. The approval is contingent upon several conditions, including obtaining municipal approval for vehicle access (now secured), cleanup of debris, installation of two (2) eight-foot (8') fences along the easement, ongoing maintenance of the gate and fence, and installation of signage indicating the driveway is active.

In exchange for the expansion of the permitted use over the Easement Area, MTA Real Estate will receive a one-time fee of \$7,500.

Based on the foregoing, MTA Real Estate hereby requests authorization to enter into an Amended and Restated Deed of Easement with CMHB under the above-described terms and conditions.

# **MTA LONG ISLAND RAIL ROAD**

# Staff Summary

<b>Subject</b> <b>LICENSE AGREEMENT WITH BNSF RAILWAY COMPANY FOR PROPERTY LOCATED ALONG THE LIRR CENTRAL BRANCH ADJACENT TO THE INTERSECTION OF QUENTIN ROOSEVELT BOULEVARD &amp; COMMERCIAL AVENUE IN UNIONDALE, NY</b>	<b>Date</b> <b>JUNE 25, 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>NEIL MASTROPIETRO</b>	<b>Table of Contents Ref. #</b>

Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	LIRR	06/23/25		X		1	Legal		
2	Finance Committee	06/23/25	X			2	Chief Administrative Officer		
3	Board	06/25/25	X			3	Chief Financial Officer		

AGENCY: MTA Long Island Rail Road ("LIRR")

LICENSEE: BNSF Railway Company ("BNSF")

LOCATION: LIRR right-of-way running along the Central Branch adjacent to the intersection of Quentin Roosevelt Boulevard & Commercial Avenue in Uniondale, New York

PREMISES: Parcel of land consisting of approximately 24,232 square feet and adjacent sidetrack consisting of approximately 33,395 square feet.

USE: Passenger bus access for the pick-up and drop-off of Ryder Cup event attendees and storage of sixteen (16) railcars on the sidetrack adjacent to the parcel of land.

ACTION REQUESTED: Authorization to enter into a license agreement with BNSF

TERM: Eight (8) days, commencing September 21, 2025, and terminating September 29, 2025

COMPENSATION: \$3,112 per day (\$1,128 per day for the parcel of land and \$124 per day for each train car stored on the sidetrack)

COMMENTS:

MTA Real Estate has received a request from BNSF to utilize approximately 57,627 sq. ft. right-of-way running along the Central Branch adjacent to the intersection of Quentin Roosevelt Boulevard & Commercial Avenue in Uniondale, for the above-noted dates in connection with the 2025 Ryder Cup Gold Tournament event.

BNSF will use the Premises for eight (8) days, from September 21, 2025, to September 29, 2025, and will place 16 rail cars on the sidetrack and use the parcel of land as a passenger bus pick-up and drop-off site. Attendees of the event are being transported to and from the 2025 Ryder Cup Golf Tournament event.

## **FINANCE COMMITTEE MEETING**

### **LICENSE AGREEMENT WITH BNSF RAILWAY COMPANY FOR LONG ISLAND RAIL ROAD PROPERTY LOCATED ALONG THE CENTRAL BRANCH ADJACENT TO THE INTERSECTION OF QUENTIN ROOSEVELT BOULEVARD & COMMERCIAL AVENUE IN UNIONDALE, NEW YORK (Cont'd)**

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MTA Legal will draft the license agreement and BNSF will provide appropriate insurance coverage and indemnification and comply with LIRR's operating requirements. Furthermore, BNSF will be responsible to provide liability and other required insurance coverage.

Based on the foregoing, MTA Real Estate hereby requests authorization for LIRR to enter into a license agreement with BNSF under the above-described terms and conditions.

# Staff Summary

<b>Subject</b> <b>LICENSE AGREEMENT WITH PHQ ENTERPRISES LLC FOR THE USE OF LONG ISLAND RAIL ROAD'S RIGHT-OF-WAY AT THE REAR OF 5 TOILSOME LANE, EAST HAMPTON, 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>NEIL MASTROPIETRO</b>

<b>Date</b> <b>JUNE 25, 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	LIRR	06/23/25		X	
2	Finance Committee	06/23/25	X		
3	Board	06/25/25	X		

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

AGENCY: MTA Long Island Rail Road ("LIRR")

LICENSEE: PHQ Enterprises LLC

LOCATION: Right-of-way abutting the rear of the property located at 5 Toilsome Lane in East Hampton, NY

PREMISES: Approximately 2,500 square feet

USE: Storage of non-hazardous materials, maintenance of a chain linked fence enclosing the Licensed Area and maintenance of air conditioning units installed on Licensor's property

ACTION REQUESTED: Authorization to enter into a license agreement with PHQ Enterprises LLC

TERM: Ten (10) Years

COMPENSATION: \$4,000.00 per annum (\$1.60 per square foot) with 3% annual increases

## COMMENTS:

MTA Real Estate received a request from PHQ Enterprises LLC to utilize a portion of the LIRR right-of-way that abuts its property at 5 Toilsome Lane in East Hampton. Licensee will be using the Licensed Area to store non-hazardous materials related to its business' operations, and to maintain the fence running along the property, as well as air conditioning units. Furthermore, Licensee will be responsible, at its sole cost and expense, for maintenance of the Licensed Area.

Per the MTA Real Estate Department's Policy and Procedures for Licensing of Real Property, *Licenses Requiring Board Approval But Not Requiring Requests for Proposals*, Circumstance 2 states: The market rental value of the space in question, using standard practices for determining such market value, is considered less than \$5,000 per year or less than \$10.00 per square foot, whichever is greater. Here, the negotiated Compensation falls within an acceptable competitive range which is \$1.17 to \$2.00 per square foot, as determined by an independent broker's opinion of value.

Based on the foregoing, MTA Real Estate hereby requests authorization to enter into a license agreement on behalf of LIRR with PHQ Enterprises, LLC under the above-described terms and conditions.



**MTA  
BRIDGES  
&  
TUNNELS**

# Staff Summary

<b>Subject</b> <b>AMENDMENT TO THE LICENSE AGREEMENT BETWEEN B&amp;T AND THE NATIONAL SEPTEMBER 11 MEMORIAL AND MUSEUM AT THE WORLD TRADE CENTER FOUNDATION, INC. FOR USE OF THE BATTERY PARKING GARAGE IN CONNECTION WITH THE TRIBUTE IN LIGHT CEREMONY, MANHATTAN, NY</b>	<b>Date</b> <b>JUNE 25, 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>

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1	Finance Committee	06/23/25	X		
2	Board	06/25/25	X		

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

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

LICENSEE: National September 11 Memorial and Museum at the World Trade Center Foundation, Inc.

LOCATION: Battery Parking Garage ("BPG"), 70 Greenwich Street, New York, NY

PREMISES: BPG annex roof for Tribute in Light event, and ramp corner between 6<sup>th</sup> floor and rooftop for storage. Five (5) parking spaces for storage. One hundred and sixty-four (164) parking spaces for setup.

USE: Installation, maintenance and removal of temporary lighting project, and storage thereof.

ACTION REQUESTED: Authorization to enter into an amendment to the license agreement to extend the term of the license agreement.

TERM: One (1) year, August 1, 2025 to July 31, 2026, with two (2) one (1) year option periods.

COMPENSATION: Year (1) One: \$91,700.00  
Year (2) Two: \$104,800.00  
Year (3) Three: \$117,900.00

## COMMENTS:

Since September of 2005, B&T has annually licensed a portion of the BPG for the Tribute in Light event. Under this Agreement (as hereinafter defined), the Licensee uses a portion of the roof for approximately three weeks to stage the production and uses the ramp corner between the 6<sup>th</sup> floor and rooftop to store the lights used in the display.

The current license between B&T and the Licensee (the "Agreement") expires on July 31, 2025. The Licensee has requested extension of the Term of the Agreement. MTA Real Estate proposed a three (3) year extension of the Agreement. Given current average occupancies at the BPG, revenue is not impacted by the occupancy and installation.

Based on the above, MTA Real Estate requests authorization for B&T to enter into an amendment of the Agreement with the National September 11 Memorial and Museum at the World Trade Center Foundation, Inc. based on the terms and conditions described above.