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April 5, 2002

Docks Vanish, and Tempest Stirs

By CHARLES V. BAGLI

For years, Battery Park City's summers have featured languid afternoons in which dockside spectators could watch gleaming yachts and sleek sailboats bobbing on the water at the marina in North Cove Yacht Harbor.

But a battle is now simmering over the little harbor, with suspicions growing of evil intent. Did someone steal into the marina under the cover of darkness to remove the floating docks to make room for, say, a ferry service? What became of the marina operator after the attack nearby on the World Trade Center? Did a politically connected ferry operator, New York Waterway, covet the harbor as a hub for its expanding empire?

Michael Fortenbaugh, commodore of the Manhattan Yacht Club and others contend that the idyllic spot on the Hudson River in Lower Manhattan may be overrun by New York Waterway's smoke-belching ferries.

Hundreds of people have rallied and fired off e-mails to politicians saying that they do not want the \$50 million, 150-foot yachts and 24-foot sailboats replaced by ferries, with the rumbling of their engines echoing between the buildings.

"The neighborhood lost enough after Sept. 11 without losing one of the jewels in the Battery Park City crown," said Linda Belfer, co-president of the Gateway Plaza Tenants Association, whose members live in an



Ozier Muhammad/The New York Times
 Michael Fortenbaugh, on the roof of Gateway Plaza apartments, which overlooks the Battery park marina and the ferry terminal behind him.

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apartment complex that overlooks the harbor. "On a summer evening, you'll find people sitting at cafes looking at the beauty of the harbor. There's a better way to handle it than turning this beautiful marina into the Grand Central of ferry boats."

Nearly all of the opponents' assertions are disputed by Arthur E. Imperatore Jr., president of New York Waterway, which operates a fleet of 40 ferry boats criss-crossing the Hudson and East Rivers. "Our message got twisted around," he said.

Rather than taking over the harbor, he said, he only wants to use some of the space in the marina temporarily, for the next 18 months. Contrary to claims by the protesters, he said, it was not one of his ferries that steamed into the harbor in the night on March 20 to practice docking maneuvers, shortly after two tugboats mysteriously grabbed up the harbor's floating docks and took off.

One of the few things that is clear is that New York Waterway, the largest privately owned ferry operator in the country, is getting bigger. At a news conference with Mr. Imperatore last month, Gov. George E. Pataki and Mayor Michael R. Bloomberg announced a plan to increase ferry service between New York and New Jersey, and, with financing from the federal government, establish free ferry service between the East River at Wall Street and the World Financial Center. The contract guarantees New York Waterway an undisclosed profit. The contract was awarded without competitive bidding, an unusual practice for a public service.

The Imperatore family started the company in Weehawken, N.J., in the 1980's, when ferry service appeared to be a romantic anachronism. Their boats now carry nearly 60,000 passengers a day.

The family also has a keen interest in politics. On April 19, Mr. Imperatore and his father will be the hosts of a \$1,000-a-plate dinner honoring Governor Pataki at a restaurant owned by the family, Arthur's Landing, on the waterfront in Weehawken. (Some tickets are now going for \$500, Mr. Imperatore said.)

For the past decade, New York Waterway has operated a floating ferry terminal at the World Financial Center, about 100 yards north of North Cove, and ferries dock there every few minutes. The Port Authority of New York and New Jersey is expected soon to begin work on replacing the terminal with a larger, \$40 million, five-slip dock.

But Mr. Fortenbaugh said that Mr. Imperatore had his eye on North Cove. "It would be the crown of his ferry empire," Mr. Fortenbaugh said.

The yacht club lists 440 members and runs a sailing school with 20 sailboats and about 600 students a year. During the summer, there are



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usually another 30 yachts and assorted craft, as well as sailboats that are raced by 20 corporations, including Marsh & McLennan and Bloomberg, the company founded by the mayor.

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The harbor was built in 1989 and run by Watermark Associates under a longterm lease with the Battery Park City Authority. Watermark was owned by Emilio Azcarraga, a wealthy Mexican businessman.

The yacht club and the sailing school moved in in 1994. Charter boats also docked there. The harbor never really made money, but the sailboats and yachts captivated local residents, traders at the nearby New York Mercantile Exchange and thousands of families on the weekends.

But in 1997, Mr. Azcarraga died. It was not until last year that the ownership of Watermark passed to Adriana Abascal and Juan Villalonga.

After Sept. 11, the city took over the harbor for a month as part of its work at the World Trade Center disaster site. But Watermark, which was short on cash, stopped paying its rent, leading the Battery Park City Authority to take over North Cove.

The fate of the harbor appeared to be up in the air, especially after Mr. Imperatore was quoted in a neighborhood newspaper, The Battery Park City Broadsheet, saying that he wanted to run 60 ferries an hour out of North Cove and could not "coexist" with pleasure craft. Residents took to the ramparts after the harbor's floating docks were removed one night and Mr. Fortenbaugh said he spotted a New York Waterway ferry docking in the harbor a short time afterward.

Mr. Imperatore denied that one of his ferries entered the harbor that night. An executive at Watermark said that the docks disappeared because they had been leased, and their owner took them back after Watermark scrapped the lease.

On March 25, a hastily arranged rally drew 250 angry people.

"The noise and the diesel fumes would threaten the quality of life there that has made it so special and so attractive to visitors," said Councilman Alan J. Gerson, who represents the area. "It's just not the right site for a major transportation hub."

On a recent morning, the ferries from Wall Street pulled up empty to the World Financial Center terminal, while the ferries from Hoboken and Jersey City disgorged hundreds of people.

Although Mr. Imperatore said he needed to use some space in the harbor to accommodate the expanded service while the new terminal was being built, he said he never had any intention of taking over North

Cove. Mr. Imperatore said he was misquoted in The Broadsheet, although the reporter, Alison Simko, stands by the quotations.

"We've advised the city and the state that in order to provide this new service it would be important to have redundant capacity at North Cove," Mr. Imperatore said. "The message got out that we somehow wanted to use North Cove for our main ferry service, which has never been true."

Despite Mr. Imperatore's ongoing discussions with state and city officials, it appears that North Cove will reopen this spring as a recreational marina. The new owners of Watermark and Tim Carey, president of the Battery Park City Authority, met yesterday and agreed that the company would resume control of the harbor and install a new manager, Liberty Landing Management.

Liberty Landing operates a marina in Jersey City and runs a water taxi, which is smaller than Mr. Imperatore's ferries, into North Cove.

"Our plan is to operate it pretty much the way it's been, with some improvements," said Bruce Boyle of Liberty Landing. "We're looking forward to having the yacht club back and the charter vessels."

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