Torres Rojas, Genara FOIL#12810

From: mldonovan@twintowersalliance.com
Sent: Tuesday, November 22, 2011 1:23 PM
To: Duffy, Daniel
Cc: Torres Rojas, Genara; Van Duyne, Sheree
Subject: Freedom of Information Online Request Form

Information:

First Name: Margaret
Last Name: Donovan
Company: The Twin Towers Alliance
Mailing Address 1: 186 Pinehurst Avenue
Mailing Address 2: 6E
City: New York
State: NY
Zip Code: 10033
Email Address: mldonovan@twintowersalliance.com
Phone: 212-568-0207
Required copies of the records: Yes

List of specific record(s):
Please send us an electronic transcript of the February 24, 2011 and April 28, 2011 Board Meeting minutes.
Thank you.

THE PORT AUTHORITY OF NY & NJ

Daniel D. Duffy
FOI Administrator

November 30, 2011

Mr. Margaret Donovan
The Twin Towers Alliance
186 Pinehurst Avenue 6E
New York, NY 10033

Re: Freedom of Information Reference No. 12810

Dear Mr. Donovan:

This is a response to your November 22, 2011 request, which has been processed under the Port Authority's Freedom of Information Policy for an electronic transcript of the February 24, 2011 and April 28, 2011 Board Meeting Minutes.

Material responsive to your request and available under the Policy, which consists of 13 pages, is enclosed, for a $3.25 photocopying charge for this material (25¢ per page). Payment should be made in cash, certified check or money order payable to "The Port Authority of New York & New Jersey" and should be sent to my attention at 225 Park Avenue South, 17th Floor, New York, NY 10003.

Please refer to the above FOI Reference number in any future correspondence relating to your request.

Sincerely,

Daniel D. Duffy
FOI Administrator

225 Park Avenue South
New York, , NY 10003
T: 212 435 3642 F: 212 435 7555

The Port Authority of New York & New Jersey
Public Board Meeting
February 24, 2011

Chairman Samson: The Port Authority of New York and New Jersey and its subsidiaries is now called to order. Prior to today's meeting, the Governance and Ethics Committee met in public session. The Committees on Operations and Construction and the World Trade Center Redevelopment Subcommittee met in both public and executive session, and the Audit Committee met in executive session. Their reports will be filed with the official minutes of today's Board Meeting. The Commissioners also met in executive session prior to today's Board Meeting to discuss and act upon matters related to the purchase, sale or lease of real property or securities where public disclosure would affect the value thereof or the public interest, matters involving ongoing negotiations or reviews of contracts or proposals, and matters related to proposed, pending, or current litigation, judicial or administrative proceedings. We'll start off with our Director of Aviation, Sue Baer, who will review a transaction that will provide air travelers with additional flight options at Newark Liberty International Airport. Sue.

Susan Baer: Thank you. Commissioners, today we are seeking your authorization to consent to an assignment of three gates at Newark Airport to Southwest Airlines. This will be the final step in securing Southwest's entrance into the Newark Liberty market.

Under its lease agreement executed in 1969, United Airlines has leased and operated gates and related space in Terminal A at Newark since the terminal opened in 1973. In October of 2010, Continental Airlines and United Airlines announced a merger of the two and agreed to transfer 18 pairs of slots at Newark to Southwest Airlines as part of the transaction. Southwest currently has only limited service in the New York metropolitan area and no service at Newark. The transfer of slots and other assets to Southwest is anticipated to increase competition and will likely benefit consumers on overlap routes, as well as on many other routes.

Under the proposed consent agreement, Southwest will assume all of the terms and conditions of the agreement with United and operate from three gates and related space in the Terminal A Satellite A-1 at Gates 10, 14, and 15. The proposed consent would result in incremental rentals of approximately $1.9 million over the remaining term of the lease until 2018. The addition of Southwest to Newark meets the goals set forth in the Port Authority's Competition Plan that's required to be filed with the Federal Aviation Administration for approval. Southwest is investing approximately $2.2 million to improve and brand its space at Newark Liberty for its use. Shown above is the rendering of Gate 10 improvements proposed by Southwest. In addition, they will be making improvements to Gates 14 and 15 as well as improvements to their associated passenger loading bridges. Southwest improvements also extend to its ticketing area. Shown here is a rendering of their proposed improvements.

Commencing on March 27, 2011, Southwest will begin serving Newark Liberty with eight daily nonstop flights--six to Chicago Midway and two to St. Louis. On June 5th, Southwest will expand service with an additional ten daily nonstop flights - three to Baltimore, three to Denver, two to Houston Hobby and two to Phoenix. These destinations contain some of Southwest's larger operations, therefore offering a multitude of connecting options to other destinations. All of the

Southwest destinations are major origin and destination markets from Newark Liberty. This new service provides an additional airline choice for travel and additional airline competition at Newark with the potential for boosting passenger growth. Commissioners, I request your approval to consent to the assignment of Gates 10, 14, and 15 at Newark Liberty to Southwest Airlines. Thank you.

Chairman Samson: May I have a motion to approve this item?

Commissioner Sartor: So moved.

Chairman Samson: Second?

Vice-Chairman Grayson: Second.

Chairman Samson: All in favor?

Commissioners: Aye.

Chairman Samson: So moved. We now will provide an opportunity for members of the public to comment on Port Authority matters. This public comment period, which is limited to 30 minutes in total, provides an opportunity for members of the public to present their views directly to the Board but does not provide for a dialogue. Members of the public wishing to discuss a specific matter with the Port Authority staff are advised to contact the Public Affairs Department. Contact information is provided on the Port Authority's website. Speakers are asked to comply with the fixed time limit of three minutes. The first speaker is Murray Bodin.

Murray Bodin: I have you on my telephone in case I didn't get here in time because traffic was heavy. This is the meeting, as it's going on right now. What I'm going to say is really for these people out here and not for you because you already got it. The world has changed. If you watch TV, Libya, Egypt, everything else. But so has transportation in the metropolitan area. Port Authority, I was at the MTA Board Meeting. I came here from the meeting with the Henry Hudson people at the toll booth at the bridge there working to resolve it. I met with Jose Rivera yesterday and Bill Young. Jose knows what he's doing. And what you need to know is this is a new environment we're in. The timeframe has been compressed. It gets done right the first time. It gets done quickly. What you did last year may be outdated. Keep your eyes open. Keep your ears open. These people are listening better than anybody ever imagined they could. The MTA Board is listening better than anybody else did in the past. So my advice to all of you people who are operating people, it's time to pay attention better, move faster, and keep up with things. Make small, incremental changes as if that's what's going to move the project forward faster. We're in a new world. It's different. They know it. I want to make sure you understand as well as they do that things are going to get done better and we need the jobs, we need the infrastructure. We want to do it right the first time. It can be done. It's your responsibility to do it. Thank you.

Chairman Samson: Thank you. The next speaker is Margaret Donovan.

Margaret Donovan: From the Twin Towers Alliance. Good afternoon. At the end of the last meeting, outgoing Chairman Anthony Coscia spoke of his pride in the enormous contribution the

Port Authority has made to economic development in the region, with good reason. But all the backslapping in the world will never change the PA's disgraceful post-9/11 history at Ground Zero. In a New York Post column entitled, "World Trade Sellouts," Nicole Gelinas wrote in 2004, "Osama bin Laden gave the order to destroy the World Trade Center - "but Governor Pataki & Co. are paying for the funeral." Of course - as usual - it is the people who are paying for it in every sense of the word. We know what drove the politicians to pander to the special interests while ignoring the controlling stakeholder, the public. But whatever gave 12 eminent business and civic leaders the notion that it was all right to shut the people out? As Chairman Samson pointed out at the last Board Meeting, the Port Authority is facing considerable challenges with increased public needs and decreased revenues. But the success of the current agenda has rested on sidestepping good faith efforts to engage officials in the due diligence that such a profoundly significant and monumentally expensive public investment requires. The evident motto of Chris Ward, "It's just business, nothing personal," belongs in "The Godfather," not the Port Authority because rebuilding the World Trade Center is very personal. The need for dazzling new Twin Towers may have been a matter of opinion, but it was and is an opinion shared by most New Yorkers and most Americans - Democrats, Republicans, and 9/11 families alike - and it would be good business. We have spent an entire year watching Mr. Buchbinder do a dance around the Freedom of Information Law. But as we wrote to him last March, if it would quote-unquote impair negotiations to let the public examine what a public agency is doing with public property using public dollars, then it is a good bet that it is not in the public's best interests. And now that negotiations are long since over, we are still being blocked. But with a new governor - really two - and a new Chairman, what harm is there in making sure that you are on the right track? What are you afraid of? Later in the same column, Gelinas wrote, "To watch the steel structures of new Twin Towers pierce New York's skyline "floor by floor after all New York has been through would be to experience one of the greatest moments in modern history." "But Pataki and his Freedom Tower would rob New York and America of that moment." Pataki is history. But any one of you could still take a stand and make history because we are still being robbed. Thank you.

Chairman Samson: Thank you. The last speaker is Richard Hughes.

Richard Hughes: Thank you. I wish I could share Murray's sudden enthusiasm for the open-mindedness of the board. I don't see it. But I do agree with him. Democracy is breaking out all over the world. It's breaking out in Tunisia, Egypt, in Libya. Not here in New York. No. "Mayor Mubarak" sees to that. "Mayor Mubarak" has bought himself three terms at a cost of a quarter of a billion dollars. "Mayor Mubarak" decided he wanted a third term, so he got rid of term limits. We the people didn't have anything to do with that. "Mayor Mubarak" controls the media, controls the so-called dialogue, he controls what is happening at Ground Zero, and we all know that. And the people be damned. Yes, democracy is breaking out all over the world-- the Middle East, Africa, Asia. Not here in New York. In New York we have a legislature with a lower turnover than the old Soviet Politburo. In New York we have a Port Authority Board that in years of meetings has had only one dissenting vote. One vote. That's all. You don't find that kind of unanimity even in the Chinese Communist Party. Yes, democracy is breaking out all over the world. But not here in New York. And yet we never needed democracy more. We never needed to hear other voices, other opinions. We never needed this board to be more open-minded. We never needed this board more to listen because what is happening at Ground Zero is a disgrace, and we all know it. It not only isn't what the people want and have never wanted, but it's an economic disaster in the making. And yet

there's only one dissenting vote in all of this? Of thousands cast, one vote? Yes, democracy is breaking out all over the world, but not in this room, not in these offices, not among these ladies and gentlemen, not here in New York City. It's happening in Tunisia, it's happening in Egypt, it's happening in Libya and Africa, it's happening in Asia. But not here in New York.

Chairman Samson: Thank you. I think we have two additional speakers. Ramiro Gotay.

Ramiro Gotay: Good afternoon. My name is Ramiro Gotay. I work for Ironbound Express in Newark, New Jersey. We have too many problems, as I want to let you know. We don't want to be more work. Company drivers. We want to be company drivers, independent contract. Please, this is the time for everybody to work together. We don't have benefits, we don't have anything. Right now we have four drivers with terminal cancer. They don't have insurance to cover. I don't want to wait in the port. When I want to go out, I have to wait two or three lines in the line to go in. Please, this is the time for everybody to work together. We want to be company drivers because you have the power to help us. We have a lot of people downstairs, a lot of drivers, because we need clean air in Ironbound. We have a lot of kids with asthma. We have too many problems. We don't have insurance, we don't have anything. I tried to represent my 7,000 drivers in Newark, New York, New Jersey, everywhere. That's everything I want to let you know. Thank you very much.

Chairman Samson: Thank you. Our last speaker is Lito Miranda.

Lito Miranda: Good afternoon. My name is Lito Miranda and I'm from the Ironbound. I also volunteer for the Ironbound Community Corporation, a small area in the town of Newark. Of course the Port Authority runs this area there. And what I want to tell you this afternoon is that I'm here in support of the port drivers here in the Port of Newark and New York and also the LA's over on the West Coast. What we're asking for is clean air and good jobs, which is important for everyone that's involved. I live very close to the port, so our air is very much contaminated with not just the truck diesel but other contaminants. So what we're asking from you today is help and some solution, not just keep coming up with these questions. We need solutions, we need answers, and we need it now. I want to thank you. Can we hand this out to all you Commissioners? Oh, okay. Thank you very much.

Chairman Samson: Thank you. May I have a motion to approve the consent calendar?

Commissioner Sartor: So moved.

Chairman Samson: Second?

Commissioner Moerdler: Second.

Chairman Samson: All in favor?

Commissioners: Aye.

Chairman Samson: So moved. May I have a motion to adjourn the meeting? Second?

Vice-Chairman Grayson: Second.

Chairman Samson: All in favor?

Commissioners: Aye.

Chairman Samson: Thank you.

The Port Authority of New York & New Jersey
Public Board Meeting
April 28, 2011

Chairman Samson: The Board Meeting of The Port Authority of New York and New Jersey and its subsidiaries is now called to order. Prior to today's meeting, the Committees on Capital Programs and Agency Planning and Operations met in public session, the World Trade Center Redevelopment Subcommittee met in both public and executive session, and the Security Committee met in executive session. Their reports will be filed with the official minutes of today's Board Meeting. The Commissioners also met in executive session prior to today's Board Meeting to discuss matters involving ongoing negotiations or reviews of contracts or proposals and matters involving public safety or law enforcement and to act upon matters related to proposed pending or current litigation, judicial or administrative proceedings.

Saturday, April 30th, marks the 90th anniversary of The Port Authority of New York and New Jersey. Since then, over 1,250 Board Meetings have been held. Today our Executive Director, Chris Ward, and Deputy Executive Director, Bill Baroni, will highlight some of the agency's significant historical achievements in addressing the regional transportation and economic development needs of the region through its operation of facilities that support over 500,000 jobs and $80 billion in annual economic activity. As part of this presentation, they will also touch on current efforts to continue to meet the needs and challenges that lie ahead. Chris, Bill.

[Bill Baroni: Thank you, Mr. Chairman. 1921 was a momentous year for the United States. With World War I finally over, the United States entered a decade of spectacular economic growth. Radio was just beginning to broadcast. The airline industry was changing. With the future in mind, Boeing obtained its first orders for aircraft and abandoned furniture making. Henry Ford was increasing production of the Model T to one million produced in 1921 alone. This period of economic growth and expansion was joined by political leaders in Washington, Albany, and Trenton. President Warren Harding, New York Governor Nathan Miller, New Jersey Governor Edward Edwards, New York City Mayor John Hylan, and Jersey City Mayor Frank Hague oversaw an economic region that was a boom. But that boom caused economic growth and development in the port on both sides of the Hudson as New York had become the leading economic center of the nation. The issue of shipping rates in the New York Harbor, brewing since the dawn of the 20th century, threatened, however, to undercut that economic boom in New York and New Jersey. This led to significant conflicts between the two states concerning the usage and jurisdiction of harbor facilities on the Hudson River, and by the early 20th century, these were becoming increasingly difficult to manage.

Congestion, as it was known in the early 1920s, meant ships inundating the Hudson River, carrying cargo between New York and New Jersey. The line drawn down the middle of the Hudson River by the treaty of 1834 to settle the border dispute during the age of the Erie Canal was proving to cause problems now that the railroads were more popular. In 1917, as the United States was entering the conflict of the First World War, an interstate conflict was also arising over the issue of rail freight rates. Most of the rail lines coming from the west ended on the New Jersey side of the harbor, while most ocean shipping was calling on Manhattan and Brooklyn. Freight had to be transferred on barges across the Hudson, creating delays and congestion in the harbor. When it came to shipping ports, New Jersey petitioned the Interstate Commerce Commission to lower freight rates on its side of the Hudson in order

to attract more port calls. It was overruled on the grounds that the whole region was one functioning harbor. With a dominant economic standing, a natural harbor and geographic location, it became imperative that New York and New Jersey collaborate on the promotion of the region's commercial development with regard to transportation and infrastructure.

Al Smith, the former and future Democratic governor of New York, was one of the key advocates and founding members of the Port Authority, and he testified at hearings before the New York State Legislature. He stated, quote, "The matter of port development is critical." It affects housing problems, it affects the cost of living, it affects the cost of doing business." Walter Edge, former Republican governor and then United States Senator from New Jersey, was an early supporter of the Port Authority and called the port of New York a, quote, "national institution." These two visionary governors of different sides of the Hudson and different political parties became two of the leading voices for a unified, cohesive Port Authority.

Julius Henry Cohen, the counsel of the New York State Chamber of Commerce, looked into the ICC suit and then helped convince politicians on both sides of the Hudson to create this bi-state commission. Two years later he drafted the first proposal for a self-supporting agency with regulatory powers, and after debate and changes over two more years, it was ratified by Congress. Mr. Cohen later became the Port Authority's first general counsel. On April 30th, 1921, public officials and business leaders from both states gathered in the Great Hall of the New York Chamber of Commerce in downtown Manhattan on Liberty Street, the same location just four years before where Governors Edge and Whitman urged the creation of that bi-state agency. This historic agreement, the first ever created under the Compact Clause of the United States Constitution, set the stage for the next 90 years. It is my pleasure to introduce the 12th Executive Director of the Port Authority, Christopher O. Ward.

Chris Ward: Thank you, Bill. And with the establishment of the Port Authority, the Port District, and the mandate for the agency to development and modernize the district, the years that followed established order and began to grow the region. When the legislation creating the Port Authority was signed, our agency embarked on a remarkable flurry of construction. Over our first 20 years we built the Holland Tunnel, the Goethals Bridge, the Bayonne Bridge, and the Outerbridge Crossing. We also built the George Washington Bridge and the first tube of the Lincoln Tunnel. These investments fundamentally redefined the region and laid the groundwork for future generations of growth. Today our crossings move more than 121 million people annually.

For 90 years the Port Authority has kept this region moving. Just as the Port Authority was at the forefront of the automobile revolution, we also helped usher in the modern shipping era. After leasing the marine terminals in New Jersey in 1948, the Port Authority helped create the largest port on the East Coast and the third largest port in the entire United States. Today the port is a gateway to the most affluent market in North America, moving more than $175 billion worth of cargo, and the Port Authority is making the necessary investments to accommodate future growth, including our $600 million ExpressRail project.

The Port Authority was also at the forefront of air travel in the United States. When the Port Authority assumed the leases of Newark Airport, JFK, and LaGuardia, they were essentially landing strips. With billions invested by the Port Authority over time, these airports now comprise the busiest airport system in the United States, serving 104 million passengers in 2010. Similarly, when the Port Authority

assumed operations of the PATH in 1962, the railroad was essentially bankrupt, with dilapidated cars and dingy stations. Today PATH is one of the most modern mass transit systems in the country, allowing 250,000 daily riders to get to work on time, and we are making the investments necessary to increase this capacity and reliability for our customers. As part of the Port Authority's comprehensive PATH Modernization Program, we are rolling out brand new cars, replacing the signal system, and improving and expanding these PATH stations.

Nowhere is the Port Authority's commitment to this region today more apparent than at the World Trade Center. With our investment downtown, the new World Trade Center is destined to become once again the world's premier location for commerce, culture, and community. This year we mark the 10-year anniversary of the 9/11 attacks by delivering on our commitment to open the memorial to the public on that day. Our commitment downtown will create a new engine of jobs and wealth creation for the region. Construction spending alone accounts for 26,000 jobs over the lifetime of this project. And as we reach this critical milestone in the agency's history, the Port Authority is looking forward to its future in this region and making the investments necessary to keep the region moving forward for the next 90 years.

We are engaging in an innovative financing model to deliver a new state-of-the-art Goethals Bridge for Staten Island and New Jersey residents, and we are addressing the navigational clearance issues posed by the Bayonne Bridge. The proposed "Raise the Roadway" solution will allow the crossing to accommodate larger ships in the future and ensure the economic vitality of Port Newark and Port Elizabeth and Staten Island for generations to come. As you can see, we have accomplished so much over these past 90 years due to the dedication, commitment, and resilience of our staff. Through good times, and on the Port Authority's darkest and most difficult days, our staff has been there to guide this agency forward.

Our staff have dedicated their lives to public service, which is evident by the fact that 40 percent of our staff have been with this agency for more than 20 years. And I personally, with all the rest of the Port Authority staff, would like to call attention to someone who is very special and a good friend of mine, and that is Milton Pachter. Milton has been with us from the Port Authority's Law Department for 55 years and counting. Milton began his career on June 1, 1955, when I was one year old. Over the course of his career, Milton has handled the most complex and economically significant lawsuits affecting the authority, from asbestos litigation to contract construction disputes to lawsuits about airport noise, utility cases, and - my favorite arbitration - over the leases for Kennedy and LaGuardia Airport. Milton's first major undertaking was as lead counsel in the World Trade Center proceeding. Port Authority General Counsel Sidney Goldstein at the time wrote to Austin Tobin, the Executive Director, saying, "His ability to argue on his feet ably, persuasively, and intelligently and the highly professional manner in which he conducted these proceedings have been commented upon favorably on more than one occasion by the trial justice, adversary counsel, and others." Those words are as true today as they were at the outset of Milton's career. Milton embodies the commitment and dedication to public service emblematic of all our employees. So if we would, could we all please thank Milton Pachter. That concludes our 90-year anniversary celebration.

Chairman Samson: In commemoration of the 90th anniversary of The Port Authority of New York and New Jersey, I recommend that the Board of Commissioners adopt a resolution to reaffirm the agency's commitment to its core mission to strengthen the economy and build, maintain and modernize its

facilities to ensure safety, security and environmental responsibility, and to enhance regional capacity and the quality of intercity travel, to engage its regional partners in the creation of plans, policies, and investments that provide a significantly improved quality of transportation services. I also recommend that as part of the resolution April 30, 2011, be designated as a Port Authority day of celebration and that the world's largest free-flying flag be flown at the George Washington Bridge to commemorate this milestone. May I have a motion to approve the resolution?

Commissioners: So moved.

Chairman Samson: Second?

Commissioner Moerdler: Second.

Chairman Samson: All in favor?

Commissioners: Aye.

Chairman Samson: So moved. We will now provide an opportunity for members of the public to comment on other Port Authority matters not on today's agenda. This public comment period, which is limited to 30 minutes in total, provides an opportunity for members of the public to present their views directly to the board but does not provide for a dialogue. Members of the public wishing to discuss a specific matter with the Port Authority staff are advised to contact our Public Affairs department. Speakers are asked to comply with the fixed time limit of three minutes. And the first speaker is Robert White of the Port Authority PBA.

Robert White: Good afternoon. My name is Robert White. I've been a Port Authority police officer for over 25 years. I currently hold the position as treasurer of the Port Authority Police Benevolent Association. Approximately one year ago I stood in this same spot to report that the Port Authority has not been fulfilling its policing and security responsibilities at its facilities. Basically, a member of the Port Authority Police Benevolent Association has stood before you at every Commissioners' meeting in that year's time, pointing to the Port Authority's blatant disregard for the safety of our members as well as the safety of the public.

This past Easter Sunday, the public received a taste of what the members of my union face on a daily basis. The manager of the Staten Island Bridge's facilities warned our toll commander that the SIB anticipated being short-staffed throughout the Easter weekend with extended periods of time where a single toll collector would be working each of the crossings. I've heard the excuses, but this fact was well known far in advance, and yet no one from the TB&T division elected to take action to increase the staffing in anticipation of the holiday weekend traffic. When one of our delegates at the SIB became aware of the TB&T's plan - or lack of plan - for the holiday weekend, he recommended that additional police manpower be deployed in light of the anticipated traffic conditions caused by the single tollbooth operator. This result would surely be backed up traffic, frustrated patrons, and multiple accidents. These requests were ignored by the police management at the SIB. Throughout the weekend, particularly on Good Friday, extended traffic delays occurred at the Outerbridge Crossing and Goethals Bridge facilities. The Port Authority took no action to alleviate this problem by either requiring additional toll collectors to come to work to deal with the additional traffic volume or bringing in

additional police officers to protect the public utilizing the facilities. Anyone who watched the news or read a newspaper the past week is aware of this disaster, which occurred on Easter Sunday. Motorists were needlessly stuck in traffic jams for several hours that ruined their weekends.

I'm here today to point out that the same civilian managers who are telling you that our arguments are without merit, that our facilities are secure, that we do not need additional police officers - these civilian managers are the ones who determined that the convenience of the traveling public did not merit prior planning to ensure there were extra toll collectors on the holiday weekend. If you question their judgment on the decision not to staff the toll collectors properly, then I suggest that you ought to look at the judgments on the staffing issues we continue to bring to you on a monthly basis. Thank you for your time, and have a good day.

Chairman Samson: Thank you. The next speaker is Robert Egbert, also of the PA Police Benevolent Association.

Robert Egbert: Mr. Chairman and Commissioners, my name is Robert Egbert. I am the chairman of the board for the board of trustees of the Port Authority PBA. Last month I listened to a gentleman right over here, and he stood at this podium and he said, "The Port Authority used to be a great agency." After 25 years of service, I know what he meant. The same applies to the Port Authority Police Department. Under Executive Director Chris Ward, the PAPD has become dysfunctional and marginalized and no longer considers public safety a priority. Now, Mr. Ward has said public safety is an agency priority. Well, if it was, would the PA have spent $800 million on a JetBlue terminal without consideration for police communications? Would it have built the AirTrain and refused to police it? Would it have built a failed airport Perimeter Intrusion Detection System and knowing the system offers no public safety or protection at all, and knowing that, still not police its airport perimeters? You tell me, where is the concern for public safety?

Members of the PBA, like RJ said, have stood here for months informing you of these deficiencies and how the Port Authority distorts the truth. We've invited you to even question us about our concerns. Nothing. Not a single phone call, not a single email. And I don't understand how you with your responsibilities can listen to our concerns and not even react, even if out of curiosity. I'm willing to even consider we're wrong. I'm willing to consider that our concerns are petty and unfounded. But you have to show me where and why. And no one has done that or even suggested it. Chris Ward says this is all a contract negotiation ploy. It's not. But let's assume that it is. Would the PA then have cared if we kept our mouths shut about police communications at a thriving terminal? Would they have policed and secured the airport perimeters? Would they still be reluctant to police our rail system? I'm so disappointed in this board's lack of inquiry. Do we have to live '93 all over again? Remember it was the Port Authority that was found more liable in that attack on the World Trade Center than those who filled the truck with explosives, drove it into the garage, and ignited it. But the finding was correct. The Port Authority was negligent. They're not listening. They didn't listen then, they're not listening now. I'll be done in a second. They didn't listen then, and they're not listening now. I've often wondered if this negligence and irresponsibility has emboldened America's enemies. That's a difficult thought and, believe me, I hate to even say that. But the Port Authority seems content with the perception of public safety but not the reality of it. I'll be done in a minute. And for someone to sit in an office and not consult with those who have to deal with the results of these mistakes is wrong.

All right. Mr. Ward says we don't see the big picture. Mr. Ward, we do see the big picture, and we've seen it before. It's irresponsible, it's dangerous, it's ugly. While Mr. Ward is singly focused on the World Trade Center, someone, in addition to the PBA, has to be raising a red flag, has to show these failures and show concern for the public's safety. We've reached the too late phase twice already, with grave consequences. Please don't let it happen again. Thank you. And I'm sorry for going over.

Chairman Samson: Thank you. The next speaker is Margaret Donovan from the Twin Towers Alliance.

Margaret Donovan: Thank you. Good afternoon. Crashing parties is not something that appeals to me, but someone has to tell you that what you are actually doing at Ground Zero is violating the public's trust. The Port Authority has a lot of reasons to celebrate, but it is delusional to think that the World Trade Center is one of them.

The Trade Center you are celebrating could never have gotten off the ground except through secrecy. The New York Times is currently suing the NYPD for FOIL abuses that are nothing compared to the Freedom of Information runaround we at the Twin Towers Alliance have received from Mr. Buchbinder, an officer of the Port Authority, since March of last year. At the beginning of every Board Meeting, the Chairman advises that the Commissioners previously met in executive session to discuss matters where public disclosure would affect the public interest. But we think you are going to find that you have been misinterpreting your executive privilege.

The PA by-laws provide for meeting in executive session when disclosure would clearly endanger the public interest. But it is ten years of these blatant exceptions that have most endangered it. How can the public interest be protected until the public interest is identified? And how can that possibly be done except in consultation with the public? We will soon be sending you a far more detailed complaint based on the belief that the boondoggle at Ground Zero is the inevitable result of allowing bureaucrats to deprive the public of the right to scrutinize their executive decisions.

According to New York's Open Meetings Law, an executive session can only be properly held when bracketed inside a public session. And even when matters have properly been considered away from the public's interested eye, Section 87, Subdivision 2, Paragraph C of FOIL states that the government may only withhold records insofar as disclosure would impair present or imminent contract awards or collective bargaining negotiations. However, once a contract has been awarded, the impairment disappears, as does the ability to rely on the claimed exception, so there is no longer any rationale for keeping those minutes or contracts secret.

Protecting officials from embarrassment or the consequences of their actions are not lawful grounds for secrecy. We don't take any of this personally, but we take it very seriously. The contract you should be most concerned with is your contract with the people. A new play, "The Tallest Building in the World," was reviewed yesterday on nj.com. It started off by observing, "While John F. Kennedy was intent "on getting a man to the moon, Guy Tozzoli was shooting for a corner of the sky "just a bit lower." That's when the Port Authority really had something to celebrate. A 1982 Port Authority ad in a New York City guidebook pointed out that the observation deck was the tallest outdoor deck on earth and concluded with the marvelously whimsical warning, "And in the evening, please don't touch the stars." That is why we the people of the United States never agree to stop trying to touch the sky. That is why the project at Ground Zero is such a letdown and such a sellout. Happy birthday. Thank you.

Chairman Samson: Thank you. The next speaker is Richard Hughes from the Twin Towers Alliance.

Richard Hughes: Good Afternoon, Commissioners. First I want to congratulate the Port Authority on its 90th anniversary. Ninety years is a long time, whether we're talking about the life of a person or the life of an institution, and the Port Authority has much to be proud of as it looks back over those 90 years - the bridges and tunnels it has built and maintained, the airports, and of course those magnificent and inspiring Twin Towers of the original World Trade Center. The Port Authority indeed has much to be proud of - except in one crucial area, and that is in its handling of the rebuilding process at Ground Zero.

Neither I nor anyone should blame you Commissioners for the mistakes that were made in the years immediately following the September 11th attacks. I don't believe any of you were sitting on the board at that time, and so the decisions that were made are not your fault. We know that tremendous political pressure was brought by Governor Pataki to keep the Twin Towers from being rebuilt, even though Larry Silverstein was contractually obligated to rebuild them. We know that Governor Pataki interfered all along the line to impose his will and the public be damned. No one should blame the Port Authority for decisions that were made in those years because of the imperious demands of an out of control governor who took advantage of a national tragedy to exercise his own political will. But Governor Pataki is gone from the political scene, thank God. He has left you with a mess in Lower Manhattan, a mess not of your own making, but it is your responsibility to clean it up and make things right.

The current plan grew out of Pataki's mess. It is still a mess, and it cannot be made right without radical changes. As I have said all along, as Margaret Donovan of the Twin Towers Alliance has said all along, as millions of Americans will tell you, the best solution is the simplest solution. Rebuild the Twin Towers and make them better in every way. They were the signature not only of this city and this country but of the Port Authority itself. Here's my vision. In ten years the Port Authority will celebrate its centennial, and I hope it will be a glorious centennial. And if it is, it will be a glorious one because the Port Authority will have two new spectacular Twin Towers to point to in Lower Manhattan lighting up the greatest skyline in the world. And I hope you are all there, looking out from a new Windows on the World and taking pride that this once great agency has recovered its daring and its vision and become great again. Thank you very much.

Chairman Samson: Thank you. The last speaker is Joseph Russo of LBM Consulting, LLC.

Joseph Russo: Hello. Joseph Russo, LBM Consulting, LLC, Lawrenceville, New Jersey. Executive Director Ward, Deputy Executive Director Baroni, members of the Board, the three minutes that I have to speak to you today, which is entitled "Advanced Planning for Airport Terror: The First Five Minutes." It's very prophetic that we get three minutes, because from the time I stand up to the time I sit down, hundreds - literally hundreds - could be slaughtered in a terror event.

Now, what is an airport? We all know what it is. It's a welcoming place, departures, tears of joy, tears of sadness, people are leaving, people are coming. An airport is a restaurant, it's a bookstore, it's a lounge. It's many, many congested spaces - bookstores, little - few exits, long killing fields, and ramps and gate areas. Okay. There's an old saying in the firefighting business, which I'm a volunteer. It's called, "The first five minutes of an emergency--a fire-- "are worth the next five hours," whether it's weather related--hopefully it won't happen later-- or an explosion or mass trauma. But terrorists are very

intelligent people. We know that. I think one would have to assume if we have an event at Newark Liberty, LaGuardia, JFK, it's going to be coordinated. That will mean blocking EMS, police, and rescue from local area hospitals and what have you. So you have confusion, tremendous congestion, and you have people dying from horrible burns, shock trauma, mutilation, and what have you.

There are things that we need, and we can get them. We need an expanded ARFF, airport fire rescue. We need on scene medical care--not a portable surgical hospital which would take 20, 30, 40 minutes to come in. That's fine for backup. Can you imagine ambulance crews coming from the local hospital, trying to treat, stabilize, triage, get them back to a hospital, resupply, and take care of their own emotions? We need on scene medical care. Wow. Take Terminals A and B in Newark. Six long ramps, 40 gates. Killing fields. Six hundred dead, 400 wounded. Put your own numbers on that. Now, money, funds. It always comes up. America is awash in money. There is money for everything. It's leadership. Victor Hugo said, "Nothing is as irresistible as an idea whose time has come." The time has come, but there's not a minute to lose. I'll come back next month to finish up. Thank you.

Chairman Samson: Thank you.

Joseph Russo: Sheree Van Duyne has full copies if anybody would like.

Chairman Samson: Thank you. That's the final public speaker. May I have a motion to approve the consent calendar?

Multiple Commissioners: So moved.

Chairman Samson: Second?

Commissioner Silverman: Second.

Chairman Samson: All in favor?

Commissioners: Aye.

Chairman Samson: So moved. And may I have a motion to adjourn the meeting?

Commissioner Steiner: So moved.

Chairman Samson: A second?

Commissioner Pocino: Second.

Chairman Samson: All in favor?

Commissioners: Aye.

Chairman Samson: The meeting is adjourned.