

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

**MINUTES
Thursday, May 25, 2006**

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**MINUTES of the Meeting of The Port Authority of New York and New Jersey held Thursday,
May 25, 2006, at 225 Park Avenue South, City, County and State of New York.**

PRESENT:

NEW JERSEY

Hon. Anthony R. Coscia, Chairman
 Hon. Angelo J. Genova
 Hon. Raymond M. Pocino
 Hon. Anthony J. Sartor
 Hon. Jack G. Sinagra
 Hon. David S. Steiner

NEW YORK

Hon. Bruce A. Blakeman
 Hon. Michael J. Chasanoff
 Hon. Christine A. Ferer
 Hon. David S. Mack
 Hon. Henry R. Silverman

Kenneth J. Ringler, Jr., Executive Director
 Darrell B. Buchbinder, General Counsel
 Karen E. Eastman, Secretary

Gwendolyn Archie, Senior Administrator, Office of the Secretary
 A. Paul Blanco, Chief Financial Officer
 John D. Brill, Director, Audit
 Ernesto L. Butcher, Chief Operating Officer
 Wilfred Chabrier, Director, Office of Regional and Economic Development
 Arthur J. Cifelli, Deputy Chief of Staff
 Steven J. Coleman, Public Information Officer, Public Affairs
 William R. DeCota, Director, Aviation
 John C. Denise, Supervisor, Audio Visual/Photography, Public Affairs
 Michael P. DePallo, Director, PATH
 Pasquale DiFulco, Public Information Officer, Public Affairs
 Francis A. DiMola, Director, Real Estate
 John J. Drobny, Director, Project Management
 Nancy J. Ertag-Brand, General Manager, Regional Funding Office, Office of the Chief Financial Officer
 Michael G. Fabiano, Deputy Chief Financial Officer/Comptroller
 James P. Fox, Deputy Executive Director
 Michael B. Francois, Chief of Real Estate/Regional and Economic Development
 Linda C. Handel, Assistant Secretary
 Howard G. Kadin, Senior Attorney, Law
 Victoria C. Kelly, Director, Tunnels, Bridges and Terminals
 Louis J. LaCapra, Chief Administrative Officer
 Richard M. Larrabee, Director, Port Commerce
 Francis J. Lombardi, Chief Engineer
 Robert F. Lurie, Chief of Strategic Planning
 Stephen Marinko, Attorney, Law
 John P. McCarthy, Director, Public Affairs
 James E. McCoy, Manager, Board Management Support, Office of the Secretary
 Anne Marie C. Mulligan, Treasurer
 Lynn A. Nerney, Senior Administrator, Office of the Secretary
 Michael Nestor, Director, Office of Investigation, Office of Inspector General
 Steven A. Pasichow, Assistant Director, Office of Investigation, Office of Inspector General
 Steven P. Plate, Director, Priority Capital Programs
 Edmond F. Schorno, Chief of Staff

Stephen Sigmund, Senior Policy Advisor, Office of the Deputy Executive Director
Ralph Tragale, Client Manager, Government and Community Affairs
Robert E. Van Etten, Inspector General
Peter J. Zipf, Deputy Chief Engineer

Guest:

Sonia Frontera, Authorities Unit, Office of the Governor of New Jersey

The public session was called to order by Chairman Coscia at 1:34 p.m. and ended at 1:41 p.m.

Action on Minutes

The Secretary submitted for approval Minutes of the meeting of April 26, 2006. She reported that copies of these Minutes were sent to all of the Commissioners and to the Governors of New York and New Jersey. She reported further that the time for action by the Governors of New York and New Jersey has expired.

Whereupon, the Board of Commissioners unanimously approved the Minutes.

Report of Committee on Finance

The Committee on Finance reported, for information, on matters discussed and action taken in executive session at its meeting on May 25, 2006, which included discussion of certain contract matters, and matters which could affect the competitive economic position of the Port Authority, the Port District or businesses with which we deal, in addition to matters filed with the Committee pursuant to Board action or separately reported to the Board of Commissioners at this meeting of the Board, and the report was received.

Report of Committee on Capital Programs/Port Planning

The Committee on Capital Programs/Port Planning reported, for information, on matters discussed in executive session at its meeting on May 25, 2006, which included discussion of matters which could affect the competitive economic position of the Port Authority, the Port District or businesses with which we deal, and the report was received.

Report of Committee on Construction

The Committee on Construction reported, for information, on matters discussed at its meeting on May 25, 2006, which included an update on the status of the redevelopment of Terminal 5 at John F. Kennedy International Airport, and the report was received.

Report of Committee on Operations

The Committee on Operations reported, for information, on matters discussed in executive session at its meeting on May 25, 2006, which included discussion of contract matters, in addition to matters filed with the Committee pursuant to Board action or separately reported to the Board of Commissioners at this meeting, and the report was received.

Staff Report

A presentation was made by staff on the provision of ferry service between Lower Manhattan to Yonkers, with a potential extension to the Village of Haverstraw.

ESTABLISHMENT OF CHAIRMAN’S AWARD OF ACHIEVEMENT MEDAL – REPORT

It was reported to the Board that a Chairman’s Award of Achievement Medal had been established to provide a means for the Chairman to formally recognize dedicated staff who provide outstanding public service to the agency and the region at large. The first recipients of this award were Executive Director Kenneth J. Ringler, Jr. and Chief of Staff Edmond F. Schorno.

TETERBORO AIRPORT – GAMA AVIATION LIMITED – PAYMENT OF PORT AUTHORITY COSTS

It was recommended that the Board authorize General Counsel, for and on behalf of the Port Authority, to provide a general release to Gama Aviation Limited (Gama) in connection with Gama's payment to the Port Authority of its full costs of \$146,159.34 incurred as a result of the following incident.

On December 1, 2004, a Gulfstream IV aircraft owned and operated by Gama was forced off the runway at Teterboro Airport by a gust of wind while taxiing after landing, and struck trees in the wooded marshlands adjacent to the runway, resulting in a fuel spill. The Port Authority arranged for the construction of a road and adjoining pad in order to remove the aircraft and conduct the necessary environmental cleanup. The total costs incurred by the Port Authority, including the cost of constructing the road and adjoining pad, performing the environmental cleanup, and reporting the incident and cleanup to the appropriate governmental authorities, was \$146,159.34.

Gama has agreed to pay the Port Authority's costs, upon the issuance of a general release by the Port Authority.

Pursuant to the foregoing report, the following resolution was adopted in executive session with Commissioners Blakeman, Chasanoff, Coscia, Ferer, Genova, Mack, Pocino, Sartor, Silverman, Sinagra and Steiner voting in favor; none against:

RESOLVED, that General Counsel be and he hereby is authorized, for and on behalf of the Port Authority, to provide a general release to Gama Aviation Limited (Gama) in connection with Gama's payment to the Port Authority of its full costs of \$146,159.34 incurred as a result of the December 1, 2004 incident at Teterboro Airport described to the Board.

DOWNTOWN RESTORATION PROGRAM – WORLD TRADE CENTER SITE – PLANNING AND REDEVELOPMENT – INCREASE IN PLANNING AUTHORIZATION

It was recommended that the Board authorize: (1) an increase of \$7 million in the planning authorization for World Trade Center (WTC) site planning and redevelopment, resulting in a total authorization of \$46 million, to continue design and redevelopment coordination efforts at the WTC site through March 2007; and (2) the continuing development of that portion of the security plan for the WTC site which is being funded, reimbursed or offset through the direct receipt of grant monies.

Various components of the WTC site redevelopment will now be advancing beyond the conceptual planning stages into final design and construction. In September 2003, the Lower Manhattan Development Corporation (LMDC) and the Port Authority announced the refined WTC Site Master Plan based on the “Memory Foundations” concept developed by Studio Daniel Libeskind (SDL). In June 2005, the revised final design concept for the Freedom Tower was finalized. In January 2004, the LMDC announced selection of the Memorial design “Reflecting Absence.” Planning work to date has included analysis of Lower Manhattan transportation needs, development of initial site plans, development of the WTC Site Master Plan and General Project Plan, negotiation of a Redevelopment Agreement with the City of New York, formulation/adoption of Commercial, Sustainable and Security Design Guidelines and cost estimates and funding strategies.

Implementation of the WTC Site Master Plan and WTC Site Redevelopment components will require further architectural and engineering work, including, but not limited to, advancing development of the WTC Memorial, museum and cultural facilities, commercial office building parcels, common sub-grade infrastructure and systems, construction phasing, scheduling, funding and cost allocation analyses, as well as support for the Lower Manhattan Counter-Terrorism Advisory Task Force. Other WTC site planning and engineering efforts, for the WTC Transportation Hub, retail development, as well as WTC site construction support and coordination, are proceeding under separate programs and Board authorizations.

At various meetings between December 2001 and September 2005, the Board authorized a total amount of \$39 million for planning and preliminary design coordination in connection with the first phase of WTC site redevelopment.

Redevelopment of the WTC site and the revitalization of Lower Manhattan in the wake of the events of September 11, 2001, are of critical importance to the economy and overall quality of life of the New York/New Jersey region. The proposed continuation of this planning effort would facilitate the achievement of these critical tasks. Further Port Authority involvement in the WTC site redevelopment is expected for the foreseeable future. Staff anticipates that total expenditures for WTC planning efforts will amount to approximately \$6 million from 2007 to 2010, for a total estimated program of approximately \$52 million. Staff will seek additional Board authorization and funding increases for the balance of 2007 and beyond, as appropriate.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Blakeman, Chasanoff, Coscia, Ferer, Genova, Mack, Pocino, Sartor, Silverman, Sinagra and Steiner voting in favor; none against:

RESOLVED, that (1) an increase of \$7 million in the authorization for World Trade Center (WTC) Site Planning and Redevelopment, resulting in a total authorized amount of \$46 million, to continue design and redevelopment efforts at the WTC site through March 2007, and (2) the continuing development of that portion of the security plan for the WTC site, which is being funded, reimbursed or offset through the direct receipt of grant monies, be and they hereby are authorized.

DOWNTOWN RESTORATION PROGRAM – WORLD TRADE CENTER TRANSPORTATION HUB – CONTRACT WTC-284.458 FOR CONSTRUCTION MANAGER AND GENERAL CONTRACTOR SERVICES – EXERCISE OF OPTION FOR EAST BATHTUB AND SUPPLEMENTAL AGREEMENT FOR OTHER COMMON STRUCTURAL WORK

It was recommended that the Board authorize the Executive Director to: (1) exercise the Port Authority's option under Contract WTC-284.458 to have the contractor perform additional work at the World Trade Center (WTC) site, including the creation of the East Bathtub of the site and additional temporary underpinning of the New York City Transit (NYCT) No. 1 subway line for the account of other WTC site stakeholders, at an estimated amount of \$300 million; (2) enter into Supplemental Agreement No.1 to Contract WTC-284.458 for the performance of additional excavation and foundation work within or adjacent to the Port Authority Trans-Hudson system (PATH) right-of-way for the account of other WTC site stakeholders, at an estimated amount of \$10 million; and (3) enter into necessary tie-back easement agreements for project development that may be required to implement the optional and/or supplemental work.

In May 2005, the Port Authority issued a Request for Proposals (RFP) for Construction Manager and General Contractor (CM/GC) Services for the WTC Transportation Hub Project (Hub Project). This RFP included a base contract portion for the Hub Project, with an option for certain additional work, including the creation of the East Bathtub. At the time the CM/GC RFP was issued, funding commitments for the creation of a new East Bathtub at the WTC site were still pending with various stakeholders. A grant amendment for the Hub Project was executed in August 2005 with the Federal Transit Administration, including funding for the entire East Bathtub construction.

The scope of work for the RFP and contract, however, was not modified to incorporate the East Bathtub as the CM/GC procurement process advanced through late 2005. In December 2005, the Board authorized the award of the CM/GC contract to Phoenix Constructors, J.V., at an aggregate construction cost estimated at \$1.1 billion. The Board also was advised that the contract contained an option, exercisable by the Port Authority within two years of award of the contract, to have the CM/GC perform installation of new basement walls, excavation, and other related work to create an East Bathtub, including construction of elements of the retail development, within the eastern portion of the WTC site.

WTC site redevelopment plans were also accelerated with Silverstein Properties, Inc. and WTC Retail LLC in late 2005, including public commitments to develop the eastern portions of the WTC site (Tower 2 and Phase 1 retail) as quickly as possible. These developments rely on timely completion of the East Bathtub construction.

Staff recommended that this contract option be exercised now in order to procure the construction services from the CM/GC in June 2006 to meet the scheduled start of East Bathtub construction in August 2006. The supplemental agreement to install foundations in the West Bathtub must be entered into now if work on the foundations is to be started in July 2006.

The East Bathtub area is generally defined by the future Greenwich Street, Vesey Street, Church Street, and Liberty Street at the WTC site. The East Bathtub includes installation of basement walls, temporary tiebacks, excavation and structural demolition. The depth of the East Bathtub would be similar to the current West Bathtub, and would become a volume of roughly 30 million cubic feet of new space at the WTC site to accommodate various structures, including the construction of the Transit Hall (oculus) and North-South pedestrian connections that are part of the Hub Project. In addition, the East Bathtub volume would accommodate commercial development, including the proposed Towers 2, 3, and 4, as well as the WTC site retail development. Other optional work in the CM/GC contract includes additional portions of underpinning of the NYCT No. 1 subway line (not attributable to the Hub Project). Work under Supplemental Agreement No. 1 would include excavation and foundations for other WTC site stakeholders, located within the current PATH right-of-way.

The option and supplemental agreement work would be performed by the CM/GC, consistent with the terms and conditions of the base CM/GC contract. It is anticipated that the East Bathtub construction will be completed by mid-2008. The East Bathtub and other portions of work applicable to the Hub Project would be fully eligible for reimbursement through the Federal Transit Administration (FTA) grant for the project. FTA reimbursement would be sought, consistent with the terms of the grant and other applicable agreements with the FTA, based on the overall allocation of \$1.921 billion of FTA funds and \$300 million of Port Authority funds committed to the total project budget of \$2.221 billion.

Costs for optional work related to the underpinning performed for other projects or entities, as well as costs for Supplemental Agreement No. 1 work performed for other projects and entities, including the Lower Manhattan Development Corporation (LMDC) and WTC Memorial Foundation, would be sought as part of the appropriate Interagency Project Development Agreements for such other projects or with such other entities.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Blakeman, Chasanoff, Coscia, Ferer, Mack, Pocino, Silverman, Sinagra and Steiner voting in favor; none against; Commissioners Genova and Sartor recused:

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to exercise the Port Authority's option under Contract WTC-284.458 to have the contractor perform additional work at the World Trade Center (WTC) site, including the creation of the East Bathtub of the site and additional temporary underpinning of the New York City Transit No. 1 subway line for the account of other WTC stakeholders, at an estimated amount of \$300 million; and it is further

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into Supplemental Agreement No. 1 to Contract WTC-284.458 for the performance of additional excavation and foundation work within or adjacent to the Port Authority Trans-Hudson system right-of-way for the account of other WTC site stakeholders, at an estimated amount of \$10 million; and it is further

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into necessary tie-back easement agreements for project development that may be required to implement the optional and/or supplemental agreement scope of work; and it is further

RESOLVED, that the form of the foregoing agreements shall be subject to the approval of General Counsel or his authorized representative.

DOWNTOWN RESTORATION PROGRAM – WORLD TRADE CENTER SITE REDEVELOPMENT – INCREASE IN AUTHORIZATION FOR JONES LANG LASALLE ADVISORY SERVICES

It was recommended that the Board: (1) reallocate \$1.4 million of the \$1.95 million amount previously authorized for World Trade Center (WTC) Retail Phase One Preliminary Engineering for expenditure under the existing agreement for WTC site redevelopment real estate advisory services with Jones Lang LaSalle (JLL); and (2) increase the authorization for the agreement with JLL by an additional \$3.5 million from the current \$8 million, resulting in a total authorization of \$12.9 million for the duration of the base term of the agreement with JLL, which expires on November 30, 2006. The increased authorization would allow the continuation of the current net lease renegotiation planning efforts with Silverstein Properties Inc. (SPI) for the WTC site that involve issues pertaining to retail development, master planning, Towers 3 and 4, the Freedom Tower, Tower 5, and other elements.

The current three-year agreement with JLL was entered into in December 2003, after a Request for Proposals process, with the base term to expire in November 2006. The authorization allows for one two-year extension option, which can be exercised by the Port Authority in November 2006. The original authorization was for \$7.5 million for the three-year term. In October 2005, the Board authorized an increase of \$500,000 in the authorization for this agreement, as part of the \$1.95 million WTC Retail Phase One Preliminary Engineering authorization.

Since 2003, the JLL consulting team, which includes Callison, Kohn, Pederson & Fox, Economics Research Associates, AKF Engineers, Tishman Speyer, Schirmer Engineering Corporation, Ducibella, Venter and Santore, Steven Winters Associates and Robert F. Futterman & Associates, LLC, among others, has consulted on many aspects of the WTC site development planning, such as a potential Port Authority space lease, retail development planning, including Phase 1 Preliminary Engineering, the right of first offer with the former retail net lessee, hotel feasibility, Towers 3 and 4 analysis, financial modeling and SPI renegotiation strategy, General Services Administration (GSA) space leasing, office net leasing, and operations and maintenance planning.

Due to the increase in activity surrounding the renegotiation of the WTC site net lease with SPI and the work that has been done both from a financial and a development planning standpoint, the current \$8 million authorization will be spent approximately 5 months in advance of the expiration of the JLL agreement's base term.

The renegotiation of the SPI net lease is intended to allow the WTC site redevelopment to move forward at a faster pace, provide greater financial certainty to the Port Authority, and provide essential funds for the WTC Memorial. This increase would provide Port Authority staff with access to extensive real estate development expertise that is required to move the different aspects of the redevelopment forward.

The portion of these costs related to retail development is recoverable through the insurance allocation for the retail portion of the WTC site redevelopment.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Blakeman, Chasanoff, Coscia, Ferer, Mack, Pocino, Sartor, Silverman, Sinagra and Steiner voting in favor; none against; Commissioner Genova recused:

RESOLVED, that the reallocation of \$1.4 million of the \$1.95 million amount previously authorized for World Trade Center (WTC) Retail Phase One Preliminary Engineering, for expenditure under the existing agreement for WTC redevelopment real estate advisory services with Jones Lang Lasalle (JLL), be and it hereby is authorized; and it is further

RESOLVED, that an increase of \$3.5 million in the authorization for the foregoing agreement with JLL, resulting in a total authorization for the agreement of \$12.9 million for the duration of the base term of the agreement, which expires on November 30, 2006, be and it hereby is authorized.

FERRY TRANSPORTATION PROGRAM – AUTHORIZATION TO ENTER INTO AGREEMENTS WITH NEW YORK TRANS HARBOR LLC d/b/a NEW YORK WATER TAXI AND LOWER MANHATTAN DEVELOPMENT CORPORATION FOR THE PROVISION OF FERRY SERVICE BETWEEN LOWER MANHATTAN AND YONKERS

It was recommended that the Board authorize the Executive Director to: (1) enter into an operating agreement with New York Trans Harbor LLC d/b/a New York Water Taxi (NY Water Taxi) to provide ferry service between lower Manhattan (Battery Park City Ferry Terminal and Pier 11) and the City of Yonkers, New York, with potential for the extension of service to the Village of Haverstraw, New York, for a two-year term, with the Port Authority to have the option for two one-year extensions, dependent on available funding; and (2) enter into a sub-recipient agreement with the Lower Manhattan Development Corporation (LMDC) to receive grant funds that will be used to reimburse NY Water Taxi for the operating costs associated with this new ferry service.

In February 2001, the Board authorized staff to assist in the development of ferry service from various locations in New Jersey and New York, including the City of Yonkers, to midtown and lower Manhattan. The authorization included an allocation of up to \$22 million to provide the requisite infrastructure to support such ferry services. Of these funds, up to \$2 million has been budgeted for the City of Yonkers' initiative to rehabilitate the Yonkers Recreational Pier to support ferry services. The development of a ferry transportation program from Yonkers to lower Manhattan is a component of New York Governor George E. Pataki's Lower Manhattan Transportation Program.

The selection of NY Water Taxi as the operator follows the Port Authority's release of a publicly advertised Request for Proposals (RFP) and the subsequent receipt of two proposals. The Evaluation Committee consisted of representatives from the Port Authority, the City of New York, LMDC, the City of Yonkers, and the Village of Haverstraw. The committee rated the proposals on the basis of the criteria stated in the RFP, which included: the minimization of operating expense funds in initiating a new service, the technical approach to implementing the service, and the stated start date for beginning service. The committee unanimously recommended NY Water Taxi. The agreement with NY Water Taxi is contingent upon the Port Authority's acceptance and execution of a sub-recipient agreement with LMDC.

LMDC, with funds made available by the U.S. Department of Housing and Urban Development (HUD), would provide grant funds to the Port Authority in the amount of \$4.2 million. The grant would be used to provide reimbursement to NY Water Taxi for the associated operating costs for the new ferry service program. It is anticipated that these funds would be dispensed to NY Water Taxi on a monthly basis, upon the Port Authority's review and approval of submitted invoices. The Port Authority would audit the program's operation regularly by comparing the submitted invoices against the service's documented passenger counts, schedule of service, and revenue receipts.

By initiating this service, the Port Authority would provide Westchester and Rockland County commuters with an important alternative transportation mode to lower Manhattan and potentially generate future revenues for landing facility use at the Battery Park City Ferry Terminal.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Blakeman, Chasanoff, Coscia, Genova, Mack, Pocino, Sartor, Silverman, Sinagra and Steiner voting in favor; none against; Commissioner Ferer recused:

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to: (1) enter into an operating agreement with New York Trans Harbor LLC d/b/a New York Water Taxi (NY Water Taxi) to provide ferry service between lower Manhattan (Battery Park City Ferry Terminal and Pier 11) and the City of Yonkers, with potential for the extension of service to the Village of Haverstraw for a two-year initial term, with a Port Authority option for two one-year extensions, dependent on available funding; and (2) enter into a sub-recipient agreement with the Lower Manhattan Development Corporation to receive grant funds that will be used to reimburse NY Water Taxi for the operating costs associated with this new ferry service; and it is further

RESOLVED, that the form of the foregoing agreements shall be subject to the approval of General Counsel or his authorized representative.

**PORT AUTHORITY EMPLOYMENT RELATIONS PANEL – APPOINTMENT OF
NEW YORK MEMBER**

It was recommended that the Board appoint Barbara Zausner as the New York Member of the Port Authority Employment Relations Panel (Panel).

The Port Authority Labor Relations Instruction (Instruction) was adopted by the Board on September 29, 1976, in accordance with the recommendation of a joint gubernatorial study commission convened to propose provisions to govern the labor relations activities of the Port Authority, its employees and their employee organizations, because the Port Authority is not subject to the public sector collective bargaining statutes of either the State of New York or the State of New Jersey. The Instruction, as amended on December 9, 1983, provides for the Board to appoint a three-member Panel, including a New York Member, a New Jersey Member and a Chairman, to administer the Instruction.

The term of the previous New York Member, Bonnie Siber Weinstock, expired in December 2005. On April 11, 2006, Michael R. Cuevas, Chairperson of the New York Public Employment Relations Board (PERB), and Lawrence Henderson, Chairman of the New Jersey Public Employment Relations Commission (PERC), after consultation with the representatives of employee organizations, and in accordance with the provisions of the Instruction, recommended that Barbara Zausner be appointed as the New York Member of the Panel. All members of the Panel serve until reappointment or appointment of a successor. Barbara Zausner has worked as an arbitrator, mediator and fact-finder in both the public and private sectors since 1976. She currently serves as a panel member for numerous labor arbitration agencies, including the AT&T Communications Workers of America, Camden Board of Education, Lehigh Valley Department of Corrections, and the United States Department of Interior/Indian Educators Federation. Ms. Zausner also is a member of the National Academy of Arbitrators, the American Arbitration Association and the Labor and Employment Relations Association.

The Panel is responsible for: resolving disputes arising from the designation of managerial and confidential and supervisory employees; assisting in resolving negotiating impasses; processing improper labor practice charges; processing petitions for certification or decertification of employee organizations as negotiating representatives of Port Authority employees; and hearing and deciding representation fee disputes. The Panel may also appoint hearing officers, mediators, fact finders, attorneys, or others to assist them in their functions, and provide for their reimbursement and compensation at rates set pursuant to the Instruction.

Panel members presently are compensated at a rate of \$700 per day for each day spent in attendance at meetings or consultation or in the preparation of reports or determinations, and are reimbursed for expenses actually incurred by them in the performance of their duties.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Blakeman, Chasanoff, Coscia, Ferer, Genova, Mack, Pocino, Sartor, Silverman, Sinagra and Steiner voting in favor; none against:

RESOLVED, that Barbara Zausner be and she hereby is appointed the New York Member of the Port Authority Employment Relations Panel.

CONFIDENTIAL ITEM

This item shall not be available for public inspection until otherwise agreed to by the parties involved.

Whereupon, the meeting was adjourned.

Secretary