

# **PORT AUTHORITY TRANS-HUDSON CORPORATION**

## **MINUTES**

**Thursday, June 24, 2004**

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**MINUTES of the Meeting of Port Authority Trans-Hudson Corporation held Thursday, June 24, 2004, at 225 Park Avenue South, City, County and State of New York.**

**PRESENT:**

**NEW JERSEY**

Hon. Anthony R. Coscia, Chairman  
 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

Joseph J. Seymour, President  
 Ernesto L. Butcher, Vice-President

Gwendolyn Archie  
 Kayla M. Bergeron  
 A. Paul Blanco  
 Bruce D. Bohlen  
 John D. Brill  
 Darrell B. Buchbinder  
 Gregory G. Burnham  
 Patrick G. Caggiano  
 Timothy Castano  
 Wilfred A. Chabrier  
 Anthony B. Ciavolella  
 Arthur J. Cifelli  
 Steven J. Coleman  
 Anthony G. Cracchiolo  
 William R. DeCota  
 John C. Denise  
 Michael P. DePallo  
 Pasquale DiFulco  
 Karen E. Eastman  
 Nancy J. Ertag-Brand  
 Michael B. Francois  
 Lash L. Green  
 Linda C. Handel  
 L. Jay Hector  
 Paul Higgins  
 Edward L. Jackson  
 Howard G. Kadin  
 Louis J. LaCapra  
 Richard M. Larrabee  
 Francis J. Lombardi  
 Robert R. Lurie  
 Stephen Marinko  
 Michael G. Massiah  
 Charles F. McClafferty  
 James E. McCoy  
 Concetta M. Mincieli  
 Anne Marie C. Mulligan

Lynn A. Nerney

Michael F. O'Connor  
Catherine F. Pavelec  
Kenneth P. Philmus  
Alan L. Reiss  
Edmond F. Schorno  
Deborah J. Shapiro  
Douglas L. Smith  
Gerald B. Stoughton  
Robert A. Sudman  
Ralph Tragale  
Emery J. Ungrady  
Peter J. Zipf

The public session was called to order by Chairman Coscia at 2:20 p.m. and ended at 2:39 p.m. The Board met in executive session prior to the public session. Vice-Chairman Gargano was present during the executive session.

### **Action on Minutes**

The Secretary submitted for approval Minutes of the meeting of May 20, 2004. 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.

### **Report of Committee on Finance**

The Committee on Finance reported, for information, and the report was received and is included with these minutes.

### **Report of Committee on Operations**

The Committee on Operations reported, for information, and the report was received and is included with these minutes.

### **Report of Committee on Construction**

The Committee on Construction reported, for information, on matters discussed in executive session at its meeting on June 24, 2004, which included discussion of contract matters and property matters, and the report was received.

**PATH – NEW GROVE STREET STATION ENTRANCE – INCREASE IN PROJECT AUTHORIZATION AND INCREASE TO CONTRACT PAT-624.279**

It was recommended that the Board authorize an increase of \$5.4 million in the project authorization for the Port Authority Trans-Hudson Corporation (PATH) – New Grove Street Station Entrance Project (Project) in Jersey City, New Jersey, including an increase of \$4.8 million in the authorization for Contract PAT-624.279, from \$7.7 million to \$12.5 million. It was also recommended that the Board authorize the President to acquire necessary property interests for the Project in the sum of \$600,000 to be paid to the property owner. This Project was authorized by the Board at its meeting on December 13, 2001 at a total estimated project cost of \$14.6 million. The proposed increase consists of an additional \$300,000 in property acquisition costs and \$5.1 million in additional engineering, design, construction, insurance and PATH staff costs related to a modified site design, utility relocations and lead and asbestos abatement.

The purpose of this Project is to construct a new entrance/exit at PATH's Grove Street Station to help relieve crowding, to provide a second means of ingress and egress to enhance safety at the station in the event of an emergency, and to create additional station capacity as passenger levels increase. The requested increase provides for: an improved and enlarged entrance design made necessary by the need to relocate the originally proposed entrance in order to conform to a site development plan approved for the property owner by the Jersey City Planning Board, subsequent to Project Authorization; conformance to egress standards for rail stations as set forth by National Fire Protection Association Standard 130 (NFPA 130); accommodation of the latest City of Jersey City transportation plan; and assurance of continuous station availability and minimization of any future negative impacts on PATH operations during future site development.

The Board, at its December 13, 2001 meeting, authorized a project in the amount of \$14.6 million for the design and construction of the New Grove Street Station Entrance. After the December 2001 Board authorization for the Project, PATH presented the preliminary design plans to the owner of the property, PKG Associates LLC (PKG), in order to obtain the necessary property interests to construct, operate and maintain the new entrance. Consequently, PATH had to modify its plans in order to integrate the new entrance into the property owner's site plan, which had been approved by the Jersey City Planning Board subsequent to Project authorization, and to address new transportation planning and utility relocations required by Jersey City.

PATH's projected ten-year Capital Plan includes a project to prepare the Grove Street Station and other stations to accept 9- and 10-car train operations in anticipation of increased ridership. The current station and the original design of the new entrance do not meet the recommended egress standards of the NFPA 130 for 9- and 10-car trains. The original design was sized to meet the then known site conditions and contemplated that a third entrance would be needed to meet 9- and 10-car egress standards. However, the change in site location and the opportunity to create an enhanced and larger entrance now renders a third entrance unnecessary.

This Project requires the acquisition from PKG of a fee interest in an approximately .125-acre parcel of land, with an upper limiting plane, at the corner of Christopher Columbus Drive

and Luis Munoz Marin Boulevard, as well as temporary construction and drainage easements. Discussions with PKG's representatives have resulted in the property owner's willingness to convey to PATH the necessary property interests for the station for a sum of \$600,000, an increase of \$300,000 over the originally estimated cost for the property. The original design contemplated a smaller station area of approximately 2,500 square feet. The station area is now approximately 5,400 square feet with an upper limiting plane, and its construction has required use of an additional construction easement area of over 28,000 square feet. PKG significantly reduced its sales price from its original appraisal of \$4,125,000 in view of the fact that elements of the new station entrance were redesigned not only to support the PATH station entrance and minimize any future negative impacts on PATH operations, but also to accommodate its future development. PKG would reserve easements to use the four support columns PATH will install in its station entrance contract for the support of its future development above the station entrance.

An alternative for construction of an entrance/exit at a different location was evaluated and rejected due to much higher construction and property acquisition costs. Once the east entrance is opened, PATH patrons will have a more accessible Grove Street station with a second entrance/exit, which would facilitate ingress/egress from the station, and allow emergency personnel quicker access. Station aesthetics will also be improved.

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

**RESOLVED**, that an increase of \$5.4 million in the project authorization for the Port Authority Trans-Hudson Corporation (PATH) – New Grove Street Station Entrance Project (Project), previously authorized at \$14.6 million, including an increase in construction costs of \$5.1 million and an increase in the price of the acquisition of necessary property interests in the amount of \$300,000, resulting in a revised total estimated project cost of \$20 million, be and it hereby is authorized; and it is further

**RESOLVED**, that the President be and he hereby is authorized, for and on behalf of PATH, to increase the authorization for Contract PAT-624.279 with VRH Construction Corporation from \$7.7 million to \$12.5 million, an increase of \$4.8 million; and it is further

**RESOLVED**, the President be and he hereby is authorized, for and on behalf of PATH, to acquire marketable title to the property interests (fee and easements) for the Project, free and clear of liens and encumbrances, except for permitted exceptions, for a consideration of \$600,000 to be paid to the property owner, with the property owner's having the right to reserve appropriate easements to utilize the four caissons PATH has installed and the four columns that PATH will install in its station entrance area for the support of the property owner's future development, together with rights of access to utilize, maintain and, in the event of destruction or damage, to reconstruct or repair, such caissons and supporting

columns, provided the Port Authority's Chief Engineer approves such plans; and it is further

**RESOLVED**, that the form of all contracts, agreements and documents in connection with the foregoing shall be subject to the approval of Counsel or his authorized representative.

**CONTRACT AND PURCHASE ORDER AUTHORIZATION AND AMENDMENTS- QUARTERLY REPORT**

**REPORT:** In accordance with Article XII, sections (f)(1) and (f)(2) of the By-Laws, the President reported, for information only, that the following contracts were awarded or amended for the period of October 1, 2003 through December 31, 2003.

<b>AWARDEE</b>	<b>DESCRIPTION</b>	<b>CONTRACT AMOUNT</b>	<b>PROCUREMENT METHOD</b>
Onesource Energy Services	HVAC – Temporary WTC Station	\$503,345	Publicly Bid
Pravco, Inc.	Roof Inspection & Repair - Harrison Car Maintenance Facility	\$137,959	Publicly Bid

**Tort Claim Settlements - Report**

The President reported, for information only, that in accordance with the authority granted under Article XII, section (f)(4) of the By-Laws, the following claims were previously settled, and reported closed during the period October 1, 2003 to December 31, 2003.

**TORT CLAIMS OF PORT AUTHORITY TRANS-HUDSON CORPORATION, CLOSED**

<b>NAME</b>	<b>AMOUNT COLLECTED</b>
SYGMA NETWORK INC	\$ 1,517.84
BABCOCK MICHAEL G	200.00
<b>TOTAL</b>	<b>\$ 1,717.84</b>

**TORT CLAIMS AGAINST PORT AUTHORITY TRANS-HUDSON CORPORATION, CLOSED****Employee Claims**

<b>NAME</b>	<b>AMOUNT PAID</b>
SETTLES CHRIS B	\$ 1,764.00
MONIELLO JOHN J	2,346.40
EGURROLA ESTEBAN	2,700.00
MELLENDEZ JESUS	3,000.00
ORRICO GERALD J	6,500.00
CACH MICHAEL G	10,000.00
IVANOWSKI CHARLES F	20,000.00
DIEGO JOSEPH J	40,000.00
<b>TOTAL</b>	<b>\$ 86,310.40</b>

**Patron Claims**

<b>NAME</b>	<b>AMOUNT PAID</b>
TORRES LUZ	\$ 35,000.00
BLACK REBECCA	40,000.00
GUYNUP SHARON	625.83
CAMPOPIANO NICK	1,500.00
<b>TOTAL</b>	<b>\$ 77,125.83</b>

Whereupon, the meeting was adjourned.

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Vice-President