

PORT AUTHORITY TRANS-HUDSON CORPORATION

MINUTES

Thursday, February 24, 2000

	Page
Action on Minutes	2
Report of Committee on Finance	2
Report of Committee on Operations	2
Report of Committee on Construction	2
Settlement of Claim – Linda Buckler v. Port Authority Trans-Hudson Corporation	3
Settlement of Claim – Timothy Hughes v. Port Authority Trans-Hudson Corporation	4
Final Contracts Payments	5
Purchase Order Authorizations and Amendments – Quarterly Report	6
Tort Claim Settlements – Quarterly Report	8

MINUTES of the Meeting of the Port Authority Trans-Hudson Corporation held Thursday, February 24, 2000, at One World Trade Center, City, County and State of New York.

PRESENT:

NEW JERSEY

Hon. Lewis M. Eisenberg, Chairman
 Hon. Kathleen A. Donovan
 Hon. William J. Martini
 Hon. Anthony J. Sartor
 Hon. Alan G. Philibosian
 Hon. James Weinstein

Robert E. Boyle, President
 Ernesto L. Butcher, Vice-President
 Jeffrey S. Green, Counsel

Kayla M. Bergeron
 Daniel D. Bergstein
 Bruce D. Bohlen
 Lillian C. Borrone
 John D. Brill
 Gregory G. Burnham
 Anthony G. Cracchiolo
 William DeCota
 Michael P. DePallo
 Karen E. Eastman
 Marylee Hannell
 Howard G. Kadin
 Louis J. LaCapra
 Francis J. Lombardi
 Stephen Marinko
 Charles F. McClafferty
 Allen M. Morrison
 Cherrie L. Nanninga
 Catherine F. Pavelec
 Kenneth P. Philmus
 Alan L. Reiss
 Alan I. Rhome
 Cruz C. Russell
 Timothy E. Sheehan
 Ronald H. Shiftan
 Douglas L. Smith
 Christopher O. Ward
 Peter Yerkes
 Margaret R. Zoch

NEW YORK

Hon. Charles A. Gargano, Vice-Chairman
 Hon. Michael J. Chasanoff
 Hon. Peter S. Kalikow
 Hon. David S. Mack
 Hon. Bradford J. Race, Jr.
 Hon. Anastasia M. Song

The public meeting was called to order by Chairman Eisenberg at 2:35 p.m. and ended at 2:43 p.m. The Board met in executive session prior to the public meeting. In addition, public and executive sessions of the Board and Committees were scheduled for December 16, 1999, but are not considered official meetings due to the absence of a quorum.

Action on Minutes

The Vice-President submitted for approval Minutes of action taken at the Board's meeting of November 18, 1999. He reported that copies of these Minutes were sent to all of the Directors and to the Governors of New York and New Jersey. He reported further that the time for action by the Governors of New York and New Jersey has expired.

Whereupon, the Board of Directors unanimously approved the Minutes.

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, and the report was received and is included with these minutes.

SETTLEMENT OF CLAIM – LINDA BUCKLER v. PORT AUTHORITY TRANS-HUDSON CORPORATION

It was recommended that the Board authorize Counsel to settle the pending action entitled Linda Buckler v. Port Authority Trans-Hudson Corporation, by paying to plaintiff and her attorney the sum of \$162,500.00 (less a Railroad Retirement Board lien in the amount of \$9,884.00) and waiving a wage lien of \$56,591.24 and a medical lien of \$39,448.59, in exchange for a General Release and a Stipulation of Discontinuance with prejudice, for a total settlement of \$258,539.83.

Plaintiff, Linda Buckler, was a conductor for Port Authority Trans-Hudson Corporation (PATH) at the time of the incident. Plaintiff sustained serious personal injuries on November 6, 1991 while changing a lead car's destination sign, which required her to stand on a passenger seat and put her arm through a stanchion. Plaintiff was caused to lose her balance, injuring her left shoulder and wrist. It was alleged that plaintiff had to perform the function while the train was in motion, so that the correct sign would be in place when the train approached the World Trade Center platform. There had been prior complaints by PATH conductors concerning the position of the switch. Plaintiff suffered neurological injuries to her left arm, wrist and thumb, requiring five surgical procedures. Plaintiff lost significant time from her job and underwent physical therapy.

Pursuant to the foregoing report, the following resolution was adopted with Directors Chasanoff, Donovan, Eisenberg, Gargano, Kalikow, Mack, Martini, Philibosian, Race, Sartor, Song and Weinstein voting in favor; none against:

RESOLVED, that Counsel be and he hereby is authorized, for and on behalf of Port Authority Trans-Hudson Corporation (PATH), to settle the pending action entitled, Linda Buckler v. Port Authority Trans-Hudson Corporation, by paying to plaintiff and her attorney \$162,500 (less a Railroad Retirement Board lien in the amount of \$9,884.00) and waiving a wage lien of \$56,591.24 and a medical lien of \$39,448.59, in exchange for PATH's receipt of a General Release from liability and a Stipulation of Discontinuance of the action, with prejudice.

SETTLEMENT OF CLAIM – TIMOTHY HUGHES v. PORT AUTHORITY TRANS-HUDSON CORPORATION

It was recommended that the Board authorize Counsel to settle the pending lawsuit entitled Timothy Hughes v. Port Authority Trans-Hudson Corporation, for the sum of \$111,402.95 in return for a General Release and a Stipulation of Dismissal of this action with prejudice. The settlement would include: a payment to the plaintiff and his attorney in the amount of \$35,000 for pain, suffering and lost overtime; a waiver of a wage lien held by Port Authority Trans-Hudson Corporation (PATH) in the amount of \$14,000.28; and, a waiver of a medical lien held by PATH in the amount of \$62,402.67.

The plaintiff, Timothy Hughes, brought this action under the Federal Employers Liability Act to recover for serious permanent injuries he sustained in a work-related accident which occurred on January 31, 1996. At that time, the plaintiff was seriously injured when his right foot slipped into an open rail cut-out on the apron of 8 track at the Harrison Car Repair Facility. As a result of this accident, the plaintiff suffered a severe and permanent leg injury, which required three separate surgeries on his knee.

Pursuant to the foregoing report, the following resolution was adopted with Directors Chasanoff, Donovan, Eisenberg, Gargano, Kalikow, Mack, Martini, Philiposian, Race, Sartor, Song and Weinstein voting in favor; none against:

RESOLVED, that Counsel be and he hereby is authorized, for and on behalf of Port Authority Trans-Hudson Corporation (PATH), to settle the pending civil action entitled Timothy Hughes v. Port Authority Trans-Hudson Corporation, for the total amount of \$111,402.95, including payment to the plaintiff and his attorneys for pain, suffering and lost wages, and a waiver of liens held by PATH for wage benefits and medical benefits paid on the plaintiff's behalf, in return for a General Release and Stipulation of Dismissal of this action, with prejudice.

Final Contracts Payments

The Comptroller's Department reported, for information only, that the contracts set forth hereafter have been completed satisfactorily by the contractors. Final payments have been made in the period November 1, 1999 to November 30, 1999.

CONTRACT NUMBER	CONTRACT TITLE FACILITY AND CONTRACTOR	TOTAL AUTHORIZED	TOTAL PAYMENTS
PAT511	MISCELLANEOUS CONSTRUCTION AND REPAIRS VIA WORK ORDER PORT AUTHORITY TRANS HUDSON LEWIS CONTRACTING CORP., INC.	250,000.00 (C) 250,000.00	128,428.00 (C) 128,428.00

(C) Net Cost - amount in the "Total Authorized" column represents the estimated net cost amount. However, the amount in the "Total Payments" column is the authorized net cost amount.

Purchase Order Authorizations and Amendments - Quarterly Report

In accordance with the By-Laws, the President reports actions taken under Article XII, paragraphs (c) and (d) of the By-Laws, for the period October 1, 1999 to December 31, 1999.

AWARDEE	PURCHASE ORDER DESCRIPTION	AUTHORIZATION	PROCUREMENT METHOD
Video Marketing Systems, Inc. P.O. #4500006734	Plasma Flat Panel Displays	\$ 147,516	Publicly Advertised
Zimmerman Industries P.O. #4500006816	Material Handling System	\$ 98,550	Publicly Advertised
Faiveley Rail	Door Operator Parts for PATH Rail Cars	\$85,154	Sole Source

II. REQUISITION AUTHORIZATIONS

AWARDEE	CONTRACT DESCRIPTION	AUTHORIZATION	PROCUREMENT METHOD
WABCO Passenger Transit Division Contract #4600001201	Overhaul WABCO gk-5 Tread Brake Units-Two Year	\$ 397,712	Publicly Advertised
Nationwide Termite & Pest Control Contract #4600001394	Integrated Pest Management @ PATH Facilities-Three Year	\$ 88,184	Publicly Advertised

(PATH Board – 2/24/00)

Tort Claim Settlements - Quarterly Report

The President reported, for information only, that in accordance with the authority granted under Article XII, paragraphs (g) and (l) of the By-Laws, the following claims were previously settled, and reported closed during the period October 1, 1999 to December 31, 1999.

I. TORT CLAIMS OF THE PORT AUTHORITY TRANS-HUDSON CORPORATION, CLOSED

NAME	AMOUNT COLLECTED
MINNESOTA MINING & MANUFACTURING A/S/O	\$ 6,355.35
TOTAL COLLECTED	\$ 6,355.35

II. TORT CLAIMS AGAINST THE PORT AUTHORITY TRANS-HUDSON CORPORATION, CLOSED

Patron Claims

NAME	AMOUNT PAID
JOHN ESTRADA	\$ 129.95
PAUL BADEN	535.95
PAULINE FLUDD	5,500.00
JOHANNA DEROSA	35,000.00
BERNADETTE GILBERT	7,000.00
TOTAL	\$ 48,165.90

III. TORT CLAIMS AGAINST THE PORT AUTHORITY TRANS-HUDSON CORPORATION, CLOSED

Employee Claims

NAME	AMOUNT PAID
EDWARD LONG	9,500.00
FRANK MAIONE	2,000.00
VINCENT COZETTA	20,000.00
FAROUK ALI	1,500.00
ELISHA RIVERA	750.00
ELISHA RIVERA	750.00
DONALD HENDRICKS	6,000.00
JOSEPH BRENNAN	5,000.00
TOTAL	\$45,500.00

Whereupon, the meeting was adjourned.

Vice-President