

PORT AUTHORITY TRANS-HUDSON CORPORATION

MINUTES

Thursday, September 28, 2000

	Page
Action on Minutes	44
Report of Committee on Operations	44
Report of Committee on Construction	44
Report of Committee on Finance	44
Settlement of Claim – Robert Ganci v. Port Authority Trans-Hudson Corporation	45
Final Contracts Payments	46
Contract and Purchase Order Authorizations and Amendments – Quarterly Report	47
Tort Claim Settlements – Quarterly Report	49

MINUTES of the Meeting of the Port Authority Trans-Hudson Corporation held Thursday, September 28, 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. Alan G. Philibosian
Hon. Anthony J. Sartor

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
Ernesto L. Butcher
Steven J. Coleman
William DeCota
Karen E. Eastman
Michael S. Glassner
Marylee Hannell
Linda C. Handel
Edward L. Jackson
Howard G. Kadin
Victoria Cross Kelly
Richard M. Larrabee
Louis J. LaCapra
Francis J. Lombardi
Stephen Marinko
Charles F. McClafferty
James E. McCoy
Allen M. Morrison
Catherine F. Pavelec
Kenneth P. Philmus
Alan L. Reiss
Ronald H. Shiftan
Douglas L. Smith
Christopher O. Ward
Angela F. Wood
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 Vice-Chairman Gargano at 3:35 p.m. and ended at 3:45 p.m. The Board met in executive session prior to the public meeting. Chairman Eisenberg was present for executive session.

Action on Minutes

The Vice-President submitted for approval Minutes of action taken at the Board meeting of July 27, 2000. 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.

The Vice-President reported that the Minutes of July 27, 2000 contain a typographical error on page 39, in the fifth line of the first paragraph and the ninth line of the final paragraph of the resolution entitled "Settlement of Claim – Kenneth Burke v. Port Authority Trans-Hudson Corporation." The total amount of the settlement was, in fact, \$597,697.82.

Whereupon, the Board of Directors unanimously approved the Minutes.

Report of Committee on Operations

The Committee on Operations reported, on action taken and matters discussed in executive session at its meeting of September 28, 2000, which included a discussion of contract and personnel matters, in addition to matters filed with the Committee pursuant to Board action or separately reported to the Board of Directors at this meeting of the Board, 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.

Report of Committee on Finance

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

SETTLEMENT OF CLAIM – ROBERT GANCI v. PORT AUTHORITY TRANS-HUDSON CORPORATION

It was recommended that Counsel be authorized to settle the pending claim entitled Robert Ganci v. Port Authority Trans-Hudson Corporation, for the total sum of \$312,750.17. As part of the settlement, a medical lien of \$38,115.37 and a wage lien of \$24,634.80 will be waived, and a Railroad Retirement Board lien of \$2,484, will be satisfied. Plaintiff and his attorney will receive the remaining \$247,516. In exchange, Port Authority Trans-Hudson Corporation (PATH) will receive a General Release from liability and a stipulation discontinuing the action, with prejudice.

Plaintiff Robert Ganci (plaintiff), a PATH track welder, sustained serious personal injuries on April 30, 1993 while descending a modified six-foot “A” frame ladder in a PATH tunnel south of 33rd Street. After plaintiff descended two rungs of the ladder, it collapsed beneath him. Plaintiff sustained a tear of the meniscus of his right knee and a partial tear of a ligament in the same knee. Plaintiff underwent surgery to reconstruct the ligament and repair the tear in the meniscus. Plaintiff also required surgery to his left knee in November 1995, to repair an injury that his doctors stated resulted from plaintiff favoring his right knee. Plaintiff missed a total of 205 days from work as a result of his injuries.

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

RESOLVED, that Counsel be and hereby is authorized, for and on behalf of Port Authority Trans-Hudson Corporation (PATH), to settle the pending action entitled Robert Ganci v. Port Authority Trans-Hudson Corporation, for the total sum of \$312,750.17. A medical lien of \$38,115.37 and a wage lien of \$24,634.80 will be waived, a Railroad Retirement Board lien of \$2,484 will be satisfied, and plaintiff and his attorneys will be paid \$247,516. In exchange, PATH will receive a General Release from liability and a stipulation discontinuing the 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 June 1, 2000 to June 30, 2000.

CONTRACT NUMBER	CONTRACT TITLE FACILITY AND CONTRACTOR	TOTAL AUTHORIZED	TOTAL PAYMENTS
PAT516	BRIDGE WORKERS SAFETY MODIFICATION HACKENSACK RIVER BRIDGE E. DASKEL CORP.	1,145,678 (A) 20,000 (B) 68,740 (C) 1,234,418	1,145,678 (A) --0-- (B) 37,149 (C) 1,182,827
PAT517	ELECTRICAL CABLE ROOM RAMP SYSTEM WORLD TRADE CENTER STATION CIPRIETTI-TOLISANO ASSOCIATES INC	88,976 (A) 13,000 (C) 101,976	88,976 (A) 3,840 (C) 92,816
PAT634024	JOHN F. KENNEDY BLVD. SIDEWALK RESTORATION JOURNAL SQUARE TRANSPORTATION CENTER CONCRETE CONCEPTS OF NJ INC.	400,000 (A) 25,000 (B) 30,000 (C) 455,000	400,000 (A) --0-- (B) 28,526 (C) 428,526

(A) Lump Sum

(B) 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.

(C) Extra Work

Contract and Purchase Order Authorizations and Amendments - Quarterly Report

In accordance with the By-Laws, the President reports actions taken under Article XII, sections (g)(1) and (g)(2), for the period April 1, 2000 to June 30, 2000.

II. PURCHASE ORDER AUTHORIZATIONS

AWARDEE	PURCHASE ORDER DESCRIPTION	AUTHORIZATION	PROCUREMENT METHOD
M. F. Wirth Rail Corporation P.O. #4500011261	Rail, Track	\$ 157,200	Publicly Advertised
Bethlehem Steel Corp. P.O. #4500011262	Rail, Track	\$ 161,157	Publicly Advertised
Atlantic Track & turnout Co. P.O. #4500011357	Rail, Track	\$ 122,061	Publicly Advertised
Harry Burwell & Associates P.O. #4500011471	Hi-Voltage Disconnect Switch Parts	\$ 216,149	Publicly Advertised
Joseph Sofield City-Scape Inc. Contract #4600001653	PATH Landscaping-Three Year Contract	\$ 349,659	Publicly Advertised
Erin Electrical Contract #4600001661	Electrical Items, Miscellaneous-Two Year Requirements Contract	\$ 314,925	Publicly Advertised
Saf-Gard Safety Shoe Company Contract #4600001772	Safety Shoes-Two Year Requirements Contract	\$ 135,988	Publicly Advertised
Aerocomm, Inc. Contract #4600001783	Trainborne Public Address Intercom & Radio Systems, Inspect, Test & Repair Equipment-One Year Contract	\$ 176,728	Publicly Advertised

II. CONTRACT AND PURCHASE ORDER AUTHORIZATIONS

AWARDEE	PURCHASE ORDER DESCRIPTION	AUTHORIZATION	PROCUREMENT METHOD
National Water Main Cleaning Co. Contract #4600001815	Septic Cleaning-Three Year Contract	\$ 197,670	Publicly Advertised
R.W.C., Inc. Contract #4600001830	Weed Control-one Month Contract	\$ 81,090	Publicly Advertised
General Farebox, Inc.	Software maintenance for PATH Fare Collection System – One-year term	\$208,000	Sole Source/Negotiated
Hamilton Mfg. Corp.	160 Bill Acceptors for Cash Accepting Machines used in the PATH Fare Collection System	\$176,000	Sole Source/Negotiated
The Okonite Company	Purchase of 60,000 feet of power cable	\$741,600	Publicly Advertised
Siemens Building Technology, Inc. – Cerberus Division	Inspection, testing, maintenance and repair of the fire suppression/ supervisory systems for PATH facilities – Three-year term, with a two-year option	\$202,884	Publicly Advertised

Tort Claim Settlements - Quarterly Report

The President reported, for information only, that in accordance with the authority granted under Article XII, section (g)(4) of the By-Laws, the following claims were previously settled, and reported closed during the period April 1, 2000 to June 30, 2000.

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

Patron Claims

NAME	AMOUNT PAID
BADEN PAUL	\$ 795.58
GROPLER ROBERT	817.74
VIRELLES DAVID	250.00
TOTAL	\$1,863.32

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

Employee Claims

NAME	AMOUNT PAID
AMATO, JOHN S.	8,000.00
DEANGELO, THOMAS	24,000.00
BUCCI, ANTHONY	10,000.00
CANTATORE, FELICE	9,000.00
CURNYN, JOSPEH	7,000.00
DELUCA, JOSPEH	7,500.00
DIEGO, JOSEPH J	9,000.00
FLORES, AURELIO	9,500.00
GALIK, STEFAN N	6,500.00
GONZALES, ROBERT	10,000.00
JACKSON, JAMES JR.	6,500.00
KROL, HOHN	9,000.00
LURITO, EGIDIO S	9,500.00
SCARABAGGIO, DANIEL	9,000.00
SHERIDAN, JOHN G	6,500.00
STIVES, RICHARD L	5,000.00
WALLACE, HERBIE	7,000.00
WRIGHT, DENNIS A	5,000.00
ZALECK, KEITH E.	7,500.00
FARRELL, JAMES J. JR.	8,500.00
SAVOIA PAUL	5,000.00
EDGERTON FREDDIE	12,000.00
DIEGO BRIAN J	1,000.00
TOTAL	\$192,000.00

Whereupon, the meeting was adjourned.

~~Vice~~ President