

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

**COMMITTEE ON OPERATIONS
MINUTES**

Thursday, August 13, 2009

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THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY**MINUTES OF
COMMITTEE ON OPERATIONS****225 Park Avenue South****New York, NY****Thursday, August 13, 2009****PRESENT:**

Hon. Virginia S. Bauer
Hon. H. Sidney Holmes, III
Hon. David S. Steiner
Committee Members

Susan Bass Levin, Deputy Executive Director
Karen E. Eastman, Secretary

Cynthia L. Bacon, Chief Negotiator, Labor Relations
A. Paul Blanco, Chief Financial Officer
Steven J. Coleman, Assistant Director, Media Relations, Public Affairs
Michael G. Fabiano, Deputy Chief Financial Officer/Comptroller
Patrick Flinn, Assistant Director, Project and Planning, Real Estate
Michael B. Francois, Chief, Real Estate & Development
Mark D. Hoffer, Senior Counsel, Law
Lawrence S. Hofrichter, Deputy General Counsel
Louis J. LaCapra, Chief Administrative Officer
James E. McCoy, Manager, Board Management Support, Office of the Secretary
Sanjay S. Mody, Advisor to the Chairman
Sheree Van Duyne, Manager, Policies and Protocol, Office of the Secretary

Guest:

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

The Committee meeting was called to order in public session by Commissioner Steiner at 11:05 a.m. and ended at 11:12 a.m. The Committee also met in executive session following the public session, which was called to order at 11:12 a.m. and ended at 11:30 a.m.

Action on Minutes

The Secretary reported that the Minutes of the meeting of July 23, 2009 had been signed and distributed to the Commissioners.

Whereupon, the Committee approved the Minutes of the meeting of July 23, 2009.

HUDSON-RARITAN ESTUARY RESOURCES PROGRAM – FUNDING AGREEMENT WITH MIDDLESEX COUNTY FOR THE ACQUISITION OF THE “ADAMS PROPERTY” IN SOUTH PLAINFIELD, NEW JERSEY

It was recommended that the Committee on Operations (Committee) authorize the Executive Director to enter into an agreement with the County of Middlesex, New Jersey (County), for the Port Authority to provide the County with an amount not to exceed \$1 million, representing a portion of the cost for the County to purchase certain real property known as the Adams Property, consisting of approximately 9.74 acres, including approximately 8 acres of wooded uplands, wetlands, and a two-story residential dwelling, located in the Borough of South Plainfield, Middlesex County, New Jersey, designated on the County tax map as Block 255, Lot 34 (the Property), for inclusion in the Hudson-Raritan Estuary Resources Program (Program). Funding by the Port Authority would be subject to the grant of a perpetual encumbrance with respect to the Property for the benefit of the Port Authority created in a manner satisfactory to the Port Authority, through either a conservation easement or restrictive deed covenants.

On July 26, 2001, the Board authorized the Executive Director and/or General Counsel, either one acting individually, to acquire, for and on behalf of the Port Authority, one or more sites in New York and New Jersey in the Port District areas of the Hudson-Raritan Estuary that may be identified by Port Authority staff as suitable for conservation, ecological enhancement, public access or environmental mitigation in support of Port Redevelopment, Economic Development and other Port Authority Capital Programs, in each case, with the final details of the acquisition to be presented to the Committee for approval prior to the acquisition. At the November 21, 2002 meeting of the Board, the Program was certified as a Port Authority facility.

The Property has been identified as suitable for conservation acquisition and public access. Acquisition of this site would advance the goals of the Program and the Port Authority's Capital Investment Plan Sustainability goal of protecting 50 acres of land per year from development. The acquired Property would be included in the Program facility.

The agreement with the County would enable the County to purchase the Property. The Port Authority would partially fund the acquisition of the Property, with the remainder of the acquisition cost to be provided by the County, the New Jersey Department of Environmental Protection's Green Acres Program and the Raritan Baykeeper, Inc. As a condition of funding, the deed conveying the Property to the County would be subject to a perpetual encumbrance for the benefit of the Port Authority in a manner satisfactory to the Port Authority, through either a conservation easement or restrictive deed covenants. The Port Authority would have no obligation to provide any funds for environmental cleanup, should any be required.

Pursuant to the foregoing report, the following resolution was adopted by the Committee with Commissioners Bauer, Holmes and Steiner voting in favor; none against:

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into an agreement with the County of Middlesex, New Jersey (County), pursuant to which the Port Authority will provide the County with an amount not to exceed \$1 million, representing a portion of the cost for the County to purchase a certain parcel consisting of approximately 9.74 acres of wooded uplands, wetlands and a two-story residential dwelling located

in the Borough of South Plainfield, County of Middlesex, State of New Jersey, designated on the County tax map as Block 255, Lot 34, for inclusion in the Port Authority's Hudson-Raritan Estuary Resources Program, and such other related agreements as may be necessary in connection therewith, substantially in accordance with the terms and conditions outlined to the Committee; 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.

Confidential Item

The Committee also acted on a personnel matter in executive session, which shall remain confidential until such time as it becomes a matter of public record.

Whereupon, the meeting was adjourned.

Secretary