

The Port Authority of New York and New Jersey
Board Meeting Transcripts
September 14, 2010

[Chair A. Coscia] Can I have your attention and we'll get started. The Board Meeting of the Port Authority of New York and New Jersey and its subsidiaries is now called to order. Prior to today's meeting, the World Trade Center Redevelopment Subcommittee met in both public and executive session. Their reports will be filed with the official minutes of today's Board Meeting. Before we get to business, as everyone knows, on Saturday we took time to reflect and commemorate the events of September 11, 2001. I know I don't need to explain to anyone in this agency or those who have dealt with us just how important it is to us that we take the time to remember and reflect on what occurred that day and those that we've lost as well as those who were affected by the bombing on February 26th of 1993. So I'd like to begin the meeting today by having a moment of silence in all of their memory. Thank you.

Our first presentation today is a project that is, I know, very critical to this agency, and I'll ask that our Chief Operating Officer, Ernesto Butcher, provide an update on our efforts to address the air draft limitation issues at the Bayonne Bridge. Ernesto?

[E. Butcher] Thank you, Mr. Chairman. Good morning, Commissioners. Today I'd like to take this opportunity to update you on our progress in pursuing the Bayonne Bridge Navigational Clearance Program. As we have discussed with you previously, the current clearance under the Bayonne Bridge is approximately 151 feet depending on tides. The clearance has been adequate for ships that now travel to and from our port container terminals just west of the bridge. However, we expect much larger ships to call on the port once the Panama Canal expansion is completed in 2014, and many of these larger ships may not have sufficient clearance to reach these same terminals. Left unaddressed, this clearance restriction poses a risk to our port's competitiveness and our region's economy. Back in 2008 the Army Corps of Engineers took a close look at the bridge clearance issue and concluded in a study released in 2009 that the bridge clearance would have a major impact on future port trade and the region's economy. In August of 2009 this Board proactively authorized \$10 million in planning to study and explore every possible option for dealing with the bridge clearance issue so we could move forward expeditiously with a possible solution. Included in this planning effort was an expedited comprehensive alternatives assessment to identify the best solutions for all stakeholders. In June of this year we presented to the Board an overview of the work to date. Today I'd like to update you on the progress of this expedited work effort and to request that the Board authorize the Port Authority's capital planning process to provide for \$1 billion of capital capacity to support this important effort. We began this study by first developing a comprehensive list of alternatives to be analyzed, and some of them are shown on this slide. These alternatives are being assessed at a high level with the aid of a team of consultants to evaluate structural and constructability issues, project duration, cost, potential property impacts, levels of vehicular capacity, architectural and visual issues, regional cost benefits, and traffic modeling. Preliminary results from these efforts are currently under review, and we will have a prioritized ranking of project alternatives and be prepared to expedite the next steps by the end of this year. The next steps in this process are to prioritize the solutions that are likely to advance to the Environmental Review Process and to begin to plan for that phase. The work with our consultant team will provide a road map to this complex federal, state, and local Environmental Review Process. In view of the importance of the economic benefit of port trade to the region, the Port Authority has repeatedly affirmed its commitment

to overcoming the bridge's navigational clearance limitations. In furtherance of these continuing efforts, it is requested that the Port Authority's capital planning process provide for \$1 billion of capital capacity for a project to address the Bayonne Bridge's navigational clearance limitations. Thank you so much, Commissioners.

[Chair A. Coscia] Thank you, Ernesto. Can I have a motion to approve?

[Comm. V. Bauer] So moved.

[Chair A. Coscia] Is there a second?

[Comm. H. Silverman] Second.

[Chair A. Coscia] Any questions or comments?

[silence] Okay. All those in favor?

[all] Aye.

[Chair A. Coscia] Any opposed?

[silence] Thank you very much. Our next presentation will be by Steven Plate, the Director of the World Trade Center construction, who will provide a report on construction progress at the Trade Center site. Steve?

[S. Plate] Good morning, Commissioners. As reported throughout the media over the past several weeks, we continue to make significant strides in the overall project construction at the World Trade Center site. Today I will update you on several of these major projects. In our last One World Trade Center update in early February, steel erection had just reached the 20th floor. Steel installation has now risen to the 38th floor. Over 17,000 tons of building steel has been erected, which is rapidly approaching the total amount of steel in the Chrysler Building. Following closely behind the erection of the steel is the placement of the concrete core which forms the backbone of this landmark building. Over 22,000 cubic yards of concrete has been placed in the building since March. A large portion of concrete is of the highest strength concrete ever used in a commercial office tower. I'm proud to report that we are continuing to meet our goal of one floor per week as this structure quickly rises to become a prominent icon in the New York City skyline. Progress continues in all areas of the Memorial with tremendous achievements realized in the last few months. We have made great progress on both the north and south fountains with all of the 2,000 granite pavers now in place. Plumbing installation continues in both pump rooms in anticipation of each fountain circulating nearly 600,000 gallons of water in the near future. The most significant and highly visible achievement includes the planting of the first 16 white swamp oak trees on the Plaza, bringing life to the site. Just days after the tree installation, workers completed the final placement of two steel trident columns that were originally on the eastern facade of the North Tower. These 70-foot tall, 50-ton columns were placed inside the Pavilion and will soon be enclosed by the Pavilion's steel which is already over 35 percent complete. We continue to make major progress each and every day as we remain on target to meet our 9/11/11 commitments. The Hub structure is starting to take shape as well. Fifteen major Calatrava backspan arches have been erected in the area below the Memorial Pavilion. These

backspan pieces have been placed on massive plate girders and columns that span the temporary PATH station and will form the iconic steel roof in the Calatrava designed Transit Hall. As we enter into the fourth quarter, major strides will be made in the Hub as tons of steel and hundreds of cubic yards of concrete are placed each week. Five 2,500-ton chillers were delivered to the Central Chiller Plant in late June, and an additional thousand-ton chiller was brought to the site just this week. These units are in place, and the installation of the piping and electrical connections continue on schedule for this important facility. This 12,500-ton capacity plant will provide conditioned air to over 2 million square feet of space within the Memorial, Hub, and high-end retail areas within the site. Massive excavation totaling 60,000 tons has been completed in the western portion of the Vehicular Security Center site. This excavation, coupled with the installation of nearly 100 tiebacks, is making way for the placement of foundation and building structure. One exciting and unexpected event occurred during the VSC excavation as workers uncovered the remains of an 18th century brigantine merchant ship which transported goods to and from the New York Harbor. Commissioners, as you can see, we are not only creating history with this tremendous project but also uncovering the rich history that this City has to offer. In closing, I request your approval to award six construction trade contracts as listed above and related agreements for the World Trade Center Memorial and Transportation Hub as discussed in the public session of today's subcommittee. Commissioners, we remain confident that this progress will continue, and I look forward to reporting on our critical activities as we move forward with this signature program.

[Chair A. Coscia] Thank you, Steven, and thanks for all your efforts. Can I have a-- Oh, before we do that there is one speaker who has asked to address the Board on World Trade Center related items, and that is Margaret Donovan from the Twin Towers Alliance. Ms. Donovan?

[M. Donovan] Thank you. Good afternoon. I'm going to have to race through my remarks because there's a lot to say. Everyone knows the flood of relief that comes when we open our eyes and awaken from a bad dream. But if you get your way, Americans will not wake from the bad dream at Ground Zero because you are setting it in steel and stone. When he was tirelessly building support for the Trade Center, the great Austin Tobin used to close all his speeches with the advice "to dream no small dreams" because, as Goethe explained, they have no power to move the hearts of men. You may be happy with your small dreams, but they will never be good enough for the rest of us because most of us know instinctively that we live in dangerous times and that we need above all to move the hearts of men. Mr. Ward assured the public after the August 26th vote that your agreement caps a two-year effort to restructure, rationalize, and above all provide a renewed level of certainty over the development of the World Trade Center site. Mission accomplished if in the sense that rationalize means to provide plausible but untrue reasons for conduct. There is indeed a new level of certainty over the development, one that practically guarantees that the hopes of an American recovery from the darkest day of our lifetimes will be stunted and no credit to the American people-- the 9/11 family. But there is still a chance that someone with influence who knows how wrong this is will take a stand. There is always a chance perhaps the new governor will seize the opportunity to turn a disgrace into a triumph. The basis for our assertions has nothing to do with sentimentality. The fundamentals are complex and far-reaching, but we can back up all our claims. Can you? The numbers aren't as rewarding as they were when we sat with Director Ward two years ago and he assured us he was going to look into it and would give us a quick answer that never came. We can no longer save the billions of dollars that have been squandered since that time, but we can still save time and money by capping the depressing Freedom Tower and building state-of-the-art Twin Towers in place of Towers Two, Three, and Four. And you can take our word for it, your Transit Hub is a zero with

Americans and New Yorkers when compared to the imperative of returning the profile of the Twin Towers to America's skyline. Only then what we will have is a far more valuable, truly world-class property instead of a consolation prize. There is no time to go into more specifics, but they will soon be posted on our website.

[sighs] Where do we go from here? This was never a matter for city or state or Community Board 1 to decide because the matter so transcends their narrow interests. Robert F. Kennedy said that the problem of power is how to achieve its responsible use rather than its irresponsible and indulgent use, how to get men of power to live for the public rather than off the public. Abraham Lincoln gave us another measure, a good rule you might want to consider. Nearly all men can stand adversity, but if you want to test a man's character, give him power. Thank you for your attention.

[Chair A. Coscia] Thank you. Do we need a motion on the table for the items Mr. Plate outlined?

[Vice Chair S. Grayson] So moved.

[Chair A. Coscia] Okay. Is there a second?

[Comm. H. Silverman] Second.

[Chair A. Coscia] All right. Anyone have any questions or comments?

[silence] All those in favor?

[all] Aye.

[Chair A. Coscia] Okay. Any opposed?

[silence] Okay. Finally, we have two speakers who have asked to address the Board on matters that are not on our agenda. The first is Murray Bodin, a private citizen, regarding the GW Bridge.

[M. Donovan] Excuse me. There was another private citizen that requested a hearing and got a confirmation yesterday.

[Chair A. Coscia] Excuse me. On the World Trade Center item?

[M. Donovan] Yes.

[Chair A. Coscia] I was told that the person was either not here or declined to speak. We're certainly happy to--

[off camera male speaker] Is Richard Hughes listed?

[Chair A. Coscia] Yes.

[R. Hughes] I want to speak.

[Chair A. Coscia] Okay. Mr. Hughes, I apologize. Your name is on this list, and I was told that you did not want to speak. So you may address the podium, please. Mr. Hughes, before you begin, I understand that for some reason I guess since you didn't sign in when you came in, they were under the impression you did not attend. We apologize.

[R. Hughes] I'm sorry. I did sign in--

[Chair A. Coscia] No harm, no foul.

[R. Hughes] No harm done.

[Chair A. Coscia] Please proceed.

[R. Hughes] Good morning. I am a longtime observer of the machinations of the Port Authority regarding Ground Zero. We the public are being stuck with a project that has been corrupt, inept, and dishonest from the beginning. You and Governor Pataki pretended to listen to the public about a matter that affected us all--not just New York and New Jersey but the whole country--and then did exactly what you wanted to do. Rebuilding the Twin Towers, which is what the majority of the public has wanted all along, was never even considered. It was swept off the table at the very start. Now, nine years after 9/11, we have no WTC, a tower going up that nobody wants, chaos at the site, billions of dollars wasted, and a future that none of us can look forward to. The original World Trade Center with its iconic Twin Towers was a project built by giants. Now we are expected to applaud a mediocre mishmash being erected by arrogant and incompetent pygmies. The writer Jessica Mitford, who exposed the corruption of the American funeral industry in her book, "The American Way of Death" once wrote, "You may not be able to change the world, but you can embarrass the guilty." I wish she was right. You are certainly guilty of egregious sins against the American people and our democracy, but evidently you're beyond embarrassment or you wouldn't continue with a plan at Ground Zero that the public has nothing but contempt for, upwards of 90 percent, according to a MSNBC poll done last year. But, like the corrupt funeral industry Mitford exposed, you are in the burial business. You're intent on burying the noble ideals that the original WTC with its magnificent Twin Towers once so gloriously represented. You are not only intent on burying our ideals but on raising a giant tombstone over them as well, a tombstone we don't want, didn't ask for, can't stand but which you're determined to stick us with and make us pay for. As to Towers Two, Three, and Four in an interview only last month, "New Yorker" architecture critic Paul Goldberger referred to them as "better than the average piece of junk on Third Avenue, that's true, but that's not a very ringing endorsement for this site that is so critical to the eyes of the world." In the days after 9/11, there was great hope that somehow we could take a terrible tragedy and learn from it and make something great and worthy rise among the ruins. Nine years later that hope has been dashed. Instead we have created something utterly unworthy of the sacrifices made on 9/11 and you are shoving it down our throats. You ought to be ashamed but, unfortunately, you seem to be beyond shame. And that is part of the continuing tragedy. Thank you.

[Chair A. Coscia] Thank you. Okay. Our next speaker is related to the GW Bridge. Mr. Bodin?

[M. Bodin] Good morning. I have to stand here so I can see Chris Ward. Some months ago I asked that the markings on the George Washington Bridge where the exit is for the Palisades Parkway be changed to

the dotted lines as required by the 2009 manual as the New York State Thruway has done and various others. I presume Jose Rivera, Jr, Chief Traffic Engineer, reports to Chris Ward. And as such, you are responsible for his inaction. Because they have not used these dotted lines, which the City of New York has used for years, the Thruway has, New York State DOT has just put in, and when I went and got a cup of coffee downstairs, the gentleman said, "I know those lines. They are excellent." But Jose Rivera, with no supervision, has decided you don't have to do that. I've been talking to Lou for a year. Nothing happens. Chris, it's your responsibility to see that Mr. Rivera has some supervision and follows not the 2003 manual, which his letter says to me you're up to date on. There's a 2009 manual, which I sent you an email from Scott Wainwright, Federal Highway Administration, that he wrote me last week saying that should be in there now. I sent a copy to be sent to the Board. Now, I don't know what it takes for Chris to supervise Jose or you to supervise Chris. This is a simple-- It comes out to a million incidents a day that people are inconvenienced because you haven't changed the lines. And with construction the way it is today, changing lines is a piece of cake. They do it all the time. Every time they move the lines over, they've erased the lines and put new ones down. It's a no brainer. But I can't get past this guy, Rivera. I met with the New Jersey Turnpike people last Friday. We sat in the office and we talked about it. They understand The Thruway did it a year ago this spring. All of the markings are there. Now, what does it take to make it possible for drivers not to be confused on all of those areas that you're responsible for? I watched the meeting inside, I watched the meeting here. You're spending all of this money. It costs nothing compared to what you're spending to correct something that a million people a day have a problem with. Each instance where it's not put down adds up to a million-- a day! How can you not let this be corrected? And by the way-- I understand that. I told you. You want to carry me out? I was carried out at the MTA Board Meeting. They arrested me and put me in jail, and I went before the judge a week ago, and he said, "Mr. Bodin, ride on. Case dismissed. We need more people like you." So when a judge tells me on an MTA summons for disorderly conduct that he wants me to continue, I'll stand here. And if you want to carry me out, I sent them an email yesterday saying, "I'm deliberately going to speak more than three minutes, and if you want to carry me out and arrest me, my grandchildren will see it this time because last time they couldn't." "And I will show this to my grandchildren as a way to stand up when something is wrong." This is how you do it. You stand up and be counted.

[Chair A. Coscia] Thank you. Our next speaker is Robert Moore from the Communication Workers of America. Mr. Moore?

[R. Moore] Good morning. How is everyone? My name is Bobby Moore. I am a former employee of New York E-ZPass, which is now owned by the Xerox Corporation. The reason why I'm here today is because of the continued employee labor violations that are being conducted by Xerox. The problem is that back in May 28, 2009, we had an election to bring CWA, the Communication Workers of America, in to be our union representative. Xerox / ACS Affiliated Computer Systems, they chose to dispute the results of the elections based on the fact that they said that outside political forces came in and actually influenced the election. So as we sat back knowing that we had won the right to unionize and pretty much their lawyers came in, trying to sort out exactly were the elections properly conducted, Xerox has had their campaign going on on the inside where they have been targeting certain union supporters. I don't know if the Board is familiar or not, but there was an incident that involved the Tags Department at the facilities where the entire Tag Department was forced out because they were all union supporters. There was pressure that was brought down on Xerox, and they did hire back some of the workers, but the majority of the workers are still unemployed. So my point--I guess what I'm trying to make as far as showing up here today-- is that Xerox, who owns the E-ZPass system here, they are continuously

targeting people because they want to have a union. I feel, and I have been instructed, that this is the place that I need to come and talk to really get somebody to look at what's going on as far as Xerox is concerned and as far as, us, the workers at E-ZPass are trying to unionize. I don't know if this board is capable of bringing in pressure on Xerox to allow us to have the union that we want to have so that we can get the proper recognition. So I really don't know a better way of putting this except that we are just average workers, and we're trying to pay our bills just like everyone else. But you have this corporation that will not allow this. They come in on a daily basis, they're firing people, they're pushing people out, they're intimidating people just because they want to improve their working conditions. So I throw myself on the Board. Please, help us out here. Thank you.

[Chair A. Coscia] Thank you. That concludes our public speakers. I would like to have a motion to approve the consent calendar.

[Vice Chair S. Grayson] So moved.

[Chair A. Coscia] All right. Second? Okay. Anyone have any questions or comments?

[silence] All those in favor?

[all] Aye.

[Chair A. Coscia] Any opposed?

[silence] Okay. Can I have a motion to adjourn?

[Comm. H. Holmes] So moved.

[Chair A. Coscia] Second? Thank you. Good afternoon, everyone.