

PORT AUTHORITY TRANS-HUDSON CORPORATION

MINUTES

Thursday, February 20, 2003

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MINUTES of the Meeting of Port Authority Trans-Hudson Corporation held Thursday, February 20, 2003, at 225 Park Avenue South, City, County and State of New York.

PRESENT:

NEW JERSEY

Hon. Jack G. Sinagra, Chairman
 Hon. Charles Kushner
 Hon. Anthony J. Sartor
 Hon. David S. Steiner

Joseph J. Seymour, President
 Ernesto L. Butcher, Vice-President
 Jeffrey S. Green, Counsel

Gwendolyn Archie
 Kayla M. Bergeron
 A. Paul Blanco
 Bruce D. Bohlen
 John D. Brill
 Gregory G. Burnham
 Rosemary Chiricolo
 Arthur J. Cifelli
 Victoria C. Kelly
 William R. DeCota
 Michael R. DeCotiis
 John C. Denise
 Michael P. DePallo
 Charles D. DeRienzo
 Pasquale DiFulco
 Karen E. Eastman
 Nancy J. Ertag-Brand
 Michael G. Fabiano
 Linda C. Handel
 Alan H. Hicks
 Edward L. Jackson
 Howard G. Kadin
 Joshua Klevans
 Louis J. LaCapra
 Richard M. Larrabee
 Stephen Marinko
 Gloria Martinez
 Charles F. McClafferty
 James E. McCoy
 Allen M. Morrison
 Lynn A. Nerney
 Catherine F. Pavelec
 Michael A. Petralia
 Kenneth P. Philmus
 Myron D. Ronis
 Edmond F. Schorno
 Douglas L. Smith
 John F. Spencer

NEW YORK

Hon. Charles A. Gargano, Vice-Chairman
 Hon. Bruce A. Blakeman
 Hon. Michael J. Chasanoff
 Hon. David S. Mack
 Hon. Henry R. Silverman
 Hon. Anastasia M. Song

Gregory J. Trevor
Sean P. Walsh
Richard Wright

Guest:
Paul Higgins

The public meeting was called to order by Chairman Sinagra at 2:30 p.m. and ended at 2:37 p.m. The Board met in executive session prior to the public meeting. The Board also met in executive session on January 30, 2003.

Action on Minutes

The Vice-President submitted for approval Minutes of the meeting of November 21, 2002. 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 Operations

The Committee on Operations reported, for information on matters discussed and action taken in executive session at its meeting of February 20, 2003, which included discussion of personnel matters.

SETTLEMENT OF CLAIM – WILLIAM R. YATES V. PORT AUTHORITY TRANS-HUDSON CORPORATION

It was recommended that the Board authorize Counsel, for and on behalf of Port Authority Trans-Hudson Corporation (PATH), to enter into an agreement with plaintiff William R. Yates to provide for a settlement of his claims for personal injury brought under the Federal Employers' Liability Act in the total amount \$151,521.74, consisting of \$85,000 payable to plaintiff and his attorney, plus a waiver of a medical lien of \$62,012.93 and a wage lien of \$4,508.81. In return, plaintiff will provide PATH with a general release and stipulation of dismissal of the action with prejudice.

On August 4, 1999, plaintiff, a 38-year-old general maintainer at PATH, was injured while descending from a rail car that he had been mopping at the Harrison Yard. Plaintiff contends that the car was parked several feet from the end of the platform, and that it should have been abutting the platform. Instead of using a step ladder, he was required to use a grabrail and metal stirrup located below the level of the car floor in order to descend to the platform. His foot slipped from the stirrup, allegedly due to a cleaning agent residue on his shoes, and his right arm slipped between the grabrail and the body of the car. He was taken immediately to West Hudson Medical Center. Tests revealed a torn rotator cuff in his right shoulder. He was treated conservatively with physical therapy for five months, but the injury did not improve. He underwent arthroscopic surgery on his right shoulder on December 22, 1999, followed by physical therapy. On August 15, 2001, he underwent more extensive surgery on his right shoulder involving repair to three areas. This surgery was again followed by physical therapy. Although plaintiff returned to full duty on October 23, 2001, a medical expert retained by PATH, who examined him in April 2002, found a permanent partial disability because of a loss of range of motion and nerve impingement in his right shoulder.

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

RESOLVED, that Counsel be and hereby is authorized, for and on behalf of Port Authority Trans-Hudson Corporation, to enter into an agreement with plaintiff William R. Yates and his attorneys to provide for the settlement of a lawsuit for personal injuries entitled William R. Yates v. Port Authority Trans-Hudson Corporation by paying to plaintiff and his attorneys the sum of \$85,000, and waiving a medical lien of \$62,012.93 and a wage lien of \$4,508.81.

SETTLEMENT OF CLAIM – JAMES T. HALL V. PORT AUTHORITY TRANS-HUDSON CORPORATION, et al.

It was recommended that the Board authorize Counsel, for and on behalf of Port Authority Trans-Hudson Corporation (PATH), to enter into an agreement with plaintiff James T. Hall to provide for the settlement of a claim for personal injuries by paying plaintiff a sum of \$92,504, paying a Railroad Retirement Board lien of \$2,496, and waiving medical and wage liens totaling \$36,737.37, for a total settlement value of \$131,737.37.

On March 7, 2000 at approximately 2 a.m., plaintiff, an engineer/switchman employed by PATH, was injured when he slipped and fell on wet paint in PATH Rail Car No. 751. The paint had been previously spilled by a PATH patron, and the car had just been removed from service for cleaning. Plaintiff was taken to a hospital emergency room and conservatively treated. Subsequently, Mr. Hall underwent surgery to repair his right shoulder, but he continues to suffer from a permanent injury and reduced range of motion in his shoulder. Plaintiff missed a total of 24 weeks from work as a result of his injury.

Pursuant to the foregoing report, the following resolution was adopted with Directors Blakeman, Chasanoff, Gargano, Kushner, Mack, Sartor, Silverman, Sinagra, Song and Steiner 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 enter into an agreement with plaintiff James T. Hall to provide for the settlement of a lawsuit for injuries, entitled James T. Hall v. Port Authority Trans-Hudson Corporation, (et al.), by paying plaintiff a sum of \$92,504, paying a Railroad Retirement Board lien of \$2,496, and waiving wage and medical liens totaling \$36,737.37. In exchange, PATH and the Port Authority will receive a general release from liability and a stipulation of dismissal of the action, with prejudice.

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 reports, for information only, the following contracts were awarded or amended for the period of July 1, 2002 through September 30, 2002.

AWARDEE & P.O. NUMBER	DESCRIPTION	AUTHORIZATION	PROCUREMENT METHOD
DODGE-GRAPHIC PRESS, INC. 4600003651	Printing of PATH timetables Term : 3 years	\$75,720	PUBLICLY BID
ASCOM TRANSPORT SYSTEMS, INC. 4500025492	PATH ticket encoder	\$211,474	NEGOTIATED / SOLE SOURCE
KELLY & HAYES ELECTRICAL SUPPLY 4600003608	Electrical supplies Term : 2 years	\$419,053	PUBLICLY BID
ZETA-TECH ASSOCIATES, INC. 4600003705	Track Maintenance System Term : 2 years	\$86,003	GOVERNMENT CONTRCT
SAF-GARD SAFETY SHOE COMPANY 4600003559	Safety shoes Term : 2 years	\$138,000	GOVERNMENT CONTRCT

Tort Claim Settlements - Report

The President reports, 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 July 1, 2002 to September 30, 2002.

TORT CLAIMS OF PORT AUTHORITY TRANS-HUDSON CORPORATION, CLOSED

NAME	AMOUNT COLLECTED
DAILY NEWS	\$ 1,532.00
BROCKLEY RONALD W	2,803.29
TOTAL COLLECTED	\$ 4,335.29

TORT CLAIMS AGAINST PORT AUTHORITY TRANS-HUDSON CORPORATION, CLOSED

Employee Claims

NAME	AMOUNT PAID
EGURROLA ESTEBAN	\$ 40,000.00
WENDOLOWSKI KEVIN J	500.00
CONNELLY LARRY T	2,400.00
LASUK THOMAS EST OF	3,000.00
GONSALEZ ALBERTO	3,500.00
TOTAL	\$ 49,400.00

Patron Claims

NAME	AMOUNT PAID
SERRANO ROBERTA	\$ 3,000.00
ROY CAROLINE SIDNEY	1,286.80
JACKSON LISA	118.33
MONACO ANTHONY J	500.00
TOTAL	\$ 4,905.13

Whereupon, the meeting was adjourned.

Vice-President