

PORT AUTHORITY TRANS-HUDSON CORPORATION

MINUTES

Thursday, June 28, 2001

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**MINUTES of a Meeting of Port Authority Trans-Hudson Corporation held Thursday, June 28, 2001,
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
Hon. James Weinstein

Neil D. Levin, President
Ernesto L. Butcher, Vice-President
Jeffrey S. Green, Counsel

Daniel D. Bergstein
Bruce D. Bohlen
John D. Brill
Gregory G. Burnham
Anthony G. Cracchiolo
Joanne Crowley
William R. DeCota
Michael P. DePallo
Karen E. Eastman
Edward L. Jackson
Howard G. Kadin
Louis J. LaCapra
Richard M. Larrabee
Stephen Marinko
Charles F. McClafferty
James E. McCoy
Catherine F. Pavelec
Alan L. Reiss
Richard E. Rowan
Paul D. Segalini
Cosmo Servidio
Ronald H. Shiftan
Gregory J. Trevor
Christopher O. Ward
Peter Yerkes
Robert D. Williams
Margaret R. Zoch

NEW YORK

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

Guest:

John G. Donnelly

(PATH Board – 6/28/01)

Director Song served as Acting Chair for the public meeting which was called to order by at 2:31 p.m. and ended at 2:41 p.m. The Board met in executive session prior to the public meeting. Directors Eisenberg, Gargano, Philibosian and Race were present during executive session.

Action on Minutes

The Vice-President submitted for approval Minutes of action taken at the Board meeting of April 26, 2001. 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.

Report of Committee on Finance

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

Report of Committee on Operations

The Committee on Operations reported in executive session, for information, on action taken and matters discussed in executive session at its meeting on June 28, 2001, which included a discussion of 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 in executive session, for information, and the report was received and is included with these minutes.

(PATH Board – 6/28/01)

**SETTLEMENT OF CLAIM – DENNIS MOLONEY v. THE PORT AUTHORITY OF
NEW YORK AND NEW JERSEY, PORT AUTHORITY TRANS-HUDSON
CORPORATION AND MARIO GENOVESE, JR.**

It was recommended that the Board authorize Counsel, for and on behalf of Port Authority Trans-Hudson Corporation (PATH) and the Port Authority, to enter into an agreement with Dennis Moloney (plaintiff) and his attorneys to provide for the settlement of plaintiff's personal injury claim by a payment of \$275,000 to plaintiff and his attorneys and a waiver of \$23,530.48 in medical liens and \$15,274 in wage liens. The total cost of the settlement is \$313,804.48.

Mr. Moloney, a 52 year-old former PATH Fire Marshal now on disability retirement, injured his back on August 31, 1998 while a passenger in a PATH van that lost control, went off the road and hit a guardrail, causing substantial damage to the vehicle. The accident caused herniated discs in Mr. Moloney's back. Mr. Moloney has been declared to be medically unfit to work as a PATH Fire Marshal and has received a disability retirement because of his injuries. Plaintiff continues to experience pain in his neck, shoulder, lower back and legs. He is unable to stand, sit or walk for any length of time and has been unemployed since the accident because of his injuries.

Pursuant to the foregoing report, the following resolution was adopted with Directors Blakeman, Chasanoff, Donovan, Mack, Martini, 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) and the Port Authority, to settle the action entitled Dennis Moloney v. The Port Authority of New York and New Jersey, Port Authority Trans-Hudson Corporation and Mario Genovese, Jr., for \$313,804.48. Of that amount, the plaintiff and his attorneys are to be paid \$275,000 and the Port Authority and PATH will waive a medical lien of \$23,530.48 and a wage lien of \$15,274. The plaintiff will provide PATH and the Port Authority with a General Release 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 of March 1, 2001 to March 31, 2001.

CONTRACT NUMBER	CONTRACT TITLE FACILITY AND CONTRACTOR	TOTAL AUTHORIZED		TOTAL PAYMENTS	
PAT563	SAFETY ENHANCEMENTS-SUMMIT,	164,747.00	(A)	164,747.00	(A)
	BALDWIN & WALDO AVENUE SIGNAL	50,000.00	(C)	--0--	(C)
	BRIDGES PORT AUTHORITY	13,200.00	(D)	11,136.00	(D)
	TRANS-HUDSON CORP.	227,947.00		175,883.00	
	RIVERSIDE FAB, INC				
PAT150217	BUS TERMINAL CEILING REPLACEMENT	1,788,000.00	(A)	1,788,000.00	(A)
	JOURNAL SQUARE TRANSPORTATION	50,000.00	(C)	42,824.00	(C)
	CENTER	269,000.00	(D)	269,000.00	(D)
		400,000.00	(E)	400,000.00	(E)
		60,000.00	(F)	8,026.00	(F)
		2,567,000.00		2,507,850.00	

(A) Lump Sum

(B) Classified Work

(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.

(D) Extra Work

(E) Supplemental Agreement No.1 which included an increase in the amount of \$400,000 for net cost sum work authorized on 10/12/95.

(F) Increase in extra work in the amount of \$60,000 authorized on 8/24/1998.

(PATH Board - 6/28/01)

FINAL CONTRACTS PAYMENTS

The Comptroller's Department reports that the contracts set forth in the succeeding tabulation have been completed satisfactorily by the contractors. Final Payments have been made in the period of April 1, 2001 to April 30, 2001.

CONTRACT NUMBER	CONTRACT TITLE FACILITY AND CONTRACTOR	TOTAL AUTHORIZED		TOTAL PAYMENTS	
PAT459B	REHABILITATION OF ENTRANCE DOORS	465,000.00	(A)	465,000.00	(A)
	AT CONCOURSE LEVEL	47,000.00	(D)	47,000.00	(D)
	JOURNAL SQUARE TRANSPORTATION	60,000.00	(E)	60,000.00	(E)
	CENTER	40,000.00	(F)	36,233.00	(F)
	RAINBOW CONSTRUCTION CO, INC	612,000.00		608,233.00	

(A) Lump Sum

(B) Classified Work

(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.

(D) Extra Work

(E) Increase in extra work in the amount of \$60,000 authorized on 2/9/1995.

(F) Increase in extra work in the amount of \$40,000 authorized on 11/3/1998.

(PATH Board – 6/28/01)

Contract and Purchase Order Authorizations and Amendments – Quarterly Report

In accordance with the By-Laws, the President reported actions taken under Article XII, sections (g)(1) and (g)(2), for the period January 1, 2001 to March 31, 2001.

CONTRACT AND PURCHASE ORDER AUTHORIZATIONS

AWARDEE	DESCRIPTION	AUTHORIZATION	PROCUREMENT METHOD
William G. Moore & Son, Inc. P.O. #4500016700	Timber Switch	\$ 113,335	Publicly Advertised
Sumitomo Corporation of America P.O. #4500018315	Wheels, Railcar	202,500	Publicly Advertised
The Kerite Company P.O. #4500018320	Cables, Traction 2000 MCM	259,000	Publicly Advertised
Modern Track Machinery, Inc. P.O. #4500018439	Track Machinery	203,102	Publicly Advertised
Virginia Transformer Corp. P.O. #4500018927	Transformers	225,000	Publicly Advertised
Balfour Beatty Railway Eng. LTD. P.O. #4500019095	Track Plates	91,000	Publicly Advertised
Universal Uniform Sales Company Contract #4600002539	Conductor/ Engineer Uniforms 1 Year Contract	200,000	Government Contract
Johnson Controls, Inc. Contract #4600002540	HVAC Automated Temperature Control – JSTC	433,338	Publicly Advertised

(PATH Board – 6/28/01)

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 January 1, 2001 to March 31, 2001.

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

Employee Claims

NAME	AMOUNT PAID
RUIZ, EMILIO	\$ 6,000.00
NOTO, JOSEPH	8,500.00
DELUCA, JOSEPH	3,500.00
OLANO GEORGE H	3,000.00
BALA CHRISTOPHER S	3,500.00
HERREN ROSS E	10,850.00
TOTAL	\$ 35,350.00

Patron Claims

NAME	AMOUNT PAID
ROMANO GIOVANNI	\$ 500.00
TADDEO PETER	2,000.00
HAYNES MARC R	200.00
SHAH GIRISH M	3.98
O'NEILL JUAN	54.99
MCINTOSH DENISE	16.99
HENSON, SELMA B	3,500.00
TOTAL	\$ 6,275.96

(PATH Board – 6/28/01)

**TORT CLAIMS OF PORT AUTHORITY, TRANS-HUDSON CORPORATION,
CLOSED**

NAME	AMOUNT COLLECTED
COSHOCTON TRUCKING	\$ 1,024.62
TOTAL	\$ 1,024.62

Whereupon, the meeting was adjourned.

Vice-President

Whereupon, the meeting was adjourned.

Vice-President