

The Port Authority of New York and New Jersey
Public Board Meeting Transcripts
May 31, 2012

[Chair D. Samson] The Board Meeting of the Port Authority of New York & New Jersey and its subsidiaries is now called to order. Prior to today's meeting, the Committees on Finance, Capital Programs/ Agency Planning, and Construction met in public session, and the Committee on Operations and the World Trade Center Redevelopment Subcommittee met in both public and executive session. In addition, the Audit Committee met in executive session on May 22. Their reports will be filed with the official Minutes of today's Board meeting. The Commissioners also met in executive session prior to today's Board Meeting to discuss and act upon matters involving ongoing negotiations or reviews of contracts or proposals and matters related to proposed, pending, or current litigation or judicial or administrative proceedings, and to discuss matters involving public safety or law enforcement, and matters related to the purchase, sale, or lease of real property, or securities where disclosure would affect the value thereof or the public interest. The first order of business is a recognition by this Board of the importance of the Port Authority Police Department. We all recognize that Port Authority police officers take an oath to serve, honor, and protect. Today as we recognize several of the PAPD's finest, it's evident that these values continue. I'm pleased to report that Mike Fedorko, our Director of Public Safety, will now recognize several members of our police department who have distinguished themselves through their actions and heroism. Mike?

[M. Fedorko] Mr. Chairman, Mr. Vice Chairman, Commissioners, good afternoon. On behalf of the Port Authority of New York & New Jersey, the Board of Commissioners and our objective leaders, it gives me great pleasure to share this moment as Chairman Samson will present former Lieutenant John Ryan with his chief shield and credentials. This badge is both a reflection of the outstanding career of John Ryan as well as the added responsibility he is assuming as Chief of the Port Authority Police Department. The New York & New Jersey Port Authority entrusts him with the command of the police department's most critical and sensitive operations. He will now proceed in the development and control of the program implementation of our police department. Our force will be looking to Chief Ryan for leadership as we endeavor to effectively deliver police services in the community that we protect and serve. Chief Ryan, we are confident in your abilities to perform these duties. You have demonstrated qualifications of the highest caliber during your more than 30 years of service to the department. You have overseen highly sensitive operations that require swift and sound decision making along with the extensive coordination among multiple external stakeholders. Your substantial management experience, extraordinary leadership skills, and rogue field work make you uniquely qualified to assume the position of Chief of the department. Your exceptional work ethic will serve you well in supervising the highly commendable work of the men and women of the Port Authority Police Department. The Port Authority Police Department protects some of the nation's most valued facilities as well as millions of people daily. This promotion reflects the Port Authority's commitment to this mission and the way the agency does business. As the Port Authority reshapes its security structure, leaders like Chief Ryan will play a pivotal role in enhancing the innovative Port Authority Police Department. Mr. Chairman, I present to you the newly appointed Chief of the Port Authority Police Department, John Ryan. [applause]

[J. Ryan] Thank you.

[Comm. R. Pocino] Congratulations. Good luck.

[J. Ryan] Thank you.

[Vice Chair S. Rechler] Congratulations.

[Comm. H. Silverman] Congratulations again.

[J. Ryan] Thank you.

[Comm. V. Bauer] Congratulations.

[J. Ryan] Thank you.

[Comm. S. Holmes] Congratulations.

[J. Ryan] Thank you.

[Comm. W. Schuber] Congratulations.

[J. Ryan] Thank you.

[Chair D. Samson] I just want to add, on behalf of the Board, to the comments by Mike Fedorko that John Ryan's appointment is a critical step in enhancing the leadership of the Public Safety Department. It's consistent with this Board's longstanding commitment to security. Congratulations. Welcome aboard. We look forward to working with you, Chief. Thank you.

[M. Fedorko] Mr. Chairman, Commissioners, this involves an attempted carjacking. The officers involved were Officer Shawn Murphy, Officer Edwardo Gonzalez, Officer Rocco Rufrano and Sergeant Scott Kelliher. April the 1st, 2012, Officer Frank Conti, a member of the Port Authority Police Department's Special Operations Unit, was patrolling the New Jersey Marine Terminal in his K-9 patrol vehicle. Officer Conti was approached by a woman who stated she had just been the victim of an attempted carjacking in the parking lot of Jersey Gardens Mall. She described the suspect and said he had approached the driver's side window of her vehicle as she pulled into a parking space. She advised that one of the suspects had pointed a silver handgun at her and yelled for her to get out of the vehicle while pulling on the driver door handle and banging on the window. She further advised that she abruptly backed out of the parking space and fled the area and that while doing so heard what she believed to be at least one gunshot as she fled. After hearing the account of the incident, Conti broadcast the event to dispatch and area supervisor Sgt Scott Kelliher. Sgt Kelliher immediately notified Elizabeth PD and contacted all Port Authority Police Department port units to take up positions effectively closing off the area surrounding Jersey Gardens Mall. Officer Murphy was the first backup to arrive at the scene. After briefly speaking with Officer Conti, Officer Murphy remained with the victim's vehicle and two children, while Officer Conti and the victim returned to the mall to canvass the area for the suspect. As Officer Conti and the victim continued to canvass the mall, he was advised that Port Authority Police Officer Edwardo Gonzalez and Elizabeth police had stopped a vehicle at the

intersection of North Avenue and Kapkowski Road with possible suspects in the car. Office Conti and the victim responded to the location and the victim made an immediate positive identification of the suspects. After the suspects were taken into custody without incident, K-9 Officer Rocco Rufrano and Sgt Scott Kelliher acquired a consent to search the car. Their search recovered a loaded .22 caliber semiautomatic pistol from the glove compartment as well as clothing originally identified by the victim. The suspects were subsequently charged with carjacking, aggravated assault, possession of a weapon for unlawful purpose, unlawful possession of a handgun, and terroristic threats. The proactive, coordinated response of these officers and the Elizabeth Police Department reflects textbook policing. Swiftly cutting off the avenues of escape and quickly taking control over the suspects and the vehicles, once located, brought about the suspects' apprehension with no harm to the police or the civilians. Officers Conti, Murphy, Rufrano, Gonzalez, and Sergeant Kelliher are hereby recognized for their overall performance and response to the above event. The efforts resulted in the apprehension of three dangerous suspects who preyed upon innocent victims. Their professional actions continue the tradition of excellence expected by all members of the Port Authority Police Department. Please join me as we acknowledge their actions. [applause] This event is with Officer Michael McCann, Officer Michael Angerhauser, and Officer Thomas Lynch. It involves at JFK Terminal 4 an individual in distress. On March 20, 2012, JFK Police Officers Mike McCann and Michael Angerhauser were on patrol outside Terminal 4, where they observed a man lying in the roadway unconscious and unresponsive. The officers rushed to the aid of a 49-year-old Queens man who arrived alone at the airport to pick up a relative. The gentleman was in full cardiac arrest and had no pulse. Officer McCann and Officer Angerhauser immediately began CPR. They were quickly joined by Police Officers Kenneth Gill and Thomas Lynch, who took turns administering CPR with Officers McCann and Angerhauser. These actions are critical in supplying blood to the heart and oxygen to the brain in order to increase the victim's chances of recovery. Police Officers Alfonso Rapisarda and Ernest Bohringer arrived at the location in a Port Authority ambulance. They administered one shock with the defibrillator to the individual, and it immediately restarted his heart. He was rushed to Jamaica Hospital, where he was in stable condition and recovering. There's no doubt that our officers' quick response and decisive action were responsible for saving a life. We commend the calm, take-control actions and recognize that it reflects greatly upon the Port Authority Police Department. And I might add that the individual is recovered and is now back to work. Please join me as we acknowledge these officers. Thank you. [applause] [applause]

[Chair D. Samson] Thank you, Mike. We'll now provide an opportunity for members of the public to comment on other Port Authority matters. This public comment period, which is limited to 30 minutes in total, provides an opportunity for members of the public to present their views directly to the Board but does not provide for a dialogue. Members of the public wishing to discuss a specific matter with the Port Authority staff are advised to contact our Public Affairs Department. Speakers are asked to comply with the fixed time limit of 3 minutes. Our first speaker is Margaret Donovan of the Twin Towers Alliance.

[M. Donovan] Good afternoon. Nicole Gelinas observed in a 2004-- This really doesn't-- Can you hear me? It doesn't-- It's, like, not been very good lately. Okay. Can you all hear me? Okay. Nicole Gelinas observed in a 2004 New York Post op-ed entitled World Trade Sellouts that Osama bin Laden gave the order to destroy the World Trade Center, but Governor Pataki and Co.

are paying for the funeral. Now we know it is the taxpayers who have paid and paid and paid and paid for it. But Governor Pataki, Mayor Bloomberg, and others didn't have to be such eager pallbearers. That is not water under the bridge, because all we have to show for billions of public dollars is a Mutt and Jeff skyline with twin stumps in between. Richard Hughes has referred to us as twin bores, but there is nothing boring about asking public officials to account for their actions and choices. Answers give citizens the power to avoid the avoidable. Isn't that a basic civil right - avoiding the mistakes unaccountable officials make before we have to pay for them? And so is the right to learn from them after the mistakes have been made. The Port Authority Commissioners have a fiduciary responsibility to the people, not the governors. Don't you think the public deserves to know what went wrong? What good is an audit that doesn't address how a man who was responsible for clearing the site and rebuilding the 10 million square feet at his own expense became such a public charge and why he was given so much control over the site? The mess at Ground Zero isn't primarily George Pataki's doing. It is Boss Ward's legacy. Or is it? If this is really a new era at the Port Authority, why can't we get a simple answer to the question of whether Ward briefed the Commissioners in 2008-- six of whom are still on the Board--on a fully designed plan to transition to a far more economical and popular plan for re-engineered Twin Towers? If it was determined not to be credible, where is the analysis to support that? The Commissioners and the Executive Director and even the governors did not have the authority or prerogative to spend thousands of millions of dollars that did not need to be spent. Port Authority officials keep saying all the right things. But until you will answer questions that the public has every right to know, it is still business as usual. I am starting to feel like a member of a Greek chorus, because, as we wrote in our recent op-ed, this agency is steaming to its destruction unless it comes clean. As we have all heard, knowledge is power. But so is the knowledge that comes when simple questions go unanswered. Mr. Baroni insisted that the New York legislature did not need subpoena power over this agency. But our experience has been one of climbing over one stone wall after another. As we concluded in our recent op-ed, none of this had to happen. The public has been ignored and has been lied to. Where and when will it stop? Thank you.

[Chair D. Samson] Thank you. Our next speaker is Richard Hughes of the Twin Towers Alliance.

[R. Hughes] Good afternoon, Commissioners. Margaret Donovan just referred to an op-ed piece which was in the Star-Ledger about 3 weeks ago that the Twin Towers Alliance wrote. It was called The Twin Towers' Disgraceful Replacement. We didn't choose that title. That's not the way we submitted it. The editors of the Star-Ledger, which is the largest newspaper in New Jersey-- the editors chose that title, The Twin Towers' Disgraceful Replacement, which obviously refers to the Freedom Tower and the project at Ground Zero. But there are other disgraceful things that are part of that project, starting 10 years ago, much of which you had nothing to do with and for which you are not to blame. But you are to blame for not changing course. And it's even things like the sphere, the wonderful sphere which was the only artifact which survived 9/11 intact, more or less, and was an inspiration to so many of us after 9/11. We all know it belongs at the heart of that project. It's a sign of endurance, it's a sign of rebirth, it's a symbol of what men like these did on 9/11 and in the weeks after. And yet we're arguing about where it belongs? There should be no argument at all. It's like this whole project. There should be no argument about it. We know what needed to be done. It wasn't done. But at least you can put the sphere back where it belongs. Last meeting, afterwards a friend came up and he said,

"You know, Richard, you spoke very well, but you didn't show them a way out of this mess."
"You've got to show them a way out of this mess." We're going to try in the meetings ahead-- since we only get a couple of minutes-- to try to show you a way out of this mess. But the first thing you have to do: you've got to rethink the whole project. You've got to really turn it around and really think imaginatively. And you say, "Well, how are we going to do that? It's so late in the game." No, it isn't. I want you to just cross West Street from those 16 acres. I want you to just go across West Street to Battery Park City. There's a great example and a great inspiration of what can be done. That was built on the landfill from the Twin Towers. The earth was dug out of the foundation, was put in the Hudson River. Nobody knew what they were going to do with it. But now we have one of the jewels of this city sitting on that landfill from the Twin Towers. Cross that street and you'll see some buildings there that look like East Berlin worker housing from the communist era. But then you'll see some of the most beautiful buildings in the city. What happened? A complete change. A complete change of vision. Somebody got vision again. It took vision to build the Twin Towers; it's going to take vision to turn this project around. And when you turn it around, you will finally start to make some money and stop socking the taxpayers for your mistakes. Thank you so much.

[Chair D. Samson] Thank you. Our next speaker is Murray Bodin.

[M. Bodin] Good morning. I want to be able to see Pat and the rest of you. After this morning's meeting--I was here earlier, at 9:00-- I went out for a walk in the area. It's phenomenally different. It's a whole different ball-- I went to a restaurant called Beecher's and I had a sandwich. It was delicious. And then I come around, and all the traffic engineers are using rules of 20 years ago. And so I'm using that to show that there's a culture that needs to be changed. I was made aware that the best way to get you to change is to create a liability. To fix the lines, I'm going to suggest it very simple. But if you don't correct them, you're going to create a liability where in an accident they can sue you. This is to inform your organization, the Port Authority, that hazardous and dangerous conditions exist at various roadways that can cause driver confusion and lead to accidents. I understand that if your organization does not correct these conditions, there may be a liability created by the failure to correct these conditions. I have attached a picture of the exit ramp. The white line that's at the exit has to stop where a driver can no longer cross it into another lane of traffic going in the same direction. Traffic engineers have been making that mistake for nigh on 20 years, and they all think it's okay. Well, this is an era of texting. Drivers are not paying attention anymore. We have to give them clear and unambiguous instructions. You cannot have a white line on the left unless you can cross it. There are fire lanes all over on the right painted yellow. How is a driver to know which direction to go in? If it's on the right, it should be white so that a driver instinctively knows that this is the one way I'm going in. This is the same presentation I did at the New Jersey Turnpike yesterday. You were there. You saw it. This is essentially the same. Yesterday afternoon I did it at the New York State Thruway. They're on notice that they may create a liability if they don't-- It's a simple fix. You only have to send a truck out there and paint yellow from the point where you can't turn into another lane of traffic. So I want to thank you all. I'm dressed this way because my son is getting married on Father's Day. My first wife is going to be there, and yesterday was my 39th wedding anniversary. And really, this is practice to speak quietly and don't get excited. Thank you for this.

[Chair D. Samson] Congratulations. And thank you. Our next speaker is Yvonne Garrett Moore.

[Y. Moore] Commissioners, thank you again for allowing me to come before you. You can blame this on my grandmother. She said failure to request is cowardice. So I'm here to request of you to continue to look very clearly at the potential of the Newark Airport City. I am also very thankful to the leadership of Port Authority, and I'm very thankful for the confidence that you have in our executive administrator, Mr. Foye. I really believe that the Airport City initiative had practical potential. I did research before I came before you to understand what it could possibly yield for our region. And so I did my research. But it was when Mr. Foye came into office in the fall of last year and he cast a vision for this agency, it allowed me to stand here today with confidence because the leadership clearly understands what its potential is and what we must do to cultivate that potential. I come from Newark, New Jersey, and great things come out of Newark. One great thing was a young lady by the name of Whitney Houston. She had great potential, and no one understood that potential. But cultivated, she became a world-renown artist. I had the good fortune of being exposed to Whitney Houston's mother. She also mentored me a little. And so I watched this cultivation of this young girl in the heart of our inner city community become a world-class artist. Newark is full of this potential. Our region is full of this potential. We're not lacking anything. What we're lacking is the ability to recognize the potential and cultivate the potential. And we have the ability with this administration to advance that effort. So I'm here to appeal to you today for an authorization for a study for the development of a Newark Airport City initiative. These aerotropolises are being built all around the world, and they're being proven successful. We need to create job opportunities. We need to create business opportunities. We need to really invest in our potential that will allow the world to come and participate in our culturalness. We have great potential, and we need to be able to share that potential. And so expanding the capacity of Newark International Airport by creating this Airport City initiative is going to do a great thing to say that, first of all, we recognize ourselves. We recognize our potential and our capability and being a leader in that recognition as well as to establish some practical infrastructure that is going to contribute to our growth and development. It is a win-win situation for us. So I thank you again for your sensitivity, for your consciousness. I also want to continue to encourage you all to build solid relations, because our welfare and well-being depends on your relations to be cultivated. Thank you, Mr. Foye, and thank you, Commissioners, for working diligently together to accomplish what we need. Thank you so much.

[Chair D. Samson] Thank you. Our next speaker is James Raleigh.

[J. Raleigh] I'm James Raleigh. I'm a resident of Monmouth County, New Jersey, and I've been watching with interest the efforts of several organizations to improve their transparency and public image. A couple of months ago, you made major strides in transparency by deciding that you would post the handouts from all of the committee meetings. I'm here to say I hope you can do more in the future in terms of announcing the agenda of these committee meetings so that you have the appearance of letting the Commissioners and the public know what you're going to be discussing. I attended the Committee on Construction meeting today. I presume the handouts will be put up on the Web shortly. It would have helped me a great deal to come prepared if I had been able to find a working link to the agenda last night at 10:00. In Trenton, we work on a 3-day notice basis. In New Jersey Transit, we work at least on 24 hours to include the financial information. I do not feel comfortable coming to a meeting today and seeing millions of dollars being committed by this Board or by these committees without the appearance of extended

public awareness. In particular, I saw a couple of projects presented as being presented as state of good repair. In particular, there was the Holland Tunnel Project, which showed the real-life chaos in the existing system. What I really saw was a telephone cross-connect, and they were explaining how a new fiber optics system will replace all this antiquated copper. It may be a state of good repair, but I think you've just demonstrated there are serious problems with single point failures. Good luck.

[Chair D. Samson] Thank you. Our last speaker is Joseph Clift.

[J. Clift] Could you give it to them, please? Thank you. I'm trying to get information to you before I talk to you because it's helpful. Good afternoon. My name is Joe Clift. One quick comment. The monitors here are not on, and these are not transparent pillars. It would be nice if we could see all of you. Second quick comment on the Silverstein being paid for the R Train connection. In the City of New York, by code a building is required to put an access point to the subway into their building when they build a new building. They do it at their expense. I don't know what this is. There's no details. But if this building were in New York City rather than on World Trade Center property, my guess is that some of the money you're going to pay to Silverstein he would have to do as of right. I don't know. I don't have the details. But specifically, what-- Do they have the copies of what I-- Did you give them-- Excuse me? Okay. Do you have in front of you the picture? Please. It's the normal process at other Board meetings. You might call this a little bit of transparency. Thank you. Recently, early May, there was an announcement of Moynihan Phase 1 as a great improvement. There were articles in the paper; there were squibs on TV. I'm here to tell you that that's a 75% plus failure because of the failure to connect the new West End Concourse, which is the major improvement in this project, to Tracks 1 through 4. There will be no one that's able to leave on a New Jersey Transit train from the West End Concourse. They're not going to post a single train because most of the trains off peak. 40% of the trains peak, leave from those platforms, and the result is you're going to have less than 25% coverage. The reason this happened, I believe, is a failure, first of all, of Moynihan, and then--when the Port Authority took it over at Governor Cuomo's request-- the Port Authority to look at this comprehensively. The cost might be greater, but the benefit would be incredibly greater. You're also putting elevators onto this concourse, and I do not understand that. They're redundant. Every platform in Penn Station has a relatively new elevator. Both New Jersey Transit and the Long Island Railroad put them in. Cost of those elevators could be saved by not doing them and that money spent to make this connection. So I ask basically for a change. It could have been done ahead of time. Now it's a change order to change this project so it really works. If you don't do that, I don't see how you can claim to be the mobility folks for the region. Thank you very much for your time.

[Chair D. Samson] Thank you. May I now have a motion to move the consent calendar for approval?

[Commissioner] So moved.

[Chair D. Samson] Second?

[Comm. V. Bauer] Second.

[Chair D. Samson] All in favor?

[all] Aye.

[Chair D. Samson] So moved. There being no further business, I move to adjourn the meeting. May I have a second?

[multiple commissioners] Second.

[Chair D. Samson] All in favor?

[all] Aye.

[Chair D. Samson] The meeting is adjourned. Thank you.