

**The Port Authority of New York and New Jersey**  
**Board Meeting Transcripts**  
**September 18, 2013**

[Chair D. Samson] Hello. The Board Meeting of the Port Authority of New York & New Jersey and its subsidiaries is now called to order. In addition, as part of today's proceedings, a special meeting of the Operations Committee may be held to consider certain matters on today's agenda. The Committees on Operations, Audit, and the Committee on Finance, including its Insurance Working Group, met in executive session prior to today's meetings. In addition, earlier today the Committee on Finance, Operations, Capital Planning, Execution & Asset Management and the World Trade Center Redevelopment Subcommittee met both in public and executive sessions. Their reports will be filed with the official minutes of today's Board Meeting. The commissioners also met in executive session earlier today to discuss matters rendered confidential, privileged, or private by federal or state law or regulations or rules or decisions of court, matters in which the release of information could impair a right to receive funds from the United States or other grantors and matters involving ongoing negotiations or reviews of contracts or proposals and to discuss and act upon matters related to proposed, pending, or current litigation or judicial proceedings and matters related to the future redevelopment of existing facilities where public disclosure may impact on property values. The first issue I wanted to bring up was, as many of you know, we recently lost former Port Authority Commissioner Jack Sinagra, who passed away last month. Commissioner Sinagra, and before that Senator Sinagra, had served on this Board with great distinction from 2001 to 2006, including as Chairman shortly after the September 11, 2001, event and really was a stabilizing influence in those trying days. I knew Jack Sinagra for a long time. He was a good friend, a wonderful guy who added light and laughter, when it was appropriate, to everybody that he touched. And his untimely, really premature death was unfortunate. In recognition of his service to this Authority and the bi-state region, I want to offer a memorial tribute for the Board's consideration, and the tribute reads this way: It is with profound sadness that we mark the passing of Jack G. Sinagra on August 26, 2013. From his appointment to the Board of Commissioners in October 2001 by former Acting New Jersey Governor Donald DiFrancesco, Jack Sinagra served with great pride and distinction and gave the full measure of his devotion, skill, and ability to the furtherance of the mission and goals of the Port Authority and the region it serves. Jack Sinagra served as Chairman of the Port Authority from December 2001 to April 2003, which was one of the most difficult and challenging times in the agency's history following the tragic events of September 11, 2001, and he led the agency through a period of mourning, remembrance, and rebuilding. Under Jack Sinagra's leadership, the Port Authority proudly renamed Newark International Airport, Newark Liberty International Airport, to honor the heroes who fight to protect our freedom and the heroes of September 11 and to underscore Newark and New Jersey's strength and leadership in this region. Jack Sinagra led the Port Authority in the implementation of an unprecedented number of security initiatives, providing for the public to have the benefit of dependable, trustworthy passage throughout the region. He served with great distinction as Chairman of the Audit Committee, providing a consistent focus on the implementation of best practices for the Audit Committee; and as Vice-Chairman of the Committee on Operations, where he was instrumental in leading the agency to advance numerous projects that have benefited the lives of citizens throughout the region, including the restoration of the World Trade Center site, the historic redevelopment of JFK International

Airport, and most notably the restoration and reopening of PATH's Exchange Place within 21 months of the tragic events of September 11, which was a vital link in the region's transportation network, as well as numerous other projects concerning the modernization of PATH, which included planning for new rail cars and a new signal system. As former Mayor of East Brunswick, New Jersey, former New Jersey State Senator, distinguished businessman and public servant, Jack Sinagra gave freely of his time and talent and never lost sight of the impact his decisions had on the lives of the citizens of this region. His lighthearted, kind spirit and friendly disposition was a testament to his character and a genuine reflection of his respect toward staff and to all who had the pleasure of knowing and working with him. Now, therefore, be it Resolved, that the Commissioners of The Port Authority of New York & New Jersey express their deepest sorrow at the passing of The Honorable Jack G. Sinagra, and it is further Resolved, that the Board of Commissioners hereby directs that this resolution be suitably engraved and presented to the family of Jack Sinagra as a token of the high esteem in which he was held by his colleagues on the Board and by the staff of The Port Authority of New York & New Jersey. May I have a motion to move this item? >> [multiple commissioners] So moved.

[Chair D. Samson] Second? >> [Comm. J. Moerdler] Second.

[Chair D. Samson] All in favor? >> [all] Aye.

[Chair D. Samson] So moved. We will present the tribute to his wife or other member of his family. Thanks, Karen. And now our Executive Director and Deputy Executive Director will highlight some of the actions that are being advanced today.

[Exec. Dir. P. Foye] Thank you, Chairman. Thank you, General Counsel. Thank you, Chairman. I'd like to address 2 matters today. First, the transfer of the World Trade Center brands 27 years ago to the World Trade Centers Association for a nominal consideration was a shameful episode. Both governors, Governors Cuomo and Christie, are united in their outrage at this move and committed to having the Port Authority take every step to reverse this. Today Governor Andrew Cuomo requested that the New York Attorney General investigate the matter fully. I want to state that the Port Authority will fully cooperate in every possible way with Governor Cuomo's request and with Attorney General Schneiderman's investigation. Second, infrastructure investment. Every day the Port Authority serves the needs of this region through major investments in our infrastructure. Today the Board of Commissioners will approve nearly \$90 million in additional infrastructure investment. This includes, among other things, first continuation of redevelopment efforts at LaGuardia Airport; second, continuing to move the World Trade Center closer to completion; and third, completion of berth rehabilitation at the former MOTBY Terminal in Bayonne. This work also includes construction as well as projects to address Superstorm Sandy recovery. As we near the 1-year anniversary of the superstorm that had such a significant impact on our region and our facilities, we can say that we are ready at every facility for the upcoming peak hurricane season. As you will all remember, we requested authorization in May of this year for \$59 million to implement approximately 85 priority protective measures. From airports to seaports to PATH to our bridges and tunnels to the World Trade Center, vulnerable areas at each of our facilities will be protected. We are using metal panels, temporary concrete barriers, and water-filled Jersey barriers, HESCO barriers, to protect doorways and buildings and station entrances. Over 1000 flood protection metal panels will be available at PATH alone. We've also increased our emergency stockpile with an additional 90

generators and supplemental fuel supplies. This also includes several large generators to support major operations. In addition, we have increased our stockpile of mobile pumps, sandbags and more, and at the World Trade Center we have approximately 40,000 sandbags and 2400 tons of sand available to prepare for the future. In short, we're ready for this season's storms. Bill.

[Dep. Exec. Dir. B. Baroni] Thanks, Pat. In addition, we have already installed a significant portion of more than 15,000 feet of waterproof barriers across our facilities, which includes more than 2500 linear feet of concrete bin blocks, 5000 linear feet of flood barrier logs, 300 linear feet of water-filled barriers, and 6500 linear feet of sand-filled bins as well as 1000 linear feet of aqua fence lining. The Port Authority has worked aggressively to install these preparedness measures to safeguard critical assets in the event of an emergency with an emphasis on storm preparedness. Along with updating our emergency preparedness plans and various workshops we have conducted on emergency response and management, we are prepared. To date, we have authorized \$665 million in Sandy recovery dollars to ensure our facilities are rehabilitated and protected in the future. I want to thank the extraordinary team at the Port Authority that has worked around the clock to ensure that our facilities are safe for this storm season. Thank you.

[Chair D. Samson] Thank you. We now provide an opportunity for members of the public to comment on other Port Authority matters. This public comment period, which may be 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. The first person who is signed up, but I don't know if she's here, is Connie Morales. Is she here? Not here. Okay. The next person is Margaret Donovan.

[M. Donovan] Would you mind giving me an extra few minutes and call on someone else?

[Chair D. Samson] Not at all. Next up in the batter's box is Jonathan Bien.

[J. Bien] Thank you. The eastbound—I'm sorry. I forgot to grab my glasses. The eastbound lanes of the Pulaski Skyway, which is 1 of 2 major arteries linking the state of New Jersey with Jersey City, Hoboken, and Holland Tunnel into Manhattan, will close in 2014 for 2 years of rehab. At rush hour, 3500 cars per hour use the Skyway. When construction begins in 6 months, those cars must be diverted. The closure will cause a transportation crisis. The rush hour jams and delays will be infamous. I want to present a mitigation strategy that has been overlooked, launching of a new ferry service based in Elizabeth on Newark Bay just across the Turnpike from Newark Airport. The ferry can provide convenient, cost-effective service for thousands of passengers to and from the affected areas. I'm intimately familiar with this project because I was responsible for the planning, budgeting, and permitting of the proposed ferry for a former owner of the property. I am seeking your help to fast-track the approval process so the ferry can be launched with private financing before the traffic crisis descends. With your approval, I want to share with the Executive Director the exhaustive work on the project that was completed, including feasibility studies, environmental impact reports, the approved multi-permit application package, and financial projections for the ferry's operation. The eastbound Turnpike

extension and Skyway feeding the Holland Tunnel are 2-lane highways. They are already operating at twice their built capacity. In March 2014, access will be by one 3-lane road with no shoulder. The Skyway's current 3500-car peak demand cannot be carried by a single lane. Any serious vehicular accident will shut down access to those areas, and drivers would have to divert to the Lincoln Tunnel, which cannot accommodate the increased demand. We should expect unacceptably long delays throughout the 2-year work period. The closure of the Skyway will have a serious adverse effect on the employees, employers, and businesses in these affected areas. People will not reach their offices in a reasonable amount of time. Travelers arriving at Newark Liberty bound for any of these destinations, including Midtown Manhattan, will also be greatly inconvenienced. The proposed ferry can accommodate thousands of commuters. It can divert thousands of cars from the overloaded Turnpike extension. Ferry service from Elizabeth to Hoboken, Jersey City, and Lower Manhattan can be based on a 30-acre site on Newark Bay, only an 8-minute drive from Newark Airport, a 5-minute drive to Route 78, which is a major east-west highway. Traffic will access the ferry terminal at Exit 13A at a point where the Turnpike is 14 lanes wide so there will be no bottleneck entering or leaving. The terminal site is unique. It is the only practical place on the New Jersey shoreline where a ferry can be located where it will relieve this overflow. Travel time has been tested, and the longest run is less than 30 minutes. Fares will be equivalent to the cost of driving and parking, which will be sufficient to generate positive cash flow for the ferry. The ferry will also be an important transportation alternative after the Skyway is finished. The landing adjoins Jersey Gardens Mall, which is 1.3 million feet. Ongoing demand for the ferry is conservatively estimated at 1500 round-trip passengers daily. This is a public transportation alternative that will be economically self-sustaining and profitable. It will mitigate economic damage from the Skyway closure at a highly favorable cost-benefit ratio, and it will be a permanent asset that will significantly contribute to the regional economy and transportation infrastructure. With your support, this ferry could work. Thank you.

[Chair D. Samson] Thank you. Our next signed up speaker is Neile Weissman.

[N. Weissman] Chairman Samson, Commissioners, thank you for the opportunity to speak. In 2010 the Authority voted a Bicycle Master Plan to encourage tenants coordinate with regional planners and obligate itself to upgrade surface facilities in order to accommodate a doubling of cycle use every 5 years. Indeed, Secretary LaHood, Mayor Bloomberg, and others have set targets of 5% to 6% region use by 2020. Ten times today's level. To this end, MPOs project billions of new bike-ped construction. Newark and Hoboken are implementing comprehensive plans, New York City mandates bike parking at places of work, the explosion of bike share, etc, so it is entirely credible, even conservative, to project use at Authority facilities reaching 10% in coming decades, or 20 times today's level. In 2007 the Authority issued a Sustainability Policy which calls for 80% reduction of greenhouse gases by 2050 with a track to travel on bridges and tunnels identified as contributing 30% of third-party emissions, second only to aviation. So if the Authority upgrades a surface facility, say, the George Washington Bridge, to accommodate a 10% non-motorized mix, it effectively reduces the emissions profile of all travel on that facility by 10%. So given the benefit, which would have to be made up in other areas, why shouldn't the cost merit its own line item, a one-time expenditure amortized over the life of the facility. But while offsetting cost is itself a valid rationale, I submit the greater value of putting a state-of-the-art bike path on the high-viz GWB would be to evidence Authority leadership on climate change. Per your Office of Environment and Energy, half of Authority assets are at immediate

risk of sea level rise and storm surge, the rest to extreme weather events. This past May the world maintained 400 parts per million CO2 levels over 24 hours for the first time in recorded history. Last time we sustained 400 parts per million, temperatures were 2 to 3 degrees Celsius hotter and sea levels 60 to 80 degrees higher. Respectfully, adaption and remediation only gets you so far. So given the existential threat, why isn't your hair on fire? Seriously, why is the Authority not assuming the most extreme posture to leverage its stature to lobby the region, the nation, and, through the American Association of Port Authorities, the hemisphere to lead us on to war footing? We know facilities precipitate use. We know the Authority's legacy creating facilities that beacon exponential growth and your unique entitlement to act in the region's interest. So you have motive, means, and a once-in-a-lifetime opportunity afforded by the recabbling. Thank you.

[Chair D. Samson] Thank you. Our next speaker— Is Margaret Donovan ready?

[M. Donovan] Yes. Thank you.

[Chair D. Samson] Okay. >> [M. Donovan] Thank you very much. >> [Chair D. Samson] Sure.

[M. Donovan] Good afternoon. Two developments over the past week underscored the rank hypocrisy behind the redevelopment of Ground Zero. And the fact that it is the place where the public has zero influence, except when it comes to paying for the commissioners', a.k.a. the governors', mismanagement, makes it Ground Zero indeed. One of those developments was the shameful attack on the late great Guy Tozzoli's reputation. The other is the release of the Government Accountability study that the late Senator Lautenberg requested after Mr. Baroni's appearance before his subcommittee in the spring of 2012 where he stonewalled questions related to the governors' behind-the-scenes knowledge of the toll hikes, as if the public is not entitled to know whether or not their governors were being honest with them or were playing us for fools. The conventional wisdom that they both want to run for President in 3 years makes that a particularly important question and deserves a straight answer. The GAO study that resulted found that the bi-state agencies, "could benefit from greater transparency and public involvement and clearer lines of external oversight." Amen. It noted that the Port Authority objected to the conclusion that the public's input is not meaningful in the way the agency is run, which comes as no surprise to the steady stream of well-informed and well-prepared speakers who come here month after month and year after year and get very respectfully ignored. One thing I will say for you is that you don't pretend to take anything you hear seriously, as you immediately vote your predetermined votes as soon as the last speaker is seated. Benjamin Franklin said that a half-truth is often a great lie, and now that government secrecy is being challenged at the highest levels of our government, it is a mystery how the PA thinks it can keep on manipulating what the public and the bond markets may know as it sees fit. Not only is the Port Authority an agency with vast tolling powers above the law, but by extension it puts the 2 governors above the law to do as they please without having to answer for it directly. When we asked someone who worked on the GAO report how Congress could have approved the creation of bi-state authorities that are subject to no clear-cut authority in the first place, we were told that is a very good question. We will copy you in on the letter to Senator Rockefeller's committee asking that they get to the bottom of it. Instead of investigating Guy Tozzoli's contract with the Port Authority, we have long believed the Attorney General of New York

owes it to the people of New York to get to the bottom of the giant swindle at Ground Zero. Thank you.

[Chair D. Samson] Thank you. Our next speaker is Richard Hughes.

[R. Hughes] Thank you. Recently I read an article in Fortune magazine about Stephen Ross of The Related Companies and the incredible things he's planning for his development at Hudson Yards. And I kept thinking as I read that article, "That's what should be happening at the new WTC, that kind of imagination and excitement." But of course it isn't because there's no vision at the new WTC. And that led me to think about another man of vision, the man who gave us the original World Trade Center, Guy Tozzoli. Guy Tozzoli not only gave us the iconic Twin Towers; he made Battery Park City and the World Financial Center possible by having the vision to take the earth they took out of the WTC site and put it in the East River. The city resisted him at first, but that vision has earned the city of New York literally billions of dollars over the years in added jobs, spending, and taxes. Then Guy Tozzoli went on to found the World Trade Center movement, which now has over 300 members in over 90 countries. Guy Tozzoli's vision of peace through world trade earned him multiple nominations for the Nobel Peace Prize. When Nelson Mandela and President de Klerk of South Africa wanted to discuss the end of apartheid, the only place they felt comfortable in meeting was at Guy Tozzoli's World Trade Center in Johannesburg. Guy Tozzoli is in the news lately, not because of his extraordinary accomplishments and contributions but because of a hit job on his character by that egregious gutter journalist for the Bergen Record, Shawn Boburg. Mr. Boburg styles himself an investigative journalist, but he doesn't do much investigating. He prefers to character assassinate instead. It's so much easier and you get your name picked up by other papers. And hey, you might win a Pulitzer in the process. Boburg claims Guy Tozzoli made millions from a deal with the Port Authority for use of the WTC name. No, Shawn, he made millions over decades as head of the World Trade Center Association, which he founded. His salary was paid by the members, and he was probably underpaid. He made the World Trade Center name. The name wasn't worth anything before Guy Tozzoli. He created the World Trade Center movement. He gave the World Trade Center name its value. He gave the World Trade Center a vision, a vision that has served it well through the years. The spat about the rights to the name is really not about the WTC but about the chachkas that people want to buy, not because of the new, thoroughly boring, visionless WTC but because of the terrible tragedy of 9/11, an event nobody, not even Guy Tozzoli, could have foreseen. It's a spat over making money off the dead, and everybody involved ought to be ashamed. Guy Tozzoli was a great, great man. The Port Authority should be proud that he was part of this organization for many years. Instead, when Guy Tozzoli died earlier this year, this Board couldn't even be bothered to mention his passing even though we have to sit through endless encomia to the mediocrities who serve on this Board when they decide to depart. And by the way, Shawn, if you really want to investigate something questionable, why don't you look at the Silverstein contracts as the Twin Towers Alliance has been urging you to do for so long. That giveaway cost the public billions of dollars. Oh, but I forgot. It might mean you'd have to do some work, and it's so much easier to go after the dead, especially since they aren't around to defend themselves. Thank you.

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

[M. Bodin] Why are fire engines red? Why are fire engines red? Because they've always been red. There's only one problem. They're not safe as white or lime green, because you can see the white and lime green fire engines better when they're on their way to a fire than a red one. So why don't we have all white or lime green fire engines? You saw that accident, what happened in Washington. Every one of those fire engines was red. "Well, we order the fire engines. Traditionally, we have the power to order red fire engines." But it's not safe, guys! "We can do it anyhow." On Monday I was at the Metro-North meeting, and I spoke my allotted time and stopped at the right time. And one of the board members questioned the contract for 600 rail cars. He said, "Why don't we order rail cars in units of 3 that are articulated like the buses we have running all over New York City." He said, "I spend a lot of time in Paris, and Paris has had these articulated trains where you can go through the whole 10 cars. Why don't we have that?" Because I had mentioned that if you have these articulated units of 3 you can put 9 cars in an 8-car station with the effective units of 10-car seating. And so one of our board members at the MTA questioned the president and said, "Why don't we do this?" The president of Metro-North stood up and started saying, well, essentially what he said is, "We always ordered units of 2 with a cab on each end." And why do we have red fire engines? So I stood up in silent protest because there was no other way of describing that what he was saying was absolutely wrong. Two detectives came over and physically dragged me from the meeting and threw me out of the building and told me I was banned from the building forever. It's true—if they didn't take it off the Internet when it gets on there. You can ask. There's connections. Everybody knows it's true. I went there this morning instead of coming here for the first meeting because I wanted to confront the fact that this is not Iran, it's not Libya, it's not Cairo, it's not China; it's an MTA meeting, and if I stand in silent protest, I shouldn't be physically dragged out of the meeting. Likewise, this morning they were discussing taking down the— With your permission, I will wrap it up as quickly as possible. I may go a little long, but this is very important. This is what happened at those buildings at LaGuardia where they have to take them down. One of your esteemed, quite successful Board Commissioners said, "It would work better if we did the remediation and took out the—" With your permission, sir. I'll be just a second.

[Chair D. Samson] There's a 3-minute limit, all right? So please comply with the rules.

[M. Bodin] Thank you.

[Chair D. Samson] Thank you. May I have a motion to move the consent calendar forward for approval? >> [unidentified commissioner] So moved.

[Chair D. Samson] May I have a second? >> [unidentified commissioner] Second. >> [Chair D. Samson] All in favor? >> [all] Aye.

[Chair D. Samson] 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.