

# **PORT AUTHORITY TRANS-HUDSON CORPORATION**

## **MINUTES**

**Thursday, May 29, 2003**

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**MINUTES of the Meeting of the Port Authority Trans-Hudson Corporation held Thursday, May 29, 2003,  
at 225 Park Avenue South, City, County and State of New York.**

**PRESENT:**

**NEW JERSEY**

Hon. Anthony R. Coscia, Chairman  
 Hon. Raymond M. Pocino  
 Hon. Anthony J. Sartor  
 Hon. Jack G. Sinagra  
 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  
 Timothy Castano  
 Wilfred Chabrier  
 Janice Chiantese  
 Anthony B. Ciavolella  
 Arthur J. Cifelli  
 Anthony G. Cracchiolo  
 William R. DeCota  
 John C. Denise  
 Michael P. DePallo  
 Charles D. DeRienzo  
 Pasquale DiFulco  
 Karen E. Eastman  
 Michael G. Fabiano  
 Linda C. Handel  
 Edward L. Jackson  
 Howard G. Kadin  
 Louis J. LaCapra  
 Richard M. Larrabee  
 Francis J. Lombardi  
 Robert Lurie  
 Stephen Marinko  
 Gloria Martinez  
 Charles F. McClafferty  
 James E. McCoy  
 Catherine F. Pavelec  
 Michael A. Petralia  
 Kenneth P. Philmus  
 Edmond F. Schorno

**NEW YORK**

Hon. Bruce A. Blakeman  
 Hon. Henry R. Silverman  
 Hon. Anastasia M. Song

Douglas L. Smith  
Harry Spector  
Tiffany A. Townsend  
Gregory J. Trevor  
Sean P. Walsh

Guests:

Noreen Giblin  
Miki Krakauer

The public session was called to order by Chairman Coscia at 2:12 p.m. and ended at 2:34 p.m. The Board met in executive session prior to the public session.

### **Action on Minutes**

The Vice-President submitted for approval Minutes of the meetings of March 20, 2003 and April 10, 2003. 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 Finance**

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

### **Report of Committee on Construction**

The Committee on Construction reported, for information, and the report was received and is included with these 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 on May 29, 2003, which included discussion of personnel matters, in addition to matters filed with the committee pursuant to Board action or separately reported to the Board of Commissioners at this meeting of the Board, and the report was received and is included with these minutes.

**SETTLEMENT OF CLAIM – JOSEPH REDMOND 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 Joseph Redmond (Plaintiff) to provide for the settlement of a claim for personal injuries sustained by paying Plaintiff a sum of \$150,000, and waiving a medical lien in the sum of \$25,244.54 and a wage lien in the amount of \$30,506.20, for a total settlement value of \$205,750.74.

On May 5, 1999, Plaintiff, then a PATH Tower Operator, was attacked at the Journal Square Transportation Center while entering the building through a door on the plaza that led to the employee locker room, when he was confronted by an unknown man wielding a knife. The man demanded money from Plaintiff, and while running away, Plaintiff lost his balance and fell down the stairs, landing on his left side. Following the incident, an inspection by the maintenance staff and Port Authority Police revealed that paper had been stuffed in the bar mechanism of the door, thereby jamming the door's locking mechanism.

Plaintiff was diagnosed as having suffered a medial meniscal tear of the left knee. Arthroscopic surgery of the left knee was performed on September 17, 1999 to repair this injury. Arthroscopic acromioplasty of Plaintiff's left shoulder was performed on February 24, 2000. Plaintiff also underwent therapy with a psychiatrist for resulting nightmares, stress and emotional upset. On January 10, 2000, the Office of Medical Services determined that Plaintiff was unable to perform the duties of a Tower Operator. As a result, he retired and began receiving a Railroad Retirement Board pension.

Pursuant to the foregoing report, the following resolution was adopted with Directors Blakeman, Coscia, Pocino, 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 Joseph Redmond to provide for the settlement of a lawsuit for injuries sustained entitled Joseph Redmond v. Port Authority Trans-Hudson Corporation, et al. by paying plaintiff the sum of \$150,000 and waiving wage and medical liens totaling \$55,750.74. 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 October 1, 2002 through December 31, 2002

<b>AWARDEE</b>	<b>DESCRIPTION</b>	<b>AUTHORIZATION AMOUNT</b>	<b>AUTHORIZATION METHOD</b>
HI-VAC SALES & SERVICES 4500027252	Vacuum Parts	\$77,150	PUBLICLY BID
BOMBARDIER TRANSPORTATION 4500028550	Misc. Railroad Parts	\$864,300	PUBLICLY BID
PROTECTION ONE, CORPORATION 4600003737	Inspection & Maintenance Fire Protection Systems Term: 3 years	\$109,417	PUBLICLY BID
LANCE INVESTIGATION SERVICE, INC. 4600004019	Armed Guard Services for PATH Coin Train Term: 3 years	\$595,849	PUBLICLY BID
METUCHEN CENTER, INC. 4600004056	Pants and Shirts Term: 2 years	\$89,414	PUBLICLY BID

**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 October 1, 2002 to December 31, 2002.

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

<b>NAME</b>	<b>AMOUNT PAID</b>
MUNDAY ERNEST	\$ 7,500.00
GERAGHTY JOHN T	30,000.00
COLLINS PATRICK E	2,500.00
DZUBINA MICHAEL P	14,000.00
MCCLOSKEY JOSEPH A	30,000.00
REESE KENNETH C	300.00
RUIZ EMILIO R	300.00
MORGANTI SCOTT M	452.17
MONTAGNO PHILIP	500.00
BORDEAUX LILLIE M	900.00
MOSS NELSON	1,500.00
SETTLES CHRIS B	2,016.72
MELLENDEZ JESUS	2,809.00
SISAK MICHAEL J	2,895.65
DONOVAN MICHAEL J	5,000.00
MORRONE FREDERICK	8,500.00
<b>TOTAL</b>	<b>\$109,173.54</b>

**Patron Claims**

<b>NAME</b>	<b>AMOUNT PAID</b>
BEGASSE JENNIFER K	\$ 725.00
ELLISON RAYMOND J	1,923.19
BENGIS JILL L	300.00
NJ MANUFACTURERS	993.16
BROGAN MICHAEL P	1,427.48
<b>TOTAL</b>	<b>\$5,368.83</b>

**FINAL CONTRACT 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 during the period February 1, 2003 to February 28, 2003.

<b>CONTRACT NUMBER</b>	<b>CONTRACT TITLE FACILITY AND CONTRACTOR</b>	<b>TOTAL AUTHORIZED</b>		<b>TOTAL PAYMENTS</b>	
PAT624122	STATION SMOKE CONTROL AT THE WORLD TRADE CENTER TERMINAL PORT AUTHORITY TRANS-HUDSON CORP. TWIN TOWERS ENTERPRISES, INC.	8,675,400	(A)	8,675,400	(A)
		29,800	(B)	29,800	(B)
		100,000	(C)	40,965	(C)
		696,416	(D)	696,416	(D)
		1,353,500	(E)	1,353,500	(E)
		1,000,000	(F)	170,953	(F)
		2,980	(G)	2,980	(G)
		--0--	(H)	10,218	(H)
		11,858,096		10,980,232	

(A) Lump Sum.

(B) Classified Work.

(C) Net Cost - amount in the "Total Authorized" column represents the authorized estimated net costs amount. However, the amount in the "Total Payments" column is the actual net cost amount paid.

(D) Extra Work.

(E) Increase in extra work in the amount of \$1,353,500 authorized on 4/17/2000.

(F) Increase in extra work in the amount of \$1,000,000 authorized on 1/30/2001.

(G) Increase in classified work.

(H) Uncommitted funds in extra work are utilized against additional cost in classified work.



Whereupon, the meeting was adjourned.

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Vice-President