

PORT AUTHORITY TRANS-HUDSON CORPORATION

MINUTES

Thursday, September 22, 2022

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MINUTES of the meeting of Port Authority Trans-Hudson Corporation held Thursday, September 22, 2022 at 2 Montgomery Street, Jersey City, New Jersey and via videoconference.

PRESENT:

NEW JERSEY

Hon. Kevin J. O’Toole, Chairman
 Hon. Dana M. Martinotti
 Hon. Kevin P. McCabe
 Hon. Robert J. Menendez
 Hon. Michelle E. Richardson

NEW YORK

Hon. Jeffrey H. Lynford, Vice Chairman
 Hon. Steven M. Cohen
 Hon. Leecia M. Eve*
 Hon. Daniel J. Horwitz
 Hon. Rossana Rosado

Richard Cotton, President*
 Michael E. Farbiarz, Counsel

Brian Ahern
 James K. Allen Jr.
 Christopher Beacham*
 Carrol Bennett*
 Meredith L. Brooks
 Michael Brown
 Ana Carvajalino*
 Rebecca L. Cassidy
 Edward Cetnar
 David Compton
 Frank Conti
 Janet D. Cox
 Jennifer S. Davis
 Clarelle D. DeGraffe*
 Diannae C. Ehler*
 Charles Everett*
 Benjamin Feldman*
 Kristen Figaro
 Amy H. Fisher
 Robert E. Galvin
 John Gay
 Robert W. Gibbon*
 Ryan J. Gilbert
 Mary Lee Hannell*
 Natasha G. Jean Philipp-Cumberbatch

Shaun Kehoe
Sherien N. Khella
Duncan Kisia*
Amanda M. Kwan
Scott Ladd
Cristina M. Lado
Brian Lapp*
Huntley A. Lawrence
Elizabeth M. McCarthy
James E. McCoy
Tobi Mettle
Michael Mollahan
Cesar Morales
Matthew Murray*
Jessica Ortiz
Hersh K. Parekh*
Ruchi Patel
Thomas Pietrykoski
Bethann Rooney
Jessica Russ*
Peter D. Simon
Ronald Shindel
James A Starace
Debra M. Torres
Derek H. Utter
Lillian D. Valenti

Guests:

Noreen M. Giblin, Deputy Chief Counsel, Authorities Unit, Office of the Governor of New Jersey*
Natalie Millstein, Senior Advisor for Transportation, Office of the Governor of New York*

Public Commenter:

Arthur Blakely

Topic:

PATH Contract Negotiations

The public meeting was called to order by Chairman O’Toole at 12:13 p.m. and ended at 1:01 p.m. The Board also met in executive session prior to the public session. Director Menendez was not present for the executive session.

Report on Prior Meeting’s Minutes

Copies of the Minutes of the meeting of July 28, 2022 were delivered in electronic form to the Governors of New York and New Jersey on July 29, 2022. The time for action by the Governors of New York and New Jersey expired at midnight on August 12, 2022.

Moment of Silence

In observance of the 21st anniversary of the September 11, 2001 terrorist attacks on The World Trade Center, the Chairman requested a moment of silence in memory of the 84 Port Authority employees lost on that day, and the first responders and recovery workers who were lost due to illnesses relating to their work at the World Trade Center site, as well as for those who perished as a result of the bombing of The World Trade Center on February 26, 1993.

Memorial Tribute to Police Officer Anthony Varvaro

The Chairman noted the recent passing of Police Officer Anthony Varvaro who was tragically killed by a wrong-way driver on the New Jersey Turnpike on September 11, 2022. Following the Chairman’s remarks, a memorial video was shown demonstrating Police Officer Varvaro’s commitment to the agency. The Chairman then called for a moment of silence in memory of Police Officer Varvaro.

Passing of Former Director Anthony J. Sartor

The Chairman noted the recent passing of former Director Anthony J. Sartor, who served on the Board for 15 years. The Chairman also acknowledged Director Sartor’s significant contributions to the Port Authority, including as chair of the subcommittee responsible for the oversight of the rebuilding of the World Trade Center site.

PATH – MEMORANDUM OF AGREEMENT WITH INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (Representing Electrical Supervisors)

It was recommended that the Board of Directors approve a collective bargaining agreement between Port Authority Trans-Hudson Corporation (“PATH”) and the International Brotherhood of Electrical Workers (“IBEW”).

The IBEW represents 35 PATH employees who supervise the work of electricians at the Car Shop and along the Right of Way. The IBEW and PATH reached a tentative collective bargaining agreement on September 3, 2022. That agreement was ratified by the IBEW members on September 15, 2022.

The agreement spans 13 years, 9 months and 24 days, from a retroactive commencement date of April 25, 2012 to February 18, 2026. Terms of the agreement include:

- Over the covered nearly 14 year period, annual wage increases totaling 31 percent;
- adoption of changes to the design of employee health care plans for both incumbent and new employees, as well as a requirement that employees make contributions to defray health care costs;
- an increase in PATH pension contributions;
- adding productive time within the eight hour workday; and
- work-rule changes designed to permit PATH to better control both employee absences and overtime and other labor cost savings.

Pursuant to the foregoing report, the following resolution was adopted, with Directors Cohen, Eve, Horwitz, Lynford, Martinotti, McCabe, O’Toole, Richardson and Rosado in favor. Director Menendez did not participate in the consideration of, or vote on this matter. Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that the September 3, 2022, agreement between Port Authority Trans-Hudson Corporation (“PATH”) and the International Brotherhood of Electrical Workers (“IBEW”), ratified by the IBEW membership on September 15, 2022, be and it hereby is approved; and it is further

RESOLVED, that the President be and he hereby is authorized, for and on behalf of PATH, to exercise all discretion and take any and all action necessary or appropriate in his judgment to effectuate the foregoing, including, but not limited to, the execution of all relevant agreements, contracts, or analogous documents, together with amendments and supplements thereof, and to take action in accordance with the terms of such agreements, contracts, and other documents as may be necessary in connection therewith.

PATH – MEMORANDUM OF AGREEMENT WITH INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (Representing Electricians)

It was recommended that the Board of Directors approve a collective bargaining agreement between Port Authority Trans-Hudson Corporation (“PATH”) and the International Brotherhood of Electrical Workers (“IBEW”).

The IBEW represents 140 PATH employees who perform electrical work at the Car Shop and along the Right of Way. The IBEW and PATH reached a tentative collective bargaining agreement on September 3, 2022. That agreement was ratified by the IBEW members on September 15, 2022.

The agreement spans 13 years, 9 months and 24 days, from a retroactive commencement date of May 30, 2012 to March 23, 2026. Terms of the agreement include:

- Over the covered nearly 14 year period, annual wage increases totaling 31 percent;
- adoption of changes to the design of employee health care plans for both incumbent and new employees, as well as a requirement that employees make contributions to defray health care costs;
- an increase in PATH pension contributions;
- adding productive time within the eight hour workday; and
- work-rule changes designed to permit PATH to better control both employee absences and overtime and other labor cost savings.

Pursuant to the foregoing report, the following resolution was adopted, with Directors Cohen, Eve, Horwitz, Lynford, Martinotti, McCabe, O’Toole, Richardson and Rosado in favor. Director Menendez did not participate in the consideration of, or vote on this matter. Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that the September 3, 2022, agreement between Port Authority Trans-Hudson Corporation (“PATH”) and the International Brotherhood of Electrical Workers (“IBEW”), ratified by the IBEW membership on September 15, 2022, be and it hereby is approved; and it is further

RESOLVED, that the President be and he hereby is authorized, for and on behalf of PATH, to exercise all discretion and take any and all action necessary or appropriate in his judgment to effectuate the foregoing, including, but not limited to, the execution of all relevant agreements, contracts, or analogous documents, together with amendments and supplements thereof, and to take action in accordance with the terms of such agreements, contracts, and other documents as may be necessary in connection therewith.

PATH – MEMORANDUM OF AGREEMENT RAILWAY INDEPENDENT TRANSIT UNION (Representing Tower Operators)

It was recommended that the Board of Directors approve a collective bargaining agreement between Port Authority Trans-Hudson Corporation (“PATH”) and the Railway Independent Transit Union (“RITU”).

The RITU represents 22 PATH employees employed as tower operators responsible for safe movement of trains across the railroad. The RITU and PATH reached a tentative collective bargaining agreement on July 22, 2022. That agreement was ratified by the RITU members on August 8, 2022.

The agreement spans 14 years, 9 months and 23 days, from a retroactive commencement date of February 17, 2011 to December 10, 2025. Terms of the agreement include:

- Over the covered 14.75 year period, annual wage increases totaling 33.25 percent;
- adoption of changes to the design of employee health care plans for both incumbent and new employees, as well as a requirement that employees make contributions to defray health care costs;
- an increase in PATH pension contributions;
- an expansion of the basic workday from eight hours to eight hours and fifteen minutes; and
- work-rule changes designed to permit PATH to better control both employee absences and overtime and other labor cost savings.

Pursuant to the foregoing report, the following resolution was adopted, with Directors Cohen, Eve, Horwitz, Lynford, Martinotti, McCabe, Menendez, O’Toole, Richardson and Rosado in favor. Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that the July 22, 2022, agreement between Port Authority Trans-Hudson Corporation (“PATH”) and the Railway Independent Transit Union (“RITU”), ratified by the RITU membership on August 8, 2022, be and it hereby is approved; and it is further

RESOLVED, that the President be and he hereby is authorized, for and on behalf of PATH, to exercise all discretion and take any and all action necessary or appropriate in his judgment to effectuate the foregoing, including, but not limited to, the execution of all relevant agreements, contracts, or analogous documents, together with amendments and supplements thereof, and to take action in accordance with the terms of such agreements, contracts, and other documents as may be necessary in connection therewith.

**PATH – MEMORANDUM OF AGREEMENT WITH TRANSPORT WORKERS UNION
LOCAL 2001**

It was recommended that the Board of Directors approve a collective bargaining agreement between Port Authority Trans-Hudson Corporation (“PATH”) and the Transport Workers Union (“TWU”).

The TWU represents 160 PATH employees who perform construction, maintenance and inspection work on the track and on structures along the Right of Way. The TWU and PATH reached a tentative collective bargaining agreement on September 3, 2022. That agreement was ratified by the TWU members on September 14, 2022.

The agreement spans 13 years, 9 months and 24 days, from a retroactive commencement date of November 17, 2011 to September 9, 2025. Terms of the agreement include:

- Over the covered nearly 14 year period, annual wage increases totaling 31 percent;
- adoption of changes to the design of employee health care plans for both incumbent and new employees, as well as a requirement that employees make contributions to defray health care costs;
- an increase in PATH pension contributions;
- adding productive time within the eight hour workday; and
- work-rule changes designed to permit PATH to better control both employee absences and overtime and other labor cost savings.

Pursuant to the foregoing report, the following resolution was adopted, with Directors Cohen, Eve, Horwitz, Lynford, Martinotti, McCabe, O’Toole, Richardson and Rosado in favor. Director Menendez did not participate in the consideration of, or vote on this matter. Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that the September 3, 2022, agreement between Port Authority Trans-Hudson Corporation (“PATH”) and the Transport Workers Union (“TWU”), ratified by the TWU membership on September 14, 2022, be and it hereby is approved; and it is further

RESOLVED, that the President be and he hereby is authorized, for and on behalf of PATH, to exercise all discretion and take any and all action necessary or appropriate in his judgment to effectuate the foregoing, including, but not limited to, the execution of all relevant agreements, contracts, or analogous documents, together with amendments and supplements thereof, and to take action in accordance with the terms of such agreements, contracts, and other documents as may be necessary in connection therewith.

Whereupon, the meeting was adjourned.

Counsel