

**THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY**

**MINUTES**

**Thursday, June 24, 2021**

Report on Prior Meeting's Minutes	44
Chairman's Report	44
Elizabeth-Port Authority Marine Terminal – United States General Services Administration – Lease EP-256 – Supplement 12	45
Port Authority Bus Terminal – Replacement Planning and Development – Planning Authorization – Phase 2	46

**MINUTES of the Meeting of The Port Authority of New York and New Jersey held Thursday, June 24, 2021 at 150 Greenwich Street, New York City, New York and via teleconference.**

**PRESENT:**

**NEW JERSEY**

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

**NEW YORK**

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

Richard Cotton, Executive Director  
 Michael E. Farbiarz, General Counsel  
 James E. McCoy, Secretary

James K. Allen Jr., Chief of Staff to the Vice Chairman  
 Christopher A. Benavides, Police Officer  
 Carrol Bennett, Chief of Staff, Office of Diversity and Inclusion  
 Justin E. Bernbach, Director, Government and Community Affairs, New York  
 John Bilich, Chief Security Officer  
 Benjamin M. Branham, Chief Communications Officer  
 Brian Caraveo, Cinematographer, Marketing  
 Ana Carvajalino, Director, Financial Planning  
 Rebecca L. Cassidy, General Manager, Board Unit, Office of the Secretary  
 Edward T. Cetnar, Director, Public Safety/Superintendent of Police  
 David Compton, Manager, Audio Visual/Creative Services  
 Janet D. Cox, Chief of Staff and Special Counsel to the Executive Director  
 Gideon Davidson, Special Assistant to the Executive Director  
 Clarelle D. DeGraffe, Director, Rail Transit  
 Michael P. Dombrowski, Audio Visual Specialist, Marketing  
 Alexander Duval, Police Officer  
 Diannae C. Ehler, Director, Tunnels, Bridges and Terminals  
 Amy H. Fisher, First Deputy General Counsel and Director of Legal Affairs  
 Robert E. Galvin, Chief Technology Officer  
 Robert Gibbon, Special Counselor to the Executive Director  
 Mary Lee Hannell, Chief, Human Capital  
 Milena Kosc-Garcia, Principal Board Management Support Specialist, Office of the Secretary  
 Cristina M. Lado, Director, Government and Community Affairs, New Jersey  
 Huntley A. Lawrence, Director, Aviation and Acting Chief Operating Officer  
 Michael G. Massiah, Chief, Diversity and Inclusion  
 Elizabeth M. McCarthy, Chief Financial Officer

Tobi Mettle, Chief of Staff for Agency Initiatives, Office of the Executive Director  
 Alec Nadeau, Manager, Executive Initiatives and Policy, Office of the Executive Director  
 Hersh K. Parekh, Director, Government and Community Relations for Aviation  
 Redevelopment in New York  
 Steven P. Plate, Chief, Major Capital Projects  
 Alan L. Reiss, Director, World Trade Center Construction  
 Sam Ruda, Director, Port  
 Jessica Russ, Executive Policy Analyst, Office of the Secretary  
 Peter D. Simon, Chief of Staff to the Chairman  
 James A. Starace, Chief Engineer/Director of Engineering  
 Victor Talamini Jr., Police Lieutenant  
 Debra M. Torres, Chief Ethics and Compliance Officer  
 Derek H. Utter, Chief Development Officer  
 Lillian D. Valenti, Chief Procurement Officer  
 Cheryl A. Yetka, Treasurer

Guest:

Lauren LaRusso, Senior Counsel, Authorities Unit, Office of the Governor of New Jersey

Public Commenters:

Ines Garcia Keim  
 Arthur Piccolo  
 Charlene Talarico  
 Neile Weisman, Complete George

Topics:

EWR/United Airlines  
 St. Nicholas Church  
 Port Authority Personnel Matters/  
 Lincoln Tunnel  
 GWB Bike Paths

The public meeting was called to order by Chairman O’Toole at 12:43 p.m. and ended at 1:12 p.m. The Board also met in executive session prior to the public session.

### **Report on Prior Meeting’s Minutes**

Copies of the Minutes of the meeting of May 27, 2021 were delivered in electronic form to the Governors of New York and New Jersey on May 28, 2021. The time for action by the Governors of New York and New Jersey expired at midnight on June 14, 2021.

### **Chairman’s Report**

The Chairman advised that in light of the advice from the States of New York and New Jersey, in-person attendance at the meetings will be limited to Commissioners and Port Authority staff required to conduct the meetings.

On behalf of the Board, the Chairman welcomed Commissioners Steven M. Cohen, Dana M. Martinotti, Robert J. Menendez and Michelle E. Richardson and congratulated them on their recent appointments to the Board.

The Chairman also advised that as part of the Port Authority’s public speakers’ program, four written statements, were received, two of which were accompanied by video statements, and provided to the Commissioners and other relevant staff prior to today’s Board Meeting. The written statements will also be filed with the transcripts of today’s meetings on the Port Authority’s website. The two videos were shown as part of the public Board Meeting.

**ELIZABETH-PORT AUTHORITY MARINE TERMINAL – UNITED STATES  
GENERAL SERVICES ADMINISTRATION – LEASE EP-256 – SUPPLEMENT 12**

It was recommended that the Board authorize the Executive Director to enter into a supplemental agreement to Lease EP-256 (Lease Supplement) with the United States General Services Administration (GSA) at the Elizabeth-Port Authority Marine Terminal (EPAMT), to provide for a two-year lease extension through August 20, 2023, at an aggregate rental of approximately \$4.4 million, excluding operating and maintenance (O&M) fees that are credited to the building manager, Maher 1210 Corbin, Inc. (Maher), over the proposed extension period.

The Port Authority owns Building 1210 at the EPAMT, which is located on an approximately 10.52-acre site, with a building footprint of approximately 1.25 acres composed primarily of office space. Maher is responsible for managing the building, pursuant to a long-term lease with the Port Authority. GSA, acting on behalf of U.S. Customs and Border Protection (CBP) and the U.S. Department of the Interior, Fish and Wildlife Service (FWS), currently leases a portion of Building 1210 through August 20, 2021 to support CBP and FWS operations at the Port of New York and New Jersey and Newark Liberty International Airport. The proposed two-year extension would allow for continuing negotiations with GSA for a long-term lease of the premises. The proposed lease terms represent fair market value and are supported by an independent appraisal performed on behalf of the Port Authority.

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

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into a supplemental agreement to Lease EP-256 with the United States General Services Administration, to provide for a two-year lease extension through August 20, 2023 at Building 1210 at the Elizabeth-Port Authority Marine Terminal, substantially in accordance with the terms outlined to the Board; and it is further

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into any other agreements necessary or appropriate in connection with the foregoing; and it is further

**RESOLVED**, that the form of all contracts, agreements and other documents in connection with the foregoing shall be subject to the approval of General Counsel or his authorized representative, and the terms of such contracts, agreements and other documents shall be subject to review by General Counsel or his authorized representative.

## **PORT AUTHORITY BUS TERMINAL – REPLACEMENT PLANNING AND DEVELOPMENT – PLANNING AUTHORIZATION – PHASE 2**

It was recommended that the Board authorize Phase 2 of planning and preliminary design work for the replacement of the Port Authority Bus Terminal (PABT), at an estimated total planning cost of \$80 million, including the environmental, planning, and preliminary engineering work necessary to support: (1) the preparation and issuance of an Environmental Impact Statement (EIS) and receipt of a Record of Decision (ROD) that would be issued by the Federal Transit Administration (the FTA), and (2) applicable reviews or approval of the PABT replacement project (Project) by the City of New York (City) through the Uniform Land Use Review Procedure (ULURP).

The PABT, located on the West Side of Manhattan, first opened in 1950. Today it is challenged with aging infrastructure and systems, increasing functional and physical obsolescence of assets and facilities, and fundamental capacity shortfalls amid growing commuter and travel demand.

At its meeting on February 16, 2017, the Board authorized Phase 1 of a comprehensive pre-planning effort related to the replacement of the PABT, at a total estimated aggregate cost of \$70 million. Comprehensive planning for the replacement of the PABT has been ongoing, with significant and valuable input from multiple stakeholders, including the local community, elected officials, commuters, and regional transportation partners. The Project is subject to the federal National Environmental Policy Act (NEPA) environmental review as a condition to qualifying for potential federal funding.

Phase 1 planning efforts included collaboration with the neighboring community to establish the concept of the new bus terminal, publication of a draft scoping document in May 2019, public meetings held simultaneously in the States of New Jersey and New York in July and September of 2019, and the publication of a final scoping report on January 21, 2021. Along with the 120-day comment period for the scoping report, robust public outreach with community groups and bus operators has garnered significant support for the Project from the community.

Phase 2 would support additional planning work and provide the resources necessary to carry out all work necessary to support the NEPA review activities, and activities related to other City and State approvals, such as ULURP, at a total estimated cost of \$80 million. The Phase 2 efforts would include contracting with an environmental consultant at Port Authority cost, who would work directly for, and report to, the FTA in accordance with federal guidelines, to support FTA activities with respect to the Project, including the Notice of Intent, EIS, and ROD processes.

The \$80 million to be provided for Phase 2 planning work is inclusive of approximately \$50 million for the retention of consultants to perform project management support and environmental and preliminary engineering. All consultants would be retained in accordance with federally compliant procurement processes.

The proposed planning authorization would advance planning for safe, secure, and modern facilities and engage local Midtown Manhattan communities and regional transportation agencies to develop a conceptual design that addresses long-term bus capacity demand, would add three acres of public green space, accommodate an electric bus fleet, and incorporate the latest technology for bus operations, customer information, and facility operations, and integrates the PABT with other transit modes, while also accounting for the fabric of the surrounding neighborhood, reducing traffic congestion, decreasing pollution by eliminating buses operating from the PABT from traveling on City streets, and improving the commuter experience.

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

**RESOLVED**, that Phase 2 planning and preliminary design work for the replacement of the Port Authority Bus Terminal (PABT), at an estimated total planning cost of \$80 million (the Project), including the planning work necessary to support: (1) the preparation and issuance of an Environmental Impact Statement and receipt of a Record of Decision that would be issued by the Federal Transit Administration (FTA), including retention and payment of an independent consultant responsible to the FTA, and (2) planning work necessary to obtain other required State and City approvals, be and it hereby is authorized; and it is further

**RESOLVED**, that the Executive Director be, and he hereby is authorized, for and on behalf of the Port Authority, to take action with respect to contracts for professional and advisory services and such other contracts and agreements as may be necessary to effectuate the foregoing planning work, pursuant to authority granted in the By-Laws or other resolution adopted by the Board; and it is further

**RESOLVED**, that the form of all contracts, agreements, and other documents in connection with the foregoing planning work shall be subject to the approval of General Counsel or his authorized representative, and the terms of such contracts, agreements, and other documents shall be subject to review by General Counsel or his authorized representative.

Whereupon, the meeting was adjourned.

---

Secretary