

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

**MINUTES**

**Thursday, March 21, 2024**

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**MINUTES of the Meeting of The Port Authority of New York and New Jersey held Thursday, March 21, 2024 at 2 Montgomery Street, Jersey City, Hudson County, State of New Jersey and via videoconference.**

**PRESENT:**

**NEW JERSEY**

Hon. Kevin J. O’Toole, Chairman  
 Hon. J. Christian Bollwage  
 Hon. George Helmy  
 Hon. Joseph Kelley  
 Hon. Kevin P. McCabe  
 Hon. Michelle E. Richardson

**NEW YORK**

Hon. Steven M. Cohen  
 Hon. Leecia R. Eve  
 Hon. Winston C. Fisher\*  
 Hon. Gary LaBarbera\*  
 Hon. Rossana Rosado\*

Richard Cotton, Executive Director  
 Amy H. Fisher, General Counsel  
 James E. McCoy, Secretary

Richard J. Abbato, Principal Board Management Support Specialist, Office of the Secretary  
 James K. Allen Jr., Chief Communications Officer  
 M. Rizwan Baig, Chief Engineer  
 Christopher J. Beacham, Chief of Staff, Office of the Chief Financial Officer  
 Ana M. Carvajalino, Director, Financial Planning  
 Edward T. Cetnar, Director of Public Safety / Superintendent of Police  
 David W. Compton, Manager, Marketing  
 Clarelle D. DeGraffe, Director, Rail Transit  
 Lisa M. Dewey-Mattia, Chief of Staff and Special Counsel to the Executive Director\*  
 Michael Donovan, Contract Staff, World Trade Center Construction  
 Diannae C. Ehler, Director, Tunnels, Bridges and Terminals\*  
 Gregory W. Ehrie, Chief Security Officer  
 Charles R. Everett Jr., Director, Aviation\*  
 Benjamin E. Feldman, Deputy Chief Communications Officer  
 Kristen L. Figaro, Interim Director, Government and Community Affairs, New Jersey  
 Robert E. Galvin, Chief Technology Officer\*  
 Shannon E. Gates, Principal Board Management Support Specialist, Office of the Secretary  
 John Gay, Inspector General  
 Erik H. George, Director, Management and Budget\*  
 Jessica S. Gummerman, Deputy Secretary  
 James D. Heitmann, Chief Operating Officer  
 Kirsten Hernandez, Special Assistant to the Executive Director  
 Natasha G. Jean Philipp-Cumberbatch, Manager, Corporate Transparency, Office of the Secretary  
 Sherien N. Khella, Treasurer

\* Remote participants via teleconference.

Annesa H. Lau, Director, Workforce Transformation & Digital Innovation, Office of the  
 Chief Operating Officer  
 Stephen Marinko, Assistant General Counsel  
 Elizabeth M. McCarthy, Chief Financial Officer  
 Jacqueline C. McCarthy, Director, Aviation Redevelopment  
 Zachary McCue, Chief, Intergovernmental Affairs  
 MaryAnn Millwater, Senior Executive Secretary, Office of the Secretary\*  
 Matthew F. Murray, Senior Advisor to the Chairman  
 Hersh K. Parekh, Deputy Chief, Intergovernmental Affairs\*  
 Kathryn W. Parneros, Executive Policy Analyst, Office of the Secretary  
 Steven P. Plate, Chief, Major Capital Projects  
 Alan L. Reiss, Director, World Trade Center Construction  
 Bethann Rooney, Director, Port\*  
 Jessica Russ, General Manager, Board Unit, Office of the Secretary\*  
 Chad M. Serpa, Senior External Relations Client Manager, Government and Community  
 Affairs, New Jersey  
 Peter D. Simon, Chief of Staff to the Chairman  
 Debra M. Torres, Chief Ethics and Compliance Officer\*  
 Derek H. Utter, Chief Development Officer  
 Lillian D. Valenti, Chief Procurement Officer  
 Michael Vozza, Deputy Director, Management and Budget  
 Li Pei Wang, Director, Project Management  
 Michael Wojnar, Special Counselor to the Executive Director

Guests:

Nishu Bansal  
 Carrol V. Bennett, Port Authority Retiree  
 Janet D. Cox, Port Authority Retiree  
 Robert W. Gibbon, Assistant Commissioner for Government and Community Relations,  
 New York State Department of Transportation  
 Thomas Holl, Senior Counsel, Authorities Unit, Office of the Governor of New Jersey\*  
 Chetan Malhotra  
 Sia Malhotra  
 Adebayo Ogunsanya  
 David Ullman, Assistant Secretary for Transportation, Office of the Governor of New  
 York\*

Public Commenters:

Murray Bodin  
 Matthew Buchys-Hyland (Video Statement)  
 Juanita Dingles  
 Carla Thomas

Topic:

Collaboration  
 Autism Awareness Month  
 GWB Security Personnel  
 GWB Security Personnel

\* Remote participants via teleconference.

The public meeting was called to order by Chairman O’Toole at 1:04 p.m. and ended at 2:11 p.m. The Board also met in executive session prior to the public session. Commissioners LaBarbera and McCabe were present for the executive session and most of the public session, and submitted their affirmative votes to the Secretary on several of the resolutions before the Board for consideration in public session, prior to departing the public session.

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

Copies of the Minutes of the meeting of February 8, 2024 were delivered in electronic form to the Governors of New York and New Jersey on February 9, 2024. The time for action by the Governors of New York and New Jersey expired at midnight on February 27, 2024.

### **Chairman’s Report**

The Chairman advised that as part of the Port Authority’s public speakers’ program, one video statement was received. The video statement was shown as part of the public Board Meeting.

### **Moment of Silence**

The Chairman called for a moment of silence in observance of the recent passing of Yusimil Un, a 20-year employee of the Aviation Department, and Sandra Lake-Sims, a seven-year employee of the Security Operations and Programs Department.

**TRIBUTE TO JANET D. COX AND AWARD OF ROBERT F. WAGNER  
DISTINGUISHED PUBLIC SERVICE MEDAL**

In recognition of nearly 40 years of dedicated service to The Port Authority of New York and New Jersey, we congratulate Janet D. Cox on the occasion of her recent retirement. Janet, who joined the Port Authority in 1984, has served with distinction throughout her career, most recently as the Chief of Staff to the Executive Director, a role she held from January 2021 until her retirement.

Janet Cox has led a distinguished career in public service at the Port Authority, having held a wide array of management roles prior to her Chief of Staff role, including as the Director of Management & Budget, from 2015 to 2021, where she oversaw the allocation of the Agency's financial, physical and position resources through the management of the Port Authority's annual budget. Prior to her time in Management & Budget, Janet served as General Manager of the Ferry Transportation Program, Manager of Business & Workforce Development in the Economic Development Department, Manager of the Information Services Department, and Manager of Marketing & Business Development for the World Trade Institute. In each of her roles, Janet brought thoughtful analysis and insight, a creative approach to problem solving, a commitment to identifying new options and alternatives, and a pragmatic understanding of the Port Authority's needs. During her nearly four decades of service, Janet served as a mentor to countless agency employees, giving the full measure of her time and talent to provide sound guidance and advice to staff and has been responsible for helping to shape and deliver agency initiatives that have improved the work experience and career opportunities for employees across the Port Authority.

The Port Authority's mission to meet the region's critical transportation infrastructure needs and to provide high quality, efficient transportation facilities and services for the people of this region can only be achieved through the dedication of employees like Janet. Most recently, Janet played a critical role in assisting the agency in navigating the unprecedented challenges of COVID-19 and serving on and contributing hugely to the agency's Leadership Steering Committee on Race Dynamics, assisting in the identification and adoption of numerous initiatives to foster a more equitable and inclusive agency.

By resolution adopted by the Board on May 16, 1991, the Robert F. Wagner Distinguished Public Service Medal was established to honor Robert F. Wagner for his outstanding achievements and contributions to the Port Authority and service to the people of the Port District, having served as a Commissioner and Vice Chairman of the agency over a significant period of time. This medal is awarded by the Board of Commissioners to employees who have rendered unusually effective or distinguished service to the organization or the community. In the case of Janet D. Cox, it is recommended that the Robert F. Wagner Distinguished Public Service Medal be awarded for her extraordinary service to this agency and in recognition of her integrity and dedication to a career in public service, all of which benefited in great measure the Port Authority and all its employees.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Fisher, Helmy, Kelley, LaBarbera, McCabe, O'Toole, 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 Commissioners of The Port Authority of New York and New Jersey do hereby express to Janet D. Cox their sincere appreciation for her service to the agency and the region it serves; and it is further

**RESOLVED**, that the Robert F. Wagner Distinguished Public Service Medal be awarded to Janet D. Cox for outstanding, distinguished service; and it is further

**RESOLVED**, that the Board of Commissioners hereby directs that this resolution be suitably engraved and presented to Janet D. Cox as a token of the high esteem in which she is held by the Board and staff alike.

**MIDTOWN BUS TERMINAL REPLACEMENT PROGRAM – AUTHORIZATION OF MEMORANDUM OF UNDERSTANDING WITH THE CITY OF NEW YORK – PAYMENT IN LIEU OF TAXES FOR FUTURE COMMERCIAL OFFICE TOWER DEVELOPMENTS**

At its meetings in February 2017, June 2021, June 2023 and February 2024, the Board authorized funds for planning, engineering services and related supervisory costs to advance the Midtown Bus Terminal Replacement (“MBTR”) Program.

The MBTR Program, which is currently estimated at a total program cost of approximately \$10 billion, is expected to consist of a replacement main bus terminal (“Main Terminal”), a staging and storage facility and associated ramp infrastructure and be constructed in several phases through anticipated completion as early as 2035. Following completion of the Main Terminal, the Port Authority expects to permit a developer(s) to construct two new office towers on top of the Main Terminal. The Port Authority is also seeking to permit a developer to construct an office tower incorporating real property it owns or would acquire south of the Midtown Bus Terminal (“LT-3 Site”).

The Port Authority and The City of New York (“City”) have now reached an agreement in principle set forth in a Memorandum of Understanding dated March 12, 2024 (“MOU”) pursuant to which the City would allow the capture of certain payments equivalent to real property taxes, mortgage recording taxes, and sales taxes (collectively, “PILOT Benefits”) by the Port Authority as a contribution to the costs of the MBTR Program. The MOU recognizes that the MBTR Program serves a public benefit and that the MBTR Program incorporates local community benefits previously recommended by the City, which increased the overall cost and complexity of the MBTR Program. It was recommended that the Board authorize the Executive Director to enter into the MOU and, when appropriate, the final agreement(s) with the City (“Final Agreement(s)”), so long as the terms and conditions in the Final Agreement(s) do not deviate materially from the MOU.

Under the MOU, the City is agreeing to: (i) permit the Port Authority to collect and retain the PILOT Benefits from the three proposed commercial office towers (together with any alternative sites approved by the City, the “Development Properties”); and (ii) allow those PILOT Benefits to be used by the Port Authority to support the funding for the MBTR Program, including for debt service on consolidated bonds.

The PILOT Benefits, having an estimated net present value of \$2 billion (20% of total project costs), would be paid to the Port Authority for a 40-year period for each Development Property, beginning at its completion of construction (“PILOT Period”). The maximum gross square footage (“GSF”) of the Development Properties for which the PILOT Benefits would apply is 6 million GSF, in total, with individual sub-limits for each Development Property. Following the PILOT Period, the real estate taxes, or tax equivalent payments, would revert to the City. The PILOT Benefits would be realized by the Port Authority only to the extent there is future demand for commercial office space at the Development Properties’ sites.

The MOU also would confirm that the real property taxes to be paid to the City for the Midtown Bus Terminal following completion of the MBTR Program would remain at the current rate of approximately \$350,000 annually, and that no real property taxes would be due on a Development Property until its construction completion, other than real property taxes for the LT-3

Site, based on the taxes paid immediately preceding acquisition by the Port Authority, plus escalation thereafter based on the consumer price index at a minimum of 2% but no more than 5% per year. In the event that the LT-3 Site is developed and PILOT Benefits are generated before award of a construction contract for the Main Terminal (“Main Terminal Construction Award”), any of the LT-3 Site PILOT Benefits would be held by the Port Authority in escrow. If no Main Terminal Construction Award is made before December 31, 2035, escrowed amounts would be released to the City, with a right of the Port Authority to resume collecting these PILOT Benefits for a 40-year period beginning on the date the Main Terminal Construction Award is made.

Under the MOU, the Port Authority would agree to voluntarily submit certain of its MBTR Program plans for the City’s Uniform Land Use Review Procedure. The City has agreed to provide administrative assistance through staff from the Mayor’s office and the New York City Economic Development Corporation to effectuate City action in accordance with City regulations.

The parties have agreed that the financial arrangements in the MOU are in principle acceptable to them and that the MOU be embodied in a more detailed agreement in due course.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Fisher, Helmy, Kelley, LaBarbera, McCabe, O’Toole, 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 Memorandum of Understanding (MOU) with the City of New York (City) providing for: (i) the Port Authority to collect and retain the real estate tax equivalent payments (PILOT Benefits”) from the three proposed commercial office towers (together with any alternative sites approved by the City, the “Development Properties”) for a period of 40 years from the completion of each Development Property; and (ii) the PILOT Benefits to be used by the Port Authority to support the funding for its Midtown Bus Terminal Redevelopment Program, which may include debt service on consolidated bonds, all 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 a binding agreement(s) with the City reflecting the MOU and any other terms and conditions he believes are necessary or desirable to effectuate the MOU and the collection of the PILOT Benefits, so long as the terms do not deviate materially from the MOU and any other contracts and agreements necessary or appropriate in connection with the foregoing; 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 other contracts and agreements necessary to effectuate 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 her authorized representative, and the terms of such contracts, agreements and documents shall be subject to review by General Counsel or her authorized representative.

**MEMORANDUM OF AGREEMENT WITH COMMUNICATIONS WORKERS OF AMERICA LOCAL 1032, AFL-CIO**

It was recommended that the Board approve a collective bargaining agreement between The Port Authority of New York and New Jersey (“Port Authority”) and the Communications Workers of America, Local 1032, AFL-CIO (“CWA”).

The CWA represents approximately 174 Port Authority employees in administrative function titles across the Port Authority. The CWA and the Port Authority reached a tentative collective bargaining agreement on February 14, 2024. That agreement was ratified by the members on February 26, 2024.

The agreement spans 38 months, from a retroactive commencement date of March 1, 2022, to April 30, 2025. Terms of the agreement include:

- Over the covered period, annual wage increases totaling 9 percent;
- Addition of June 19 (“Juneteenth”) as a paid holiday; and
- Clarification of agency prerogatives regarding contingent administrative staff and addition of an annual \$100 training pay stipend.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Fisher, Helmy, Kelley, LaBarbera, McCabe, O’Toole, 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 February 14, 2024, agreement between The Port Authority of New York and New Jersey (“Port Authority”) and the Communications Workers of America, Local 1032, AFL-CIO (“CWA”), ratified by the CWA membership on February 26, 2024, be and it hereby is approved; and it is further

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, 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.

## **MEMORANDUM OF AGREEMENT WITH UNION OF AUTOMOTIVE TECHNICIANS**

It was recommended that the Board approve a collective bargaining agreement between The Port Authority of New York and New Jersey (“Port Authority”) and the Union of Automotive Technicians (“UOAT”).

The UOAT represents approximately 104 Port Authority employees in mechanical maintenance functions across the Port Authority. The UOAT and the Port Authority reached a tentative collective bargaining agreement on March 6, 2024. That agreement was ratified by the members on March 16, 2024.

The agreement spans 12 months, from a commencement date of April 23, 2024, to April 22, 2025. Terms of the agreement include:

- Over the covered period, an annual wage increase of 3 percent.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Fisher, Helmy, Kelley, LaBarbera, McCabe, O’Toole, 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 March 6, 2024, agreement between The Port Authority of New York and New Jersey (“Port Authority”) and the Union of Automotive Technicians (“UOAT”), ratified by the UOAT membership on March 16, 2024, be and it hereby is approved; and it is further

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, 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.

**NEWARK LIBERTY INTERNATIONAL AIRPORT – RAIL STATION – AT-GRADE  
PUBLIC AIRPORT ACCESS AND GROUND TRANSPORTATION HUB –  
PROJECT AUTHORIZATION**

It was recommended that the Board authorize a project (EWR Station Access Project) to develop direct, street level and elevated access for neighboring communities in Newark, New Jersey to the Newark Rail Link Station (AirTrain Station) and Newark Liberty International Airport (EWR) and to the rail services available at the co-located Northeast Corridor Station (NEC Station) provided by National Passenger Rail Corporation (Amtrak) and New Jersey Transit Corporation (NJT), as well as providing related amenities for customers accessing the Stations, at an estimated total project cost of \$160 million, inclusive of previously authorized planning and other costs. It was also recommended that the Board authorize the Executive Director to enter into agreements to fund third-party design and construction coordination and reviews (including, but not limited to, Amtrak force account work), agreements for design, construction, property acquisition, project management and such other agreements as he deems appropriate to effectuate the EWR Station Access Project.

Since its opening in 2001, the AirTrain Station and EWR have been inaccessible at grade from the local area streets and residential neighborhoods west of the AirTrain Station. The inaccessibility also prevents access to the NEC Station link, which serves EWR and abuts the AirTrain Station.

At its meeting of March 16, 2023, the Board authorized planning and preliminary design work, inclusive of services to support acquisition of preliminary property rights, for the development of the EWR Station Access Project.

Project authorization at this time would provide for costs for final design, construction, and property acquisition to build the project.

Once implemented, the EWR Station Access Project would improve transit access to EWR for air travelers and EWR employees, including local residents, and provide improved access to the NEC Station. Specific project benefits include: (i) improved commutation to on-airport jobs for local residents, broadening the local labor pool; (ii) improved transit access, thereby increasing opportunities for local development near the airport; (iii) efficient and cost-effective interconnection of the AirTrain Station and the NEC Station for interconnection with Amtrak and NJT rail service, as originally contemplated by New York and New Jersey in the Port Authority's AirTrain and PATH legislations; (iv) providing services to the neighboring Newark communities, which have been impacted by the AirTrain Station (and the NEC Station) without the benefit of access to transit service; (v) enhancing sustainability by encouraging airport users to choose transit means other than private vehicles; and (vi) leveraging existing transportation assets in a cost-effective way to improve local and regional access, mobility and connectivity.

Final design and construction work would necessitate engagement and coordination with a range of stakeholders with property interests or operations on or near the existing stations, including Amtrak, NJT, Conrail, Public Service Enterprise Group Inc., the City of Newark, private property owners, and the New Jersey Department of Transportation, which manages New Jersey State Route 27 (Frelinghuysen Avenue) that will be used to enter and exit the project site.

Pursuant to the foregoing report, the Board adopted the following resolution, with Commissioners Bollwage, Cohen, Eve, Fisher, Helmy, Kelley, LaBarbera, McCabe, O'Toole, 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 a project (EWR Station Access Project) to develop direct, street level and elevated access for neighboring communities in Newark, New Jersey to the Newark Rail Link Station and Newark Liberty International Airport and to the rail services available at the co-located Northeast Corridor Station provided by National Passenger Rail Corporation and New Jersey Transit Corporation, as well as providing related amenities for customers accessing the Station, at an estimated total project cost of \$160 million, inclusive of previously authorized planning and other costs, 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 enter into agreements to fund third-party design work, and construction coordination and reviews and agreements for design, construction, property acquisition, project management, and such other agreements, as he deems appropriate to effectuate the EWR Station Access Project; 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 construction contracts, contracts for professional and advisory services and such other contracts and agreements as may be necessary to effectuate the foregoing project, 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 documents in connection with the foregoing project shall be subject to the approval of General Counsel or her authorized representative, and the terms of such contracts, agreements and other documents shall be subject to review by General Counsel or her authorized representative.

**NEWARK LIBERTY INTERNATIONAL AIRPORT – REHABILITATION OF RUNWAY 4L-22R – PROJECT AUTHORIZATION AND AUTHORIZATION TO AWARD CONTRACT EWR-154.935**

It was recommended that the Board authorize: (1) a project to rehabilitate Runway 4L-22R at Newark Liberty International Airport (EWR), at an estimated total project cost of \$134 million; and (2) the Executive Director to award Contract EWR-154.935, to the qualified bidder that submits the lowest bid pursuant to a publicly advertised request for bids, to perform the runway rehabilitation work, at an estimated amount of \$81 million, which is included in the estimated total project cost of \$134 million.

Runway 4L-22R is one of three runways at EWR and serves as the primary departure runway. The runway handled 213,149 total flight operations at EWR in 2023 (approximately 50.8 percent of all operations at the airport). The most recent inspections of Runway 4L-22R identified normal wear and tear in the runway pavement, and recommended rehabilitation of the pavement to extend the useful life of the runway. On October 27, 2022, the Board approved planning work and preliminary engineering services to develop a project to rehabilitate Runway 4L-22R, at an estimated planning cost of \$5 million.

The project would include: pavement mill and overlay, replacement of existing fluorescent lighting and fluorescent airfield guidance signs with light-emitting-diode (LED) lighting and guidance signs, replacement of regulators, and signage, electrical infrastructure, and drainage improvements, to ensure a state of good repair and comply with the latest Federal Aviation Administration (FAA) specifications.

It is anticipated that approximately 43 percent of the project costs would be recovered via future FAA Airport Infrastructure Grant funding. The total grant amount is subject to FAA approval.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Fisher, Helmy, Kelley, LaBarbera, McCabe, O'Toole, 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 a project to rehabilitate Runway 4L-22R at Newark Liberty International Airport (EWR), at an estimated total project cost of \$134 million, 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 award Contract EWR-154.935, to the qualified bidder that submits the lowest bid pursuant to a publicly advertised request for bids, to perform the runway rehabilitation work, at an estimated amount of \$81 million, which is included in the estimated total project cost of \$134 million; 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 other construction contracts, contracts for professional, technical and advisory services, and such other contracts and agreements as may be necessary or appropriate to effectuate the foregoing project, 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 shall be subject to the approval of General Counsel or her authorized representative, and the terms of such contracts, agreements and other documents shall be subject to review by General Counsel or her authorized representative.

## **PUBLICATION OF ANNUAL AUDITED FINANCIAL STATEMENTS**

Pursuant to the By-Laws and its Charter, the Audit Committee’s members have reviewed and approved the Port Authority’s audited Financial Statements and Appended Note Disclosures for the year ended December 31, 2023 (2023 Financial Statements) and recommended to the Board that such Financial Statements be included in the Port Authority’s 2023 Annual Report and other publications, as appropriate. It was therefore recommended that the Board authorize the publication of the 2023 Annual Report, which shall include the 2023 audited Financial Statements.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Fisher, Helmy, Kelley, LaBarbera, McCabe, O’Toole, 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 publication of the Port Authority’s 2023 Annual Report, which shall include the Port Authority’s audited Financial Statements and Appended Note Disclosures for the year ended December 31, 2023, be and the same hereby is authorized.

**CONFIDENTIAL ITEM**

The Board approved a matter in executive session, which shall not be made available for public inspection until such actions have been completed.

Whereupon, the meeting was adjourned.

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Secretary