

COMMITTEE MEETING

before

SENATE SPECIAL NEW JERSEY HIGHWAY AUTHORITY  
INVESTIGATION COMMITTEE

Organizational Meeting

January 28, 1988  
Room 334  
State House Annex  
Trenton, New Jersey

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MEMBERS OF COMMITTEE PRESENT:

Senator Gabriel M. Ambrosio, Chairman  
Senator Christopher J. Jackman, Vice Chairman  
Senator John A. Lynch  
Senator Laurence S. Weiss  
Senator Donald T. DiFrancesco  
Senator John H. Dorsey  
Senator Henry McNamara

ALSO PRESENT:

E. Joan Oliver  
Office of Legislative Services  
Aide, Senate Special New Jersey Highway  
Authority Investigation Committee

Russ Molloy  
Senate Majority Staff

New Jersey State Library

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Meeting Recorded and Transcribed by  
Office of Legislative Services  
Public Information Office  
Hearing Unit  
State House Annex  
CN 068  
Trenton, New Jersey 08625



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## New Jersey State Legislature

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### SENATE SPECIAL NEW JERSEY HIGHWAY AUTHORITY INVESTIGATION COMMITTEE

State House Annex, CN-068  
Trenton, New Jersey 08625  
Telephone: (609) 984-7381

### MEMORANDUM

January 22, 1988

TO: MEMBERS OF THE SENATE SPECIAL NEW JERSEY  
HIGHWAY AUTHORITY INVESTIGATION COMMITTEE

FROM: SENATOR GABRIEL M. AMBROSIO, CHAIRMAN

SUBJECT: COMMITTEE MEETING

(Address comments and questions to E. Joan Oliver, Committee Aide, (609) 984-7381.)

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The Senate Special New Jersey Highway Authority Investigation Committee will meet on January 28, 1988, at 9:00 a.m., in Room 334 of the State House Annex, in Trenton, New Jersey.

The committee is conducting an inquiry into the circumstances surrounding the decision of the New Jersey Highway Authority to increase tolls on the Garden State Parkway and to construct new toll and ramp plazas. This meeting of the committee will be organizational in nature, and future meeting dates and the agendas thereof will be discussed.





SENATOR GABRIEL M. AMBROSIO (Chairman): I'll call the meeting to order. This is an organizational meeting of the Special Senate Committee to investigate the circumstances surrounding the Highway Authority's toll increase.

I should make the statement for the record, openly, as to what this Committee is and what it is not. I'm sure the Senators concur with me in that we are a legislative body, and our goal is to investigate from the standpoint of our function as legislators, leading to the conclusion, if any, that a report and recommendation be made to the full Senate concerning possible changes in legislation that may be required to correct whatever conditions we discover. Our role, really, is going to be that of a fact-finding body to discover, and to put before the people of the State of New Jersey all of the facts and circumstances surrounding the deliberations that went into the decision to raise tolls on the Parkway. I believe our function should be to develop the facts as they come out, and let all the chips fall where they may. Our role should not be that of prosecutors, to the extent that if there is any violation of the law, I think our appropriate function would be to refer that to the proper authorities. But our role is simply to develop the facts and make recommendations to the Legislature.

I believe that -- and I would like the Senators to contribute their thoughts on this -- our role should focus on two or three major concerns: obviously, the one dealing with the potential violation of the Open Public Meetings Act, and all of the facts and circumstances surrounding the meetings of the Authority throughout the period of August of '86 through their decision in November of this year (sic) to make public their decision to raise the tolls.

Good morning, Senator Jackman.

SENATOR JACKMAN: Good morning. I'm sitting downstairs waiting, figuring that nobody's here.

SENATOR AMBROSIO: And to the extent that there are any violations of the Open Public Meetings Act, what the implications of those violations are in terms of what the Authority did, and the effect that it had on the decision to increase tolls.

Just for example, if the decision to increase tolls was made at a time before they had approval of the Executive Branch for the toll increase, and they went ahead and committed the credit of the State without the proper authority, that's a fact that we're going to want to find. And if there should be any recommendations to the Legislature concerning changes either in the Open Public Meetings Act, or in the structure and administration of the Authority, we would be looking toward coming up with some conclusions on that.

The purpose of this meeting, in addition to just setting forth our goals, is to set an agenda for a series of meetings, to appoint a secretary, and I think at this point, I'll move to the agenda itself. Item one on the agenda is the appointment of a secretary. And I've been advised that the resolution that establishes this Committee doesn't call for the appointment of a secretary, but I think it's appropriate that we do that. And it's been suggested that Joan Oliver be appointed as secretary for our Committee, and I would ask someone to make the motion that we do that. (Moved and seconded)

No opposition; then Joan, congratulations, you're the secretary to this Committee.

SENATOR WEISS: Win some, lose some. (laughter)

SENATOR AMBROSIO: Next is the schedule of meetings, and I'd like to have some discussion on how

quickly we should proceed and how often the Senators think we should meet. My concern is that we not have meetings until we're prepared to have meetings, and that staff be directed to all the necessary preparation in advance of the meeting before we have it. And to that end, we have done a significant amount of preparation already. Russ Molloy, from the majority staff, has been accumulating information, which you have before you. I understand that you don't have minutes of the Authority's meetings, and we're going to see to it that all the members of the Committee are supplied with minutes of the Authority's private meetings from August of '86 through November of '87.

SENATOR DORSEY: Do you actually have -- I don't mean you personally, but -- does Mr. Molloy, who is the special investigator in this matter, does he already have those minutes of the private meetings? Of the closed--

SENATOR AMBROSIO: Yes.

SENATOR DORSEY: You have them. Okay. You haven't given them to us yet.

SENATOR AMBROSIO: Not on this Committee, no.

SENATOR DORSEY: No, I'm not complaining about it. I'm just asking.

SENATOR AMBROSIO: No, it's fine. The Independent Authorities Committee -- the entire Committee -- also has the minutes. The full pack.

SENATOR McNAMARA: You might want to take it back to 1984, because I think Independent Authorities already has those minutes. And in 1984 were their first discussion of needs that they saw down the road, and a question of their financial condition. And, you know, it's unbelievable, but there is one hell of a lapse between two years before it begins to get seriously discussed again. But in those private minutes, I believe

I picked up somewhere in 1984 -- I don't have my notes with me, but--

MR. MOLLOY: Through you, Mr. Chairman, if I may, what might be most appropriate would be for me to give a list of what items we have, currently, and for you to be able to choose which items you think would be appropriate for either your own personal interest or as a Committee would like to take a look at copies of. Because it's quite voluminous at this time. And if I give you a checklist of what we've got present, that might be helpful. But you're correct. I have minutes, I believe back to '83 in the closed session.

SENATOR JACKMAN: What are you talking about? '83 what, for the Parkway Authority?

MR. MOLLOY: Yes.

SENATOR JACKMAN: Let me ask you just a question off the top of my head. It's my understanding that the Governor vetoed the-- The last set of minutes that were given to the Governor were vetoed by him. Is that right?

SENATOR AMBROSIO: The November meetings.

SENATOR JACKMAN: November meetings. So in essence that vetoed anything concerning the increase in tolls. Is that true or isn't it?

SENATOR DORSEY: No, I don't think that's correct.

MR. MOLLOY: No. If I may, the minutes that were vetoed were actually just segments of the minutes that the Governor took out that dealt with a 1988 proposed budget of the Authority. And therefore, what they currently have is they're operating under a, quote unquote, "working budget" which has not been formally adopted.

SENATOR JACKMAN: Oh, okay.

MR. MOLLOY: The Governor just dealt with that issue. The toll increase proposal itself is still moving along.



SENATOR JACKMAN: Okay.

SENATOR DORSEY: Can I ask Mr. Molloy a question? Russ, it's suspected in the minority caucus that you have memorized all of these minutes, (laughter) and would you tell me whether or not the minutes of what I think we should refer to as executive sessions of the Parkway Authority -- are they prepared in verbatim fashion, or are they just prepared in, relatively paraphrasing what was said?

SENATOR AMBROSIO: I think I should answer that. They are prepared in a narrative based upon notes that were taken at the private session. And they are not a verbatim transcript of the minutes. That's my understanding.

MR. MOLLOY: Yes, however, you will find that they are quite exhaustive. They were contemporaneously taken.

SENATOR DORSEY: All right. I'm very pleased to hear that. Now, can I suggest, following, Chairman, one of the thrusts that you've made that Mr. Molloy who has already memorized these minutes, to essentially do an analysis of those minutes of the executive sessions. And I would ask that in doing it he give consideration to these two thoughts: Be interested where either in public session before going into executive session there was any discussion as to whether or not the issues to be discussed could properly be discussed in executive session, and number two, once the Authority went into executive session, was there any discussion, again, as to whether or not the issues then being discussed were appropriate for executive session, or contrary, or vice versa of that, that violated the terms for which a public authority may go into an executive session? And, references to, in a kind of synopsis manner, of where in fact they did discuss

particularly the increase in the toll, but not necessarily limited to that, matters that appear clearly should have been discussed at executive session.

I take it Mr. Molloy's familiar with the statutes that provide for executive session, but essentially limited to such items as personnel, litigation, and negotiations.

SENATOR AMBROSIO: Senator, if I might, you're absolutely on target on the things you're asking. Most of what you're asking for we have already asked Mr. Molloy to provide us. And you might look at a letter that I prepared, which is part of your packet, directed to the Office of Legislative Services asking to prepare a briefing memorandum on a series of topics. And I think some of them are covered -- some of the things you raised are covered--

SENATOR DORSEY: I'm sorry, I didn't see your letter.

SENATOR AMBROSIO: I might also add that it's very clear from everything that has gone on in the press and the concern that the public has that our Committee is not the only committee that has jurisdiction in this area. And to that regard, I have conferred with Senator Orechio, who's Chairman of the Independent Authorities Committee, and we have agreed to coordinate our efforts in fact-finding, so that we don't duplicate efforts. And we're making joint requests for information and documents.

SENATOR DORSEY: I appreciate that, Mr. Chairman. I see your letter of January 26 to Mark Smith, and I have absolutely no problem with that request to Legislative Services, but I don't think it is, in addition to if not preferatory, to Mr. Molloy doing what I asked for.

SENATOR AMBROSIO: I agree.

SENATOR DORSEY: I suspect that Mr. Molloy already, since we have great admiration for his interest in this matter, already knows the answers to these questions, but these questions are essentially, basically, legal questions which are included in my request to Mr. Molloy, and are preferatory to him essentially doing an analysis of what occurred as revealed by the minutes of the Authority.

MR. MOLLOY: If I may, in the Public Advocate's report issued yesterday, there's a rather complete review of major portions of your request, dealing specifically with the appropriate and the legal authority that the Authority took in its discussions of whether or not to go into closed session or not to be in closed session, etc. And, it addresses many of the issues you have raised.

The last item on the agenda that you have before you--

SENATOR DORSEY: You're going to chastise me because I haven't read that report?

MR. MOLLOY: No, absolutely not. No, please. Just as a quick review, if you want to take a look at that, that might be helpful and be able to establish that. But secondly, if you look at the bottom of the agenda, there's an item that states, "chronology of Authority actions leading to the increase." As part and parcel of that, it was suggested that I be the person to prepare this particular chronology in which it would be basically taking whole sections of the minutes that have taken place, and put that in perspective for the entire Committee, so we could start from ground zero equally, and cover all the way up through the de novo meeting.

SENATOR AMBROSIO: So, I think what we're saying is he's going to take exactly what you said, and add that to his direction.



SENATOR DORSEY: I just want to say, I have no problem with Mr. Molloy relying upon what the Public Advocate has done to simplify his task, but I would like to be in the position that Mr. Molloy advises that if the Public Advocate said "A", "B" and "C" occurred at an executive session, that he has checked that--

MR. MOLLOY: Fine; absolutely.

SENATOR DORSEY: --and substantiates that that is factually correct.

SENATOR AMBROSIO: I think you raised an excellent point, Senator, that we're certainly not going to-- We're going to have reference to other committees' and other authorities' investigations of this matter, but we're going to do our own work.

Okay. In terms of meetings, I'm suggesting that we have at least one or two meetings a month. And I thought out some suggested initial meetings: either the 16th or the 25th -- and we've looked at the legislative agenda, the Senate sessions and committee sessions, and I would ask the Committee members to give us some preference as to which of those February dates and which of the March dates--

SENATOR JACKMAN: The 16th would be good for me. The 25th I'll be out of town. But that's only me.

SENATOR DORSEY: Well, I guess that's totally controlling. Weiss and I were going to be in Spain, but I guess--

SENATOR WEISS: That's right.

SENATOR AMBROSIO: Any preference, Senator McNamara, on the 16th or the 25th?

SENATOR McNAMARA: I can go do either way.

SENATOR AMBROSIO: Do you have a problem with the 16th? (members discuss best date for next meeting)

All right, I'll tell you what we'll do, we'll get staff to poll the Senators and we'll do it whatever the majority feels.

SENATOR WEISS: Mr. Chairman, I haven't-- On the next month -- that's March -- there's a Committee schedule that's not yet out. That's with the Appropriations Committee, and I don't know how many meetings we're going to have. And we do start at the first week in March, so this day may in fact conflict. I don't know yet. But I will know, Gabe, within a week.

SENATOR AMBROSIO: All right, we'll have staff poll the Committee.

SENATOR WEISS: Still have to coordinate it with the Senate President, who--

SENATOR AMBROSIO: Okay. We're going to aim for a meeting in mid-February, and we'll have staff poll the Committee and find out what's the most convenient date.

In preparation for that meeting, we have issued, as I've indicated to you, the letter of January 26, which I've sent to Legislative Services. If anybody have any additional information they think should be added to that list, you can notify me or staff.

SENATOR JACKMAN: Well, in the interim, what I'm-- Is it so that the Assembly is doing the same thing we're doing now? Are they investigating the Authority?

SENATOR AMBROSIO: No. They are not. No. My understanding is that the Assembly has completed their work.

SENATOR JACKMAN: They have completed their work?

SENATOR AMBROSIO: Yes.

SENATOR JACKMAN: Okay.

SENATOR AMBROSIO: The only other active committee that is working on this issue is Senator Orechio's committee.

SENATOR JACKMAN: Yes, we're on that one too.

SENATOR AMBROSIO: And he's taking a different focus. We're going to make sure that we coordinate and we don't duplicate efforts.

SENATOR LYNCH: Do you have a list of documents that you want to provide to us, to gain access to? Do we have an agreement on what that list will include?

SENATOR AMBROSIO: We were going to prepare a list of all the documents we have available for the Committee to decide which ones they want to get copies of. Because, it's quite a lengthy list, and you'd be able to choose from that list which items you require.

SENATOR LYNCH: I have a list that I'd like to offer as a suggestion of things that I'd like to see provided.

SENATOR AMBROSIO: Okay. This is for us to request of the Authority?

SENATOR LYNCH: For us to request of the Chairman of this Committee. I don't think-- If we can't gain them from the Authority voluntarily, I assume we're going to subpoena them, right?

SENATOR AMBROSIO: Yes. By the way, I've been advised by the Chairman of the Authority that--

SENATOR DORSEY: Isn't this wonderful, he and I key in on the same point. I said that I wasn't staying unless we subpoenaed somebody who didn't want to come. (laughter)

SENATOR AMBROSIO: The Chairman of the Authority has advised me to advise the Committee that they are willing to submit whatever information is requested without the necessity of subpoena. And we're going to take them at their word at this point, and request whatever information the Committee is looking for, and see whether it's forthcoming--



SENATOR McNAMARA: The Sports Authority people were the same way.

SENATOR AMBROSIO: We are going to prepare a list and submit it, and see that it's--

SENATOR LYNCH: I mean, from the formalities of it, wouldn't you want to subpoena them in any event, regardless of the fact that they want to do it voluntarily?

SENATOR AMBROSIO: We would want to subpoena them for testifying.

SENATOR LYNCH: Those documents--

SENATOR JACKMAN: Well, if you're going to ask for them, and they're going to give them to us, what the hell do we want to go through the court procedure?

SENATOR LYNCH: No, it's not a court procedure, it's a simple procedure. What if they don't provide you with all the information on a voluntary request?

SENATOR AMBROSIO: Well, that's a good point. That's a good point. If we subpoena them, there's a legal impetus for them to supply it. And it perhaps should be that--

SENATOR JACKMAN: You guys are lawyers, right?

SENATOR AMBROSIO: Yes.

SENATOR JACKMAN: Both of you? I wasn't sure.  
(laughter)

SENATOR DORSEY: Who weren't you sure about, Jackman?

SENATOR JACKMAN: I wasn't too sure.

SENATOR DORSEY: Lynch. You didn't think he was a lawyer. That's right. Okay.

SENATOR LYNCH: I just put my card in his pocket.

SENATOR AMBROSIO: I think you're absolutely right, Senator. We ought to formally subpoena, and if they simply supply them voluntarily, that's fine. But I think you're absolutely right.

SENATOR JACKMAN: What do you say, DiFrancesco?

SENATOR DiFRANCESCO: I need a cup of coffee.

(laughter)

SENATOR WEISS: Mr. Chairman?

SENATOR AMBROSIO: Yes.

SENATOR WEISS: We talked about bond issues before, and I think what was said was we were going back to '84 -- was it? -- there was more bond issue before that that I'd like to get some information on also. I think it was an '82 bond issue.

SENATOR AMBROSIO: The item three on the agenda, "Discussion of requests to Executive Branch." This is not an exhaustive list by any means, and I put this together with staff as a starting point for information from the Executive Branch that we would be looking for. A request of the Treasurer for analysis of the Authority budget, which we understand they have made a rather exhaustive analysis of the Authority's budget, and we would like to see that analysis. Secondly is a request of the Commissioner of Transportation for analysis of the Authority's capital improvement program, which we've been advised that they have been directed by the Executive Branch to prepare. Third is a request of the Attorney General and the Public Advocate for analysis of Authority actions with respect to the Open Public Meetings Act. Now we have the Public Advocate's report, and our understanding is the Attorney General is looking into this aspect also, and we are going to ask that whatever report the Attorney General issues be sent to this Committee. And the fourth thing is a request of the Highway Authority for financial proposals submitted by Dillon, Read, and Morgan Guaranty for the financing of the Authority's construction program, including any evaluation of the proposal submitted by the Authority's consultants.

Does anybody have any additional items that they believe that we ought to, at this time, request from the Executive Branch?

SENATOR LYNCH: If you're going to write to the Attorney General for opinions, in effect, shouldn't we be looking for opinions from the Attorney General with regard to other actions taken by the Authority that have been in controversy? Their ability to create a foundation, their ability to develop a hospitality center, their ability to develop a nature trail, their ability to alter contracts--

SENATOR AMBROSIO: Any Attorney General opinions regarding any of their of their activities.

SENATOR LYNCH: Are we looking for opinions that already exist, or are we looking for them to offer opinions on actions taken?

SENATOR AMBROSIO: No. Opinions that already exist.

SENATOR DORSEY: You assume-- Are you assuming the Parkway Authority got an opinion from the Attorney General before they built the hospitality--

SENATOR LYNCH: No, I'm not assuming that at all. I thought maybe we were looking to the AG to give us opinions on those issues.

SENATOR DORSEY: Okay. Well, wouldn't you include that with the subpoena? What are we going to put in the subpoena to the Parkway Authority for documents? Do you have a list of what we are specifically going to request?

SENATOR AMBROSIO: Russ, you're in the process of preparing all of this, right?

MR. MOLLOY: Well, I was preparing a list of the documents we currently have available. One of the items one has to be careful about for the subpoena is to make sure that they are limited in scope and that you try to be



able to secure specific documents versus being too generalized. Because then it's unenforceable as a subpoena.

I have been told by the Office of Legislative Services that they will prepare any subpoenas that are necessary for this. But what I think, perhaps is the best thing to do, I just recommend through the Chair, that we give you a list of everything we currently have, and see if those items-- If there are other items that are requested -- and we've already -- Senator Weiss and Senator Lynch have already indicated other items -- that we get these together, and then submit those, either if the Committee desires through a subpoena or otherwise, and get those documents together to give us a chance to analyze them for the next hearing.

SENATOR AMBROSIO: Well, Senator Lynch's point about whether we're getting information voluntarily or by subpoena is important, especially in terms of the minutes that they gave us. They gave us the minutes of the private meetings, which I understand had certain items eliminated from the meetings which they claim are privileged. So, aren't we begging the question when we allow them to give us edited minutes?

SENATOR DORSEY: Well, that's why Senator Lynch wants the subpoena.

SENATOR AMBROSIO: And that's why I think Senator Lynch is right. So, my feeling is that we ought to subpoena everything, and let them raise questions concerning items that they think are exempt from our view, and then we can have that issue raised and decided either in another forum, or by agreement.

SENATOR JACKMAN: And then who's going to read it all, and then put it in capsuled--

SENATOR LYNCH: You are.

SENATOR AMBROSIO: You're going to read it on your trip to Spain. (laughter)

SENATOR JACKMAN: Yeah, you got some case.

SENATOR LYNCH: You're the research staff.

SENATOR JACKMAN: I love it, but not that much.

SENATOR AMBROSIO: Okay. Does anybody want to comment on what they believe the scope of this Committee's charge should be? I sort of outlined what I think it should be -- and some of the Senators came in later -- that we ought to initially focus on the Open Public Meetings Act law, and the extent to which that law has been violated and the significance of it, and then the second priority would be on the financial arrangements that the Authority entered into in the contemplation of the toll increase.

Senator Lynch has suggested we go beyond that and go into the Arts Center and the improvements to the Arts Center, and the full range of their activities.

SENATOR DiFRANCESCO: Well, is that part of the charge in the resolution?

SENATOR AMBROSIO: I believe it is. But we certainly can limit our activities as we see fit. I would like to do it in a manner that starts opening up Pandora's Box and seeing what comes out, and seeing where all the chips fly, and then make a judgment as to how far we want to go with coming up with a conclusion as to what kind of report recommendation we want to make to the Legislature.

So, I want to start with the Open Public Meetings law, and the financial considerations that went behind the toll increases.

SENATOR WEISS: Mr. Chairman, I'd like you to go a little further into the bidding process of the Parkway; the equipment, motor fuels, and so on. And also into the fund that they have set aside that they call an Arts

Center bond of some sort.

SENATOR LYNCH: The Foundation.

SENATOR WEISS: The Foundation. There seems to be some nexus between the bidding process and that Foundation. I started to ask that question at the other meeting, and I didn't get a satisfactory answer. And personally I feel it's a fine line between extortion and-- (remainder of sentence inaudible).

SENATOR DiFRANCESCO: Are we going to go back to the 34 years of--

SENATOR LYNCH: No, we're only going back to '84.

SENATOR AMBROSIO: Well, we are going to get a briefing memorandum concerning the organization of the Authority, and its history. And we are going to go back--

SENATOR DiFRANCESCO: That's what I mean, are you going to go back to a certain point, or just generally backwards to those particular areas, like John mentioned a couple of areas that go back a few years? I mean, do you have any kind of time frame that you're focusing on?

SENATOR LYNCH: I mean, you have to go back to 1968, when they had all of their legislative revisions that sort of tell you what the rules of the road are for the Highway Authority, and what their limitations are. That's for sure, I think. And I believe that we ought to have somebody -- not only a briefing memo, but maybe even some spoon-feeding of us and the public on what the evolution of the Highway Authority has been legislatively, and what the significance of that is in the context of what we're about to hear. So, you know, we're looking at what the rules are. And then we can look to marshal the facts and apply them to those rules. If we simply have a briefing memo on that issue, I'm not sure that that's enough of an information piece.



But that's something for you to consider. I just-- I would feel more comfortable.

SENATOR AMBROSIO: Yeah, I think that's part of the request that we made to OLS in the letter that we sent to them. But, are you suggesting that after we get a briefing memo that we develop that by testimony, Senator?

SENATOR LYNCH: Well, maybe we ought to look at the memo first. My own feeling is yes. But that certainly may not be the majority feeling here.

SENATOR AMBROSIO: Well, at this point-- Yes, Senator?

SENATOR McNAMARA: If you're going to make a judgment on somebody, you have to know the parameters in which they were supposed to work before we can judge whether they're within or without the boundaries. And I think that's key, especially when it comes to the Arts Center and the other issues that Senator Lynch raised. And in even sitting on Independent Authorities, some of the things that were said and the method-- I might be interested to get their contributors list for the Foundation, in reference to what Senator Weiss was referring to as to the correlation of their bidding practices, etc.

SENATOR AMBROSIO: Okay. Well, it's very clear then that what we have to do first is gather as much information as exists, and set forth a check-list of items that we want to subpoena from the Authority, and get staff to give us an overview of the history of the Authority, its legislative mandate, the changes that have been made, the Attorney General's opinions, all the items that we've requested so far, and the items that were suggested at this Committee meeting. And after we get that, we then should make some judgments as to who we should call in the way of live witnesses, to develop a record upon which all of these items were decided.

SENATOR JACKMAN: Well, what period of time do you think we're going to be able to almost come to a conclusion or consummate a thing of this nature? The reason I'm asking this question, you're now in essence saying to the Parkway, "everything is going to be on hold." They're not going to be able to proceed to do anything.

SENATOR AMBROSIO: No, we're not saying that. We have no authority to do that, Senator. Only the Governor has that authority.

SENATOR DORSEY: Maybe Lynch, but not us.  
(laughter)

SENATOR JACKMAN: Then, in other words, they can go on with the widening of the roads and everything else. Is that my understanding? What in the hell are you going to be sitting here doing, if they're going to be going ahead and widening the roads and doing what they've got to do? What, then, is our function?

SENATOR DORSEY: Well, we're going to be developing the proofs for the special prosecutor that's going to have them all indicted. Then they won't be able to go forward.

SENATOR LYNCH: What was the function of the Authorities Committee back in the spring when they brought into question the power of the Highway Authority to develop the hospitality center, and even in that context they accelerated the process to complete the center? They doubled-- (laughter)

SENATOR McNAMARA: They changed it from tile to marble. (laughter)

SENATOR LYNCH: Changed auditors, went to \$400 a square foot. They might make 20 lanes now.

SENATOR McNAMARA: See, that's what the mistake was. Because I had said in April it was going to cost

\$400 a square foot, and they said it wasn't. And then they thought it wasn't a bad idea at 400, so they upped it to 423.

SENATOR AMBROSIO: Do you have a suggestion as to how we can stop them from going forward until we complete our work?

SENATOR JACKMAN: No. The reason I'm saying-- We're going to sit here; we're going to make recommendations. Is that what the focus is?

SENATOR AMBROSIO: No. Our first role is to develop the facts.

SENATOR JACKMAN: Okay.

SENATOR AMBROSIO: Openly and--

SENATOR JACKMAN: We know that they violated the Open Meetings Act. We know that, don't we?

SENATOR DORSEY: It is correct to say that someone has suggested that that's true.

SENATOR LYNCH: We could shorten up this hearing. (laughter) Draw a resolution today.

SENATOR JACKMAN: You know, you guys are--

SENATOR AMBROSIO: What's the significance of that?

SENATOR JACKMAN: Well, the significance is that anything you hold up is going to cost more money, and the taxpayers are going to have to pay for it. The longer you wait to do any modernization, the cost factor is going to go up. And I don't know if anybody believes that or not, but find out what the road cost 10 years ago, and what it costs us today to build.

SENATOR LYNCH: Who's holding anything up? Are you holding something up?

SENATOR AMBROSIO: No. We are not holding anything up, nor do we have the authority or power to hold anything up.

SENATOR JACKMAN: Okay.

SENATOR AMBROSIO: Okay? Only the Governor has that.

SENATOR JACKMAN: Yeah. Okay.

SENATOR LYNCH: There may be a holdup going on.

SENATOR AMBROSIO: All right, does anybody want to add anything to the direction to staff to prepare the documents and the information that we're asking for at this point? Okay, what we will do then is Russ -- or staff -- Joan -- will poll the Senators to figure out what's the convenient date in February to meet, and when the information that we've requested from staff is available, it will be disseminated to the Senators and then we will decide, at that point, who to -- how to begin the hearings, what witnesses are to be called, and what focus we want to have on first.

The first two requests -- the Treasurer's analysis and the-- We're going to have both of these today?

MR. MOLLOY: We're going to send the letters today.

SENATOR AMBROSIO: Send the letters. Yeah, A and B are going to be sent out today, and the others are going-- Well, the others we have. Right? C we have, right?

MR. MOLLOY: Half of it.

SENATOR AMBROSIO: Half of it. Okay. Does anybody else want to bring up anything at this time? (no response) Okay. Then we'll return at this time, and Chris Jackman is going to go ahead and complete the road, in the meantime.

(MEETING CONCLUDED)





