

PORT AUTHORITY TRANS-HUDSON CORPORATION

MINUTES

Thursday, June 22, 2023

Report on Prior Meeting's Minutes	9
Authorization for PATH to Participate in Transcom for 2024-2025	10
PATH – Replacement of Tracks in Open Areas – Project Reauthorization	12

**MINUTES of the Meeting of Port Authority Trans-Hudson Corporation held Thursday,
June 22, 2023 at 2 Montgomery Street Jersey City, 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. Jeffrey H. Lynford, Vice Chairman
 Hon. Steven M. Cohen
 Hon. Leecia R. Eve
 Hon. Gary LaBarbera*
 Hon. Rossana Rosado*

Richard Cotton, President
 Amy H. Fisher, Acting Counsel

James K. Allen Jr.
 M. Rizwan Baig
 Christopher Beacham*
 Vincent J. Borst
 Meredith L. Brooks
 Michael Brown
 Raymond Bryan
 Ana Carvajalino*
 Victor De Castro
 Edward T. Cetnar
 David W. Compton
 Janet D. Cox*
 Gregory W. Ehrie
 Charles Everett, Jr.*
 Benjamin Feldman
 Robert E. Galvin
 Shannon E. Gates
 John Gay
 Zachary Glenn
 Michelle Graham
 Mary Lee Hannell*
 James Heitmann
 Kirsten Hernandez
 Natasha G. Jean Philipp-Cumberbatch
 Duncan Kisia*
 Amanda M. Kwan

Cristina M. Lado
Brian A. Lapp
William Laventhal
Hanson Lee*
Elizabeth M. McCarthy
Jacqueline McCarthy
James E. McCoy
Matthew F. Murray
Jessica Ortiz*
Hersh K. Parekh
Thomas Pietrykoski
Steven P. Plate*
Sean Rafferty
Alan L. Reiss*
Jessica Russ*
Jaspreet Sandhu
Benjamin Shaw
Peter D. Simon
Debra M. Torres
Derek H. Utter
Lillian D. Valenti

Guests:

Thomas Holl, Senior Counsel, Authorities Unit, Office of the Governor of New Jersey

Natalie Millstein, Senior Advisor for Transportation, Office of the Governor of New York*

David Ullman, Assistant Secretary for Transportation, Office of the Governor of New York*

Public Commenters:

Murray Bodin
Matthew Buchys (Written Statement)
Christopher Greif
Debra Greif

Topics:

Safety
Tolls & Fees
Accessibility Rights
Accessibility Rights

* Remote participants via videoconference.

The public meeting was called to order by Chairman O'Toole at 12:23 p.m. and ended at 12:54 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 February 9, 2023 were delivered in electronic form to the Governors of New York and New Jersey on February 10, 2023. The time for action by the Governors of New York and New Jersey expired at midnight on February 28, 2023.

AUTHORIZATION FOR PATH TO PARTICIPATE IN TRANSCOM, INC. FOR 2024 - 2025

TRANSCOM (Transportation Operations Coordinating Committee) is a consortium of 16 transportation agencies in the New York/New Jersey/ Connecticut region who share traffic and usage data for better traffic and transit management. TRANSCOM assists its members in this effort by collecting, verifying and aggregating the data. The Port Authority was instrumental in organizing TRANSCOM in 1986 and representatives from Port Authority Trans-Hudson Corporation (PATH) and the Port Authority's Tunnels Bridges and Terminals Department sit on its Board of Trustees. Members include the Metropolitan Transit Authority New York City, New York State and New Jersey Departments of Transportation and New Jersey Transit, among others.

PATH has been a member of TRANSCOM (since its founding in 1986) and recommends that the Board authorize it to (a) enter into an extension of its current five-year membership agreement for a two-year period from January 1, 2024 through December 31, 2025 at an estimated amount of \$333,990 (for both years, based on a proportionate share of certain operating costs), and (b) maintain continued access to the TRANSCOM Open Reach software system at a cost of approximately \$33,500 (for both years), for a total authorization during the extension term of \$367,490. Additionally, it is recommended that the Board authorize a representative of PATH to serve on the TRANSCOM Board of Trustees. A parallel resolution is being submitted to the Port Authority Board to extend the Port Authority's current membership in TRANSCOM and maintain a Port Authority seat on the TRANSCOM Board of Trustees.

TRANSCOM, through its Board of Trustees is currently undertaking planning for its next generation of software, including projection of costs to replace its current systems, which have reached the end of their design life, and to plan strategically for its future goals. Under the proposed extension, the 2024 membership cost to PATH would be at 2023 rates, and the 2025 membership cost would be escalated at 1.5 percent.

Authorization of the PATH's continued participation in TRANSCOM would assist TRANSCOM to continue its regional transportation coordination and technology development programs, provide PATH with continued access to real-time conditions of other regional mass transit service providers via TRANSCOM's Operations Information Center and Open Reach software system, and ensure that the PATH's regional transportation leadership role is advanced.

Pursuant to the foregoing report, the following resolution was adopted, with Directors Bollwage, Cohen, Eve, Helmy, Kelley, LaBarbera, Lynford, McCabe, 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 Port Authority Trans-Hudson Corporation's (PATH) continued membership in TRANSCOM for a two-year period commencing on January 1, 2024 and ending on December 31, 2025, be and it hereby is authorized; and it is further

RESOLVED, that the Director/General Manager, PATH, be and she hereby is authorized, for and on behalf of PATH, to enter into an agreement or agreements with TRANSCOM's other members for PATH to continue to participate in TRANSCOM programs, operations and to serve on TRANSCOM's Board of Trustees during such two-year period, and to provide for PATH's financial contributions, including, but not limited to: (1) expending an estimated amount of \$333,990 for PATH's contribution toward its continued membership in TRANSCOM for the two-year period from 2024 through 2025; and (2) continued contributions towards the operations and maintenance of TRANSCOM's Open Reach regional transportation management and information software, at an estimated total amount of \$33,500; 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 Counsel or her authorized representative, and the terms of such contracts, agreements and other documents shall be subject to review by Counsel or her authorized representative.

PATH - REPLACEMENT OF TRACKS IN OPEN AREAS – PROJECT REAUTHORIZATION

In June 2018, the Board authorized \$67.7 million to replace 8,000 feet of track infrastructure, equipment and appurtenances on the Port Authority Trans-Hudson Corporation (PATH) rail system in Kearny, New Jersey, including installation of a crossover near the west approach to the Hackensack River Lift Bridge (Original Project). The Original Project was required to address latent damage that resulted from Superstorm Sandy, improve resilience of the track infrastructure and provide for flexibility of operations for the portions of PATH Tracks G, H and P located within the Original Project area. 90 percent of the cost of the Original Project is recoverable through grants from the Federal Transit Administration (FTA). In April 2020, Contract PAT-774.178 was awarded to Railworks Track Services, Inc. (Railworks) to construct the Original Project.

After the Original Project authorization, and in consultation with the FTA, staff identified a means to extend the track repair work into adjacent areas (that were also damaged due to Superstorm Sandy) in a manner that maintains eligibility for recovery via FTA grant funds. Specifically, the replacement of existing wood railroad ties with concrete ties on 10,000 feet of track (Expanded Project) conjoining the sections of tracks G, H and P to be replaced under the Original Project scope.

Separately, the cost of the Original Project scope increased and the project schedule was extended due to complications associated with changes to the recently installed automatic train control (ATC) mandated by federal law. ATC is a key subcomponent of the PATH signal system. As the first installation of this technology as part of the replacement of the PATH signal system, the technical requirements and approval processes could not have been anticipated.

In order to compensate Railworks for its costs to construct the Expanded Project scope, accommodate the impacts of the delays, compensate The Siemens Team, which designed and installed the PATH signal system, for its actual costs for modifications to the signal system, and provide for certain incremental planning and design and internal cost allocations, a \$20 million increase will be required to the previously authorized Original Project cost.

It is therefore recommended that the Board reauthorize the Original Project to include the modified scope in the Expanded Project, at a total cost of \$87.7 million. Of the incremental \$20 million, 90 percent is anticipated to be funded by existing FTA grants with the remaining \$2 million to be covered by PATH.

It is anticipated that 90 percent of all project costs will be covered by FTA grant funds, with the remaining amount to be covered by PATH.

Pursuant to the foregoing report, the following resolution was adopted, with Directors Bollwage, Cohen, Eve, Helmy, Kelley, LaBarbera, Lynford, McCabe, 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 a project for the replacement of Port Authority Trans-Hudson Corporation (PATH) rail system open area tracks located in Kearny, New Jersey, with expanded scope to allow replacement of wooden ties with concrete ties on 10,000 feet of adjacent contiguous track, at a total estimated project cost of \$87.7 million, an increase of \$20 million from the previously authorized amount of \$67.7 million, be and it hereby is reauthorized; and it is further

RESOLVED, that the President be and he hereby is authorized, for and on behalf of PATH, 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; 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 Counsel or her authorized representative, and the terms of such contracts, agreements and other documents shall be subject to review by Counsel or her authorized representative.

Whereupon, the meeting was adjourned.

Acting Counsel