

# **PORT AUTHORITY TRANS-HUDSON CORPORATION**

## **MINUTES**

**Thursday, April 25, 2019**

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**MINUTES of the Meeting of Port Authority Trans-Hudson Corporation held Thursday, April 25, 2019 at 150 Greenwich Street, City, County and State of New York**

**PRESENT:**

**NEW JERSEY**

Hon. Kevin J. O'Toole, Chairman  
 Hon. Richard H. Bagger  
 Hon. Kevin P. McCabe  
 Hon. Raymond M. Pocino

**NEW YORK**

Hon. Jeffrey H. Lynford, Vice Chairman  
 Hon. Daniel J. Horwitz  
 Hon. Gary LaBarbera  
 Hon. George T. McDonald  
 Hon. Rossana Rosado

Richard Cotton, President  
 Michael E. Farbiarz, Counsel

Cheryl Ann L. Albiez  
 Arnaz Ali  
 James K. Allen Jr.  
 Adam L. Barsky  
 Justin Bernbach  
 John Bilich  
 Benjamin M. Branham  
 Michael Brown  
 Rebecca L. Cassidy  
 Edward T. Cetnar  
 Jennifer S. Davis  
 Clarelle D. DeGraffe  
 John C. Denise  
 Michael P. Dombrowski  
 Diannae C. Ehler  
 Benjamin Engle  
 Jose Febrillet  
 Benjamin Feldman  
 Amy H. Fisher  
 Kevin Frick  
 Robert E. Galvin  
 Linda C. Handel  
 Mary Lee Hannell  
 Natasha G. Jean Philipp-Cumberbatch  
 Milena Kosc  
 Scott Ladd  
 Cristina M. Lado  
 Huntley A. Lawrence  
 Stephen Marinko  
 Michael G. Massiah

Daniel G. McCarron  
 Elizabeth M. McCarthy  
 James E. McCoy  
 Mary K. Murphy  
 Alec Nadeau  
 Maria Oliveri  
 Steven P. Plate  
 Alan L. Reiss  
 Lenis Rodriguez  
 Sam Ruda  
 Peter D. Simon  
 James A. Starace  
 Debra M. Torres  
 Derek H. Utter  
 Lillian D. Valenti  
 Christine Weydig

Guests:

Edmund Caulfield, Associate Counsel, Authorities Unit, Office of the Governor of New Jersey  
 Lauren Melendez, Assistant Secretary for Transportation, Office of the Governor of New York

Speakers:

Murray Bodin, Member of the Public  
 Marc Dupervilt, Unite Here, Local 100  
 Manuel Monroy, Unite Here, Local 100  
 Paul Nunziato, Port Authority PBA, Inc.  
 Henry Pacheco, Unite Here, Local 100  
 Charlene Talarico

Neile Weissman, Complete George

Topic:

Transportation Issues  
 Airline catering workers  
 Airline catering workers  
 Contract  
 Airline catering workers  
 Human Resources Policies and  
 Procedures  
 Widening Paths on GWB

The public meeting was called to order by Chairman O'Toole at 12:21 p.m. and ended at 12:57 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 March 21, 2019 were delivered to the Governors of New York (in electronic form) and New Jersey (in paper form) on March 22, 2019. The time for action by the Governors of New York and New Jersey expired at midnight on April 5, 2019.

## **PATH - FLOOD MITIGATION AND STORM RESILIENCE PROTECTION FOR HOBOKEN STATION - EASEMENT AGREEMENTS WITH NEW JERSEY TRANSIT CORPORATION**

It was recommended that the Board authorize the President of Port Authority Trans-Hudson Corporation (PATH) to enter into an easement agreement(s) (Easement Agreement(s)) with New Jersey Transit Corporation (NJ Transit), pursuant to which NJ Transit would grant PATH permanent easements allowing PATH to install, construct, operate, maintain, alter, inspect, repair, remove, replace and use flood protection and resiliency structures, bollards and other fixtures serving the PATH Hoboken Station, within NJ Transit's rail and bus terminal in Hoboken, New Jersey.

As a result of Superstorm Sandy, the PATH Hoboken Station sustained significant flood damage. Immediately after the storm, temporary resilience measures were installed, including stop logs, water-filled barriers and sandbags. In October 2015, a Stage 1 study was conducted to assess the need for a permanent flood protection system at the PATH Hoboken Station entrances, in accordance with the Federal Emergency Management Agency's revised Base Flood Guidelines. The findings recommended the installation of permanent flood protection measures.

At its February 16, 2017 meeting, the Board authorized five projects to improve storm resilience at PATH rail system stations in New Jersey, including construction of a permanent flood resiliency system to protect PATH Hoboken Station at the exterior stairs. That project, which was subsequently reauthorized by the Board at its September 27, 2018 meeting, provides for the installation of flood doors at stairways and a flexible fabric protection system at one stairway, as well as associated site work, including reinforcement or replacement of existing stairs, to safely accommodate the weight of floodwater during an actual event.

PATH's Hoboken Station is located in, around and under NJ Transit's Hoboken rail and bus terminal. Under the Easement Agreement(s), NJ Transit would grant PATH permanent easements, on (a) approximately 475 square feet of NJ Transit property adjacent to the Stairway 5 opening, and (b) approximately 9 square feet of street-level property at the NJ Transit bus terminal, for the installation, construction, operation, alteration, maintenance, inspection, repair, replacement, removal and use of: (1) flood protection and resiliency structures and other fixtures at Stairway 5, and (2) bollards and other fixtures located around the Stairway 5 bulkhead. No compensation would be paid to NJ Transit for the granting of these easements.

PATH would not incur any additional maintenance responsibilities, other than for the PATH flood protection systems, bollards and other fixtures that PATH would install. The Easement Agreement(s) would allow PATH to protect a newly reconstructed watertight bulkhead above Stairway 5, and maintain and operate flood doors to protect Hoboken Station from the effects of flooding.

Pursuant to the foregoing report, the following resolution was adopted, with Directors Bagger, Horwitz, LaBarbera, Lynford, McCabe, McDonald, O'Toole, Pocino 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 President be and he hereby is authorized, for and on behalf of Port Authority Trans-Hudson Corporation (PATH), to enter into an easement agreement(s) with New Jersey Transit Corporation (NJ Transit), pursuant to which NJ Transit would grant PATH permanent easements allowing PATH to install, construct, operate, maintain, alter, inspect, repair, remove, replace and use flood protection and resiliency structures, bollards and other fixtures serving the PATH Hoboken Station, within NJ Transit's rail and bus terminal in Hoboken, New Jersey; 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 his authorized representative, and the terms of such contracts, agreements and other documents shall be subject to review by Counsel or his authorized representative.

Whereupon, the meeting was adjourned.

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Counsel