

# THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

## MINUTES

Thursday, October 18, 2007

Action on Minutes	258
Report of Audit Committee	258
Report of World Trade Center Redevelopment Subcommittee	258
Report of Committee on Finance	258
Report of Committee on Capital Programs/Agency Planning	258
Report of Committee on Construction	259
Executive Director's Report	259
Staff Reports	259
Newark Liberty International Airport – Rehabilitation of Runway 11-29 – Project Authorization and Award of Contract EWR-914.605	260
Newark Liberty International Airport – Flyjet Limited d/b/a Silverjet – New Lease	262
Regional Alliance for Small Contractors, Inc. – Renewal of Participation	263
Downtown Restoration Program – World Trade Center (WTC) Streets, Utilities and Related Infrastructure – Agreement with the National September 11 Memorial and Museum at the WTC for Early-Action Purchase of Trees	265
Security and Life Safety Initiatives with Other Governmental Entities	267
One World Trade Center, the Freedom Tower Project – Authorization to Award Construction Trade Contract	269
Regional Goods Movement Program Authorization	271
World Trade Center Site – Supplemental Lease Agreement for Space at 115 Broadway	274
World Trade Center Site – Lease Agreement for Space at 116 Nassau Street	276
One World Trade Center, the Freedom Tower – Authorization to Enter Into Real Estate Brokerage Services Agreement – Cushman & Wakefield, Inc.	277

All Airports – Labor Harmony Policy	279
Award of the Howard S. Cullman Distinguished Service Medal	281
Award of the Robert F. Wagner Distinguished Public Service Medal	283
Award of the Police Commendation Medal for Meritorious Service	284
Award of the James G. Hellmuth Unit Citation	285
Establishment and Award of the Austin J. Tobin Executive Director’s Award of Achievement	288
Tribute to Charles A. Gargano	289

**MINUTES of the Meeting of The Port Authority of New York and New Jersey held Thursday, October 18, 2007 at 225 Park Avenue South, City, County and State of New York**

**PRESENT:**

**NEW JERSEY**

Hon. Anthony R. Coscia, Chairman  
 Hon. Virginia S. Bauer  
 Hon. Raymond M. Pocino  
 Hon. Anthony J. Sartor  
 Hon. David S. Steiner

**NEW YORK**

Hon. Henry R. Silverman, Vice-Chairman  
 Hon. Bruce A. Blakeman  
 Hon. Michael J. Chasanoff  
 Hon. David S. Mack

Anthony E. Shorris, Executive Director  
 Darrell B. Buchbinder, General Counsel  
 Karen E. Eastman, Secretary

Terry A. Benczik, Client Manager, Public and Government Affairs  
 A. Paul Blanco, Chief Financial Officer  
 John D. Brill, Director, Audit  
 Steven A. Brown, Client Manager, Planning  
 Ernesto L. Butcher, Deputy Executive Director, Operations  
 Arthur J. Cifelli, Deputy Chief of Staff  
 William R. DeCota, Director, Aviation  
 John C. Denise, Audio Visual Supervisor, Public Affairs  
 Michael P. DePallo, Director, Rail Transit  
 Michael Dombrowski, Cinematographer, Public Affairs  
 John J. Drobny, Director, Project Management  
 Michael G. Fabiano, Deputy Chief Financial Officer/Comptroller  
 Ziomara Y. Foster, Principal Business Manager, Office of the Secretary  
 Michael B. Francois, Director, Development  
 William H. Goldstein, Deputy Executive Director, Capital Programs  
 Lash L. Green, Director, Business and Job Opportunity  
 Linda C. Handel, Assistant Secretary  
 Alan H. Hicks, Senior Public Information Officer, Public and Government Affairs  
 Victoria C. Kelly, Director, Tunnels, Bridges and Terminals  
 Kevin J. Kirchman, Deputy Director, Public Affairs  
 Louis J. LaCapra, Chief Administrative Officer  
 Richard M. Larrabee, Director, Port Commerce  
 Marc LaVorgna, Assistant Director, Media Relations, Public Affairs  
 Shawn K. Laurenti, Director, Public and Government Affairs  
 Susan Bass Levin, First Deputy Executive Director  
 Francis J. Lombardi, Chief Engineer  
 Thomas P. Maher, Assistant Director of Real Estate, Development  
 Stephen Marinko, Attorney, Law  
 Michael G. Massiah, Director, Management and Budget  
 James E. McCoy, Manager, Board Management Support, Office of the Secretary

Sanjay Mody, Advisor to the Chairman  
Christopher J. Mohr, Board Management Support Specialist, Office of the Secretary  
Lynn A. Nerney, Senior Business Manager, Office of the Secretary  
Kevin O'Driscoll, Management Associate, Human Resources  
Summer Oesch, Special Assistant to the First Deputy Executive Director  
Tony F. Oliver, Senior Marketing Analyst, Public and Government Affairs  
Steven P. Plate, Director, World Trade Center Construction  
Samuel J. Plumeri, Superintendent of Police/Director of Public Safety  
Andrew Rachlin, Special Assistant to the Executive Director  
Andrea Roitman, Director, Procurement  
Richard R. Roper, Director, Planning  
Alexandria Sica, Executive Assistant to First Deputy Executive Director  
Stephen Sigmund, Chief, Public and Government Affairs  
Ralph Tragale, Client Manager, Government and Community Affairs  
Lillian D. Valenti, Deputy Director, Procurement  
Sheree R. Van Duyne, Manager of Policies and Protocol, Office of the Secretary  
William Young, Principal Policy Analyst, Public Affairs

Guests:

Sonia Frontera, Authorities Unit, Office of the Governor of New Jersey  
Hon. Charles A. Gargano

The public session was called to order by Chairman Coscia at 1:31 p.m. and ended at 1:56 p.m. The Board met in executive session prior to the public session.

### **Action on Minutes**

The Secretary submitted for approval Minutes of the meeting of September 20, 2007. She reported that copies of these Minutes were sent to all of the Commissioners and to the Governors of New York and New Jersey. She reported further that the time for action by the Governors of New York and New Jersey has expired.

Whereupon, the Board of Commissioners unanimously approved the Minutes.

### **Report of Audit Committee**

The Audit Committee reported, for information, on matters discussed in executive session at its meeting on September 20, 2007, which included matters involving external or internal investigations or audits.

### **Report of World Trade Center Redevelopment Subcommittee**

The World Trade Center Redevelopment Subcommittee reported, for information, on matters discussed in public session at its meeting on October 18, 2007, which included review of an agreement for exclusive real estate brokerage, marketing and advertising services for One World Trade Center, the Freedom Tower, a construction trade contract for iron fabrication and installation for the below-grade portion of One World Trade Center, the Freedom Tower and reimbursement to the National September 11 Memorial and Museum for the early-action purchase, storage and future installation of trees at the World Trade Center site, and the report was received.

### **Report of Committee on Finance**

The Committee on Finance reported, for information, on matters discussed and action taken in public session at its meeting on October 18, 2007, which included the purchase of public liability insurance for the Port Authority and its wholly owned entities, and the report was received.

### **Report of Committee on Capital Programs/Agency Planning**

The Committee on Capital Programs/Agency Planning reported, for information, on matters discussed in public session at its meeting on October 18, 2007, which included discussion of an item for a comprehensive multi-modal Regional Goods Movement Improvement Program, and the report was received.

### **Report of Committee on Construction**

The Committee on Construction reported, for information, on matters discussed in public session at its meeting on October 18, 2007, which included discussion of a project for the rehabilitation of Runway 11-29 at Newark Liberty International Airport and an overview of results of the performance of the Port Authority's Minority, Women-owned and Small Business Enterprise Programs, and the report was received.

### **Executive Director's Report**

The Executive Director provided a status report on various projects and accomplishments since the Board's last meeting.

### **Staff Reports**

Presentations were made by staff on:

- 1) Minority, Women-owned and Small Business Enterprise Programs; and
- 2) Update on World Trade Center Site Real Estate Matters.

**NEWARK LIBERTY INTERNATIONAL AIRPORT – REHABILITATION OF  
RUNWAY 11-29 – PROJECT AUTHORIZATION AND AWARD OF  
CONTRACT EWR-914.605**

It was recommended that the Board authorize: (1) a project for the rehabilitation of Runway 11-29 at Newark Liberty International Airport, at an estimated total project cost of \$32.6 million; and (2) the Executive Director to: (a) award construction Contract EWR-914.605 to the lowest qualified bidder, at an estimated total contract cost of \$24.3 million (including allowances for extra work and net cost work); and (b) enter into any and all other contracts and agreements required to effectuate the project, after advising the Commissioners of individual contracts or agreements to be acted upon. Bids on Contract EWR-914.605 would be solicited from qualified firms identified through a publicly advertised Request for Qualifications process. This project would maintain Runway 11-29 in a state of good repair, enhance safety, reduce maintenance costs and provide for installation of new runway lighting to meet Federal Aviation Administration (FAA)-mandated lighting improvements.

Runway 11-29 is 6,800 feet long and handles approximately 1,300 airplane movements per month. The last major rehabilitation performed on the runway was in 1998-1999. The amount of maintenance required has increased significantly; the runway pavement was identified in the Seven-Year Pavement Management Plan as having deteriorated due to above-normal traffic and weathering.

The scope of work would include rehabilitation of the asphalt pavement, including milling and resurfacing, and widening of the taxiway fillets at Taxiways R and S. Work also would include: asphalt concrete patching, crack repairs, expansion joint work, grooving, modification of the storm drainage system, lighting upgrades to meet FAA standards, new lighting in the touchdown zone, new wiring of runway end indication lamps and installation of new electrical regulators. The construction of a concrete run-up pad on adjacent Taxiway W (originally scheduled for 2009), which is expected to curtail aircraft fuel consumption, thereby reducing carbon dioxide emissions by an estimated 8,000 tons annually, also would be included, to minimize operational impacts to the runway and taxiways at the north end of the airport. Project completion is scheduled for April 2009.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that a project (Project) for the rehabilitation of Runway 11-29 at Newark Liberty International Airport, at an estimated total project cost of \$32.6 million, including engineering, project and construction management costs, payments to contractors, allowances for extra work (if necessary) and net cost work, administrative and financial expenses and a contingency (if necessary), 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-914.605, “Rehabilitation of Runway 11-29,” to the lowest qualified bidder after a publicly advertised Request for Qualifications process, at an estimated total contract cost of \$24.3 million (including allowances for extra work and net cost work); 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 purchase and construction contracts, contracts for professional and advisory services and such other contracts and agreements as may be necessary to effectuate the Project, subject to advising the Commissioners of individual contracts or agreements to be acted upon pursuant to this authorization prior to taking or authorizing such action; and it is further

**RESOLVED**, that the form of all contracts and agreements in connection with the Project shall be subject to the approval of General Counsel or his authorized representative.

**NEWARK LIBERTY INTERNATIONAL AIRPORT – FLYJET LIMITED D/B/A SILVERJET – NEW LEASE**

It was recommended that the Board authorize the Executive Director to enter into a lease agreement with Flyjet Limited d/b/a Silverjet (Silverjet) providing for the letting of approximately 6,000 square feet of space at the International Facility in Terminal B at Newark Liberty International Airport (EWR) for the creation of a lounge for its patrons. The lease would be for a five-year period commencing on or before May 1, 2008.

Silverjet would be responsible for the fit-out of the space, including interior finishes and fixtures, at an estimated cost of approximately \$2 million. The Port Authority would have the right to terminate the agreement upon 30 days' prior written notice. Upon termination without cause, the Port Authority would be obligated to pay Silverjet the unamortized portion of its investment, calculated on a straight-line basis over a five-year period. The lease would commence upon the satisfactory completion of construction, but no later than May 1, 2008. Silverjet would pay aggregate rentals over the five-year lease term of approximately \$3 million.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into a lease agreement with Flyjet Limited d/b/a Silverjet for space at the International Facility at Terminal B at Newark Liberty International Airport, substantially in accordance with the terms outlined to the Board; the form of the agreement shall be subject to the approval of General Counsel or his authorized representative.

## **REGIONAL ALLIANCE FOR SMALL CONTRACTORS, INC. – RENEWAL OF PARTICIPATION**

It was recommended that the Board authorize the Executive Director to enter into an agreement with the Regional Alliance for Small Contractors, Inc. (Regional Alliance) for a one-year period starting January 1, 2008, with an option to extend for up to two additional one-year periods, under which the Port Authority would: (1) obtain contractual services for the training and development of minority, women-owned and small and disadvantaged business enterprises (M/W/S/DBEs), at an estimated cost of \$285,000, and M/W/DBE program oversight for aviation tenant construction projects, at an estimated cost of \$345,000 for the first year, with an annual escalation provision of three percent thereafter, subject to prior Port Authority approval; and (2) provide a rental credit of \$20,000 per year (if option(s) are exercised) to offset the Regional Alliance's cost to rent office space at the Port Authority Bus Terminal (PABT), estimated at \$61,000 per year, and provide approximately 500 square feet of office space at John F. Kennedy International and Newark Liberty International Airports for Regional Alliance staff, at no additional cost, to perform aviation program oversight work, for up to a three-year period. The PABT lease would include a provision allowing for the recapture of space once redevelopment plans for the North Wing are finalized.

The Regional Alliance is a not-for-profit corporation formed to carry out the cooperative effort initiated by the Port Authority, with participation by other public agencies and private firms, to increase the capacity of M/W/S/DBEs to bid on and perform public contracts. Through its array of training programs and other financial, management and marketing services, the Regional Alliance has been effective in increasing the growth and capacity of M/W/S/DBEs to compete for larger contracts in both the public and private sectors of New York and New Jersey.

Port Authority participation in the Regional Alliance initially was authorized by the Board in 1990 for the training and development of M/W/S/DBEs, and has been renewed continually thereafter. In April 2005, the Board authorized a supplemental agreement expanding the scope of services to include M/W/DBE program oversight for aviation tenant construction projects.

So far in 2007, the Regional Alliance has assisted more than 500 Port Authority-certified firms through classroom training and has provided one-on-one management and financial consultation services. It has continued to offer evening courses in cost estimating, project scheduling and blueprint reading, through its partnership with the Mechanics Institute, one of the premier construction training institutions in New York. It has launched a new partnership with Pace University to develop a construction management certificate program for Port Authority-certified M/WBE firms. The four-week course qualifies toward 22.5 hours of continuing education. The Regional Alliance also has assisted the Port Authority in keeping the M/WBE community abreast of opportunities in Lower Manhattan and at Port Authority airports, through a series of procurement forums, featured articles and announcements in its newsletter and through organized events held in conjunction with other regional entities.

In 2008, in addition to providing business support services to M/W/S/DBEs on a pay-per-performance basis, staff expects to have the Regional Alliance partially staff a Business Resource Center planned in Lower Manhattan. The center would provide free onsite support services to M/W/S/DBE firms interested in working on downtown projects. The Regional

Alliance will develop a tracking system to measure the effectiveness of its programs to improve the competitiveness of M/W/S/DBEs. Included in the report will be information on bidding activity, contract awards, and quality of performance. The Regional Alliance also would be directed to develop a business plan to reinvigorate its Board of Directors and broaden its base of public and private partners to finance its programs and operations.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into an agreement with the Regional Alliance for Small Contractors, Inc. (Regional Alliance) for a one-year period starting January 1, 2008, with an option to extend for up to two additional one-year periods, under which the Port Authority would: (1) obtain contractual services for the training and development of minority, women-owned and small and disadvantaged business enterprises (M/W/S/DBEs), at an estimated cost of \$285,000 per year, and M/W/DBE program oversight for aviation tenant construction projects, at an estimated cost of \$345,000 for the first year, with an annual escalation provision of three percent thereafter, subject to prior Port Authority approval; and (2) provide a rental credit of \$20,000 per year (if option(s) are exercised) to offset the Regional Alliance's cost to rent office space at the Port Authority Bus Terminal, estimated at \$61,000 per year, and approximately 500 square feet of office space at John F. Kennedy International and Newark Liberty International Airports for Regional Alliance staff, at no additional cost, to perform aviation program oversight work for up to a three-year period; and it is further

**RESOLVED**, that the form of the foregoing agreement shall be subject to the approval of General Counsel or his authorized representative.

**DOWNTOWN RESTORATION PROGRAM – WORLD TRADE CENTER (WTC)  
STREETS, UTILITIES AND RELATED INFRASTRUCTURE – AGREEMENT  
WITH THE NATIONAL SEPTEMBER 11 MEMORIAL AND MUSEUM AT THE  
WTC FOR EARLY-ACTION PURCHASE OF TREES**

It was recommended that the Board authorize the Executive Director to enter into an agreement with the National September 11 Memorial and Museum at the World Trade Center (Memorial & Museum) providing for the early-action purchase, storage and future installation of certain trees around portions of the sidewalk areas of the World Trade Center (WTC) site, at an estimated cost of up to \$2.5 million. The requested expenditures include payments for: landscaping services; performance of pre-installation preparation; digging of trees; pre-installation delivery to the tree-holding facility; pre-installation maintenance at the tree-holding facility; safe delivery of trees to the project site; installation of trees at the project site; two-year post-installation maintenance of trees at the project site; and overstock of trees at the holding facility.

In December 2006, the Board authorized planning for the WTC Streets, Utilities and Related Infrastructure Project to advance design coordination among the commercial, transportation and memorial facilities at the WTC site. Also in 2006, the Lower Manhattan Development Corporation (LMDC) awarded a contract for the purchase and installation of more than 400 trees for the WTC Memorial project that was subsequently assigned to Memorial & Museum. Following initial consultations with other stakeholders on the preliminary streetscape design concepts, Memorial & Museum and the City of New York requested that the Port Authority provide for the installation of trees, identical to the trees to be placed at the Memorial itself, in the sidewalk areas adjoining the Memorial Plaza. Additional trees would be ordered, which would be set aside in the event of losses prior to final planting. In addition, the Port Authority would have the option to order additional trees for use in areas contiguous with the Memorial site.

The requested “sidewalk trees” are presently in the existing Memorial & Museum contract, originally awarded by LMDC in 2006 and subsequently assigned to Memorial & Museum in January 2007. This solicitation was conducted through a competitive bid process. Memorial & Museum’s contractors, Environmental Tree and Design Inc. and Bartlett Tree Experts, working jointly with the Streets Project Design team, would select, tag, acquire, uproot, transfer, store, deliver, install and maintain the trees under the same criteria that have been specified for the Memorial trees. It is necessary to advance the purchase and storage of these particular sidewalk trees at this time, to enable interim planting in the same growing environment as the Memorial trees. Trees would be maintained at Halka Nursery, located in Millstone, New Jersey.

It is proposed that the Port Authority advance funding for this work without any other committed funding sources. Pursuant to formal arrangements with the Federal Transit Administration (FTA), current expenditures associated with the WTC Streets, Utilities and Related Infrastructure Project are potentially eligible for reimbursement from a future FTA grant for the project, subject to availability of remaining FTA funds for Lower Manhattan transportation projects, or other funding sources.

Pursuant to the foregoing report, the following resolution was adopted with

Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into an agreement with the National September 11 Memorial and Museum at the World Trade Center providing for the early-action purchase, storage, and future installation and maintenance of certain trees around portions of the sidewalk areas of the World Trade Center site, at an estimated cost to the Port Authority of up to \$2.5 million; and it is further

**RESOLVED**, that the form of the foregoing agreement shall be subject to the approval of General Counsel or his authorized representative.

## **SECURITY AND LIFE SAFETY INITIATIVES WITH OTHER GOVERNMENTAL ENTITIES**

It was recommended that the Board authorize the Executive Director to enter into agreements with other governmental entities in connection with federal, state or local requirements for security and life safety initiatives and programs. Such agreements would not include instances where the Port Authority is required to make funding contributions in connection with such initiatives and programs.

From time to time, federal, state and local security and life safety initiatives, especially initiatives funded with federal grants, require the cooperation, coordination and participation of first responders or law enforcement officials from many jurisdictions. While such activities may not directly involve facilities and programs of the Port Authority (and its wholly owned corporate entities), or may require the Port Authority to assume obligations which may extend beyond the boundaries of the Port District, they are in the best interests of the Port Authority and the people of the States of New York and New Jersey. The proposed action would authorize the Executive Director to enter into agreements which set forth the terms and conditions of such arrangements.

Among the agreements which are pending or have recently been reported to the Commissioners is a Memorandum of Understanding with the New Jersey Office of Homeland Security and Preparedness, at the behest of the United States Department of Homeland Security (US DHS), for a Metro Urban Search-and-Rescue Strike Team, including the use and sharing of an urban search-and-rescue vehicle and related equipment, the purchase of which would be funded with a \$500,000 federal grant. Another agreement requested by US DHS seeks Port Authority collaboration in the implementation of a pilot program involving information management and analysis, which would provide capabilities for law enforcement, and emergency response. In addition, the Board was advised earlier this year of an agreement with the New York City Police Department (NYPD), pending ratification, which creates a partnership among the NYPD and other regional law enforcement agencies (including the Port Authority Police Department), funded by US DHS, to design and implement systems for coordination and integrated detection of materials that may be used in a terrorist attack or as a weapon of mass destruction.

While primarily involving the Port Authority Police Department, other staff units, including the Office of Emergency Management, may be called upon in connection with these agreements. In each case, the obligations being assumed by the Port Authority would be carefully considered in relationship to the value of the anticipated results of the initiative or program.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into mutual aid agreements or memoranda of understanding with other governmental entities in connection with federal, state or local requirements for security and life safety initiatives and programs, in instances where the Port Authority is not required to make funding

contributions in connection with such initiatives and programs, and prior actions in connection therewith are hereby ratified; and it is further

**RESOLVED**, that the form of such agreements or memoranda shall be subject to the approval of General Counsel or his authorized representative.

**ONE WORLD TRADE CENTER, THE FREEDOM TOWER PROJECT –  
AUTHORIZATION TO AWARD CONSTRUCTION TRADE CONTRACT**

It was recommended that the Board authorize 1 World Trade Center LLC (1 WTC LLC), in order to further the construction of the Freedom Tower, to enter into a construction trade contract for below-grade miscellaneous iron for One World Trade Center, the Freedom Tower, through its construction manager/agent, Tishman Construction Corporation (Tishman), estimated at a total construction cost of \$1,563,840, inclusive of an eight percent allowance for extra work, to Hillside Ironworks, Inc.

At its January 25, 2007 meeting, the Board authorized 1 WTC LLC to execute an amendment (Third Freedom Tower Amendment) to the September 2003 General Contractor Agreement to: (1) allow Tishman to provide construction management services for the Freedom Tower Project, for an estimated fee of \$26.5 million; and (2) provide for general conditions work of approximately \$170 million, to be managed by Tishman.

At its February 22, 2007 meeting, the Board authorized 1 WTC LLC to advance construction of the Freedom Tower at the World Trade Center (WTC) site, at a total estimated cost of \$2.877 billion, inclusive of below-grade and above-grade construction, and for common site infrastructure, finance charges associated with the project and coordination of construction with other projects at the WTC site, including work above the Port Authority Trans-Hudson rail system right-of-way. At that meeting, the Board also authorized 1 WTC LLC to: (1) enter into construction trade contracts for the Freedom Tower, at an estimated cost of \$429.6 million; (2) fund the value remaining in the trade contracts held by Tishman under the General Contractor Agreement, in an estimated amount of \$35.3 million; (3) enter into a number of agreements to provide professional, technical, peer, testing, inspection and specialty advisory services, in an estimated amount of \$25.1 million; and (4) expend an estimated \$2.25 million for payments to Skidmore Owings Merrill LLP for continued design services during the period of March 1, 2007 through May 31, 2007.

At its March 29, 2007 meeting, the Board authorized 1 WTC LLC to enter into trade contracts estimated at \$105 million for fire protection, elevators and escalators.

At its April 25, 2007 meeting, the Board authorized 1 WTC LLC to enter into a trade contract estimated at \$160.65 million for the curtain wall system for One World Trade Center, the Freedom Tower.

At its July 26, 2007 meeting, the Board authorized 1 WTC LLC to enter into a trade contract estimated at \$276.48 million for the structural steel and metal decking for One World Trade Center, the Freedom Tower.

The proposed construction trade contract for miscellaneous iron below-grade includes, but is not limited to, metal stairs/railings, ladders, lintels and grating platforms.

The form of trade contract being utilized by Tishman was developed by Port Authority staff and maintains, to the greatest degree possible, Port Authority policies and procedures for the work, including provisions allowing for termination for convenience, and requirements for minority and women-owned business enterprise utilization, confidentiality, security and integrity monitoring, and a competitive bidding process.

The construction trade contract proposed for award would be awarded to Hillside Iron Works, Inc., the lowest responsive bidder, in accordance with the procurement procedures established in the Third Freedom Tower Amendment. Although a lower priced base contract proposal was submitted by Empire City Iron Works, that proposal was incomplete and deemed non-responsive.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Silverman and Steiner voting in favor; none against; Commissioner Sartor recused:

**RESOLVED**, that 1 World Trade Center LLC be and it hereby is authorized to enter into a construction trade contract for construction of the below-grade miscellaneous iron for One World Trade Center, the Freedom Tower, through its construction manager/agent, Tishman Construction Corporation, with Hillside Ironworks, Inc., at an estimated total construction cost of \$1,563,840, which includes an eight percent authorization for extra work; and it is further

**RESOLVED**, that the form of the foregoing construction trade contract shall be subject to the approval of General Counsel or his authorized representative.

## **REGIONAL GOODS MOVEMENT IMPROVEMENT PROGRAM AUTHORIZATION**

It was recommended that the Board authorize the Port Authority to undertake a Regional Goods Movement Improvement Program (Program) that would include: (1) development of a Comprehensive Long-term Goods Movement Plan, at a cost of approximately \$1 million for anticipated consultant services; (2) assumption of local sponsorship of the Environmental Impact Statement (EIS) for the Cross Harbor Freight Movement Project (CHFMP); (3) expenditures to conduct the EIS, in an amount not to exceed \$10 million, that would be funded through (a) acceptance of unspent federal funds made available to the prior sponsor of the EIS (approximately \$4 million) and a local match of approximately \$1 million to be provided by the Port Authority, and (b) additional funds made available from the Safe, Accountable, Flexible, Efficient Transportation Equity Act: Legacy for Users (SAFETEA-LU) earmark, as herein referenced; and (4) the acceptance of an amount not to exceed \$100 million in federal funds that has been earmarked for the Port Authority's use for CFHMP-related freight studies or investments, as set forth in SAFETEA-LU, as well as provision of the 20 percent local match, not to exceed \$25 million through 2018.

Given its bi-state responsibility for ensuring the flow of interstate and international commerce to, from, and through the Port District, the Port Authority must address congestion in the region's transportation network. Throughout the New York-New Jersey region, levels of traffic on the highway and rail network are unprecedented. As freight volumes grow, concern is escalating over the safety, security, reliability, cost, and community impact of moving goods. The Port Authority's Strategic Plan of 2005 recognizes that the time has come for the agency to take action needed to improve goods movement in the region. This Program would include the development of strategies and the commencement of implementation of long-term solutions.

Several factors have combined to prompt the Port Authority to assume a leadership position, with the cooperation of the New Jersey and New York State Departments of Transportation, to undertake this Program. First, impediments to efficient, reliable goods movement are widespread across the metropolitan region, imposing economic and environmental burdens on businesses, shippers and affected communities within both states. In addition, the CHFMP, as currently defined, will not resolve all the many and varied goods movement demands for the regional transportation network; however, completing the unfinished EIS and its assessment of alternatives, including a proposed cross-harbor freight tunnel, would provide a basis for consensus among the New York State, New Jersey, and federal governments on a practical rail freight investment strategy and financing plan. Finally, if the Port Authority does not act in a timely fashion and fails to provide the necessary matching funds of 20 percent of the total project cost, the region risks losing the \$100 million federal earmark for CHFMP-related freight improvements.

The proposed Program addresses each of these factors, beginning with the commitment to create a Comprehensive Long-term Goods Movement Plan, with the cooperation of the New York State and New Jersey Departments of Transportation. This effort would draw together the considerable efforts of all three agencies to create a regional investment strategy aimed at creating a modern regional system for intermodal freight movement. The Plan also would strengthen the region's position in working with the federal government, other Northeastern states, and the freight industry to shape national freight investment policies that recognize the critical role of this region as a domestic and international trade gateway.

The Program builds upon recent major investments by the Port Authority in the region's goods movement network and its interface with the agency's gateway facilities. Recent actions authorized by the Board include the purchase of a portion of the former Marine Ocean Terminal at Bayonne (MOTBY) and investments in ExpressRail to shift freight from truck to rail. The agency reached a milestone with the recent opening of ExpressRail Staten Island, joining ExpressRail Newark and ExpressRail Elizabeth. In addition, the Port Authority's Regional Rail Freight Initiative led the way, in partnership with CSX and Norfolk Southern railroads, as well as the New York State and New Jersey Departments of Transportation, in making critical investments to major freight rail lines and yards in both New York and New Jersey. Through the Program, the agency would identify new investments, which may include further development of these projects, as well as new initiatives.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that a program providing for the Port Authority to undertake a multi-modal Regional Goods Movement Improvement Program that includes: (1) development of a Comprehensive Long-term Goods Movement Plan, at a cost of approximately \$1 million for anticipated consultant services; (2) assumption of local sponsorship of the Environmental Impact Statement (EIS) for the Cross Harbor Freight Movement Project (CHFMP); (3) conducting the EIS, at a cost not to exceed \$10 million, that will be funded through (a) acceptance of unspent federal funds made available to the prior sponsor of the EIS and (b) additional funds made available from the Safe, Accountable, Flexible, Efficient Transportation Equity Act: Legacy for Users (SAFETEA-LU) earmark, as referenced herein; and (4) action in connection with the acceptance of \$100 million in federal funds that have been earmarked for the Port Authority's use for CFHMP-related freight studies or investments, as set forth in SAFETEA-LU, including provision of the 20 percent local match of total project costs not to exceed \$25 million through 2018, 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 any and all action he deems necessary or appropriate with respect to the award of contracts for anticipated professional and advisory consultant services to develop a Comprehensive Long-term Regional Goods Movement Plan, at a cost of approximately \$1 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 any and all action as he may deem necessary or appropriate in connection with the assumption of the CHFMP EIS and undertaking the EIS process, at a cost not to exceed \$10 million, consistent with the terms outlined to the Board and applicable provisions of law, including the execution of contracts, agreements and other documents, and to take any and all action in accordance with the terms of such contracts, agreements and documents as may be necessary in connection therewith; 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 any and all action as he may deem

necessary or appropriate in connection with the acceptance of the remaining federal funds made available for the CHFMP EIS process prior to its being suspended, as well as any unspent funds provided by any entity for the local match, including the provision of the 20 percent local match of the total project cost for expenses related to the Port Authority's preparation of the EIS, consistent with the terms outlined to the Board and applicable provisions of law, including the execution of contracts, agreements and other documents, and to take any and all action in accordance with the terms of such contracts, agreements, and documents as may be necessary in connection therewith; 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 any and all action as he may deem necessary or appropriate in connection with the acceptance of up to \$100 million in federal funds earmarked under SAFETEA-LU and for the Port Authority to provide a local match not to exceed \$25 million for expenses for CHFMP-related freight projects, consistent with the terms outlined to the Board and applicable provisions of law, including the execution of contracts, agreements and other documents, and to take any and all action in accordance with the terms of such contracts, agreements and documents as may be necessary in connection therewith, provided that expenditures for specific CHFMP-related projects and studies beyond the EIS process shall be subject to prior approval by the Board; and it is further

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

**WORLD TRADE CENTER SITE – SUPPLEMENTAL LEASE AGREEMENT FOR SPACE AT 115 BROADWAY**

It was recommended that the Board authorize the Executive Director to: (1) enter into a supplemental lease agreement with Trinity Centre LLC for the letting by the Port Authority of approximately 61,180 rentable square feet of office space consisting of the 8<sup>th</sup>, 9<sup>th</sup> and 19<sup>th</sup> floors in the building at 115 Broadway, New York, New York for a seven-year, eight-month term to commence on or about December 1, 2007, with options to terminate the letting of the three floors at various times prior to the July 31, 2015 scheduled expiration date of the term; and (2) expend up to \$300,000 for architectural and engineering design costs in connection with the additional office space.

The leased space would accommodate Port Authority staff members providing a wide array of services in support of civilian activities at the World Trade Center (WTC) site, including construction support, guidance and support for fire protection, life/safety maintenance, construction safety, monitoring federal grant expenditure compliance, and support to minority and women-owned businesses. Some Port Authority staff members performing these functions are currently located at other Port Authority facilities and must frequently travel between those offices and 115 Broadway. In addition, the current level of staffing in support of WTC construction will increase as construction activity increases during the next five years, and the proposed authorization would accommodate this increase in staffing. The Port Authority currently leases four floors of office space in the building, consisting of approximately 76,000 rentable square feet of space, for a term scheduled to expire in 2013.

The estimated aggregate rental for the additional office space during the term is \$18,744, 687. In lieu of paying its proportionate share of operating and maintenance expenses, the Port Authority would pay additional rental equal to three percent of the base rent, compounded annually. The Port Authority would also pay its proportionate share of tax increases above the average of the 2007/2008 and 2008/2009 base tax years. The Port Authority would receive a \$30 per-rentable-square foot construction allowance and would have an option to terminate the letting of either the 8<sup>th</sup> or 9<sup>th</sup> floor effective as of October 31, 2013 and an option to terminate the letting of the 19<sup>th</sup> floor effective as of July 31, 2014, in each case upon twelve months' notice.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into a supplemental lease agreement with Trinity Centre LLC for the letting by the Port Authority of approximately 61,180 rentable square feet of additional office space at 115 Broadway, New York, New York, substantially in accordance with the terms and conditions 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 spend up to \$300,000 for architectural and engineering design costs in connection with the additional office space; and it is further

**RESOLVED**, that the form of the foregoing supplemental lease agreement shall be subject to the approval of General Counsel or his authorized representative.

**WORLD TRADE CENTER SITE – LEASE AGREEMENT FOR SPACE AT 116 NASSAU STREET**

It was recommended that the Board authorize the Executive Director to enter into a lease agreement with Abacus Federal Savings Bank for the letting by the Port Authority of approximately 9,990 rentable square feet of office space at 116 Nassau Street, New York, New York for a five-year term, with two options to extend the term for 18 months in each instance.

The leased space would accommodate Port Authority staff members engaged in civilian activities at the World Trade Center (WTC) site. These activities include performing security clearances of WTC site personnel, establishing classrooms in the premises for the safety training of site personnel, and managing the delivery of construction and other material to the WTC site. Port Authority staff members performing these functions are currently located in trailers on the roof of the temporary WTC Port Authority Trans-Hudson rail system station, which must be removed by March 2008 to allow for demolition of the temporary station and continued site development.

The estimated aggregate rental for the initial five-year term is \$2,042,955. The Port Authority would pay utility costs as measured by meters and would pay its proportionate share of tax increases over a 2007/2008 tax year. Rental during both of the extended terms of the letting would be the greater of a rate equal to: (1) a three and one-half percent increase above the rental rate in effect immediately prior to the extended term in question, or (2) the sum of the annual Consumer Price Index increases occurring during the term of the letting, added to the rental rate in effect during the first year of the initial term.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into a lease agreement with Abacus Federal Savings Bank for the letting by the Port Authority of approximately 9,990 rentable square feet of office space at 116 Nassau Street, New York, New York, substantially in accordance with the terms and conditions outlined to the Board; and it is further

**RESOLVED**, that the form of the foregoing lease agreement shall be subject to the approval of General Counsel or his authorized representative.

**ONE WORLD TRADE CENTER, THE FREEDOM TOWER – AUTHORIZATION TO ENTER INTO REAL ESTATE BROKERAGE SERVICES AGREEMENT – CUSHMAN & WAKEFIELD, INC.**

It was recommended that the Board authorize 1 World Trade Center LLC (1 WTC LLC) to: (1) enter into an agreement with Cushman & Wakefield, Inc. (C&W) for a three-year term to provide exclusive real estate brokerage and related services with respect to One World Trade Center, the Freedom Tower (Freedom Tower) for the marketing and leasing of office space not currently under negotiation and of those spaces currently under negotiation in the event such negotiations prove unsuccessful; and (2) allocate up to \$1.5 million for professional services in connection with the coordination and management of all tenant design and construction-related activities at the Freedom Tower. 1 WTC LLC would have two options to extend the agreement for consecutive one-year periods and would also have the right to terminate the agreement at any time upon 30 days' notice. C&W would have the right to terminate the agreement at any time upon 120 days' notice.

Staff began leasing activities for the Freedom Tower in late 2006, soon after the Port Authority acquired 1 WTC, LLC. Lease negotiations with the New York State Office of General Services for approximately 412,000 rentable square feet on 11 contiguous floors were completed earlier this year. In addition, consistent with the Board's prior approval of memoranda of agreement, staff is negotiating with the U.S. General Services Administration for the lease of approximately 653,000 rentable square feet on 16 contiguous floors, and with Metropolitan Television Alliance and its member stations for the occupancy of two floors, as well as the right to broadcast from the building's rooftop. Although the Port Authority is in serious negotiations with tenants interested in occupying approximately 40 percent of the building's 2.6 million gross square feet, approximately 1.5 million gross square feet of uncommitted space remains available for lease. The services to be provided by C&W, in coordination with Port Authority staff and consultants, would further our efforts to provide for the full lease-up of space in the Freedom Tower and would include: analyzing and assessing the competitive real estate market; recommending lease parameters and transaction structures; developing and implementing a leasing plan; creating and implementing a marketing and advertising campaign; and conducting lease negotiations, all in support of leasing the available office space in the Freedom Tower upon the most favorable terms to 1 WTC LLC. 1WTC LLC would compensate C&W with a commission on rentals, as well as for specified marketing and advertising expenses.

A Request for Proposals was publicly advertised on June 11, 2007. Five proposals were received and evaluated by a selection committee on a "best buy" basis, including the quality and depth of experience and qualifications of the staff to be assigned to the project, the experience of the firms that submitted proposals and the firms' proposed technical and management approach for the performance of the required services.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that 1 World Trade Center LLC (1 WTC LLC) be and it hereby is authorized to enter into an agreement with Cushman & Wakefield, Inc. to provide exclusive real estate brokerage and related services with respect to One World Trade Center, the Freedom Tower for the marketing and leasing of available

office space, substantially in accordance with the terms and conditions outlined to the Board; and it is further

**RESOLVED**, that 1 WTC LLC be and it hereby is authorized to spend up to \$1,500,000 for professional services in connection with the coordination and management of all tenant design and construction-related activities at One World Trade Center, the Freedom Tower; and it is further

**RESOLVED**, that the form of the foregoing agreement shall be subject to the approval of General Counsel or his authorized representative.

**ALL AIRPORTS – LABOR HARMONY POLICY**

The Port Authority is a public agency committed to the public's best interest. That interest is served by promoting labor harmony at the Port Authority's airport facilities, inasmuch as strikes, picketing, or boycotts may disrupt the efficient operation of such facilities.

In addition, the public interest is further served when concession services are provided by employees who have worked at the airport for substantial periods of time and have acquired valuable skills and knowledge of the airport environment and its particular needs. Moreover, the best interest of the public is promoted when as many airport workers as possible have been screened to meet federal security requirements and are familiar with, and accustomed to complying with, airport security procedures. Retention of experienced employees during transitions between entities operating the same type of airport concessions makes it likely that these capabilities will remain in place.

To achieve the desired objective of reducing and/or eliminating labor-related disruptions, it was recommended that a policy be established whereby any entity operating an airport food, retail, news/gifts or duty-free concession under a future agreement must demonstrate compliance with a "labor harmony" clause to be included in future agreements. Such compliance shall be demonstrated through the entity's provision to the Port Authority of a signed "labor peace agreement." For purposes of this policy, a "labor peace agreement" shall mean an enforceable agreement with a labor organization (as defined by 29 U.S.C. §152(5)) that seeks to represent the entity's employees and that contains provisions under which the labor organization and its members agree to refrain from engaging in any picketing, work stoppages, boycotts or any other economic interference.

In addition, the policy would provide that future agreements with entities seeking to operate any food, retail, news/gifts or duty-free concession at any Port Authority airport shall contain provisions specifying that employees of the current operating entity will be offered continued employment for a minimum period of 90 days after the transfer of concession rights, unless there is just cause to terminate employment sooner, so long as the succeeding concession is of the same type as the preceding concession.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that it is the policy of The Port Authority of New York and New Jersey that: (1) any entity operating any food, retail, news/gifts or duty-free concession at any of the Port Authority's airports under a future agreement must demonstrate compliance with a "labor harmony" clause to be included in the future agreements with the Port Authority, providing for compliance to be demonstrated through the entity's provision to the Port Authority of a signed "labor peace agreement"; and (2) future agreements with entities seeking to operate any food, retail, news/gifts or duty-free concession at Port Authority airports shall contain provisions specifying that employees of the current operating entity will be offered continued employment for a minimum period of 90 days after the transfer of concession rights, unless there is just cause to terminate employment sooner, so long

as the succeeding concession is of the same type as the preceding concession; 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 such other actions from time to time as are necessary and appropriate to effectuate the foregoing policy; and it is further

**RESOLVED**, that the form of all such agreements shall be subject to approval as to form by General Counsel or his authorized representative.

**AWARD OF HOWARD S. CULLMAN DISTINGUISHED SERVICE MEDAL TO  
LOUIS J. LACAPRA**

The Howard S. Cullman Distinguished Service Medal, established by the Board on March 14, 1957, is the highest award for service given by the Port Authority to a Port Authority employee who has performed the most outstanding service.

It was recommended that the Howard S. Cullman Distinguished Service Medal be awarded to Louis J. LaCapra.

Whereupon, the Board of Commissioners unanimously adopted the following resolution:

**WHEREAS**, Louis J. LaCapra has served with distinction as Chief Administrative Officer of The Port Authority of New York and New Jersey; and

**WHEREAS**, in 2007, Louis J. LaCapra will mark his 44<sup>th</sup> year of service with the agency; and

**WHEREAS**, Louis J. LaCapra joined the Port Authority in 1963. Early in his career, he was a trainee in the Personnel Department's Manpower Planning Division and quickly moved to important leadership positions in the agency, including Assistant Director of Personnel, Chief Negotiator, Labor Relations, and Director of Human Resources. In 1998, he was appointed Chief of Staff by the Executive Director and, in 2002, assumed the position of Chief Administrative Officer; and

**WHEREAS**, as Chief Administrative Officer, Louis J. LaCapra is responsible for overseeing the management of the agency's 7,000-employee workforce, which is necessary to advance the overall Port Authority agenda, and oversees the Human Resources Department's efforts to attract and retain the best qualified employees, enabling the organization to provide optimal service to the New York/New Jersey metropolitan region; and

**WHEREAS**, Louis J. LaCapra is responsible for the oversight of the agency's labor relations strategy and has overseen the successful negotiation of nearly 100 labor contracts, ensuring a stable labor climate with no disruption in facility operations; and

**WHEREAS**, Louis J. LaCapra is also responsible for the oversight of vital services provided by the Operations Services Department in protecting our employees, tenants and patrons and preserving the agency's physical and economic assets, as well the oversight of the Procurement Department, ensuring a platform of open competition and fairness in the acquisition of all goods and services procured by the agency; and

**WHEREAS**, during his distinguished career at the Port Authority, Louis J. LaCapra has spearheaded many important initiatives, including leading a task force to transition the H&M Railroad to PATH, and developing new train and crew schedules to ensure efficiency in time schedules; leading a task force commissioned by Executive Director Austin J. Tobin on improving the deployment and utilization of Port Authority Police; initiating a work force development plan, which identified Port Authority staffing needs over a 20-year period; initiating an innovative plan entitled the "Influx Program," which successfully recruited women and minority candidates for management positions across the agency and developing a program using the census as a model to track progress in advancing the Port Authority's goal to increase minority representation in the workforce; and

**WHEREAS**, Louis J. LaCapra, has made invaluable contributions to designing the major components of the Port Authority's benefits program, which continues to this day to be a critical piece in attracting and retaining career service employees; and

**WHEREAS**, in addition to his extensive career as a public servant, Louis J. LaCapra has taken an active role in the local community and serves as a board member of the Newark YMCA, and has extended his public service endeavors beyond our borders to work for the United Nations Development Program to establish a human resources training center in Bangkok, Thailand, which became a model for the Thai Civil Service Commission, and where he continues to serve as an advisor to the organization "Promotion of the Status of Women and Children" in Thailand; and

**WHEREAS**, by resolution adopted by the Board on March 14, 1957, the Howard S. Cullman Distinguished Service Medal was established, which award is the highest award for service given by the Port Authority to a Port Authority employee who has performed the most outstanding service; and

**WHEREAS**, it is recommended that the Howard S. Cullman Distinguished Service Medal be awarded to Louis J. LaCapra for his exemplary leadership performance and his integrity and dedication to a career in public service which has not only benefited the Port Authority but the entire region it serves,

**NOW, therefore, be it**

**RESOLVED**, that the Howard S. Cullman Distinguished Service Medal be awarded to Louis J. LaCapra for the performance of outstanding service; and it is further

**RESOLVED**, that the Board of Commissioners hereby directs that this resolution be suitably engraved and presented to Louis J. LaCapra as a token of the high esteem in which he is held by the Board and staff alike.

**AWARD OF THE ROBERT F. WAGNER DISTINGUISHED PUBLIC SERVICE MEDAL**

The Robert F. Wagner Distinguished Public Service Medal was established on May 16, 1991, when the Port Authority's Distinguished Service Medal, established on March 2, 1944, was renamed in memory of former Vice-Chairman Robert F. Wagner. This Medal is to be awarded to those individuals who have rendered outstanding distinguished public service in their fields of endeavor or in the community, demonstrating an exceptional degree of dedication, good judgment, initiative and competence, and who have sustained this record of service over a number of years. Normally, it is awarded to those who have at least fifteen years of Port Authority service.

It was recommended that the Robert F. Wagner Distinguished Public Service Medal be awarded to nine individuals. Through their dedication and commitment to public service and the Port Authority, they have brought credit to themselves and the agency.

Frank Asaro  
Charles Beverson  
Aaron Paul Blanco  
Thomas Carney (Posthumously)  
Michael Eadicicco  
Peter Florio  
Alfred Graser  
Francis Lombardi  
James Reilly

Whereupon, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that the Robert F. Wagner Distinguished Public Service Medal be awarded to nine individuals who have given truly outstanding service to the Port Authority and the public over many years.

**AWARD OF THE POLICE COMMENDATION MEDAL FOR MERITORIOUS SERVICE**

The Police Commendation Medal, established by resolution adopted by the Board of Commissioners on May 8, 1952, is to be awarded to police personnel only in those cases where the individual has performed outstanding service or has shown exceptionally meritorious performance in the duty assigned to him or her.

It was recommended that the Police Commendation Medal be awarded to one individual. This individual demonstrated heroism, dedication and bravery in the performance of his duties.

**Rescue of Three People from Fire in Weehawken, New Jersey (2006)**

Police Office Matthew Nudelman

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Blakeman, Chasanoff, Coscia, Mack, Pocino, Sartor, Silverman and Steiner voting in favor; none against:

**RESOLVED**, that the Police Commendation Medal be awarded to one individual who has performed outstanding service or exceptionally meritorious performance of his duties.

## **AWARD OF THE JAMES G. HELLMUTH UNIT CITATION**

The James G. Hellmuth Unit Citation was established on January 29, 1998, when the Executive Director's Unit Citation, established in 1966, was renamed in honor of former Commissioner James G. Hellmuth. This citation is to be awarded to the members of a unit, section, division or special task force whose performance in carrying out a project, extended assignment, or during an unusual operating situation was so outstanding as to warrant special recognition.

It was reported that the Executive Director is to present the James G. Hellmuth Unit Citation to eight teams for their work.

### **Aviation/Engineering Response Team – 2006 Queens Power Failure**

Aviation Department  
Raymond Eng  
Onofrio Germinario  
Michael P. Hartin  
Neil Kennedy

Engineering Department  
Eduard Fayfman  
Isaac Kopec (retired)  
Leonid Roytman

### **Bayonne Bridge – New Jersey Abutment Rehabilitation (2002-2006)**

Engineering Department  
William Baumann  
Messaye Fessha  
Robert Kumapley  
James Massett  
Patel Nisraiyya  
Christopher Oest  
Stewart Sloan

Office of the Deputy Executive Director/  
Capital Programs  
Peter L. Rinaldi

Project Management Department  
Dipak M. Mehta  
John Potter

### **George Washington Bridge – Suspension Rope Protection (2004-2006)**

Engineering Department  
Casimir Bognacki  
Andrea Giorgi-Bocker  
Patel Nisraiyya  
Harendra Patel (retired)  
Mostafa Yacoub

Project Management Department  
Michael B. DeGidio  
Sergio Martinez  
Michael Valletta

**JFK Electrical/Maintenance Unit Response Team (2007)**

Aviation Department

Mummzad Ahmed	Laurence Keane
Nunzio Annunziata	Kwok Lai
Michael Anzalone	Richard Louis
Charles Beverson	Thomas Maino, Jr.
Nathaniel Bonaparte	Casimir Marszalek
Kevin Cestare	Edward Mazurowski
Keith Chan	Robert Mikovic
Matthew Citranglo	Gary Piechota
Anthony Cusumano	James Quinn
David DeBacker	Hector Ramirez
Robert Duggins	Edward Scheuplein
Anthony Ferrara	Joseph Toto
Hammond Fox	Alan Whitlock
Edel Garces	Sergey Yashin
Darrell Jones	

**Lincoln Tunnel – Customer Seizure – Averting a Potential Tunnel Disaster (2006)**

Tunnels, Bridges & Terminals Department

Thomas J. Carroll  
Michael S. Church  
Michael P. Curran  
Damien P. Long  
Charles L. Masterson  
Peter A. Schillizzi  
Daniel J. Walsh

**Staff Ingenuity in Expediting Clearing of Bus Accident (2007)**

Public Safety Department

Christine M. DiMarco  
Leonardo Lago-Camberio  
Patrick F. Mangieri  
Brandon P. Mohr  
Matthew F. Nudelman  
James P. Quirk  
John J. Rice  
Peter A. Schillizzi

Tunnels, Bridges & Terminals Department

Louis Barbieri  
Eric Dejarnette  
Richard J. Hallquist  
Lawrence P. Hughes  
William Krauss  
James McConnell  
Joseph Simon  
Kevin Ryan

**Stewart Airport Acquisition Team**

Aviation Department

Thomas Bock  
Paul Bolognese  
Maria Bordas  
Joanne Ciccoello  
Patricia Clark  
William R. DeCota  
Aaron Graham  
Alfred Graser  
David Kagan  
Edward Knoesel  
Huntley Lawrence  
Fred Longenecker  
Jack Martini  
Richard Milhaven  
William Radinson  
Cheryl Yetka

Engineering Department

Whang (Tom) Chen  
Robert Pruno

Government & Community Affairs Department

Ralph Tragale

Law Department

Maria De Los Reyes  
Marc DiFrancesco  
Paul Gembara  
Martha Golar  
Donna High  
Carlene McIntyre  
Stephen Peabody

Treasury

John Huxel

**WTC Redevelopment Agreements Team (2006)**

Development Department

Michael B. Francois  
Donald F. Free  
Louis J. Hector  
Jia Dee Li  
Timothy J. Lizura  
Thomas P. Maher  
Brian P. West  
Bill Wong

Law Department

Darrell Buchbinder  
Timothy Stickelman

Office of the Deputy Executive Director/

Capital Programs

Peter Rinaldi

World Trade Center Construction Department

Carla Bonacci  
Quentin Brathwaite  
Michael Kraft  
Steven Plate  
Mark Pagliettini

General Growth Properties

Jenna LaPietra

## **ESTABLISHMENT AND AWARD OF THE AUSTIN J. TOBIN EXECUTIVE DIRECTOR'S AWARD OF ACHIEVEMENT**

Austin J. Tobin served as the first Executive Director of the Port Authority from 1942 to 1972. His unparalleled 30-year tenure as Executive Director earned the Agency and its staff a reputation for extraordinary vision and effectiveness as he oversaw the conception and realization of some of the region's most complex projects, including the completion of the third tube of the Lincoln Tunnel, the Port Authority Bus Terminal, the second deck of the George Washington Bridge, the world's first containerports at Newark and Elizabeth, the rebuilding of many of the Brooklyn Piers and the construction of The World Trade Center. During this period, under his leadership, the Agency also assumed control of Newark Liberty International, LaGuardia and John F. Kennedy International Airports, as well as the Hudson and Manhattan Railroad, now PATH's rapid transit system. Austin J. Tobin has been recognized as an extraordinary leader and one of the most gifted and entrepreneurial of the nation's public sector managers.

The Executive Director's Award of Achievement, established in 1961, is awarded to individuals who, in the course of carrying out a project or extended assignment as part of the normal work of their positions, extend themselves beyond required limits and achieve results that are of such a nature that they clearly deserve special recognition. Characteristics of performance that are considered in determining the award include ingenuity, resourcefulness, risk taking in decision making and job performance, unusual insight into problems, exceptional diligence and thoroughness in producing completed staff work, and above-standard degrees of proficiency, craftsmanship or professional competence.

As a tribute to the legacy that the late Austin J. Tobin left to the staff of the Port Authority and the region it serves and in recognition of the high esteem in which he was held, there is a desire to accord him a singular honor. Therefore, henceforth the Executive Director's Award of Achievement shall be named the Austin J. Tobin Executive Director's Award of Achievement and shall be given to individuals who meet the established criteria and who exhibit exceptional vision, skill and determination in the fulfillment of their duties. The ideal candidate will have left a lasting mark not only on the Agency, but he or she will have contributed to the Agency's ability to fulfill its mission, to execute the great public works projects that it was created to build, or enhance its ability to manage the transportation and economic development apparatus that it holds in trust. To that end, he or she will have made the Agency stronger, the region's residents safer, or will have otherwise contributed measurably to the region's quality of life.

It was reported that, for this, its inaugural year, the Executive Director is to present the Austin J. Tobin Executive Director's Award of Achievement to the entire World Trade Center Construction Team, represented by Steven P. Plate, in recognition of the team's tremendous accomplishments in rebuilding the World Trade Center site. In a few short months, they have brought new life to the World Trade Center grounds, and given the entire region hope that a worthy monument will soon rise there – a monument that will celebrate the friends we have lost, and also the future of an Agency and a region that have much work yet to do.

## **TRIBUTE TO CHARLES A. GARGANO**

The following resolution was unanimously adopted to express the appreciation of the members of the Board of Commissioners of The Port Authority of New York and New Jersey to Commissioner Charles A. Gargano as he retires from the Board.

**WHEREAS**, since his appointment to the Board in April 1995 by former New York Governor George E. Pataki, the Honorable Charles A. Gargano has given tirelessly of his time, immeasurable talent, and experience in the furtherance of the Port Authority's mission; and

**WHEREAS**, from his election in April 1995 through April 2007, Charles A. Gargano served with great distinction as Vice Chairman has guided the agency through some of its most productive and challenging periods; and

**WHEREAS**, as Vice Chairman, Charles A. Gargano was instrumental in leading the agency during one of the most difficult times in the agency's history following the tragic events of September 11, 2001 and led staff through a period of mourning, remembrance and rebuilding for the future; and

**WHEREAS**, Charles A. Gargano also served as Chairman of the Committee on Operations for nearly 12 years, where he played an instrumental role in advancing a number of significant property matters, most notably, the net leasing of The World Trade Center in 2001 and the Master Development Agreement for the rebuilding of the World Trade Center; and the extension of the Port Authority's lease with the City of New York for the operation of John F. Kennedy International and LaGuardia Airports through 2050; as well as major facility operational matters, including the design, construction and operation of AirTrains JFK and Newark, the revitalization of ferry operations throughout the region, the collaboration with Federal partners to deepen the harbor shipping channels, and the implementation of electronic toll collection at all Port Authority bridge and tunnel crossings; and

**WHEREAS**, as Chairman of the Committee on Operations, Charles A. Gargano acknowledged the depth and breadth of staff's expertise and commitment and the value thereof, and ensured the employee's best interest was considered in actions undertaken; and

**WHEREAS**, Charles A. Gargano has had a long and distinguished career in public service, having previously served as United States Ambassador to the Republic of Trinidad & Tobago and Deputy Administrator of what was then the Federal Urban Mass Transportation Administration; and

**WHEREAS**, Charles A. Gargano, during much of his tenure as a Port Authority Commissioner also served as Chairman and CEO of New York State's Empire State Development Corporation, and has been an invaluable asset and a force in the implementation of numerous projects to enhance the economic vitality of the region including, the reactivation of the Staten Island Railroad and construction of ExpressRail Staten Island to provide rail service to the Howland Hook Marine Terminal; establishment of a cruise ship terminal at the Brooklyn-Port Authority Marine Terminal, the redevelopment of the Queens West Waterfront, as well as various other initiatives to stimulate economic growth in the region; and

**WHEREAS**, Charles A. Gargano has also served with great pride and distinction as a member of the Board's World Trade Center Redevelopment Subcommittee and has brought his considerable expertise, business acumen and tremendous commitment to the economic recovery, revitalization and the rebuilding of lower Manhattan following the tragic events of September 11, 2001; and

**WHEREAS**, during his tenure on the Board, Charles A. Gargano has been instrumental in the advancement of major capital projects of the Port Authority, including the historic redevelopment of both John F. Kennedy and Newark Liberty International Airports; the private development of the JFK Terminal 4 International Arrivals Terminal and the jetBlue Terminal currently under development at JFK; the redevelopment of the Port Authority Bus Terminal and the George Washington Bridge Bus Station; the restoration of PATH service to Lower Manhattan after September 2001; and the implementation of numerous projects to ensure the safety and security of the agency's facilities and the public we serve; and

**WHEREAS**, Charles A. Gargano advanced the participation of the Port Authority in other projects of regional significance including Moynihan Station, the Brooklyn Bridge Park, and Access to the Region's Core; and

**WHEREAS**, Charles A. Gargano embodies the true spirit of public service, and has led with distinction as the second longest serving Vice-Chairman in the history of The Port Authority of New York and New Jersey and his actions will have a profound and sustained impact on this agency and the region for years to come;

**NOW, therefore, be it**

**RESOLVED**, that the Commissioners of The Port Authority of New York and New Jersey wish to express their most heartfelt appreciation and that of the entire staff to Charles A. Gargano for his tireless and dedicated service to the Port Authority and the region it serves; and it is further

**RESOLVED**, that the Board of Commissioners hereby directs that this resolution be suitably engraved and presented to the Honorable Charles A. Gargano as a token of its gratitude and esteem.

Whereupon, the meeting was adjourned.

---

Secretary