

**GATEWAY PROGRAM DEVELOPMENT CORPORATION
REGULAR MEETING OF THE BOARD OF TRUSTEES
MINUTES: MONDAY, JULY 22, 2019**

The following are the minutes of the actions taken at the Open Session of the Regular Meeting of the Gateway Program Development Corporation (GDC) Board of Trustees, held at NJ TRANSIT Headquarters, 1 Penn Plaza East, Newark, New Jersey on Monday, July 22, 2019 at 11:00 am.

Present

Jerry Zaro, Chair

Anthony R. Coscia, Vice Chair

Steven M. Cohen, Trustee

1. Call to Order

- Chair Zaro called the Open Session of the Regular Meeting of GDC’s Board of Trustees to order at approximately 11 am.
- Chair Zaro noted that GDC’s Secretary, Diana Lopez, was unable to be in attendance for the meeting and that Trustee Cohen would serve as Acting Secretary for this meeting.

2. Roll Call, Notice of Meeting

- Trustee Cohen, Acting Secretary, confirmed that all attendees were present, and that there was quorum. Trustee Cohen announced that adequate notice of today’s Regular Meeting of GDC’s Board of Trustees had been provided to provide full transparency and afford the public with an opportunity to participate. Notices were filed on July 19, 2019 with the New Jersey Secretary of State, the Clerk of Essex County, New Jersey, and the Clerk of Hudson County, New Jersey. Trustee Cohen noted that the meeting notice was provided on the GDC website. Trustee Cohen indicated that this meeting was being videotaped.

3. Executive Session Authorization

- Chair Zaro announced that prior to continuing into the public portion of today’s meeting, that the Board would be entering into Executive Session to discuss contract negotiations, and matters in which the release of information could impair a right to receive funds from the United States or other grantor. Chair Zaro stated that after the Executive Session, the Board would reconvene to continue the meeting.
- Chair Zaro made a motion to enter into Executive Session and passed with unanimous vote.

4. Reconvene Public Session

- Chair Zaro reconvened the open meeting shortly after noon. Trustee Cohen, as Acting Secretary, confirmed that all attendees were present, and that there was quorum.

5. Adoption of April 2, 2019 Meeting Minutes

- Copies of the minutes from the April 2, 2019 Meeting of GDC’s Board of Trustees were distributed prior to this meeting. The minutes were unanimously approved as presented.

6. Gateway Program Update Presentation

- GDC Interim Executive Director Frank Sacr and GDC Chief of Public Outreach Stephen Sigmund provided an update on the Gateway Program.
- Mr. Sacr provided a status update on the Gateway Program. Mr. Sacr noted that GDC and its Project Partners are continuing to take actions within their control to advance the Gateway Program. Mr. Sacr stated that both legislatures in the State of New York and State New Jersey passed the Gateway Development Commission Act to create a new and stronger GDC and was awaiting signature from both governors. For the Hudson Tunnel Project, Mr. Sacr noted that the Project Partners were continuing its Value-for-Money Analysis, including conducting risk analysis, mitigation, and allocation work, developing contract procurement documents, and advancing the Supplemental Geotechnical Investigation Phase 2 Program. Finally, Mr. Sacr advised that the Port Authority of NY & NJ, in cooperation with GDC and the Project Partners, were preparing for the FY2021 FTA Capital Investment Grant Program rating submittal, due August 23, to respond to previous FTA comments.
- Mr. Sigmund provided an update on the analysis of major infrastructure failures and train delays in the Gateway Territory. He stated that the analysis of the Northeast Corridor Commission’s delay data found that there were 85 “major incident” days –defined as 5 or more hours of delay to Amtrak and/or NJ TRANSIT trains – at the Portal Bridge of North (Hudson) River Tunnel between 2014 and 2018. This added up to almost 2,000 hours in lost time and productivity. The analysis found multiple problems that caused delays in the tunnel, with overhead power failures, track conditions, and signal problems being the primary causes of major incident days. For the Portal Bridge, the analysis found that most major incident days were caused due to the failure to lock after opening. Further information on the delay analysis was provided in a Press Release.
- Mr. Sacr described Board Item #0719-01, the Endorsement of an Amendment to Amtrak’s Engineering Services Contract for the Development of Contract Package Procurement Documents. Mr. Sacr noted that the amendment will allow the Gateway Project Partners to maintain an expedited project schedule and be prepared to commence Hudson Tunnel Project procurement activities.

7. Public Comments on Agenda Items and Other Matters

- Trustee Cohen announced that there were 9 registered speakers and began the public comment period.
- Speaker: Senator Loretta Weinberg, NJ Senate Majority Leader
- Speaker: Bill Neary, Keep Middlesex Moving
- Speaker: Joseph Clift, Private Citizen
- Speaker: Christopher Boylan, General Contractors Association of New York
- Speaker: David Alan, Railway Age
- Speaker: Brian Fritsch, Build Gateway Now Coalition

- Speaker: Tony Perry, Commerce and Industry Association of New Jersey
- Speaker: Bruce Bergen, Raritan Valley Rail Coalition
- Speaker: Kimberly O’Keeffe, Regional Plan Association

8. Action Item: Endorsement of an Amendment to Amtrak’s Engineering Services Contract for the Development of Contract Package Procurement Documents Chair Zaro announced the first action item before the Board, Item #0719-01, a resolution that endorses an amendment to Amtrak’s Engineering Services Contract for the development of contract package procurement documents

- Chair Zaro made a motion to advance the item. The motion was seconded by Trustee Cohen and passed with unanimous vote.

9. Action Item: Confidential Item

- Chair Zaro noted for the record that the Board approved a matter in Executive Session, which shall not be made available for public consumption at this time, until such actions have been completed in order to protect GDC’s interests during ongoing negotiations.
- *Note:* This action item, Item #0722-02: Recommendation Regarding Professional Legal Services (Project Counsel) was publicly posted following completion of negotiations and can be found on GatewayProgram.org.

10. Adjournment

- Shortly before 1:00 PM, Chair Zaro made a motion to adjourn the meeting.
- Trustee Cohen seconded the motion and it was unanimously adopted.
- There being no further business to come before the Board, the meeting was adjourned.