

Gateway Development Commission
Meeting of The Board
Held via Teleconference

November 16, 2023

MINUTES

The following Commissioners were present:

NEW JERSEY

Balpreet Grewal-Virk, Co-Chair
Janine Bauer
Amy Rosen

NEW YORK

Alicia Glen, Co-Chair
Jamey Barbas
Marie Therese Dominguez

AMTRAK

Anthony R. Coscia, Vice Chair

I. Call to Order

The public meeting was called to order by Co-Chair Glen at approximately 12:00 PM.

Co-Chair Glen advised that due to scheduling availability of the Commissioners and the need to advance key Commission business in a timely fashion, today's meeting was being held virtually via teleconference with audio of the meeting being live-streamed from the Gateway Program website.

Co-Chair Glen noted that the Commission was continuing to solicit virtual comments, and that a form for soliciting these comments was posted on the Gateway Program website for those who wished to submit a comment for today's meeting.

Acting Secretary Caulfield conducted a roll call and confirmed that all Commissioners were present. Commissioner Dominguez was temporarily disconnected from the virtual meeting during the roll call, and rejoined the meeting shortly thereafter. Mr. Caulfield confirmed there was a quorum.

Acting Secretary Caulfield stated that adequate notice of today's regular public meeting of the Board of Commissioners of the Commission had been provided in accordance with the Commission's enabling legislation.

II. Report on Minutes of the October 16, 2023 Meeting

Acting Secretary Caulfield reported that copies of the Minutes of the meeting of October 16, 2023 were delivered in electronic form by Acting Secretary Caulfield to the Governors of New York and New Jersey on October 16, 2023 and that the time for action by the Governors of New York and New Jersey expired at midnight on October 31, 2023, at which time the actions recorded in the Minutes went into full force and effect.

III. Gateway Program Update

The Commission's Chief Executive Officer, Kris Kolluri, Chief Administrative Officer, Robert Hickman, and Deputy Chief Financial Officer, Patrick McCoy, provided updates on the Gateway Development Commission, and progress with the Hudson Tunnel Project.

This presentation included an overview of the GDC 2024 Proposed Operating and Capital Budget. Mr. McCoy provided an overview and noted that in accordance with the GDC Act the proposed budget

would be posted to the Gateway Program website and the Board would consider formal adoption of the budget at the December 2023 Board Meeting.

Following the presentation, Co-Chair Glen thanked Mr. Kolluri and the rest of the GDC staff for the update, and asked if there were any questions or comments from the Board. None of the Commissioners had any questions or comments.

IV. Public Comments

Co-Chair Glen announced that the Commission had solicited virtual comments from the public in advance of, and during, today’s meeting. Co-Chair Glen indicated that a form for soliciting these comments was posted to the Gateway Program website and was available throughout today’s meeting.

Co-Chair Glen asked Mr. Caulfield to list those individuals and organizations that had submitted virtual comments. There were four (4) written comments received by 5:00 PM on Wednesday, November 15, 2023:

Commenter	Topic
Michael Cappiello, Steel Service Center	Request to be added to bid list
John Lane, Retired Hudson County Transportation Planner	Palisade Tunnel Portal Issue
Carlo Scissura, New York Building Congress	Gateway Program support
Sophie Cappello, Regional Plan Association / Build Gateway Now Coalition	Review of HTP progress in 2023

Acting Secretary Caulfield noted that all written comments received on November 16th before and during the meeting would be distributed to the Board, posted on the Gateway Program website, and filed in the Commission’s records after the meeting. GDC did not receive any additional written comments on November 16th.

V. Action Items

#1123-01: Authorization to Execute a License Agreement for Premises Located at 120 Broadway, New York, New York

The Board acted on this referenced action item, enclosed herewith. Commissioners did not have any comments on this Resolution. Commissioner Barbas made a motion, and Commissioner Dominguez seconded the motion. The roll call vote is referenced in the attached Resolution.

VI. Adjournment

Co-Chair Glen noted that there was no further business to conduct. Co-Chair Glen made a motion to adjourn the meeting, which Co-Chair Grewal-Virk seconded. The meeting was adjourned at approximately 2:15 PM.

Respectfully submitted,

/s/ Edmund Caulfield
Edmund Caulfield, Acting Secretary

#1123-01: AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT FOR PREMISES LOCATED AT 120 BROADWAY, NEW YORK, NEW YORK

To help ensure the functionality of intercity and commuter rail infrastructure between New Jersey and New York and throughout the Northeast Corridor (the "**NEC**"), the State of New Jersey ("**New Jersey**") and the State of New York ("**New York**") created the Gateway Development Commission ("**GDC**") through the enactment of parallel legislation by each state codified as the Gateway Development Commission Act (2019 N.Y. Laws, Ch. 108 and N.J.S.A. 32:36-1, et seq.) (collectively, the "**GDC Act**").

The GDC Act empowers the Commission to "[a]cquire (including, without limitation, by gift, purchase, exchange or condemnation in accordance with the requirements of this act), subdivide, lease, license, take, and hold property of every description and to manage such property and develop any undeveloped property owned, leased, or controlled by it in a manner necessary or appropriate to Facilitate the Project." 2019 N.Y. Laws, Ch. 108, Section 2(7)(d); N.J.S.A. 32:36-8(d).

GDC previously entered into a Sublease with the Port Authority of New York and New Jersey (the "**Sublease Agreement**"), which authorized GDC to occupy the premises located at 120 Broadway, New York, New York (the "**Premises**"). The Sublease Agreement expires on December 30, 2023.

In order to permit GDC sufficient time to secure a longer-term lease for office space, GDC has negotiated a one-year License Agreement for calendar year 2024 (the "**License Agreement**") with the landlord of the Premises, Silverstein Properties, LLC (the "**Landlord**"), with a monthly license fee of \$39,474, plus additional fees provided for under the License Agreement, including for electricity.

Section 3.06 of the GDC Bylaws provides that "[t]he Board may delegate in whole or in part any power, authority, discretion or obligation to any Officer, in each case to the extent to which the Board deems appropriate."

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Barbas, Bauer, Coscia, Dominguez, Glen, Grewal-Virk, and Rosen voting in favor:

RESOLVED, that the GDC Chief Executive Officer is authorized to take any and all actions consistent with this resolution, and to make, execute, and deliver in the name and on behalf of GDC a License Agreement with the Landlord, and to take all other steps necessary to comply with the terms and conditions of the License Agreement.