SUBJECT TO GUBERNATORIAL REVIEW

Gateway Development Commission
Regular Meeting of the Board
Virtual

August 24, 2026

MINUTES

The following Commissioners were present:

NEW JERSEY	**NEW YORK**	**AMTRAK**
Balpreet Grewal-Virk, Co-Chair	Alicia Glen, Co-Chair	Anthony Coscia, Vice-Chair
Victor Herlinsky	Jamey Barbas	
Justin Braz		

I. Call to Order

The public meeting was called to order by Co-Chair Glen at approximately 11:00 A.M.

Co-Chair Glen advised that public comments were being solicited virtually, and audio of the meeting was being live streamed via Microsoft Teams and on the Gateway Development Commission's YouTube channel.

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 Anderson conducted a roll call and confirmed that all Commissioners were present except Commissioner Dominguez, and that there was a quorum.

Acting Secretary Anderson stated that adequate notice of today's 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 July 8, 2026, Meeting

Acting Secretary Anderson reported that copies of the Minutes of the July 8, 2026, meeting were delivered in electronic form to the Governors of New York and New Jersey on July 8, 2026. The time for action by the Governors of New Jersey and New York for all action items expired at midnight on July 22, 2026, at which time such action items recorded in the Minutes went into full force and effect.

III. Report on Public Comments

Acting Secretary Anderson announced that the Commission had solicited virtual comments from the public in advance of, and during, today's meeting. She indicated that a form for soliciting these comments was posted to the Gateway Program website and was available throughout today's meeting.

There were two (2) written comments received by 5:00 PM on Sunday, August 23, 2026:

Commenter	Topic
Jerry Keenan, NJ Alliance for Action	Hudson Tunnel Project
Joshua Berman, Regional Plan Association	Hudson Tunnel Project

Co-Chair Glen noted that all written comments received by 5:00 p.m. on August 23, 2026, before the meeting, were distributed to the Board, posted on the Gateway Program website, and would be filed in the Commission's records after the meeting.

The following individuals provided virtual public comments during the August 24, 2026, Board Meeting:

Commenter	Topic
Sam Turvey for ReThinkNYC, Empire Station Coalition, Penn Community Defense Fund	Hudson Tunnel Project

There were no written comments received during the meeting on August 24, 2026.

IV. Action Items

#0826-01: Authorization of Delegation of Authority to Chief Executive Officer for Intergovernmental Agreements and a Memorandum of Understanding to Support Rescue Services for The Hudson Tunnel Project.

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

#0826-02: Appointment of the Chief Financial Officer of the Gateway Development Commission.

The Board acted on this referenced action item, enclosed herewith. Co-Chair Glen and Co-Chair Grewal-Virk expressed support for this action item and welcomed Mr. Bernstein to the Commission. Co-Chair Grewal-Virk made a motion, and Commissioner Herlinsky seconded the motion. The Resolution was approved. The roll call vote is referenced in the attached Resolution.

V. Adjournment

Co-Chair Glen noted that there was no further business to conduct and then motioned to adjourn the meeting. Upon the motion being duly made by Co-Chair Glen and seconded by Co-Chair Grewal-Virk the meeting was adjourned at approximately 11:20 A.M.

Respectfully submitted,

/s/ Maria C. Anderson
Maria C. Anderson, Acting Secretary

#0826-01: AUTHORIZATION OF DELEGATION OF AUTHORITY TO CHIEF EXECUTIVE OFFICER FOR INTERGOVERNMENTAL AGREEMENTS AND A MEMORANDUM OF UNDERSTANDING TO SUPPORT RESCUE SERVICES FOR THE HUDSON TUNNEL PROJECT

To help ensure the functionality of intercity and commuter rail infrastructure between the State of New Jersey ("**New Jersey**") and the State of New York ("**New York**") and throughout the Northeast Corridor (the "**NEC**"), New Jersey and 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 "enter into, execute and deliver contracts and agreements and other documents and instruments as may be necessary or appropriate to carry out any power of the Commission under this act and to otherwise accomplish any lawful purpose which the commissioners determine will Facilitate the Project, including, without limitation, with the federal government, the state of New Jersey, any local government thereof, the state of New York, with any local government thereof, with any agency, instrumentality, department, commission or authority of any one or more of the foregoing, any bi-state agency, Amtrak, any individual or private firm, entity or corporation, or with any one or more of them." 2019 N.Y. Laws, Ch. 108, Section 2(7)(e); N.J.S.A. 32:36-8(e).

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."

The Hudson Tunnel Project's size and complexity require a comprehensive tunnel rescue plan which requires specialized equipment and training involving regular drills and exercises to ensure an adequate response to emergencies if necessary. Because the Palisades Tunnel Portal located in North Bergen and the Hudson County Shaft located in Weehawken are the only tunnel rescue extraction points until the tunnel boring machines reach Manhattan, North Hudson Regional Fire and Rescue ("NHRFR"), a regional service agency formed pursuant to N.J.S.A. § 40A:65, has been identified as having jurisdiction to respond to emergencies at the HTP and associated construction sites. An intergovernmental agreement between GDC and NHRFR is required to provide for tunnel rescue, emergency response, and related services by NHRFR.

The Urban Area Security Initiative ("UASI") was established by the Department of Homeland Security ("DHS") and administered by the Federal Emergency Management Agency ("FEMA") to enhance regional preparedness and capability to respond to major emergencies. The Northern Region Urban Area Security Initiative Metro Urban Search and Rescue Strike Team ("UASI MUSAR") is a specialized, multiagency regional task force organized under UASI to provide training, coordination, and assistance to communities to respond to emergencies through its member fire departments. One or more intergovernmental agreements among GDC and such member fire departments, as well as a memorandum of understanding between GDC and UASI MUSAR for coordination of training, are required to provide for supplementary tunnel

rescue, emergency response, and related services beyond those able to be provided by NHRFR, including mutual aid response, by such member fire departments.

The Federal Transit Administration ("FTA") permits the use of intergovernmental agreements under 2 CFR 200.318(e) and FTA C.4220.1G, Chapter V, paragraphs 1 and 4 for the sharing of services and cost efficiencies.

The initial term of the intergovernmental agreements between GDC and NHRFR and GDC and UASI MUSAR's member fire departments, and a memorandum of understanding between GDC and UASI MUSAR with respect to the coordination of training among member fire departments, will run through 2029, and thereafter, GDC has the option to exercise one-year extensions to be approved pursuant to a further action by the Commissioners.

Pursuant to the foregoing report, the following resolution was adopted, with Pursuant to the foregoing report, the following resolutions were adopted, with Co-Chair Glen, Co-Chair Grewal-Virk, Vice Chair Coscia, Commissioner Barbas, Commissioner Herlinsky and Commissioner Braz voting in favor::

RESOLVED, that the GDC Chief Executive Officer is authorized to enter into, execute and deliver in the name and on behalf of GDC an intergovernmental agreement with NHRFR for the purposes of tunnel rescue training, equipment and related services for an amount not to exceed $5,535,000 and further authorizing an additional amount equal to ten percent (10%) for contingencies, in each case subject to the availability of funds and the exercise of any one-year extension to be approved pursuant to a further action by the Commissioners, and to take any and all other actions consistent with this resolution, and to take all other steps necessary to comply with the terms and conditions of said intergovernmental agreement.

RESOLVED, that the GDC Chief Executive Officer is authorized to enter into, execute and deliver in the name and on behalf of GDC a memorandum of understanding with UASI MUSAR with respect to the coordination of training among its member fire departments and intergovernmental agreements with any of its member fire departments for the purposes of tunnel rescue training, equipment and related services for an amount not to exceed $1,575,000 in total and further authorizing an additional amount equal to ten percent (10%) for contingencies, in each case subject to the availability of funds and the exercise of any one-year extension to be approved pursuant to a further action by the Commissioners, and to take any and all other actions consistent with this resolution, and to take all other steps necessary to comply with the terms and conditions of said memorandum of understanding or intergovernmental agreements.

RESOLVED, that the GDC Chief Executive Officer is authorized to delegate, in writing, the authority to authorize, approve, create, amend, manage, and/or terminate any aspect of the agreements with NHRFR and UASI MUSAR, and the UASI MUSAR member fire departments and execute such documents as may be required to the Chief Financial Officer, Executive Vice President, Safety and Security Officer, or Deputy Chief Administration-Procurement, or other officers or employees of GDC provided that the Chief Executive Officer provides notice in writing to the Co-Chairs and Vice Chair of the Board of such delegation and any delegations of authority having occurred prior hereto are hereby ratified.

RESOLVED, that the GDC Chief Executive Officer, or their designees, including the Chief Financial Officer, Executive Vice President, Safety and Security Officer, or Deputy Chief Administration-Procurement may assign the work to be performed by NHRFR and UASI MUSAR and the UASI MUSAR member fire departments not to exceed the amounts approved by the Board.

Adopted 8/24/2026

#0826-02: APPOINTMENT OF THE CHIEF FINANCIAL OFFICER OF THE GATEWAY DEVELOPMENT COMMISSION

Section 3.01 of the Bylaws of the Gateway Development Commission (the "Commission") includes the position of Chief Financial Officer as an officer of the Commission.

The Board finds that in order to enable the efficient and timely execution of the Commission's duties, Jeffrey Bernstein should be designated and appointed to the Chief Financial Officer position as specified in Section 3.03 of the Commission's Bylaws.

Pursuant to the foregoing report, the following resolutions were adopted, with Co-Chair Glen, Co-Chair Grewal-Virk, Vice Chair Coscia, Commissioner Barbas, Commissioner Herlinsky and Commissioner Braz voting in favor:

RESOLVED, that pursuant to Section 3.03 of the Commission's Bylaws, the Board of Commissioners hereby appoints Jeffrey Bernstein, to serve in the capacity of Chief Financial Officer of the Commission, directly reporting to and subject to day-to-day supervision by the Chief Executive Officer of the Commission, with such responsibilities and authority described within the Bylaws and any policies promulgated by the Board of Commissioners.