Committee Meeting

of

NEW JERSEY LEGISLATIVE SELECT COMMITTEE
ON INVESTIGATION

“The testimony of Regina Egea concerning the committee’s investigation into all aspects of the finances, operations, and management of the Port Authority of New York and New Jersey, and any other matter raising concerns about abuse of government power or an attempt to conceal an abuse of government power, including, but not limited to, the reassignment of access lanes in Fort Lee, New Jersey, to the George Washington Bridge”

LOCATION: Committee Room 11
State House Annex
Trenton, New Jersey

DATE: July 17, 2014
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Senator Loretta Weinberg, Co-Chair
Assemblyman John S. Wisniewski, Co-Chair
Senator Linda R. Greenstein
Senator Kevin J. O’Toole
Assemblywoman Marlene Caride
Assemblyman Paul D. Moriarty
Assemblywoman Amy H. Handlin

ALSO PRESENT

Philip M. Mersinger
Michaels R. Molimock
Office of Legislative Services
Committee Aides

Francisco Maldonado
Senate Majority
Kate McDonnell
Assembly Majority
Committee Aides

Frank Dominguez
Senate Republican
Keith A. Loughlin
Assembly Republican
Committee Aides

Tony Barkow, Esq.
Special Counsel

Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey
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SENIOR LORETTA WEINBERG (Co-Chair): Good morning, everybody.

I will call the Select Committee to order.

May we have a roll call, please?

MR. MOLIMOCK (Committee Aide): Assemblywoman Schepisi. (no response)

Senator O’Toole.

SENATOR O’TOOLE: Here.

MR. MOLIMOCK: Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Here.

MR. MOLIMOCK: Assemblyman Carroll (no response)
Assemblywoman Vainieri Huttle. (no response)
Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Here.

MR. MOLIMOCK: Majority Leader Greenwald. (no response)

Senator Greenstein.

SENATOR GREENSTEIN: Here.

MR. MOLIMOCK: Senator Gill. (no response)
Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Present.

MR. MOLIMOCK: Co-Chair Wisniewski.

ASSEMBLYMAN JOHN S. WISNIEWSKI (Co-Chair): Present.

MR. MOLIMOCK: Co-Chair Weinberg.

SENATOR WEINBERG: Here.
Thank you very much.

The Committee calls Regina Egea, Director of the Authorities Unit.

Oh, okay; pardon me, Ms. Egea. We will get to all the formal part of this in a few moments.

I know that Assemblywoman Handlin has asked to be recognized.

Amy.

ASSEMBLYWOMAN HANDLIN: Thank you; I appreciate that.

This Committee, as everyone knows, was formed to investigate potential abuses of power affecting operations of the Port Authority -- not just potential abuses of power coming from the Christie Administration.

And, as everyone knows, allegations have been made that the Mayor of Jersey City ordered a deliberate disruption of traffic to the Holland Tunnel to serve his own ends.

Now, I know that Chairman Wisniewski has already stated that this Committee should stay focused on the George Washington Bridge. Now while I, frankly, don’t understand why the Holland Tunnel is less important than the George Washington Bridge, I won’t argue that. What I will do is make a motion that every member of this Committee should support to show a sincere and bipartisan commitment to rooting out potential abuses of power.
So I move that we officially and collectively refer the Jersey City matter to the Attorney General.

SENATOR O’TOOLE: Second.
SENATOR WEINBERG: Is there a second?
SENATOR O’TOOLE: Second.
SENATOR WEINBERG: Any discussion on the motion from anybody?

Yes, Senator O’Toole.

SENATOR O’TOOLE: Yes, Chair, just a comment.

I’ve heard-- I’ve seen the newspapers and the comments, and there’s a question as to where we are with this Committee. I think when an allegation like that gets raised -- and I think no one has to say that there is guilt imparted on one party or another. But if it rises to a level where the allegations are made, and such a serious note has been printed on page 2 of the Star-Ledger and the Jersey Journal on numerous times, and the allegations raised to-- And it may be false, it may be contrived, it may be political, it may be payback, or there may be hints of the truth. If it rises to this level, I think, in this new era of being on this level of watch, at the bare minimum I would agree that, yes, at least refer to the Attorney General and let them do with it as they see fit.

SENATOR WEINBERG: Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Yes, Chairperson, at this time I make a motion to table the motion to send this to the
Attorney General.  

SENATOR WEINBERG: Do we have a second?

ASSEMBLYMAN WISNIEWSKI: I second the motion.

SENATOR WEINBERG: Roll call on the motion to table.

MR. MOLIMOCK: On the motion to table the motion.

Senator O’Toole.

SENATOR O’TOOLE: No.

MR. MOLIMOCK: Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Obviously, I’m going to vote no, but I also want to say that I intend--

SENATOR WEINBERG: Well, a motion to table is not debatable.

ASSEMBLYWOMAN HANDLIN: I’m not debating it; I’m just saying that I will be sending the letter, and I would ask for members of the Committee, who feel that they have a sincere commitment to rooting out potential abuses of power, to join me in signing that letter.

MR. MOLIMOCK: Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: No.

MR. MOLIMOCK: Senator Greenstein.

SENATOR GREENSTEIN: Yes.

MR. MOLIMOCK: Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Yes.

MR. MOLIMOCK: Co-Chair Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Yes.
MR. MOLIMOCK: Co-Chair Weinberg.

SENATOR WEINBERG: I will vote to table, and follow the proviso of what Assemblywoman Handlin just outlined.

Now that that vote’s over, let me--

SENATOR O’TOOLE: Madam Chair, could you just-- Because I’m a little confused on that. Just so we’re clear, because I want to join Assemblywoman Handlin in writing--

SENATOR WEINBERG: I’m voting to table.

SENATOR O’TOOLE: Okay, but you said to follow with the proviso. I missed what--

SENATOR WEINBERG: I’m just adding my own comment, which I’m about to explain.

Any member of the public and any member of this Committee has the right to refer anything to the Attorney General’s Office, and it’s up to the Attorney General to decide whether or not he wants to investigate.

I think that’s a much more appropriate place than this Committee. If this Committee is going to investigate the broader issue of abuse of power, we will be in business for the next five years, at a minimum, and we’re going to need a much larger staff. Because there is a long list, and a long litany that each of us could add to that list of abuse of power.

So we are focused on the George Washington Bridge, and on the issues that have arisen around the Port Authority. Let me just state that again: That what we hope comes out of this Committee. There is the criminal investigation that we are not
participating in. What we hope comes out of this Committee is some real legislative changes that will address some of the issues that have led to why we’re sitting here today.

So at the risk of repeating what this is all about, I wanted to repeat that, and certainly the Attorney General will hear the issues around the allegations around the former Police Chief and the current Mayor of Jersey City, and it is up to him to decide whether or not to investigate.

Senator O’Toole.

SENATOR O’TOOLE: Chair, then I’m a little more confused.

I thought the motion by Assemblywoman Handlin was to forward this to the Attorney General, not here.

SENATOR WEINBERG: Yes.

SENATOR O’TOOLE: Okay.

SENATOR WEINBERG: Right.

SENATOR O’TOOLE: So it was tabled, so there’s no interest in this Committee to have a collective letter go to the Attorney General?

SENATOR WEINBERG: I think what Assemblywoman Handlin finished her motion, or in the discussion portion, stated that she was going to go ahead and send it to the Attorney General’s Office. And I am merely noting that anybody, individually or collectively, has the right to send anything they want to, to the Attorney General. I think, certainly, there will be enough press
reports about what took place here today that he will take notice, if he hasn’t already.

Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Thank you, Co-Chair Weinberg.

And I just wanted to weigh in on this, because I think that this makes for interesting copy for the press that’s covering this, but I think that there’s a distinction that has to be observed between what we are doing with this Committee and our charge, and the repeated attempts to expand the scope of the Committee’s work to other areas. We’ve gotten requests to investigate the Newark Board of Education; we’ve gotten requests now to investigate the Mayor of Jersey City.

As a legislative body, going back to the fundamentals we all learned in school about our form of government with checks and balances, a legislature serves as a co-equal branch of government. And one of our fundamental obligations is to make sure that other branches of government are playing by the rules. We have an allegation -- more than an allegation -- we have clear proof of an abuse of power that originated in the Governor’s Office with the e-mail from Bridget Kelly. That is an abuse of power that comes out of the Governor’s Office, that it’s our obligation, as a Legislature, to investigate.

I think when we start looking at investigating abuses of power that come out of a Mayor’s office -- there are 564 municipalities in New Jersey, and there are 611 school boards. To
the point that Co-Chair Weinberg made, if the intention here is to create a permanent Committee on Investigations and every time there is an allegation made -- and, in this particular case, by an employee who was demoted, so clearly he has an ax to grind -- then we should do that. We should create a permanent Committee that will investigate every issue that potentially can be raised, either by a legislator, a mayor, a councilman. But I think that takes our Legislature into an area that it has not been previously.

And so I think there’s a distinction in the roles. I think that it’s easy to conflate it and say, “Well, that’s an abuse of power, this is an abuse of power. We ought to investigate all abuses of power.” But I think it then runs almost contrary to what people have been saying -- is that, we ought to be wrapping this up, as opposed to now amping up other investigations.

And finally, the Attorney General is vested with the authority to investigate. It defies logic why the Attorney General hasn’t investigated any of these allegations. He’s been remarkably silent in this entire process.

And so the Attorney General is free to investigate whatever may have happened in Jersey City. And if the Attorney General of the State of New Jersey thinks it’s meritorious, then he ought to do that. But I think it’s, quite frankly, just, again, an effort to distract the focus of this Committee’s work -- which is to investigate an abuse of power that we know came out of the Governor’s Office.

Thank you.
SENATOR O’TOOLE: Chair.

SENATOR WEINBERG: Senator O’Toole.

SENATOR O’TOOLE: Thanks.

SENATOR WEINBERG: And we do have a witness waiting, so--

SENATOR O’TOOLE: I understand. I have a couple of procedural issues, but I have to address an issue.

SENATOR WEINBERG: Yes, go ahead.

SENATOR O’TOOLE: You know, when we looked at the legal bills through March we saw that Mayor Fulop had already been interviewed so it’s not like he’s a foreign entity to this body. And I know that some members of this Committee, including one of the Chairs, had said that we should be expanding this into Hoboken; we’ve read that before. So it’s kind of a mixed message we’re getting here, but I think-- And part of that -- I know we only have 7 of the 12 members here -- I would suggest when we can have all 12 members together, and I say this to both Chairs, I’d like to have a meeting either here or, if it’s appropriate, in the executive, to talk about the direction of this Committee as to where we’re really going. Because there seems to be some confusion, and there’s some fits and some starts.

And along those lines, I read in the newspaper -- I think I was told by staff that -- did Reid Schar receive a letter, or was it just a communication, from the U.S. Attorney’s Office about a purported “do-not-call list”? And if that exists, I’d like to know, and let me just tell you why, Chair, so we’re clear.
If there’s a list of individuals who we have looked at and said we should think about having a discussion before us, and if the U.S. Attorney’s Office has said that we don’t want them here to interfere, or possibly trample on, or confuse the Federal investigation, I’m a little bit concerned that I don’t know the entities of those individuals. Because when I’m asking Regina Egea or the next witness a question, and if they’re saying, “Well, you’re going to go into areas about what an individual said, and it could be an individual who’s on the targeted do not call list,” that gives me a little concern. So I, as one of the members, would like to know the entities and the identities of those “do-not-call individuals” so I will put my questions in a manner so I will not intrude upon what he or she said so I don’t want to impact the Federal investigation.

So if we can talk about that without going into details so I can feel more comfortable--

SENATOR WEINBERG:  Senator O’Toole, we have had discussions about this in executive session. Everybody on this Committee knows that before we call a witness to actually appear here, that our attorney checks with the U.S. Attorney’s Office to make sure that there is no reason that we not call the person -- or that there’s no reason not to call the person. So that’s been discussed quite clearly.

SENATOR O’TOOLE:  Yes.

SENATOR WEINBERG:  Obviously, we don’t know the details; that’s all we ever find out from the U.S. Attorney’s Office. That list changes, sometimes weekly.
SENATOR O’TOOLE: Right.

SENATOR WEINBERG: Sometimes somebody is on, “No, you can’t call them this week, but next week you’ll be able to call them.” So it changes weekly if you’re-- Whatever is the up-to-date list, as of the last telephone call that our attorney made, we will make sure that you have that list.

SENATOR O’TOOLE: But even before--

SENATOR WEINBERG: But everybody here knows and knew that this is part of our procedure -- that we are respectful of the criminal investigation, or the apparent criminal investigation. We don’t want to interfere with it.

SENATOR O’TOOLE: But Chair, do you understand my--

SENATOR WEINBERG: And that’s how we’ve been operating.

SENATOR O’TOOLE: I totally agree, Chair. And I understand what you’re saying; I agree with you. But my point is the step beyond that. If there is an ever-evolving “do-not-touch” list, and that if we, as members, are not aware of that list-- You know, if they say Mr. Smith is on that list. I’d be really hard pressed to ask Regina Egea questions about what Mr. Smith said to her at a given time.

SENATOR WEINBERG: Well, you don’t have to worry about that because if, in fact, the U.S. Attorney has not objected to Ms. Egea being called by this -- or any other witness that we interview here--

SENATOR O’TOOLE: I’m not talking about Ms. Egea.
SENATOR WEINBERG: The U.S. Attorney has also not given us parameters on what we’re allowed to ask. So you don’t have to worry about that; you can ask whatever you so choose, that whatever witness is sitting in front of us can answer. We have received no instructions, no any kind of implications that, yes, you can call such-and-such a witness, but you may not ask them about such-and-such.

SENATOR O’TOOLE: Chair, let me just--

SENATOR WEINBERG: So feel free.

SENATOR O’TOOLE: Let me just finish my comments so you can go to the witness.

And I hear what you’re saying, but I think perhaps we should have a meeting with all 12 of us to talk about--

SENATOR WEINBERG: Yes, by all means.

SENATOR O’TOOLE: Would that be appropriate? I think we should--

SENATOR WEINBERG: Yes.

ASSEMBLYMAN WISNIEWSKI: Yes.

SENATOR O’TOOLE: All right.

And to that point, before we start the questioning here today, I want to make-- There’s a correction: page 14 of the product that Mr. Schar’s office gave us -- there’s a mistake. I want to make sure everyone is aware of that mistake before they may venture down that road. If you could just look at page 14, there appears to be a mistake, about halfway down, right after the December 31 date. I’ll give everybody a second.
SENATOR WEINBERG: Go ahead.

SENATOR O’TOOLE: About halfway down the second blocked paragraph there, it says, “You also forward the subpoena to Gramiccioni, Tab 34. Did you discuss it with her?” I looked at Tab 34; it appears that Crifo forwarded that to Gramiccioni. And if I’m mistaken -- unless I’m mistaken, I think that needs to be corrected so as not to confuse us or the witness.

Maybe Counsel, if you could take a look at that to make sure that I’m on solid ground here.

And maybe there’s more than one that they’re referring to. The one that I have has Crifo to Gramiccioni in Tab 34.

SENATOR WEINBERG: So the correction is--

SENATOR O’TOOLE: That it’s not that this witness forwarded the subpoena to Gramiccioni, as per Tab 34; it appears, having read that, that it was Crifo who forwarded it to Gramiccioni. I just want to make sure I’m correct on that, so that could be corrected for everyone else.

Does Counsel see that?

SENATOR WEINBERG: It does say Crifo. Yes, you are correct.

SENATOR O’TOOLE: Okay.

Last point, Chair, and I appreciate the latitude.

There’s been-- I think heading up into our meeting -- whenever that meeting is -- I would like to have some State work done by, maybe, our staff and others that would be really, really helpful. There’s been talk about the costs and the purpose-- I think
part of this stuff has to be talking about what the costs we’ve incurred. I have legal bills that only go through March from our lawyers, and we’d like to have the collective legal bills through, perhaps, July at that time.

I’d also like to know if we can put a figure -- if OLS can put a figure as to what their costs have been in terms of man hours or expenditures. And I’d like to know from the Attorney General’s Office what the legal bills have been for representation for individuals. I know there’s been some publications about this person required an attorney, this person required an attorney. By the time we get together, Madam Chair, I’d like to have the totality of what -- if it’s possible; if it’s an open public record -- if we could have those numbers and, perhaps, the Port Authority can share with our counsel as to the aggregate number in terms of legal bills of the total spent with regard to the SCI, Federal investigation notwithstanding.

SENATOR WEINBERG: We will see if we can compile those.

SENATOR O’TOOLE: That would be wonderful.

SENATOR WEINBERG: Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: I just wanted to, Senator O’Toole, respond to clarify some of the questions that you had asked.

SENATOR O’TOOLE: Sure.

ASSEMBLYMAN WISNIEWSKI: There is no letter, or list, or any written document received from the U.S. Attorney’s Office.
As Senator Weinberg pointed out, our practice has been to internally share with Committee members -- and we did; we have put together a list of some 13 people who, potentially, would be individuals of interest to the Committee and then we narrow those down. And prior to issuing subpoenas, our counsel vets them. And the purpose of that is to make sure that we’re not intruding into a territory that really implies Judge Jacobson’s decision-- which, we all remember, among other things, talked about how this Committee and testimony in front of this Committee does provide immunity, and the documents presented to the Committee provide immunity.

And so our singular focus is not to unwittingly immunize someone that would be contrary to the interests of the U.S. Attorney’s Office. I believe -- and I do not have independent confirmation of it -- that’s their singular concern. But they have not provided any instruction on questions, on what you can and can’t ask. It’s just simply a matter of the possibility that somebody testifying here could claim immunity. And I think the singular goal of us is to not, in some way, take away from the U.S. Attorney’s Office somebody who might be of interest to them because of something that was said here.

SENATOR O’TOOLE: Okay.

ASSEMBLYMAN WISNIEWSKI: So insofar as asking Ms. Egea questions, they clearly don’t have an issue with her testifying. And so whatever questions you ask are not--

SENATOR O’TOOLE: Did you understand my point, John?
ASSEMBLYMAN WISNIEWSKI: Yes.

SENATOR O’TOOLE: Okay, because I didn’t know that the singular purpose has been identified by the Feds, that it’s simply if they come before us there’s an immunization issue.

ASSEMBLYMAN WISNIEWSKI: I’m not saying that that’s what they’ve identified. They-- I have to give credit to the U.S. Attorneys -- they haven’t told us anything about what they’re doing or why, except that we have given them the respect of saying, “We may call this person, what do you think?” And putting my legal hat on -- and you’re a lawyer too -- understating that what we do here may invoke immunity. I believe that that is the issue that’s at play here.

SENATOR WEINBERG: Okay, well, since I’m not a lawyer, I’d like to move on.

ASSEMBLYMAN WISNIEWSKI: Would you?

SENATOR WEINBERG: If we can.

ASSEMBLYMAN WISNIEWSKI: Okay. (laughter)

SENATOR WEINBERG: Yes.

Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Yes, Madam Chair. Since we have a quorum right now, and I don’t know what the afternoon will bring, I’d like to make a motion that all the exhibits provided to the Committee here today be made a part of the official public record and attached to the official transcript of today’s meeting, provided that certain personal information contained therein first be redacted by special counsel to the Committee.
SENATOR WEINBERG: Can I have a second, please?

ASSEMBLYMAN WISNIEWSKI: Second.

SENATOR WEINBERG: Any discussion? (no response)

This is the motion -- the regular procedural motion we make to release the documents after.

Roll call, please.

MR. MOLIMOCK: Senator O'Toole.

SENATOR O’TOOLE: Yes.

MR. MOLIMOCK: Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Yes, and when we’re done with this, if I could just beg the indulgence of the Chairs to ask one more question.

MR. MOLIMOCK: Assemblyman Moriarty.

ASSEMBLYMAN MORIAERTY: Yes.

MR. MOLIMOCK: Senator Greenstein.

SENATOR GREENSTEIN: Yes.

MR. MOLIMOCK: Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Yes.

MR. MOLIMOCK: Co-Chair Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Yes.

MR. MOLIMOCK: Co-Chair Weinberg.

SENATOR WEINBERG: Yes.

Okay, back to where we started.

ASSEMBLYWOMAN HANDLIN: May I?

SENATOR WEINBERG: Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Thank you very much.
I’m not a lawyer either, and so I don’t have a legal hat to put on.

And I would like to ask for some clarification of a matter that I think the ordinary person who is not a lawyer is probably -- is wondering about. And it’s related to this conversation about conversations with the U.S. Attorney’s Office and whether there is or there isn’t a “do-not-call” list.

You know, the simple fact of the matter is there is a list of 13 people, I believe, who received subpoenas because they were deemed--

SENATOR WEINBERG: No, no subpoenas.

ASSEMBLYMAN WISNIEWSKI: Nobody’s receiving--

ASSEMBLYWOMAN HANDLIN: Okay, who were considered as people who would receive subpoenas because they were judged, presumably by the Chairs in consultation with Mr. Schar, to be key or to have information that would be key to the investigation of the George Washington Bridge matter.

Now, my further understanding is that three-quarters of those people were eliminated because the U.S. Attorney decided that those people were also key to his investigation of the matter.

So the question I have is, again, pretty simple, and that is that by definition the only people who are left to us, as members of this Committee, are people who have already been determined by the U.S. Attorney’s Office to have nothing to say -- unless whatever they were going to say is either marginal, at best, or immaterial, at worst.
So what exactly is the end game here?

SENATOR WEINBERG: Well, Assemblywoman, let me correct -- let me again remind you what I said earlier.

That list can change weekly. Our attorney, as everybody knows-- And those names were shared with this Committee as being-- We didn’t-- They weren’t done in secret; they didn’t fall out of the sky. They were shared with the entire Committee. And the entire Committee knows what the procedure is: that our attorney checks with the U.S. Attorney’s Office. And sometimes the week that we might want to have the meeting, and we ask if we can call A, B, C, or D, the U.S. Attorney says no. And the following week, the Attorney can say yes. So we don’t know the answer to that.

But if we could get on with the business of today, that would be a great help. And then if you want to have an executive session after this meeting with the proviso that we won’t have all the details that Senator O’Toole asked for, we can certainly discuss this list, how it was handled, and how it is a fluid list.

There are people who we could have called the week before had we been ready -- who then became, “No, you can’t call them this week.” So we are being respectful of the U.S. Attorney’s investigation. I know that there’s nobody on this Committee who would suggest that we do otherwise. But we can’t come to a conclusion about that list because it is not a permanent list; it is not a permanent “you’re never going to be able to call these
people;” it isn’t even permanent enough to say, “You can call them next week.”

So I’m perfectly happy, if we get finished at a reasonable hour here -- if we can get on with it -- to have an executive session and we’ll discuss that list in further detail.

ASSEMBLYWOMAN HANDLIN: Okay, so we want to be fluid, but not fluid enough to investigate allegations of potential abuse related to the Port Authority by other individuals? Just to put that on the table. So that seems to be the conclusion here.

ASSEMBLYMAN MORIARTY: That’s kind of unwarranted. Where did that come from?

ASSEMBLYWOMAN HANDLIN: Where it came from--

ASSEMBLYMAN MORIARTY: Who said that? No one said that.

ASSEMBLYWOMAN HANDLIN: What I understood from comments that were made by the Chair is that he doesn’t want this Committee to widen its scope, such that we are investigating allegations of abuses of power by anyone in elected office. And I want it to be crystal clear that that’s not what I’m suggesting this Committee should be concerned with.

SENATOR WEINBERG: Look, I’m going to end this discussion.

ASSEMBLYWOMAN HANDLIN: I thought this Committee was supposed to be investigating allegations of abuse of power affecting the Port Authority.
ASSEMBLYMAN MORIARTY: Through the Chair, I think that was uncalled for.

SENATOR WEINBERG: Please, excuse me.

ASSEMBLYMAN MORIARTY: I think it was inappropriate.

SENATOR WEINBERG: Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: Thank you.

SENATOR WEINBERG: Let us end this discussion.

ASSEMBLYWOMAN HANDLIN: I’m finished.

SENATOR WEINBERG: We have a witness sitting in front of us.

ASSEMBLYMAN WISNIEWSKI: Who is enjoying this.

SENATOR WEINBERG: And if we are going to investigate abuse of power by elected officials anywhere, the list will be much fatter than this black book is.

SENATOR O’TOOLE: Let’s get it.

SENATOR WEINBERG: So let’s move on.

The Committee now calls Regina Egea, Director of the Authorities Unit in the Office of the Governor, to testify.

Ms. Egea, thank you for appearing here today. I’m Senator Loretta Weinberg; this is Assemblyman John Wisniewski. We’re Co-Chairs of this Committee.

Are you accompanied by an attorney today?

REGINA M. EGEA: I am.

SENATOR WEINBERG: Feel free, please, to have the attorney introduce himself.
Co-Chair, I’m Mike Martinez. I’m with the firm Mayer Brown; and I'm here with my colleague, David Lizmi, also of Mayer Brown.

SENATOR O'TOOLE: I’m sorry, could you repeat your colleague’s name?

MR. MARTINEZ: My colleague’s name is David Lizmi.

SENATOR WEINBERG: Okay, and when your red mike is on that is recorded into the record. So if you want to talk to each other, make sure you turn your mike off so that it’s not into the written record that’s going to be produced today.

MS. EGEA: Thank you.

SENATOR WEINBERG: Ms. Egea, do you understand that if the statements you make today are willfully false, or you fail to answer a pertinent question, or commit perjury, you may be subject to penalties under the law?

MS. EGEA: I do.

SENATOR WEINBERG: Did you receive a subpoena from this Committee compelling your testimony?

MS. EGEA: Yes.

SENATOR WEINBERG: Did you receive a copy of the Code of Fair Procedure, together with the subpoena?

MS. EGEA: Yes, I did.

SENATOR WEINBERG: Do you understand you have certain rights under the Code of Fair Procedure, including the right to be accompanied by counsel who shall be permitted to confer with
you during your questioning, advise you of your rights, and submit proposed questions on your behalf?

MS. EGEA: Yes.

SENATOR WEINBERG: As you can see, we have a Hearing Reporter here from the Office of Legislative Services. Your testimony is being recorded; it may be transcribed for the Committee, and it may also be used in other proceedings. Do you understand that?

MS. EGEA: Yes, I do.

SENATOR WEINBERG: You are entitled to a copy of the transcript of your testimony at your expense when such copy is available. Do you understand that?

MS. EGEA: Yes.

SENATOR WEINBERG: You have the right to file a brief sworn statement relevant to your testimony for the record at the conclusion of your examination. Do you understand that?

MS. EGEA: Yes.

SENATOR WEINBERG: Please note all of your responses should be verbal; we cannot record a head shake or a nod. If you don’t understand a question, ask for clarification. Otherwise I’m going to assume that you understand the question and that your answers are responsive to the question. Do you understand that?

MS. EGEA: Yes.

SENATOR WEINBERG: And before we proceed with the oath, do you have any questions?

MS. EGEA: I do not; thank you.
SENATOR WEINBERG: Thank you. Please stand and raise your right hand.

(witness stands and raises right hand)
Ms. Egea, do you swear or affirm that the testimony you are about to give is true, correct, and complete to the best of your information, knowledge, and belief?

MS. EGEA: I do.
SENATOR WEINBERG: Thank you. Please be seated and state your name for the record.

MS. EGEA: Regina Egea.
SENATOR WEINBERG: Thank you. Do you or your attorney have any kind of an opening statement you’d like to make?

MS. EGEA: I do.
SENATOR WEINBERG: Feel free.
MS. EGEA: Thank you for having me today.
I am happy to fully cooperate with the Committee in its business, and I hope my participation will assist in concluding its business as swiftly as possible.

SENATOR WEINBERG: Mr. Attorney, would you turn your microphone off? She will come through--

Go ahead.
MS. EGEA: Thank you.
And I just want to state at the outset that I had no prior knowledge, no participation in the lane realignment at the George Washington Bridge in September of 2013.
And with that, I’m prepared to take your questions.
SENATOR WEINBERG: Do you have any statement from the attorney?

MR. MARTINEZ: No, Co-Chair.

SENATOR WEINBERG: Thank you.

Okay, let’s, if we may-- Please describe what your duties and responsibilities are as the head of the Authorities Unit in the Governor's Office, and to whom you report.

MS. EGEA: Surely. I have a staff of four attorneys, and we oversee approximately 53 authorities and commissions -- some single, inside New Jersey, some are bi-state authorities. And our responsibilities are to work with each of the entities in terms of their Board items; that the items that come before them comply with both our State laws, bylaws of the entity, as well as the policies. And the attorneys have assigned to them a portfolio; you can think of it as 12 to 14 authorities that are assigned to each one of them. And the Office of the Director of the Authorities reports to the Chief Counsel.

SENATOR WEINBERG: And to whom do you report?

MS. EGEA: Chief Counsel.

SENATOR WEINBERG: Okay. And which of your attorneys was assigned to the Port Authority?

MS. EGEA: Nicole Crifo.

SENATOR WEINBERG: Okay, thank you.

Let me start off, just to be clear in my own mind, how all the reporting took place. What staffer -- or was it you -- who had
the responsibility of informing the Governor of major developments taking place at independent Authorities?

MS. EGEA: Typically, the office operates in a two-chief model. So I would normally report anything of import to the Chief Counsel.

SENATOR WEINBERG: Okay. We have-- In reviewing prior documents -- and I guess just looking over the transition report that came in about public Authorities during the Governor's transition as he was first elected to office -- it talked about a clear vision for public authorities. Did you know what the Governor’s clear vision was for the Port Authority, or for any of the Authorities under your--

MS. EGEA: No. I was not-- That report was issued in late 2009, I believe. I don’t think I’ve read it; if I did, I haven’t read it in four or five years. So I don’t recall what’s in it, and what was intended

SENATOR WEINBERG: Well, did you have any idea of what the Governor’s clear vision was for any of the Authorities from the time you took responsibility for public Authorities?

MS. EGEA: Well, as I said, the scope of the responsibility we have are to ensure compliance with both the law and bylaws, and policies that we support.

SENATOR WEINBERG: Okay. So let’s get down to some of the details.

If in the normal course of business, the Executive Director of any one of these public Authorities that you are
responsible for widely circulated a letter and e-mail claiming that laws might have been broken and that processes were not followed, what would you foresee your responsibility to be to react to that letter or e-mail?

MS. EGEA: Well, so are you asking specifically about the Port Authority e-mail?

SENIOR WEINBERG: No, I’m asking you about any Authority under your jurisdiction, where the Executive Director of any one of those Authorities might have distributed a letter or an e-mail -- widely distributed, that came across your desk -- claiming that none of their processes were followed, and that laws were broken. What would you have done with that?

MS. EGEA: Well, as a-- It’s always in context for me, because each of the Authorities is different. They have different executive directors, they have different scope; some are bi-states, some are single state. So there’s an enormous amount of context that has to, really, be thought about in order to respond to you question. And so I’d have to have some context, but as a general matter I’d certainly want to speak with the Executive Director, and understand to the extent that I had a relationship with that Executive Director, and understand what occurred, and understand what evidence they could produce to support some of the claims.

SENIOR WEINBERG: So what would the context be that you might not want to speak to the Executive Director? The context you gave us, is that -- that would be what you would do,
and what would the context be that you might not want to follow through?

MS. EGEA: Well, as I stated, where I had a relationship with the Executive Director-- In the case of, well, I’ll use the Port Authority -- my relationship was really with the Deputy. And there are-- These bi-state authorities, I don’t always have a relationship directly with each of the executive directors.

SENATOR WEINBERG: So your questioning of whether laws were broken would be based upon a personal relationship -- or a relationship with the Executive Director, not with what the allegations might be?

MR. MARTINEZ: Respectfully, Co-Chair, I think that misstates her prior answer.

SENATOR WEINBERG: No, I think-- I’m trying to explore this a little further. Ms. Egea is in charge of public Authorities in the State of New Jersey. So what she just testified to, if I understand that correctly, is that her reaction to such an allegation would depend upon her relationship with whichever Executive Director made the allegation. So I am trying to find out, what does that mean? What kind of a relationship would you have that would prevent you from exploring such an allegation?

MS. EGEA: Well, what I intended to communicate was that I have day-to-day working relationships with some executive directors, with some chairmen, with some deputies, and I try to understand what the context was of any of allegations that are made. And, most typically, I wouldn’t always go to the -- I would
go to the person that I most typically work with, and I think that that’s not unusual.

SENATOR WEINBERG: Okay, because I’m, again, exploring the way these procedures operate out of the public Authorities’ office.

On September 6, 2013, David Wildstein wrote an e-mail to Bridget Kelly telling her to instruct the Mayor of Springfield that Governor Christie had approved Springfield’s request for a grant of $60,000 under the Port Authority’s Local Assistance Program. Would things like that have gone through your office? Or how does that work, where a public Authority is approving a grant? Does that go to your office, does it go directly to the Governor’s Office? How does that operate?

MS. EGEA: I’m not familiar with that specific; I’ve never seen that in the press, in terms of the materials that we released. But no, not everything— Typically, it’s matters that go before the Boards that come through our office. So if that hadn’t come before the Board, I wouldn’t typically see it.

SENATOR WEINBERG: Yes, it’s on Tab 43, if you want to put that up on the screen. I’m sorry -- Tab 43, if you want to put it up on the screen. It’s David Wildstein’s e-mail to Bridget Kelly. You have to scroll down there.

All right, let me go back now to the Executive Director of the Port Authority.

I think it was on -- perhaps right on September 13 when you received from Bill Baroni, forwarded to you, the e-mail from
Patrick Foye with allegations that none of their procedures were followed, in reference to the George Washington Bridge lane closures; none of their processes were followed; and laws were broken. It was marked *high importance*, I assume to discern it from the routine e-mails that you receive.

You forwarded that e-mail with high importance to somebody else. So could you tell me what your reaction was to that e-mail, and why you forwarded it, and to whom?

MS. EGEA: So I’ll start with my reaction to it. I believe- -

SENATOR WEINBERG: Excuse me, that’s on Tab 2, which you can put up on the screen.

But go ahead; I’m sorry.

MS. EGEA: Sure, sure.

I believe Bill and I spoke; Bill Baroni had called me because I did not open it and did not know that I was receiving it, but I didn’t really understand it until I read it, and then was in some conversation with him. And Bill and I spoke about the allegations -- which are serious -- in it. And in my conversation with Bill, he indicated that he disagreed with the assessment of the Executive Director, and that it was interference in a project that Bill thought was essential to his duties as Deputy and that, as I said, he disagreed with all the allegations. And I inquired as to, “Is there anything about this to really be concerned about?” and he indicated no.
So at the bottom of the e-mail, the Executive Director says, “He will get to the bottom of it.” I took that to mean that he was going to do a full investigation. And I said to Bill, “Then let him look,” so that he should examine it to the extent until he satisfies himself -- when the Executive Director satisfies himself that these allegations are either true or not.

SENATOR WEINBERG: And you did not think that it was appropriate for you to actually ask the Executive Director? I mean, these were pretty serious allegations. They were not -- they didn’t sound like a disgruntled employee. This is the Executive Director of the Port Authority of New York and New Jersey making allegations that laws were broken. You did not think it was part of your responsibility to speak to the Executive Director, try to find out for yourself? What did Mr. Baroni explain to you about the necessity for doing this? What was his explanation?

MS. EGEA: They were exploring ways to improve the traffic flow at the Bridge -- at the George Washington Bridge.

And I would also call your attention, though -- the Chairman and the Vice Chairman were also copied, so it wasn’t as though I was the only person who was aware of the e-mail.

SENATOR WEINBERG: I’m well aware of all the people who were aware of this e-mail, and all the people who didn’t do anything about it. If our Committee has learned anything, that’s a fact.

MS. EGEA: Well, I only differ in that I took his comment as he was ensuing to open up and pursue any allegation that he had
made. He had full access to all the information that I, frankly, didn’t have.

SENATOR WEINBERG: Did you read any reports about the ensuing traffic jam in the clips that go to the Governor’s Office -- the various newspaper reports, or issues that were around this huge traffic jam, where they were studying traffic lanes to the George Washington Bridge the week of September 11? Had you read any reports about that?

MS. EGEA: There had been no press that I knew of during the week. I think I looked at one over the weekend once I received this, and I think I saw one. But I didn’t see any during the week, no.

SENATOR WEINBERG: Okay. So once you saw those clips, you didn’t think -- once you saw the news reports about what was going on there, did you think that there was anything further-- I mean, I know hindsight -- I know all the proverbs that go around that -- but there was at least one clip that came to your attention, according to what you just said. And there were huge traffic jams, with an accusation -- again, alleged, in Mr. Foye’s e-mail -- that, perhaps, emergency folks couldn’t get through to where they needed to get through. There were news clips, and there was beginning to become a story-- So let me finish my sentence there. Was there anything about this situation that made you think you should look at it a little further?

MS. EGEA: Well, as I said, I thought it was being looked at. So I thought that the appropriate steps were being taken at the
Port Authority since the Executive Director had made the accusation and said he wanted to look into it. And I certainly would have fully cooperated in any part of it, and I expected Bill to, and that’s what I indicated to him.

SENATOR WEINBERG: Did you ever follow up with Mr. Baroni at all about how the investigation was going -- anytime between September 13 when this e-mail came out, and then November 25, when he gave his testimony?

MS. EGEA: I can’t produce an e-mail or any indication that I formally asked that. And I did not receive anything that indicated that.

SENATOR WEINBERG: Did you have any phone conversations with him?

MS. EGEA: I can't recall. It would have been normal course; I might have checked in, but I don’t have any recollection of it.

SENATOR WEINBERG: Okay. And just let me point out that according to Ms. Crifo’s interview, according to what she told, the Governor’s-- She said that you told her that the Governor’s Office won’t involve itself in “this” -- talking about what was going on there, which is on page 5 of Nicole Crifo’s Mastro interview.

MS. EGEA: So I want--

SENATOR WEINBERG: What did you mean by that?

MR. MARTINEZ: Co-chair, she--

SENATOR WEINBERG: Tab 42, I’m sorry; page 5.
MS. EGEA: So for the purposes of your understanding, I’ve not read any of the memos in the Mastro report. So I’ll have to take a minute to read it.

SENATOR WEINBERG: Take a moment to review it.

MS. EGEA: Thank you.

MR. MARTINEZ: And which page?

SENATOR WEINBERG: Page 5, Tab 42.

(attorney and witness review the exhibit)

MS. EGEA: So could you repeat your question for me now that I’ve read it?

SENATOR WEINBERG: Yes -- that according to what Ms. Crifo said, you told her that the Governor’s Office would not--

(lights flicker)

SENATOR WEINBERG: Thank you. Somebody leaned against the light switch. (laughter)

ASSEMBLYMAN WISNIEWSKI: They have to move those light switches.

SENATOR WEINBERG: That the Governor’s Office would not involve itself in this issue.

MS. EGEA: I mean, as a general matter, we did not get involved in operational issues, but I don’t know what conversations she might be referring to. But we didn’t have any conversation--

SENATOR WEINBERG: So you have no recollection of telling that--
MS. EGEA: Not about that week -- about Fort Lee? No, no, but as a general matter, we did not get involved in operational issues; it was really Board matters, as I said.

SENATOR WEINBERG: Well, was one of your responsibilities to actually look at the agenda for each of these commissions?

MS. EGEA: For the public Board meetings and the public committees?

SENATOR WEINBERG: Yes.

MS. EGEA: Yes.

SENATOR WEINBERG: Uh-huh. And did you pass judgment on what was appropriate on an agenda, what was legally appropriate, and how it represented the Governor’s policies?

MS. EGEA: Legally, as well as comports with the policies that we were pursuing, yes.

SENATOR WEINBERG: So you were involved-- Your responsibility involved yourself enough in the Port Authority to actually review agendas, see if they were appropriate legally, and whether they purported with the Governor’s policies?

MS. EGEA: Typically, a staff attorney did that, and then it would be sent--

SENATOR WEINBERG: But the attorney who reported to you, correct?

MS. EGEA: Yes, yes.

SENATOR WEINBERG: Yes, okay.
MS. EGEA: And if there were questions, we would discuss them.

SENATOR WEINBERG: Okay, and how would you know whether-- Let’s concentrate on the Port Authority. Who translated to you what the Governor’s policies were, so you would know -- getting back to my phrase from the transition report -- what his clear vision might have been? How would you know whether an agenda item purported to follow the Governor's policies?

MS. EGEA: Well, when I say policies I’m referring to fairly specific items that were along the lines of the sharing of healthcare premiums that employees ought to be participating in, the financial burden of health care that’s provided to employees from a salary perspective -- that we were not doing salary increases across the board, and we tended to not approve them at any of the Authorities.

Items like the E-ZPass and use of E-ZPass -- if those were fringe benefits that no longer ought to be afforded to -- and they came in various shapes and sizes in different Authorities.

But when I say policies, that’s what I meant by policies.

SENATOR WEINBERG: So was personnel issues-- Would you turn your microphone off? (referring to attorney) Yes, thanks. It’s just she comes through clearer without both microphones on.

It was personnel policies, salary scales, things like that, that--

MS. EGEA: Those were the most frequent items of discussion with each of the Authorities, including the Port
Authority. And they, in fact, adopted many of the expectations that we had for the health care.

SENATOR WEINBERG: Okay, let’s go to Tab 16, which is the marked-up copy of what might have evolved into Bill Baroni’s unsworn testimony before the Assembly Transportation Committee.

MS. EGEA: Sure.

SENATOR WEINBERG: Can you briefly look at that and tell me what -- first of all, who did the crossing out? Did you do any of that?

MS. EGEA: On this first page, primarily I think I--

SENATOR WEINBERG: On any of the pages.

MS. EGEA: On any of the pages? I did many of it, but not all; there are several references in here that I did not make.

SENATOR WEINBERG: Okay. And who would have done the other crossing out?

MS. EGEA: What I did, when I marked it -- and then Nicole was going to take it to the Port Authority, so she had it. It could have been hers. I think I’ve come to learn that some of those marks were hers, but I don’t know that they were.

SENATOR WEINBERG: And why would you have been--Why would Mr. Baroni have submitted his testimony to you to be edited in what appears to be a pretty substantial way?

MS. EGEA: I was asked to assist Mr. Baroni in making the opening statement -- not his whole testimony, but his opening statement -- as concise and to the point as we possibly could. So I was making suggestions.
SENATOR WEINBERG: Again, according to Ms. Nicole Crifo in her answers to the Mastro report, you had stated that the Governor’s Office wasn’t going to involve itself in this. But yet you didn’t think-- Did you think, in any way, that your correcting his testimony that he was about to give before a Committee of the State Legislature on a rather important issue-- was that somehow involving the Governor’s Office in what was going on there?

MR. MARTINEZ: Respectfully, Co-Chair, it misstates her testimony--

SENATOR WEINBERG: Now your microphone’s off; I’m sorry, I’m really confusing you.

MR. MARTINEZ: Respectfully, Co-Chair, it misstates her testimony and assumes a fact she hasn’t adopted. She hasn’t said that she corrected his testimony; I think her testimony was quite clear that she was there to give suggestions to make it more concise.

SENATOR WEINBERG: Well, let’s ask some questions here.

At the bottom of that first page, is that your handwriting that says, “approximately 4.5 percent of all E-ZPass customers,” etc.?

MS. EGEA: Yes, it is.

SENATOR WEINBERG: Okay. And why did you think that was important?

MS. EGEA: Well, again, in the effort to get it as concise as possible, it actually is in the preceding paragraph-- that data
point is. And I thought that he could get to it more quickly, and in a more relevant way by putting it immediately after where we talk about the toll booths and how many people are registered in Fort Lee.

SENATOR WEINBERG: Does the Governor’s Office have a Communications Department?

MS. EGEA: Yes.

SENATOR WEINBERG: Do they specialize in this kind of thing: speech writing, drafting, being clear and concise?

MS. EGEA: Well, I think-- Yes, there is a Communications Office, and I was the one who was asked to support and make suggestions to Mr. Baroni.

SENATOR WEINBERG: And does the Port Authority have a Communications Office--

MS. EGEA: I believe so.

SENATOR WEINBERG: --that specializes in keeping communications clear and concise?

MS. EGEA: I believe so.

SENATOR WEINBERG: So who asked you to assist Mr. Baroni in his testimony?

MS. EGEA: Mr. Baroni, as well as Chairman Samson.

SENATOR WEINBERG: Chairman Samson called you and asked you to assist Mr. Baroni in his testimony?

MS. EGEA: Assist is too strong of a word, as I said. It was really to make suggestions about how to communicate most effectively his opening statement.
SENATOR WEINBERG:  And can I ask you, Ms. Egea, what is your background in effective communications, in terms of your job responsibilities?

MS. EGEA:  Well, I wouldn’t say I was-- Well, I think I try to always be a clear communicator. So I think that that was the only purpose of-- I knew the subject, and I knew Bill, I knew Port Authority, and I could assist him in being as concise as possible.

SENATOR WEINBERG:  So can you recall what Chairman Samson said to you when he called you and asked you to make Mr. Baroni’s testimony more effective, or whatever words he used?

MS. EGEA:  I don’t recall effective; as I said, it was really to enable Bill to have as many support -- to have the support made available to him, to be as clear and concise as possible. So I don’t remember, other than that.

SENATOR WEINBERG:  Do you remember when that phone call might have taken place?

MS. EGEA:  No, I don’t.

SENATOR WEINBERG:  Could it be sometime before that November’s -- before his November 25--

MS. EGEA:  Of course, of course.

SENATOR WEINBERG:  --testimony.

And since you were helping him prepare testimony, and this is now November 25, I already -- I was going to save that questioning for later, for others -- had already appeared at, at least, two Port Authority meetings. What did you think was-- Did you understand what the point of this testimony was -- what it was Mr.
Baroni was about to explain to the Assembly Transportation Committee as to why this so-called traffic study was taking place? What did you understand about the point of that testimony that he was going to give to a Committee of the Legislature?

MS. EGEA: Three things: one, explain what the study’s purpose was.

SENATOR WEINBERG: Which was?

MS. EGEA: To seek to optimize the traffic at the George Washington Bridge. So that’s number one -- explain the pilot; number two, explain that communications were not handled as well as they should have been, and that they mishandled the communication; and number three, apologize, and indicate it wouldn’t happen again. And I repeat, this was his opening statement, not all of this testimony.

SENATOR WEINBERG: Okay, so do you know which part of this you crossed out, and which parts somebody else might-- Who were the other folks who helped make this testimony more crisp and clear?

MS. EGEA: As I said, I could recognize my markings; there are other markings on here that -- a few of them; mine are the dominant ones. But there are few other markings on there that I can point out when I get to them, if you’d like.

SENATOR WEINBERG: So you don’t know who made these other markings on here?
MS. EGEA: As I said, I didn’t recognize the handwriting when I first saw this, but I think I’ve come to read in the press that those were Nicole’s – but I don’t know that.

SENATOR WEINBERG: Okay. So did you cross out the chart that’s printed in her paper -- it’s the next page, page 3.

MS. EGEA: On page 3?

SENATOR WEINBERG: Yes. Did you cross out that chart?

MS. EGEA: Yes, I did.

SENATOR WEINBERG: And why did you take that chart out?

MS. EGEA: I just did not think it was necessary to make the point -- which the main point of the study was that 75 percent of the toll booths were being made available to more than 90 percent of the traffic. The fact that 95 percent of the traffic -- of the users -- came from these counties, I did not think was necessary to make the point. That’s it.

SENATOR WEINBERG: Okay, would you mind repeating what you just thought you understood about the traffic: 75 percent of the traffic was what?

MS. EGEA: No, 75 percent-- So there are 12 booths; 75 percent of them are not aligned in the morning rush to Fort Lee access. And that there are 4.5 to 5 percent registered to Fort Lee -- meaning that 95 percent of the traffic is really being funneled into 75 percent of the toll booths. And that was what they were trying to optimize.
SENATOR WEINBERG: Well, you had not heard Patrick Foye’s testimony at that point.

MS. EGEA: Correct.

SENATOR WEINBERG: He didn’t give his testimony under oath to the prior Assembly Transportation Committee, in which he testified under oath -- and I’m-- That was on December 9; he testified under oath that there are 12 lanes on the upper level of the Bridge; 25 percent of them you can access through other Fort Lee roads. By the way, they all come through Fort Lee, in case anybody didn’t notice, the Bridge is in Fort Lee. (laughter) And that 25 percent of those lanes carry 26 percent of the traffic that goes over the George Washington Bridge.

Were you aware in December when Mr. Foye gave that testimony under oath?

MS. EGEA: No. The information that Bill had--

SENATOR WEINBERG: No, you weren’t aware at this time -- I know that.

MS. EGEA: Oh, I’m sorry.

SENATOR WEINBERG: I’m asking if, when you found out about the testimony, did you become aware of the fact the statistics that you just gave, that had been given to you by someone, were erroneous?

MS. EGEA: I don’t recall him saying that, but certainly if that is the testimony, it was different than what I understood back in November. SENATOR WEINBERG: Well, that was his testimony.
MS. EGEA: Okay.

SENATOR WEINBERG: And it was testimony under oath. So you don’t recall listening, or understanding anything about Patrick Foye’s under oath testimony?

MS. EGEA: I did listen, as I just stated. I don’t recall that statistic.

SENATOR WEINBERG: I only say that because it is quite contrary--

MS. EGEA: Yes, it is.

SENATOR WEINBERG: --to the testimony that you helped make -- which was not done under oath, clarifying -- that Mr. Baroni gave, that you helped make clearer and more concise; that that would be something that you might have noted, based upon the statistics that you were just able to recall that had been given to you?

MS. EGEA: I recall from Mr. Foye’s testimony that he stated that he disputed that there was a traffic study. That’s the gist of what I recall from his testimony.

SENATOR WEINBERG: Okay, in the interim between September 13 and November 25 -- five or six weeks in there -- did you ever check with Bill Baroni or with Patrick Foye on how this investigation was going?

MS. EGEA: I never interacted with the Executive Director. I saw him at Board meetings, but I had no direct contact with him at any time. So no, I did not inquire on this.
SENATOR WEINBERG: Did you regularly go to Port Authority Board meetings?

MS. EGEA: Yes, I did.

SENATOR WEINBERG: So were you at the Board meetings when I attended those meetings?

MS. EGEA: No, I was not.

SENATOR WEINBERG: You missed those? (laughter)

MS. EGEA: Yes, unfortunately I had conflicts on my schedule in both October and November.

SENATOR WEINBERG: So were there other representatives from your office there?

MS. EGEA: Nicole would have always been in attendance -- Nicole Crifo.

SENATOR WEINBERG: And did she report back to you on the issues that were raised there?

MS. EGEA: Yes, she did.

SENATOR WEINBERG: Okay. And by that time there were allegations that there really wasn’t a legitimate traffic study. Were you aware of that?

MS. EGEA: Well, from both the Executive Director’s memo from September 13, and ongoing press--

SENATOR WEINBERG: And news reports, and--

MS. EGEA: News reports only. There was no evidence produced at any time during the rest of September, and October, and November to support the allegations. And as I said, I understood the Executive Director--
SENATOR WEINBERG: To support which allegations? I’m sorry.

MS. EGEA: Any of them, frankly. That I never saw the Port -- from the Port Authority; that the Executive Director had it under review, as far as I knew, because that’s what he had said in his e-mail.

SENATOR WEINBERG: And during those few weeks between the time the Executive Director said it was under review -- between his allegations, the time he said it was under review, and your participation in making Mr. Baroni’s testimony clearer and more crisp, you didn’t ask any questions about where was this investigation, what was going on here? The allegations-- By that time, it was, I think, pretty common knowledge -- although Mr. Baroni’s testimony had not yet been given -- that there really were no private roads from Fort Lee over the George Washington Bridge? Or did you still believe that those private roads existed?

MS. EGEA: I don’t know what you mean by private roads.

MR. MARTINEZ: Respectfully, Co-Chair, what’s the question? I was a little confused by what the question was.

SENATOR WEINBERG: The question was: Ms. Egea worked to help Mr. Baroni’s testimony about private roads from Fort Lee. That’s the gist of Mr. Baroni’s testimony before the Assembly Transportation Committee. I am asking Ms. Egea if she read any press reports, had any indication that those private roads
really didn’t exist at the time she was helping Mr. Baroni crisp his testimony.

MS. EGEA: I’m sorry, I just don’t understand the private road reference. I reference the access lanes--

SENATOR WEINBERG: Well, you want me to read from his testimony that you helped-- That’s the gist of his testimony.

MS. EGEA: Yes, the dedicated lanes.

SENATOR WEINBERG: That there are roads that only Fort Lee residents can use. That is the gist of Mr. Baroni’s testimony that you helped work on.

MS. EGEA: Well, so--

SENATOR WEINBERG: So I am asking you-- if I may -- The question I am asking you is, did you know, prior to your working on this, or did it ever occur to you to question the press reports that these lanes for Fort Lee residents only didn’t really exist?

MR. MARTINEZ: Respectfully, Co-Chair, if you could point out where in the document -- of the opening statement that she marked up, there’s a reference to the private roads? It might help clarify for her what you are referring to.

SENATOR WEINBERG: Okay, let’s find the testimony in here.

(Committee examines exhibits)
I’m going to go on while they find the specific portion.
But let me ask you -- what did you understand to be special or segregated lanes in the testimony?
MS. EGEA: So as I noted, in fact, on that first page that you drew attention to, that he was using the E-ZPass data as a surrogate for an indication of the amount of users that would be able to access these lanes that are coned off and only accessible by the side road that is in Fort Lee.

SENATOR WEINBERG: And they were coned off for what, do you know? For what reason were they had been coned off?

MS. EGEA: Well, I understood that -- he told me -- as a practice in the morning the three lanes that have access to -- and I forget the name of the road -- that’s a local road in Fort Lee. And those are dedicated directly into the toll booths each morning.

SENATOR WEINBERG: All right, well, this is a portion of the testimony, and a marked-up copy -- it’s on page 2 of the marked-up copy. “About a decade ago, according to Port Authority employees assigned to the George Washington Bridge, then-Fort Lee Mayor Jack Alter, who was also a Bergen County Freeholder, and the Commissioner of the New Jersey Board of Public Utilities, insisted on the creation of special, segregated entrances to the Bridge” -- I’m sorry, entrance lanes -- “to the Bridge for vehicles coming from local streets in Fort Lee. These lanes were created by placing traffic cones. They reduced the number of toll lanes from 12 to 9, and this forced the creation of 3 special “Fort Lee lanes” segregated for use only by residents of Fort Lee,” -- segregated for use only by residents of Fort Lee.
So my question becomes: Between September 13 and whatever date it was that you worked with Mr. Baroni on the crisping of his testimony, did you ever read a report, see a newspaper report, or hear that any testimony was given before the Port Authority, that there were no lanes segregated for Fort Lee residents only?

MS. EGEA: I guess I'm-- I'm trying to understand what you're trying to get at. I cross this--

SENATOR WEINBERG: Well, Ms. Egea, what I am trying to get at is that Mr. Baroni went and gave testimony about facts that are completely wrong. There are no lanes over the George Washington Bridge for Fort Lee residents only. I have repeated that quite -- almost weekly -- since October 6, 2013 -- publicly since October 6.

So my question becomes: You worked with Bill Baroni, you're a representative of the Governor's Office, you were in charge of public Authorities, you worked-- Somehow the Chairman of the Port Authority called you -- in a phone call that I'm not sure we have a record of -- but called you to ask you to work with Mr. Baroni on his testimony. So obviously, his testimony was considered important enough that the Chairman of the Port Authority was involved, you were involved, and then the person who was giving the testimony was involved. The entire traffic study is based upon the premise that there are lanes -- traffic lanes for the use of Fort Lee residents only.

MS. EGEA: And just so I can understand--
SENATOR WEINBERG: So I am-- My question is-- Let me just ask the question. Were you aware-- Did you know of any testimony, any newspaper reports, anything that suggested to you before you worked on this testimony, that those traffic lanes -- so-called -- for Fort Lee residents only, did not really exist?

MS. EGEA: Well, they are segregated out every morning, and if the distinction you’re trying to make is that other than Fort Lee residents can access them -- is that the point you’re trying to-- I’m just trying to understand.

SENATOR WEINBERG: No, I am merely questioning you with the-- What it says here is that those lanes are set aside -- I’m reading from this draft of Mr. Baroni’s testimony -- that those lanes are set aside for Fort Lee residents only. And that’s the premise of the traffic study.

MS. EGEA: Well--

SENATOR WEINBERG: So my question to you is, were you aware -- it’s a pretty simple question -- were you aware any time between September 13, when you saw Mr. Foye’s e-mail, and whatever date it was prior to November 25 that you worked with Mr. Baroni on his testimony, were you aware that there was, at least, a question that there was no such thing as lanes that Fort Lee residents only could use?

MR. MARTINEZ: Respectfully, Co-Chair, it’s a compound question. There’s a premise in there that I think she hadn’t had the opportunity to address -- that’s the premise that you say -- it’s a
premise of the traffic study. So if she could break it down and answer both questions, please.

MS. EGEA: So I noted, I think, in my handwriting, that we were using a surrogate for the E-ZPass that was really the representation of the volume of residents in Fort Lee. I did not think this was necessary to incorporate; I believe that I’m the one who X’d that out. I thought that the idea of the history, and how it came to be, wasn’t nearly as important as understanding what the main business objective was that he had for the traffic study, which was to optimize all the traffic coming to the George Washington Bridge in the morning, and whether it made more sense to drive some of the traffic from the main arteries -- I-95 and 80, I believe -- and give them access to more lanes or not. That was the premise of the study.

SENATOR WEINBERG: Okay, so you were working with Mr. Baroni on his testimony.

MS. EGEA: His opening statement, if you would.

SENATOR WEINBERG: His opening statement -- yes, I’m sorry, you’re correct; on his opening statement -- the premise of which was there was a traffic study. And the reason they needed a traffic study is because Fort Lee residents had special lanes for only them -- that only they could drive over. That is the premise of his testimony, and it is the premise of the written words here. And I’m just asking you: Did you note at any time that that premise -- that there were lanes only for Fort Lee residents -- didn’t really exist? Did you read it in the newspaper, did you hear it at testimony
before the Port Authority in that period between October 6 and November 25?

MS. EGEA: So I don’t agree with the premise, I’m sorry; in that for me, as I listened to what he was describing, it wasn’t about Fort Lee residents at all -- it was the amount of traffic that accessed 12 toll lanes; some came in from the 3, and some came in from the remaining 9. And he was trying to optimize the best experience for all the customers who come in to the George Washington Bridge. It really wasn’t about Fort Lee. They happened to come in from Fort Lee, but it was about optimizing the traffic into the toll booths.

SENATOR WEINBERG: Okay. If that was the premise of this, did you ask to see any statistics about who was traveling -- about how many people, not who -- but how many folks were traveling over those lanes?

MS. EGEA: I did, because, as I noted, the E-ZPass data is really their address; it’s not actuals. And I did ask if they had the ability to identify cars and be able to look at license plates, and actually be attributed -- to your questions -- attributed to Fort Lee versus non-Fort Lee. He indicated they did not.

SENATOR WEINBERG: So you had no idea how much traffic was traveling over the 3 versus the 9 lanes?

MS. EGEA: I did not.

SENATOR WEINBERG: But that was the premise--

MS. EGEA: Correct.

SENATOR WEINBERG: --that-- Okay.
All right, well, I’m actually-- You answered my question prior, but I’m going to ask it again. Did you read anything, or note anything, that these segregated lanes, special lanes, Fort Lee-only-resident lanes -- whatever you want to use -- didn’t exist?

MS. EGEA: I can’t accept-- They did exist. They were-- Every morning they were segregated, and so some traffic gets them, some traffic couldn’t. So I’m not quite sure that -- why you’re asking me about something not existing.

SENATOR WEINBERG: I guess because there was so much testimony, and that was the premise that Mr. Baroni delivered his testimony on, so I’m answering your question now. That was the basic premise by which Mr. Baroni delivered his testimony to account for a traffic study.

MS. EGEA: So as I said--

SENATOR WEINBERG: To use-- Let me ask you another question.

MS. EGEA: Sure.

SENATOR WEINBERG: Do you believe today there was a legitimate traffic study?

MS. EGEA: They produced data within, and that was the sum total of what they could produce, because it was truncated. And one day they had an accident, and they couldn’t really think the data was valuable. And they produced data. So I found that helpful in appreciating that there was some intent, as well as some information that supported the efforts that they undertook.
And I admitted before that they did not communicate well, and there were parts of the study that were not done well. But they did produce data.

SENATOR WEINBERG: Had you ever before gotten a complaint from any municipality, anyplace around the George Washington Bridge, the Lincoln Tunnel, the Holland Tunnel -- wherever -- of not being notified, locally, about an impending change in traffic direction?

MS. EGEA: I wasn’t notified about this one. No, I wouldn’t normally, though. That would be very unusual that I would be notified in something like that. So it could’ve occurred, and I just wouldn’t be aware of it.

SENATOR WEINBERG: Okay, a couple more questions, and then I will turn it over to Assemblyman Wisniewski.

I noted -- and this is in Mr. Baroni’s final statement; it’s kind of hard to figure out what his final statement was vis-à-vis the various incantations of his editing. But I noticed in the draft that you worked on there were three mentions of David Wildstein’s name, and they were all crossed out -- all three mentions. I’m not saying that was Mr. Baroni’s final version, but I noted that in this. Is there any significance? Did you feel David Wildstein played any role in this?

MS. EGEA: No. I mean, it wasn’t David, specifically; in fact, I think I was of the mind, and my suggestion to him was that he should not try to talk about other people; he’s the leader. He should take responsibility for it, it happened on his watch. And he
should be accountable to the Legislature and to the public for what ensued. So if you notice in my comments, I really don’t think he should have brought in anybody else’s name because he was the one responsible to -- I thought, as I said -- the Legislature and the public.

SENATOR WEINBERG: Okay. Can you tell me, have you learned since then whose handwriting is on here besides yours?

MS. EGEA: As I said, I don’t know. I think I’ve seen a press report that said it was Nicole’s, but I don’t know it.

SENATOR WEINBERG: You’re not familiar enough with her handwriting to--

MS. EGEA: No, and you may never really see people’s handwriting anymore. You typically edit electronically. So no, I didn’t know the handwriting.

SENATOR WEINBERG: Okay, I guess the reason that I particularly asked you about the complaints about the municipality not knowing about a change in traffic here -- that that seemed also in Mr. Baroni’s testimony that, well, “From now on, we’re going to change our procedures,” as if that had never been the procedure -- to notify local municipalities who are host to these very busy places; that the Port Authority is going to change some traffic directions. Had there ever been an issue raised in your tenure -- as in the Governor's Office, heading the Authorities Unit -- that had risen to this level, in terms of a municipality not knowing about a major traffic issue that came to you through the IGA, or through your responsibilities? Or was this an unusual event?
MS. EGEA: As I said, I had not been notified of others, but I was only aware of it through press reports. It wouldn’t be typical that that type of a communication would come to my office.

SENATOR WEINBERG: So would you consider this an unusual event?

MS. EGEA: Well, I don’t know about the event, but there was more press coverage than I’d seen in other Port Authority activities.

SENATOR WEINBERG: Had you ever seen press converge in Port Authority activities around traffic, traffic jams, etc. -- that you had seen?

MS. EGEA: There’s congestion at the Port, the actual Port, so there are occasional press reports on that, and there were certainly occasions that that caused some concern in local communities. The Bayonne Bridge -- we were in the midst of the construction and getting approvals, and the local communities were part of getting input from local communities for the environmental study as part of the Bayonne Bridge. So sure, there were other press reports, absolutely; communities that were being affected or could be affected by Port Authority activity.

SENATOR WEINBERG: But was there ever another issue where you were called by the Chairperson of the Port Authority to help anybody with an opening statement before the Legislature or any other body?

MS. EGEA: I don’t think there ever was.

SENATOR WEINBERG: So this was--
MS. EGEA: I don’t think he ever--
SENATOR WEINBERG: --a little bit unusual?
MS. EGEA: Well, I don’t think he had appeared before this Legislature, so I wouldn’t have -- there would not have been the opportunity, I don’t think.

SENATOR WEINBERG: Well, was there ever another issue where the Chairperson of the Port Authority called you to ask you to work on anybody’s written statement, letter--

MS. EGEA: Not written statement, but I’ve worked frequently with Bill on some business case analysis when there was an item--

SENATOR WEINBERG: No, my question was, was there ever another incident where the Chairperson of the Port Authority called you to ask you to help work on somebody’s written statement, testimony, press conference?

MS. EGEA: I don’t know that there ever was another one.

SENATOR WEINBERG: Okay, thank you. I don’t have any more questions.

Assemblyman.

ASSEMBLYMAN WISNIEWSKI: Thank you, Madam Chair, Good afternoon, Ms. Egea.

MS. EGEA: Oh, is it?

ASSEMBLYMAN WISNIEWSKI: Yes, we have passed the time; it’s now afternoon.
I want to follow-up on some of the questions that were asked by Co-Chair Weinberg. And what I’d like to do is start with Exhibit No. 2. If we could, please, put that up on the screen.

My first question is not specifically with regard to Exhibit No. 2, but we’ll get to that.

I try to understand your testimony thus far; and am I correct in understanding it, that you did not think that the closure of these lanes on the George Washington Bridge, or leading to the George Washington Bridge, was a particularly big deal?

MS. EGEA: As I noted, we really were not involved, operationally. There’s an enormous amount of activity that happens in the Port Authority. And the fact that they were doing a traffic study on one of the crossings didn’t seem to be out of the scope of what I would expect the Port Authority to be involved with.

ASSEMBLYMAN WISNIEWSKI: So you expected that this-- Strike that.

So you thought this was just a normal occurrence?

MS. EGEA: Well, that they would do traffic studies?

Absolutely.

ASSEMBLYMAN WISNIEWSKI: Okay.

MS. EGEA: And that they would--

ASSEMBLYMAN WISNIEWSKI: Thank you.

MS. EGEA: --look for ways to improve the customer experience.
ASSEMBLYMAN WISNIEWSKI: So with that in mind, I want to draw your attention to this e-mail from Mr. Baroni, sent to you on September 13 at 10:44 a.m., which is about 3 hours after Mr. Foye had sent that e-mail out to, among other people, Bill Baroni.

I want to make sure I understood your testimony -- that you initially did not notice this in your inbox, or observe it in your inbox.

MS. EGEA: No. What I meant to communicate was that I believe I had spoken to Bill before, and he had indicated that there was an issue going on, and that there was an e-mail. And then I read it, and then we spoke again. I believe that’s how it happened. I didn’t open it and not know I was going to get it.

ASSEMBLYMAN WISNIEWSKI: So I just wanted to follow-up on that.

So that first call from Bill Baroni on the morning of September 13 -- he called you?

MS. EGEA: I believe so.

ASSEMBLYMAN WISNIEWSKI: And he called you to tell you what?

MS. EGEA: That this e-mail-- I don’t remember exactly what he said, but he was telling me that there was a disagreement at the Port Authority regarding a traffic study they were doing at the George Washington Bridge.

ASSEMBLYMAN WISNIEWSKI: Now, I think you had testified earlier that Bill Baroni was your primary contact at the Port Authority. Is that correct?
MS. EGEA: Almost exclusively, yes.

ASSEMBLYMAN WISNIEWSKI: So did you think it was unusual that your primary contact at the Port Authority was calling you up to say, “We’re having a dispute about a traffic study”?

MS. EGEA: No, they were-- Disputes between the Executive Director and the Deputy were fairly regular.

ASSEMBLYMAN WISNIEWSKI: And on every dispute, Bill Baroni would call you up and say, “We’re having a dispute”?

MS. EGEA: I’m sure not every, but I was aware that they had a number of areas of disagreement.

ASSEMBLYMAN WISNIEWSKI: How many times did Bill Baroni call you to tell you that he was having a dispute with Pat Foye?

MS. EGEA: I don’t -- I can’t give you a number.

ASSEMBLYMAN WISNIEWSKI: More than 5?

MS. EGEA: As I’ve said, I knew that there were areas of disagreement between the Deputy and the Executive Director.

ASSEMBLYMAN WISNIEWSKI: Can you give me examples of those areas of disagreement?

MS. EGEA: Sure: Personnel hiring. When they were looking to hire some individuals, they would interview and have different views on who ought to be placed into some of the senior positions. The degree with which some projects ought to move along. Bill wanted to advance certain parts of the project; they would require the Executive Director’s signature, and they would, you know, be held up and it would hold Bill up in advancing a
project. So there were day-to-day things that I would characterize as areas of disagreement.

ASSEMBLYMAN WISNIEWSKI: They were more procedural disagreements -- not having a proper signature, not hiring a person?

MS. EGEA: Procedural -- I’m not sure, I think for the most part--

ASSEMBLYMAN WISNIEWSKI: But you had said one of the things there was a lack of a signature, I think you had said.

MS. EGEA: Yes, yes.

ASSEMBLYMAN WISNIEWSKI: That’s process, correct?

MS. EGEA: I suppose I could characterize it that way.

ASSEMBLYMAN WISNIEWSKI: Disagreement over process was one of the issues?

MS. EGEA: Well, using process to not advance what the Deputy wanted to go do.

ASSEMBLYMAN WISNIEWSKI: Now, on these occurrences, which you cannot enumerate, where Bill Baroni called and told you that there was a dispute with Pat Foye. And I’m clear -- he would talk to you about disagreements with Pat Foye--

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: -- or with people in general? Was it Pat Foye, in specific, or people in general?

MS. EGEA: Most frequently, with the Executive Director, and I don’t want to characterize it that he would specifically call
me to tell me that. Many times it would be -- as part of a conversation, he would indicate it.

ASSEMBLYMAN WISNIEWSKI: Did he ever send you e-mails about disagreements with Pat Foye?

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: Other than this one?

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: I would like to make a request through your counsel that those e-mails be shared with the Committee.

MS. EGEA: They don’t relate to this subject.

ASSEMBLYMAN WISNIEWSKI: Well, but I would like to understand what other disagreements that Bill Baroni was communicating to you about, that he had disagreements with Pat Foye about.

And so, just going back to this particularly disagreement-- Strike that.

So going back just to the general communications. Bill Baroni would call up and complain about some disagreement with Pat Foye. Did you ever pick up the phone and call Pat Foye and say, “Why is this happening?”

MS. EGEA: Well, first, I would not agree that he would call me to complain. Generally, it was as part of a conversation that -- how his project was proceeding and, as part of that, maybe was not achieving what he wanted to achieve and he would comment about that.
Number two, the Deputy was the primary interface for me, and I did not ever interact with the Executive Director, so it would have been very unusual for me to go around the Deputy. And I thought it was more appropriate for the Deputy and the Executive Director to work out their relationship and I shouldn’t intervene between them.

ASSEMBLYMAN WISNIEWSKI: Am I correct, though, that the Executive Director is the Chief Administrative Officer of the Port Authority?

MS. EGEA: I don’t know that I would characterize it that way. He’s the Executive Director.

ASSEMBLYMAN WISNIEWSKI: Well, how would you characterize him?

MS. EGEA: Well, the Executive Director.

ASSEMBLYMAN WISNIEWSKI: Okay, so is he in charge?

MS. EGEA: Well, actually, you know, this in one of the nuances with a bi-state agency -- that there is intended to be power and authority, I should say, imbued with the Deputy as well as the Executive Director. But you are correct, in that nearly all signature authority rests with the Executive Director.

ASSEMBLYMAN WISNIEWSKI: So as New Jersey’s Governor’s Office representative interfacing with the Port Authority -- that as the Director of the Authorities Unit, that was your responsibility, of many others, to interface with the Port Authority, correct?

MS. EGEA: Among many others, yes.
ASSEMBLYMAN WISNIEWSKI: Right. And so if the ultimate authority to get things done runs through the Executive Director, why would you not have a conversation with him?

MS. EGEA: Well, as I said, I believe that one of the expectations we have is that the Deputy worked with the Executive Director because the Deputy is appointed by New Jersey; and that I didn't feel it was appropriate to interfere with that relationship; and that I ought to work through the appointment from New Jersey.

ASSEMBLYMAN WISNIEWSKI: But the appointment from New Jersey is sharing with you frustration at being able to accomplish things because what he's telling you is that the Executive Director is, in some way, impeding that, correct?

MS. EGEA: In some instances.

ASSEMBLYMAN WISNIEWSKI: So isn’t it your job to solve that problem?

MS. EGEA: Also, the Chairman was also involved in those issues as well, and I thought I shouldn’t intercede between the two. It is more-- If there was an issue, then it would be more of likely the Board ought to get involved, not the Governor’s Office.

ASSEMBLYMAN WISNIEWSKI: So when Bill Baroni called you about -- or discussed with you on the number of occasions that you can’t recall about these difficulties, did you then pick up the phone to Dave Samson and say, “Chairman, there’s this problem that we’re having, and I wanted you to know because this is important to New Jersey that we resolve this.”
MS. EGEA: I wouldn’t necessarily every time call on the phone, but the Chairman was very aware that there were some disagreements between the Deputy and the Executive Director.

ASSEMBLYMAN WISNIEWSKI: What disagreements was the Chairman aware of?

MS. EGEA: I couldn’t enumerate all of them.

ASSEMBLYMAN WISNIEWSKI: Which ones did you share with him?

MS. EGEA: You know, certainly, there was a -- as I say, a project, in terms of the capital -- it needed signature for capital for a project to move along. We certainly talked about that. Personnel items, we definitely talked about. So there were a number.

ASSEMBLYMAN WISNIEWSKI: And what project-- What capital project was it that you couldn’t get a signature on?

MS. EGEA: I don’t remember. It was for-- I believe it was surrounding the PATH -- one of the PATH stations. I don’t remember.

ASSEMBLYMAN WISNIEWSKI: And you believe you had a conversation with David Samson about that?

MS. EGEA: It would have been a good example of a common knowledge between the Chairman, and Bill, and I of some tension between the two of them that was fairly typical.

ASSEMBLYMAN WISNIEWSKI: So going back, drawing your attention now to this September 13 e-mail. The opening paragraph, several sentences-- But I think in the third line down
the writer, Pat Foye, makes it clear that he was unaware of this -- what has been characterized as a traffic study. After Bill Baroni called you and you looked at this e-mail, did that strike you as odd?

MS. EGEA: The Deputy indicated that it was a project that he was overseeing on the New Jersey side of the Bridge, and that struck me as something that he wouldn’t have natural affinity and authority over. So I thought-- Communication was not a strong suit at the Port Authority, so it didn’t strike me as, necessarily, he’s doing something in New Jersey that the Executive Director would know everything that he was doing in New Jersey.

ASSEMBLYMAN WISNIEWSKI: How could you characterize the lane closure as just being in New Jersey, when it affects the efforts of people to get into New York?

MS. EGEA: At the time, when we were talking about it, I understand your point, but my conversation with Bill it seemed to be a New Jersey-led -- that’s how it was described to me, New Jersey-led effort. I don’t disagree that those individuals are going over to New York, but he described it to me, and I did accept that it was a New Jersey project.

ASSEMBLYMAN WISNIEWSKI: After you read this e-mail where the Executive Director said he didn’t know about it, and then he goes on to say that it violated 25 years of Port Authority operations, did you call up Bill Baroni and say, “Bill, what happened here?”

MS. EGEA: Yes, as I indicated, we spoke after I read this.
ASSEMBLYMAN WISNIEWSKI: Right.

MS. EGEA: And as contexted, I’ll remind you of what I described. There was ongoing tension between the Executive Director and the Deputy so that that was the context we all— I read this, and there were, I thought, relatively broad statements. There was no citation of the things that -- the laws that were broken, or things that were—

ASSEMBLYMAN WISNIEWSKI: I haven’t gotten there yet.

MS. EGEA: Okay.

ASSEMBLYMAN WISNIEWSKI: I was just talking about opening part, “Reversing over 25 years of Port Authority GWB operations.” And so Bill Baroni calls you up and says, “You’re going to get an e-mail, and this is what it talks about, and I want to let you know.” So you read the e-mail, and Pat Foye is saying to Bill Baroni and others, “What happened here I didn’t know about, and it violates or reverses 25 years of GWB operations.” You didn’t call Bill up and say, “How could this happen?”

MS. EGEA: No, we did speak, as I indicated. And as context, again, for your questions, when we get to the end and there are definitely allegations in here that are very serious. But at the end, the Executive Director indicates he’s going to pursue and review what occurred.

ASSEMBLYMAN WISNIEWSKI: Well, we’ll get to that. I understand.
MS. EGEA: So my reaction-- I don’t recall every line, when I read it, how I reacted. My net, in terms of my assessment of this e-mail, was that it seemed consistent with the tension between the two of them. The Deputy indicated it was a project that did not violate all the things that were in here and, in fact, that the investigation or review was going to occur. And I thought that was appropriate -- that they should be reviewed, since he made the allegations.

ASSEMBLYMAN WISNIEWSKI: You had -- and if this is an incorrect characterization, I know your counsel will interject -- but I believe you had said that in your reading of this, you took it in the context of the disagreements -- the historic disagreements between New York and New Jersey, correct?

MS. EGEA: Yes, it reflected-- I mean, I couldn’t not know that at the time, yes.

ASSEMBLYMAN WISNIEWSKI: Would you not agree, though, that this was a little different than not putting a signature on a document for a capital expenditure?

MS. EGEA: It was different, in that it was so elaborate and enumerated out; so yes, it was different.

ASSEMBLYMAN WISNIEWSKI: I mean, an entire town was put into gridlock because of this. Is that--

MS. EGEA: I did not know that at the time.

ASSEMBLYMAN WISNIEWSKI: You didn’t know it at the time?

MS. EGEA: Correct.
ASSEMBLYMAN WISNIEWSKI: When did you learn that?

MS. EGEA: As I said, I read an article, I think, over the weekend that indicated there was traffic -- congestion in Fort Lee.

ASSEMBLYMAN WISNIEWSKI: Okay, and so this e-mail is sent on Friday, September 13, and it indicates that this had been going on since Monday. Did you ask Bill Baroni, “Bill, this has been going on for four days, and for four days the Executive Director didn’t know about this. Why is that?”

MS. EGEA: As I indicated, he characterized it as a New Jersey project that he was overseeing; and that I did not ask him that specific question, and I accepted his representation that there were projects going on all the time and not everyone knows about everything.

ASSEMBLYMAN WISNIEWSKI: The Executive Director, you’re saying, is not familiar with all the facts of what’s going on at the Port Authority?

MS. EGEA: Well, I didn’t say that. I said that are activities--

ASSEMBLYMAN WISNIEWSKI: Well, because you said not everybody knows everything, and I’ll accept that. But I’m talking about the chief appointed officer of the Port Authority, the person who holds the title of Executive Director.

MS. EGEA: Right.

ASSEMBLYMAN WISNIEWSKI: There are access lanes closed to the George Washington Bridge for four days. The Executive Director is saying to Bill Baroni in an e-mail -- which has
been forwarded to you with the note, “High Importance” -- that he didn’t know about this for an entire week. That didn’t rise to a level of slight indignation where you said, “Bill, for four days you don’t tell the Executive Director? I mean, at a minimum, this looks bad for New Jersey.” You didn’t say any of that?

MS. EGEA: Well, as I indicated, I read the allegation just like everyone else, and I also relied upon the person who made the allegations -- the Executive Director -- to pursue any review that was necessary and we would fully cooperate. So, you know, whether I was concerned about each one of them, certainly; but I also felt confidence that the Executive Director was going to follow-up.

ASSEMBLYMAN WISNIEWSKI: So explain to me your confidence in the Executive Director to undertake an investigation, when the New Jersey view is, “Well, that’s just Pat Foye, and we disagree with him all the time.” I mean, it seems to be somewhat inconsistent that the natural inclination is that, “Well, that’s just New York/New Jersey disagreements, but he’s saying he’s going to investigate so we’ll really trust him on that.” How do you reconcile that?

MS. EGEA: Well, actually, I think it’s terribly consistent in that he was the one who raised the allegation, and we didn’t try to dispute them that he, in fact, was going to try to prove them. And so I think it’s entirely consistent, actually, that there was no evidence presented; I was awaiting evidence; the Deputy had indicated there was no evidence to support the allegations. So it
was, I think, entirely consistent that we would expect that the person who leveled the claim would go investigate it.

ASSEMBLYMAN WISNIEWSKI: And you don’t think there was any responsibility on the New Jersey side -- especially in your capacity as head of the Authorities Unit -- to do any due diligence to make sure that what Mr. Baroni was telling you was accurate.

MS. EGEA: Well, I didn’t want to interfere with the Executive Director’s review. As I said, I never thought I should get in between the Deputy and the Executive Director; the Executive Director stated he would do the review. I indicated to Bill that he should let him look at anything he wanted to look at, at this, and we should follow, then, his review and wait for the evidence to be presented to support the allegations.

ASSEMBLYMAN WISNIEWSKI: So after you had this conversation with Bill Baroni on September 13, how long did your call -- your second call with Bill Baroni, after you reviewed this e-mail -- how long did that call last?

MS. EGEA: I don’t recall.

ASSEMBLYMAN WISNIEWSKI: Five minutes, an hour?

MS. EGEA: Honestly, I don’t recall. It’s rare that I would be on the phone one-on-one with him for an hour; I really don’t know, though.

ASSEMBLYMAN WISNIEWSKI: Did you ask Mr. Baroni who else at the Port Authority was involved?

MS. EGEA: I did not.
ASSEMBLYMAN WISNIEWSKI: Did you ask Mr. Baroni if there was anybody in the Governor’s Office involved?

MS. EGEA: I did not.

ASSEMBLYMAN WISNIEWSKI: Did you ask him if he had any other communications about this e-mail?

MS. EGEA: About this e-mail? Well, I could see that it had been sent to other people, but other than that, no, I don’t recall asking him that.

ASSEMBLYMAN WISNIEWSKI: After you received this e-mail, and you concluded your conversation with Mr. Baroni that morning, did you then reach out to David Samson?

MS. EGEA: I don’t recall.

ASSEMBLYMAN WISNIEWSKI: At some point after you received this e-mail, did you talk to David Samson about the allegations that were made here?

MS. EGEA: That day? I don’t recall.

ASSEMBLYMAN WISNIEWSKI: Ever?

MS. EGEA: I mean, at some point, I’m sure; at some point, we had some conversation about it, but I don’t recall specifically.

ASSEMBLYMAN WISNIEWSKI: Now, in this e-mail there are allegations that laws may have been broken, correct?

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: You said earlier in your testimony that one -- that your direct report line is to the Chief Counsel.
MS. EGEA: Correct.

ASSEMBLYMAN WISNIEWSKI: So did you then take a copy of this e-mail to the Chief Counsel and say, “I just want to let you know that Pat Foye is accusing somebody of breaking laws.”

MS. EGEA: I did not.

ASSEMBLYMAN WISNIEWSKI: Why not?

MS. EGEA: Because there was no-- Number one, both Pat Foye and Bill Baroni are attorneys, Nicole Crifo is an attorney, and there was no indication of which laws were being cited. So there was-- Again, I was waiting for the evidence to support the accusation, and it was in the context of, it seemed to be a continuing battle between the Executive Director and the Deputy, and it was something that I wanted to have more information about before I would ever elevate it.

ASSEMBLYMAN WISNIEWSKI: In his e-mail, Pat Foye says, “Emergency vehicles may have been delayed, laws may have been broken,” and you talk a hands-off approach, saying, “Well, let’s just see what happens”?

MS. EGEA: Again, I wouldn’t characterize it as “hands off.” I, in fact, encouraged Bill to let the Executive Director do the review, and I expected that he would. And he produced -- Bill produced no evidence that had occurred, or it had not occurred. I was waiting for the evidence.

ASSEMBLYMAN WISNIEWSKI: Bill produced no evidence that it had or had not--
MS. EGEA: No, he couldn’t, I should say. He stated that he--

ASSEMBLYMAN WISNIEWSKI: “He” being -- who’s “he”? MS. EGEA: I’m sorry. Pat had produced no evidence. He had made the claims, he had leveled accusations that he produced no evidence for -- and I wanted the evidence before I would take any significant action inside with the Chief Counsel.

ASSEMBLYMAN WISNIEWSKI: Did you ask Bill Baroni for evidence?

MS. EGEA: He indicated that none of it was true.

ASSEMBLYMAN WISNIEWSKI: No, no. If Bill Baroni said this was a project, a New Jersey project--

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: --so obviously, you would have said to Bill, “Well, then show me the evidence.”

MS. EGEA: Of what?

ASSEMBLYMAN WISNIEWSKI: Of the New Jersey project that Bill Baroni was complaining that Pat Foye was unfairly interfering with.

MS. EGEA: Well, it was a traffic-- It was the activity that they had just pursued for the last four days. I’m not sure what you mean.

ASSEMBLYMAN WISNIEWSKI: You didn’t ask him for any backup? I mean, Bill Baroni, on September 9, just ordained a traffic study with nothing beforehand, and so there was nothing to present?
MS. EGEA: I don’t know. I don’t know what he prepared or not.

ASSEMBLYMAN WISNIEWSKI: So did you ask him?

MS. EGEA: No, because the issue -- for me, anyway -- was that the characterization and the interruption of the study by the Executive Director -- and I didn't see the value at that point in asking him for material that the Executive Director was then going to go ask for. Again, I was relying upon the Executive Director to do the review of both the study, as well as the results.

ASSEMBLYMAN WISNIEWSKI: Maybe you misunderstand my question. I think the question is -- or I know what the question is -- the question is, Bill Baroni says to you, after you read the e-mail, “Don’t worry about this. He’s just interfering with the New Jersey project.” So wouldn’t your natural response be, “Just give me the details, Bill. Send me an e-mail, show me all the documents that relate to this New Jersey project that you’re working on.”

MS. EGEA: Not necessarily. I mean, we-- I didn’t ask for all documents out of the Port Authority. I did not ask him -- to directly answer your question, I did not ask him for it.

ASSEMBLYMAN WISNIEWSKI: Why?

MS. EGEA: And I would not-- I mean, not typically, would I ask to see detailed documents, other than ones that would come before the Board, and this never came before the Board.

ASSEMBLYMAN WISNIEWSKI: Well, it actually did come before the Board on a number of occasions subsequent to that.
MS. EGEA: I’m sorry, I meant as a resolution -- a document before the Board.

ASSEMBLYMAN WISNIEWSKI: So would you say that you just chose to believe Bill Baroni and not believe Pat Foye?

MS. EGEA: I would say that I was awaiting the Executive Director’s demonstration of evidence of his accusations. He’s the one who leveled the accusation.

ASSEMBLYMAN WISNIEWSKI: And Bill Baroni gave you a defense to those accusations in his phone call.

MS. EGEA: Yes, he indicated it was a traffic study, and that there was no merit to the accusations.

ASSEMBLYMAN WISNIEWSKI: But you didn’t think it was relevant to ask him for backup anything -- an e-mail, a letter.

MS. EGEA: No.

ASSEMBLYMAN WISNIEWSKI: Nothing?

MS. EGEA: No.

ASSEMBLYMAN WISNIEWSKI: And so after you reviewed this e-mail, you had a conversation with him. You’re saying you did not go to Charlie McKenna with this?

MS. EGEA: Correct.

ASSEMBLYMAN WISNIEWSKI: You did not go to-- Well, who did you go to with this? Who did you talk to about this e-mail, other than Bill Baroni?

MS. EGEA: I forwarded it to Nicole Crifo so that she would have a copy of it for the record because she is, as I said -- the Port Authority is in her portfolio so I wanted to be sure that her
records were complete. And, as I indicated, at some point I’m sure I spoke with the Chairman about it, but other than that, I don’t believe I spoke to anyone else.

ASSEMBLYMAN WISNIEWSKI: And why would it be important for Nicole Crifo to have a copy of this? I mean, in your view, it was an unsubstantiated allegation.

MS. EGEA: But I like to always have complete--Anything that I would have related to the Port Authority, she would always have a mirror image copy.

ASSEMBLYMAN WISNIEWSKI: Did you have a conversation with Nicole Crifo about this?

MS. EGEA: Relatively brief, if-- I mean, I think I explained what Bill had told me, either before or after I forwarded it to her. But it would have been relatively brief.

ASSEMBLYMAN WISNIEWSKI: Well, you had said earlier that in your role as head of the Authorities Unit -- or perhaps, the Authorities Unit at large -- did not involve yourselves in operational details of the Port Authority. Is that correct?

MS. EGEA: Not generally, no.

ASSEMBLYMAN WISNIEWSKI: Are there occasions when you did?

MS. EGEA: I can’t cite one. I just can’t say that I never did.

ASSEMBLYMAN WISNIEWSKI: Okay. Would you consider this to be an operational detail of the Port Authority?
MS. EGEA: Yes, it was at the operational level, in my mind.

ASSEMBLYMAN WISNIEWSKI: Were the disputes also at the operational level?

MS. EGEA: Are you referring to the ones that I’ve already cited between the Deputy and the Executive Director?

ASSEMBLYMAN WISNIEWSKI: Yes.

MS. EGEA: So your question is, would I get involved in them, or--

ASSEMBLYMAN WISNIEWSKI: Well, I mean, are disputes operational, or policy?

MS. EGEA: The ones I cited, I would characterize, probably, as more operational.

ASSEMBLYMAN WISNIEWSKI: So why would you get involved in those? I mean, why would Bill Baroni call you up about operational details at the Port Authority if you don’t get involved in them?

MS. EGEA: As I said, he wouldn’t necessarily solely call me on the disagreement he was having, but I was aware of it.

ASSEMBLYMAN WISNIEWSKI: Well, I understand that he didn’t call you up specifically about a particular dispute; but in the context of a larger conversation, he would share with you information about disputes, correct?

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: Okay. And you call those disputes operational details.
MS. EGEA: For the ones that I cited, sure.

ASSEMBLYMAN WISNIEWSKI: Well, were others that were nonoperational details?

MS. EGEA: No, not that I can recall at this moment.

ASSEMBLYMAN WISNIEWSKI: So why would you get involved in the operational details of disputes if you don’t get involved in operational details?

MS. EGEA: I didn’t say I got involved. I said I was aware of it.

ASSEMBLYMAN WISNIEWSKI: Right.

MS. EGEA: And he mentioned it to me. I took no action on those disputes, right? I expected him to resolve it with the Executive Director.

ASSEMBLYMAN WISNIEWSKI: And did you specifically tell Bill Baroni, “Work this out with Pat Foye”? 

MS. EGEA: Typically, I would have.

ASSEMBLYMAN WISNIEWSKI: Okay. And you didn’t believe that your role as head of the Authorities Unit required you to either intercede or inform anyone else about these disputes?

MS. EGEA: As I mentioned, I believed the Chair was aware of the disputes and involved as well. I don’t know which ones he was involved with, but he was aware of the disagreements between the two.

ASSEMBLYMAN WISNIEWSKI: But isn’t that an abrogation of your responsibility as head of the Authorities Unit, where you’re not conveying information about disputes that are
going on, with what I think we could all agree, is probably the biggest public Authority that your unit deals with?

MS. EGEA: Didn’t indicate to whom?

ASSEMBLYMAN WISNIEWSKI: The Governor, Pat Foye, or anybody else. I mean, it seems to me what you’re telling me -- and correct me if I’m wrong -- is that you’re made aware of disputes, but you really don’t do anything about them.

MS. EGEA: Well, I guess I wouldn’t characterize it that way. I was assured that, as I’ve indicated, the Chair was well aware of that, and I thought that was the appropriate resolution path.

ASSEMBLYMAN WISNIEWSKI: Okay.

Let me move on to-- On October 2 -- Tab 7 -- you received an e-mail on Wednesday, October 2, from Nicole Crifo, and had forwarded you a newspaper story about, “George Washington Bridge lane closures prompted angry e-mail from Port Authority Chief.” Do you remember getting that?

MS. EGEA: Yes. I mean, I remember reading the article; I don’t know that I specifically remember getting it from Nicole, but--

ASSEMBLYMAN WISNIEWSKI: Now, after you received this article, did you have any concern that this dispute between Pat Foye and Bill Baroni had grown into something larger?

MS. EGEA: Actually, it was consistent with the disagreements that they had had, and the fact that no evidence had been produced in almost 30 days -- that suddenly an internal
document had been released to the press seemed, frankly, more consistent with the idea that there was no evidence, and that it was an effort to embarrass Bill or, somehow, advance the narrative that the Executive Director preferred. And that it was more of a lack of evidence, yet trying to still keep the story relevant.

ASSEMBLYMAN WISNIEWSKI: So two weeks later, there’s a Port Authority meeting. And at that Port Authority meeting, which was attended by Senator Weinberg, you sent an e-mail -- it’s in Tab 10 -- and I’m going to read it. “Senator Weinberg attended Board meeting, but did not speak. Had a hallway conversation with Strunsky and Ted Mann before Board meeting. After Board meeting, she was admitted into the anteroom where the press gaggle is held -- typically only press and Port Authority exec team. Questions ensued on Fort Lee, but holding to script of ‘all under review.’”

Those are your words, right?

MS. EGEA: Correct.

ASSEMBLYMAN WISNIEWSKI: You sent this?

MS. EGEA: Correct.

ASSEMBLYMAN WISNIEWSKI: Okay. What did you mean by “holding to the script of all under review”?

MS. EGEA: Well, as a matter of practice -- not just at the Port Authority, but at all of the authorities and commissions that I work with -- that if an item isn’t fully vetted and fully explored, that the Authority, as a practice, shouldn’t be talking about anything in the press until we know all the facts. So in my-- What
I intended to communicate -- and I think I did communicate -- is that it was all under review. And that we ought to continue to say that until we saw the evidence produced that supported the allegations.

ASSEMBLYMAN WISNIEWSKI: And when you talk about “holding to the script” of “all under review,” you’re talking about words that were spoken in that press gaggle after the meeting -- that were spoken by either Bill Baroni and/or Pat Foye, correct?

MS. EGEA: I was not present, but as I said, that would have been the expectation of any Authority when something wasn’t -- a review wasn’t complete.

ASSEMBLYMAN WISNIEWSKI: So if you weren’t present, how do you know that they were “holding to the script of all under review”?

MS. EGEA: Nicole Crifo was present.

ASSEMBLYMAN WISNIEWSKI: Okay. And Nicole Crifo told you what, that caused you to write, “Holding to the script all under review”?

MS. EGEA: She updated me that there were questions, but there was no further comment beyond, “It was all still under review.”

ASSEMBLYMAN WISNIEWSKI: And did she tell you who said, “It was all under review’?

MS. EGEA: No, I don’t recall. She might of, but I don’t recall it.
ASSEMBLYMAN WISNIEWSKI: Okay. And so now you--There is heightened scrutiny; Senator Weinberg is at a meeting asking about this; the press is asking about it. You say, “Holding to the script all under review” -- what review?

MS. EGEA: The Executive Director’s review that he stated on September 13.

ASSEMBLYMAN WISNIEWSKI: So did you, then, call Bill Baroni and ask him, “Where’s the Executive Director’s review?”

MS. EGEA: As I said, I can’t produce an e-mail or cite a specific conversation--

ASSEMBLYMAN WISNIEWSKI: No, I’m just asking. Did you call him?

MS. EGEA: You know, I believe that I, on occasion, would have asked, “Is there any data? Is there any support?” And I never got any information that supported the allegations.

ASSEMBLYMAN WISNIEWSKI: How would you communicate -- how would you ask that question of Bill Baroni? You say you may have periodically asked that question.

MS. EGEA: I was in communication with him regularly on many matters, so that--

ASSEMBLYMAN WISNIEWSKI: By phone? By e-mail?

MS. EGEA: Phone, typically; some e-mail, but phone primarily.

ASSEMBLYMAN WISNIEWSKI: Text messages?

MS. EGEA: No, I never texted with Bill.
ASSEMBLYMAN WISNIEWSKI: Okay. If there are e-mails that you have sent to Bill Baroni asking about the status of Pat Foye’s review, through counsel, I’d like to make a request that they be provided to the Committee.

MS. EGEA: I have looked, and I have not found any.

ASSEMBLYMAN WISNIEWSKI: So you asked Bill Baroni, “What’s the status of Pat Foye’s review?” after you sent this, or before you sent this October 16 e-mail?

MS. EGEA: As I said, I can’t cite specifically when, but it would have been normal course for me to ask and I was expecting and waiting for the data to be produced.

ASSEMBLYMAN WISNIEWSKI: See, what troubles me is that you sent this e-mail to Kevin O’Dowd, and to Charlie McKenna -- to whom you directly report -- and, for some reason, to Michael Drewniak. I’m not sure he’s in your chain of command of reporting. And you said, “All under review,” but at that point in time, you’re telling me you’re not really sure where the review stood?

MS. EGEA: Well, that’s why we didn’t answer any questions, and--

ASSEMBLYMAN WISNIEWSKI: But why would you say-- I mean, if you’re not sure that there’s a review, why isn’t the answer, “I’m not sure; ask Pat Foye.”

MS. EGEA: No. I believed there was a review going on, and that I was awaiting the results of the review. And Michael Drewniak would have been a natural person; whenever there were,
at any of the Authorities, if there was press present I would always make the Communications Office aware.

ASSEMBLYMAN WISNIEWSKI: Is that because the Port Authority didn’t have a press shop?

MS. EGEA: No, I’m saying for any Authority, not just Port Authority. Whenever there’s press, so that if an inquiry came in to them, that they would know and have some context for it and be able to know that they could follow-up with my staff or myself to clarify if they got a question.

ASSEMBLYMAN WISNIEWSKI: Okay. So let’s go back to Exhibit No. 9, then.

Do you recall receiving this e-mail?

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: Have you had a chance to review it?

MS. EGEA: Yes, I’ve seen it before.

ASSEMBLYMAN WISNIEWSKI: Okay. And in this e-mail, Bill Baroni says to you that he spoke with Charlie yesterday. Is that Charlie McKenna?

MS. EGEA: Yes, it is.

ASSEMBLYMAN WISNIEWSKI: Okay. And when Bill Baroni sent you this e-mail on October 6 -- which is 10 days before the next e-mail that we just talked about -- he advised you that he thought Senator Weinberg’s remarks would be harsh; obviously, you knew this was about the Port Authority lane closings, correct?
MS. EGEA: Would you like me to give you some context for this?

ASSEMBLYMAN WISNIEWSKI: Well, could you answer the question?

MS. EGEA: I knew that Senator Weinberg had requested to speak at a committee meeting the following day -- on Monday, October 7. And that prior to this, we had reviewed the bylaws; it’s very unusual. In fact, we don’t have a public comment period, typically, in a committee meeting for the Port Authority. And so I had Nicole review the bylaws to indicate -- or to determine, I should say -- whether it was appropriate and allowable, I should say, to have public comment at the committee meeting. And the bylaws are silent. So it doesn’t say we can’t, and it doesn’t say we are required. So for me, that was a policy call. And this is an example of -- I indicated to Bill, since it could have gone either way, it was a policy call that “you should discuss it with Charlie.” So I had referred him to Charlie about creating a public comment period on Monday, October 7. And I was following up with Bill on Sunday because I hadn’t heard where that had come out. I’m asking him, “How did it come out?” and then he’s responding to that in the context of the committee meeting that was going to occur on Monday.

ASSEMBLYMAN WISNIEWSKI: Understood, and I appreciate that context. Thank you.
So my question is, Bill Baroni opines to you that he thought Senator Weinberg’s comments would be harsh. Did you understand what her comments were going to be about?

MS. EGEA: I believe the Senator had already made some public comments in the press, so I would expect that they would be similar to what the Senator had already indicated in the press.

ASSEMBLYMAN WISNIEWSKI: About the Bridge?

MS. EGEA: Yes, yes -- I’m sorry; right.

ASSEMBLYMAN WISNIEWSKI: And so when you received this October 6 e-mail -- which is 10 days before the e-mail saying, “All under review” -- did you get back to Bill Baroni and say, “By the way, what’s Pat Foye doing on his internal review?”

MS. EGEA: As I said before, I can’t cite a specific time or produce a document; I don’t know that I specifically asked after that. I was awaiting the conclusion of the Executive Director’s review.

ASSEMBLYMAN WISNIEWSKI: But your expectation was, based on what Senator Weinberg had said previously, and Bill Baroni’s statement that her comments were going to be “harsh,” that the issue of the lane closures at the Bridge would come up.

MS. EGEA: Right.

ASSEMBLYMAN WISNIEWSKI: And so wouldn’t it have been natural for you, at that point in time, to say, “Do we know what’s going on with this review?”

MS. EGEA: I asked, on occasion, if there was any evidence produced, and no evidence was produced.
ASSEMBLYMAN WISNIEWSKI: And at this point in time, did you ask Bill Baroni, “Now that a little bit less than a month has gone by, and, by the way, Bill, can you send me whatever proof you have about your study?’

MS. EGEA: Well, as I’ve indicated, you know, the continuing public comment on this, without any evidence, frankly, reinforced -- in my mind, anyway -- that I wasn’t sure there was any evidence to be produced. So I was awaiting it. And so I viewed it as much more of a political/public disagreement than there was any evidence that-- Well, I guess I was awaiting evidence.

ASSEMBLYMAN WISNIEWSKI: Why would you say it was political?

MS. EGEA: Well, meaning the tension between the Executive Director and the Deputy, I view as internal politics inside the Port Authority. And plus the Senator is a politician. So it seemed to fit.

ASSEMBLYMAN WISNIEWSKI: And so because you thought it was political that you really didn’t ratchet up your curiosity about this?

MS. EGEA: Honestly, I was as curious as anyone. I was waiting the Executive Director’s review, and I wanted to see the evidence.

ASSEMBLYMAN WISNIEWSKI: You were curious, but you can’t produce an e-mail that shows your curiosity? You were curious, but you can’t recall a specific phone call on which you asked about it? How is that being curious?
MS. EGEA: Well--

MR. MARTINEZ: Respectfully, Assemblyman, that’s an argumentative question.

ASSEMBLYMAN WISNIEWSKI: But it’s a question, nonetheless. If you didn’t write an e-mail, and you can’t recall a phone call, how curious were you?

MR. MARTINEZ: It’s an unfair, improper question -- but a question.

ASSEMBLYMAN WISNIEWSKI: Well, it’s a fair question. If you didn’t send an e-mail, and you can’t recall a phone call, how curious were you?

MS. EGEA: I think I’ve indicated, I have had conservations with Bill and I asked if there was any evidence, and there was no evidence produced. So that was ongoing.

ASSEMBLYMAN WISNIEWSKI: Okay. I next would like to draw your attention to Tab 60. Tab 60 are documents provided to the Committee from the Borough of Fort Lee, closed session minutes of a Council meeting on September 12 -- which is contemporaneous with the lane closures. In these closed session minutes -- and if you haven’t seen them, I’ll give you a moment to take a look at it.

MS. EGEA: I’ve never seen them before.

ASSEMBLYMAN WISNIEWSKI: So why don’t you just take a moment and look at them, and it’s page 4, most of it is redacted; page 4 has the text.

Let me know when you’ve concluded your review of it.
Okay. Halfway down through this section there’s a reference from this closed session of the Council in which the Fort Lee Chief of Police says he spoke to a Port Authority police sergeant who said that the “this” --which is the lane closures, which is the topic of conversation at that meeting -- “occurred because the Mayor did not support the Governor.”

Now, that’s the context for the question I’m about to ask you. As head of the Authorities Unit what, if any, was your responsibility to have any interface or interaction with the Port Authority Police?

MS. EGEA: I had none.

ASSEMBLYMAN WISNIEWSKI: If there was a need for you to have, or the Governor’s Office to have some interaction with the Port Authority Police, how would that work?

MS. EGEA: That’s pretty theoretical. I’m not sure what would be an example of what you’re asking about.

ASSEMBLYMAN WISNIEWSKI: If you or someone in the Administration needed to have a discussion, or ask a question, of the Port Authority Police, how would you go about doing that?

MS. EGEA: Procedurally, as I’ve indicated, I fairly exclusively interfaced with Bill Baroni.

ASSEMBLYMAN WISNIEWSKI: So you would ask Bill Baroni?

MS. EGEA: I would start there.
ASSEMBLYMAN WISNIEWSKI: You would start there. Did you ever have any opportunity to have discussions with Paul Nunziato?

MS. EGEA: No.

ASSEMBLYMAN WISNIEWSKI: Any opportunity to have conversations with Officer Chip Michaels?

MS. EGEA: No.

ASSEMBLYMAN WISNIEWSKI: Did you ever have a conversation or any opportunity to discuss the operations of the Port Authority Police, insofar as the George Washington Bridge is concerned?

MS. EGEA: No, I don’t recall any.

ASSEMBLYMAN WISNIEWSKI: Okay. We’re going to wrap up for lunch in five minutes, but I have a couple of questions that I just wanted to ask you before we take that break.

During the week, September 9 through 13, when these lanes were closed, were you aware of complaints coming into the Office of the Governor -- by constituents, users of the Bridge -- about the impact that this lane closure was having?

MS. EGEA: I was not.

ASSEMBLYMAN WISNIEWSKI: Okay. I wanted to draw your attention to Tab 42 -- page 5 of Tab 42.

This may have been asked, but I want to get better clarity on it. The top of that page 5, I’ll read it for you. “Crifo recalled that Egea responded that the Governor’s Office would not
have involved itself with an operational issue.” This is in response to, “Crifo recalled telling Egea that Ashmore reached out to her about inquiries about the lane closures.” You don’t recall that all?

MS. EGEA: I really don’t.

ASSEMBLYMAN WISNIEWSKI: Okay, okay.

And you don’t recall anyone else in the Office of the Governor -- whether it be Bridget Kelly or anyone else -- saying to you that they've received complaints or heard complaints about this?

MS. EGEA: No, no I do not.

ASSEMBLYMAN WISNIEWSKI: And in any of your conversations with Bill Baroni, you did not hear or have discussions about public complaints about the lane closures?

MS. EGEA: No, I did not.

ASSEMBLYMAN WISNIEWSKI: Okay,

Madam Chair, I’m going to have questions after other members have an opportunity, but I think we’ll conclude now for our lunch break.

SENATOR WEINBERG: Okay, we will take a half-hour break, and be back here at 1:30, please.

(recess)

(return from recess)

SENATOR WEINBERG: Okay, Ms. Egea, as you know you're still under oath and my Co-Chair still has the floor.
ASSEMBLYMAN WISNIEWSKI: At the moment, I am going to conclude my questioning, Madam Co-Chair, and I think I’ll let you decide who goes next.

SENATOR WEINBERG: Senator O’Toole.

SENATOR O’TOOLE: Thank you.

Thank you, Chair. Through you, some follow-up questions, and some other questions for the witness.

Good afternoon, Ms. Egea.

MS. EGEA: Good afternoon.

SENATOR O’TOOLE: Can you just talk in a little further detail about your duties as the Director of Authorities? I’m trying to understand -- and focus a lot on the Port Authority. Just talk about what you do, and talk about in the larger sense of the other Authorities and what your day-to-day or week-to-week job description is.

MS. EGEA: Certainly.

As I mentioned before, there are 53 Authorities that we work with. And each attorney of the four attorneys has a portfolio of 12 to 14. And each of them has monthly, regular meetings, as well as committee meetings. So on a regular basis we are working with each of the Authorities to review all the public agenda items for both committees and their public Board meetings.

So the issues, of course, would be quite varied in the Port Authority. It is not the only bi-state Authority; there’s the Waterfront Commission, Palisades Commission, Delaware River Port Authority, the Joint Toll Bridge, as well as the Bay Authority.
And they have the same transportation issues that we deal with on a regular basis. And then there are other transportation issues, like Transit and Turnpike. So there are a lot of contracting— So there’s a fair amount of regular business on a month-to-month basis.

And our objective is to, as I mentioned before, work with each of them to ensure compliance with State law, and their bylaws, and policies.

And so as we complete each Board meeting there are minutes that are issued as a result of those. And each of the attorneys takes minutes, and they would generate a memo summarizing the minutes and recommending veto or not veto for those who do have veto authority.

So it’s a variety of— It’s the same structurally, but it’s very different issues, depending upon each of the Authorities.

SENATOR O’TOOLE: And I know a lot of questions have been thrown at you this morning about specific conversations you had, or believe you had, in September, October. I imagine it’s somewhat hard, from what your testimony is, to recall exactly the nature of those phone calls reaching back to September, October, November. And I suspect that it’s because of the volume of phone calls, or e-mails, or correspondence you receive as a Director of the Authorities?

MS. EGEA: I deal very directly with 40 to 50 percent of the Authorities, again, depending on the issues. So yes, I would agree that on a regular basis I’m probably dealing with five or six of them each day, depending upon the issue. And sometimes some
authorities-- For example, Transit -- it’s a constant effort to keep working with them -- they have a wide variety of issues; Turnpike as well.

And then there are some that there are occasions that cause them to need to interface with us a bit more, such as PVSC and the Environmental Infrastructure Trust, post-Sandy. Post-Sandy brought a lot of issues forward that we needed to deal with.

So on a regular basis I am interfacing with Authorities probably 70 percent of my time -- or at an Authority meeting, or at a committee meeting.

SENATOR O’TOOLE: I don’t mean to jump around to confuse you, but I need to follow, kind of, some of the questions that were asked; I want to do some follow-up. And you just raised an interesting topic -- Passaic Valley Sewage Authority -- which I thought-- You said PVSC?

MS. EGEA: Yes.

SENATOR O’TOOLE: Passaic Valley Sewage Authority?

MS. EGEA: Sewage -- sorry, yes.

SENATOR O’TOOLE: Were you involved-- I guess you came in, in late 2011 as the Director?

MS. EGEA: January of 2012, correct.

SENATOR O’TOOLE: And the only parallel I can say is that I remember back in 2010 -- I assume it was before your time -- is a new Executive Director was installed and there were some-- I read the newspapers, some allegations of some misconduct. And from what I read it appears that the Executive Director, Wayne
Forrest at the time, over a period of months did an internal investigation, and then he or his Chief Counsel made referral to the Attorney General’s Office which led to the indictment and/or plea of at least four of the employees. Were you involved in that at all?

MS. EGEA: Not at all. It was all completed by the time I got to the Authorities Unit.

SENATOR O’TOOLE: There was a reference made about the Gibson report at some point. Did you read the summary of the report that was relevant to your interview?

MS. EGEA: The first summary that was issued -- I did read it.

SENATOR O’TOOLE: And were there any mistakes that were obvious, or any things that you would want to amend or correct?

MR. MARTINEZ: I’d like to clarify. I think you asked-- Respectfully, Senator, you asked about the report and the interview memoranda. I think those are two separate items.

SENATOR O’TOOLE: Well, we are exposed to the-- There is a summary of the interview. Have you read that?

MS. EGEA: No.

SENATOR O’TOOLE: Okay.

MS. EGEA: So I’ve only read the initial report that came out at the end of March. I have not read any of the interview summaries.
SENATOR O’TOOLE: Did you take any issue, or did you have to correct, or did you have any obvious notations of correction in that which you read?


SENATOR O’TOOLE: Okay.

Under the examination of Chair Weinberg and Wisniewski, I think that there was some discussion dedicated about the nature of interaction with the executive directors, or deputy executive directors, at some of the Authorities. And I just need some clarity on that.

With all the Authorities that you talked about -- both the bi-state and others -- was it your function or the function of your office to interact and look at public statements or testimony that was to be given by executive directors in any of the Authorities?

MS. EGEA: I mean, I don’t remember any of them ever having to testify, to be honest with you. I’m trying to think back.

SENATOR O’TOOLE: Well, let me ask you. If the Executive Director of the Passaic Valley Sewage Authority -- I think he had testified at an event in Maryland. Did you ever proof his comments, or at least have a copy of his comments before he went to that convention?

MS. EGEA: I would have received, probably, a copy. I would have known that he was-- He would have notified us that he was going to appear, and he probably would have provided a copy.

SENATOR O’TOOLE: Okay.
At some point in the questioning of Chair Weinberg, you were asked about, did you believe that there was a traffic study that was done, relative to the time in September of 2013. And you said, I think, that there was some data that was given to you. Is that your testimony?

MS. EGEA: Correct.

SENATOR O’TOOLE: Could you just expand upon that? What data did you see, or review, other than the notes or concluding with the notes that you looked at and you crossed out all the percentages from the— You said the 75 percent of the rest of the state was consuming 95 percent— I got that math, but tell me, did you— What data were you exposed to that you thought comprised a traffic study at that time?

MS. EGEA: Within that document that we were looking at before, toward the end there’s fairly specific information which articulates the improvement to the traffic flow from -- the traffic that comes from I-95 and Route 80 that there is a measurement at the toll booth from the duration that it takes the vehicle to go from one side to the other side of the toll booth. And there were improvements that they noted there, and they noted improvements, I think, on Tuesday and Wednesday. They indicated Monday there was a traffic tie-up on the Cross Bronx so that wasn’t validated. So we’re looking at Tuesday and Wednesday, and that was the data I was referring to.
SENATOR O’TOOLE: And when you were looking at the opening of Senator Baroni’s testimony, you were doing that to make it more concise -- I think that was your testimony.

MS. EGEA: Correct.

SENATOR O’TOOLE: Were you really commenting on the substance of what he said, in terms of the actual traffic study? Did you believe what he was saying was accurate, that it was, in fact, a traffic study?

MS. EGEA: Correct, yes. And I was sequencing and trying to tighten it up, not in substance.

SENATOR O’TOOLE: Okay.

Let me point your attention, through the Chair, to Tab 2, the infamous Mr. Foye’s September 13 e-mail. And that’s the one that is dated September 13, 7:44 a.m. Do you have that, Tab 2?

MS. EGEA: Yes, I do.

SENATOR O’TOOLE: Okay. That was sent to Cedrick Fulton. Who is Cedrick Fulton, if you know?

MS. EGEA: He is a member of the Port Authority staff. I’m not quite confident that I know his title, but he was either in the operations or engineering center.

SENATOR O’TOOLE: Who is Robert Durando?

MS. EGEA: He’s the Bridge Manager for the George Washington Bridge.

SENATOR O’TOOLE: CC is Bill Baroni; we know who he is. Joseph Dunne -- who is that?

MS. EGEA: He’s the Chief Security Officer.
SENATOR O'TOOLE: Okay. And Louis -- I’m going to murder the name --

MS. EGEA: I don’t know anybody--

SENATOR O'TOOLE: You know the name?

MS. EGEA: I don’t know him.

SENATOR O'TOOLE: You know the person?

MS. EGEA: Yes.

SENATOR O'TOOLE: Okay.

Peter Zipf?

MS. EGEA: I’ve heard-- I know he’s an employee of the Port Authority; I’m not quite sure--

SENATOR O'TOOLE: David Samson, we know, is the Chair. Scott Rechler, the Vice Chair.

Darrell Buchbinder?

MS. EGEA: He’s the General Counsel at the Port Authority.

SENATOR O'TOOLE: Okay. So all of those individuals were CC’d; the first two, Cedrick and Robert, it was to them from Patrick, and the rest were CC’d. That was passed along from Mr. Baroni to your attention, at some point, and you had a conversation before and after, correct?

MS. EGEA: Correct.

SENATOR O'TOOLE: Did you find your Authorities agency as an investigative body by nature? Is that the purpose of your Authorities Unit?

MS. EGEA: No, it’s not.
SENATOR O’TOOLE: Okay. So Mr. Buchbinder is the General Counsel.

MS. EGEA: Correct.

SENATOR O’TOOLE: Okay. And from what your testimony was, that you believed that Mr. Foye was, at some point, was going to do the investigation, as per his e-mail, and get back to you, sum and substance of what he said -- that Federal and State laws had been broken.

MS. EGEA: Correct.

SENATOR O’TOOLE: And I think I heard you correctly: Did he ever get back to you about the nature of the Federal and State laws that were broken?

MS. EGEA: I never saw any information.

SENATOR O’TOOLE: Okay. So he didn’t get back to you, or it was never brought to your attention.

MS. EGEA: It was never reported to the Board, either, which is where I--

SENATOR O’TOOLE: And how about anybody that was listed on either the -- Mr. Fulton, Mr. Durando, or any of the other cc’s, including the General Counsel. Did any of those individuals ever bring it to your attention, the sum and substance of what were the allegations contained in Tab 2’s e-mail?

MS. EGEA: I don’t know what they might have received, but none of them spoke to me about any subsequent--

SENATOR O’TOOLE: So they didn’t bring it to your attention?
MS. EGEA: Correct.

SENATOR O’TOOLE: So you have this allegation. You speak to the Executive Director, and you say, “Get to the bottom of this,” and, at some point, I assume from what your testimony was, you were expecting to have some report from Mr. Foye or Mr. Baroni.

MS. EGEA: Correct.

SENATOR O’TOOLE: And did that ever occur?

MS. EGEA: I never saw it.

SENATOR O’TOOLE: Okay.

When you talked about the peculiar nature -- that’s my word, not yours -- about the construction at the Port Authority-- I think that’s where we need to go, at some point in time. Who was your counterpart, if there is one, in New York? Who is your Director of Authorities in New York? Is there such a person?

MS. EGEA: In Governor Cuomo’s office, there is an individual who-- I’m not quite sure of the scope of the individual’s responsibilities, but they would attend Board meetings as well.

SENATOR O’TOOLE: So we’re really clear: The Executive Director is appointed from the New York side.

MS. EGEA: Correct.

SENATOR O’TOOLE: Historically, the Deputy from the Jersey side, General Counsel is a New York appointee. The Deputy Counsel is the New Jersey appointee. The Chair is New Jersey, the Vice Chair is New York, and the rest fall in line in terms of equal of
the amount of committee members going to New York and New Jersey, appropriately, correct?

MS. EGEA: Generally, yes.

SENATOR O’TOOLE: Okay. Now, you’ve dealt with other bi-state agencies, as per your testimony. And you talked about -- there’s a friction -- my word, not yours -- that existed between this Executive Director Foye and the Deputy Executive Director Baroni. Did you see that occurring in other agencies, other bi-state agencies -- a friction that you described?

MS. EGEA: Well, the nature of the structure is such that they have to represent their individual states in a positive manner. So there’s always this sense of needing to collaborate. And sometimes that causes some tension, some not.

In the instance, though, of the Port Authority -- and I do believe that it was -- friction is not an overstatement of it. There was a sense that New Jersey was not being treated equally with New York. And I think that was at the core of some of the friction. And some examples of how that might have manifested itself was -- you might recall, there was a management agreement for the Atlantic City Airport. And there was quite a difficult, I’d say, process between New York and New Jersey, and between the Deputy and the Executive Director, to pursue that. There had been a law that had said that the Port Authority would take over one airport in New York and one in New Jersey; Stewart had been brought into the Port Authority fold; and it was kind of surprising to us that when we moved to bring Atlantic City in -- which would
have been the completion of that expectation -- that there was enormous resistance. And it wasn’t clear why there would be any resistance, since it was straightforward.

So there were expectations that we thought needed to ensure that there were equal handling and equal support for both states.

SENATOR O’TOOLE: Throughout the years, before your time in the State front office, I have heard for years -- back to Governor Whitman -- that there’s always been this natural friction between New York and New Jersey relative to the Port Authority. And it’s been largely the contention of those of us on this side of the Hudson that we have never gotten our fair share. And we have always heard the back-and-forth -- that if New Jersey wanted X, New York wanted X + 1. I heard it with great distinction under when Governor Corzine was there, and then Governor McGreevey was there, when they had Jamie Fox and Susan Bass Levin. And it seems to me that those EDs or Deputy EDs were always trying to advance New Jersey’s interests much more than, perhaps, their predecessors.

Did you find that there was an historical pulling between New York and New Jersey, even at some of the higher staff levels?

MS. EGEA: I didn’t interact with many of them, but certainly my-- I think more staff worked on the New York side, if maybe that’s what you’re trying to get to; that there was a natural-- It seemed to me, just observing, again, that there was a natural sense that New York was superior, or was going to engender more
of their assets from the Port Authority than New Jersey. And New Jersey, as you’ve just described, quite frankly, was not getting what, really, you’d expect from a bi-state, which would be equality.

SENATOR O'TOOLE: And you talk about the Atlantic City --through the Chair, the Atlantic City Airport. When I read some news accounts of that, when that operation was happening, I think I read somewhere that I think New York countered that they wanted some renovations on a New York state -- upstate airport. It seemed like every time New Jersey got something recently, New York seemed to want to counterbalance, or say, “We want this as well.” Did you find that to be the case during your time?

MS. EGEA: Yes, I did. And the example that you’re referring to is -- in fact, Stewart was brought into the Port Authority a number of years before and had been heavily invested in -- to the runway renovations and the terminal itself. And this is why we were so surprised that it was in existence because Atlantic City Airport was well invested in, and certified to be an international airport. And it was ready to turnkey, and bring into the Port Authority and become another asset. And so it would seem to be, as you just described, still wanting to have some other plus on the New York side once we brought that in -- in spite of we didn’t think it would be any burden; in fact, it would be only an asset to the Port Authority.

SENATOR O'TOOLE: During your earlier testimony you talked about the crisis area, or the disagreement between Foye and Baroni; you took it to personnel, senior positions, projects -- some
of which you just detailed -- and some of the day-to-day operations. Did they get along on a personal basis, do you know? Or is it just they were arguing New York versus New Jersey, if you know?

MS. EGEA: I observed them when I was there and, as I said, described what I heard from Bill. It didn’t seem to be personal, to me. It seemed to be very much about trying to have equality between New York and New Jersey. Because I can’t remember them-- I can’t remember hearing anything personal about each other; I only remember the business issues being put on the table.

SENATOR O'TOOLE: Theoretically, could the Executive Director Foye fire Deputy Director Baroni? Or, is it as you’ve described it, the theoretical may not really exist. New Jersey has the designation of the Deputy, and New York has the Director itself.

MS. EGEA: That’s been the tradition. I don’t really know what the bylaws say, so I would have to check that. But that’s been the tradition.

SENATOR O'TOOLE: Does the Chairman, as currently constituted, have the ability to fire the Deputy Director or the Executive Director, if you know?

MS. EGEA: I believe the Chairman has to agree to any of the senior manager signoffs -- bringing in or exiting.

SENATOR O'TOOLE: Signoffs, in terms of bringing them on? How about firing them?

MS. EGEA: I’m not positive, to be honest with you.
SENATOR O'TOOLE: It seems to me that the -- and if I’m wrong, please correct me, through the Chair -- that the Deputy Director from the New Jersey side, tended to New Jersey projects and, perhaps, the New Jersey staff. And it seems to me that the Executive Director from New York tended to the New York projects and the New York staff. Is that fair to say?

MS. EGEA: Yes, it is.

SENATOR O'TOOLE: And would it ever be the case where there would be an argument where the New Jersey side was looking to hire folks from New York or advance decisions in New York, and vice versa, would the New York to try to advance or interfere with the New Jersey hires or New Jersey projects, if you know?

MS. EGEA: I’m not sure I could cite an example. As I said, there was clear separation in the organization. And I don’t recall any time where New Jersey, so to speak, interfered in anything in New York. I saw it more coming the other way.

SENATOR O'TOOLE: But from an organizational chart -- and I’ve dealt with a few in my days -- when you have the Chair, the Chair really has oversight--

MS. EGEA: Yes.

SENATOR O'TOOLE: --over the Executive Director, Deputy Director, and all of those subordinates underneath. And that’s not really the case here. It appears to me that New York has their say with their allocations -- the Vice Chair, their Commissioners, and the Executive Director -- and New Jersey has
theirs. It kind of flies in the face of what the organizational chart would lead you to believe. It’s not reality that the Deputy Director reports to the Executive Director; he really reports to the Chair, who’s the New Jersey person.

MS. EGEA: He has a very close operating relationship, yes, with the Chair. I would agree with you.

SENATOR O'TOOLE: And I have never seen -- and I’m going to ask the question -- have we ever seen a Chair from New Jersey fire the Executive Director or -- compound question, Mr. Attorney -- has the Executive Director from New York ever fired the Deputy from New Jersey, if you know?

MS. EGEA: I don’t know.

SENATOR O'TOOLE: Okay.

And I’m wrapping up here, Ms. Egea; and I appreciate it. I know it’s not an easy day for you. Just a couple of follow-ups.

With regard to other bi-states, the questions I just asked you about: Are they similar in nature when it’s Pennsylvania and New Jersey, and New York, or the waterfront? Are the same problems, organizationally -- do you confront them, in terms of New York has their say with hires, and fires, and policy? Is there the clash that kind of undermines the actual organizational chart that we would see?

MS. EGEA: The convention that you just described -- where the Chair and the Executive Director -- exists in other agencies. For the most part, we are able to work through them and be able to reach resolution. Not on all issues, and so I wouldn’t say
that there isn’t some tension in others. I believe it’s exacerbated at the Port Authority and, if you don’t mind, I’d offer my opinion as to one part of what I think is at issue.

SENATOR O'TOOLE: Please do.

MS. EGEA: At the Port Authority, I think they tend to be more inwardly focused than externally, in terms of toward the customer. And not that they-- It’s exclusive. But my observation is that when you’re in organizations that are serving customers, you tend to measure success by things like market share, and you invest, and you grow revenue, and customer service, and excelling at it to lead the market.

And my sense is, at the Port Authority, they tend to be more internally oriented, so they define winning and losing by internal behaviors such as who’s got the most capital, and who’s got the power in the organization. And I think that the other entities tend to be a bit more externally focused and measure customer satisfaction and really deal with the customer in a much more -- in a way that brings the customer into the organization. And I think that is part of the issue associated with the Port Authority.

SENATOR O'TOOLE: Last question, through the Chair.

Your opening statement, I don’t think, was prepared, I assume. I didn’t see the written statement. You said that you had nothing to do with the planning or orchestration of the lane realignment in September of 2013. Is that accurate?

MS. EGEA: That is correct.
SENATOR O'TOOLE: You had nothing to do with it?
MS. EGEA: Correct.
SENATOR O'TOOLE: Zero?
MS. EGEA: Yes.
SENATOR O'TOOLE: Thank you.
Those are all the questions I have, Chair.
MS. EGEA: Thank you.
SENATOR WEINBERG: Thank you, Senator O'Toole.
Before I recognize Assemblywoman Caride, just a few questions.
First of all, if I remember correctly, the sworn testimony from Pat Foye was that he could not fire David Wildstein because he wasn't his employee.
SENATOR O'TOOLE: Yes, I’m trying to understand that, Chair.
SENATOR WEINBERG: Just trying--
SENATOR O'TOOLE: I’m just--
SENATOR WEINBERG: If anybody ever understands how this--
SENATOR O'TOOLE: It’s still murky; it’s still murky to me.
SENATOR WEINBERG: It is quite murky. Hopefully, someday, this Committee will straighten it out.
But, Ms. Egea, I have been bothered from the very beginning about what I have called the curious lack of curiosity on the part of a whole cast of folks.
Now, when I questioned you, and then followed up by Assemblyman Wisniewski, I talked a lot about the period from September 13, when you first saw that e-mail, up to November 25, when you helped crisp up -- my words -- Bill Baroni’s testimony.

Let me just give you a rundown, because it adds to the fact that-- Well, let me rephrase that.

You testified -- correct me if I’m wrong -- that you never called Pat Foye or Bill Baroni to find out the status of this so-called internal review. Is that correct?

MS. EGEA: No, not completely. I never called Pat Foye.

SENATOR WEINBERG: Okay -- the person who was supposedly doing the review.

MS. EGEA: Correct. Because, as I’ve explained, my relationship -- and I thought, appropriately -- was with the Deputy.

SENATOR WEINBERG: So you asked Bill Baroni, and his answer was?

MS. EGEA: He never produced anything. He said he did not have anything given to him that supported the allegations that were made.

SENATOR WEINBERG: I’m sorry; this is Mr. Baroni’s answer?

MS. EGEA: Baroni, right.

SENATOR WEINBERG: That Mr. Foye did not produce--

MS. EGEA: He had not been given anything that supported the accusations.
SENATOR WEINBERG: Okay. Do you know whether Mr. Baroni ever asked Mr. Foye?

MS. EGEA: I don’t know.

SENATOR WEINBERG: Okay.

I’m just going to give you a rundown of press clippings that begin -- on this list, begin around September 17. We have-- Well, first of all, overall, the month of September -- and these are clips that came directly from the Governor’s Office, not clips that we compiled, that this Committee compiled. But in answer to our subpoena, these clips came forth -- that the Governor had these clips in his office.

In September there were 3 articles; in October there were 15 articles; and November there were 17 articles -- all about people asking questions about what was described for four days as something like a four-hour traffic delay; which, according to the information you received, based on this so-called traffic study, the mainline -- that’s the main highways that lead to the George Washington Bridge -- saved between two and four minutes. Is that correct?

MS. EGEA: That was the data that they presented, yes -- in the draft test.

SENATOR WEINBERG: Okay. And all of those news clippings that talked about a four-hour, four-day traffic delay did not highlight some difference here that you might have asked, “What is--” that would have caused you to ask Mr. Baroni and/or
call Mr. Foye and say, “I need to see the results of your internal review?”

MS. EGEA: So, a couple of things. One is, I know that there were articles about the four-hour -- that you just quoted about the four-hour backup. I don’t remember that number. But I think I’ve already stated that Bill’s testimony -- the purpose of the testimony was to describe the study, but also admit that it was mishandled from the communications perspective, and arguably that was really at the heart of what caused all of the collateral damage in terms of the waiting time for Fort Lee.

So it didn’t surprise me, to be honest with you, it had been a study that was a) truncated, and number two, it had been mishandled. And it had been already admitted that it had been mishandled. So the dichotomy of what you’re describing -- no, those two pieces of data didn’t necessarily seem inconsistent because it was, yes, a modest improvement, but an improvement. And number two, it had been, admittedly, mishandled and that, in my mind, likely drove, then, all the collateral damage in the traffic in Fort Lee.

SENATOR WEINBERG: So the reason, in your mind -- and correct me if I’m wrong -- that this three-, four-hour delay which took place over four days -- September 9, September 11, September 12, and part of September 13 -- that was caused because of this “mishandling”? It wasn’t caused by the closure of those lanes?
MS. EGEA: Well, they’re related. I can’t say they’re unrelated, of course. But what I’m trying to articulate is that we knew that there were flaws in the study -- i.e. that they should’ve had better communication. And if there had been better communication, it would have led to a better quality of the study. And so, for me, to have had bad study results didn’t surprise me, because it was a mishandled study.

SENATOR WEINBERG: Well, I’m not asking you about the study results, I’m asking you about the people who were stuck in that four-hour delay, and about the emergency people who couldn’t get through to where they needed to be. I’m not asking you about the outcome of the study; I’m asking you about the fact that there were articles, there were complaints. In your mind those delays over the space of four days was created not from the closure of the lanes -- and correct me if I say anything wrong here -- but because they didn’t notify the Fort Lee Police?

MS. EGEA: Well, again, they’re related. So of course it’s related to the closure of the -- the realignment, frankly, of the lanes.

SENATOR WEINBERG: No, they were closed; pardon me. There were two lanes closed.

MS. EGEA: No, they--

SENATOR WEINBERG: I know Mr. Mastro likes to call it a realignment, but let me correct the record: Two of the three lanes were closed, okay?

Go ahead.
MS. EGEA: I’m sorry; I beg to differ. There were 12 lanes open every day.

SENATOR WEINBERG: Yes, and--

MS. EGEA: Twelve lanes before--

SENATOR WEINBERG: --two of them were closed--

MS. EGEA: Two of them were--

SENATOR WEINBERG: --for four days.

MS. EGEA: They were-- Actually, the traffic was driven from I-95 and 80 to those two lanes. So those lanes were used.

SENATOR WEINBERG: No, they were not used; there were toll booths used. Those two lanes were closed.

You seem to know a lot about the details of the traffic study, Ms. Egea.

MR. MARTINEZ: Respectfully, Co-Chair.

SENATOR WEINBERG: Yes, go ahead, Mr. Attorney.

MR. MARTINEZ: You have your opinion on whether or not lanes were closed, and that’s fine. But--

SENATOR WEINBERG: It isn’t my opinion. I am stating a fact of life, okay?

MR. MARTINEZ: Well, Co-Chair, respectfully--

SENATOR WEINBERG: So you can respectfully disagree, but it’s a fact.

MR. MARTINEZ: The power of the subpoena of this Committee is to have Ms. Egea come here and answer your questions. It’s not to have the Committee make editorial comments without providing her an opportunity to respond.
ASSEMBLYMAN WISNIEWSKI: Well, that would include editorial comments by you as well, Counsel.

SENATOR WEINBERG: Let me ask another question of you, Ms. Egea.

Were all the toll booths open?

MS. EGEA: That was my understanding.

SENATOR WEINBERG: Okay, so then you did know some details of this traffic study.

MS. EGEA: In November, when he was describing to me the results and what the results meant, I asked the question.

SENATOR WEINBERG: Okay. So when you were helping Mr. Baroni crisp his testimony, you, at that point, knew the details of this traffic study -- so-called?

MS. EGEA: Well, when the results were presented I asked some questions. Because, if you'll recall, inside the opening statement that there was a description of a 47 percent improvement in the time it takes a vehicle to move through the toll booth. And so the measurement was a rather narrow window, as they explained to me when I asked about it. The measure they were using was, as a vehicle approaches the toll booth, there’s a timing from when that vehicle enters until it leaves the toll booth. And that’s really what they were measuring. And that’s -- at that point, I had the understanding that all the toll booths were being used, and they were trying to measure the improvement in the overall traffic flow-through.
SENATOR WEINBERG: So did it occur to you to ask, at that point, four days of hours of backup, versus the two to three minutes of so-called saving from the mainlines? Did you ever ask that question: “Why would you do this over four days when it created this kind of issue?”

MS. EGEA: The first day was not readable. And I don’t know when they got the data. I don’t know if they saw it at the end of each day, to be honest with you. And I-- Look, I mean, the tradeoff is not equal, so I’m never going to argue against that, right? That they were doing a test, they were trying to determine did it improve the overall flow for the entire customer base that was coming through the toll booths?

So I don’t think the study proved that that was a wise thing to do, at least the way they structured it.

SENATOR WEINBERG: Okay. According to the Gibson Dunn memo -- and this is Tab 37, page 6 -- you reviewed materials in preparing Mr. Baroni for his testimony. What materials?

MS. EGEA: So I haven’t read this, so if you could refer-- I have not read these interview notes.

SENATOR WEINBERG: Yes, I’m sorry; it’s Tab 37, page 6.

MS. EGEA: Page 6, okay. Which paragraph was that?

SENATOR WEINBERG: I believe the memo refers to “materials you reviewed in preparing Mr. Baroni for his testimony.” What were the materials you reviewed?

MS. EGEA: Where is it? I’m sorry?
SENATOR WEINBERG: Toward the end of that page.

MS. EGEA: The bottom of the page?

MR. MALDONADO (Senate Majority Committee Aide): Fourth line from the bottom of the first paragraph.

MS. EGEA: The only documentation that I ever reviewed was the first draft of his opening statement. So there were no other materials -- if that’s what your question is -- that I reviewed from the Port Authority.

SENATOR WEINBERG: So is the summation incorrect here? MS. EGEA: Well, the materials were the pages from the opening statement -- the draft opening statement.

SENATOR WEINBERG: Okay. Your materials in preparing Mr. Baroni’s opening statement -- what were the materials you reviewed as you were preparing? I’m not talking about after he gave the opening statement. What materials did you review when you were helping him prepare his statement?

MS. EGEA: So again, to be precise, I didn’t prepare him. I offered suggestions in terms of the presentation material. And the only information I worked from was the draft that he had provided -- that you’ve seen -- with my handwriting on it.

SENATOR WEINBERG: Okay, so that’s the materials that are referred to.

MS. EGEA: The materials that are referenced, yes.

SENATOR WEINBERG: All right, I’m going to ask just two more questions.
Did you attribute the three-, four-hour delay, and all the issues that arose from that over four days -- including 9/11 -- and including the first day of school -- do you attribute all of that to a lack of communication on the part of people at the Port Authority to local officials?

MS. EGEA: I think that was the core failure on the part of the team that -- on the part of Mr. Baroni, in terms of how they handled that.

SENATOR WEINBERG: So in your mind that traffic would not have happened if the local officials had been properly informed?

MS. EGEA: I think they would have been able to coordinate and maybe change it; I don't know. To be honest with you, I don't know what would have come out of that communications, so the trail -- the test might have been different if they had improved their communication.

SENATOR WEINBERG: Okay. So you really have no way of knowing that.

MS. EGEA: Of course not.

SENATOR WEINBERG: Okay. So you don’t know if it was just a lack of communication that created--

MS. EGEA: Oh, I’m sorry. I answered the wrong question. I meant I didn’t know if they had, would it have changed it. I believe that, at the essence, yes, that better communication would have led to a better outcome. And it--
SENATOR WEINBERG: So again, you believe that had they notified the local Fort Lee Police, Mayor, and Council, that there wouldn’t have been all of this delay?

MS. EGEA: I don’t know what the outcome would have been; I know that the more people who collaborate on fixing a problem, usually the better the solution.

SENATOR WEINBERG: So that’s kind of a generic “it would be better to communicate.”

MS. EGEA: Well, no, I’m being specific. I think that there were individuals in the city of Fort Lee who probably would have been helpful to speak to so that they could construct or devise the test, to be in a way that would not have influenced them, or impacted them the way it did.

SENATOR WEINBERG: All right. I have one more question, but I want to find the document in which you stated that you texted -- I believe you stated -- that you texted the Governor at some point about the professionalism of the Port Authority. This is December 9, 2013.

MS. EGEA: During the testimony?

SENATOR WEINBERG: And Foye, Fulton, and Durando testified, yes, before the Assembly Transportation Committee. Apart from listening to the testimony of Foye and the other -- I’ll go on to say -- “you indicated that you probably would have discussed the testimony with McKenna and Crifo, and that you may have texted the Governor that you thought the Port Authority employees sounded professional.”
MS. EGEA: My comment-- So is this something that’s in here, or are you reading from something else?

MR. MALDONADO: Page 7 of Tab 37.

SENATOR WEINBERG: Tab 37, page 7.

MR. MALDONADO: Section I.

SENATOR WEINBERG: Section I. Do you have a copy of that text that you might have sent to the Governor?

MS. EGEA: I do not.

SENATOR WEINBERG: Because I will tell you that we have made a request of the Office of the Governor for any texts or e-mails, and we don’t have that either. And if, in fact, you may have texted the Governor about that, why would you not have been able to supply it?

MS. EGEA: I did not retain it.

SENATOR WEINBERG: Okay.

MS. EGEA: So would you like me to respond on this?

SENATOR WEINBERG: Yes, go ahead. I’m sorry.

MS. EGEA: So the comments I made about the professionalism really related to Mr. Fulton. I thought he was very balanced and professional in his presentation and his discussion of alternatives, and in the ways that he analyzed the opportunity to test traffic and how they approach that in the Port Authority.

SENATOR WEINBERG: And what about at that same hearing, Mr. Foye’s testimony, which I referred to you earlier -- the 25 percent of the lanes and they carry 26 percent of the traffic? Did you think that was credible?
MS. EGEA: Honestly, Senator, I don’t remember him saying that. So--

SENATOR WEINBERG: But you do remember Mr. Durando’s testimony -- er, Mr. Fulton’s testimony?

MS. EGEA: Mr. Fulton, yes.

SENATOR WEINBERG: Yes.

MS. EGEA: Yes, yes, he went first. Mr. Fulton went first and, as I said, I think he was very professional; and I thought very complete in his testimony. I just don’t remember; I’m not saying he didn’t say it, I’m just saying I don’t recall that.

SENATOR WEINBERG: He did say it, yes.

MS. EGEA: I don’t doubt you.

SENATOR WEINBERG: Your attorney might disagree with my interpretation, but he did say it. And he also testified to the fact that there wasn’t a legitimate traffic study, and a whole lot of other things -- which, apparently-- Well, my question is, did you text the Governor about that testimony?

MS. EGEA: I don’t think-- I mean, I remember there were-- My evaluation of Mr. Fulton, that he was professional, and Mr. Foye, I thought, was, for me, his description of his relationship with Mr. Baroni was less confrontational than I observed it to be. It was more conciliatory, and that surprised me. And Mr. Durando, I thought, was a fairly honest and, you know, a 30-year employee trying to do the right thing. And so, those were my assessments.

SENATOR WEINBERG: Okay. Were you in the habit of texting the Governor?
MS. EGEA: Not frequently, no.

SENATOR WEINBERG: And why did you delete a text? Are you in the habit of deleting texts that you send to the Governor’s Office, or to the Governor?

MS. EGEA: No, no. It was-- Look, we’ve all been refreshed, in the Governor’s Office, about our obligation to retain. So I was not consistent in what I retained, on the texting side, versus not.

SENATOR WEINBERG: So there were other texts that you’ve deleted?

MS. EGEA: Overall?

SENATOR WEINBERG: Yes.

MS. EGEA: Some of my subordinates, where I summarize where I get some information -- it’s possible, certainly.

SENATOR WEINBERG: All right, let’s just make sure we all understand this correctly. You deleted that text, where you don’t ordinarily delete texts? Is that correct?

MS. EGEA: No, no.

SENATOR WEINBERG: All right, then tell me the--

MS. EGEA: When I’ve been using text with some of my subordinates, when they’re at an Authority meeting, we will frequently try to stay in touch that way. And I don’t retain them all. So I would not want to give--

SENATOR WEINBERG: Okay, but this was not a subordinate. This was the Governor.
MS. EGEA: No, that’s true, that’s true. But I’m just using that as an example.

SENATOR WEINBERG: Well, you texted the Governor.

MS. EGEA: Yes.

SENATOR WEINBERG: About sworn testimony. You were giving your opinion about the veracity, or the professionalism -- your words -- of this sworn testimony.

MS. EGEA: Which was being recorded and available.

SENATOR WEINBERG: Right. And you didn’t think it was necessary to maintain a text that you sent to the Governor?

MS. EGEA: Well, no I did not. Because I’m happy to disclose everything that was in it, and it was not at all substantive and, as I say, it’s public record what the testimony was.

SENATOR WEINBERG: So it was solely your decision to delete it, is that correct?

MS. EGEA: Yes, yes.

SENATOR WEINBERG: Okay.

Did you delete it right after you sent it? Did you delete it an hour later? Did you just automatically go through and delete?

MS. EGEA: I don’t remember. Yes, I don’t remember.

SENATOR WEINBERG: You don’t recall.

MS. EGEA: I don’t.

SENATOR WEINBERG: Do you review your texts-- They usually show up per person, I guess--

MS. EGEA: Usually.
SENATOR WEINBERG: --in a string. So do you review them at the end of every day? Do you review them--

MS. EGEA: It varies, it varies.

SENATOR WEINBERG: At the end of each day, generally?

MS. EGEA: No, it varies.

SENATOR WEINBERG: Okay. Do you have any idea if you deleted it after January 8?

MS. EGEA: I don’t know, but I believe it was before; but I don’t know.

SENATOR WEINBERG: Why would you believe it was before, if you don’t know?

MS. EGEA: Well, as a matter of course, I don’t keep-- I wouldn’t have kept those texts as a matter of course for a long time unless I needed them for something. But I certainly disclosed and handed over all of the documents that I had, and texts that I had.

SENATOR WEINBERG: Okay. And you do know that the testimony that you were referring to was sworn testimony, under oath?

MS. EGEA: Absolutely.

SENATOR WEINBERG: From all three of these people, including Mr. Foye -- that he was under oath.

MS. EGEA: Yes, I am quite aware of that.

SENATOR WEINBERG: Okay. But how did you characterize his testimony under oath, then, if I may? In your personal opinion.
MS. EGEA: As I indicated, I thought his testimony was just surprisingly conciliatory in his description of his relationship with Bill.

SENATOR WEINBERG: Okay, but what about the gist of his testimony -- that there was no traffic study, that those lanes carry 26 percent, etc. What about the real meat of his testimony?

MS. EGEA: Are you asking me what I think now?

SENATOR WEINBERG: Yes -- no, what did you think then?

MS. EGEA: What I thought was that he made statements about the lack of a traffic study, but I didn’t see a lot of evidence produced. I’m not doubting his testimony, I was still in search of the, “how do we know that?” and the answer to that question -- and I didn’t see that.

SENATOR WEINBERG: On December 9, you were still in search, but you had not yet demanded to see any results of any internal study or ask Mr. Foye if, in fact, he had such--

MS. EGEA: Well, he had testified to it. So he was under oath, to your point, so I believed him.

SENATOR WEINBERG: All right, thank you very much.

Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Yes, thank you.

Yes, good afternoon.

MS. EGEA: Good afternoon.

ASSEMBLYWOMAN CARIDE: I just want to stay on the questions with regards to the December 9 meeting, because I am
part of the Transportation Committee and I was present when Mr. Fulton, and Mr. Durando, and Mr. Foye testified.

And I must say, I do agree with you that Mr. Fulton and Mr. Durando were very forthright and honest, to the point -- and if you were listening to the testimony -- they testified that they knew that what was being done was wrong, but they didn’t want to be whistleblowers because they didn’t want to tempt fate. Do you recall that testimony?

MS. EGEA: Well, I don’t remember those words exactly being used. I remember that Mr. Fulton’s description of the alternative ways to examine the improvements in the traffic -- that there were alternatives, rather than the live test. And I thought that was quite persuasive, in terms that there was another way to do this; we didn’t have to do it live. So that’s why I say I thought he was quite professional and even-handed. He said you could do it this way, but there are other ways that might not have caused quite the traffic impact.

ASSEMBLYWOMAN CARIDE: Did you just listen to the hearing, or did you also watch it?

MS. EGEA: I listened to it.

ASSEMBLYWOMAN CARIDE: Oh, okay. Because I can tell you that Mr. Durando’s testimony and Mr. Fulton’s testimony was tortuous, okay? Tortuous. Because when they were testifying -- and it came out in their voice, and I believe you might have picked up on that -- they were afraid of the Jersey side -- not from
the New York side. And they even mentioned it, with regards to Mr. Wildstein and Mr. Baroni.

When you texted the Governor about Mr. Durando and Mr. Fulton, did you also mention, or did you mention, or did you think to mention, that these two individuals, who are career Port Authority employees, were afraid for their jobs? They testified to that.

MS. EGEA: I heard Mr. Durando, I think, indicate, but I thought it was a-- Frankly, I thought it was an unnecessarily harsh interrogation of Mr. Durando. And I’m not disputing anything that he said wasn’t truthful, but I personally thought that he was more aggressively questioned than Mr. Fulton. Both of them, I thought, were professional, but I thought Mr. Fulton -- as I said, even-handed, professional, complete in his testimony. I thought Mr. Durando was a bit more aggressively questioned, and I thought the reaction, unfortunately for Mr. Durando, quite honestly, for Mr. Durando that he was uncomfortable in his responses.

ASSEMBLYWOMAN CARIDE: I think that’s a good word -- *uncomfortable* -- to the point where I even thought he was the scapegoat on this project.

Having heard their testimony, did you come away with any kind of indication that, perhaps, Mr. Baroni was not forthright with you?

MS. EGEA: Well, I would say that I don’t know that it caused me to think specifically about Mr. Baroni, but certainly, as
I’ve said, their testimony said there probably were other ways to do this. And I don’t know why they chose to go the way that they did.

ASSEMBLYWOMAN CARIDE: Having heard Mr. Foye, and Mr. Durando, and Mr. Fulton, and the conflict surrounding this so-called study -- traffic study -- did you, at any point, after the December 9 hearing speak with Mr. McKenna about, perhaps, there was more to this than we’ve been led to believe by Mr. Baroni?

MS. EGEA: Immediately after -- directly after December 9, all of the planned change for Deb Gramiccioni to come in and replace Mr. Baroni -- all started being activated. So during that week, that was when those decisions were made, and I think that’s been plainly said in public. And then the announcement on December 13 for Deb to go in and Bill to leave.

ASSEMBLYWOMAN CARIDE: Well, let me ask you, was the reason that Mr. Baroni was asked to leave because of the testimonies that were heard here before the Transportation Committee and the mess that occurred under his watch in Fort Lee?

MS. EGEA: Well, I can’t say. I did not make the decision.

ASSEMBLYWOMAN CARIDE: With regards to the minutes, my understanding from what you had testified earlier is that your office reviews agendas to ensure they comply with New Jersey law and with the policies of the Administration.

MS. EGEA: And the bylaws of each Authority.

ASSEMBLYWOMAN CARIDE: Now, you’re not an investigative Board, or office, correct?
MS. EGEA: Correct.

ASSEMBLYWOMAN CARIDE: So how would you know if they were complying with New Jersey law unless you investigate to see that they are complying with New Jersey law?

MS. EGEA: Well, it’s a Board action, so the attorneys on staff have responsibility for ensuring that that it’s an authorized resolution to bring before the Board. So it’s not activity inside the organization; it’s really resolutions that come before the Board. That’s the compliance I was talking about.

ASSEMBLYWOMAN CARIDE: I mean, I understand that you review these agendas and you have individuals who work with you who review the agendas. And if they don’t comply with New Jersey law, or if they don’t comply with the policy of the Administration, what would be the consequences?

MS. EGEA: Normally, we would discuss with them the fact that it doesn’t come on the -- that it doesn’t comply with the law or the bylaws, and indicate that that wouldn’t be an appropriate thing to put on the agenda. And we discuss, sometimes; it’s a misunderstanding, sometimes that it is not appropriate, and the Authority would go back and either restructure or not bring forward whatever the resolution is.

ASSEMBLYWOMAN CARIDE: Now, you’ll have to forgive me because I’m very confused with what the Port Authority is, isn’t; its relationship with New York and New Jersey. Would it be fair to say that the Port Authority is an independent agency?

MS. EGEA: Well, how do you define independent?
ASSEMBLYWOMAN CARIDE: Independent where it can do its thing without having the Governor’s Office of either state involved?

MS. EGEA: So I’d say no, in the sense that both governors have veto authority.

ASSEMBLYWOMAN CARIDE: Has there been a situation where our State has vetoed minutes for the Port Authority?

MS. EGEA: Not since I’ve been in this position, but there could have been in the past.

ASSEMBLYWOMAN CARIDE: With regards to the agenda that comes before the Committee that your office reviews, do they put on there if they’re going to be issuing grants to towns -- whether in the state of New York or the State of New Jersey?

MS. EGEA: Not always.

ASSEMBLYWOMAN CARIDE: But they do, sometimes?

MS. EGEA: It depends on the Authority level. The Executive Director and different levels inside each of the Authorities have different levels of authority to authorize expenses. So it all depends on which Authority and how much.

Well, for example, in Tab 43, I believe that Wildstein speaks about a $60,000 grant to Springfield. Would that be something that would be on the agenda?

MS. EGEA: I don’t recall it ever being on the agenda.

ASSEMBLYWOMAN CARIDE: If you’re aware, does the Governor’s Office have to sign off on these grants?
MS. EGEA: I’m not sure which grant they’re referring to, so--

ASSEMBLYWOMAN CARIDE: According to the Wildstein e-mail on Tab 43, he basically says that the Governor signed off on the grant for the $60,000 to the Township of Springfield. So is that -- if you know -- is that the course, or the procedure, that’s done? The Governor has to sign off on these grants?

MS. EGEA: I don’t know what they’re referring to. I didn’t facilitate it, so it didn’t come through my office. But I don’t know.

ASSEMBLYWOMAN CARIDE: Would you have known about the grant that was given to Fort Lee for the shuttle buses?

MS. EGEA: It did not come before the Board; so again, I’m typically, really reviewing all the items before the Board. So I don’t recall that ever coming to the Board.

ASSEMBLYWOMAN CARIDE: Would that be the independent part of the Port Authority -- giving the grants?

MS. EGEA: Well, as I say, there are authorization levels, you can think of them, in every Authority, right? Not everything comes to the Board; like, for example, some of them, the threshold is $25,000, some of them it’s $100,000. It all depends on the Authority and what the nature of the expenditure is. So that goes on regularly in all Authorities -- that their expenditures are approved below the Board level. And that’s with known delegation of authority to the staff.
ASSEMBLYWOMAN CARIDE: What about the monies for the project on the Pulaski Skyway? Would that be on the Board’s agenda?

MS. EGEA: I understand that that all transpired before I became the Director of the Authorities Unit. So I don’t know how it actually all got authorized.

ASSEMBLYWOMAN CARIDE: Would you happen to know which office the request for these grants, or project monies, go through from the Governor’s Office? Like, where would it go? Like, the Port Authority wants to give out this money, but is it that the Governor’s Office approaches the Port Authority about helping this town, or does the Port Authority go to a specific office in the Governor’s Office and say--

MS. EGEA: I don’t know.

ASSEMBLYWOMAN CARIDE: You don’t know? Okay, all right.

With regards to Mr. Baroni and his opening statement -- a lot has been said about his statement. I know you stated earlier that you were asked to help Mr. Baroni by Mr. Samson, as well as Mr. Baroni himself. Is that something that your position in the Authorities Unit does -- help with individuals who are going to be testifying before committees?

MS. EGEA: Well, as I think I have responded before, I don’t recall there ever being an occasion when there was testimony. But there were occasions when I would work with Deputy Baroni. For example, an item was coming up on the Board
to extend a lease at a container terminal in Brooklyn. And there was a whole business case supporting it: how much capital investment the Port Authority would do, how long the lease would go, what the returns would be. And so I would work with Bill in terms of assessing, did we think it was in the best interests of the Port Authority -- before the item came on the Board.

ASSEMBLYWOMAN CARIDE: Did Mr. Samson explain to you why he thought it would be a good idea for you to help Mr. Baroni with his opening statement?

MS. EGEA: To support the clarity, and ensuring that it was as concise and clear as we know we could be. Just another resource, and I was familiar, obviously, with the Port Authority and was someone he could turn to.

ASSEMBLYWOMAN CARIDE: And again, that goes back to why I am all confused, because I know that the Port Authority has a Communications Office, and would it be fair to say that, technically, Bill Baroni was an employee of the Port Authority?

MS. EGEA: He was an employee of the Port Authority.

ASSEMBLYWOMAN CARIDE: Okay. So why would an Office of the State of New Jersey -- the Governor’s Office -- be helping him with his statement when he could have gone to his Communications Office in the Port Authority to set the record straight?

MS. EGEA: He very likely did; I don’t know. He could’ve consulted with them as well. So I don’t know that I was the
exclusive individual who provided him advice on the opening statement.

ASSEMBLYWOMAN CARIDE: Did you, by any chance, help him when he had to go before the committee down in Washington, D.C. with his opening statement?

MS. EGEA: I was aware that he was going, but I did not.

ASSEMBLYWOMAN CARIDE: So this was the only time that you had helped him?

MS. EGEA: Yes, when he came before the New Jersey Legislature. That’s another reason why I think it made sense.

ASSEMBLYWOMAN CARIDE: You heard his testimony, correct?

MS. EGEA: Correct.

ASSEMBLYWOMAN CARIDE: I had the pleasure of sitting through it. What did you think of his performance?

MS. EGEA: My concluding remark, subsequently, when he was finished, was that he had gotten the information out there, but I wouldn’t have done it the same way.

ASSEMBLYWOMAN CARIDE: Did you feel that he was also professional the way you described Mr. Fulton and Mr. Durando?

MS. EGEA: I thought he brought in the extraneous information that was unnecessary, and was a bit more antagonistic than I would have been.

ASSEMBLYWOMAN CARIDE: I agree with you there.
Did you reach out to the Governor and give your assessment of Mr. Baroni’s testimony?

MS. EGEA: No, I did not.

ASSEMBLYWOMAN CARIDE: Any particular reason? Just out of curiosity.

MS. EGEA: No.

ASSEMBLYWOMAN CARIDE: I think you mentioned that your statement -- or how you cleaned up his statement -- was completely different. He did not follow through when he came before the Committee?

MS. EGEA: Yes, it was not the version-- He did not take my suggestions, I think, is a way to describe it.

ASSEMBLYWOMAN CARIDE: Did you ever speak to him about that?

MS. EGEA: Not at length. Once it was over, I didn’t see the point in belaboring the point. He knew what I thought, and I had expressed, as I said, I wouldn’t have done it that way. He got the points out.

ASSEMBLYWOMAN CARIDE: Let me go back to the-- Did you ever know about the funding for the shuttles for Fort Lee?

MS. EGEA: No, I wasn’t aware.

ASSEMBLYWOMAN CARIDE: Did Mr. Baroni ever speak to you about it? Because, I mean, it was through his insistence.

MS. EGEA: Not that I recall.

ASSEMBLYWOMAN CARIDE: When everything was going on, one of the things that I have to say that I agree with
Senator Weinberg on is this lack of curiosity that took place in the Governor’s Office from his staff. And you had mentioned earlier that you felt that any difference between the Executive Director and the Deputy Director should be handled amongst themselves, and that Mr. Samson was also involved.

MS. EGEA: Aware.

ASSEMBLYWOMAN CARIDE: Aware.

MS. EGEA: Sure.

ASSEMBLYWOMAN CARIDE: When you took the position as the Director of the Authorities Unit, were you told not to get involved between the Director and the Deputy Director, and let them handle their differences? I mean, is that standard operating procedure for your office -- not to get involved?

MS. EGEA: I was not instructed in any way about that. I thought it was the best way for me to manage my relationship with that Authority.

ASSEMBLYWOMAN CARIDE: So I know we will also disagree on realignment and closure -- because I’m from Bergen County and the backup hit my town. And as far as my opinion goes, it was closed lanes.

With regards to all the articles that came out, and with regards to the e-mail that was sent to you from Mr. Baroni with the High Importance of Mr. Foye’s e-mail, did you-- I know you stated that you did not reach out to Mr. Foye because you felt that that wasn’t the way to handle it. I know you said you reached out to Mr. Samson, correct?
MS. EGEA: Yes, I definitely discussed it with him. I don’t know when exactly.

ASSEMBLYWOMAN CARIDE: Did you think to contact your counterpart in New York City and say, “Hey, we’ve got a situation here”?

MS. EGEA: No. As I said, it struck-- And you have to try to go back to remember what we knew then, as distinguished from what we came to know in December and January. And at that point, as I’ve indicated, there was ongoing tension between the individuals; there were ongoing leaks to the press -- not generally-- Not at all that I can recall from the New Jersey side; it was generally on the New York side. And we had this situation of accusations being made, and then further involving the press without any further production of evidence. And so it was more consistent with the difficult relationship and the engagement of the press to really try to undermine, frankly, that’s how we saw it -- I saw it -- undermine the Deputy in the public’s mind, and perhaps even in the Board’s mind.

And so it never rose to a level of aggressively going in one direction and another until we saw the evidence because of all the accusations.

ASSEMBLYWOMAN CARIDE: I’m sure you don’t know, but you’re the second individual who has testified before the Board (sic) with pretty much the same explanation as far as we knew that there was tension between the Director and the Deputy Director; and we figured that it was just them just trying to undermine the
Deputy Director. Again, it’s that lack of curiosity that is bothersome to me. But that’s my opinion.

Here’s a question that I-- While you were talking today, and your testimony, you had stated that you didn’t think to forward the e-mail that Bill Baroni sent you marked High Importance -- which was the e-mail from Mr. Foye. And I know that Co-Chair Wisniewski had broken it down, with regards to possible breaking of laws, etc. I’m curious -- did you forward it to any of the attorneys that are subordinate to you in your office to look into to see if there was, in fact, something that is not complying with New Jersey law, which is one of your office duties?

MS. EGEA: To Nicole; I think I already expressed that I did forward it to Nicole.

ASSEMBLYWOMAN CARIDE: Right. But I believe that your testimony was that she handles Port Authority; whatever you had, she mirrors in her file.

MS. EGEA: Correct.

ASSEMBLYWOMAN CARIDE: My question is -- I mean, I realize that you’re not an investigative body, but you also want to make sure that everything complies with the laws of New Jersey. We’re talking about a possibility of breaking the law in New Jersey. Aside from Nicole having a copy in her file because she’s handling the Port Authority, did you instruct her to look into it?

MS. EGEA: I don’t know if she did or didn’t. We had, I’m sure, a brief discussion about what the Executive Director referred to. But whether she did or didn’t, I’m not sure. But
nothing came to mind; I will say that it was difficult for us to come up with an example of a law that was broken.

ASSEMBLYWOMAN CARIDE: And this is where my curiosity comes in, because that e-mail -- you didn’t send it to McKenna or Mr. O'Dowd, but yet -- and that was the High Importance. But yet, the e-mail of Co-Chair Weinberg attending a PA meeting deserved being sent to O'Dowd, McKenna, and Drewniak. And I'm just wondering--

MS. EGEA: Sure, I can explain.

ASSEMBLYWOMAN CARIDE: --what the importance of -- no offense, Senator -- her being at a meeting, versus the--

SENATOR WEINBERG: I’m not offended. (laughter)

ASSEMBLYWOMAN CARIDE: --Executive Director of the Port Authority saying, “Wait a minute. Someone screwed up here.”

MS. EGEA: Yes, no, it’s a good question.

So the reason I selected those addressee lists for the e-mail in October was, first, as I started to explain, Mike Drewniak, because he’s in the Press Office and I was describing, you’ll recall, interactions with the press. And so, on all Authorities, we try to keep the Communications Office alert to, there might be an inquiry that will come around the other side because they’re listening to an Authority item and they might come around asking questions. So we always alert them; that’s standard practice.

I included Charlie McKenna because, you’ll recall the prior week, I had had Bill consult with Charlie about the Senator’s appearance at the Committee meeting. So since he had been aware
of the Senator, both attending the Committee, I thought he should also aware that she attended the Board meeting and the context of it.

And then, lastly, I selected Kevin O’Dowd because it was a Senator and it dealt with the Legislature, and I thought he should be aware that there were possible press inquiries as a result of the Senator at the Port Authority meeting. That’s why I selected him.

ASSEMBLYWOMAN CARIDE: Would it be fair to characterize that e-mail as an FYI to McKenna, O’Dowd, and Drewniak about the Senator being present?

MS. EGEA: So they were aware. I don’t know what FYI means to you -- just so they were aware.

ASSEMBLYWOMAN CARIDE: For their information.

MS. EGEA: Yes, no, I mean -- Yes, I know. (laughter) I know what the letters mean.

ASSEMBLYWOMAN CARIDE: Okay.

MS. EGEA: I mean I thought it was something that they should be aware of.

ASSEMBLYWOMAN CARIDE: You don’t think, as an FYI, they should have been aware of Pat Foye’s e-mail from September?

MS. EGEA: Well, no, again -- I keep going back to, this was not the first time there had been tension between the two, not the first time the press had been drawn into some of the internal negotiations inside the Port Authority. So at first blush it appeared to be what I’ve described -- which is some fairly substantial accusations; I absolutely agree. But expecting that the Executive
Director, having levied the accusations, would follow-up as he said would -- to do a review and come back to those he addressed in the e-mail as to his findings.

ASSEMBLYWOMAN CARIDE: Let me jump to something else.

When you were questioned about an earlier e-mail with regards to -- I believe, it was the e-mail with regards to Senator Weinberg where “everything was under review,” or the standard quote. You then once said that that’s that the standard quote given when an issue has not been vetted and it’s in the process of being vetted--

MS. EGEA: Reviewed.

ASSEMBLYWOMAN CARIDE: --or reviewed and investigated. And I know that you also had testified that the appropriate path would have been -- Mr. Samson was in the process of, I guess, reviewing it, finding a resolution to the issue.

MS. EGEA: I'm sorry; those are two different things.

ASSEMBLYWOMAN CARIDE: You had testified that the appropriate resolution path was for Mr. Samson, who was aware of the situation and was, I guess, reviewing the matter?

MS. EGEA: Well, he was aware of the tension between the Executive Director and the Deputy. I would not say -- I didn’t say, I don’t believe, that Mr. Samson was involved in the review. I mean, he was copied on the e-mail, so absolutely aware. But I don’t think I made any statement about, I was aware that he was involved in the review.
ASSEMBLYWOMAN CARIDE: Okay. And then, I guess, really, the question I have is how do you give an answer like that for something that has not been vetted, which no one is actively trying to vet? I mean, I can understand if you give that answer because you don’t have-- I mean, you give that, “Everything’s under review” -- that type of an answer because it’s an issue that’s still being investigated, still being questioned, and you don’t have a solid answer. But if it’s an issue that nobody’s really investigating, on our side--

MS. EGEA: Well, I beg to differ. I think I’ve said this, that the Executive Director said he was reviewing it, and Bill’s and my conversation was, “We should let him review it; let him find out. If he thinks there’s something there, let him do it.” And we hadn’t heard any evidence presented by the Executive Director. So it was under -- as far as I knew, it was under review.

ASSEMBLYWOMAN CARIDE: Simply from that statement made by Mr. Foye in his e-mail?

MS. EGEA: Excuse me?

ASSEMBLYWOMAN CARIDE: Simply by that statement made in his e-mail?

MS. EGEA: Well, not simply. As you’ve repeated, right? -- it’s High Importance. He is very specific, and he indicates he’ll get to the bottom of it. So I thought he was quite, actually, insistent that he lead the review.

And at the press event, that October 16, I had the understanding, I believe, that he was at the press event. So, I
mean, that would be typical after a Board meeting: the Executive Director holds a gaggle with the press, and the Deputy.

ASSEMBLYWOMAN CARIDE: Wouldn’t your office follow-up, say, with your counterpart in New York: “Hey, is this being vetted out? Are we going to have a resolution to this issue?” Being that you have so many articles out there at this point, and so many questions being asked by the media, as well as legislators.

MS. EGEA: I haven’t, typically, had that kind of relationship with the New York governor’s office.

ASSEMBLYWOMAN CARIDE: Do you deal with the governor’s office -- your counterpart in New York?

MS. EGEA: Not at all. We’re obviously present at the Board meeting, but I can’t think of an occasion -- The only occasion I’ve dealt with the New York governor’s office -- and it’s really the budget office -- was with the Waterfront on the budget when we were vetting a budget. And we worked with them to finalize that. But I don’t remember an issue that I brought to the governor’s office in New York.

ASSEMBLYWOMAN CARIDE: So the Port Authority is a bi-state agency, but it’s more New Jersey does its own thing, and New York does its own thing? And then, hopefully, in the end, it works out?

MS. EGEA: No, they have a combined Board; they absolutely collaborate at the Board level. We expect the Board members to be able to reach conclusions of what’s in the best interest of both states.
ASSEMBLYWOMAN CARIDE: But wouldn’t it be to the benefit of the Port Authority for the two states -- if the two states were to be working together? Like, your office working in conjunction with--

MS. EGEA: If there were a need; if there was an item that we needed to, I’m sure we would. But the vast-- All the items I was involved with, as I said, were resolved at the Authority level.

ASSEMBLYWOMAN CARIDE: Do you know if Pat Foye and Baroni were working together to coordinate any kind of media response after his e-mail?

MS. EGEA: I don’t know.

ASSEMBLYWOMAN CARIDE: Wasn’t the script back then also, “New York is reviewing the issue,” or should it have been, “New York is reviewing the issue” instead of “Everything is being reviewed”?

MS. EGEA: I didn’t see a reason to point out New York and New Jersey. No, I did not-- I didn’t give any advice about that, but as a general matter, I don’t think we distinguished who’s reviewing what at the Port Authority -- New York and New Jersey -- in public.

ASSEMBLYWOMAN CARIDE: I don’t know; I guess because your testimony is, pretty much, you thought that he was going to be doing the reviewing because of his allegations -- that our response to any questions would be, “New York is reviewing,” instead of saying, “It’s all under review,” as part of a dual agency working together -- when that wasn’t the case.
MS. EGEA: Well, I don’t know what the Executive Director was doing. He asserted that he would; I don’t know who he involved, to be honest with you. I don’t know what kind of review he did.

ASSEMBLYWOMAN CARIDE: And that’s another question for you. Being that this took place in September, and being that there were problems with the media all over the story in October, and now we’re into November. At any time between September and December, did you call to find out, from the New York side, if anything was being done?

MS. EGEA: Well, during November, you’ll recall, though, that’s when the testimony was requested -- the appearance was requested from Bill Baroni. And so what I thought I was seeing was the results of the test. So to say I would, of normal course, been asking him; he didn’t produce anything. We were talking about his opening statement; he didn’t produce anything.

So I wouldn’t say I didn’t inquire; I would say that nothing was produced; we worked on the opening statement. The data that was in there, in terms of the improvement of the time of the transit through the toll booth, was the evidence I saw that supported what he described as a traffic study.

ASSEMBLYWOMAN CARIDE: Speaking of the data, did Mr. Baroni ever tell you that in his preparation to come before the Assembly Transportation Committee he vetted the members of the Committee so that he knew cars that were passing through the George Washington Bridge that came out of their district?
MS. EGEA: No, he had the E-ZPass data by county, I think. It was in the chart that I indicated that wasn't really necessary. So I knew that he had the data by county or by area. So I don’t know that it necessarily related to the Committee members.

ASSEMBLYWOMAN CARIDE: And so he didn’t tell you about that?

MS. EGEA: I don’t recall that. I remember, you know -- I mean, I think he knew generally where the Committee members were from. He would have; if he hadn’t been in the Legislature, he would have known.

ASSEMBLYWOMAN CARIDE: Well, I found out later on that he had, specifically, for the members -- and since I’m from Bergen County, he had a number of E-ZPass individuals who go up through the town instead of I-95 or 80. So the data was different from what he had explained to you. I was just curious if he had told you that he had information on all of us on that Committee.

MS. EGEA: I don’t know. I’m not aware of that. I didn’t ask him, and I’m not aware of it.

ASSEMBLYWOMAN CARIDE: And then after you heard the testimony from Mr. Fulton and Mr. Durando -- which was contrary to Mr. Baroni’s -- at that point did you think to, maybe, find out if any kind of investigation was being done to resolve this issue? I mean, you heard Mr. Foye say that there was no transportation study -- traffic study. Anything?

MS. EGEA: I think I’ve already stated that immediately after that, the timeline for Bill to leave and Deb to come in started
occurring fairly shortly after that. So I don’t really believe I spoke to Bill at all that week.

ASSEMBLYWOMAN CARIDE: And this is my last question.

With regards to the reviewing of the agenda, is there ever anything in there with regards to traffic studies that they’re proposing to do, to get it approved by the Board? Or does the Board have to approve a traffic study?

MS. EGEA: At the Port Authority, you’re asking?

ASSEMBLYWOMAN CARIDE: Yes.

MS. EGEA: Not that I’m aware of. I don’t recall that ever coming to the Board previously.

ASSEMBLYWOMAN CARIDE: I’m sorry, I thought it was going to be the last question, but this is the last question.

After you heard Mr. Durando and Mr. Fulton’s testimony, did you have any doubt -- and I know I asked you before -- did you have any doubt with regards to Mr. Baroni, and what he said to you, and his allegations as to the traffic study, and as to Mr. Foye interfering and meddling where he should not be interfering and meddling?

MS. EGEA: So I take two things: one is, having listened to Mr. Fulton, it more drove me to question Mr. Baroni’s judgment rather than his veracity; in that Mr. Fulton described fairly straightforward alternatives to conducting a traffic study and being able to determine what the impacts were going to be. And so it was
more -- it was judgment, but why would you pick one that had the risks that it did if you could have avoided it?

ASSEMBLYWOMAN CARIDE: I believe Mr. Fulton had testified that they could have done this traffic study by just looking at the data from the E-ZPass.

MS. EGEA: Right, computer model.

ASSEMBLYWOMAN CARIDE: Yes.

MS. EGEA: Right, a computer model.

ASSEMBLYWOMAN CARIDE: I have no further questions.

SENATOR WEINBERG: Thank you.

A couple of follow-up questions here.

I think you answered my Co-Chair, Assemblyman Wisniewski, about operational issues versus policy issues at the Port Authority, in terms of your position, correct?

MS. EGEA: We did discuss that.

SENATOR WEINBERG: Yes, okay. If I made a request to appear at a subcommittee of the Port Authority, why were either you or Mr. McKenna involved with such detail that you were reviewing the bylaws of the Port Authority?

MS. EGEA: Well, Senator, you had made a request that was out of the ordinary. As I stated at--

SENATOR WEINBERG: And-- Yes.

MS. EGEA: --at committee meetings there was never public comment, and Bill wanted to -- asked to help evaluate what the choices were, first.
SENATOR WEINBERG: So he had nobody at the Port Authority who he could evaluate that with? He had no legal--

MS. EGEA: I don’t know who else he spoke to. I don’t know who else he spoke to. He could’ve--

SENATOR WEINBERG: I mean, he went to the Governor’s Office for that evaluation, right?

MS. EGEA: Well, for one part of it. I don’t know what else he did.

SENATOR WEINBERG: And you actually-- You testified that you actually reviewed the bylaws, and they were silent. And I knew very well that I was making a request that was out of the ordinary, which is why I phrased it, that I would appreciate their courtesies, which they extended to me.

MS. EGEA: Right.

SENATOR WEINBERG: I just find that-- You know, we’re dealing with the Port Authority with a huge legal department. And they go to the Governor's Office to have a review of--

MS. EGEA: Well, Senator, you know, you were a New Jersey Senator. I guess I don’t see it as strange.

SENATOR WEINBERG: I was well aware of it, and I actually represent Fort Lee, among other towns.

MS. EGEA: Absolutely. So I don’t think it’s that unusual. It didn’t seem unusual to me, let me put it that way. It didn’t seem unusual to me, since you were a sitting New Jersey Senator that you might consult with us and indicate what he had (indiscernible).
SENATOR WEINBERG: Well, you apparently did not take Mr. Foye’s e-mail that seriously, in terms of, “Laws were broken here.” But you did take seriously, “Well, let him go look at it, and we’ll wait.” And you didn’t spend any time between whenever this internal review is announced around October 6, or thereabouts, to ever call, or actually find out, “Was an internal review done, and what did they find out there?”

Now, you spent time reviewing the bylaws to see if a State Senator is allowed to testify before their subcommittee, but you don’t spend the time to find out if a legitimate, internal review was done here.

MS. EGEA: Well, there are temporal differences in those two circumstances.

SENATOR WEINBERG: Okay.

MS. EGEA: I believe you contacted the Port Authority the week before the committee meeting. So it was a decision that had to be made that week, because the committee meeting you requested to speak at was the following Monday. So we had to deal with it in those couple of days.

And I contrast that with the review, which is a bit more elaborate. I didn’t expect it to be a short-term-- I didn’t know how long, but-- So it didn’t seem unnatural that it would have gone on for a bit of time.

SENATOR WEINBERG: So it wasn’t unnatural to you that it was taking all this time -- this internal review?

MS. EGEA: Well, you know--
SENATOR WEINBERG: Which, by the way, has never been completed, as far as any of us know. But, go ahead. (laughter)

MS. EGEA: Well, that’s the point, right? I never saw a complete-- And I didn’t want to interfere; I think I’ve said previously, I didn’t want to interfere in their relationships. And I thought that he-- His e-mail was so detailed that if he had the evidence, he would have brought it forward; and not bringing it forward, frankly, kept reinforcing the idea that this was more political and not substantive.

SENATOR WEINBERG: You know, that’s a theme that we’ve heard throughout these hearings, by the way. “We don’t take Pat Foye too seriously, because he and Bill Baroni didn’t get along, or New York and New Jersey don’t get along,” so--

MS. EGEA: This is a point of clarification--

SENATOR WEINBERG: Excuse me, I’m speaking now.

So we don’t take them too seriously.

I’m a partisan political person, so if I wrote a letter asking something on behalf of my constituents, we won’t take that too seriously. That is a theme, Ms. Egea, that has come through with every single witness that’s appeared before us. So I’m glad that you’re sticking to the script, in this particular case.

MS. EGEA: Well, Senator, if I could--

SENATOR WEINBERG: Assemblyman Moriarty, do you have--

MS. EGEA: Well, Senator, if I could clarify, Senator?
SENATOR O'TOOLE: Chair, I have a-- We have a procedural issue, Chair, that we have, now, a lack of quorum here. I think our seventh member left -- Amy Handlin.

ASSEMBLYMAN WISNIEWSKI: You don’t need a quorum to take testimony.

SENATOR O'TOOLE: I was told by OLS you needed to have 50 percent plus 1 to continue to hear business.

ASSEMBLYMAN WISNIEWSKI: To take a vote, to take a vote. We don’t have any votes.

SENATOR O'TOOLE: So can we get a rendering? We have 6 of 12 here; and if that’s the issue, I’d like to hear from OLS, because we have 6 of the 12.

I just want to make sure that, six months from now, someone says, “Well, you folks operated in a legal zone, at some point,” so I’d like to have a ruling from OLS whether you need 50 percent plus 1, or is it you have less than 50 percent for -- just for testimony purposes.

ASSEMBLYMAN WISNIEWSKI: Well, I’m just going to weigh in, and then I’ll allow OLS to say-- Senator, you and I have served in the Legislature the same number of years; you and I could probably count on our -- more than our two hands and feet the number of public hearings we’ve sat through where a majority of the members have left.

We’re taking testimony. A quorum is necessary to transact business; we’re not transacting business. And with that, I’ll let OLS--
SENATOR O'TOOLE: Well, Chair, I’m not going to slice the atom here, but when we have those committees, it’s generally understood that the individuals are still within the building, there are other meetings going on, but they haven’t really left. But this is a very specialized Committee--

SENATOR WEINBERG: I’m going to ask you where the evidence is for that. (laughter)

SENATOR O'TOOLE: Well, listen, this is a very specialized meeting here; we understand that. We’ve had resolutions passed; I want to make sure that we are not subject to criticism down the road. So I’ve consulted with OLS; they said it’s 50 percent plus 1. So if I’m wrong, then we can continue with the 6 of the 12 of us.

ASSEMBLYMAN WISNIEWSKI: I’ll ask OLS: Is there a specific rule that applies to this situation?

SENATOR WEINBERG: No. The answer--

MR. MOLIMOCK: A quorum is 7, and that would apply to any official action--

SENATOR WEINBERG: Would you use your microphone, please?

MR. MOLIMOCK: A quorum is 7, and that would apply to any official action of the Committee -- such as taking a vote -- but it is not uncustomary to take testimony without a quorum.

SENATOR O'TOOLE: So listen, customary or not, I just want to know. If we are on safe ground, with your opinion, let’s stay here; that’s fine. I just want to know if this is appropriate and
legal, that we’re going with a 50 percent -- is there 6 of us now of the 12? -- that we don’t have 50 percent plus 1. If you’re saying it’s appropriate, as opposed to customary, I say let’s plow ahead.

MR. MOLIMOCK: I would advise that it’s not appropriate to take any official action, as a Committee, without a quorum of 7.

SENATOR WEINBERG: Okay.

Assemblyman Moriarty.

ASSEMBLYMAN MORIARTY: You were about 30 seconds away from a clean getaway. (laughter)

Thank you for appearing here today.

I’m going to start off by asking you if you can describe for me your current duties. What do you do now?

MS. EGEA: I’m the Director of the Authorities Unit.

ASSEMBLYMAN MORIARTY: Still?

MS. EGEA: Yes.

ASSEMBLYMAN MORIARTY: Have you talked to Pat Foye at all lately?

MS. EGEA: No, I have not.

ASSEMBLYMAN MORIARTY: You were talking previously about a lack of communication on the part of Mr. Baroni and others, and yet this seems to be something that really is a problem at the Port Authority that we should look into. Why aren’t you talking with your counterpart on the other side? There seems to be a big lack of communication here as well.
MS. EGEA: So I would distinguish the Port Authority and this situation from others. And specifically, as of early January -- and this actually responds to the Senator’s comments just before -- we were really advised, from the legal perspective, to not discuss this subject at all among ourselves or with anyone else. And I’ve abided by that, so in terms of this specific to Fort Lee, lane closure, and what led up to it, and what has happened since. So I’ve not discussed this with anyone in either our Governor’s Office or anywhere else. And I’ve also, frankly, I’ve not listened to anyone else’s testimony; I’ve not read the notes, purposely, from the Gibson Dunn interviews; I’ve purposely tried to, frankly, retain my memory of what I knew and when I knew it because I am concerned that when you hear other people say things, it fills in blanks. And I don’t want to have my memory contaminated in that way.

ASSEMBLYMAN MORIARTY: No, excuse me. I understand that. I’m talking about on other matters, not just this. I think there has to be some kind of communication, instead of this us against them. That’s a problem.

MS. EGEA: Well, there’s a new Executive Director -- excuse me -- there’s a new Deputy Director at the Port Authority, Deb Gramiccioni. And thus far she has been working with the Executive Director, to my knowledge, productively. We haven’t had any Board items that -- at least, that have come to my attention. I would not say that it is a cure-all, and there is some tension there, still. But I have not felt the need to change my approach to how I --
the Governor’s Office perspective -- how I deal with the Port
Authority.

ASSEMBLYMAN MORIARTY: In retrospect, do you now
believe that Bill Baroni lied to you?

MS. EGEA: As I said before, the testimony from Cedrick
made me doubt his judgment. And the materials that, again, I’ve
seen and I’ve purposely -- I’m sorry, I’m going to repeat myself --
but I purposely tried to not read articles, what people speculate,
what people think happened, what they think he said. I’ve only,
really, relied upon my memory, what I knew at a certain times.
And I do believe I’ve questioned his judgment; I don’t know what
else he knew or didn’t know at any point in time.

ASSEMBLYMAN MORIARTY: Did Bill Baroni tell you the
truth?

MS. EGEA: I believe what he told me was the truth at
the time.

ASSEMBLYMAN MORIARTY: He told you there was a
traffic study going on.

MS. EGEA: And he produced--

ASSEMBLYMAN MORIARTY: Do you still believe there
was a traffic study?

MS. EGEA: I’ve not allowed myself to listen to
speculation, to listen to testimony, or anything else. So I haven’t
seen anything else related to the Fort Lee traffic study besides the
opening statement that he prepared.
ASSEMBLYMAN MORIARTY: Well, since you haven’t kept up, I can tell you that, for most people who have looked at the evidence, the only people who still believe there’s a traffic study are people who also believe in the tooth fairy. (laughter)

MS. EGEA: Well, that’s a--

MR. MARTINEZ: Respectfully, Assemblyman--

ASSEMBLYMAN MORIARTY: I’m making a statement. I made a statement; it wasn’t a question. She doesn’t have to answer.

MR. MARTINEZ: Well, I will say, I am grateful that the Code of Fair Procedure does provide for Ms. Egea, at the end of the Q and A, to provide a brief statement for incorporation into the record. Because I am-- It’s been several times now where Senators and Assemblypersons have decided to take editorial comments, and accusations, and shots suggesting that the Governor’s Office has somehow scripted Ms. Egea here, which are offensive. And, fortunately, the Code of Fair Procedure allows at the end to all these comments that come out without the opportunity for other response, for her to have a response before the end of today.

ASSEMBLYMAN MORIARTY: Well, I apologize. Ms. Egea has said that she has not kept up, on purpose, so that she could keep a fresh mind. I’m informing her of what the common, general opinion has been, since she has stopped following the news; that’s all

MS. EGEA: Well, I have to admit I don’t appreciate being in the same sentence as tooth fairy.
ASSEMBLYMAN MORIARTY: I didn’t say *you*.

MS. EGEA: Well, you said the “only people,” and I indicated that I didn’t know if he had represented it— I thought it was truthful in what he had told me.

ASSEMBLYMAN MORIARTY: Right. But you indicated that because you said you have not followed what’s been going on.

MS. EGEA: Correct; that’s correct.

ASSEMBLYMAN MORIARTY: And what I--

SENATOR WEINBERG: Assemblyman Moriarty, let’s get back to questions, here.

ASSEMBLYMAN MORIARTY: Well, I don’t want to be offensive; I didn’t mean to be offensive. I’m just telling you that the people who have followed along -- that’s their opinion at this point.

MS. EGEA: Right.

MR. MARTINEZ: And again, I just want to go on the record. The power of the subpoena isn’t one to have her come here and listen to premature conclusions about an as yet unfinished investigation. It seems you’ve drawn the conclusion of what’s already occurred here, and I thought that this was actually a Committee investigating this. And conclusions here seem to be that if you disagree with that particular statement, you’re in a league with the tooth fairy.

ASSEMBLYMAN MORIARTY: Well, I do tend to disagree with Mr. Baroni’s statements that there was a traffic study. Yes, I do.
MS. EGEA: Okay.

ASSEMBLYMAN MORIARTY: I don’t think if you were having a legitimate traffic study, you’d have e-mails that said, “Time for traffic problems in Fort Lee.” I just don’t believe that.

Can you tell me why Mr. Baroni was asked to resign?

MS. EGEA: I do not know.

ASSEMBLYMAN MORIARTY: I mean, this is someone you dealt with quite frequently, correct?

MS. EGEA: I did.

ASSEMBLYMAN MORIARTY: And no one filled you in, you didn’t ask anybody, “Why is he leaving so suddenly?”

MS. EGEA: Well, I knew that there was a planned migration that Bill would be -- transitioning, I should say. Bill would be leaving, and that Deb was targeted to go in there at the beginning of the year.

ASSEMBLYMAN MORIARTY: And do you believe that that is what took place?

MS. EGEA: I know that that transition occurred.

ASSEMBLYMAN MORIARTY: No, do you believe that it was part of the planned migration, the timetable, etc.?

MS. EGEA: Well, I think that it got accelerated. I think that was already stated in public -- that it was accelerated.

ASSEMBLYMAN MORIARTY: Yes, but from your viewpoint, do you know why it was accelerated?

MS. EGEA: I wasn’t part of the decision making.

ASSEMBLYMAN MORIARTY: How about Mr. Wildstein?
MS. EGEA: I wasn’t part of that decision.

ASSEMBLYMAN MORIARTY: Did you know they were going to resign before they did it?

MS. EGEA: I became aware the same day.

ASSEMBLYMAN MORIARTY: And you never asked questions afterwards?

MS. EGEA: Such as?

ASSEMBLYMAN MORIARTY: Why did he go so soon, or is there anything I should know?

MS. EGEA: I think it was stated in public that it was -- Mr. Wildstein, when he left, it was a distraction, and that was the impetus for his resignation.

ASSEMBLYMAN MORIARTY: Can we go to the phone calls of September 9, 2013? That would be Tab 1.

MS. EGEA: I’m sorry, what was the date?

ASSEMBLYMAN MORIARTY: That would be September 9, 2013. That would be the day for, “Traffic trouble in Fort Lee.”

And if I could draw your attention to a series of phone calls-- By the way, how often did you talk to Mr. Samson? How frequently?

MS. EGEA: A few times a month, usually leading up to a Board meeting.

ASSEMBLYMAN MORIARTY: Okay. So on--

SENATOR WEINBERG: I’m sorry, excuse me. But we’re just confused. What date are you pointing out?

SENATOR WEINBERG: September, okay. You’re right.

ASSEMBLYMAN MORIARTY: On Tab 1. That’s 6:23 -- starting at 6:23 p.m. There’s a phone call; you were not the recipient. It was to Bill Baroni from David Samson -- these are his phone records -- from Red Lodge, Montana. Do you know what the significance of Red Lodge, Montana is? Does the Port Authority have any properties out there?

MS. EGEA: I don’t know.

ASSEMBLYMAN MORIARTY: So could that be from a vacation home, a hunting lodge, or something?

MS. EGEA: I don’t know.

ASSEMBLYMAN MORIARTY: You don’t know where Mr. Samson was?

MS. EGEA: No.

ASSEMBLYMAN MORIARTY: Okay. So he called Mr. Baroni at 6:23 p.m.; this is the day that the traffic was snarled. He spoke to him for 2 minutes, from 6:23 to 6:25. And then at 6:26, he called you -- if these records are correct -- and spoke to you for 7 minutes, at 6:26 p.m. Can you tell me what that was about?

MS. EGEA: Specifically, no.

ASSEMBLYMAN MORIARTY: Generally?

MS. EGEA: Well, there were several things going on that week, one of which was the capital plan we were trying to finalize. Leading up to it in August, we had been working quite a bit, and we were trying to finalize it to release it. There was a Board meeting
the following week, and so we were trying to finalize the capital plan.

And related to that, there was also an event at Newark Airport that they were trying to plan for Thursday, the 12th. And that didn’t get canceled until the very last minute, so there was a lot of going back-and-forth on both the capital plan and this event at Newark Airport that I was aware of. I was really involved in the capital plan, and not involved in the Newark Airport event.

ASSEMBLYMAN MORIARTY: Was there any discussion at all about problems at the George Washington Bridge?

MS. EGEA: Not with me.

ASSEMBLYMAN MORIARTY: None? And did he tell you he had just gotten off the phone with Bill Baroni?

MS. EGEA: Not that I recall.

ASSEMBLYMAN MORIARTY: So his follow-up, which was to call Bill Baroni, David Wildstein, Bill Baroni again, and then Bill Baroni two more times that day -- you would not have any information about?

MS. EGEA: No. As I said, I knew about the capital plan, and I knew that they were working on the event on Thursday. Other than that, I had no idea why they were talking.

ASSEMBLYMAN MORIARTY: Okay, thank you.

I won’t-- I’m going back to this e-mail; I won’t belabor it forever. But I do have-- I just can’t get my head around what would make you act to do something. We have this e-mail; it is not a bland e-mail. It’s not the typical e-mail that probably comes
across your desk from an Authority. This is an e-mail that talks about “danger to the public; I pray no life is lost.” It talks about “potential violation of Federal and State laws.” It says, “abusive decision,” “adverse effect on economic activity in both states.” This is a bombshell e-mail. And you keep testifying that -- and it’s your testimony that you really did nothing except send it along to your assistant Crifo, and you never talked about this with the Governor’s Office? You are the liaison to the Governor’s Office between all the Authorities -- the most important Authority is the Port Authority of New York/New Jersey; it’s the largest one. Nothing? Seriously?

MS. EGEA: Well, quite-- Well, actually, I think I’ve been quite consistent in that this was such a overzealous statement of -- and accusations inside of it. I would have-- I expected, frankly, that there would have been fairly immediate return of, “Where’s the evidence?” and why -- what actually happened. And the longer there was no evidence produced after there was such an elaborate e-mail, as I’ve stated before, it fed, really, the expectation that there was nothing there; that it was laced with accusations using the press and, as I said, the longer it went on, you would have thought that some evidence would have been produced. And the longer it went on, it didn’t.

ASSEMBLYMAN MORIARTY: But, I’m not asking you to call the U.S. Attorney; I’m not asking you to ride on a white horse over there. I’m wondering why you don’t call up the Governor’s Office and talk to McKenna, or why you don’t text the Governor and
say, “We’ve got a potential problem here. Houston, we have a problem.” Nothing.

MS. EGEA: Well, on the e-mail is the General Counsel for the Port Authority; the Chairman; the Vice Chairman; and the Executive Director, and the Deputy. So there was a fair amount of people -- a number of people who were already looking at it.

ASSEMBLYMAN MORIARTY: But you’re the liaison to the Governor.

MS. EGEA: Right. And when I think there’s something that I have substantial evidence and material to present to someone else, I would -- and I do bring things. But this was an accusation without any evidence.

ASSEMBLYMAN MORIARTY: And, I mean, was there anything like, maybe, you were unconsciously trying to avoid delivering bad news right before an election?

MS. EGEA: No, I have to deliver bad news on other Authorities. So, no, it was not that.

ASSEMBLYMAN MORIARTY: So what would make you pick up the phone and call McKenna, or text the Governor and say, “Hey we’ve got a little issue over here?” What types of things do you do that for?

MS. EGEA: Sure. So I’ll give you an example of when I’ve consulted the Chief Counsel.

I was notified by the-- The Executive Director at a different Authority notified me that they had been contacted that one of their employees the next morning was going to be arrested
and charged for a confiscation of funds from the Authority. And in that instance I consulted with the Chief Counsel, number one, because he had been a prosecutor and his credentials were such that I wanted to be sure that I knew how to advise the Authority on any action they needed to take as a result of being notified of this. And then, secondly, to seek his counsel as well: Was there any other steps I had to take as the member of the Governor’s Office when that kind of serious event is going to occur?

So I have turned to Charlie in very specific -- the Chief Counsel in very specific situations like that where I know I have something that needs to acted upon and I believe there’s a responsibility that I have to not only advise the Authority, as well as to operate in good faith as the representative of the Governor’s Office.

ASSEMBLYMAN MORIARTY: Okay. So that’s a good example. But when someone claims illegality, and you’re not an attorney, do you think maybe you should go to the Chief Counsel?

MS. EGEA: Again, there were several attorneys already looking at it -- the Deputy and the Executive Director are attorneys; the General Counsel was on that e-mail; the Chairman was an attorney. So there were several attorneys already looking at it.

ASSEMBLYMAN MORIARTY: So at what point -- since you are the liaison to the Governor, and not to the Port Authority -- at what point in this whole sordid affair did you finally go and talk to someone in the Governor’s Office? Was it after the 35 articles?
MS. EGEA: No, I think I’ve already stated that I directed Deputy Baroni to speak to Charlie prior to the Senator’s appearance -- so that was one opportunity. And then Chief Counsel was also aware that I had been requested to work with Bill Baroni in making his testimony as concise as we could. So in both those cases, the Chief Counsel--

ASSEMBLYMAN MORIARTY: So that would be in -- what was that, November?

MS. EGEA: That was November. So the first was in October, and the -- well, the end of September, probably prior to the appearance; somewhere around there.

ASSEMBLYMAN MORIARTY: But you still hadn’t talked to the Governor’s Office.

MS. EGEA: The Chief Counsel is in the Governor’s Office.

ASSEMBLYMAN MORIARTY: No, you said the Chief Counsel asked you to help. It sounds like--

MS. EGEA: Sorry?

ASSEMBLYMAN MORIARTY: Didn't you say that the Chief Counsel asked you to help prepare Baroni?

MS. EGEA: No, I was saying--

ASSEMBLYMAN MORIARTY: I’m sorry.

MS. EGEA: I notified Chief Counsel McKenna that I was working with Bill prior to his appearance and his opening statement. So I talked to the Chief Counsel twice in the 60 days.
ASSEMBLYMAN MORIARTY: That was a notification, basically, that I was asked to do this? Or was there a lengthier conversation?

MS. EGEA: I don’t recall. I think I just notified him; I don’t recall, really.

ASSEMBLYMAN MORIARTY: That’s what I mean; it wasn’t, like, “Hey, we have to sit down and talk about this. How does this-- What are we doing on this?” It was just a notification that you’d been asked by David Samson to help prepare Mr. Baroni for his testimony.

MS. EGEA: Right.

ASSEMBLYMAN MORIARTY: Okay. Why did you notify him, then?

MS. EGEA: The Chief Counsel?

ASSEMBLYMAN MORIARTY: Yes.

MS. EGEA: Because it was going to be an appearance by the Deputy in the New Jersey Legislature, and I thought, given the proximity, and that we were representative of the Port Authority that I had that responsibility and I thought he should be notified.

ASSEMBLYMAN MORIARTY: But nobody needed to be notified about this e-mail from back in September. That’s what I mean; it’s like--

MS. EGEA: Well, first-- Well, second, you have to remember, that entire e-mail was released by someone to the press on October 2.

ASSEMBLYMAN MORIARTY: Right.
MS. EGEA: So everyone had a copy of the e-mail. That was not a mystery at all, at this point.

ASSEMBLYMAN MORIARTY: Okay. Let’s talk about the prep for a second.

Who did the research to get the information on legislative districts and how many E-ZPasses? Do you know who did? Was that Bill Baroni?

MS. EGEA: I didn’t know it was done. The material was presented to me by the Deputy, yes.

ASSEMBLYMAN MORIARTY: So he presented you, and said, “Here’s information about breakdown by legislative district”?

MS. EGEA: I don’t recall him saying legislative district; he could’ve, but I don’t remember him saying that. I just remember him indicating that he was trying to demonstrate that there are people from all over New Jersey who use the George Washington Bridge, and that they are a part of that 95 percent -- in his terms -- 95 percent of the traffic that’s using 75 percent of the toll booths.

ASSEMBLYMAN MORIARTY: But he got that information?

MS. EGEA: Yes, he produced it.

ASSEMBLYMAN MORIARTY: So did he have someone at the Authority run numbers? Was there research done at the Authority? Were there people--

MS. EGEA: I have no idea.

ASSEMBLYMAN MORIARTY: --and resources that were put to work to get that information?
MS. EGEA: I have no idea.

ASSEMBLYMAN MORIARTY: And was that information, then, given to Republican legislators and Democratic legislators, or whoever was sympathetic to the cause, to put that information out?

MS. EGEA: I have no idea.

ASSEMBLYMAN MORIARTY: All you know is that he presented it to you?

MS. EGEA: Yes, as part of his first draft of his opening statement.

ASSEMBLYMAN MORIARTY: Okay, and can you help me with, again, telling me which people-- Who exactly, besides yourself, helped Mr. Baroni prepare for his testimony?

MS. EGEA: I was with-- Nicole Crifo was in my office when we talked with Bill; he was on a speakerphone and we had a conversation with him. David Wildstein was there, but I don’t know who else might have been in the room with them.

ASSEMBLYMAN MORIARTY: Okay, who was on speakerphone?

MS. EGEA: Bill Baroni, and I heard David Wildstein speak; and Nicole was with me in New Jersey.

ASSEMBLYMAN MORIARTY: Okay and, at another time, were there other people who helped prepare him?

MS. EGEA: I don’t know.

ASSEMBLYMAN MORIARTY: Do you know anything about Phillip Kwon? Was he part of the prep team?
MS. EGEA: I don’t know. I mean, he worked at the Port Authority; I don’t know.

ASSEMBLYMAN MORIARTY: Okay.

So your assistant, Ms. Crifo, recalls a second call that she says the participants were herself, you, Mr. Baroni, Mr. McKenna, and Mr. Kwon. Do you remember that?

MS. EGEA: McKenna?

ASSEMBLYMAN MORIARTY: Can we see Tab 42, at paragraph 8?

MS. EGEA: I’m sorry, where is the reference, did you say again?

ASSEMBLYMAN MORIARTY: I believe it’s paragraph 8.

MS. EGEA: On what page?

ASSEMBLYMAN MORIARTY: Tab 42.

MS. EGEA: Right.

ASSEMBLYMAN MORIARTY: Page 8; I’m sorry.

“Crifo recalled Egea, Charlie McKenna, and Kwon participate in the second conference call. Egea, Crifo, and McKenna took the call from Egea’s office.”

You testified that Kwon and McKenna were not part of the prep when you were there, but this seems to contradict that. Does it refresh your memory at all?

MS. EGEA: Well, no. So if you go up two paragraphs, this is what I was referring to. There was a call that Nicole, Baroni, Wildstein-- I didn’t know that Phillip was on that -- the first conference call, where we -- took place, yes, about November.
That’s on my calendar, right. So we had a conference call-- That’s the one I was referring to.

ASSEMBLYMAN MORIARTY: Okay, what about this call?

MS. EGEA: You know, I don’t know that I would have characterized-- I didn’t recall it until I just read this. But I wouldn’t have, I don’t think-- I don’t remember Phil Kwon -- if that’s possible -- but I do remember having a conversation with Charlie McKenna being there, but I would not characterize it as a substantial conversation. I think we were just calibrating and looking at--

ASSEMBLYMAN MORIARTY: So what types of-- I mean, there’s a lot of manpower and taxpayer power going into prepping Mr. Baroni. Was this just giving him hints as to, “Be truthful, be forthright,” or was someone playing Assemblyman Wisniewski?

MS. EGEA: No, no. It was not at all like-- Much more the former than the latter.

It was very much as I have described -- that we wanted Bill to be concise and clear, and the three points -- we were always reinforcing the three points -- which were: there was a study; it was not well-handled from the communications or the collateral impacts of it, which we did not anticipate and we apologized for it; and that we wanted to assure everyone that it would not happen again. And Bill was to take responsibility, as the leader of the Port Authority for the New Jersey appointment.

ASSEMBLYMAN MORIARTY: And everyone at that point was still onboard that this was a traffic study?
MS. EGEA: That’s what he represented, and that’s what the data supported that I’ve described.

ASSEMBLYMAN MORIARTY: And, again, is that what you still believe?

MS. EGEA: Well, I’ll repeat what I said before.

ASSEMBLYMAN MORIARTY: Okay.

MS. EGEA: I don’t have all the information that you’ve looked at, perhaps. I don’t know what else has been said. I’ve tried to shield myself from not being influenced by others’ speculation. So right now, as I’ve indicated, they had data, they had described the traffic study, they had data that supported that traffic study. And my only questioning occurred later as I listened to the other testimony, on December 9, about his judgment.

ASSEMBLYMAN MORIARTY: Okay. Anything else that stands out about that prep session that Mr. McKenna and you worked together on?

MS. EGEA: No. As I said, I didn’t actually recall it until I just read that. And I recall that we had a brief conversation. I just don’t remember what else was covered.

ASSEMBLYMAN MORIARTY: Let me switch gears to the Pulaski Skyway.

“In June of this year”— Tab 56, please — “it was reported by the SEC” — the Securities and Exchange Commission — “that they’re looking into possible securities law violations in connection with the Port Authority’s approval of $1.8 billion in road repairs to the Pulaski Skyway. According to the reports, the Christie
Administration pressured the Port Authority to approve the repairs over the objections of Port Authority attorneys, who had warned that the Skyway was outside his jurisdiction. The Port Authority justified the Skyway repairs by casting the bridge as an access road to the Lincoln Tunnel, even though they are not directly connected.

“Although the original agreement was executed by the State and the Port Authority in the summer of 2011” -- before you were there -- “the agreement was amended in May 2012” -- just a few months after you took over at the Authorities Unit. “The amendment significantly reduced the Port Authority’s role in overseeing the projects.”

Why was the agreement amended in 2012?

MS. EGEA: I did not have significant involvement in the amendment. I recall that -- I mean, I’ve seen it on the agenda. I wasn’t really involved in the revisions to it, and I’m not sure what motivated it.

ASSEMBLYMAN MORIARTY: You never had any conversations, no one ever told you, “This is important, we have to get this done.” Nothing, zero?

MS. EGEA: It read to me that it was a clarification and a desire on the Executive Director’s part to provide more clarity than he thought -- because I think it was right after he came in, as I recall -- that (indiscernible) to clarify, really, what the roles were and be clear about what’s the Port Authority, and what’s not.

ASSEMBLYMAN MORIARTY: Did you read it?
MS. EGEA: I probably read it then, but I’ve reread it since.

ASSEMBLYMAN MORIARTY: And did you understand it in its entirety, or did you ask Ms. Crifo to help you with whatever legal technicalities -- I’m not a lawyer, so I wouldn’t necessarily know.

MS. EGEA: She would have read it. She would have reviewed it--

ASSEMBLYMAN MORIARTY: And she--

MS. EGEA: --as well as the attorneys at the Port Authority.

ASSEMBLYMAN MORIARTY: The same ones who gave their blessing that this was an access road to the Lincoln Tunnel?

MS. EGEA: I don’t know who reviewed it before or since, but I know that nothing ends up as a proposed agenda item unless the attorneys at the Port Authority have reviewed it as well.

ASSEMBLYMAN MORIARTY: So you didn’t have any role in amending that major contract?

MS. EGEA: I don’t remember-- Having a role? No.

ASSEMBLYMAN MORIARTY: When you transitioned into this position, what information and background did Ms. Gramiccioni provide on this important issue?

MS. EGEA: I don’t recall-- Which issue are you referring to? The Pulaski Skyway?

ASSEMBLYMAN MORIARTY: The Pulaski Skyway and the money that was coming to New Jersey to fix the Pulaski Skyway.
MS. EGEA: I don’t remember speaking with her about it. There would have been whatever Board actions had been taken so the files would be complete with the attorneys. But I don’t remember having a discussion with her about it.

ASSEMBLYMAN MORIARTY: Did she describe any concerns that were raised by the Port Authority regarding the transfer of the funding?

MS. EGEA: I don’t recall any.

ASSEMBLYMAN MORIARTY: Were you aware of the Port Authority legal opinion related to using Port Authority funding for the Pulaski Skyway was controversial?

MS. EGEA: I was not aware. It all preceded me, as I’ve stated.

ASSEMBLYMAN MORIARTY: Did you ever talk about that issue with the Governor -- either before, after, during?

MS. EGEA: No, I have not.

ASSEMBLYMAN MORIARTY: Okay. And, in your opinion-- Do you live in New Jersey?

MS. EGEA: I do.

ASSEMBLYMAN MORIARTY: Okay. Are you from up in that area?

MS. EGEA: Which area?

ASSEMBLYMAN MORIARTY: Up around the Pulaski Skyway.

MS. EGEA: No, I’m not.

ASSEMBLYMAN MORIARTY: Do you know the roads?
MS. EGEA: Sorry?

ASSEMBLYMAN MORIARTY: Do you know the roads up there?

MS. EGEA: I’ve ridden it; sure, I’ve ridden it.

ASSEMBLYMAN MORIARTY: Okay. In your opinion, is the Pulaski Skyway an access road to the Lincoln Tunnel?

MS. EGEA: I’m not a traffic engineer; I can’t answer that. I don’t have the credentials.

ASSEMBLYMAN MORIARTY: Well, no, I’m not asking as a traffic engineer, because I can assure you if you ask any bus driver, taxi driver, or commuter, they’ll probably give you an answer. So I’m wondering if you have an answer.

MR. MARTINEZ: Respectfully, Assemblyman, I think that calls for a legal conclusion, or at least a legal document. So I think her statement that she isn’t qualified to answer it is a legitimate answer.

ASSEMBLYMAN MORIARTY: She doesn’t have to answer it. I’m just saying I don’t know that it requires a legal degree to ask somebody how to get to the Lincoln Tunnel from the Pulaski Skyway. I think you can ask any taxi driver and they will tell you, you would never go that way.

MS. EGEA: But you asked me, and my only response is that I don’t know.

ASSEMBLYMAN MORIARTY: Yes, no, I got it.

MS. EGEA: Great.
ASSEMBLYMAN MORIARTY:  I got your response, thank you.

Can we talk, briefly, about this LAP program?
MS. EGEA:  Sorry, what program?

ASSEMBLYMAN MORIARTY:  LAP, they call it -- the Local Assistance Program of the Port Authority, where they give out grants.

MS. EGEA:  Okay.

ASSEMBLYMAN MORIARTY:  Do you know about it?
MS. EGEA:  I’m not--  I mean, I know that there is -- there are some local grants; some were referenced previously by the Assemblywoman.  But those are not items that come before the Board, so I’m not involved in them.

ASSEMBLYMAN MORIARTY:  Okay.
MS. EGEA:  That I’ve seen, anyway.

ASSEMBLYMAN MORIARTY:  But we have David Wildstein talking to the Governor’s Office saying, “We’d like you to -- we just approved this grant for $60,000 for the Mayor of Springfield; we want you to let them know.”  So there is some overlap in who gets the grants, and the Governor’s Office calling to give the good news, apparently.

MS. EGEA:  Well, not me.  I don’t know -- I’ve never seen that until it was included in the press releases, or the materials released to the press.  So I wasn’t knowledgeable or ever involved with that.
ASSEMBLYMAN MORIARTY: So to your knowledge you don’t have any-- Do you have any idea how you apply for or receive one of these grants?

MS. EGEA: No, I don’t.

ASSEMBLYMAN MORIARTY: None whatsoever?

MS. EGEA: No, it’s a delegated authority, as I described before to the Assemblywoman.

ASSEMBLYMAN MORIARTY: Okay.

I’d like to go back to the text with the Governor that we talked about before briefly.

But wait a minute; before I go to that, I would like to ask you about a meeting -- Tab 37, page 8. This took place on December 13; you said that a -- you recall seeing a meeting, prior to the Governor’s press conference, where Bridget Kelly, Bill Stepien, and Mr. O'Dowd are talking in Kelly’s office.

MR. MARTINEZ: Just for the record, this is not her statement, but a--

ASSEMBLYMAN MORIARTY: I’m sorry?

MR. MARTINEZ: --Gibson Dunn interview memoranda summarizing and interpreting those statements.

ASSEMBLYMAN MORIARTY: Was their summarization and interpretation incorrect on this?

MR. MARTINEZ: She hasn’t reviewed it before today, but you’re more than welcome to ask her.

ASSEMBLYMAN MORIARTY: Okay, take as much time as you want.
MS. EGEA: Generally, yes, as I-- If I could elaborate just to give context for the comment -- that there was a way to get through to the back of the Governor’s Office through Ms. Kelly’s office. And I had gone -- I was trying to cut through it and I had walked in, inadvertently. And I really only saw Kevin, specifically, and he asks to give him a minute. And I don’t really, as it states, that I really didn't have any sense of what was transpiring or their attitudes in the room.

ASSEMBLYMAN MORIARTY: Were they looking at the computer together?

MS. EGEA: As I said, I had a less than 15 second -- probably -- entered into the office, he asked to give him a minute. I only saw, by chance, out of my peripheral vision, Bridget and Bill in the office.

ASSEMBLYMAN MORIARTY: Bill Stepien?

MS. EGEA: Bill Stepien; I’m sorry.

ASSEMBLYMAN MORIARTY: So they were together, and this was on December 13. And O'Dowd was there as well, or no?

MS. EGEA: Yes, he was standing on the other side, in the other doorway, because that’s the way you get through to the back office.

ASSEMBLYMAN MORIARTY: And who said, “Can you give us a minute”?

MS. EGEA: Kevin O’Dowd.

ASSEMBLYMAN MORIARTY: Okay. Did you assess any importance to that afterwards?
MS. EGEA: No.

ASSEMBLYMAN MORIARTY: After January 8 -- I forget the exact date -- anything? Did you--

MS. EGEA: I don’t know what they were thinking, I don’t know what they were doing. I didn’t hear any conversation, so I don’t have an opinion.

ASSEMBLYMAN MORIARTY: Okay.

I want to go to the Governor and texting the Governor. How often would you text the Governor?

MS. EGEA: Infrequently.

ASSEMBLYMAN MORIARTY: But you had the ability to do so, and he would receive them and respond to you?

MS. EGEA: At times.

ASSEMBLYMAN MORIARTY: Okay. What types of things would be of importance to directly text him?

MS. EGEA: Something that we were trying to -- an item that we were trying to close, or something that I knew that I felt that he would want to be current on, that might be going on that he should be aware of.

ASSEMBLYMAN MORIARTY: When you texted the Governor regarding the professionalism of the Port Authority staff, did the Governor reply?

MS. EGEA: I don’t recall any reply, no.

ASSEMBLYMAN MORIARTY: Did you delete-- You said you believed you deleted all of this?

MS. EGEA: Yes.
ASSEMBLYMAN MORIARTY: When you deleted these things, did you think then, or now, that it could have violated some ethical law?

MS. EGEA: Well, as I said, we’ve all been refreshed on the requirement to retain documents. So I think in the current procedures that we’re all following, I would not.

ASSEMBLYMAN MORIARTY: Has the Governor’s Office implemented new procedures?

MS. EGEA: Yes.

ASSEMBLYMAN MORIARTY: Did they put them in writing?

MS. EGEA: Yes.

ASSEMBLYMAN MORIARTY: Can we get a copy?

MS. EGEA: I think you’d have to ask the Governor’s Office, but they have been distributed to all the Governor’s Office.

ASSEMBLYMAN MORIARTY: And does each of the employees have to sign that they read it and understand it?

MS. EGEA: I don’t believe sign, but we all have to acknowledge it. I don’t believe sign; I could be wrong about that, but I don’t remember signing--

ASSEMBLYMAN MORIARTY: How do you acknowledge it if you don’t sign it? Verbally?

MS. EGEA: You know, I’m not sure, I’m not sure. I would think that-- I don’t know. I mean, I know I’ve received multiple instructions as a result, in terms of the retention and we’re all complying now.
ASSEMBLYMAN MORIARTY: Now, you testified earlier that you believe that you deleted the test to the Governor prior to January; you’re not sure, but you think as a matter of course, you probably would have. Do you agree that the subpoena issued to you on January 27, 2014, and then another one in February, requires the production of all communication, including texts, regarding the lane violations?

MS. EGEA: Absolutely.

ASSEMBLYMAN MORIARTY: Okay.

MS. EGEA: And I have handed over all my personal, as well as government, account devices.

ASSEMBLYMAN MORIARTY: So you agree that texts fall within that, if you have the text?

MS. EGEA: Absolutely.

ASSEMBLYMAN MORIARTY: Do you still have the same phone that you had back then?

MS. EGEA: Yes.

ASSEMBLYMAN MORIARTY: And do you have the same service?

MS. EGEA: Yes.

ASSEMBLYMAN MORIARTY: And do you have the same phone number?

MS. EGEA: Yes.

ASSEMBLYMAN MORIARTY: Are you willing to, or is your attorney willing to have your phone imaged so as to preserve
data, and metadata, and deleted items, as they exist on the device today?

MR. MARTINEZ: We haven’t discussed that with counsel for the Committee.

SENATOR O'TOOLE: Just a point of clarification, is that an extension of the original subpoena, through the Chair? I’m just trying to understand the nature of that. Is that a request to extend the subpoena that’s been asked?

ASSEMBLYMAN MORIARTY: No. The witness agrees that the subpoena includes texts, if she has them. She believes that they were deleted prior to January. My question is, are they willing to allow imaging of the phone that she has -- which is the same phone that she had then, the same provider, and the same phone number -- to preserve whatever is on there, that may be on there, that she may not know is still there as of today?

SENATOR O'TOOLE: Well, through the Chair, I just want to ask the counsel -- I suspect that you’ve looked at the subpoena and you complied with the subpoena, or you have not?

MR. MARTINEZ: We have. We’ve worked in coordination with Gibson Dunn, and there were protocols in place. And I believe this has been discussed with counsel for this Committee.

SENATOR O'TOOLE: I need to know, through the Chair, that this is an extension or an expansion of the underlying subpoena -- we’re going in a different direction -- or you’re saying to comply with the subpoena I’m hearing from you, and I’d like to
hear from the Jenner & Block folks if, in fact, they have a compliance of the subpoena.

So Chair, if we could have our counsel address that?

SENATOR WEINBERG: Tony?

SENATOR O'TOOLE: Could you just address that issue, please?

MR. BARKOW (Special Counsel): I don’t know -- if I should speak with counsel for a moment.

SENATOR O'TOOLE: Why don’t you do that?

MR. BARKOW: Okay.

SENATOR WEINBERG: All right. We’re going to take a five-minute recess right now. We’ll let them speak back there. (referring to counsel)

(recess)

(return from recess)

SENATOR WEINBERG: Can everybody take their seats, again, please?

Is there an official answer to Assemblyman Moriarty’s request?

MR. MARTINEZ: I believe we’ll confer with Gibson Dunn. My understanding is a mirror image has been taken of the phone already. I’m unfamiliar with what searches were conducted, as I sit here today; but I will confer with Gibson Dunn, and my client, and counsel for the Committee and ensure that whatever
searches need to be conducted that, perhaps, have already have been conducted -- I’m not sure.

SENATOR WEINBERG: So you will get back, through our attorney?

MR. MARTINEZ: Correct.

SENATOR WEINBERG: Okay. I want to add one more request, and that is that the phone number that you use to text the Governor also be supplied, confidentially, through you, Mr. Attorney, to our attorney.

MR. MARTINEZ: That’s fine, Co-Chair.

SENATOR WEINBERG: Okay, thank you.

ASSEMBLYMAN MORIARTY: I’m just going to wrap up.

I just want to back to-- Thank you for hanging in there; I appreciate it. I know this is not fun.

I want to go back to the deletion of texts prior to this whole thing, and what takes place now; I think we need to know that. It might also be an area for future legislation, in terms of retention for State workers.

So can you tell me, prior to this whole issue coming up, how would you normally go about deleting texts?

MS. EGEA: Well, I use my-- I text both personally as well as professionally on the cell phone. And, as normal course, I would clear out when I don’t need them any longer -- I’m not referring to them any longer.
ASSEMBLYMAN MORIARTY: So you just go in there occasionally and do some housekeeping, and just start deleting things that were not necessary to have anymore? Is that--

MS. EGEA: Right -- that I had closed out an item, or I didn’t need any longer, or I had captured whatever I needed to capture somewhere else.

ASSEMBLYMAN MORIARTY: And would you do that on a daily basis, a weekly basis, an hourly basis, a monthly basis?

MS. EGEA: No, not hourly, certainly. But, you know, on occasion. I don’t know; I couldn’t say.

ASSEMBLYMAN MORIARTY: And what do you do now?

MS. EGEA: I try to retain as much as-- I try to comply, in terms of when I think that I’m the creator and I retain as much as I possibly can, in terms of correspondence, generally, with my subordinates.

ASSEMBLYMAN MORIARTY: So you don’t delete anything?

MS. EGEA: I delete some, that as I -- at least I interpret that they are no longer relevant, or I’ve captured the information -- like someone might send me a phone number and I’ve captured the information to my contacts, would be a good example. So I guess I don’t believe that that being an example -- that I wouldn’t be required to retain.

ASSEMBLYMAN MORIARTY: Would you think that, maybe, there should be legislation that would give clear direction on what should and shouldn’t be retained?
MS. EGEA: I think the more clarity around that subject, the better. I don’t know if legislation is the right way; as I said, there’s been several reminders to the -- at least to our office -- about the retention requirements. But, you know, it’s something that is a good refresher, I think, all the time.

ASSEMBLYMAN MORIARTY: Although you say that there’s been a reminder to everyone -- and I’m not sure whether that was something you signed or not; you’re not sure -- and whether there was a class, or whether there-- how deep this went. It seems to me, based on the testimony you just gave, that it’s still left up to the person to decide themselves what they think should and should not be kept.

MS. EGEA: Well, I think there is now an appointment of an Ethics Officer and an Ombudsman, so I think we’re trying to make every effort that if there’s a doubt, you have someone to consult with. But, ultimately, yes, of course; I mean, it’s a personal responsibility.

ASSEMBLYMAN MORIARTY: Right, but in the interim, you’re deciding what you think is relevant material that should be kept, and what is not. And, perhaps, there should be even stricter policies.

MS. EGEA: Perhaps. You know, I don’t know what that would look like.

ASSEMBLYMAN MORIARTY: Okay.

And I think that’s it. Thank you very much.

MS. EGEA: Thank you.
ASSEMBLYMAN MORIARTY: Thank you, Madam Chairwoman.

SENATOR WEINBERG: Thank you, Assemblyman.

SENATOR O'TOOLE: Chair, can I raise one issue for the attorney?

Yes, Senator.

SENATOR O'TOOLE: Yes, the issue that Assemblyman Moriarty raised about the metadata. And I just want to have, at some time in the future, have our attorney take a look at that issue -- something I know a little bit about -- that we need to make sure-- There are two very distinct rules of professional conduct here -- I think it’s 1:6 and 4:4 -- that speak to what we can and what our lawyers can do with regard to mining of metadata. And Illinois and New Jersey, obviously, are in the same state where the ABA has adopted a rule, we in New Jersey and Illinois have not adopted a similar rule. Each state is different. There is a-- The 1:6 deals with reasonable care standard, in terms of sending out a document that may or may not have any attachments. And it doesn’t really envision whether it talks about the electronic age of metadata. But some of the courts have adopted that that, in fact, involves the electronic-- I think 4:4 talks about the receiver has an obligation, in some states -- with the exception of Oregon and Maryland -- which says you can mine for, and look for, and not report it to your adversary. The states of New Jersey and Illinois say that you cannot mine -- or that’s what their holdings are.
So I really-- If we get down that road, if we talk about this further development, I really want to have counsel give us the real strict advice and work with counsel as to what’s appropriate, what is inappropriate. Because the lawyers here will be really walking into some unchartered areas in terms of the RPCs, okay?

SENATOR WEINBERG: Okay, thank you.

Senator Greenstein.

SENATOR GREENSTEIN: Thank you very much.

SENATOR WEINBERG: Assemblyman Moriarty, if you would turn your microphone off. Thank you.

ASSEMBLYMAN MORIARTY: Sorry, Chairwoman.

SENATOR GREENSTEIN: Thank you.

And last of the day, and so I’m sure you’re happy about that, and--

ASSEMBLYMAN WISNIEWSKI: No, she’s not. (laughter)

SENATOR GREENSTEIN: --I’ll do my best to be concise here.

MS. EGEA: Sure.

SENATOR GREENSTEIN: I wanted to ask you about the statement that you edited. But before I do, I have a couple of questions.

In terms of the employee authorities here, who provided oversight over Bill Baroni? Who was his -- who was he directly reporting to? Who would have had a say over what he did and didn’t do?

MS. EGEA: I believe on the organization chart--
SENATOR GREENSTEIN: Yes.

MS. EGEA: -- he reports to the Executive Director.

SENATOR GREENSTEIN: The Executive Director. So Foye was his direct authority. Okay.

On the issue of a traffic study, I know you’ve already answered the question about whether you think there might have been a traffic study here; you say you took his word for it, essentially. Did you ever think of looking up what a traffic study is, or what it’s likely to be? I mean, it’s very easy, just doing it on the Internet. I did that, because I knew a little bit about it from having done planning in the past, but I wanted to know more about it. And if you put in traffic study, you can get a lot of information.

I literally just put it in; I wanted to read this to you, if I could. This is just one person writing on an article.

“In my 40-plus years as a professional traffic engineer, I was never” -- emphasize never -- “involved in a traffic study that included shutting down a facility to determine the impact. I’d never heard of such a thing. All studies I conducted were mathematical exercises using either pen and pencil, or sophisticated computer models that estimated impacts based on known or projected traffic.” And then he goes on.

Did you ever think, when you were told that there was a traffic study to just pursue this, either by asking for the information about what was the traffic study? Could I see a copy of it? There should have been some kind of documents that went
along with this. Did you ever claim to look it up and see what a traffic study is?

MS. EGEA: Well, two things, and I think I’ve said both these things. One is, when presented with the data in his opening statement, I took that to be the results of the study. I did not inquire as to the preceding documents. When I got the results I thought that was the demonstration of the study itself.

SENATOR GREENSTEIN: But you never asked to see the study?

MS. EGEA: Well, I thought I was seeing it. So no, I mean, nothing further than what I had seen in terms of the results.

And then I think I’ve already also stated that once I listened to Cedrick Fulton talk about the alternatives, that I questioned his judgment, not necessarily, maybe-- I never asked him about why did he choose one versus the other, but I certainly questioned his judgment after that.

SENATOR GREENSTEIN: Do you think that would have been a good question to ask? Because I know I would have asked it.

MS. EGEA: Well, once I’d heard the testimony, as I said, I never spoke to Bill again. And then it all transpired, and he exited, and Deb came in. So I never had the opportunity to--

SENATOR GREENSTEIN: It would be a good question for someone to ask him, I think. I definitely would have wanted to know the answer to that.

Did Bill say -- when you spoke to Bill Baroni about this in advance -- did he say who helped him do the traffic study? Did he
say there was a professional involved, or how they did the traffic study?

MS. EGEA: If you recall, inside the draft opening statement he notes other individuals who were consulted or, at least, referenced in it. So I know there were others who had been in some conversation with him, but I didn’t exactly -- I couldn’t articulate to you now what role everyone played.

SENIATOR GREENSTEIN: Okay.

Now, I just want to ask you about something that is particularly curious here, and I’m looking at one of the documents that we have today. Actually, I think this was in Tab 37, page 5. And it says that, “Baroni only shared a hard copy of his remarks with you, and he instructed you to circulate the revisions in hard copies. He didn’t want you to put them into an e-mail form.” I’ll give you a moment to just look at that. It’s in the middle of page 17, I think it is. Oh, I’m sorry; it’s page 5, Tab 37.

And apparently there is also information that the statement itself -- the hard copy -- was driven in a Port Authority car to you, and then was taken back in a Port Authority car -- sort of a top secret kind of response to that.

Did you find it odd -- did you have any idea how that might have happened, or why that might have happened, I guess?

MS. EGEA: Yes, it was all hard copy. And it was delivered to my office. And then I gave it to Nicole to-- She was going to a meeting, so it was all hard copy, to your point. And it was unusual, but my assessment of the request was, number one,
they wanted-- These were early drafts of this opening statement, and I think they wanted to retain control of who had copies of it. Many people are anxious about, if you put something in an e-mail, right, in two clicks something can go to a thousand people. So some people are concerned about that, so that was part of it.

But also the environment that Bill was in, of the Port Authority, there had already been multiple documents that had been released to the press. So I also thought that that was another control mechanism to ensure that early drafts, before he made his statement, didn’t somehow get into the press or get into anyone else’s hands. So that’s how I viewed it.

SENATOR GREENSTEIN: Now I’ll get to the statement itself. In looking at the statement -- which, I think, his version of it was about six pages long -- I noticed that you cut out quite a bit.

MS. EGEA: Which Tab number is it? I’m sorry.
SENATOR GREENSTEIN: This is Tab 16.
MS. EGEA: Thank you.
SENATOR GREENSTEIN: And I’m going to assume that this typed copy is what he produced, and then I see all the markings on it.

MS. EGEA: Yes, yes.
SENATOR GREENSTEIN: It looks like you took out quite a bit. One of the questions I would have is, what was the gist of the statement? I know that you wanted to make it shorter and more concise; that was part of your goal. But how would you describe
the overall gist of the statement that you wanted to put out? I know he had a lot of history and other information in there. What did you think should be put out in this statement? What should be the gist?

MS. EGEA: There were three points: one, to describe the study and what they were trying to evaluate; number two, that there were mishandlings in that study -- where he talks about the communication and some of the aspects that could have been done better; and thirdly, to both apologize -- take responsibility, apologize, and assure both the Legislature, as well as the public, that it wouldn’t occur again.

SENATOR GREENSTEIN: So definitely the communication part, you agree, was a problem. They were admitting to it; you didn’t cut that part out. But when they describe the study, do you feel that what he had in there was accurate on that?

MS. EGEA: Well, it’s what was represented to me. Do you mean the results, or what do you mean?

SENATOR GREENSTEIN: Not so much the results, and the E-ZPass table, and all of that. But the overall approach to the study -- how the study was done. Did you agree with that approach?

MS. EGEA: I didn’t agree or disagree, frankly. I wasn’t evaluating the content; I was trying to bring it to a point of clearly establishing the three points I just outlined.
SENATOR GREENSTEIN: Okay. I’m just going to-- The rest of my questioning will be about some of the areas that you took out, and I just want to ask you why you took it out.

MS. EGEA: Sure.

SENATOR GREENSTEIN: I notice earlier on in the testimony, we talked -- and I think Senator Weinberg spoke about it -- that there was this question of these special lanes segregated for Fort Lee. I noticed you took a lot of that out. So just starting on the first page here, the 1, 2, 3, 4th paragraph, there’s a lot of talk about Fort Lee. What is the reason that you took that paragraph out -- paragraph 4?

MS. EGEA: For both of these paragraphs, I thought were--

SENATOR GREENSTEIN: Three and four?

MS. EGEA: Yes, I’m sorry -- three and four. I thought they were more elaborate than he needed to communicate in an opening statement. And that the objective, as I said, was to establish that the study was about the mix of traffic and the resources of the toll booths and trying to optimize that traffic through those toll booths.

SENATOR GREENSTEIN: You wanted to emphasize that you needed a better mix, but it seems -- and tell me if I’m interpreting this correctly -- that you didn’t want to emphasize anything special had been given to Fort Lee -- given or taken from Fort Lee.
MS. EGEA: I was indifferent on that point. The way it was presented, though, it was more, kind of, extraneous. Not extraneous, but, I mean, I wasn’t trying to exclude it, because it was factual -- that’s where the lanes were. It was more that it didn’t really necessarily add texture to the main point of what the traffic study was about.

SENATOR GREENSTEIN: You left one line in about Fort Lee. You took out all the rest, and you left in, “There are 12 toll lanes on the upper level of the Bridge, 3 of which are currently segregated for Fort Lee traffic only.” And that was it; I think you took everything else out about Fort Lee.

On the next page, page 2, it says, “About a decade ago,” and there’s a long paragraph there that you took out -- that talks about the history of this.

MS. EGEA: Right.

SENATOR GREENSTEIN: There’s mention of former Fort Lee Mayor, Jack Alter, who insisted on special segregated lanes for Fort Lee. Again, was there a particular reason that was taken out -- the whole history there?

MS. EGEA: So, really, the same point. And so, to be clear: I was not deliberately extracting any reference to Fort Lee; I was trying to stay on point and I thought this was background and I think-- We actually did talk about this, as Bill thought it was important to leave it in. And I indicated this is an opening statement. You don’t necessarily have to have all of this commentary in it. If asked, sure--
SENATOR WEINBERG: Excuse me a minute -- Phil who? Phil or Bill?

MS. EGEA: Bill, Bill.

SENATOR WEINBERG: Bill.

MS. EGEA: I’m sorry -- Bill.

So, you know -- that, sure. But I thought the objective of an opening statement was to get the three points out, and leave to the Committee to inquire further.

SENATOR GREENSTEIN: And then you say, at the bottom of the page, the bottom of page 2 in the last paragraph -- and you crossed all this out, too -- “These segregated lanes were ordered by the Port Authority without any recorded traffic study, without any analysis of their impact, and without consultation with any municipality or government in the area there.” Again, you recognized here the importance of doing a proper traffic study, but -- or at least he did -- but then you crossed that whole section out.

MS. EGEA: Again, really, honestly, Senator, it’s the same point -- that this is all history and background, and I didn’t think it was relevant to current conditions -- current conditions are what we were dealing with; that was the relevant point to make, I thought, in an opening statement.

SENATOR GREENSTEIN: Okay.

Again, bottom of page 4, last paragraph, another very large paragraph crossed out about Fort Lee.

Now, at page -- I guess it’s page 9. Okay, just looking here. The first paragraph there is crossed out. Now, I noticed also
that every paragraph that mentioned David Wildstein is crossed out. Is there any particular reason for that?

MS. EGEA: Actually, it’s all references to the others; I think I’ve stated this already: that I thought the Deputy ought to take responsibility; that he ought not try to offload responsibility to others, and that’s how I felt upon reading it. And he ought to take responsibility. He was the leader of the organization, and he ought not try to draw the people into the conversation.

SENATOR GREENSTEIN: Okay.

On page 11-- Well, I guess, again, you took out a paragraph-- Well, there’s a paragraph again about Fort Lee. All of that was taken out.

MS. EGEA: On page 11?

SENATOR GREENSTEIN: Yes, I’m sorry; I see that you’re inserting that in another place -- okay.

And then finally, the paragraph at the end here, about the suggestions. The one that you agreed with, and that you left in, was about better communication. But you took out lots of others that had to do with, for example, the creation of a Fort Lee task force and several other suggestions that were made -- were all taken out. You kept it very limited to, the Port Authority is going to work on these issues, is going to try to have better communication, but you didn’t, sort of, limit it to Fort Lee. You really made it very general.

Same answer as you gave earlier, I take it?
MS. EGEA: Well, again, this was an opening statement, not full testimony. It was an idea that if he thought it was appropriate, he could always spring forward. I just thought it was too much for an opening statement.

SENATOR GREENSTEIN: The biggest things that I noticed were taking out everything about this whole Fort Lee issue, taking out everything about David Wildstein -- multiple paragraphs.

MS. EGEA: That was not my motivation, and I expressed that. I wasn’t at all to do-- It was all about simplifying, focusing. I didn’t think history was helpful to explain a business problem, and I didn’t think drawing other people into it was productive. Since he was the leader of the organization, you should take responsibility.

SENATOR GREENSTEIN: Yes. And just one related question to that. Although you didn’t use names, you used quite a few terms like traffic engineer, engineer -- you left all those in -- but not Wildstein. Was there any particular reason with that?

MS. EGEA: Which one are you referencing?

SENATOR GREENSTEIN: Well, there are lots of places here where you make reference -- I guess, in the middle of page 9. You make reference to directors, general managers of the Bridge, chief engineers, and lots of others. But anything to do with Wildstein and his role was taken out.

MS. EGEA: I really-- It was names-- I think this was relevant, because he was describing what actually occurred. This was a description of what they did, operationally; so I didn’t think that that was necessarily a decision maker or anybody responsible.
They were just describing, functionally, how they arranged the lanes. So I didn’t think that that was off-loading.

SENATOR GREENSTEIN: Okay. Well, thank you; thank you very much.

SENATOR WEINBERG: Thank you.

I’m going to go back to my Co-Chair in just a moment.

Let me just clarify something; I think you might have answered earlier.

How often did you text the Governor?

MS. EGEEA: Infrequently.

SENATOR WEINBERG: What does that mean? What is *infrequently*? Once a month, once every other month? On average--

MS. EGEEA: It could be months in between, I might--

SENATOR WEINBERG: I’m sorry?

MS. EGEEA: It could be multiple months in between I would have any communication with him.

SENATOR WEINBERG: And on this particular text about the Port-- Had you texted the Governor about the Port Authority in the past?

MS. EGEEA: I don’t know; I can’t-- I don’t know.

SENATOR WEINBERG: You don’t know? Okay.

On this particular text, or in any of these on the Port Authority, did the Governor answer you?

MS. EGEEA: I don’t recall any response.

SENATOR WEINBERG: Okay.

Assemblyman Wisniewski.
ASSEMBLYMAN WISNIEWSKI: Thank you, Ms. Egea.

I promised I’d be back, so after all of this testimony, hopefully, this will be among the concluding questions.

Just a couple of items that I wanted to understand a little better. Bill Baroni testified in front of Senator Lautenberg’s committee in April of 2012, about three or four months after you started in your position as Authorities Director. Was there any--

You had said with regard to Bill Baroni’s testimony in front of Transportation that you had gotten a call from David Samson asking you to help sharpen his opening statement. Did you get a similar call from David Samson with regard to Bill Baroni’s opening statement in front of Senator Lautenberg’s committee?

MS. EGEA: MR. NIXON: No, I did not.

ASSEMBLYMAN WISNIEWSKI: Did you have any discussion with either Bill Baroni or anyone else at the Port Authority about his going to testify in front of Senator Lautenberg’s committee?

MS. EGEA: I don’t recall; it was early on, so I don’t recall having any.

ASSEMBLYMAN WISNIEWSKI: I think one of the comments, or one of the answers that you provided earlier is that one of the things that you do as Director of the Authorities Unit is if someone from the Port Authority is going to provide testimony, you’re given a head’s up, there’s an interplay as to whether or not they should testify -- is that correct?
MS. EGEA: I was notified. I think what I said was I’m made aware when they are requested to have a hearing -- when-- Did you say Port Authority, anyone at Port Authority?

ASSEMBLYMAN WISNIEWSKI: Well, when a significant New Jersey appointee is being asked to testify at--

MS. EGEA: Sure, they would have notified me.

ASSEMBLYMAN WISNIEWSKI: And so you were notified of Baroni testifying in front of Lautenberg’s committee? That’s a yes?

MS. EGEA: Yes, I knew he was appearing.

ASSEMBLYMAN WISNIEWSKI: But you weren’t asked to assist in any way?

MS. EGEA: Well, I was not very experienced at that point. So, frankly, I don’t think they would have seen me as a significant resource that early on in my tenure.

ASSEMBLYMAN WISNIEWSKI: Experienced in what context? I’m not sure I understand.

MS. EGEA: In the Authorities Unit, and with the Port Authority.

ASSEMBLYMAN WISNIEWSKI: Your role with Bill Baroni’s testimony was not -- really did not rely on your experience with the Port Authority. It was about sharpening the statement, correct?

MS. EGEA: Because I had familiarity with the Port Authority, though, I think that aided my ability to-- Actually, it was relevant to the exchange I was just having with the Senator, and
what I think is important to have in there, versus not, and having some reference points with the Port Authority, I think, is very helpful. And I didn’t have that experience back in the spring of 2012.

ASSEMBLYMAN WISNIEWSKI: And you had said that David Samson called you to ask you to help Bill Baroni?

MS. EGEA: I recall speaking with him.

ASSEMBLYMAN WISNIEWSKI: The phone records show that there was a phone call to you from David Samson about November 18 for about 6 minutes. Do you think that was the call? It’s Tab 12, about three-quarters of the way down the page.

MS. EGEA: I don’t remember when we spoke about it.

ASSEMBLYMAN WISNIEWSKI: But it was by phone?

MS. EGEA: I believe so.

ASSEMBLYMAN WISNIEWSKI: Okay.

MS. EGEA: It would have normally been; I communicated mostly with him telephonically.

ASSEMBLYMAN WISNIEWSKI: And the records show that the timeframe of the preparation was in the area of November 18th to the 20th of 2013. Does that sound familiar?

MS. EGEA: Yes, I recall seeing that there was a conference call on the 19th, so the 18th sounds about right, in terms of start. And I don’t know; what did you use as the final date?

ASSEMBLYMAN WISNIEWSKI: I said 18 to 20.

MS. EGEA: To 20? It could be; I don’t--
ASSEMBLYMAN WISNIEWSKI: But the 18th sounds familiar?

MS. EGEA: 18th, 19th--

ASSEMBLYMAN WISNIEWSKI: Okay.

The Assembly Transportation Committee issued its invitation to Mr. Baroni on November 20. So up until that point in time, he had not yet been involved. Can you explain to me why preparation for his opening statement to a Committee meeting, that he had not yet been invited to, started on the 18th?

MS. EGEA: I don’t know how he was aware that they had expectation that you were going to call him. I know the formal letter showed up on the 20th, so I don’t know how he knew.

ASSEMBLYMAN WISNIEWSKI: Okay.

When you were asked to help Mr. Baroni with his opening statement, did you then call Mr. Baroni and say, “Bill, I’ve been asked to help you?”

MS. EGEA: No, I remember him calling me and telling me he was working on a draft, and that it would be provided to me.

ASSEMBLYMAN WISNIEWSKI: And when you had that conversation -- whether he called you or you called him -- did you ask him for any backup, any details, any information that you could use to familiarize yourself with this situation?

MS. EGEA: I did not.

ASSEMBLYMAN WISNIEWSKI: Why not?
MS. EGEA: Well, I was waiting to see the draft statement. I thought that would prompt any question I might have about any further data I might request.

ASSEMBLYMAN WISNIEWSKI: Were you aware that there were any documents that had been created by the Port Authority with regard to this lane closure?

MS. EGEA: I was not.

ASSEMBLYMAN WISNIEWSKI: Okay. I’d like to show you a document that was produced -- it’s not part of our exhibits, because this came up in response testimony you gave earlier today. It was produced to the Committee by Mr. Baroni, and it’s Bates stamped “Baroni 707,” and OLS is circulating a copy.

SENATOR O'TOOLE: Yes, I just received it. What page, Chair, are you referring to?

ASSEMBLYMAN WISNIEWSKI: And I’m referring to-- The pages themselves are not numbered, but the Bates stamp is “Baroni 713.”

If you wouldn’t mind turning to “Baroni 713,” which is the third or fourth page, I think. It’s in the bottom-left of the pages.

This report, on the cover page -- which is Baroni 707 -- is dated September 12, 2013. Before today, had you ever seen this?

MS. EGEA: No, I had not.

ASSEMBLYMAN WISNIEWSKI: Okay. You had testified earlier that you had testified about the metrics of the lane closure -- about the number of vehicles. I think you had testified about the
percentage of vehicles from Fort Lee versus the percent of vehicles from elsewhere.

MS. EGEA: Well actually, I used the reference for the EZPass data, which is address data. So the data that he included in his opening statement was that approximately 5 percent of the EZPass users were located in Fort Lee, and the remaining 95 percent were outside that.

ASSEMBLYMAN WISNIEWSKI: Would you agree that actually what that statement in the Baroni opening talked about was EZPass registration?

MS. EGEA: Absolutely. I think that’s even reflected in my comments.

ASSEMBLYMAN WISNIEWSKI: Okay. So 4.5 percent of the EZPass registration was in Fort Lee, 95.5 percent was from elsewhere?

MS. EGEA: Correct. That’s in the opening statement.

ASSEMBLYMAN WISNIEWSKI: Okay.

I just wanted to draw your attention to this document prepared internally by the Port Authority on September 12. And there are three bullet points, and it says that, “Assuming the 11,592 vehicles using the mainline toll lanes after implementation of the trial -- say, 5 minutes -- the total savings would be 966 vehicle hours reduced delay.”

And then the second bullet talks about, “Based on the estimated Fort Lee queues of approximately 600 vehicles over the course of 4 hours, local traffic is experiencing a 2,800-vehicle-hour
delay,” and then it goes on to say that, “The cost, based on estimated Fort Lee queues, many of these vehicles will pay the off-peak toll at an E-ZPass market share of 84 percent. This works out to the loss revenue of $1,000 per day, or $250,000 a year.”

Were you aware of any of these metrics before today?
MS. EGEA: No, I was not.

ASSEMBLYMAN WISNIEWSKI: Do you think it would have been important for Mr. Baroni to share this information with you while you were meeting with him to prepare his statement?
MS. EGEA: I would have found it of interest, but I don’t know why he didn’t or chose not to.

ASSEMBLYMAN WISNIEWSKI: Would you agree that the conclusion here is that there is a bigger delay from the lanes queuing from Fort Lee than there are on the lanes coming on the mainline?
MS. EGEA: Well, I think, actually, that came up before. And that’s indisputable, right? And that’s why it was a test, in my mind. I guess that’s why I wasn’t overly concerned that the data didn’t support the hoped-for improvements. And I think that’s what this says -- that we tried it, it was not a positive outcome, and it’s representing more data that says, essentially, the same thing.

ASSEMBLYMAN WISNIEWSKI: But as a representative, as the interface between the State of New Jersey government and the Port Authority -- this was an internal Port Authority document on this alleged lane closure study that you were not made aware of, even though you were asked to help clarify opening testimony to
the Assembly Transportation Committee. Don’t you believe that it was the obligation of either Mr. Baroni or somebody at the Port Authority to share this with you?

MS. EGEA: I don’t know why he chose to go one way or the other.

ASSEMBLYMAN WISNIEWSKI: And you’ve never had a conversation with him about this?

MS. EGEA: Not about this data.

ASSEMBLYMAN WISNIEWSKI: Not this document? You were unaware of this statement up until today?

MS. EGEA: I don’t think I’ve ever seen it; I could be wrong, but I don’t recall ever seeing it.

ASSEMBLYMAN WISNIEWSKI: Okay. And I draw your attention to the last page. After reading the information that I just read to you, the last page says, “Conclusions -- TBD.” Do you understand that to mean “to be determined?”

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: In common parlance? Do you understand why, that there were no conclusions made to this?

MS. EGEA: No, I don’t.

ASSEMBLYMAN WISNIEWSKI: Okay, thank you.

You had also testified about your text message. I think you said it was a text message to the Governor after the testimony of Mr. Fulton, Durando, and Foye, correct?

MS. EGEA: Correct.
ASSEMBLYMAN WISNIEWSKI: And I wanted to just show you-- I had staff pull up the transcript of that testimony. We only have two copies; I apologize. But I’d like to show this to Ms. Egea, and I will read aloud the testimony, when she has a copy.

SENATOR O'TOOLE: Chair, just so it’s all clear. Which--

ASSEMBLYMAN WISNIEWSKI: This is testimony given on December 9 before the Assembly Transportation Committee by Cedrick Fulton, Bob Durando, Patrick Foye, and Hal Simoff, representing Simoff Engineering Associates.

SENATOR O'TOOLE: I’m sorry, the last person? I just missed that.

ASSEMBLYMAN WISNIEWSKI: Hal Simoff or Simoff (indicating pronunciation); S-I-M-O-F-F. It’s all under oath, December 9. It’s available on the OLS website.

I wanted to draw-- You had said that you testified that your communications with the Governor was that you -- I think you said you were impressed with the professionalism of Mr. Durando and Fulton in their testimony?

MS. EGEA: I said I thought he conducted himself professionally and in an even-handed way.

ASSEMBLYMAN WISNIEWSKI: Did you comment to the Governor on any other development during that testimony?

MS. EGEA: Mr. Fulton’s?

ASSEMBLYMAN WISNIEWSKI: Or Mr. Durando’s.

MS. EGEA: Yes, I think I’ve said before that I thought the questioning of Mr. Durando was very aggressive and he was --
to me, listening -- a loyal Port Authority employee trying to conduct his duties in an appropriate way.

ASSEMBLYMAN WISNIEWSKI: Okay, I’d like to draw your attention to page 136, which was questioning by Assemblywoman Caride. It’s about halfway down, and it begins with, “I appreciate you being here this afternoon. And I can’t help but get the feeling that while it may be a little bit uncomfortable before us, there is more behind you being uncomfortable. You testified that you did not want to tempt Mr. Wildstein, when you were asked if you were afraid of losing your job. Do you feel that way still, today, being here before us knowing that he has resigned or that he has tendered his resignation?” And Mr. Durando said, “I stand by my earlier statement. I did not want to tempt fate.”

In your communication about how they comported themselves, did you share with the Governor that this witness, Mr. Durando, did not want to “tempt fate” by telling anybody about his misgivings about the lane closures?

MS. EGEA: I did not.

ASSEMBLYMAN WISNIEWSKI: Why not?

MS. EGEA: As I said, I was having very high summary level statements. I thought he presented himself as a loyal Port Authority employee. And my objective is not to be comprehensive.

ASSEMBLYMAN WISNIEWSKI: You didn’t think it was important to communicate to the Governor that a career employee of the Port Authority thought that he was “tempting fate” by exposing what he thought was an inappropriate use of power?
MS. EGEA: Well, there are a lot of assumptions in that last few sentences. And I didn’t-- I could listen to it, I didn’t know everything that Mr. Durando knew. So I didn’t feel that it was something that I could confidently summarize and represent that I knew exactly what he meant.

ASSEMBLYMAN WISNIEWSKI: But you could confidently summarize that you thought he was “professional”?

MS. EGEA: That he was a loyal, 30-year employee of the Port Authority, doing his job.

ASSEMBLYMAN WISNIEWSKI: But you couldn’t summarize that he felt like he was “tempting fate”? 

MS. EGEA: I did not.

ASSEMBLYMAN WISNIEWSKI: And you don’t think that’s your responsibility as the Authorities Unit Director to say that, “We’ve got a problem at the Port Authority. There’s a career guy -- two guys with each about 30 years experience, both of whom said the same exact thing -- that they didn’t want to tempt fate?”

MS. EGEA: Well, as I said, I was-- When I listened to the testimony, it made me question the Deputy’s judgment. And this was part of that concern that is raised for me -- not only the choice in terms of how to do the study, but the communication. And this was part of the communications issues that I think were already acknowledged, although I did not know all this detail, but I knew that there were communications issues inside the agency as well as with Fort Lee.
ASSEMBLYMAN WISNIEWSKI: I draw your attention to Tab 37, which is your Gibson Dunn statement -- which, I understand, you haven’t reviewed. But I wanted to ask you a question about something that they’ve represented in here.

In this, at page 6, it says that, “Bridget Kelly asked you about the substance of Baroni’s statement, and that you provided her with a copy.” Is that accurate?

MS. EGEA: That’s correct.

ASSEMBLYMAN WISNIEWSKI: Earlier, in responding to Senator Greenstein’s comments, you said that one of the reasons why this was being handled by direct delivery, as opposed to being e-mailed, was a concern that this not get out; that it be controlled. Doesn’t that run counter to your testimony saying, “Well, now I’m going to give it to Bridget Kelly,” when, in fact, you were trying to make sure that it actually wasn’t widely disseminated?

MS. EGEA: Well, I wouldn’t have considered it widely. She is responsible -- was responsible for interaction with local officials, as well as others in the Legislature. And so it didn’t seem unusual to me. And I knew who I handed it to; it’s different, as I expressed before, sending something in e-mail can be then distributed further without my knowledge. I knew who I handed it to.

ASSEMBLYMAN WISNIEWSKI: Why would interaction with local officials be relevant in reviewing Mr. Baroni’s statement?
MS. EGEA: Well, some of the questions had come up regarding the local official in Fort Lee.

ASSEMBLYMAN WISNIEWSKI: Right. And so why was that relevant that Bridget Kelly get that? What involvement did Bridget Kelly have with the local official in Fort Lee?

MS. EGEA: She oversaw the organization that interfaced with all local officials.

ASSEMBLYMAN WISNIEWSKI: Did you know that she interfaced with Mayor Sokolich?

MS. EGEA: I didn’t know what interface she had; I knew generally she interfaced with all of them. I had no idea she had any communication with the Mayor.

ASSEMBLYMAN WISNIEWSKI: So wouldn’t you have asked her before you gave her a copy of the statement, “Why do you need this?”

MS. EGEA: No, because, as I said, she has the responsibility for local officials and it comported with my understanding of her responsibility.

ASSEMBLYMAN WISNIEWSKI: Now, did you get-- Were you aware that Bridget Kelly provided feedback to Mr. Baroni’s opening statement?

MS. EGEA: I was not.

ASSEMBLYMAN WISNIEWSKI: That was never provided to you?

MS. EGEA: It was not.
ASSEMBLYMAN WISNIEWSKI: And you never asked for her feedback?

MS. EGEA: I did not. She did not offer any.

ASSEMBLYMAN WISNIEWSKI: When Ms. Kelly asked you about the substance of Mr. Baroni’s opening statement, what did you tell her?

MS. EGEA: I didn’t tell her anything. I indicated that I was helping to sharpen it, and I don’t recall including any comments about the content.

ASSEMBLYMAN WISNIEWSKI: Did anyone else in the Office of the Governor ask you to see a copy of Mr. Baroni’s opening statement?

MS. EGEA: Not that I recall.

ASSEMBLYMAN WISNIEWSKI: Not Mr. O'Dowd?

MS. EGEA: No.

ASSEMBLYMAN WISNIEWSKI: Not Mr. McKenna?

MS. EGEA: I don’t think so. As I was reminded, we had that meeting, a brief phone call. So he would have seen, possibly, a copy. But I don’t remember him asking me for it, no.

ASSEMBLYMAN WISNIEWSKI: Okay.

You were involved in, you had said sharpening; would you agree editing was also another appropriate word?

MS. EGEA: I was making suggestions that he did not incorporate. If they were edits, that says to me that things are taken out. I was making suggestions.
ASSEMBLYMAN WISNIEWSKI: Did you, at any time, feel uncomfortable that you were making suggestions on a factual situation that you did not have all the details on?

MS. EGEA: Well, I thought the facts on the situation were presented to me. So the only suggestions I was making for removal had to do with history, or what I thought were superfluous to the main communication point.

ASSEMBLYMAN WISNIEWSKI: But the facts were presented to you, how? Orally?

MS. EGEA: No, in the document.

ASSEMBLYMAN WISNIEWSKI: But other than Mr. Baroni’s own words that he had, I would assume, prepared as a predicate to your review -- other than what he had written, you had no other input, either orally or in writing, to enable you to understand what you were about edit or review?

MS. EGEA: I had no other documents; I certainly was speaking with Bill, as I already said; other than that, no.

ASSEMBLYMAN WISNIEWSKI: But no other third party source-- Did you call David Wildstein and ask him about what had happened?

MS. EGEA: No.

ASSEMBLYMAN WISNIEWSKI: And you said you didn’t talk to Bridget Kelly about this, other than giving her a cop of the statement?

MS. EGEA: No; correct.
ASSEMBLYMAN WISNIEWSKI: Did you talk to Ms. Crifo about this?

MS. EGEA: You know, we were together during the conference call, so we would have discussed some of it -- not the content that-- She, I believe, only had access to the same information I had.

ASSEMBLYMAN WISNIEWSKI: Okay. I’d like to draw your attention to Tab 39 now, page 8.

So this is the Governor’s Gibson Dunn statement.

MS. EGEA: Sorry, what Tab?

ASSEMBLYMAN WISNIEWSKI: Tab 39, which is the Governor’s Gibson Dunn interview; page 8.

Now, according to the Governor, Mr. McKenna told him that you told Mr. McKenna that you never talked to Wildstein -- which you just said you hadn’t.

MS. EGEA: I had not.

ASSEMBLYMAN WISNIEWSKI: And that you thought Wildstein was trying to protect himself. Is what’s represented here, in terms of what you said to Mr. McKenna, accurate?

MS. EGEA: So, I’m sorry -- which paragraph are you referring to?

SENATOR O’TOOLE: Yes, could you just point that out? I’m trying to find it.

ASSEMBLYMAN WISNIEWSKI: Page 8.

SENATOR O’TOOLE: Either it’s getting late, Chair -- I just can’t find that.
ASSEMBLYMAN WISNIEWSKI: It’s okay. The text is getting smaller. (laughter)

All right, it’s the last -- very last paragraph, at the bottom of page 8, the paragraph beginning with, “After their testimony.” About halfway through, it says that “recalled that in response to hearing that, the Governor asked McKenna what was going on. McKenna talked to Egea, who said that she never talked to Wildstein, and thought that Wildstein was trying to protect himself.”

So my question to you is: Did you, in fact, tell Mr. McKenna that you thought Wildstein was trying to protect himself?

MS. EGEA: I guess I don’t know how to read that sentence. You’d have to ask the author of it, because I could read that they’re reporting that the Governor asked McKenna what was going on. McKenna asked Egea, and she said she never talked to Wildstein, period. I never talked to Wildstein. And then he thought that Wildstein was trying to protect himself. I don’t know if that’s what they meant.

ASSEMBLYMAN WISNIEWSKI: So my question, just simply, is this -- not what they meant -- did you, in your conversation with Mr. McKenna, where you told him that you did not talk to Wildstein, did you, in that conversation, tell him that you thought Wildstein was trying to protect himself?

MS. EGEA: I don’t recall saying that.

ASSEMBLYMAN WISNIEWSKI: Okay, thank you.
Do you recall having any conversations with Mr. McKenna immediately prior to December 13, when the Governor made his press statement that morning? There was a staff meeting; the Governor--

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: Before that day -- the 12th, the 11th -- did you have a conversation with Mr. McKenna about the lane closures and the allegations that were surrounding the lane closures?

MS. EGEA: I don’t recall a specific conversation. I mean, we knew the press conference was coming, but I don’t remember a detailed conversation -- substantive conversation.

ASSEMBLYMAN WISNIEWSKI: Did he come to you and ask you any questions about what you knew?

MS. EGEA: Yes.

ASSEMBLYMAN WISNIEWSKI: And do you recall that was right before the 13th?

MS. EGEA: Correct, the morning of.

ASSEMBLYMAN WISNIEWSKI: The morning of the 13th?

MS. EGEA: Right.

ASSEMBLYMAN WISNIEWSKI: Did you ask him why he was coming to talk to you?

MS. EGEA: No, I did not.

ASSEMBLYMAN WISNIEWSKI: And what did you tell him?
MS. EGEA: That I had no knowledge or participation in anything that had gone on with the traffic study, with the exception of working with Bill prior to his opening statement.

ASSEMBLYMAN WISNIEWSKI: In that conversation with Mr. McKenna, did you let him know that you gave a copy of the Baroni opening statement to Bridget Kelly?

MS. EGEA: No, he didn’t— No, I did not.

ASSEMBLYMAN WISNIEWSKI: Okay. Did you tell anyone that you gave that Baroni testimony to Bridget Kelly?

MS. EGEA: I don’t recall; I don’t recall mentioning it to anyone.

ASSEMBLYMAN WISNIEWSKI: Okay. I’d like to go to Tab 37 which is, again, your interview -- drawing your attention to page 8, once again, I think.

Now, in this interview you indicated that Mr. O'Dowd called you the night before the 13th senior staff meeting.

MS. EGEA: Correct.

ASSEMBLYMAN WISNIEWSKI: What did Mr. O'Dowd call you about?

MS. EGEA: He asked me if I had any further knowledge or involvement with the toll lanes realignment.

ASSEMBLYMAN WISNIEWSKI: You used the word further. Did he have a prior conversation with you asking whether you had any knowledge?

MS. EGEA: No. I took that to mean, you know, that it had already been discussed.
ASSEMBLYMAN WISNIEWSKI: Did you have any concern that on the evening of the 12th and the morning of the 13th Mr. O'Dowd, then Mr. McKenna came to you and asked you if you had any knowledge about this?

MS. EGEA: Did I have any concern?

ASSEMBLYMAN WISNIEWSKI: Yes.

MS. EGEA: No. They were doing what they should do.

ASSEMBLYMAN WISNIEWSKI: Okay. And tell me exactly what Mr. O'Dowd asked you.

MS. EGEA: I don’t think I could quote it. It was, you know, as I described--

ASSEMBLYMAN WISNIEWSKI: Can you describe it?

MS. EGEA: He asked me if I had any information that I hadn't shared already about the toll realignment and the whole issue.

ASSEMBLYMAN WISNIEWSKI: And did you tell him that you gave Bridget Kelly a copy of Baroni’s testimony?

MS. EGEA: I don’t recall saying that to him.

ASSEMBLYMAN WISNIEWSKI: Okay. Did he ask you about that?

MS. EGEA: I don’t recall. If I was asked, I would have told.

ASSEMBLYMAN WISNIEWSKI: Did he tell you that he was calling at the Governor’s direction?

MS. EGEA: No, he did not.
ASSEMBLYMAN WISNIEWSKI: Okay. I’d like to draw your attention to Tab 38. This is Mr. DuHaime’s interview memo.

SENATOR O'TOOLE: Sorry, Chair, which--

ASSEMBLYMAN WISNIEWSKI: Tab 38.

SENATOR O'TOOLE: Tab 38, thank you.

ASSEMBLYMAN WISNIEWSKI: Now, on January 8, you were called to Drumthwacket to meet with other top staff advisors about the George Washington Bridge issue. Is that correct?

MS. EGEA: The release of the materials.

ASSEMBLYMAN WISNIEWSKI: Say again?

MS. EGEA: Yes, the release of the materials that occurred that morning.

ASSEMBLYMAN WISNIEWSKI: Okay. And what was discussed at that meeting?

MS. EGEA: Well, it was, first, a larger group meeting, and it began with a request from the Governor to be sure he knew everything that we knew and that there wasn’t anything further that would be a surprise. And he asked if we’d all read the materials that had been released, and discussed what the implications were; and then talked about options of what to do next; and some preliminary conclusions about some options that could be pursued. And that was-- There was a large meeting, and then -- I don’t remember how long that lasted, though; maybe two hours.

ASSEMBLYMAN WISNIEWSKI: Okay, in Mr. DuHaime’s memo, on page 7, there’s a reference to Bill Stepien having claimed
that he told Wildstein to take his idea for a traffic study to Trenton. Were you aware of that claim, as reported by Mr. DuHaime?

MS. EGEA: I was not. You mean, when it occurred?

ASSEMBLYMAN WISNIEWSKI: Or at this meeting.

MS. EGEA: No.

ASSEMBLYMAN WISNIEWSKI: Okay. If something had to be approved in Trenton for an idea such as this, who would approve it?

MS. EGEA: I have no idea.

ASSEMBLYMAN WISNIEWSKI: Would it come to you, as the Director of the Authorities Unit?

MS. EGEA: What would come to me?

ASSEMBLYMAN WISNIEWSKI: The allegation that is being raised by Mr. DuHaime, saying that Stepien had claimed that Wildstein had to take his idea for a traffic study -- the traffic study being the closure of the Fort Lee lanes -- to Trenton. Is that something that runs through the Authorities Unit?

MS. EGEA: It never did, and it never would.

ASSEMBLYMAN WISNIEWSKI: If that came to you, what would you have done?

MS. EGEA: Well, I would want to understand what the objective was. I would’ve explored it, and I’m not sure, depending on how it was presented. So I’m not what he would have said, so I’m not sure what I would have said back.

ASSEMBLYMAN WISNIEWSKI: Okay. On January 9, pursuant to the Tab 37 of our book here, on page 9 -- which is your
Gibson Dunn interview memo -- you state that Christina Renna approached you to show you correspondence from Kelly from September 12, which is that correspondence reflected in Tab 36. Do you recall seeing this e-mail on that day?

MS. EGEA: In Tab 36, yes.

ASSEMBLYMAN WISNIEWSKI: Okay. Had you seen it before that day?

MS. EGEA: I had not.

ASSEMBLYMAN WISNIEWSKI: Had you been aware before that day of complaints from Mayor Sokolich?

MS. EGEA: I was not.

ASSEMBLYMAN WISNIEWSKI: Not at all?

MS. EGEA: Not at all.

ASSEMBLYMAN WISNIEWSKI: No one had ever brought them to your attention before this day?

MS. EGEA: No.

ASSEMBLYMAN WISNIEWSKI: Don’t you think it’s odd that there are-- You are aware that there have been complaints made to the Governor’s Office about the lane closure?

MS. EGEA: I knew that there were complaints stated in the press. I did not know that there were complaints inside other parts of the organization.

ASSEMBLYMAN WISNIEWSKI: When you were aware that there were complaints stated in the press, did you ask within the Governor’s Office-- There are people who would be the recipients of those complaints; the front lines, so to speak -- did
you ask any of them, “Have you gotten complaints about the Port Authority?”

MS. EGEA: I did not.

ASSEMBLYMAN WISNIEWSKI: Why not?

MS. EGEA: Well, as I said, they were statements in the press. I dealt with items in front of the Board and, at that point-- So you’re talking about the timeframe of January, if I’d have asked that question, Assemblyman?

ASSEMBLYMAN WISNIEWSKI: No, I think my question is, I was asking you if you were aware that there had been complaints about what had happened on the Bridge, and you said you had heard about them in the press.

MS. EGEA: Correct.

ASSEMBLYMAN WISNIEWSKI: And my question is, when you heard about those complaints in the press, didn’t you then make an inquiry to whomever in the Governor’s Office is responsible for receiving that type of information, “Can you tell me about these complaints I’m reading about?”

MS. EGEA: I did not-- Typically, complaints that would end up that need a response would come into my office, or come into one of the attorney’s offices. So I didn’t ask, and I didn’t know they existed.

ASSEMBLYMAN WISNIEWSKI: Now, did not Christine Renna tell you that Mr. Baroni had attempted to secure Mayor Sokolich’s endorsement?

MS. EGEA: Christina told me that, yes.
ASSEMBLYMAN WISNIEWSKI: Okay. Did that surprise you?

MS. EGEA: I was not aware of it.

ASSEMBLYMAN WISNIEWSKI: Did it surprise you?

MS. EGEA: Yes, I didn’t know it was an activity he was involved in.

ASSEMBLYMAN WISNIEWSKI: Did you put any connection between his attempt to secure Mayor Sokolich’s endorsement and what had happened at the George Washington Bridge?

MS. EGEA: I never had the opportunity to ask the Deputy.

ASSEMBLYMAN WISNIEWSKI: Well, no, I didn’t ask if you asked. Did you put those two together?

MS. EGEA: Well, they’re the same town, but I drew no conclusion at that point.

ASSEMBLYMAN WISNIEWSKI: When you heard that, did you ask anybody else? Obviously, you didn’t have a chance to ask Mr. Baroni. Did you ask anybody else about this issue?

MS. EGEA: On January 12? Excuse me, on January 9?

ASSEMBLYMAN WISNIEWSKI: Yes.

MS. EGEA: I did not.

ASSEMBLYMAN WISNIEWSKI: Why not?

MS. EGEA: Well, there was a lot of information coming out very quickly, and when I met with the staff at IGA I was trying to accumulate information. So I was trying to, frankly, process and
think all at the same time. So I was in the mode of trying to accumulate information as I was getting it, and it was coming in very quickly.

ASSEMBLYMAN WISNIEWSKI: I can’t help but at least get the impression from your testimony that you didn’t ask a lot of questions about this issue throughout the entire process. So my question to you is, did anybody approach you and tell you that you shouldn’t ask questions?

MS. EGEA: Well, I can’t agree to the first part of your statement -- that I didn’t ask a lot of questions. Because I think we did, and we also, I felt, we were doing our due diligence by allowing the Executive Director to perform his review.

And no, to the second part of your question. I was never asked not to ask questions about anything to do with any of the Authorities.

ASSEMBLYMAN WISNIEWSKI: You’re aware that the Port Authority has an Inspector General’s Office, right?

MS. EGEA: I am.

ASSEMBLYMAN WISNIEWSKI: And you’re aware that after all of this had become known, that Senator Codey had made a request to the Inspector General’s Office to investigate. Are you aware of that?

MS. EGEA: I am.

ASSEMBLYMAN WISNIEWSKI: Why didn’t you make a request of the Inspector General’s Office to investigate?
MS. EGEA: I would have thought if there were grounds for it during the Executive Director's review, he would have taken that step. That's the appropriate way for, in my mind, the Inspector General to become involved.

ASSEMBLYMAN WISNIEWSKI: You heard about this in September -- the September 13 e-mail discussion with Bill Baroni. You said at that time you expected Pat Foye would follow through with one of his statements in his e-mail. So one month later, in October, did you do any follow-up with the Executive Director’s Office about his investigation?

MS. EGEA: Not with the Executive Director’s Office.

ASSEMBLYMAN WISNIEWSKI: Did you follow up with Bill Baroni about the investigation?

MS. EGEA: I think I’ve said that I’m quite certain that I asked questions about, “Is there any data that’s been produced?” And none was produced.

ASSEMBLYMAN WISNIEWSKI: No, but my question is, you had--

MS. EGEA: In connection with his review. So I’m trying to be responsive to your question.

ASSEMBLYMAN WISNIEWSKI: Right. But my simple question is, you initially thought that Pat Foye would do a review; one month later, did you inquire, “Where’s the review?”

MS. EGEA: I believe I asked Bill -- I can’t produce an e-mail -- I believe we had conversations. I asked, “Were there any results?” And no results had been forthcoming -- that he had.
ASSEMBLYMAN WISNIEWSKI: A month after that, in November, did you ask him?

MS. EGEA: I believe I asked continuously.

ASSEMBLYMAN WISNIEWSKI: Senator Weinberg is showing up at three successive Port Authority meetings asking about this. And I went to one of the meetings, and Mr. Foye and Mr. Baroni both got up and said, in unison, that, “The matter is under review,” which is similar to the language that you used in one of your e-mails, which was, “sticking to the script -- all under review.” Why would Bill Baroni and Pat Foye both say, “All under review,” if your expectation was that Pat Foye was doing some kind of review? Didn’t Bill Baroni give you some type of indication that there was or wasn’t a review?

MS. EGEA: No, not at-- To the last part of your question, not at all. As I’ve stated previously, it is a practice to not speak to any matter that’s under review until it’s complete. So, you know, it was I expected, because we hadn’t seen any results, at the Board level or anywhere else, that I knew of on the results of the review that he was doing. So it was perfectly appropriate for them to not comment.

ASSEMBLYMAN WISNIEWSKI: So final question: This is happening in the context of the Governor’s reelection campaign, correct?

MS. EGEA: It was going on at the same time.
ASSEMBLYMAN WISNIEWSKI: The fall of 2013. There are allegations made that potential appointees of the Governor broke the law, according to Pat Foye’s e-mail, correct?

MS. EGEA: Correct.

ASSEMBLYMAN WISNIEWSKI: Did this not concern you, as an appointee of the Governor, to pick up the phone and call the campaign manager and say, “Mr. Stepien, you ought to know, there are these allegations. This might have some impact on the campaign”?

MS. EGEA: No, I really did not communicate with the campaign at all. And as I’ve tried to repeat earlier that in the context of what we knew then, at that period of time, it was the perception of a continuing, more internal battle between the Deputy and the Executive Director.

ASSEMBLYMAN WISNIEWSKI: So you just thought this was bad blood between New York and New Jersey and it didn’t deserve any further inquiry?

MS. EGEA: It wasn’t that there wasn’t going to be any further inquiry. The Executive Director made the allegation, and he said he was going to review it. I relied upon him to go do that.

ASSEMBLYMAN WISNIEWSKI: And so if he never did anything, you were satisfied that there was no reason to look into it further?

MS. EGEA: Well, he took it upon himself to make the statement.
ASSEMBLYMAN WISNIEWSKI: No, I understand that. I understand what he said in his e-mail. My question is, so in your responsible position as representing the interests of the State of New Jersey as the Director of the Authorities Unit, is it your position that after making these allegations, if Mr. Foye did nothing, that that was just fine?

MS. EGEA: I would want to see a close-out on it at some point. But I didn’t know how long it was going to take. Of course, I always-- Open items, I always like to see close, and I would have liked to have seen this one closed.

ASSEMBLYMAN WISNIEWSKI: And through this day, you have never followed up with Pat Foye about this?

MS. EGEA: I have not; I do not interact with the Executive Director, no.

ASSEMBLYMAN WISNIEWSKI: Through this day, you have not followed up with him on this issue?

MS. EGEA: I have not interacted with him on that.

ASSEMBLYMAN WISNIEWSKI: Thank you, Madam Chair. I have no further questions.

SENATOR O'TOOLE: Chair, I have some more questions.

SENATOR WEINBERG: Senator O'Toole.

SENATOR O'TOOLE: Great, thank you, Chair.

Through the Chair, I heard Chairman Wisniewski talk about that Foye, the Executive Director, got up at a meeting and said, “All is under review.” Are you aware-- Were you at that meeting when he said that?
MS. EGEA: I was not.

SENATOR O'TOOLE: Have you ever heard that, prior to today -- that Director Foye said, “All is under review”?

MS. EGEA: I don’t recall. I knew he was in the press gaggle, and I knew he would have been responding to questions. I didn’t know it, though, until the Assemblyman just said it.

SENATOR O'TOOLE: Do you know what the Assemblyman -- which meeting he was referring to? Was it the October-- Chair, which meeting was that?

ASSEMBLYMAN WISNIEWSKI: November.

SENATOR WEINBERG: November.

SENATOR O'TOOLE: The November meeting. Do you--

ASSEMBLYMAN WISNIEWSKI: It was the one in Jersey City.

SENATOR O'TOOLE: Okay. Do you know if your subordinate, Nicole, was at that meeting where Director Foye said, “All is under review”?

MS. EGEA: I recall she was.

SENATOR O'TOOLE: Okay. And did she give you a memo to that effect that Mr. Foye said, “All is under review”?

MS. EGEA: Not a memo on it.

SENATOR O'TOOLE: Okay. With regard to Tab 2 -- which we’ve referred to -- just a couple of follow-up questions.

September 13, Foye memo to the 8 or 9 folks -- Buchbinder and everybody else -- attached to that. Having read it carefully, if you could just glance down to about two-thirds of the
way; it says, “To be clear,” can you read that, Regina, through the Chair?

    MS. EGEA: Yes.

    SENATOR O'TOOLE: It says, “To be clear, I will get to the bottom of this abusive decision which violates everything this agency stands for. I intend to learn the PA process was wrongly subverted, and the public interest damaged.”

    It’s pretty clear to me in that, that the Executive Director was taking a very affirmative action. Number one, earlier in the e-mail he was reversing whatever was done with the traffic realignments, as you see in this first paragraph. And then he lays out four very distinct reasons or rationales as to why he was doing that. And then he says, he charges further, that, “I,” meaning him, he “will get to the bottom of this.” Did you read that?

    MS. EGEA: I did.

    SENATOR O'TOOLE: Did you, when you read that, did you take that he was taking charge and was going to present, at some point, either to the Board, or to Mr. Baroni, or to some fact-finding entity that his review or what he got to the bottom of. Were you waiting for that?

    MS. EGEA: Absolutely. That’s what I’ve been referring to all day.

    SENATOR O'TOOLE: And that never came?

    MS. EGEA: Correct.

    SENATOR O'TOOLE: For some reason, if he got to the bottom of it, you were never notified.
MS. EGEA: Correct.

SENATOR O'TOOLE: If he got to the bottom of it -- as he’s charged and declared -- do you know if he gave that to Mr. Baroni at any point in time when he was employed by the Port?

MS. EGEA: I am not aware of him doing that.

SENATOR O'TOOLE: And if he did, certainly Mr. Baroni has not given you anything that suggests that Mr. Foye got to the bottom of it, and here’s his report?

MS. EGEA: Correct.

SENATOR O'TOOLE: Okay, thank you very much.

SENATOR WEINBERG: By the way, Senator O'Toole, that’s been one of my questions all along too.

SENATOR O'TOOLE: Let’s get Patrick Foye here.

SENATOR WEINBERG: That nobody got to the bottom of it, and because Mr. Foye didn’t publicly, somebody from our Governor’s Office should have.

And let me refer you-- Assemblyman Wisniewski brought the testimony from the Assembly Transportation Committee when -- the testimony about which you texted the Governor. It’s a question from Assemblyman Schaer, “Mr. Foye, do we have any idea exactly how many automobiles, buses, trucks, etc., were actually affected by these four days of bedlam? A raw number? The figure was given -- 300,000 cars a day traverse the Bridge. Do we have any breakdown further in terms of what this--”

Mr. Foye answers, “Well, Assemblyman, a rule of thumb is that the Fort Lee lanes -- which obviously don’t serve just Fort
Lee, but beyond -- account for about 25 percent to 26 percent of the traffic on any given morning, or any given afternoon.” That’s one testimony.

So the whole prior material that you worked on, which talked about, 75 percent of the lanes took 90 percent of the traffic -- something of that sort -- and the impetus, under the idea that these lanes were, somehow, dedicated to Fort Lee. When you found out on December 9, you listened to the testimony closely enough to text the Governor on how professional you thought Mr. Fulton’s testimony was. What about Mr. Foye’s testimony? It actually gave the real statistics of the use of those lanes over the George Washington Bridge. Did you have any judgment about that?

MS. EGEA: I think I’ve stated from the start that the testimony, certainly, on the 9th caused me to question the Deputy’s judgment.

And I always knew, and I think he stated that the data he was using was the E-ZPass data. I don’t know the source data and when that was accumulated -- that the Executive Director testified to -- if that was accumulated after September, before September, or in preparation for his testimony.

SENATOR WEINBERG: So you accepted what Mr. Baroni told you in the preparation for his statement before the Assembly Committee, but you’re questioning the source of the data that Mr. Foye used?

MS. EGEA: I’m not questioning the source. As you noted, he was under oath and I don’t question the source. I just
don’t know when that became available. It could have been that that data was not available when Mr. Baroni was preparing his opening statement. That was the only point I was making. I had never heard it and, in fact, I think I have already said to you that I don’t recall it that day, from his testimony. But I don’t doubt that he said it.

SENATOR WEINBERG: Yes, well, I just read you from the transcript.

MS. EGEA: I know.

SENATOR WEINBERG: Did you text the Governor about any portion of Mr. Foye’s testimony? That he had reversed the lanes, that as far as he was concerned there was no traffic study? Did you text the Governor about that at all?

MS. EGEA: I did not. As I said, I was not trying to be comprehensive. My only thought, my only reaction—And I actually don’t even know if I texted this, but my reaction was, as I’ve stated before, that I was a little surprised at how conciliatory Mr. Foye was toward Mr. Baroni, in terms of describing their relationship.

SENATOR WEINBERG: So you don’t know if you texted that to the Governor?

MS. EGEA: I don’t.

SENATOR WEINBERG: That was just your impression.

All right, I’m going to ask you one last question.

In hindsight, what do you think you, as a member of the Office of the Governor, might have done differently based upon what we know today?
MS. EGEA: Well, I believe I acted in the most informed way that I should have.

SENATOR WEINBERG: No, no -- but I'm asking you about, in hindsight, what do you think you could have done differently?

SENATOR O'TOOLE: Can she finish her response, please?

MS. EGEA: Yes, I'd like to, I guess, put it into context. I believe I was very responsible. I did inquire, and I attempted to be as responsible as I possibly could be in my role dealing with the Port Authority. And the things that I knew when I knew them -- I think I acted in a responsible way.

Now, on a going forward basis, if I encounter a somewhat similar -- I'm sure there will never be exactly the same, but somewhat similar, to Assemblyman Wisniewski's question, I think, from before -- that I probably should have put an end date. There should have been, in my mind, a point at which I would have said, "Let's have the report." But, you know, that's on a going forward-- I learned that from this, quite frankly. And I take that forward with me in how I will deal with the Authorities -- all the Authorities, going forward.

SENATOR WEINBERG: So I did preface it with "in hindsight."

MS. EGEA: But I--

SENATOR WEINBERG: No, I'm accepting your answer that, in hindsight--
MS. EGEA: I mean, going forward--

SENATOR WEINBERG: If I understand you correctly, in hindsight you would’ve asked more questions about the internal report.

MS. EGEA: That’s not what I said.

SENATOR WEINBERG: Oh, then I misunderstood.

MS. EGEA: I said I believe I acted in good faith -- what I knew, when I knew it.

SENATOR WEINBERG: Right.

MS. EGEA: And I’ve worked hard to retain my ability to recall what I knew and when I knew it.

But having had this experience, on a going-forward basis, if I encounter -- where’s there a review going on by an individual in an Authority -- I would expect to have an end date to it. So I’ve learned that, and I take that forward.

SENATOR WEINBERG: So that’s what you learned: that you would’ve said to Patrick Foye, “When is your report going to be released?”

MS. EGEA: I would’ve put an end date on it.

SENATOR WEINBERG: Okay. Thank you very much.

The Committee is adjourned. We already passed the resolution to release the documents.

SENATOR O'TOOLE: Is there a statement coming, because I heard that from the attorney?

MR. MARTINEZ: Yes.

SENATOR WEINBERG: I’m sorry, yes.
MR. MARTINEZ: So we would like, under the Code of Fair Procedure, Ms. Egea does have the opportunity to file a brief, sworn statement for incorporation into the record, and I invite her to do that now.

MS. EGEA: And it’s really in one area that I wanted to be sure the record was clear, because there was some talking over.

It’s already stated that I worked hard to try to not listen to other testimony; to not read the summary statements from the Gibson Dunn reports. And I’ve limited -- although I cannot say that I didn’t see news clips and some news reports -- but I’ve worked hard to try to not incorporate any other influence in my memory. And there was a suggestion made at one point that there was some scripting or coordination, and I want to be clear that I’ve not worked with anyone but my own attorney in preparation for this hearing. And I’ve worked hard to try to represent only what I know, and I believe, and only that information truthfully today.

Thank you.

SENATOR WEINBERG: Thank you, Ms. Egea.

And do you have something else that you wish you to say?

MR. MARTINEZ: No, Co-Chair; thank you.

SENATOR WEINBERG: Okay, we do reserve the right to call Ms. Egea back at any time. And we have left--

Oh, I’m sorry. Assemblyman, you had something?

ASSEMBLYMAN MORIARTY: I don’t have any questions for the witness, but I just wanted to say to the Chair, you know, one
of our missions is to try to find out, as a legislative body, if there are areas where we need to legislate. And there are three areas that come to mind to me today, though, that I would just like to quickly mention.

One is that we keep hearing this thing about people got e-mails about accusations about illegal activities, and I would contend they did very little, if anything. And I think that maybe public officials who receive information or allegations of wrongdoing should be required to refer that to the Attorney General or the County Prosecutor, or, if it’s an allegation of an ethical problem, to the Ethics Commission. There are other similar laws like this throughout the country; for instance, in child welfare, if there’s some report of a problem in a school, teachers and administrators are required to report that. So that would get away from this arbitrariness of deciding whether something is truly an allegation, or needs to be investigated further -- just refer it. That’s one area that is worthy, I think, of looking at.

Another is document retention. I think we heard today that even after all of this, and even after the Governor’s Office has put out new rules, that the witness today testified that she still decides on her own which e-mails or texts to delete and which not to delete. So I think there needs to be a clear indication of what is appropriate and what is not appropriate so that all employees would know what is expected of them.

And then the third one is that we heard over and over that New York doesn’t talk to New Jersey, and New Jersey doesn’t
talk to New York. And I think that’s a real big problem. And I think that we need to see if there’s some way to realign the Port Authority to foster better communication between not just the Commissioners, but between the staffs and the governors’ representatives.

So those are three things that stick out in my mind. I’d be glad to talk to you about them in the future.

SENATOR O'TOOLE: Chair, can I-- Those are great ideas. I think they’re terrific. I’m hoping we can dedicate, maybe, one session to talk about just legislation.

And the only thing I would say to Assemblyman Moriarty, in terms of that obligation-- I mean, it’s hard to define what the threshold is, as to when they have to notify; I think it’s a great idea. But I think whatever that is, ultimately, through the Chair, is we should make that applicable to the Legislature as well.

ASSEMBLYMAN MORIARTY: I agree.

SENATOR WEINBERG: Assemblyman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: And just final, to counsel -- throughout the hearing today there were several requests made for documents that your client referred to. And counsel will send to you a summary of what those requests are. And you and he can discuss that and you can decide on your response. But I just wanted to remind you that, as you recall, there were several times that there were documents referred to that we did not, at least immediately, understand to be in possession of that we would like to get. And you’ll be getting that request as part of this process.
MR. MARTINEZ: Thank you, Co-Chair.

SENATOR WEINBERG: Including what you agreed to, that you will turn over to our counsel the phone number that Ms. Egea uses to text the Governor, which will be not released publicly.

MR. MARTINEZ: Correct, Co-Chair.

SENATOR WEINBERG: Thank you.

Okay, thank you very much.
The Committee meeting today is closed.

(MEETING CONCLUDED)