

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Commissioner
Kevin S. Corbett, President & CEO

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February 16, 2023

Honorable Philip D. Murphy
Governor, State of New Jersey
State House
Trenton, NJ 08625

Dear Governor Murphy:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Wednesday, February 8, 2023.

Sincerely,

Meghan Clark Umukoro

Meghan Clark Umukoro
Board Secretary

Enclosures

Open Session Minutes of the actions taken at the Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, February 8, 2023. The meetings occurred concurrently.

Board Members

Diane Gutierrez-Scaccetti, Chair (Via Teams)
Noreen M. Giblin, Governor's Representative (Via Teams)
Michael Kanef, Treasurer's Representative
Kiabi D. Carson, Board Member
Sangeeta P. Doshi, Board Member (Via Teams)
Bob Gordon, Board Member
Richard A. Maroko, Board Member
Carlos A. Medina, Board Member (Via Teams)
Shanti Narra, Board Member
Evan S. Weiss, Board Member
Rashonda A. Brown, Board Member (Non-Voting)
Karen Thomas, Board Member (Non-Voting)

Staff

Kevin S. Corbett, President & Chief Executive Officer (CEO)
Brian T. Wilton, Senior Vice President, Chief Legal Officer & General Counsel
Justin P. Davis, Senior Vice President Regulatory & Government Affairs & Chief of Staff
William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer
Michael P. Kilcoyne, Senior Vice President, Surface Transit & General Manager, Bus Ops.
Richard Schaefer, Acting Senior Vice President, Capital Programs
Meghan Umukoro, Board Secretary

Chair Gutierrez-Scaccetti convened the Open Session at 5:30 p.m. in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Board Secretary Umukoro asked everyone to mute their phones and turn their attention to the Public Safety Announcement. The pledge of allegiance to the flag was recited.

Board Secretary Umukoro conducted Roll Call and noted that Chair Gutierrez-Scaccetti and Board Members Doshi, Giblin, and Medina were participating remotely.

Chair Gutierrez-Scaccetti took a moment to welcome new Board Members Carlos Medina, Evan Weiss, and Kiabi Carson. She said although it has taken a long time for them to join the NJ TRANSIT Board, she was thrilled to have them. Chair Gutierrez-Scaccetti said they all brought a unique perspective to the NJ TRANSIT Board, and they were looking forward to them sharing their thoughts, ideas, and insights as they move forward with the important business of public transportation in New Jersey. She was sorry she could not be in-person at the meeting that night due to family business, but was glad she could be on the call to welcome the new Board Members. She asked that the new

Board Members take the time to get to know their fellow Board Members in the room and introduce themselves and she looked forward to working with them on the important matters at NJ TRANSIT.

Board Secretary Umukoro announced that adequate notice of the meetings of the Board of Directors of the New Jersey Transit Corporation and its affiliates and subsidiaries was provided in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Notices were filed on February 3, 2023, with the Secretary of State, sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice.

Chair Gutierrez-Scaccetti said they needed to adjourn to hold a brief executive session to discuss matters that would be voted on that day, and would resume the public portion of the meetings no earlier than 6:00 p.m.

Chair Gutierrez-Scaccetti asked for a motion to enter into Executive Session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to the New Jersey Transit Corporation Headquarters Lease Agreement.

Board Member Carlos A. Medina made the motion, Board Member Bob Gordon seconded the motion, and it was adopted. At approximately 5:35 p.m., the Board adjourned to Executive Session.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Return to Open Session

Board Members returned to Open Session at approximately 6:25 p.m., Chair Gutierrez-Scaccetti asked the Board Secretary to take Roll Call. Board Secretary Umukoro conducted Roll Call and said Board Member Doshi would be joining shortly.

Chair Gutierrez-Scaccetti said she welcomed the new Board Members earlier, but since there was a full house, she would reiterate it a second time. She was thrilled to welcome new Board Member Kiabi D. Carson, the head of Human Resources for the North America region of Turner & Townsend, who has been, and is a regular transit user. Chair Gutierrez-Scaccetti was very excited to have Board Member Carson on the Board to get her insight, advice, and knowledge about how transit works and how to make it better.

Chair Gutierrez-Scaccetti welcomed Board Member Carlos A. Medina, President of Robinson Aerial Surveys, Inc. and Board Member Evan S. Weiss, President & CEO of the Newark Alliance. She said they were grateful to have the new members on the Board and had to say that Board Member Weiss was also a regular user of NJ TRANSIT and Board Member Medina was very familiar with the work NJ TRANSIT does through his work outside of his profession. Chair Gutierrez-Scaccetti said she was very happy to have them joining them and asked if any of the new Board Members wanted to make a brief statement.

Board Member Medina said he was excited to join the Board. He thinks he brings a diverse lens to this field, and has been working in engineering for over 25 years. He has also worked with the Hispanic Chamber of Commerce and was aware of the struggles that many transit users have getting to their place of business, and how important the transit system was. Board Member Medina said he looked forward to adding value to the Board, and serving as best he could to his full potential.

Board Member Carson echoed Board Member Medina's comments and was excited to be on the Board. She thanked her NJ TRANSIT colleagues and everyone for their warm welcome, and especially to the Board staff who has helped her gain additional insight and get her up to speed in her role. She looks forward to sharing her insight as both a commuter and business executive, as well as her experience in Human Resources, which she had done for a number of years. Board Member Carson looks forward to seeing how that can support the agenda of NJ TRANSIT.

Board Member Weiss echoed what his colleagues said, noting it was an honor to be a part of the NJ TRANSIT Board, and he was excited to serve. He has ridden NJ TRANSIT all of his life, has ridden all modes of NJ TRANSIT, and now in Newark in particular, the light rail, bus, and commuter rail have been a central part in allowing his job now to be possible, and so much of the other work that he has done throughout his life. Board Member Weiss knows that was true because so many people would not have the opportunity to be able to get to work without a well-functioning transit system. He was hoping with his background, particularly with a focus in finance, they would continue to keep extending that opportunity to the entire state.

Chair Gutierrez-Scaccetti said she was grateful to Governor Murphy and the Legislature for the nominations and quick action on getting the new Board Members onto the NJ TRANSIT Board. She said these three new Board Members would have given them a full complement of Board Members for the first time since the passage of the Reform Act, except that they now have a vacant seat. She was sure that everyone had read that Cedrick Fulton, their Vice Chair, had chosen not to continue his service with the Board of NJ TRANSIT for his own reasons. Chair Gutierrez-Scaccetti said Cedrick Fulton has been a friend for a long time in the tolling industry and his work at the Port Authority, and she wanted to say how grateful she was to have had his three years of service to their Board, to have his insight and knowledge, and she would miss him. She respected his decision and wished him the best in what his next pursuits may be.

Approval of Minutes

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the December 14, 2022 Board meetings. Board Member Richard A. Maroko made the motion and Board Member Bob Gordon seconded the motion. The minutes were adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Abstain	Yes	Yes	Yes	Yes	Abstain	Abstain	Yes	Yes	Yes

President & CEO's Monthly Report

President & CEO Corbett began with a warm welcome to the three new Board Members Kiabi Carson, Carlos Medina, and Evan Weiss. He said as he welcomed the three new Board Members, he would also like to wish Vice Chair Fulton, all the best as he moved on from the NJ TRANSIT Board and onto future endeavors. President & CEO Corbett said they were grateful to Vice Chair Fulton for his service over the last three years. Vice Chair Fulton's industry experience, energy, and passion for public service has been an asset, as well as his passion for Veteran affairs, which would continue, and Vice Chair Fulton would be missed.

President & CEO Corbett discussed ridership, which was holding steady between approximately 55 to 75 percent of pre-COVID levels, depending on the day of week, with many peak-hour trains at or near 100 percent. They were still seeing patterns of heavier travel during the mid-week from Tuesday to Thursday, with lighter travel on Mondays and Fridays. Overall weekend rail ridership remained at approximately 80 to 90 percent of pre-COVID levels, with many trains at 100 percent, as well.

While rail remains relatively stable, they were continuing to see increases in bus ridership since their last report in December, with overall bus ridership systemwide up from approximately 75 percent of pre-COVID levels to approximately 80 percent for January. Interstate bus ridership into New York was up from approximately 73 percent of pre-COVID levels to 76 percent, and intrastate bus ridership was at approximately 80 percent of pre-COVID levels. Many peak period bus trips were still at or near capacity, and some going beyond pre-pandemic levels, which President & CEO Corbett said was encouraging. Light rail ridership was also holding steady at approximately 80 percent of pre-COVID levels.

President & CEO Corbett was also pleased to note that this New Year's Eve, NJ TRANSIT moved more people into New York by train than they did in 2019 before the pandemic, which was also an encouraging trend, and it reaffirmed what they have been saying, customers were not avoiding transit due to COVID, they were clearly comfortable riding on weekends and holidays, or to get to sporting events and concerts at MetLife Stadium. President & CEO Corbett said they now just have to get customers to use NJ TRANSIT to commute to work Monday through Friday, in addition to weekends and

holidays. They continue to be optimistic that in the long-run, overall ridership will eventually return to, and even surpass, pre-pandemic levels.

President & CEO Corbett highlighted items up for Board approval on the agenda. First, the Board would consider a contract to replace two chillers, two cooling towers, and associated infrastructure at Newark Penn Station. This work is expected to be complete by the summer of 2024, and will significantly improve Newark Penn Station's air conditioning, making for a far more pleasant and comfortable experience for Newark Penn Station customers during the summer months. It also builds on the progress they have made at the station, in line with its central importance to the state, as the gateway to New Jersey. Thanks to Governor Murphy's significant funding commitment of \$190 million, they were pleased to continue advancing the transformation of Newark Penn Station to restore it to its rightful place as one of the crown jewels of the system.

President & CEO Corbett said in addition to the work they were doing at Newark Penn Station to improve the customer experience, they have some other significant infrastructure-related developments to report this month. Last week on January 31, he had the privilege of joining President Biden, USDOT Secretary Buttigieg, Governor Murphy, Commissioner Gutierrez-Scaccetti, and a host of other federal, state, and local officials in New York City. President Biden was promoting his Infrastructure Investment & Jobs Act (IIJA), and specifically, a \$292 million federal grant that would be used to begin construction on the Hudson Tunnel Project, a critical project of national significance, and part of the overall Gateway Program.

The Gateway Development Commission, the entity leading the Gateway Program has said it expects construction to begin before the end of this year, with an expectation that the tunnel will be complete by 2035. President & CEO Corbett said as a long-term commuter in his previous life going in and out of New York, this could not come soon enough. President & CEO Corbett said he would admit that at the event, he shamelessly plugged their progress on the Portal North Bridge Replacement Project to both President Biden and Secretary Buttigieg, when he had the chance to speak to them. He noted how proud the NJ TRANSIT team was to be advancing so swiftly on the first of the major Gateway projects. Many people who see Portal North on their daily commute tell him they are amazed with their progress as the work there has continued at a furious pace since they broke ground back in August. As a reminder, President & CEO Corbett said everyone could see real-time snapshots of construction progress, along with a time-lapse video at njtransit.com/portal.

President & CEO Corbett said they were also looking ahead at transforming another one of New Jersey's most critical transit hubs, this one in South Jersey. He was pleased to note that their replacement of the Walter Rand Transportation Center in Camden continues to advance. The Murphy Administration has committed \$250 million to upgrade and enlarge this facility. On January 30, 2023, NJ TRANSIT held two public information sessions, one virtually and one in-person at the Cooper Medical School of Rowan University. Nearly 140 people attended the virtual meeting, and more than 60 people attended the in-person meeting, where project team leaders introduced the project, reviewed its goals and objectives, and invited the public to ask questions and share their

thoughts. President & CEO Corbett said NJ TRANSIT was committed to using this feedback to ensure that the project meets the needs of its customers and the community, and that the final project reflects this station's status as one of their region's most vital multi-modal transportation hubs.

Beyond the substantial capital assistance they are receiving from the state, NJ TRANSIT continues to aggressively pursue significant federal grant funding to improve their infrastructure systemwide. These efforts bore fruit in December when NJ TRANSIT received a \$34 million grant through the Federal Transit Administration's All Stations Accessibility Program to implement significant accessibility improvements at five NJ TRANSIT rail stations. This program was created by the Infrastructure Investment and Jobs Act (IIJA), and the funding will be divided into three projects. Through one \$18.2 million project, NJ TRANSIT will upgrade two stations on the Pascack Valley Line, Anderson Street in Hackensack, and New Bridge Landing, to make them both fully ADA accessible. Improvements will include installing high-level platforms, fully accessible ramps, tactile warning strips, accessible parking spaces, and upgraded communications systems.

President & CEO Corbett said through another \$14.5 million project, NJ TRANSIT would make similar improvements at their Bradley Beach Station on the North Jersey Coast Line, and through the third \$1.4 million project, NJ TRANSIT would study and design new platforms at their Chatham and Orange stations on the Morristown Line.

NJ TRANSIT is grateful to the United States Department of Transportation (USDOT), the Federal Transit Administration (FTA), and the Biden Administration for this crucial funding, which would advance their goal to maximize accessibility systemwide. President & CEO Corbett said they would also like to thank Senators Menendez and Booker, and the entire New Jersey congressional delegation for the role they played to help secure this funding to support such vital projects. This marked the second significant grant award NJ TRANSIT secured through the IIJA, the first coming this past August when they received \$44.6 million to transform the Union City Bus Garage into a state-of-the-art facility supporting battery-electric buses.

President & CEO Corbett said as these recent grant awards demonstrate, the FTA and FTA are currently dispersing billions of dollars in discretionary competitive grants through IIJA, and NJ TRANSIT was aggressively pursuing all of the grant opportunities, for which they were eligible. Aligned with the Governor's Energy Master Plan and NJ TRANSIT's commitment to achieve a 100 percent zero-emission bus fleet by 2040, they were also specifically tracking and pursuing the many sustainability-focused grant opportunities being issued through the IIJA. These grant opportunities include supporting zero-emission bus deployment and new investment in climate change preparation, among others. As many transit agencies are quick to point out, one of the best ways to reduce greenhouse gas emissions overall is to use public transit. Over and above the inherent environmental benefits of transit use, NJ TRANSIT is working in many additional ways to improve sustainability and support the environment regionwide.

In January, NJ TRANSIT as an eligible grant recipient was able to secure a \$7.3 million grant, funded through the GREEN Ferries legislation sponsored by U.S. Representative Donald Payne, Jr., that would allow New York Waterway to convert four diesel-engine ferries to hybrid-electric. This grant was in addition to a \$12 million grant NJ TRANSIT secured for New York Waterway last summer, enabling the agency to retrofit six ferries that use 25 percent less fuel and cut nitrogen oxide emissions by 80 percent.

President & CEO Corbett said as he has shared in previous Board meetings, NJ TRANSIT is committed to leveraging technology to enhance the customer experience. They have some recent technology improvements that he shared that did just that. First, President & CEO Corbett said he was pleased to note that NJ TRANSIT customers could now access the real-time status of every elevator in their system via the NJ TRANSIT mobile app, bolstering their efforts to make their system more accessible and easier to navigate for people with disabilities. This new feature would also help seniors, parents with strollers, and customers with mobility impairments.

Another improvement, which anyone who has travelled through Secaucus Junction recently may have noticed, was a new high-definition LED screen in the Rotunda, adjacent to the overhead Pascack Valley Line departure board. The new board represents an upgrade from the previous board in terms of visibility, image quality, and reliability, and is an important source of customers information in the station.

In addition to this new screen, NJ TRANSIT recently installed a Train Destination Information board in the Secaucus Rotunda, allowing customers to quickly identify the next train enroute to their specific destination station. The board is similar to the one they have in Penn Station New York next to the ticket windows on the 7th Avenue side of the station. Designed similar to airport destination boards, the NJ TRANSIT destination stations are listed in alphabetical order, along with the track number and departure time. Finally, NJ TRANSIT has added train schedule information, via tickers at the bottom of 17 digital screens in select train stations, that were previously used solely for advertising. This allows NJ TRANSIT to maintain access to real-time schedule information for customers in their stations, while continuing to leverage the monitors for important advertising revenue.

President & CEO Corbett noted technology is also helping NJ TRANSIT become a world-class transit agency, and move confidently forward in the 21st century. In addition to ringing in the New Year on January 1, 2023, NJ TRANSIT proudly celebrated the 40th Anniversary of NJ TRANSIT Rail Operations. Four years after Governor Byrne signed New Jersey's Public Transportation Act giving birth to NJ TRANSIT in 1979, the agency dispatched the first train operated by NJ TRANSIT Rail Operations on January 1, 1983, when they assumed the commuter rail service operations in New Jersey. In recognition of the anniversary, NJ TRANSIT has four locomotives painted in heritage paint schemes, in honor of the predecessor railroads and employees that operated rail service in New Jersey. Congratulations go out to the entire NJ TRANSIT Rail Operations team, past and present, for all their efforts to modernize their rail system network for the millions of customers riding on their trains every year, including rebuilding and maintaining critical infrastructure and right-of-way; increasing service to Midtown Manhattan; and introducing

one-seat rides into Penn Station New York on three rail lines, among many other accomplishments achieved over the past 40 years.

As NJ TRANSIT celebrates the proud legacy of rail network that serves as the backbone of their region's economy, they are also continuing to do what they can to incentivize transit use, and attract the next generation of transit riders. Last month, they announced the expansion of their Student Pass fare option to include eligible part-time students. For the first time ever, beginning with February passes, part-time degree-seeking students taking at least two courses are eligible for the Student Pass fare, in addition to full-time students. This deal provides a 25 percent discount off the already discounted monthly pass at participating regional colleges and universities, when purchased on the NJ TRANSIT mobile app. As an added incentive, students using the Student Pass can receive additional savings during the spring semester, thanks to the return of the "Buy 3 Months, Get 1 Month Free" Student Pass promotion. President & CEO Corbett said it was great to see all of the students coming back to the system. For more details and a list of participating colleges and universities visit, njtransit.com/studentpass.

President & CEO Corbett said NJ TRANSIT also continues to plan for the future. They hosted an industry forum on January 11, 2023, in preparation for the upcoming procurement for the operation and maintenance of the Hudson-Bergen Light Rail (HBLR) system. Since its inception in 2000, the HBLR has operated under the initial design-build-operate-maintain (DBOM) contract. President & CEO Corbett said as some may know, the HBLR was the first successful DBOM project in the modern, post-World War II era in the country. As this contract is set to expire, NJ TRANSIT is evaluating all options on how best to continue delivering high-quality operation and maintenance of the system. The forum included a general session open to all interested parties, as well as subsequent one-on-one interviews with firms that responded to their request for Expression of Interest. President & CEO Corbett was pleased to note that the forum attracted a lot of industry interest, with nearly 50 firms participating.

President & CEO Corbett said as many large-scale capital projects such as Portal North Bridge and Walter Rand advance, NJ TRANSIT was looking for talented, motivated employees to fill critical positions across the organization to help them achieve NJ TRANSIT's ambitious capital, operational, and customer experience goals. On February 15, 2023, NJ TRANSIT would host its first-ever virtual job fair, which they have named The BIG Career Event. Career opportunities were available in every area of their business, from Capital Programs and Planning, Rail and Bus Operations, Information Technology, Finance, Human Resources, and Communications. President & CEO Corbett said if anyone was looking to be a part of a diverse, progressive company, as stated at previous meetings, NJ TRANSIT has been named one of America's Best-in-State Employers by *Forbes* three times since 2018, and he could not think of a more exciting time to join them. Participants must register in advance to attend the virtual job fair, and can do so at njtransit.com/big. So far, more than 1,500 people have registered to attend.

Public Comments

Chair Gutierrez-Scaccetti asked Board Secretary Umukoro if there were any public comments. Board Secretary Umukoro said there were 19 in-person speakers, and seven pre-registered telephone speakers and 22 queued telephone speakers for approximately a total of 48 speakers.

Board Secretary Umukoro said in order to give everyone an opportunity to be heard, comments would be limited to three minutes. She said priority access would be given to pre-registered in-person participants, followed by any additional in-person speakers. They would then take comments from pre-registered telephone participants, followed by any additional telephone participants, who queued to speak.

Board Secretary Umukoro instructed those participating by telephone, if they had not already done so, please press *1 on their telephone keypad to enter the queue to speak. They would hear a brief tone to indicate they have successfully entered the queue.

David Peter Alan, Chair for the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC), thanked staff for putting him on the agenda instead of at the end of the meeting. Mr. Alan said there were some changes in their committee that he believed they should report to the Board. While some may remember him for other things he has done, he is in his 20th year as a SCDRTAC member. Mr. Alan said he had come to know what seniors, including himself, and persons with disabilities have to go through when it comes to getting around. Many SCDRTAC members depend on NJ TRANSIT and its affiliated carriers for all of their mobility, as well.

Mr. Alan said the committee currently has 16 citizen appointees, of whom 10 depend on public transit and one member depended on transit for several years. Twelve of the members were seniors, including six with disabilities. The other four members also have disabilities. A member who recently died was transit dependent, as well as the candidate waiting for approval to fill a vacancy. Mr. Alan said members of the committee represent a diversity of disabilities, including blind, sight-impaired to a lesser degree, hearing-impaired, mobility-challenged, and others. They use Access Link as well. Mr. Alan said in short, they were a microcosm of their constituency and with so many of the committee members depending on transit, they were in a unique position to advise their constituents and to advise the Board about what their members need for better mobility. Mr. Alan said he was familiar with other advisory committees around the county through his advocacy efforts on a national scale and the Senior Citizens and Disabled Residents Transportation Advisory Committee was extraordinary. He said over the years they have made it into a unique and special resource. Some members have earned national reputations and other members have earned regional and statewide reputations in their fields, age, or disability notwithstanding. Mr. Alan said that had never been the case with their Committee until now.

Mr. Alan said there was a proposal that would drastically reduce their Committee's purview, which was originally on the agenda for February's board meeting but was since postponed. He said Justin Davis, NJ TRANSIT's Senior Vice President, Regulatory and

Government Affairs and Chief of Staff, and on this issue, Chief Negotiator, did that. Mr. Alan said together, ably assisted by their respective teams, they will keep their talks going. Mr. Alan said he thanked Mr. Davis privately for the gesture and would like to thank him publicly at tonight's meeting. Details of the ongoing negotiations would not be revealed, but the talks will continue. Mr. Alan believed their constituents deserved an advisory committee that could act as a strong voice for them at NJ TRANSIT, and they would do what they could to achieve that outcome.

Mr. Alan said when he joined SCDRTAC in 2003, one of their members was Frank Herbert, known as the "Father of New Jersey Transit" who, as a Senator sponsored the 1979 Act that established the agency. Mr. Alan said he was deeply honored to serve alongside Mr. Herbert. Mr. Herbert and the other founders were driven by a mission to improve mobility for all New Jerseyans and visitors to the state. Mr. Alan said in the same tradition, they hope to continue the tradition for a result that will bring more seniors and riders with disabilities the best transit they can get together. He said they could do it, and it would be a lasting legacy for a better future from all of them to all of NJ TRANSIT.

Murray Bodin said the new board members did not know who he was, so he better let them know who he is. Years ago, when they had the ARC tunnel, he recommended it for the Rudin Transportation Award, which they got. Mr. Bodin said he worked with Jim Weinstein, who asked him to go through the Kearny Yard to see what goes on there. In present time, Mr. Bodin is in charge of asking the questions that nobody wants to answer.

Mr. Bodin recommended that the Board find somebody to replace President & CEO Corbett because he was not doing his job correctly and the Board may need to replace Chair Diane Gutierrez-Scaccetti as well because she is not doing her job right. Mr. Bodin said at the end of the MTA meetings last Monday, he suggested the agency replace the President of Metro North and the President of Bridges and Tunnels, and the New York State Commissioner of Transportation.

Mr. Bodin said he represented his grandchildren's generation and if the issues were not addressed now, they would be in deep trouble. He believes purchasing diesel buses for the next 30 years was crazy and the buses need to be electric or hydrogen. He said there were buses with luggage racks on them and only one exit for everyone to walk up the stairs. Mr. Bodin said nobody brings luggage on the buses. There should be low-floor buses where people can enter through two doors.

Mr. Bodin said President & CEO Corbett's report should have been online two days prior to the Board meeting, allowing the public time to review and critique the report. He said there was no reason for the President's report to be read at the Board meeting, and it was a waste of people's time. Mr. Bodin said the new Board members should pay attention, not to trust anything he said, and to check it out for themselves.

Mr. Bodin said he could not be an advocate without being taught by a lot of interesting people. He said he was not that smart, but he listens. Mr. Bodin said he worked on a team that surveyed a school regarding building a garbage plant in Newark. He did not think they should build a garbage plant in the ironbound section, and he worked on the data

that defeated the proposal. Mr. Bodin said it was the Board's responsibility to ask questions.

Elizabeth Ndoye, member of Food & Water Watch New Jersey and Don't Gas the Meadowlands Coalition, said she was at the meeting to speak out against the proposed frack gas power plant in Kearny, New Jersey. She believed the plant and the revised RFP were wrong for a slew of reasons, but rather than list them, she said she would take a different approach. Ms. Ndoye said she would rather share the words of the Secretary General of the United Nations, Mr. Antonio Guterres.

Ms. Ndoye said she called him the Earth's diplomat because his words say it all. On February 6, 2023, Mr. Guterres said, "We must end the merciless, relentless, senseless war on nature. It is putting our World at immediate risk of hurling past the 1.5-degree temperature increase limit and now puts us moving toward a deadly 2.8 degrees." Ms. Ndoye said Mr. Guterres continued by saying, "We need disruption to end this destruction. No more baby steps, no more excuses, and no more greenwashing. No more bottomless greed of the fossil fuel industry and its enablers. Ms. Ndoye said finally, Mr. Guterres states, "I have a special message for fossil fuel producers and their enablers scrambling to expand production and raking in monster profits. If you cannot set a credible course for net-zero with 2025 and 2030 targets covering all your operations, you should not be in business. Your core product is our core problem. We need renewable revolution, not a destruction fossil fuel resurgence."

Ms. Ndoye said she called on the members of the Board to rethink the Kearny project and not be fossil fuel enablers. She said they had repeatedly offered the Board clean green energy solutions for their resiliency needs. Ms. Ndoye said they called on Governor Murphy to put the brakes on this ill designed, wrongly conceived project.

Guillermo Artiles, partner at the firm of McCarter & English, LLP, said he was present on behalf of his client, Panasonic North America, to discuss NJ TRANSIT's future exciting new home, which they hoped they would choose as Two Riverfront Plaza, which was Panasonic's current headquarters. Mr. Artiles said he was also at the meeting with Catherine Tung from McCarter & English, LLP, Francis Giantomasi from Chiesa Shahanian & Giantomasi PC, and Jeff Werner, the Vice President, and Head of Government Affairs for Panasonic North America.

Mr. Artiles said they were there to underscore their sincere interest in having this great Board of NJ TRANSIT along with its 11,000 employees come over to their great building at Two Riverfront Plaza. Mr. Artiles said by now, their CEO and Chairwoman Megan Myungwon Lee had sent a letter to the Board dated February 6, 2023, outlining Panasonics enhanced offer. The letter should have been received before and they hoped each board member present had ample time to review the content of the letter, consider it, and ultimately make a decision. Mr. Artiles said they were there to answer any questions the Board may have for Panasonic. Senior Vice President & Chief Legal Officer Brian Wilton informed Mr. Artiles that this was not a question-and-answer session during the Board meeting and, at the conclusion of all of the public speakers, the Board Members may comment on matters that were brought up. Mr. Artiles thanked the Board.

Francis Giantomasi, partner at Chiesa Shahinian & Giantomasi PC, and **Jeff Werner**, Vice President, and Head of Government Affairs for Panasonic North America, said they would defer to Mr. Artiles' comments to be on the record.

Gloria Mills, Chairperson for the Legislative Subcommittee of the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC), said she had planned on coming to the meeting to recommend a committee be created for seniors and individuals with disabilities to listen and hear their concerns regarding their mobility issues. She said the committee should have protections against being dismantled under a different administration, be open to the public, there would be communication between the committee and NJ TRANSIT management staff, and the committee would be made up of various racial and ethnic backgrounds and people with diverse disabilities.

Ms. Mills said she wanted to share an experience she had with Access Link. She said she reserved six trips for Access Link and four of the reserved trips did not show. Ms. Mills said she did not receive a phone call for the no-show rides. She said the first scheduled pick up was for 9:36 a.m. Ms. Mills said she received a telephone call at 9:30 a.m. stating that the Access Link driver was on their way and to be ready, and she was ready to go. She said there was no Access Link for pick up at 9:36 a.m. Ms. Mills said at 10:15 a.m. she choose to use another mode of transportation and she received no phone calls for the other rides she reserved for that day.

Ms. Mills said for these reasons she believes that is why senior citizens need a committee that they can go to and voice their concerns, and have someone who will listen and advise them on where they need to go for assistance. She said imagine people who use Access Link service to go to dialysis and people waiting to go for chemotherapy and no one shows up.

Robert Turkavage, resident of Brigantine and a retired Supervisory Special Agent with the Federal Bureau of Investigation, provided information related to the matter involving the late Tiffany Valiante who was struck by a NJ TRANSIT train on July 12, 2015. Mr. Turkavage said as background information, he was asked by the Valiante family attorney to conduct an independent review of information regarding the Valiante matter. In a voluntary capacity, Mr. Turkavage conducted an extensive examination of the materials provided, and then prepared a 60-page report detailing the findings.

Mr. Turkavage said he was aware that a copy of the report was provided to the Office of the New Jersey Attorney General. The report noted that an on-site investigator from the Medical Examiner's Office prepared a report regarding the incident, which was based on interviews of two alleged witnesses to the incident, the train engineer, and a NJ TRANSIT student engineer, as well as a relative of the Valiante family. Since significant reliance was placed on the report by the state medical examiner in issuing the manner of death determination as suicide, Mr. Turkavage said he would specifically comment on the interviews and on a review of photographs taken at the incident site.

Mr. Turkavage said after incident reports were prepared by the train conductor, a New Jersey Transit Police officer, and the Medical Examiner field representative either stated or suggested that the engineer was a witness to the incident and attributed certain information to him. During an interview by an NJ TRANSIT investigator, however, the train engineer stated his back was turned, and he did not witness the incident. Mr. Turkavage believes the medical examiner representative and the medical examiner, therefore, may have based their conclusions in part on information attributed to the engineer, which turned out to be false.

Mr. Turkavage said the student engineer possibly gave varying accounts of the incident to the investigators. He said an after-incident medical examiner data sheet quoted an engineer stating a female darted out from the trees and ran right in front of the train. Mr. Turkavage said it was unclear if the engineer that was quoted was the train engineer or the student engineer. When interviewed by an NJ TRANSIT investigator, the student engineer described two observations, the first at a half mile to a quarter mile, the second at a quarter mile or closer. Mr. Turkavage said in recounting both observations, the student engineer did not mention Ms. Valiante darting from the trees and running in front of the train. The student engineer did say that when first observed, the individual was 15 to 20 feet from the track. He said in another observation, the individual was in a crouched position facing away from the train and as the engineer approached, she turned perpendicular to the track and dove in front of the train. Mr. Turkavage said the student engineers' recollections were significant because the darting from the trees and running statement in the medical examiner's data sheet was relied on in part by the medical examiner in issuing a conclusive manner of death certification.

Mr. Turkavage said information from the train's black box casted doubt on the student engineer's observations. The train's black box continuously recorded the time of various train activity including speed and emergency brake application. Using the estimated time of impact and the train speed, Mr. Turkavage said he calculated the approximate times that the train was a half mile and a quarter mile from impact. At the half mile interval, the train was traveling at 75 miles per hour. At the one quarter mile interval, the train was traveling at 79 miles per hour and had been accelerating.

Yanett Ramirez, resident of Newark said as someone who lives near Kearny, she demanded that NJ TRANSIT look at the critical issues with the RFP, and build a new microgrid project. She believes NJ TRANSIT must change its plans to renewable energy, according to Governor Murphy's Energy Master Plan. Ms. Ramirez said, Governor Murphy said, they must be 100 percent renewable by 2050, and the latest RFP as of December 2022, still lists a gas plant in the project. Ms. Ramirez said this would have a disastrous effect on the health of residents in Kearny and nearby overburden communities. Ms. Ramirez said if they truly want public transit resiliency, they should switch to using renewable energy. She said in the plan just proposed, there was a profit incentive to sell remaining energy to Amtrak and PSE&G. Ms. Ramirez asked how they can use public funds to build a project that would have to be scrapped in a few decades by 2050. Ms. Ramirez said most of the people in the room would not be alive in 2050 but she would be and a lot of other people in the room too.

Ms. Ramirez said as stated before by President & CEO Corbett, one of the ways to lower greenhouse gases was to use public transportation. With that in mind, she asked how can the energy that it takes to power public transit not use renewable energy, stating that is a major contradiction that only allows short-term gain and long-term harm. Ms. Ramirez said they called on NJ TRANSIT to amend the RFP to require maximum use of renewable energy now, not by 2050.

Stephen Greenberg, said to the member of the Board who tried to stop Mr. Turkavage from reading his full statement, thank you very much. Mr. Greenberg said do not build the New Jersey gas-fired powerplant, it is crazy, and they have heard all the points against it. He said the Board has to understand why it was bad and obviously, there were short-term gains to it, but it was just bad in so many different ways, building the power plant would hurt people, and it was totally wrong. Mr. Greenberg said he knew President & CEO Corbett would be dead and in the grave by the time it mattered, but please do not do it.

John Reichman, Board Member of Empower New Jersey, said his question was for the Board, but particularly the new Board Members, which was why they became members. Mr. Reichman said he assumed it was not for the money or glory. All of them have successful careers and he hoped the answer to why they became Board Members was because they wanted to serve the best interest of transit riders, even if that meant taking positions contrary to the Governor or Chairperson. Mr. Reichman said unfortunately, this Board has not, to date, lived up to this important fiduciary duty. He said the Board has made rubber stamp decisions that were contrary to the best interest of transit riders and perhaps worst, remained silent while the state plans to waste billions of dollars on expanding highways, while underfunding consistently year after year, public transportation.

Mr. Reichman said they need to have the Board's voices raised. He said most notably, the state was planning to spend \$10.7 billion on the Turnpike highway expansion project from Newark to Jersey City, without spending a penny towards public transportation. Mr. Reichman said the project made absolutely no sense. It was adamantly opposed by the community, it would increase greenhouse gases, would disproportionately harm environmental justice communities, and would not accomplish its purpose of reducing traffic. He said what would reduce traffic was investment in public transportation, but meanwhile, all desperately needed transportation projects including projects in NJ TRANSIT's own budget were not being funded.

Mr. Reichman said the budget season was quickly approaching and it was imperative that the Board publicly advocate for public transportation, and advocate against sending money to expand highways, but rather expand public transportation instead. He said he recognized that this would require some political courage on the Board's part and the last Board Member James Adams, who raised some of the same issues and told NJ TRANSIT they should not take money away from capital programs to pay for operating expenses, was unceremoniously dumped by Governor Murphy and Chair Gutierrez-Scaccetti.

Mr. Reichman said the new Board Members did not have to follow that path, but they have to act collectively. He said if they stand up collectively for public transportation, the Governor and Chairperson would not be able to go after them. Mr. Reichman said what they needed the Board to do, was stand up for public transportation, stand up for climate, including not approving the disastrous plant in Kearny, and they need the Board to stand up for them.

George Kaufer, resident of the Roseville neighborhood of Newark, said he and some of the people speaking later would like to request that the Ampere Train Station be reopened or rebuilt. The station was formerly located by Springdale Avenue in East Orange on the Montclair-Boonton line, which at that time was the Montclair Branch. The station was near the border of East Orange, Newark, and Bloomfield and would serve residents from all three of those cities and the surrounding areas. Since the station was closed in 1991, there has been new development in the Bakery Village, which has added additional people to the area who need transit.

Mr. Kaufer said in the past few years, he and other people have moved from New York City to Newark, East Orange, and Bloomfield and would still require connections to New York City for work and so on. He said the 34 bus was the main transit option in that area currently, but people are only able to get to Newark Penn Station and to downtown Montclair in the opposite direction. The bus line does not go to Upper Montclair by Montclair State University, Hoboken, Newark Broad Street, or to New York City. Mr. Kaufer said the train would allow riders to get to Hoboken in approximately 20 minutes, that would be a game changer for many, it would increase employment opportunities for the residents of the neighborhood, and make it more attractive to live in that neighborhood.

Mr. Kaufer believed there were \$7.2 billion for the Passenger Rail Act and approximately \$2.5 billion was left. He said the agency can request the funds from the federal government to rebuild the Ampere Train Station because it was very important for economic development for the existing residents and future residents. In the meantime, he believes a short-term solution that would impact riders in both East Orange and Newark was the stopping patterns on the Morris & Essex Line and the Montclair-Boonton Line. Mr. Kaufer said no train routes should be skipping Newark Broad Street, that was a major transfer point between the two lines going to Hoboken and Manhattan, and also to the Newark Light Rail, downtown Newark, and other various bus routes in Newark. He said Newark was the largest and most popular city in New Jersey. Mr. Kaufer said these adjustments would help the entire region of North Newark, East Orange, and the other areas that feed into the area. Mr. Kaufer asked the Board to take a nice solid look at rebuilding the Ampere Train Station and to ask the federal government for funding to rebuild the station.

Brian Russo, resident of North Haledon, said he has been taking NJ TRANSIT his entire life and worked as an auto damage adjuster for a large insurance company for about 10 years. He said he spent a couple years in Newark and there were a couple things he loves about the city; he would come to see a show, or a game, and he loved the park but other than that, he hated the City of Newark because it stinks. He said the air quality was

terrible. Mr. Russo said he was sad to hear about all the people that were dying prematurely from cancer and other climate pollution related diseases. Mr. Russo said he was opposed to the Turnpike expansion, buying diesel vans and buses, and the fossil fuel plant. He said he disagrees with some of the things he heard some people say. Mr. Russo said he became a climate activist when he realized if he continued working, saved his money in an attempt to retire, he would be dead before then. He said the planet was headed towards the human race being extinct and every time climate scientists took measurements and recalculated what was going on, it was always worse than they previously thought.

Mr. Russo said things climate scientist were expecting to see in 2100 were happening right now. He said it was well documented that the fossil fuel industry has been aware of climate change since before 1960. Mr. Russo said they have spent money lobbying politicians and investing in spreading misinformation; much of which has reached many people's ears. He said the information was false and suggested looking at www.climatefiles.com to see how the fossil fuel industry was able to accurately predict the weather patterns that were seen now. Mr. Russo said talking about buying diesel buses, biofuel can power diesel vehicles with no modifications, and he could not help but think it might be a little bit easier to make biofuel rather than replace a fleet of vehicles. He said there was no reason for a new fossil fuel project.

Mr. Russo said he went to a town meeting and was able to convince all the Republican politicians in the town that they should oppose the fossil fuel project because they were reasonable people. He said they do not need the energy and they do not need the emissions. Mr. Russo said they were right that public transportation was needed, but not if it will be powered by fossil fuel. He said he would ride his bike instead of fossil fueled buses and trains. Mr. Russo did not think there was an option for high-speed rail or carbon neutral transportation, and that was what should be discussed, not fossil fuel projects.

Sid Madison, resident of Piscataway, said in 1992, 1,700 world scientists sent a warning to humanity and 25 years later in 2017, over 15,000 scientists signed world scientist warning to humanity, a second notice in 2022, and over 30 years later, the warning ended with a note that planet Earth was now at Code Red. Mr. Madison said the common thread of all of these warnings was the use of fossil fuel. He said during those years, fossil fuel use increased 50 percent, and now more and worse floods, droughts, extreme fires, and storms. Mr. Madison said in 2022, Pakistan was 10 percent flooded with over 1,700 people dead and \$14 billion in damages. He said the projection for the future at two degrees of warming, and currently projections were at 2.5 degrees or 2.6 degrees warning, 99 percent of coral would be gone, which would deprive one billion people of their source of protein.

Mr. Madison said in terms of New Jersey, the Board of Public Utilities (BPU) said no more fossil fuel and infrastructure was needed. He said their goal, set by Governor Murphy was 50 percent reduction in emissions by 2030. Mr. Madison said at the same time, the Governor has been allowing more fossil fuel infrastructure and currently, projected projects were estimated to cause 38 percent more emissions, 180 degrees in the wrong

direction. He said it was insane, those projects would make the air quality, which was already poor, worse, and will increase the cost to rate payers.

Mr. Madison said remember the BPU said no more fossil fuel and infrastructure was needed. He said he illustrated the system was not working, they need to throw off the yolk of the idea, this was not our job, and represent the people of New Jersey. Mr. Madison said to tell Governor Murphy to immediately enact a moratorium on fossil fuel infrastructure in New Jersey. He believes it was a win, win; better air quality, less cost, and could make the 50 percent goal of reducing emissions possible.

Stephanie Martinez, resident of North Bergen, asked that the meeting be accessible to ensure all community members were informed and consulted. In other words, please make the language translation a requirement. Ms. Martinez said they were not taking the State's commitment to climate and clean energy seriously. She said the dirty gas plant that was rejected in 2019, that was supposed to provide backup power, was going against the Federal Emergency Management Agency which states that methane gas should not be used for emergency purposes such as the grid outage. Ms. Martinez said NJ TRANSIT was not taking the Governor's Energy Master Plan seriously.

Ms. Martinez said it was 2023 and there were alternatives to a project design that can primarily be driven by a clean renewable energy source. She said she was coming from North Bergen, the same town who in 2020 voiced their opposition to the construction of the NJ TRANSIT gas power plant project. The same town that will make sure they reaffirm their commitment and one of many towns within a three-mile radius of the proposed frack gas power plant that will be affected. Ms. Martinez said the densely populated towns were already overburdened with so much pollution and have been disproportionately impacted by pollutants emitted by power plants and have historically and systemically been underrepresented while facing violence of discrimination and now environmental injustice.

Ms. Martinez said there was no benefit to bringing another toxic gas power plant in Kearny, Newark, or any of the black and brown communities. She asked them to go back and change the plans so people can have a sustainable future. Ms. Martinez said why would she want to bring children into a world that was bringing these types of power plants where her children will not be able to breathe.

Carol Gay, retired national representative for CWA Communication Workers of America and President of the New Jersey State Industrial Union Council, said she was representing tens of thousands of public and private sector workers and their families in New Jersey. Ms. Gay said they want to urge the Board to immediately reconsider the design plan for the NJ TRANSIT power plant because the climate crisis was real and must be addressed with urgency. She said workers recognize the serious and immediate threat posed by the climate crisis and that was why they were advocating for immediate bold action, which includes no new fossil fuel projects. They do not see climate protection as an optional issue for labor because keeping fossil fuels in the ground was necessary to protect workers and their families.

Ms. Gay said they want no more harmful pollution pumped into their neighborhoods, causing more health problems for their families, and Newark and the surrounding areas have been dumped on long enough. They do not want their hard-earned tax dollars spent on harmful fossil fuel projects. She said with rising sea levels, raging temperatures, more intense and more frequent climate catastrophes were inevitable, unless action was taken immediately to reverse the trajectory and avoid an irreversible tipping point. Ms. Gay said there were only a few short years to reverse the dangerous path of disaster. She said renewable energy and new technologies were making fossil fuels obsolete and there were cleaner and better alternatives. Ms. Gay said the Board had been given the facts over and over again and has the power to ensure that Mother Earth remains safe and habitable for humans and other living things.

Ms. Gay said fossil fuels are burning up the planet Earth with serious health and safety consequences for workers, their families and life as they know it. Ms. Gay said she has seven grand nieces, and she wants them to have a future as she is sure others want the same for their families, children, and grandchildren. Ms. Gay said make a commitment now to renewable, sustainable energy choices before it is too late.

Tracy Luz said she was confused about why they were having this discussion, when there has not been a Winter season, and it has been 50 degrees every day between November, December, January, and February. They know the planet is getting warmer, that they are in a climate crisis, and why play a game where people have to come to the meeting and pretend like the Board is doing something for them. Ms. Luz said they all live on this planet together, were all in a climate crisis, and needed to enact sustainable energy now. She would be turning 50 years old this summer and could remember when birds flew South for the winter. Ms. Luz said she has not seen that in years, they were in a crisis with pollinators, they were in a crisis with butterflies, which besides butterflies being beautiful, were crucial to the food system.

Ms. Luz said when she has conversations with people, they think these changes won't take effect for another 50 years. She said the things that were taken for granted were in peril now and the Board has a huge responsibility and a huge opportunity to stand up. She said when people stand up like members of the Board it makes others stand up and emboldens other people, and local city council and city government to take a stand. Ms. Luz said New Jersey could be the shining star of the United States, and it does not have to be another California, or water catastrophe like in Mississippi.

Ms. Luz said as terrible as Pakistan was and what was going on in other parts of the World, they were facing climate change every day. She said the City of Miami was going to be underwater in their lifetimes. Ms. Luz said she was asking the Board not to consider it for her, and not consider it for people's future children that they may or may not have, but consider everyone together in one planet, such as their own children and families, right now. She urged them to stand up and consider how everyone can make this work without any new fossil fuels.

Samantha DiFalco, member of Food & Water Watch, spoke on behalf of the organization. Like the previous speakers, Ms. DiFalco said she was speaking in

opposition to the current direction of the TRANSITGRID proposal. She said the NJ TRANSIT Board was originally scheduled to vote on a final design for the project at the meeting and they learned recently that a new RFP for the project was issued in late December to developers and they were hopeful that it would incorporate some of the feedback that has been given at nearly every Board meeting in 2020. Ms. DiFalco said members of the public have spoken out, calling for the RFP to be amended so that it took the gas plant off the table. She knew that members of the Board and other staff at NJ TRANSIT have said the plan does not necessarily require a gas plant, but she believes when it was required to have a central power generating facility on a single site, essentially it does call for a gas plant.

Ms. DiFalco said it was disappointing that none of the feedback from the public was incorporated because FEMA itself has said that methane gas was not a reliable source for backup power generation which was what the project would be if it were truly to provide resilient power and not as a means for making profit. She said there were cleaner, more economic, and resilient options out there, such as renewable hybrid microgrids, which were being built around the country and around the world. Ms. DiFalco said it was especially disappointing that as a public agency, they were not listening to the public. As an administration under the Governor, they would love to see NJ TRANSIT live up to the State's clean energy commitments and environmental justice promises, because building what would be a brand-new gas plant that would be online for 50 years was perpetuating the legacy of environmental racism in New Jersey when so much pollution has been concentrated in such a small geographical region, home to predominately low-income communities of color.

Ms. DiFalco said she believed they were dealing with \$500 million of taxpayer money and they have an opportunity to invest in a solution that was going to put NJ TRANSIT and New Jersey at the forefront of clean rail across the country.

Paula Rogovin, Don't Gas the Meadowlands Coalition and the Coalition to Ban Unsafe Oil Trains, said on News12 Ask the Governor podcast last week, she told Governor Murphy that NJ TRANSIT had broken its promise for a 100 percent renewable energy microgrid. Governor Murphy responded, "I strongly demanded that they pull their then current proposal and make it as green as possible to the best of his knowledge, Governor Murphy said that was still ongoing," and promised that somebody from NJ TRANSIT would be in contact with Ms. Rogovin within 24 hours. Ms. Rogovin said a member of the staff did reach out.

Ms. Rogovin said although, she spoke with someone at the agency there was nothing in the conversation or in the RFP that answered their question, of when would there be a maximization of renewables, 2030, 2040, or 2050. She asked what the timetable was and said the answer to that question was critically important because they were in a climate crisis that requires a rapid transition to renewables.

Ms. Rogovin said she believed that NJ TRANSIT not only deceived the people in the room, but they also deceived Governor Murphy, trying to make everyone think the revised RFP had a plan for a clean renewable microgrid. She said perhaps after the Board reads

the RFP, they too will realize they were also deceived, not necessarily by lies, but by the lack of transparency, about the real or what she called, the non-timetable for maximizing renewables. Ms. Rogovin said there was no timetable that they could find and on page 13, it said NJ TRANSIT had acquired title to approximately 20 acres of land located in Kearny, New Jersey and that was Koppers Coke, which was where the original plan was to build the gas plant.

Ms. Rogovin said there was nothing new in the RFP, even though they called it a newly revised RFP and on page 14, the objectives of the project encouraged maximum and efficient use of renewables to reduce the carbon footprint to net zero by 2050 or sooner. She said they demand that the RFP say to NJ TRANSIT, make every effort to maximize renewables and reduce the carbon footprint to zero not by 2050, but from the start. Ms. Rogovin said the data shows that renewables were less costly than natural gas. She said this was a life and death matter, and 2040 and 2050 were too late. Ms. Rogovin said there were fire, droughts, excessive heat, floods, and death of millions of people, and this was about environmental justice. She asked each of the Board members to take a public stand, speak out, ask questions, talk with people, and do not feel obligated to follow the Commissioner naysayers about a renewable energy alternative. Ms. Rogovin said other transit systems in the United States and around the world use renewable energy microgrids. She asked the Board to research, be leaders and not followers, and although it might cost them their seat on the Board, it would preserve their dignity.

Jason Anthony said it had been a long time since he had been to NJ TRANSIT. He said some Board members were not paying attention and at the Metropolitan Transportation Authority Board meetings, they paid him attention every time he spoke. Mr. Anthony said he agreed with the other public speakers regarding the power plant in Kearny that it should not be a reality. He wanted to mention how Governor Murphy and the State of the New Jersey was being selfish regarding congestion pricing. Mr. Anthony said the State of New York was in desperate need regarding congestion pricing, and the East River tunnel was in desperate need of repair. Mr. Anthony said NJ TRANSIT equipment was being stored in the Sunnyside Yard, and if the tunnel was not repaired there would be no place to store the equipment.

Mr. Anthony said at New York Penn Station, the elevators did not indicate if an elevator was broken down, there were no alternative options given to people with disabilities or the elderly, and the homeless situation was rapidly growing. He said when he goes into New York Penn Station, he calls it the depressive station. Right across the street, at Newark Penn Station he said he saw the same thing. Mr. Anthony asked President & CEO Corbett what he was going to do to fix the problem. He said there was a homeless problem at the Trenton Transit Center as well, and the homeless population was overpowering the stations. Mr. Anthony said as Board members elected by the Governor and their county executives, they should go to the stations mentioned more often. He said President & CEO Corbett should reach out to Janno Lieber at the East side of the Hudson and draw up an agreement regarding congestion pricing and the agreement should include fixing the East River tunnel because NJ TRANSIT stores their equipment there.

Board Secretary Umukoro said they would now like to open the floor for public comments by telephone participants, beginning with those who pre-registered to speak.

The Operator said as a reminder, if they have not already done so, please press *1 on their telephone keypad to enter the queue to speak. They will hear a brief tone to indicate you have successfully entered the queue. Each speaker would be given three (3) minutes for their public comments. A warning would be provided with 1-minute remaining and again with 15 seconds remaining. The Operator said there were 14 speakers in the queue to speak.

Matthew Smith, New Jersey Director for Food & Water Watch, spoke on behalf of their 70,000 members and supporters across the state. Mr. Smith said they were very hopeful when Governor Murphy intervened and directed NJ TRANSIT to redesign the TRANSITGRID project to maximize clean renewable energy but, as it had been stated frequently tonight by members of the public and at Board meetings in the past, the RFP that was issued that was supposed to achieve that essential goal was and remained critically flawed. Specifically, he said the RFP does not include a goal to maximize the inclusion of clean renewable energy and the solution today. It simply said that the solution must be able to transition to clean renewable energy by 2050. That leaves the door open for a major gas plant as was originally proposed to run and burn fossil fuels in an environmental justice community amidst the climate crisis for decades to come. Mr. Smith said it was shameful, the new RFP that was issued did nothing to change that, and it only delays the project further. He said this should be a keystone clean energy project for the Murphy Administration using federal funds to advance the State's clean energy goals, but instead NJ TRANSIT continues to fumble the ball and Governor Murphy refuses to hold them accountable to the goal, which was shameful.

Mr. Smith said there was no item on the agenda for the evening, despite the RFP when it was originally issued stating that the final design was supposed to be voted on during the February Board meeting and the only reason, they found out about the delay was because members of the public called in to ask Governor Murphy on News12 and submitted an OPRA request. Otherwise, he said the public would be completely in the dark that the \$500 million taxpayer funded project was delayed by over a year and was not on track to deliver a clean energy solution to benefit NJ TRANSIT riders, and the public at large. He said Governor Murphy and NJ TRANSIT with the continued purchasing of diesel buses and pursuit of a gas plant, were throwing fuel on the fire of the climate crisis. Mr. Smith said Governor Murphy continued to throw his climate commitments under the bus in favor of political expediency. He said this was unacceptable and NJ TRANSIT must reverse course immediately, and start to truly engage with the public to design a solution. Mr. Smith said the Governor's Office must get involved to provide the policy relief and any technological support that was needed to deliver a state-of-the-art renewable energy solution for the resiliency project. He said anything short would be an embarrassment for the State of New Jersey and would harm their residents for decades to come.

Rachel Davis, Public Policy and Justice Organizer for Water Spirit, a 25-year young nonprofit of Ministry of the Sisters of Saint Joseph of Peace, said water was life and

renewable energy uses significantly less water than toxic alternatives. They were speaking as they had been for almost two years to NJ TRANSIT and Governor Murphy on behalf of their thousands of members and in solidarity with frontline areas of most concerns across the state and regions slated to incur the unnecessary deadly effects of preventable pollution. They also hoped input over time would have been reflected in an updated renewable energy charged Request For Proposal. Ms. Davis said public transit was a vital part for a livable future. She said Governor Murphy and NJ TRANSIT's new Board members could and should live up to their State's climate and clean energy commitments and stop the disastrous dirty gas priority proposal. Ms. Davis said the proposal specifically limits bidders from submitting design proposals that were not compatible with renewable energy solutions.

Ms. Davis said unconventional fossil fuel extractions and related infrastructure had been contaminating fresh water and air for almost 20 years with relative impunity. She said they could not withstand the ongoing depletion of this life force and they needed to take the issue of climate emergency seriously with no time or investments to waste. Ms. Davis said she quoted United Nations Secretary Guterres, speaking at the New Jersey State Investment Council last month regarding divestment from dirty fossil fuel at the state pension level, stating firefighters deserve more, as does every retiree. Ms. Davis said paid subscribers can read a recent article from Newark resident and global leader Maria Lopez Nunez titled New Jersey's, Landmark Environmental Justice Law Must Do What Was Promised on newjersey.com. She said New Jersey residents cannot breathe, and Governor Murphy was not keeping his promise or whatever he said his promise was to Kearny either.

Ms. Davis said mothers need air to breathe to support life, kids need air to breathe, and everybody needs air to play soccer. She said all agencies in the state have a duty to current and future generations of young people and all creations. Ms. Davis said 100 percent renewable energy now, Governor Murphy and NJ TRANSIT leadership do the right thing, not for real leadership, and not for photo opportunities with intergenerationally poisoned humans seeking true justice and actual peace. She said Governor Murphy should declare a climate emergency in New Jersey and ensure agencies like NJ TRANSIT were enthused to put their Energy and Sustainability Policy Committee to meaningfully engage with residents. Ms. Davis said the best plans for the NJ TRANSIT microgrid would be to have common sense at heart and would demonstrate that it can be done using methods that result in 100 percent clean renewable energy.

Sara Thompson, Doctoral student at Rutgers University – Newark, and resident of New Brunswick, said she was fully reliant on NJ TRANSIT for her transportation needs as she does not have a personal car. Ms. Thompson said per federal regulation, she has been identified as a person with a disability as she is hard of hearing, and wears hearing aids in each ear. Ms. Thompson said unfortunately when she uses NJ TRANSIT, she is often at times frustrated because NJ TRANSIT is not compliant with the American Disabilities Act (ADA). She said there were no accessibility accommodations for individuals who were deaf or hard of hearing, and because NJ TRANSIT was not compliant with the ADA, Ms. Thompson said she has been confused by which train she was supposed to board. Often she was also not sure if she was on the right train, or what

her correct stop was. Ms. Thompson said she has missed her stop on more than one occasion and just last week she got on the wrong train that cost her a \$30.00 Uber ride.

Ms. Thompson said NJ TRANSIT does not provide train stations with the appropriate lightening or proper signage so passengers can discern which station the train has stopped, especially when it was dark outside. She said one of the reasons she was giving her public comment remotely was because she was unable to ride NJ TRANSIT at night because it was incredibly difficult to see the train stops at night.

Ms. Thompson said she joined the NJ TRANSIT's Citizens Advisory Committee to advocate for greater adoption of accessibility services so that NJ TRANSIT can become compliant with the American Disabilities Act, and she participated in conversations to ensure that NJ TRANSIT was more accessible for individuals with all types of disabilities. She said it was imperative to allow the advisory committee to continue per statutory regulations and it was NJ TRANSIT's civic duty to allow the public to advise about a broad range of aspects of mobility for seniors and other accommodations for persons with disabilities. Ms. Thompson said they must protect and defend mobility accommodations for vulnerable constituents, and they needed to have an advisory committee that was respected, transparent, permanent, and protected against being shut down or having their purview severely restricted in an arbitrary manner.

Ms. Thompson said dismantling SCDRTAC, clearly represents NJ TRANSIT's complete disregard for those people who require access to accommodation in which ADA outlines as citizen's constitutional rights. She believed the blatant disregard and dismissal of seniors and individuals with disabilities was disrespectful and showed that NJ TRANSIT was not serious in participating in conversations to better their services. Ms. Thompson said that was shameful and she hoped NJ TRANSIT would reconsider dismantling the committee so that seniors and individuals with disabilities continued to have a platform to speak.

Doug O'Malley, Director of Environment New Jersey, representing more than 80,000 members and supporters across the state, said they strongly support the calls from members of Don't Gas the Meadowlands Coalition and Empower New Jersey for a truly renewable option for the TRANSITGRID project in Kearny. Mr. O'Malley said they strongly supported the efforts of the Stop the Turnpike Trap Coalition opposing the ballooning budget for the Turnpike expansion.

Mr. O'Malley said he wanted to fully acknowledge that there were three new Board members and welcomed Board Members Carson, Medina, and Weiss. He hoped they were night owls and wanted to emphasize that no Board was best served by unanimous consensus and lack of debate. Mr. O'Malley said NJ TRANSIT funding was worthy of debate, was worthy of tough conversations, and sometimes even lonely votes. Mr. O'Malley urged Board members to be willing to take those tough votes.

Mr. O'Malley said NJ TRANSIT has been without a customer advocate, which was outlined in the NJ TRANSIT Reform Legislation, and Board members need to serve as customer advocates and represent straphangers. They did not agree with every action by

Vice Chair Fulton, but he was without question an advocate for an active board. He asked in-depth examinations on why trains were breaking down, and he was willing to ask tough questions. Mr. O'Malley said they agreed strongly with Mr. Fulton's statements as well as former Board Member James Adams being a man of integrity, and they strongly opposed replacement of Board Member Adams by the Murphy Administration for his willingness to ask the tough questions, and take the tough votes, especially to oppose the ongoing raiding of NJ TRANSIT's capital budget.

Mr. O'Malley said they were celebrating Transit Equity Week and were proud to join a coalition of friends, advocates, and straphangers earlier that day to commemorate the birthday of Rosa Parks. He said the reality was that transit equity was an unmet goal for NJ TRANSIT noting, transit ridership had not fully recovered from the pandemic and riders needed more visibility than ever, but transit funding remained precarious and federal funds will not be renewed. Mr. O'Malley said now was the time to provide stable, dedicated funding, community transit, and investment in the transportation system. Most importantly, he said it was time for Governor Murphy to get on the bus, literally and figuratively, and fully fund NJ TRANSIT's capital needs in the upcoming fiscal year 2024 budget to end the ongoing budget raids. Mr. O'Malley said the most important decision that would be made this month for NJ TRANSIT would not happen in the boardroom, but would occur with the release of the Fiscal Year 2024 budget in Trenton at the State House at the end of the month.

Mr. O'Malley said in a quote from his office today, the Governor said there was an unwavering commitment to transit equity that will mean in the development of the Fiscal Year 2024 budget. He believes the way to have an unwavering commitment is to have a budget that ends the ongoing raids of NJ TRANSIT capital budget and the clean energy fund, and finally provide a dedicated source of funding. Mr. O'Malley said this was the cancer eating at NJ TRANSIT. Without having an official dedicated source of funding, it takes away the ability for transit to have the impacts of when the farebox revenue goes down. Mr. O'Malley said they had not recovered from the pandemic yet and with the upcoming end of federal funding, and with the right call fiscal cliff, this defect will lead to stark choices including service cuts and fare hikes.

Mr. O'Malley said the Turnpike Authority was looking to expand the Turnpike extension to Jersey City. The price tag would be close to \$1 billion to expand an unneeded extension right into the heart of Jersey City when there were mobility options NJ TRANSIT desperately needs to provide. Mr. O'Malley said he would like to end by saying this was the moment for Governor Murphy to get on the bus, to support stable dedicated funding to avoid a fiscal cliff, and end his support for the expansion of the Turnpike extension into the heart of Jersey City.

Holly Cox, a resident of Montville for 24-years, asked the Board to power the microgrid project with renewable energy. Ms. Cox said she listened to Governor Murphy's Ask the Governor radio show six days prior when Ms. Rogovin asked about the NJ TRANSIT gas plant. Ms. Cox said Governor Murphy said, they had pulled this months ago, it has to be green as humanly possible and God willing, that is what was going to happen. Ms. Cox said just as the listeners had heard, Governor Murphy told NJ TRANSIT to make the

project as green as humanly possible. She was curious how they planned to follow Governor Murphy's directive and take into account all of the problems with the project. Ms. Cox said the project was supposed to provide resiliency in the event of a grid outage, but FEMA said gas should not be used for emergency purposes because the supplies can be interrupted during high wind, flood or earthquake events. She said natural gas was often intentionally shut down prior to a storm to reduce the risk of fire and explosions. Ms. Cox said the RFP required proposals for a centralized generation facility and does not accommodate renewable solutions like solar, wind, and battery storage that need to be more widely distributed and therefore inherently more resilient which was the point of the microgrid. She said thirdly, the RFP failed to include information about solar siting on NJ TRANSIT property.

Ms. Cox said the project was 100 percent publicly funded and NJ TRANSIT and Governor Murphy had a responsibility to set more ambitious goals than carbon neutral by 2050. She said that was green-washing, and it was too late. Ms. Cox said if they were proposing a fossil fuel powered microgrid in 2023, they were not on track to meet their goal of 50 percent clean energy by 2030. She said they had not consulted with experienced renewable energy experts and worked to find solutions and NJ TRANSIT has no plan on how they will transition a gas plant to net zero by 2050. Ms. Cox said building a new gas microgrid in the overburdened community of Kearny violates New Jersey's Environmental Justice Law and is environmental racism. She said despite citizens raising these and other issues, they have not seriously addressed their concerns but instead talk in vague platitudes, and not in detailed scientific answers.

Ms. Cox said New Jersey has invested in five fossil fuel companies for decades of misinformation related to the climate change, claiming that they were responsible for the destruction caused by stronger storms, and should pay for the resulting property damage. She asked why build a fossil fuel powered microgrid when New Jersey is suing those same companies. Lastly, but most importantly, she said they were in a climate crisis now, noting there has barely been any snow this winter season, and instead, there has been constant rain. Ms. Cox said just that week, some areas of New Jersey had dangerously low wind chills as low as negative 20. Paired with the extreme heat they experienced last summer with over a month of 90 plus degree days with barely any rain prompting drought restrictions, she said these weather extremes are what climate change looks like. Ms. Cox said it was a scientific fact that the burning of fossil fuels was causing the climate crisis, and the NJ TRANSIT gas plant would lock them into more health problems from pollution, destruction of property by stronger storms, harsher conditions for landscapes and wildlife, and damage to an overall sense of well-being. Ms. Cox asked the Board to follow Governor Murphy's request and make the project as green as humanly possible.

Adam Reich said at last week's Operations & Customer Service Committee meeting, Board Member Narra promised there would be an update during tonight's meeting on the customer advocate vacancy and he was awaiting what Board Member Narra had to say on that, and asked that they address the Customer Advisory Board. Mr. Reich said please do not lose him in the shuffle of environmental advocates and be sure to address the specific point since they promised to help them during a meeting that was held back in the fall.

Mr. Reich said he would use the remainder of his time to talk about the issue of closed cars on trains. He asked President & CEO Corbett not to be so cavalier in doing a victory lap on ridership numbers, stating the fact was, they had riders tell them they cannot ride the system with the current mask optional policy. Mr. Reich said to offer a reasonable accommodation to those riders, like opening every available car, especially since they were not going to offer a mask car option and not offer a dialogue to their riders. Mr. Reich said during last week's Operations & Customer Service Committee meeting, Mr. Sincaglia said closed cars helped to increase safety and security for their customers, allowing them to be more easily monitored and accessible by the crew. Mr. Reich said the reality did not pair with that, and the fact was when cars were closed, there was a tendency for train crews to hide, not monitoring the public, and not easily accessible to the public if they need assistance. He said train crews are not present at every door and stop and passengers were not able to be monitored as it was. Mr. Reich said there were no reasons why they cannot open additional cars, particularly if they were seeing more crowded trains with the same crew level. He believes they can safely open additional cars.

Mr. Reich wanted to ask the Board regarding the Northeast Corridor trains in the evening, as a reverse peak rider, to please consider the vulnerable family members riders go home to. He said to consider immunocompromised riders who cannot ride the system, stating opening an additional car would not be controversial among passengers as it was something they can pragmatically and safely do. Mr. Reich said there was also an accessibility issue. If cars were closed, that means there was at least one fewer bathroom available to passengers. For somebody with underlying conditions, seniors, or someone who has young children, it can be burdensome to ask them to walk the other way if they cannot find a crew member onboard to open the car for them to use a restroom. Mr. Reich said please open up every available bathroom car for the sake of those riders. He asked that they lower on board density for those people who are continuing to mask or remain concerned about COVID or have underlying vulnerabilities.

Mr. Reich wants additional cars opened and to have an honest dialogue with the riders. He said it was imperative that they have a dialogue whether it occurred through the Customer Advisory Board or a public forum. Mr. Reich said simply ignoring COVID's continuation and the vulnerable riders who have told them they cannot ride their system currently was not acceptable. He said it was not who NJ TRANSIT should aspire to be as a state agency, and it was not what they should aspire to be as an agency trying to promote accessibility forums and accessibility in general.

Ann Brown, resident of Weehawken, said she would like to comment on the proposed NJ TRANSIT power plant. Each day they learn more and more about the effects of climate change on their immediate communities and on the planet. The warnings could not be more dire, from floods to fires, dying ocean to new pathogens. Ms. Brown said she urged NJ TRANSIT to honor the commitment made in 2020 to utilize renewables to the greatest extent possible as a backup power for their operations. She said the current request for proposal was soliciting designs for a new fossil fuel plant where gas would be piped into the facility. Ms. Brown said piping gas was inherently risky and prone to supply disruptions. Furthermore, since they claim to be committed to transitioning to renewables by 2050, it was investing in public funds for technology that will have to be replaced.

Ms. Brown said the plan also burns a community that already bears a disproportionate toxic load. She said NJ TRANSIT and Governor Murphy, it was time to honor the pledge made in the Energy Master Plan and move New Jersey to a greener future.

Sally Jane Gellert, Chairperson for the Lackawanna Coalition, said she was recently elected as first Vice Chairperson of NJ TRANSIT's Senior Citizen and Disabled Residents Transportation Advisory Committee (SCDRTAC). Ms. Gellert said however, she was speaking in her personal capacity. It was saddening to read of Mr. Fulton's resignation from the Board. He had often times replied to their public comments, asked questions about action items, something that had been lacking in the past, and it was a welcome example from the top. Mr. Fulton consistently asked for more information for the Board to learn about meaningful events before the press and for more transparency overall. Ms. Gellert said as they had jokingly said in the past, they were complaining about barely translucent train windows. Even the NJ TRANSIT train windows were not transparent, and it was nice to hear some from the dais echoing those concerns. With both Mr. Fulton and former Board Member James Adams now gone, they hoped that they will not see a return to a silent rubber-stamping Board.

Ms. Gellert said on a more positive note, the Lackawanna Coalition was pleased to be the advocacy host at The Rail Users' Network (RUN) Conference being planned for April in Newark, around the corner at the North Jersey Transportation Planning Authority Headquarters. RUN conferences generally included a tour of local transit for guests from across the country. Ms. Gellert said they would have more details as the event date got closer and to mark Friday and Saturday, April 28 and 29, 2023, for the conference and tour. Their grassroots group was considering how they could host an event for local transit folks to network with the expected out of town guests.

Ms. Gellert said Saturday, February 4, 2023 was Rosa Park's birthday and Transit Equity Day. She said four years ago, it was designated as such by the Labor Network for Sustainability. Ms. Gellert said she attended the new livestream event this year and was interested to hear from transit workers and riders from across the country, from Boston to California, and as many places in between. Ms. Gellert said she had previously met Christine from No Bus Cuts in Denton, Texas during her virtual attendance at a transportation camp in Washington DC in January. The group gave a short presentation at Transit Equity Day on the predatory micro transit that was cutting out public bus routes on which many people depend, in favor of the GoZone Project ran by Via in Denton. Ms. Gellert said worst, many riders do not have smartphones to help such a vehicle, which carries only four at a time, adding to congestion when the route is cut. She said she was curious about the Via program in Jersey City. She said a friend of hers who resides in Jersey City said they were unimpressed, and that more NJ TRANSIT bus service would have been a better solution.

Ms. Gellert said she was pleased to recognize their presenter, with whom Mr. David Peter Alan and she shared a virtual podium at Transit Equity Day a few years ago, someone who used a wheelchair at the time, and was in a fight with the San Francisco Public Transportation Department over accessibility. Ms. Gellert said she joined the program via livestream this year and viewed a video of his attempt to board a bus in which the ramp

would not reach the sidewalk. He stated this was the third bus to come by. He went on to report a settlement of the lawsuit and included a substantial increase in training for drivers and new system of priorities to ensure the drivers would no longer be penalized for the extra time needed to operate a lift or otherwise assist disabled resident riders that cause the bus to be late. The website included thanks to local Transit Workers Union. Ms. Gellert said the website included thanks to local transit workers union and she hoped that all transit agencies, including NJ TRANSIT understood the needs and did not need to be sued to improve transit equity. She said transit was a civil right and everyone, workers, riders and everyday residents should have access to reliable and affordable transit.

Richard Grant, resident of Hackensack, welcomed the new board members, noting they represent NJ TRANSIT's riders and NJ TRANSIT serves as a specialized economic development agency when they review and approve contracts and projects. Mr. Grant said they also represent every state resident, taxpayer, and voter living with the continuing effect of greenhouse gases and other pollutants. He noted the Board was almost full and there was an opportunity for a fresh start on board committees, given that the Safety Committee has no Chair, the Energy & Sustainability Policy Committee was down to one member, and former Vice Chair Fulton had been serving concurrently on four committees. Mr. Grant said experts agreed that for Board members to be most effective, they should serve, preferably on no more than two committees. Mr. Grant said if the full Board's ten members, all but the Chair each were to serve on only two committees, then four committees would be staffed with three members and the other two committees would have four members.

Mr. Grant said while it was great to hear President & CEO Corbett report on individual sustainability actions, powering NJ TRANSITGRID primarily with a gas fired power plant remains a ten-year-old solution at a time of more clean energy technology being available and affordable, and of increased awareness of the risk of methane emissions of super-sized federal clean energy funding. Mr. Grant said it would have to be presumed that every other Murphy Administration emission reduction initiative would stay on track to timely release or even exceed its goals. A hard presumption to make given the Board's own experience with the search for a Customer Advocate.

Mr. Grant said new members had joined the Board with visible evidence that it favors secrecy over openness. He said President & CEO Corbett gave his update report without follow up by board members, press, or members of the public. He complained the public comment section restricts individuals to three minutes without board interaction. Mr. Grant said the takeaway was that the board committees did a little more than politely listen to update reports where managers have complete control of the content.

Johan Andrade, long-time resident of Hudson County, thanked NJ TRANSIT for increasing bus frequency in Hudson County. He certainly relies on NJ TRANSIT buses and light rail service to move around to North Bergen and New York City and while the improvements have been tremendous, there were still a lot of gaps in the system. One of the biggest gaps in his area was lack of frequency for routes, 88, 154, and 159 on weekends and evenings. Mr. Andrade said if someone expected to return back to Hudson County from Manhattan on a Saturday evening, the bus would be packed to maximum

capacity with lines from the Port Authority Bus Terminal going from end to end, and then having to wait for half an hour for another one. When traveling to North Journal Square and they need to take the 88 from Kennedy Boulevard they can wait upwards of one hour and ten minutes for the next bus. Mr. Andrade said there was also something similar happening with light rail as well on weekends. He said this needs to be improved and they need a customer advocacy office that could hear their concerns and provide feedback.

Mr. Andrade said Kennedy Boulevard was a dangerous corridor and that NJ TRANSIT needed to invest in bus rapid transit to help shift some trips away from the automobile. He said New Jersey can benefit by the New Jersey Turnpike putting the \$10.7 billion to better use by giving it to NJ TRANSIT, and they would have less congestion, reliable transportation, safer streets, and cleaner air.

Raphael Wakefield, resident of the Westside of Jersey City, said he would echo the previous speaker on a number of issues. Mr. Wakefield said he was reminded of several years ago, pre-COVID, President & CEO Corbett gave a talk about how NJ TRANSIT was doing on the rail safety replacement program. Specifically, the automatic track stoppage. Mr. Wakefield said he remembered thinking and saying, NJ TRANSIT did not deserve credit under Governor Murphy for getting back to being a decent commuter transit agency. He said the agency was not good at being a 24-hour transit agency.

Mr. Wakefield said he was concerned to hear President & CEO Corbett again at the top of the meeting talk about how commuter ridership was up, not where he would like it to be, but they just have to pray it goes further up. He did not know what the weekend ridership was for NJ TRANSIT, but he knew that in New York City weekend ridership was statistically above the last 20 years even as weekday ridership remained stagnant.

Mr. Wakefield said it was reasonable to think that form of transit use was a general phenomenon and not some transitory thing. His interest in addressing this was concerning because they were still talking about the natural gas power plant which was supposed to provide back-up power to the electrified rail system. Mr. Wakefield said that was great, but, NJ TRANSIT, as many other electrified rail systems runs diesel trains all the time. He said there was resistance to begin conversations about expanding electrification to finish the North Jersey Coastline, even though that was a no brainer and not much further to go, even though they have electrification.

Mr. Wakefield said getting to the \$10 billion Turnpike plan, was parallel next to the Hudson-Bergen Light Rail, which was also electrified, and yet it does not have the 24-hour service the taxpayers expect. He said it was not just New Jersey or Hudson County, it was not just Jersey City, federal taxpayers paid for this infrastructure and yet they have less frequent running times now than they did in 2009 or so when it first opened. Mr. Wakefield said he expects better from the agency and that includes Board members going out on a limb and standing up against ill-conceived ideas like spending \$10 billion on the Turnpike expansion that only construction units want, and that would be a direct competitor to public transit and will endanger the long-term funding of the system. Mr. Wakefield said he was calling on the Board to show some guts and a little courage

and get out there and stand firmly against this and tell them to use the money to electrify NJ TRANSIT's system and run service that would attract more ridership.

Ken Dolsky said he wanted to make two points on TRANSITGRID. First, the members of the Board must clearly understand that since Hurricane Sandy, Public Service Electric and Gas (PSE&G) raised all of its substations that provided power to NJ TRANSIT. That included the new PSE&G Meadowlands maintenance supply switching station constructed specifically to interface PSE&G to TRANSITGRID. Mr. Dolsky said as some may know, after Hurricane Sandy, PSE&G was able to produce electricity, but they could not deliver it because the substations were flooded. He said now they were all at least one foot above maximum flood level and if another Hurricane Sandy were to hit tomorrow, NJ TRANSIT would not be affected. Mr. Dolsky said NJ TRANSIT would not have a power outage and all substations would continue to perform as they do on a normal day. Therefore, he said there was no longer a need for the TRANSITGRID project and continuing to waste taxpayer money while increasing air pollution and making climate change worse, was simply a crime.

Mr. Dolsky said secondly, since the timeline has been extended by one year, NJ TRANSIT now has more time to reconsider developing a renewable energy solution. He said they would support developing a solar based source of electricity under any circumstance, whether it was needed for backup or not, as it would help clean the power grid and make New Jersey one step closer to cutting greenhouse gases and 100 percent clean renewable energy. Mr. Dolsky said this was feasible and would produce a better financial result for NJ TRANSIT than a gas plant. In fact, he said it would be riskier financially to build a gas plant than a renewable energy-based solution. Mr. Dolsky said the battery needed for this, which the Board claimed constantly would not work was relatively small compared to others that were currently in daily use at utilities. He said the space needed for solar was approximately 300 to 350 acres.

Mr. Dolsky said this was all doable and they would soon provide additional proof of the feasibility to the Board, Governor Murphy, and the members of the Legislature, who all have to understand that NJ TRANSIT is wasting its grant money on a gas plant. He said the Legislature will then have to fund the transition to a clean, renewable solution. Mr. Dolsky hoped at this point in the meeting all of the new Board members were still as excited and enthusiastic about fixing the problems of NJ TRANSIT as they were at the opening of the meeting.

Matthew Bewley, resident of Jersey City and a NJ TRANSIT bus and train rider, thanked the Board for the opportunity to comment and staying late and listening to all of the public speakers. Mr. Bewley said like many of the speakers before him, he wanted to talk about the extraordinarily wasteful and harmful \$10.7 billion Turnpike expansion and how NJ TRANSIT could be part of an alternative solution to the need that it supposedly served. Mr. Bewley said Board members of the organization oversee an organization that already transports more people than the Turnpike and as Board members of the organization they have an obligation and a prerogative to ask questions.

Mr. Bewley requested that Board members ask questions of the agency's leadership if they come to them with a budget that once again transfers hundreds of millions of dollars from the capital budget to the operating budget and ask why the \$10.7 billion piggy bank that the Turnpike Authority is apparently sitting on cannot be redirected, at least in part, to NJ TRANSIT for solutions that will not poison the air, warm the climate, and fill the streets with traffic; streets where people are injured and die regularly.

Mr. Bewley said he would also ask that the Board ask why NJ TRANSIT cannot get together with jurisdictions within Hudson County, Bayonne, Jersey City, and everyone who has a stake in better bus service and better transit service in the regions of Hudson and Essex Counties. He asked why NJ TRANSIT cannot be proactive in initiating those discussions about improving bus service and improving light rail service. Mr. Bewley said it was possible but when they talk to jurisdictions about bus service, they are told to talk to NJ TRANSIT. He said when they contact NJ TRANSIT about improving bus service, they are told to contact the jurisdictions. Mr. Bewley said he requests that the Board members ask NJ TRANSIT to start initiating those discussions, so riders can get bus lanes, bus priority, bus amenities, transit signal priority, and everything they need to serve real travel needs without harming the climate, and harming themselves. Mr. Bewley said everything he had mentioned was a better use of \$10.7 billion than a wider highway to nowhere.

Chris Adair a long-time resident of Hoboken, commuter on the 126 bus route, and member of the Hudson County Complete Streets organization, said there was talk earlier how bus, train, and light rail ridership was increasing rapidly back to pre-COVID levels, which speaks to the need for more frequent service for all of their buses, trains, light rail and other transportation options, in particular, overnight and on weekends. Ms. Adair said they need dedicated bus lanes so that passengers can get on buses more efficiently, and buses should never have to sit in single occupancy traffic. Ms. Adair said they need express bus lanes in the Lincoln Tunnel to be open 24/7 which would prioritize people riding the bus to get them where they were going more efficiently. She said this was how to make the customer experience better which would then increase ridership, and more importantly decrease the number of people in cars.

Ms. Adair said NJ TRANSIT has to keep increasing investing in their buses and light rail, and although this takes money, they need their political leaders like Governor Murphy to “get on the bus” and find dedicated funding sources for NJ TRANSIT once and for all. However, she said in the meantime they have an extra \$10.7 billion which could be used right now to fully fund NJ TRANSIT beyond the Fiscal Year 2026 cliff. Ms. Adair said rather than waste that \$10.7 billion expanding the turnpike they need NJ TRANSIT to help advocate to get some of that money to help create better bus service and expand the light rail to go into Bergen County. Lastly, Ms. Adair said they need a Customer Advocate to meet with the various communities to hear their concerns which was the law, but has been ignored.

Christian Nowell said as mentioned by the previous speakers, it was dumbfounding in his mind that a frack gas power plant could be considered as a primary feature for the transit grid resiliency plan. He said NJ TRANSIT must amend the Request for Proposal

(RFP) to call for the maximum use of renewable energy now. Mr. Nowell said not only does the RFP not prioritize renewable energy, but it also makes it extremely difficult for the proposal to do so. He said the proposed Koppers Coke site to be used for the power plant was surrounded by overburdened environmental justice communities, and categorized as minority, low-income, and low-income non-English speaking residents. Also the wonderful New Jersey Turnpike expansion surrounds those areas on three sides and the New Jersey Turnpike ran right through the middle of these communities. Mr. Nowell said if they really want to pour on the pollution in these communities, this was exactly how you would do it. Lastly, he urged NJ TRANSIT to revise their RFP to call for the maximize use of renewables now.

Janak Simons-Evans, public health intern, said clean air and public health was very important to her. She said the NJ TRANSIT Meadowlands gas power plant must be stopped to protect the climate and their future. Ms. Simons-Evans said the gas power plant would emit toxic air and climate warming greenhouse gases which were almost at 2.5 million metric tons of carbon dioxide. She said they have a responsibility to protect the children, future generations, protect the clean air, and reduce greenhouse gases, and must stop burning fossil fuels. Ms. Simons-Evans said a natural gas power plant would produce significant nitrogen oxide, and this would make it harmful to breathe and damage their respiratory system, and have adverse-effects on peoples' health. Also, nitrogen oxide would harm the environment and even cause Asthma. Ms. Simons-Evans said to please stop this gas power plant to protect the communities and their future, and promise to only use power from a renewable energy source that uses solar, wind, water, and battery storage. She said clean and renewable energy was advancing rapidly, and Stanford was working on solar panels that work at night, so do not lock them into a polluting gas power plant of yesterday.

Tim Sevenser, of the Transit Village of Mount Tabor and member of the Association of Rail Passengers, said they were told that the trains could not be powered with solar power, however PATCO was running their trains with 50 percent of their traction power and have solar panels on their parking lots. Mr. Sevenser said many countries were also using solar canopies and that they could too, and he has supplied a list that could be shared with the new Board Members which showed his suggestions for electrifying NJ TRANSIT various train lines.

Jenan Aburoumi, public health intern, wanted to raise a family in New Jersey and it was important to protect the health and future of the children and future generations. She asked that NJ TRANSIT stop the Meadowlands gas power plant and not allow their air and environment to be polluted. Ms. Aburoumi said the gas power plant would cause irreversible damage on their health, the air they breathe, on their children and family, and climate. She said they need to stop burning fossil fuels and protect their children's future, and burning natural gas releases hazardous air pollutants into the air. She asked that they use only clean renewable energy from wind, solar, and battery storage. Ms. Aburoumi said progress with clean renewable energy is happening all over the world and they must protect the future generation.

Jimmy Lee congratulated NJ TRANSIT on their recent increase in ridership numbers, welcomed the three new Board Members, and said they had a lot of work to do. Mr. Lee said he was a resident of Jersey City and has been riding NJ TRANSIT buses and light rail, and was calling in because he was opposed to the disastrous \$10.7 billion plan to reconstruct a new wider turnpike extension through the heart of Jersey City and Hudson County. He more so opposed this project for the noise and pollution that this would cause to the businesses, residents, public housing for decades to come, the safety issue that the cut-through traffic would bring, and also this extraordinary warm winter that should remind everyone they were in the middle of a climate crisis.

Mr. Lee said that NJ TRANSIT was not the villain in this story and could be the hero. While car electrification in New Jersey remained low at only 1.4 percent of registered vehicles, NJ TRANSIT was already providing electric powered and low emissions transportation for hundreds of thousands of people a day, and growing. Mr. Lee said NJ TRANSIT's mission was now more important than ever as a primary tool fighting climate change, environmental justice, and could be an engine for future forward economy and solve the epidemic of traffic violence.

Mr. Lee said New Jersey traffic deaths hit a 15-year high of over 700 traffic deaths in 2022. He asked that NJ TRANSIT put together an alternative regional transportation plan to widening the turnpike, and show how \$10.7 billion can be put to better use because they already know that private vehicles through the Holland Tunnel is less than three percent of the commuter volume into lower Manhattan. He said the bus lanes and train lines provide more than 10 times of the capacity of each highway lane. Mr. Lee said show the people of New Jersey and elected officials how NJ TRANSIT can provide a sustainable, efficient, convenient, and attractive alternative.

Teneisha Garner, resident of the Ironbound neighborhood in Newark, said earlier that day she joined the Tri-State Transportation Campaign, an advocacy group, at a virtual conference to talk about transit equity. She said Transit Equity Day took place last Saturday in honor of the life and legacy of Rosa Parks. Ms. Garner said they heard from riders around the state about the experience with NJ TRANSIT and the need for more funding in order to support capital projects such as, expanding service, electrifying their bus fleet, and keeping transit affordable for the everyday rider. Ms. Garner said at the conference she knew as an Ironbound Newark resident, transit was an essential lifeline for herself and neighbors. Ms. Garner said in Newark many households did not have access to a car and many relied on public transportation, especially buses to get around. Ms. Garner said she used the number one and 25 bus routes to go grocery shopping, picking up supplies for her business, going to important community meetings, and to visit family and friends.

Ms. Garner said the Bus Riders Bill of Rights would ensure that NJ TRANSIT secure a stable dedicated funding source and securing this would allow for their capital projects, like the electric bus rollout. She said neighborhoods like hers deserved clean energy to reduce carbon emissions so they could have clean air. Ms. Garner said it was also critical that NJ TRANSIT was properly funded to meet the needs of riders. They also need to

safeguard riders from any fare hikes and service cuts, and a dedicated funding source would do so.

Ms. Garner said the Ironbound in Newark was an environmental justice community and had a high cluster of cancer and asthma there because of the industrial industries that were there. She said the NJ TRANSIT buses currently run off of diesel, polluting their community, and NJ TRANSIT needs to commit and invest in more sustainable solutions that would reduce emissions. Lastly, Ms. Garner said they want safe and environmentally sound solutions to keep their community safe.

Andrew Wilson said he appreciated the higher frequency in bus service in Hudson County, however at times buses were full to capacity and pass his stop, and once he does get on a bus there was standing room only. Also the express bus lanes in the Holland Tunnels were crowded and the buses were often stuck in traffic waiting behind emergency vehicles.

Mr. Wilson said the Hudson-Bergen Light Rail service was terrible and breaks down almost on a daily basis making the service unreliable for commuting. Even when the service is running properly, he said there were 40 minutes delays.

Mr. Wilson said he was opposed to the NJ TRANSIT power plant, was opposed to the New Jersey Turnpike Authority roadway expansion project, and if Governor Murphy wanted to be the climate Governor he said he was, then NJ TRANSIT and the Turnpike Authority must change their course. Lastly, Mr. Wilson said he agreed with the other speakers that NJ TRANSIT needed a Customer Advocate, so they have someone to voice their concerns to.

Matthew Graham, Union City resident and Member of the Hudson County Complete Streets organization, welcomed the new Board Members. He said he was a little confused as he called into the NJ TRANSIT Board meeting that night and listened. Mr. Graham thought it sounded more like an Exxon Mobile meeting. He asked why NJ TRANSIT was investing in a power plant in Kearny and why they were investing in the harm and decline of the climate. Mr. Graham said he did not understand how in the 21st century NJ TRANSIT could decide to build a plant that could cause so much harm. Also he said the New Jersey Turnpike Authority roadway expansion project, others have talked about would literally destroy people's home and the additional traffic would cause kids more asthma, and asked how New Jersey spending is so much money on damaging the community. Mr. Graham said this money would be better spent on improving the transit system and spending it on buses and trains to help the community.

Lastly, Mr. Graham noted he would like to be discussing improving bus service in Hudson County and consolidating buses. He would also like to have bus rapid transit on Kennedy Boulevard in Hudson County. Also, he too agreed with the other speakers that a Customer Advocate was needed so they could hear all the concerns they had. Mr. Graham said it was wasteful spending on the Turnpike Authority's part for the Holland Tunnel Expansion billion-dollar project. He said he could not help thinking about how many more buses they could run with that amount of money, and urged everyone to contact the Governor and

urge him to reconsider that project, and shift as much money as they can to NJ TRANSIT, which could be used in a much better way.

Emmanuelle Morgan, frequent rider of the 119-bus line, and current president of Hudson County Complete Streets, said every day in their town it was increasingly obvious that their overburdened transportation system, including transit roads, bike share, and more was incredibly strained. She said many residents live in transit deserts where service was sparse and unreliable. Ms. Morgan said their town was suffering from historic underinvestment in transit, roads were overburdened with congestion, traffic continued to climb, and the passing of the bipartisan infrastructure bill will allow Hudson, Essex, and Union counties to have funds to create an action plan. She said their advocacy group was working with elected officials and city planners on a plan for a countywide sustainable transportation systems that include transit.

Ms. Morgan said they were resurrecting the 2013 North Jersey Transportation Planning Authority recommendation for Kennedy Boulevard, and they were motivated by their own experiences with congestion, traffic violence, the air that they breathe, and a worldwide acknowledgement that the world is on fire. Ms. Morgan said they know that other people around the world are operating with cleaner only bus fleets, and making transit more reliable and comfortable, and they must investment in cleaner alternatives to save the world. Lastly, Ms. Morgan said her group was there to help and ready to advocate with the state electives for reallocating Turnpike funds to transit and to let them know what they can do.

Eileen Lynch said she would like to thank the Board for holding these meetings and being opened to hearing comments from the public. Ms. Lynch said she learned a lot from all the comments she heard, however her comment was nothing that anyone had spoken on. She lives in Hoboken, New Jersey on Washington Street with a NJ TRANSIT bus stop in front of her building and goes to sleep at night, and wakes up to the screeching sound of an alarm from the NJ TRANSIT buses (which she recorded and played). Ms. Lynch said this sound was horrible, disrespectful, and thoughtless and it goes off every time the bus stops at the southern and northern corner of her block. She hears these alarms at 1:00 a.m. and 6:00 a.m. and not every single bus has this alarm, which says to her that no bus should. Ms. Lynch said her area was a heavy residential area and no one's peace should be disturbed by those bus alarms.

Ms. Lynch said while she understands the purpose for the alarms and they were about warning people that the steps or bus was being lowered, however, there was a better way of doing it. She said maybe there was something that could be done with lights because the ear-piercing noise was driving her personally insane. She said everyone that day was talking about air pollution which she agreed with 100 percent, but her issue was noise pollution, which she thought was an easy fix and begged NJ TRANSIT to do something about it.

Brian Levinson, a Princeton resident, said he wanted to thank NJ TRANSIT for its foresight on Princeton Transitway Study which was culminated in November, recommending a new and revitalized corridor in Princeton Junction. Mr. Levinson said

this was a very popular idea in the Princeton area and something that was desperately needed, and his advocacy group launched an online petition and they have collected more than 500 signatures, testimonials, and letters.

Mr. Levinson said he lived in Princeton and taught high school right near the Junction, and would tell the Board what he saw during his commute. Often, he drives to work because there are no safe or convenient way to cross Route One to the Junction. Mr. Levinson has been seeing new construction everywhere with several new multi-unit housing developments going up, and Princeton University expanding its footprint and significantly increasing its undergraduate and graduate population. There also was a new hotel set to open next year at Chamber and Nassau Streets. Mr. Levinson said for the sake of its congested roadways and the air that they breathe, these ten-thousands of residents need more options than just their automobiles. He said they need a fast and reliable sustainable 21st century transitway that can connect the Northeast Corridor to a regional hub like Princeton, and he urged NJ TRANSIT to fast-track development of the multi-modal transitway.

Mushana Gunham echoed everyone's comments on the planet and renewable energy and asked that NJ TRANSIT reconsider opening the Ampere Train Station, and noted as previously stated this station was extremely important. She said unlike other stations, Ampere Train Station would serve three communities, Newark, East Orange, and Bloomfield. As much as they need more buses, Ms. Gunham said they still need the train. Ms. Gunham said African American communities and other minority communities have been long forgotten and Congressman Donald Payne Jr. said there was still \$2.5 billion remaining to be used by transit industries. Ms. Gunham asked that NJ TRANSIT use that money and bring back the Ampere Station.

Ms. Gunham said there was a petition for the Ampere Train Station which had over 220 signatures and it has been growing. Ms. Gunham said this train station would also be useful going into Newark Penn Station, but it does not go to Newark Board Street, Hoboken, Upper Montclair, or New York City. Ms. Gunham said she was also part of the North Jersey Transit Alliance and speaking on behalf of Miguel Santos who was in queue to speak but had to go offline.

Golda Harris, student from Union County College in Elizabeth, New Jersey, who was disabled and takes the 59 and 113 bus from Elizabeth, said her concern was that there were no shelters with lights and seating. Ms. Harris said while she agreed with some of the speakers tonight, she did not agree with all of them. She said she was also a member of the New Jersey Bus Association's Council, and her fellow member previous caller Teneisha Garner was also a part of the New Jersey Bus Association Board, and hoped that NJ TRANSIT would extend an invitation to her again to join them in advocating on behalf of the Council.

Ms. Harris said she was also a part of the Tri-State Transportation Campaign and were advocating to have set funding so they could hold events, and just completed videos asking Governor Murphy to come ride with them. She heard a lot of complaints about using diesel fuel, however, there were a lot of people who still had to use diesel for their

businesses, and some people cannot afford to replace their cars. Ms. Harris said this was also probably why diesel was needed in the NJ TRANSIT RFP and had fracking in it, so they did not have to rely on foreign oil. She said this was just a guess behind the thinking of what Governor Murphy had decided and she was onboard with getting rid of greenhouse gas emission and going electric.

Tineke Thio said she lived in Princeton, New Jersey and appreciated the bike racks on the buses because she used them to put her bike on which she takes everywhere. She also expressed her appreciation for the bus drivers who have been helping her put her new electric bike, which she loves on the rack because she could not do it by herself. Ms. Thio said it was probably wrong of her to love a machine as she does, but her electric bike took her a lot farther than her old one. She said there was no safe way to cross Route One on a bike, which was why she was so excited about the Princeton Transitway and the proposal to build a safe walk and bike path next to the Princeton Dinky. This transitway would allow Ms. Thio to bike to more places, which she would love. She said she was also a member of the Princeton Pedestrian Bicycle Committee, and while she did not speak for the committee, she could tell everyone that other members on the committee were very excited about the proposed Princeton Transitway. As a member of her committee she was also involved in a survey in Princeton regarding mobility and found that very few Princeton residents got around by bus, but would if it were more convenient.

Matthew Walsh commended the previous speakers whom he thought did a great job. He used a football metaphor describing New Jersey as a 50-Yard Line having an insight to set aside 20 percent of its land area in the Pinelands, and 10 percent of its land area in the Highlands against development, and this deserved watershed, woodlands, and area farmlands for development. Mr. Walsh said New Jersey was the first built out state in the nation and cannot keep on building out inner lands. Mr. Walsh said any one can observe that in the last seven to 10 years all of inner lands and suburbs in New Jersey, Hackensack, North Newark, Bloomfield, the Oranges, Cinnaminson, and Glassboro, people were moving in, and developers were building mammoth apartment complexes. He said they were doing this because the infrastructure was there.

Mr. Walsh said NJ TRANSIT has not addressed its demographics which was recorded in the census of 2020, people were moving back to the suburbs, there was no public transit to accommodate everyone, and Ampere Station was a perfect example. His main concern was the Montclair to Jersey City right-of-way, which was a crucial link between Montclair, Newark, Hudson-Bergen Light Rail, and Secaucus Junction. He asked that Governor Murphy provide a rail and trail to support all of the people moving into the suburbs.

Constantine Kudryavtsev provided comments in response to the re-opening of the Ampere Train Station. He constantly commutes between Essex and Hudson Counties and said he would greatly benefit personally from the reopening of the Ampere Train Station on the Montclair-Boonton Line in East Orange. He believes that municipalities would also greatly benefit from the reopening of the Ampere Station as well. Mr. Kudryavtsev said there was a grant available for this project and that NJ TRANSIT and the municipalities needed to tap into it. He also mentioned there was a petition going around called the Ampere Train Station Revival Petition with more than 200 signatures.

Mr. Kudryavtsev urged NJ TRANSIT to recognize that there was a high demand for this train station, and this was the perfect time to take action.

Public Comments Submitted in Lieu of Speaking

Ariel Witten requested the investigation of Tiffany Valiante be reopened.

Denise LaFronz stated it has been two years since Stuart Mader left his role as Customer Advocate, there was no job posting on NJ TRANSIT's website for the Customer Advocate, and asked when this role was going to be filled.

Board Member Comments

Board Member Narra said she wanted to address something that Adam Reich raised as well as a few of the other speakers about the Customer Advocate position. She said at the Operations & Customer Service Committee meeting last month that she would give an update. Board Member Narra said she has spent quite a lot of time speaking to NJ TRANSIT staff as well as talking to other Board Members regarding the Customer Advocate and trying to figure out how they could retool the position as it related to duties and responsibilities. Research was done about the legislation, and they have also been discussing the resources and support that would be required to allow the Customer Advocate to successfully fulfill the role. However, they have a number of new Board Members, with very different and diverse backgrounds. Board Member Narra said she will now need time to talk to the new Board Members about what their ideas are for a Customer Advocate, as well as provide them with an update on where they are with the role and what they see as different from the way the role was envisioned before.

Board Member Narra asked for everyone's indulgence and patience and was going to work on this task quickly, and would be reaching out to the new Board Members to have extensive discussions hopefully within the next couple of weeks. She said please be patient with her because she has two jobs, and will do this because she too was a commuter and has heard all of the comments from the riders and do take them to heart. Board Member Narra said once this gets done, they will work with Human Resources and get the new job posting out, and have set an outward date of a month and half from now to finish all of this. They will finish the consultation to get the posting out, and start working on their strategy for recruitment for the role. Her last point was that following through with this process, Board Members were going to be involved since the Customer Advocate position would be reporting directly to the Board, and they would be involved in interviewing of the final candidates. Board Member Narra said she was making this her commitment to get this done soon, and felt that a customer advocate could be an incredible asset for not just all of the riders, but also for the Board.

Board Narra said she wanted to address Mr. Kaufer who mentioned bringing back Ampere Station. She recalled a briefing on future capital projects and this station was on there so this was not the first time that the Board was hearing about this.

Board Member Narra said she also wanted to address Sara Thompson's issue of being Hearing Impaired and not being able to hear announcements at stations and them not being ADA Compliant. Senior Vice President & Chief Legal Officer Brian Wilton reminded Board Member Narra that Ms. Thompson had a litigation pending and to refrain from commenting on that issue. Chair Gutierrez-Scaccetti reminded everyone that if instructions were being given to the Board that everyone turn their microphone on so that the remote Board Members could hear what was being said. Senior Vice President & Chief Legal Officer Brian Wilton repeated that he told Board Member Narra that she must refrain from discussing the Sara Thompson issue due to pending litigation.

Board Member Narra said she also wanted to address comments made by Mr. Andrade who talked about gaps in weekend ridership, bus lanes, and overcrowded buses which they were all aware of. Board Member Narra said she sees the crowding on her bus ride and a number of other riders were talking about how the buses were getting packed and driving by people. Board Member Narra asked that Bus Operations look into the particular bus lines that were mentioned routes 88,154, and the 159 as well as what was going on during the weekend because she has hearing this anecdotally from people she knew as well.

Board Member Narra said she took very extensive notes and would translate the rest of her notes and send to the NJ TRANSIT staff. She also noted that she knew staff was listening and although people may not see it, they have staff members that were at the Board meetings all night and were taking notes. Board Member Narra said she was aware they do not have a Customer Advocate, and as one of the previous speakers mentioned, in the absence of a Customer Advocate the Board Members should take on that role, and wanted everyone to know that many of them do. She also noted she was not the only Board Member who took notes, and would get answers.

Chair Gutierrez-Scaccetti asked about the idea that a new Request for Proposal (RFP) was released for the NJ TRANSITGRID. President & CEO Corbett said there has been no new RFP request released for the NJ TRANSITGRID, and thought there was some confusion on the advocates part. He explained the original target submittal date for the finalist, which was originally targeted for the end of 2022, has now been adjusted to April 2023. This would allow more time for more detailed design work at the request of the bidders, and they also adjusted the financial incentive to make sure the submittals would be financeable. The schedule for the submittals was now April 2023 and the selections were down to the two finalists by May 2023, but the RFP was still the same. Chair Gutierrez-Scaccetti asked had the overall schedule been extended a year. President & CEO Corbett said the schedule should be the same, they were just allowing for the design work to be put up front, which would benefit NJ TRANSIT on the backend.

Chair Gutierrez-Scaccetti asked whether there was a change to their requirements or request to include the conversion of renewable energy, and was this still a part of the RFP. President & CEO Corbett said conversion to renewable energy was still much a part of their RFP request, and the adjustment of the interim schedule was to allow the bidders to maximize and make sure the renewable elements being put in were maximized.

Advisory Committee Report

Suzanne Mack welcomed the new Board Members and said the North and South Jersey Passenger Advisory Committee looked forward to working with them and they were looking to expand their future committees so there were more advocates in the future. Ms. Mack said she originally had 14 things on her list to discuss tonight but would keep it short due to the length of the public speaker comment period.

The North and South Jersey Passenger Advisory Committee met virtually on December 9, 2022 and will meet again with President & CEO Corbett on February 24, 2023. At their last meeting President & CEO Corbett provided a systemwide update as he did tonight and also provided extensive legislative updates. Ms. Mack said she wanted to bring this to the attention of everyone because as far as the legislative updates go, legislation was doing a number of things on accessibility for their Senior Citizens, Autism, and other Disabled commuters around the state. The NJ TRANSIT agency has also focused on this and had an Accessibility Forum on December 15, 2022 to communicate to the public to expand their efforts for inclusion and access to customers and the public with disabilities. Ms. Mack said she pointed this out because there were a number of speakers who spoke about not only Access Link but expanding the role of senior citizens input on mobility, and would follow-up with her counterparts of South Jersey. Ms. Mack said they will try to answer some of the issues that were brought up about Access Link and the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC). Ms. Mack said SCDTAC has been a vital part of the advocacy community for the Senior Citizens and Disabled community and the Passenger Advisory Committee would like to help, and go through the issues on how they can be expanded and what changes are being introduced.

Ms. Mack said the other issue brought up several times on the Hudson-Bergen Light Rail (HBLR), President & CEO Corbett mentioned on January 11, 2023 at the NJ TRANSIT Industry Forum on the upcoming procurements on the operation and maintenance of the HBLR system. Also, NJ TRANSIT was awarded almost \$600,000 in Federal Transit Administration grant funding to study equitable Transit Oriented Development along the proposed nine-mile HBLR extension to Bergen County. Ms. Mack said this would be a comprehensive plan that would build on efforts to establish neighborhoods and employment centers along the corridor, and the people in Hudson County could look forward to accessing the transit system due to it being extended into Bergen County.

Ms. Mack said on NJ TRANSIT's commitment to employees they would be hosting their first virtual job fair on February 15, 2023, called "The BIG Career Event" which will showcase job opportunities across a wide range of trades and crafts. She said as they all know the best way to get the transit system back on track to make sure that they have a full complement of employees. Ms. Mack said in December NJ TRANSIT also approved the start of a process to enact regulations to provide protection for its transit workers and knew that there have been a number of unfortunate incidents where passengers have attacked transit staff on the trains. Ms. Mack said having this zero-tolerance policy speaks volumes and she is looking forward to seeing how this is implemented.

Ms. Mack said for those who had children in college NJ TRANSIT was offering the Student Discount program for part-time college students. These discounts will help their young ride the train and in turn provide the desire to continue riding NJ TRANSIT.

Lastly, on community input on January 30, 2023, NJ TRANSIT hosted two public information sessions on the Walter Rand Transportation Center Improvement Project, in addition to the virtual session. Ms. Mack said the virtual session was held as well as an in-house session in Camden to seek public comment on this project.

Board Operations and Customer Service Committee Report

Board Member Giblin presented the report for the Operations and Customer Service Committee. The Operations and Customer Service Committee received an update on trends, and analysis, and actions for rail, bus, light rail, and Access Link. The Committee also received an update on the Cost of Service.

Board Administration Committee Report

Board Member Maroko presented the report for the Administration Committee. The Administration Committee received a Financial Update. This included a summary of operating results compared to previous year's comparable period and Fiscal Year 2023 Budget, twelve-month farebox revenue compared to pre-COVID, major balance sheet items and Federal COVID-19 relief grant drawdown summary. Additional information was provided as part of the agenda materials, including the cost-of-service key performance indicators, twelve-month farebox recovery, history of vacancies, attrition and hires, ridership and revenue, and a monthly budget-to-actual comparison for December 2022.

The Committee also received updates from Human Resources and Equal Employment Opportunity and Affirmative Action.

Board Capital Planning, Policy, and Privatization Committee Report

Board Member Giblin presented the report for the Capital Planning, Policy, and Privatization Committee. The Capital Planning, Policy, and Privatization Committee discussed the Board Items for the: Newark Penn Station HVAC Upgrades: Replacement of Chillers and Cooling Towers Construction Contract; NJ TRANSIT Resilience Program; Raritan River Bridge Replacement Project: Amendment to Design Consultant Contract; and Amendment of the Master Development Agreement between NJ TRANSIT and LCOR for a Transit Oriented Development Project at Hoboken Terminal (Hoboken Connect).

Action Items

2302-01: NEWARK PENN STATION HVAC UPGRADES: REPLACEMENT OF CHILLERS AND COOLING TOWERS CONSTRUCTION CONTRACT

President & CEO Corbett introduced, Richard Schaefer, Acting Senior Vice President, Capital Programs, to present Action Item #2302-01. Richard Schaefer presented for approval Action Item #2302-01: Newark Penn Station HVAC Upgrades: Replacement of Chillers and Cooling Towers Construction Contract.

Board Member Shanti Narra made a motion, Board Member Bob Gordon seconded the motion, and the item was adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Secretary Umukoro noted Board Member Medina was recused from the next item and he left the meetings.

2302-02: NJ TRANSIT RESILIENCE PROGRAM – RARITAN RIVER BRIDGE REPLACEMENT PROJECT: AMENDMENT TO DESIGN CONSULTANT CONTRACT

President & CEO Corbett introduced Richard Schaefer, Acting Senior Vice President, Capital Programs, to present Action Item #2302-02. Richard Schaefer presented for approval Action Item #2302-02: NJ TRANSIT Resilience Program – Raritan River Bridge Replacement Project: Amendment to Design Consultant Contract.

Board Member Richard A. Maroko made a motion, Board Member Michael Kanef seconded the motion, and the item was adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Recused	Yes	Yes	Yes	Yes	Yes

Board Secretary Umukoro noted that Board Member Weiss was recused from the next item and he left the meetings. Board Member Medina returned to the meetings.

2302-03: NEW JERSEY TRANSIT CORPORATION HEADQUARTERS LEASE AGREEMENT

President & CEO Corbett introduced, Justin Davis, Senior Vice President Regulatory and Government Affairs, and Chief of Staff, to present Action Item #2302-03. Justin Davis presented for approval Action Item #2302-03: New Jersey Transit Corporation Headquarters Lease Agreement.

Board Member Shanti Narra made a motion, Board Member Richard A. Marko seconded the motion, and the item was adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Recused	Yes	Yes	Yes

Board Member Weiss returned to the meetings.

2302-04: REGULATIONS: PROPOSED READOPTION OF N.J.A.C. 16:89 FERRY CAPITAL IMPROVEMENT PROGRAM GUIDELINES AND PROCEDURES

President & CEO Corbett introduced Michael Kilcoyne, Senior Vice President, Surface Transit and General Manager, Bus Operations, to present Action Item #2302-04. Michael Kilcoyne presented for approval Action Item #2302-04: Regulations: Proposed Readoption of N.J.A.C. 16:89 Ferry Capital Improvement Program Guideline and Procedures.

Board Member Richard A. Maroko made a motion, Board Member Shanti Narra seconded the motion, and the item was adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2302-05: AMENDMENT OF THE MASTER DEVELOPMENT AGREEMENT BETWEEN NJ TRANSIT AND LCOR FOR A TRANSIT ORIENTED DEVELOPMENT PROJECT AT HOBOKEN TERMINAL (HOBOKEN CONNECT)

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2302-05. William Viqueira presented for approval Action Item #2302-05: Amendment of the Master Development Agreement Between NJ TRANSIT and LCOR for a TRANSIT Oriented Development Project at Hoboken Terminal (Hoboken Connect).

Board Member Bob Gordon made a motion, Board Member Michael Kanef seconded the motion, and the item was adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2302-06: BROKER SERVICES FOR CORPORATE INSURANCE AND RISK MANAGEMENT INSURANCE PROGRAM

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2302-06. William Viqueira presented for approval Action Item #2302-06: Broker Services for Corporate Insurance and Risk Management Insurance Program.

Board Member Shanti Narra made a motion, Board Member Bob Gordon seconded the motion, and the item was adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2302-07: PROPERTY ACQUISITION OF 82 CIRCLE AVENUE, CLIFTON, NEW JERSEY FOR THE RELOCATION OF THE MAINTENANCE OF WAY FACILITY

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2302-07. William Viqueira presented for approval Action Item #2302-07: Property Acquisition of 82 Circle Avenue, Clifton, New Jersey for the Relocation of the Maintenance of Way Facility.

Board Member Richard A. Maroko made a motion, Board Member Shanti Narra seconded the motion, and the item was adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Abstain	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2302-08: GRADE CROSSING LEASE AGREEMENT IN THE BOROUGH OF ALPHA NEW JERSEY

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2302-08. William Viqueira

presented for approval Action Item #2302-08: Grade Crossing Lease Agreement in the Borough of Alpha New Jersey.

Board Member Shanti Narra made a motion and Board Member Michael Kanef seconded the motion, and the item was adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2302-09 PURCHASE OF A PORTION OF THE WASHINGTON SECONDARY RIGHT OF WAY FROM NETCONG TO HACKETTSTOWN PURSUANT TO PURCHASE OPTION IN LEASE AGREEMENT

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2302-09. William Viqueira presented for approval Action Item #2302-09: Purchase of a Portion of the Washington Secondary Right of Way from Netcong to Hackettstown Pursuant to Purchase Option in Lease Agreement.

Board Member Shanti Narra made a motion, Board Member Bob Gordon seconded the motion, and the item was adopted.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Executive Session Authorization

Chair Gutierrez-Scaccetti noted they would adjourn to Executive Session, would only return to adjourn the meetings, and no further business would be conducted.

Chair Gutierrez-Scaccetti asked for a motion to enter Executive Session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to, the Personal Injury Claim of Kevin Powers.

Board Member Shanti Narra made a motion, Board Member Michael Kanef seconded the motion, and it was adopted. At approximately 9:52 p.m., the Board adjourned to Executive Session.

Roll Call Vote:

Carson	Doshi	Gordon	Maroko	Medina	Narra	Weiss	Kanef	Giblin	Gutierrez- Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Return to Open Session

Board Secretary Umukoro conducted a Roll Call as Board Members returned to Open Session. All Board Members, except Board Members Brown and Thomas, returned to Open Session at approximately 10:03 p.m.

Adjournment

Since there was no further business, a motion was made by Shanti Narra, seconded by Board Member Michael Kanef, and the motion was adopted.

The meetings were adjourned at approximately 10:04 p.m.

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
BOARD OF DIRECTORS' MEETINGS

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➤ CALL TO ORDER	-
➤ EXECUTIVE SESSION AUTHORIZATION	64626
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	64627
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ACTION ITEMS

2302-01	NEWARK PENN STATION HVAC UPGRADES: REPLACEMENT OF CHILLERS AND COOLING TOWERS CONSTRUCTION CONTRACT – Authorization to enter into an NJ TRANSIT Contract No. 22-059X with John O'Hara Company Inc. of East Orange, New Jersey, to provide construction services for the Replacement of Chillers and Cooling Towers Construction Contract at Newark Penn Station in the amount of \$4,620,756.32, plus five percent for contingencies, subject to the availability of funds.	64665
2302-02	NJ TRANSIT RESILIENCE PROGRAM – RARITAN RIVER BRIDGE REPLACEMENT PROJECT: AMENDMENT TO DESIGN CONSULTANT CONTRACT – Authorization to amend NJ TRANSIT Contract No. 15-044 with Hardesty & Hanover/Gannett Fleming Joint Venture of Newark, New Jersey, to rescope the work associated with GC.02 and GC.03 for the Raritan River Bridge Replacement Project for an additional up to amount of \$1,300,000, subject to the availability of funds.	64668
2302-03	NEW JERSEY TRANSIT CORPORATION HEADQUARTERS LEASE AGREEMENT – Authorization to take all actions necessary to negotiate and enter into a lease for the letting of office space in Newark, New Jersey to be used as NJ TRANSIT's future headquarters substantially in accordance with the terms outlined in Executive Session.	64670

Authorization to negotiate and enter into any other contracts and agreements as may be necessary to effectuate such a lease.

NEW JERSEY TRANSIT CORPORATION
 NJ TRANSIT BUS OPERATIONS, INC.
 NJ TRANSIT RAIL OPERATIONS, INC.
 NJ TRANSIT MERCER, INC.
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- 2302-04 REGULATIONS: PROPOSED READOPTION OF N.J.A.C. 16:89 FERRY CAPITAL IMPROVEMENT PROGRAM GUIDELINES AND PROCEDURES –** 64672
 Authorization to take all actions necessary to adopt N.J.A.C. 16:89 et seq., consistent with this Board item and corresponding Exhibits, put the regulation in the appropriate format, and take all other actions necessary to effectuate the final adoption and promulgation of NJ TRANSIT's Ferry Capital Improvement Program.
- 2302-05 AMENDMENT OF THE MASTER DEVELOPMENT AGREEMENT BETWEEN NJ TRANSIT AND LCOR FOR A TRANSIT ORIENTED DEVELOPMENT PROJECT AT HOBOKEN TERMINAL (HOBOKEN CONNECT) –** 64678
 Authorization to take all necessary actions to amend the MDA between NJ TRANSIT and LCOR, and negotiate, execute and implement supporting project agreements in order to advance due diligence, design and preliminary construction activities in an amount not to exceed \$390,144, plus five percent for contingencies, subject to the availability of funds, and address other MDA issues related to overall project delivery.
- 2302-06 BROKER SERVICES FOR CORPORATE INSURANCE AND RISK MANAGEMENT INSURANCE PROGRAM –** 64679
 Authorization to enter into NJ TRANSIT Contract No. 0000006 with Marsh USA Inc., 445 South Street, Suite 210, Morristown, New Jersey 07960 to act as NJ TRANSIT's Risk Management/Insurance Broker of Record for three years with an option to retain their services for two additional years with compensation capped at \$1,149,663.43 per contract year, plus five percent for contingencies, subject to the availability of funds and adoption of future NJ TRANSIT Operating Budgets.
- 2302-07 PROPERTY ACQUISITION OF 82 CIRCLE AVENUE, CLIFTON, NEW JERSEY FOR THE RELOCATION OF THE MAINTENANCE OF WAY FACILITY –** 64680
 Authorization and direction to: (1) execute and deliver any agreement for the purpose of funding the Property acquisition costs; (2) acquire the Property, for an amount not to exceed that amount which was discussed in Executive Session, subject to the availability of funds, and negotiate and enter into or execute all documents, instruments and papers, and do and perform any and all acts or things, including by assignment of and hiring of staff and resources to proceed with the Property acquisition, in accordance with N.J.S.A. 27:25-1 et seq.; (3) exercise the power of eminent domain in accordance with the Eminent Domain Act, N.J.S.A. 27:25-5(j) and N.J.S.A. 27:25-13, and file complaints in condemnation, file and record declarations of taking, and execute deeds in lieu of condemnation in accordance with N.J.S.A. 20:3-1 et seq.; and (4) carry out the relocation of affected property, if any, in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C.A. §4601, et seq. and Uniform Transportation Housing Replacement and Relocation Act, N.J.S.A. 27:7-72 et seq.

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
BOARD OF DIRECTORS' MEETINGS
FEBRUARY 8, 2023
MINUTES
PAGE 3

- 2302-08 GRADE CROSSING LEASE AGREEMENT IN THE BOROUGH OF ALPHA, NEW JERSEY** – Authorization to enter into a grade crossing lease agreement with Chafia Acquisitions, LLC, and its partners of Newark, New Jersey, for the use of approximately 12,500 square feet of NJ TRANSIT's Raritan Valley inactive railroad right of way property in the Borough of Alpha, Warren County, New Jersey on terms as discussed in Executive Session. **64682**
- 2302-09 PURCHASE OF A PORTION OF THE WASHINGTON SECONDARY RIGHT OF WAY FROM NETCONG TO HACKETTSTOWN PURSUANT TO PURCHASE OPTION IN LEASE AGREEMENT** – Authorization to take any and all actions necessary to exercise the purchase option under the Lease and complete the acquisition of the Subject Property in accordance with the terms discussed in Executive Session. **64683**
- **EXECUTIVE SESSION AUTHORIZATION** **64684**
- **ADJOURNMENT**

EXECUTIVE SESSION AUTHORIZATION

BE IT HEREBY RESOLVED pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to the New Jersey Transit Corporation Headquarters Lease Agreement.

BE IT FURTHER RESOLVED that it is expected that discussions undertaken at this executive session could be made public at the conclusion of these matters as appropriate.

APPROVAL OF MINUTES

WHEREAS, the By-Laws provide that the minutes of actions taken at meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors be approved by the Board; and

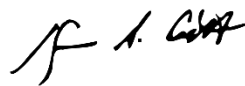
WHEREAS, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the December 14, 2022 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. were forwarded to the Governor on December 23, 2022;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the December 14, 2022 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Commissioner
Kevin S. Corbett, President & CEO

NJ TRANSIT
One Penn Plaza East
Newark, NJ 07105-2246
973-491-7000

TO: BOARD OF DIRECTORS
FROM: KEVIN S. CORBETT
DATE: FEBRUARY 8, 2023
SUBJECT: PRESIDENT & CEO'S REPORT – FEBRUARY 2023



I hope 2023 is off to a good start for everyone! In addition to ringing in the new year on January 1st, NJ TRANSIT proudly celebrated the 40th anniversary of NJ TRANSIT Rail Operations. As we celebrate the proud legacy of a rail network that serves as the backbone of our region's economy, we are also working on many fronts to incentivize transit use and attract the next generation of riders to our system. Last month, we announced the expansion of our Student Pass fare option to include eligible part-time students. For the first time ever, part-time degree-seeking students taking at least two courses are eligible for the Student Pass fare. Details are available at njtransit.com/studentpass.

As riders continue to return to transit, we are continuing to advance major infrastructure projects. On January 31st, I had the privilege of joining President Biden, USDOT Secretary Buttigieg, Governor Murphy, Commissioner Gutierrez-Scaccetti and a host of other federal, state, and local officials in New York City. The President was promoting his Infrastructure Investment & Jobs Act, and specifically, a \$292 million federal grant that will be used to begin construction on the Hudson Tunnel Project – a critical project of national significance – and part of the overall Gateway Program, along with NJ TRANSIT's Portal North Bridge, which continues to advance at a furious pace.

We are also looking ahead at transforming one of New Jersey's most critical transit hubs. I'm pleased to note that our replacement and complete overhaul of the Walter Rand Transportation Center in Camden continues to advance. The Murphy Administration has committed \$250 million to upgrade and enlarge this facility, and on January 30th, NJ TRANSIT held two public information sessions – one virtually and one in-person at Rowan University – regarding this project. More than 200 people attended these meetings, where project team leaders introduced the project and invited the public to ask questions and share their thoughts, which we will use to ensure that the final project reflects this station's status as one of our region's most vital multi-modal transportation hubs.

Beyond the substantial capital funding we are receiving from the State, NJ TRANSIT continues to aggressively pursue significant federal grant funding, to improve our infrastructure systemwide. These efforts bore fruit in December, when we received a \$34 million grant to implement and study significant accessibility improvements at five NJ TRANSIT rail stations – Anderson Street/Hackensack, New Bridge Landing, Bradley Beach, Chatham and Orange.

On the technology front, NJ TRANSIT customers can now access the real-time status of every elevator in our system via the NJ TRANSIT mobile app, bolstering our efforts to make our system easier to navigate for people with disabilities. We also recently installed a new high-definition LED screen in the Secaucus Junction Rotunda. The new board represents an upgrade from the previous board in terms of visibility, image quality, and reliability and is an important source of customer information in the station. We also recently installed a Train Destination Information Board in the Secaucus Rotunda, allowing customers to quickly identify the next train en route to their specific destination station. The board is similar to the one we have in Penn Station New York next to the ticket windows on the 7th Avenue side of the station. Designed similar to airport destination boards, the NJ TRANSIT destination stations are listed in alphabetical order, along with the track number and departure time.

NJ TRANSIT also continues to plan for the future. On January 11th, we hosted an industry forum in preparation for the upcoming procurement for the operation and maintenance of the HBLR system. Since its inception in 2000, the HBLR has operated under the initial design-build-operate-maintain contract. As that contract is set to expire, NJ TRANSIT is evaluating all options on how best to continue delivering high-quality operation and maintenance of the system. Nearly 50 firms participated in the Forum, which included a general session open to all interested parties, as well as subsequent one-on-one interviews with firms that responded to our Request for Expression of Interest.

As many large-scale capital projects such as Portal North Bridge and Walter Rand advance, NJ TRANSIT is looking for talented, motivated employees to fill critical positions across the organization to help us achieve our ambitious capital, operational and customer experience goals. On February 15th, NJ TRANSIT will host its first-ever virtual job fair, which we've named the "The BIG Career Event." Participants must register in advance to attend, and can do so at njtransit.com/big. So far, more than 1,500 people have registered to attend.



PRESIDENT & CEO'S MONTHLY REPORT

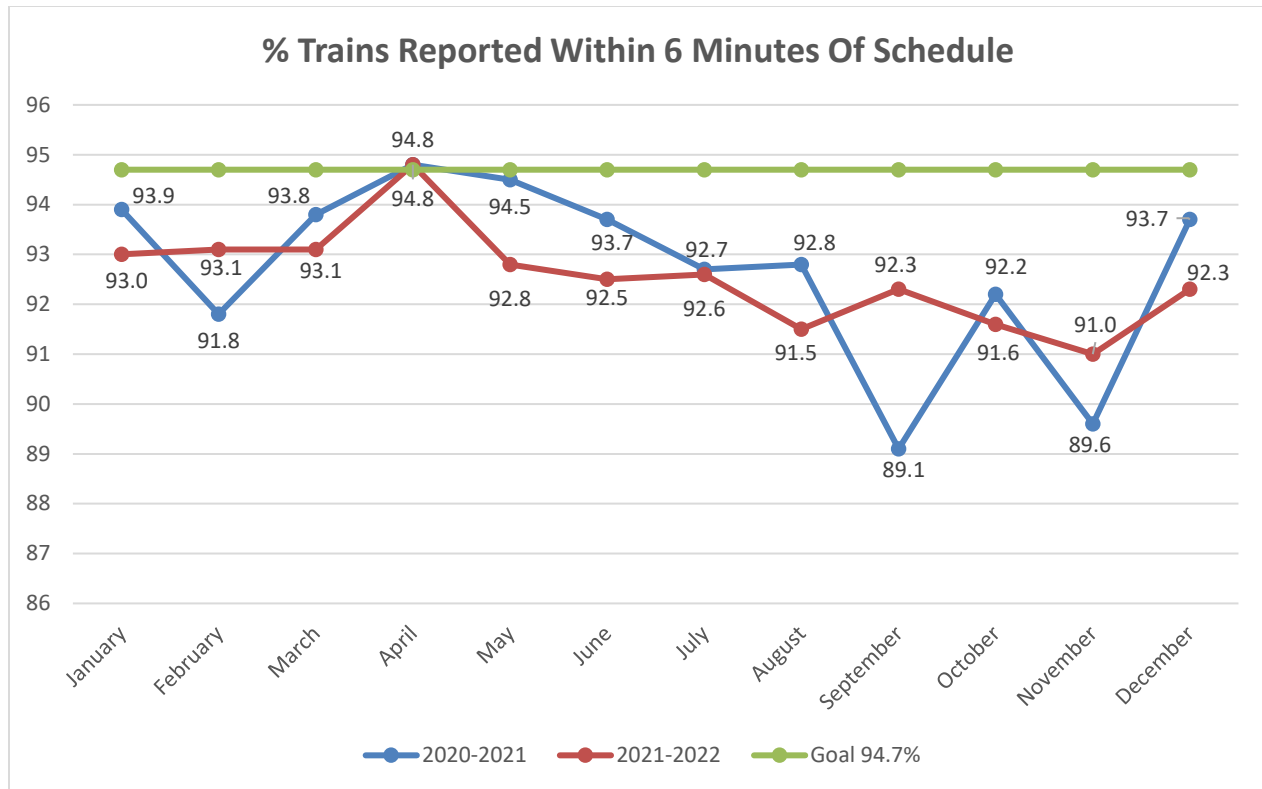
February 8, 2023

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- 1. PERFORMANCE MEASURES**
- 2. MEAN DISTANCE BETWEEN FAILURES**
- 3. DBE/SBE PROGRAM**
- 4. EMPLOYEE RECOGNITION**

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL JANUARY 2021 – DECEMBER 2022



	<u>2021</u>	<u>2022</u>	<u>%Change</u>
December Comparison	93.7%	92.3%	-1.4 %
12-Month Average Jan. 2022 – Dec. 2022	92.7%	92.5%	-0.2%

Analysis:

Rail On-Time Performance was 92.3% for December 2022. Of the 18,316 trains scheduled to operate, 16,911 were on time, while 1,405 trains (or 7.7%) were delayed.

Key Causes included:

- Amtrak signal issue, trackside interference, NJT diesel issues, PTC mechanical contributed 138 delays on December 16.
- Amtrak Portal Bridge open, signal and track issues and NJT police action contributed 75 delays on December 22.
- Amtrak track issue, weather related issues, Arrow MU issues contributed 92 delays on December 23.

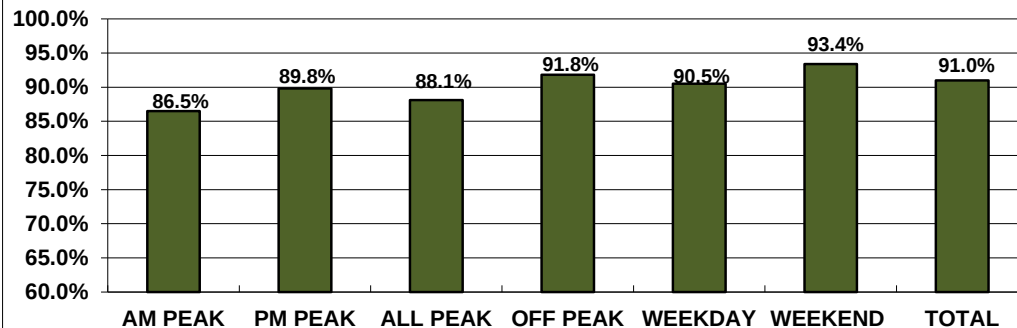
The 12-month Average for Rail On-Time Performance was 92.5%.

ON-TIME PERFORMANCE RAIL

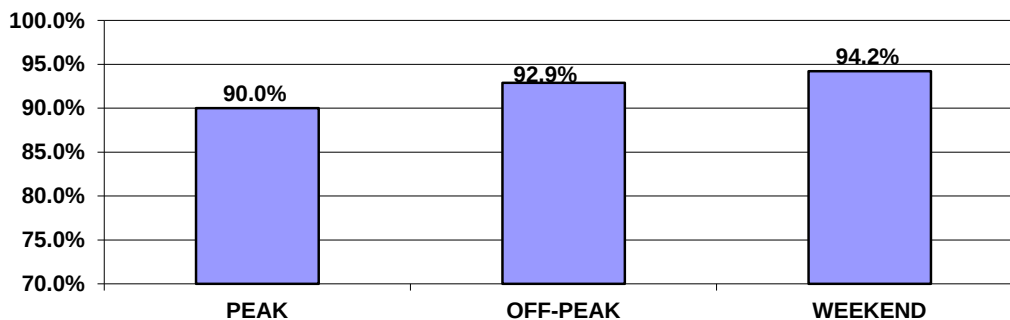
SUMMARY BY TIME PERIOD December 2022

*** NOTE: A train is reported late if it arrives at its final station stop more than 5:59 minutes later than the advertised schedule.**

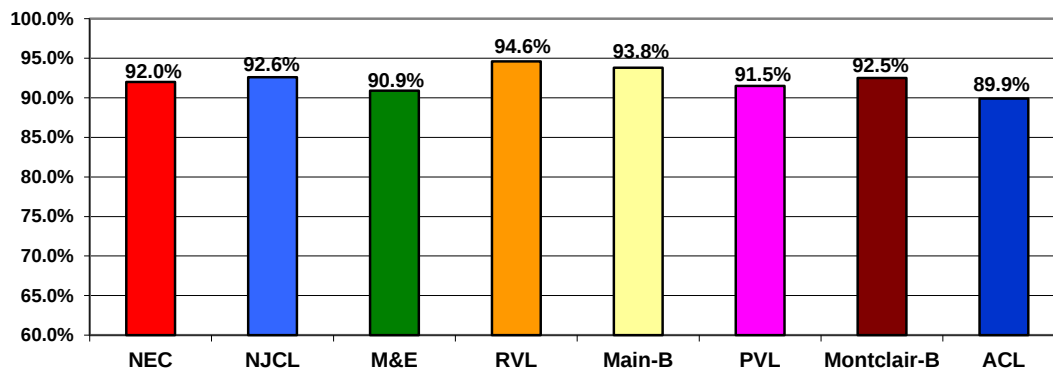
% NEW YORK PENN STATION Trains Reported On Time *



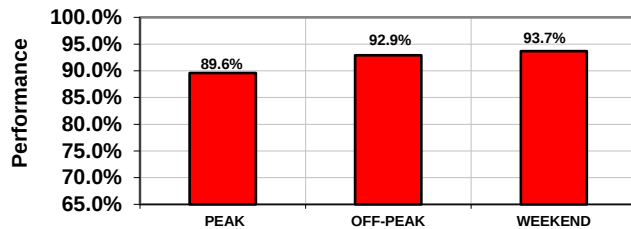
% SYSTEMWIDE Trains Reported On Time



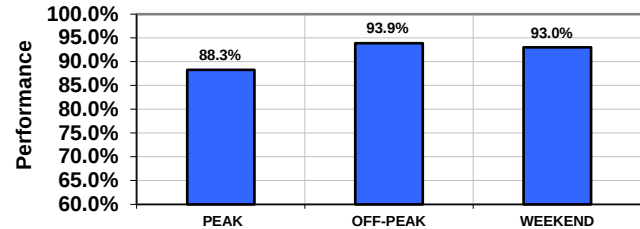
% BY LINE Trains Reported On Time



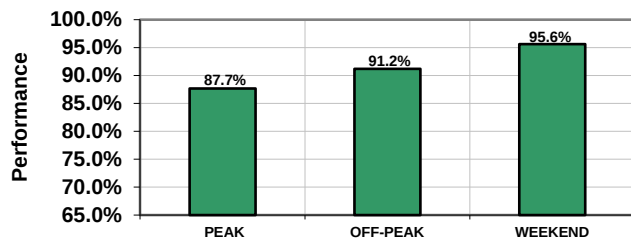
ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD December 2022

NORTHEAST CORRIDOR

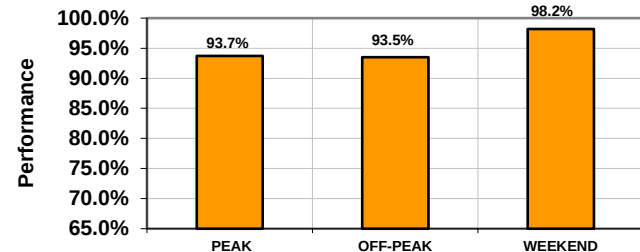
Time Period

NORTH JERSEY COAST LINE

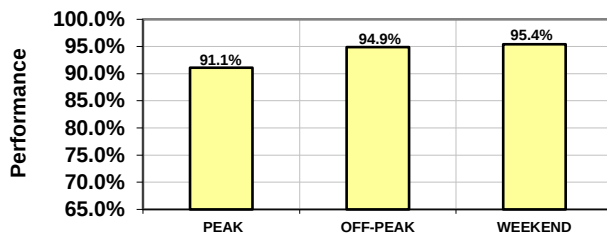
Time Period

MORRIS & ESSEX

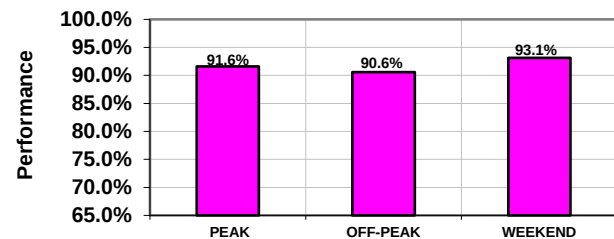
Time Period

RARITAN VALLEY LINE

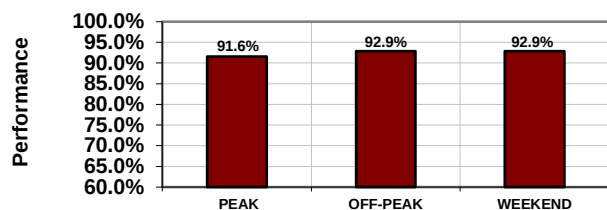
Time Period

MAIN-BERGEN

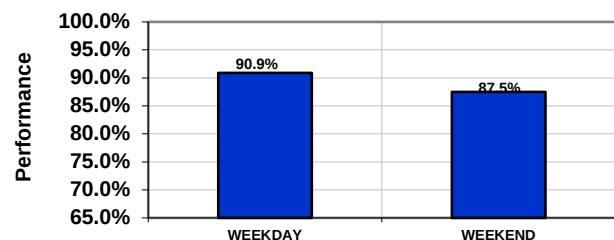
Time Period

PASCACK VALLEY

Time Period

MONTCLAIR-BOONTON

Time Period

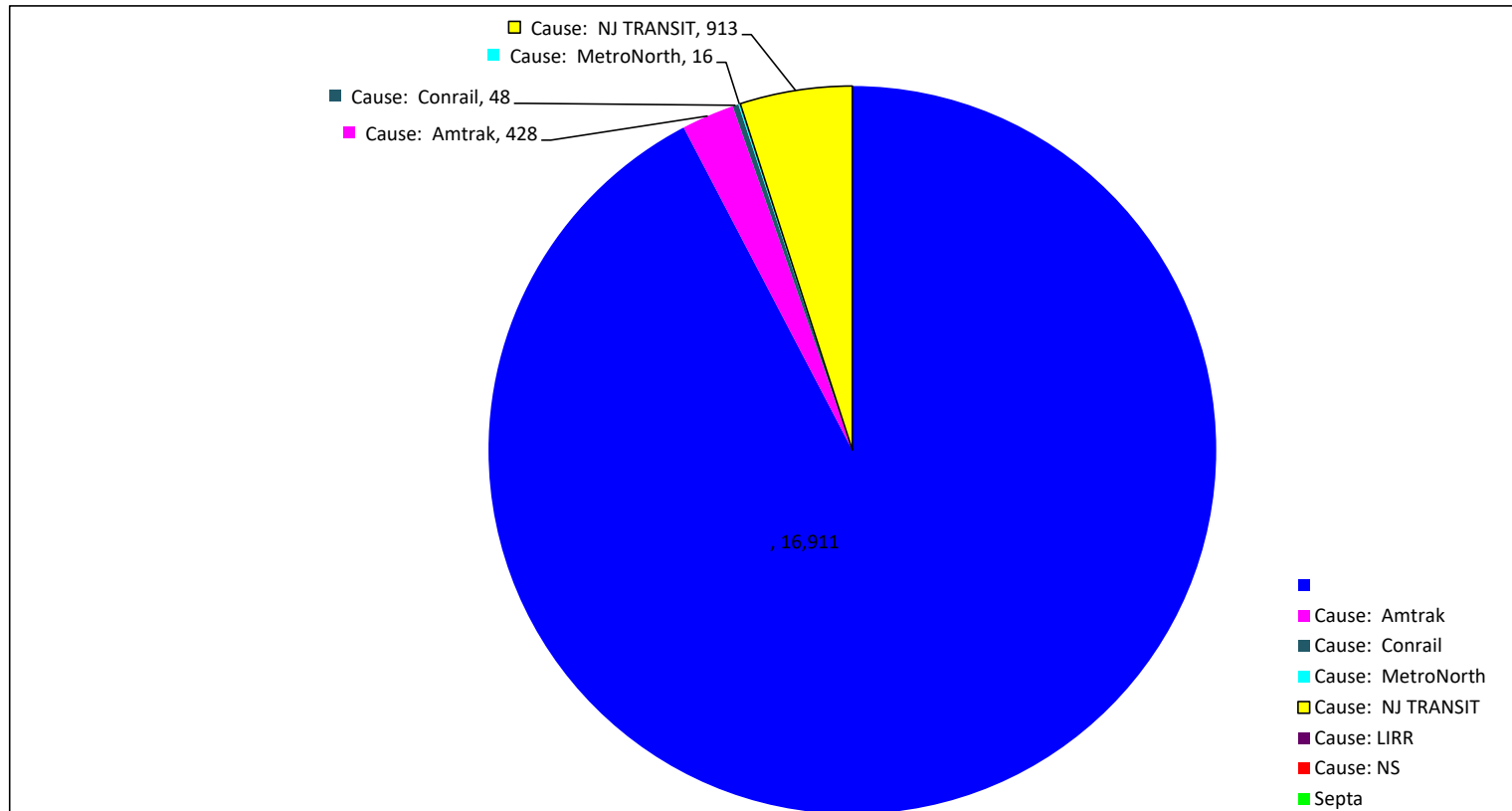
ATLANTIC CITY

Time Period

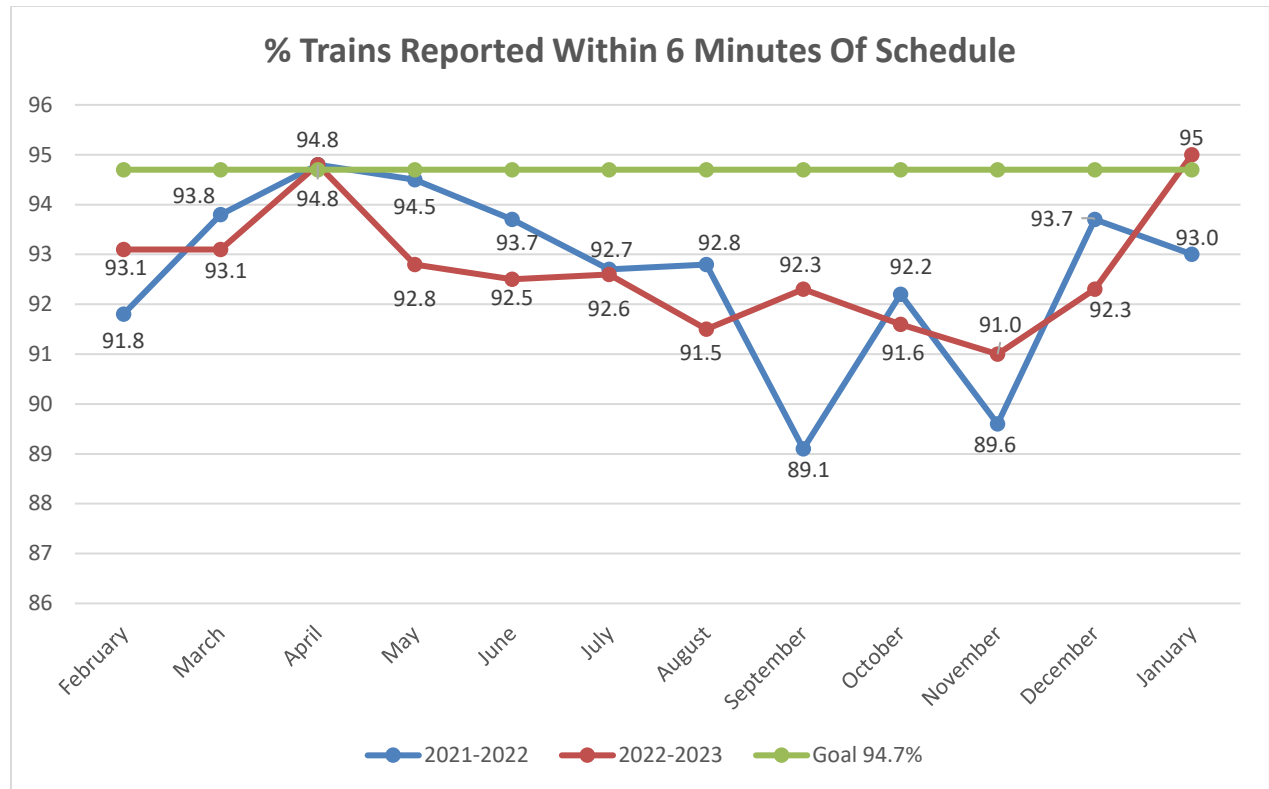
NJ TRANSIT Performance - December 2022

Late NJ TRANSIT Trains

		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: LIRR	Cause: NS	Septa
# of Trains On Time	16,911	428	48	16	913			
# of Late Trains	1,405	2.34%	0.26%	0.09%	4.98%	0.00%	0.00%	0.00%
Total # of Trains	18,316							
Percentage On Time	92.3%							



NJ TRANSIT ON-TIME PERFORMANCE RAIL FEBRUARY 2021 – JANUARY 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
January Comparison	93.0%	95.0%	2.0 %
12-Month Average Feb. 2022 – Jan. 2023	92.7%	92.7%	0.0%

Analysis:

Rail On-time Performance was 95.0% for the month of January, 2023. Of the 18,053 trains scheduled to operate, 17,159 were on time, while 894 trains (or 5.0%) were delayed.

Key Causes included:

- Amtrak portal bridge open, track and NJT coach issues contributed 52 delays on January 11.
- Amtrak track issue, NJT trackside interference and PTC mechanical contributed 43 delays on January 18.
- Amtrak Portal Bridge open, NJT signal issue and Arrow MU issue contributed 38 delays on January 19.

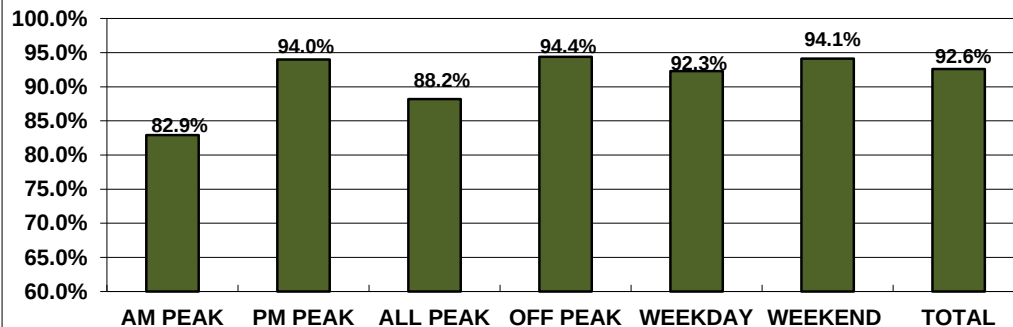
The 12-month Average for Rail On-Time Performance was 92.7%.

ON-TIME PERFORMANCE RAIL

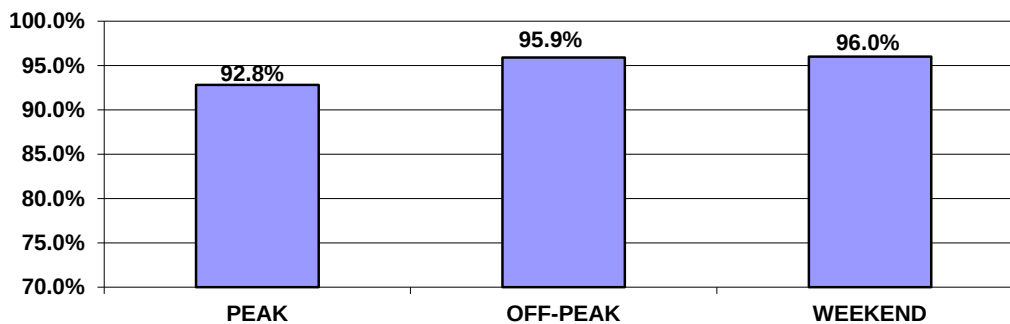
SUMMARY BY TIME PERIOD January 2023

*** NOTE: A train is reported late if it arrives at its final station stop more than 5:59 minutes later than the advertised schedule.**

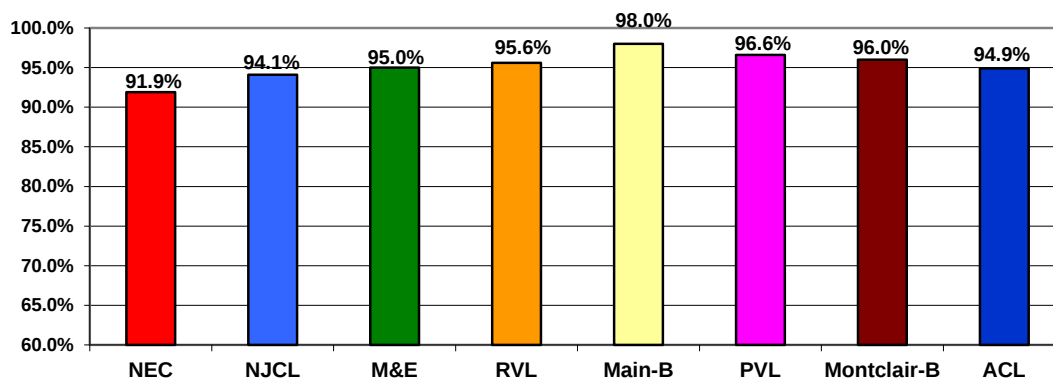
% NEW YORK PENN STATION Trains Reported On Time *



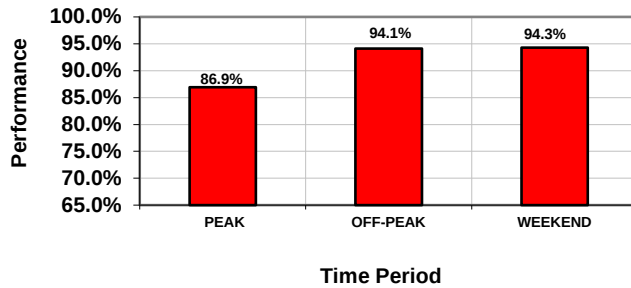
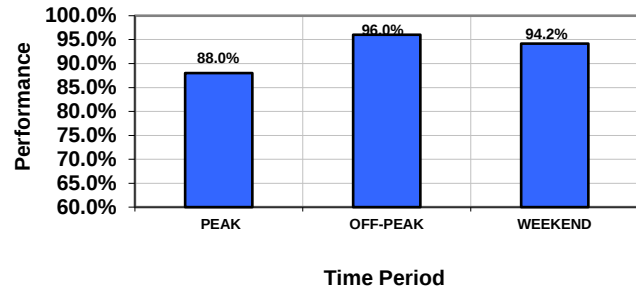
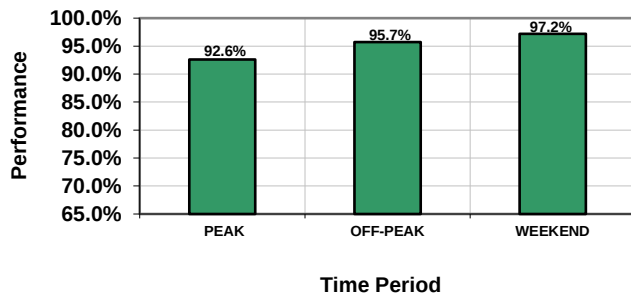
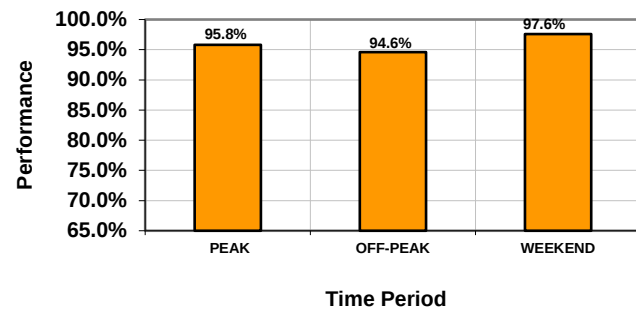
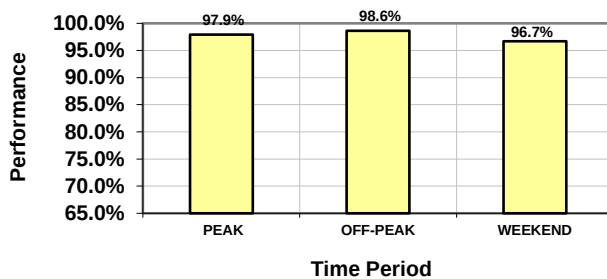
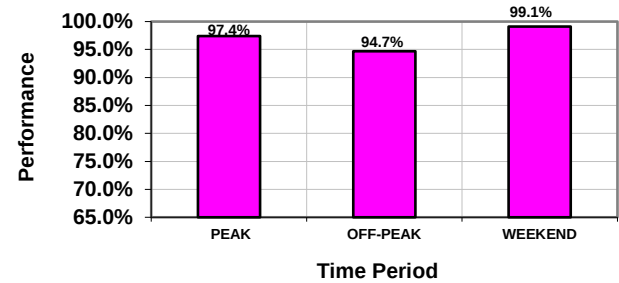
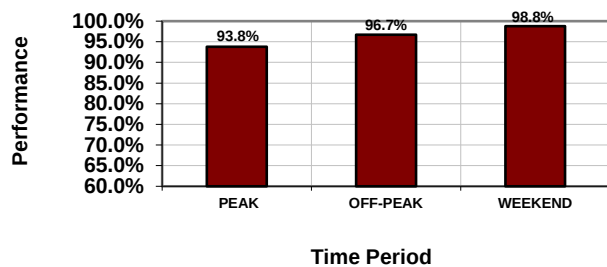
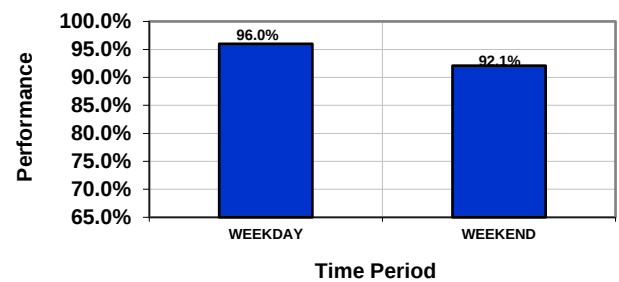
% SYSTEMWIDE Trains Reported On Time



% BY LINE Trains Reported On Time



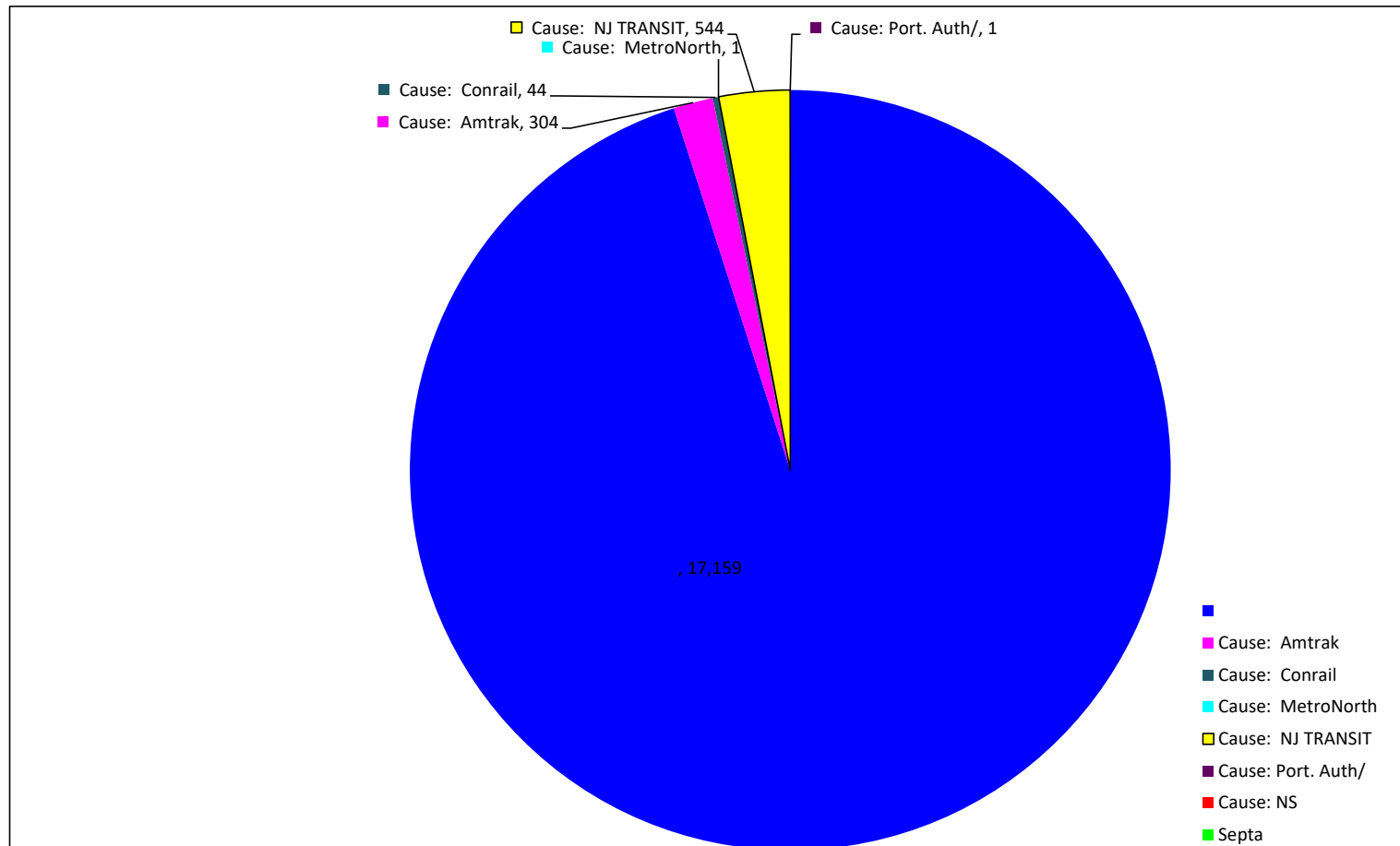
ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD January 2023

NORTHEAST CORRIDORNORTH JERSEY COAST LINEMORRIS & ESSEXRARITAN VALLEY LINEMAIN-BERGENPASCACK VALLEYMONTCLAIR-BOONTONATLANTIC CITY

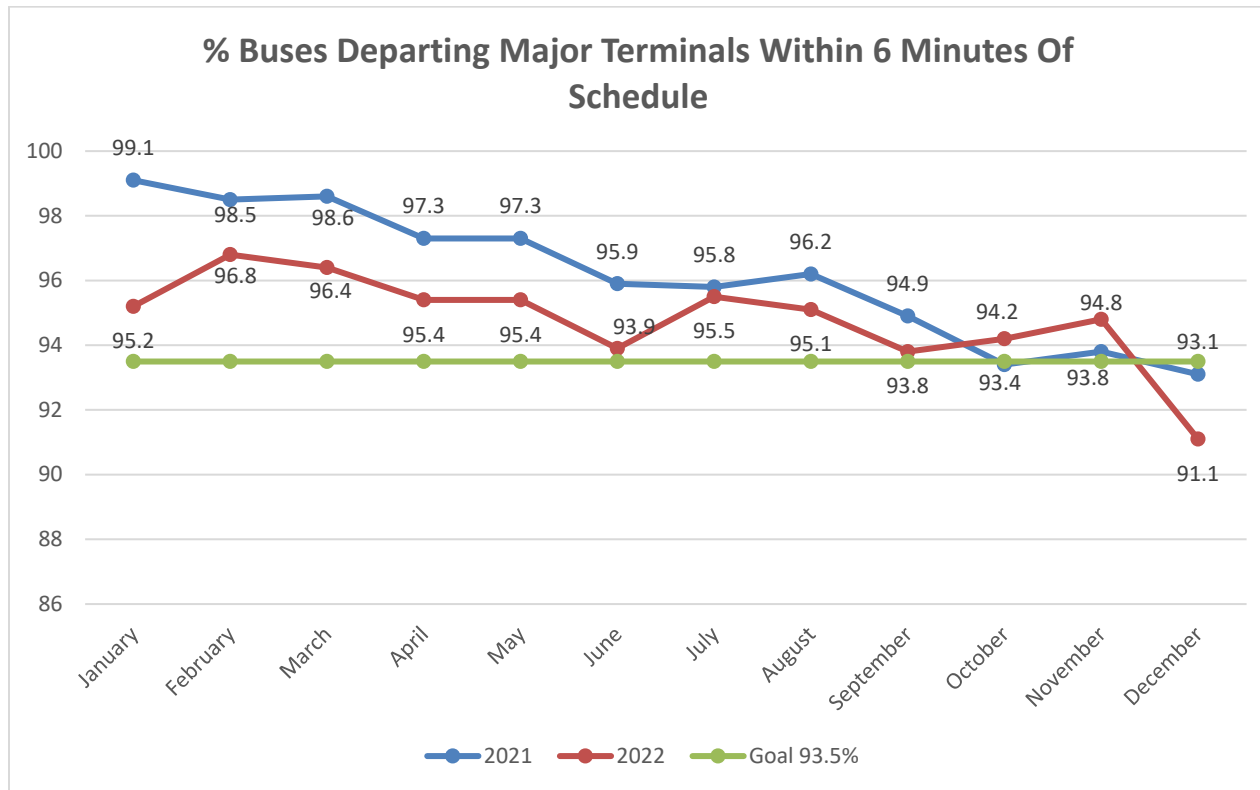
NJ TRANSIT Performance - January 2023

Late NJ TRANSIT Trains

		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: Port. Auth/	Cause: NS	Septa
# of Trains On Time	17,159	304	44	1	544	1		
# of Late Trains	894	1.68%	0.24%	0.01%	3.01%	0.01%	0.00%	0.00%
Total # of Trains	18,053							
Percentage On Time	95.0%							



NJ TRANSIT ON-TIME PERFORMANCE BUS Jan 2021 –Dec 2022



	<u>2021</u>	<u>2022</u>	<u>%Change</u>
Dec Comparison	93.1%	91.1%	-2.0%
12-Month Average Jan 2021 – Dec 2022	96.2%	94.8%	-1.4%

Analysis*:

Bus On-Time Performance systemwide was 91.1% for the month of Dec 2022. Of the 44,629 monitored departures, 3992 experienced delays.

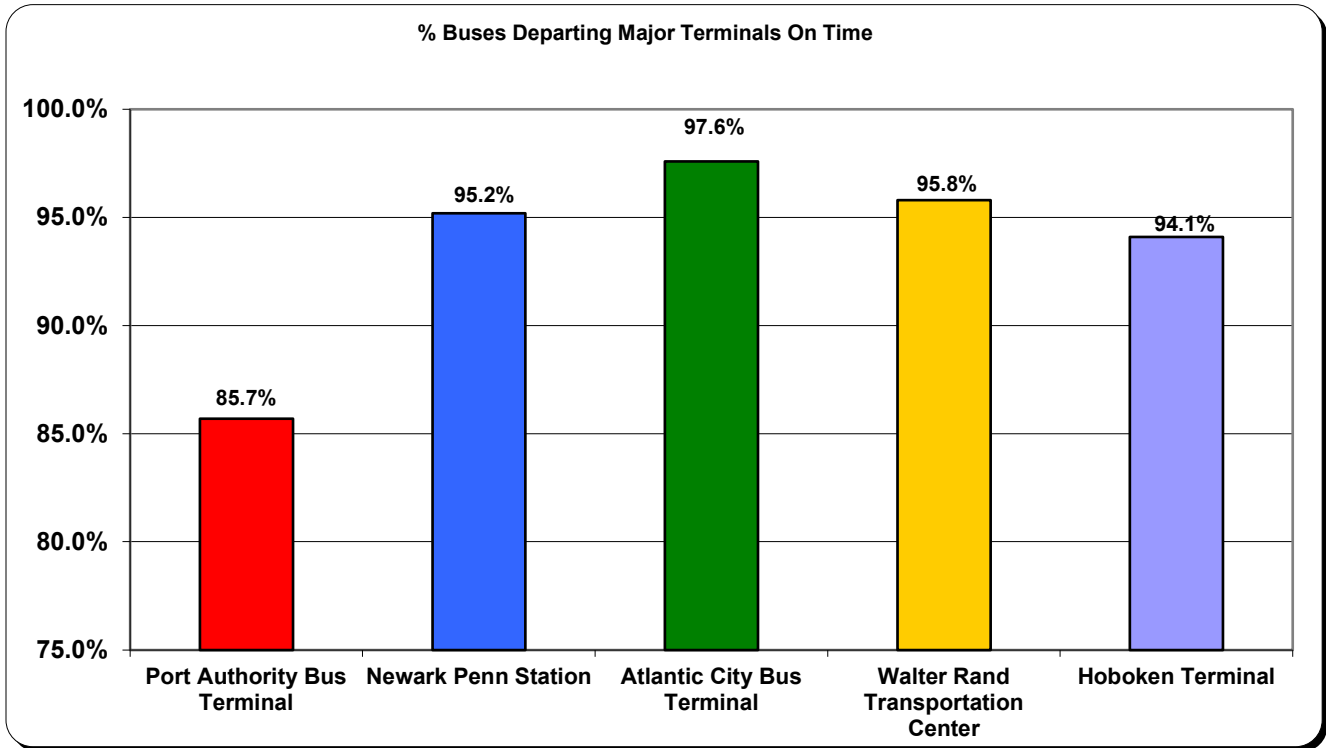
Key Causes included:

- At PABT, On the 1st - 9th traffic, gridlock alert day contributed to delays. On the 12th disabled buses in the terminal caused delays. On the 13th motor vehicle accident near exit for 1&9 caused delays. On the 15th – 16th heavy traffic, gridlock alert day caused 45 minute delays. On the 23rd weather and heavy traffic caused delays. On the 27th -30th heavy traffic caused 30-60 minute delays.
- At Newark Penn, on 12/9 heavy traffic, mechanical issues, roadway paving near Penn caused delays. On the 12/13, mechanical issues and road closures caused delays. On 12/30, mechanical issues, medical emergency, multiple road closures for construction, utility, and paving work caused delays.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

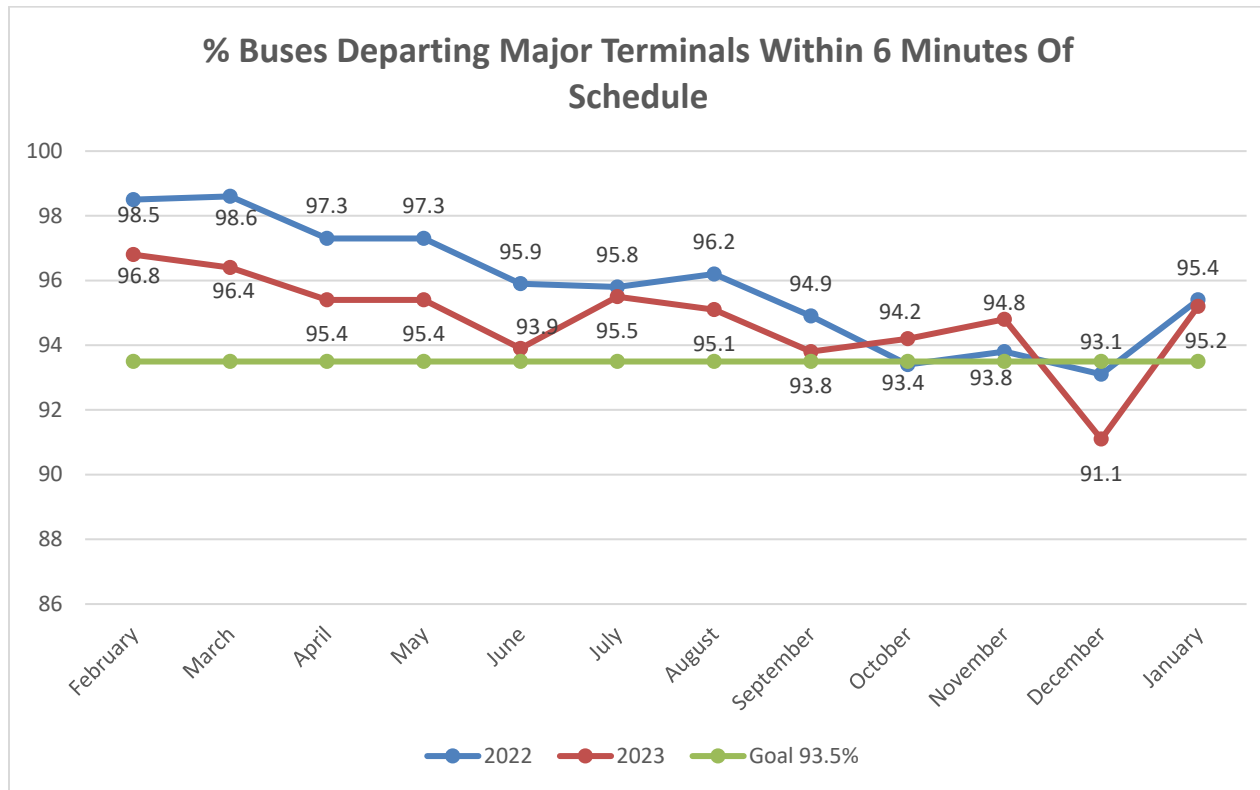
The 12-month average for Bus On-Time Performance was 94.8%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL



NJ TRANSIT ON-TIME PERFORMANCE BUS Feb 2021 –Jan 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
Jan Comparison	95.2%	95.4%	0.2%
12-Month Average Feb 2022 – Jan 2023	95.8%	94.8%	-1.0%

Analysis*:

Bus On-Time Performance systemwide was 95.4% for the month of Jan 2023. Of the 44,926 monitored departures, 2,057 experienced delays.

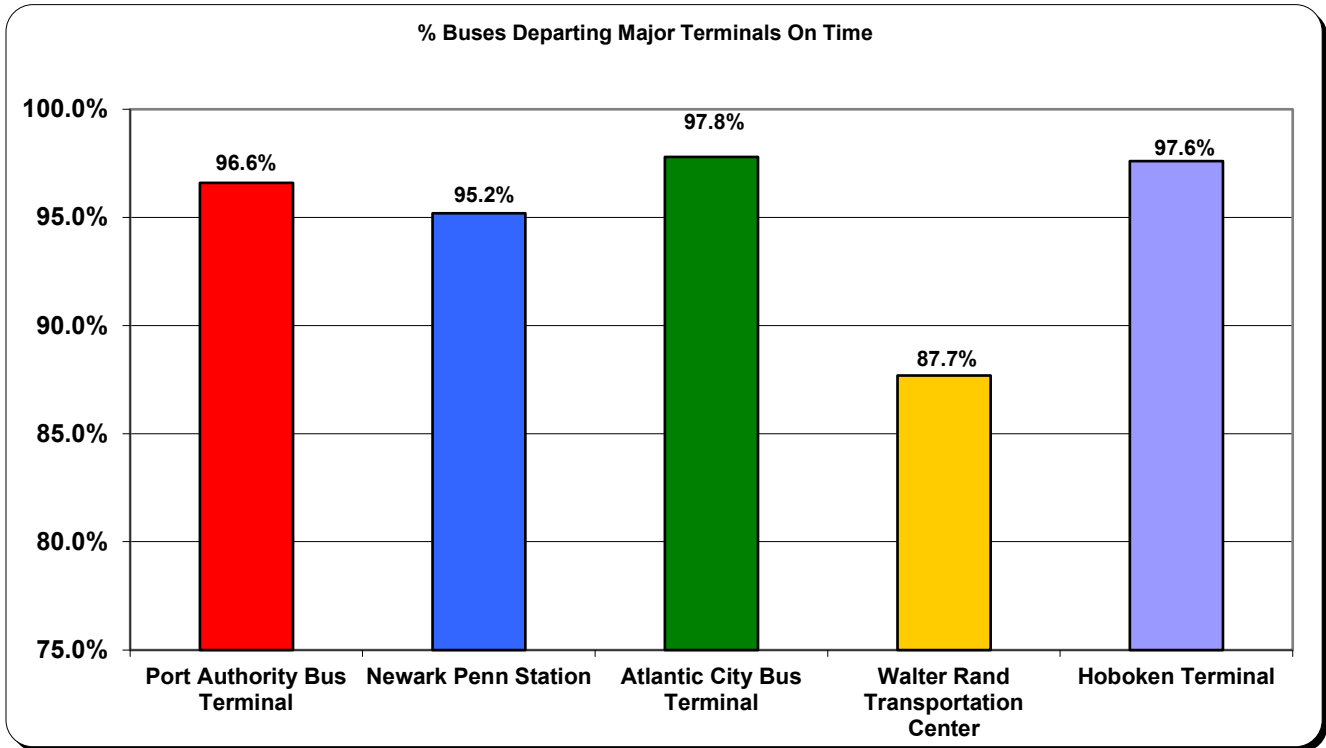
Key Causes included:

- At PABT, minor delays due to weather, detours, traffic, and road construction.
- At Newark Penn, On the 17th mechanical issues, sick passenger, passenger assistance, medical emergency, and detours on local roads due to utility work and road construction contributed to the delays. On the 18th, mechanical issues, police activity, passenger in need of assistance on bus, road closures due to utility, construction, and paving work caused delays. On the 20th, motor vehicle accident, mechanical issues, passenger in need of assistance, detours due to road construction and utility work contributed to the delays.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

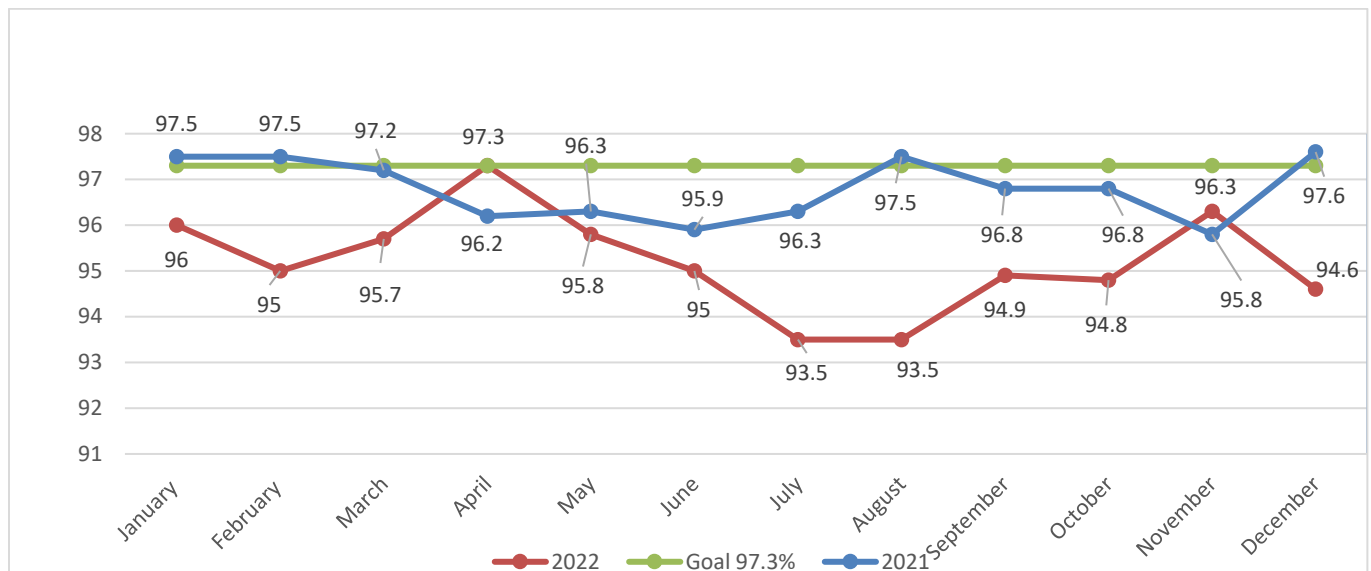
The 12-month average for Bus On-Time Performance was 94.8%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL January 2021 – December 2022



	<u>2021</u>	<u>2022</u>	<u>%Change</u>
December Comparison	97.6%	94.6%	-3%
12-Month Average January 2022 – December 2022	96.6%	95.2%	-1.4%

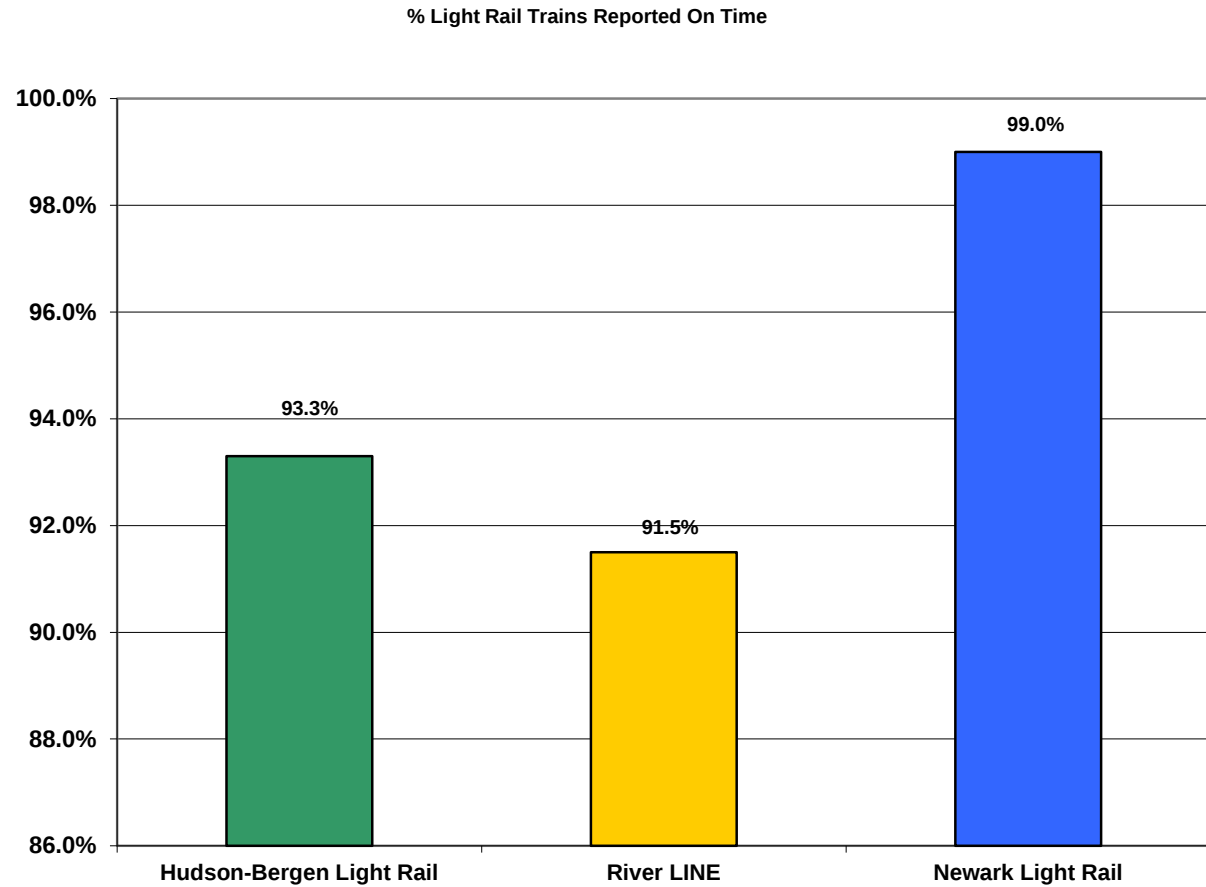
Analysis: Light Rail On-Time Performance system wide was 94.6% for the month of December. Of the 27,003 scheduled departures, 1,476 experienced delays.

Key Causes included:

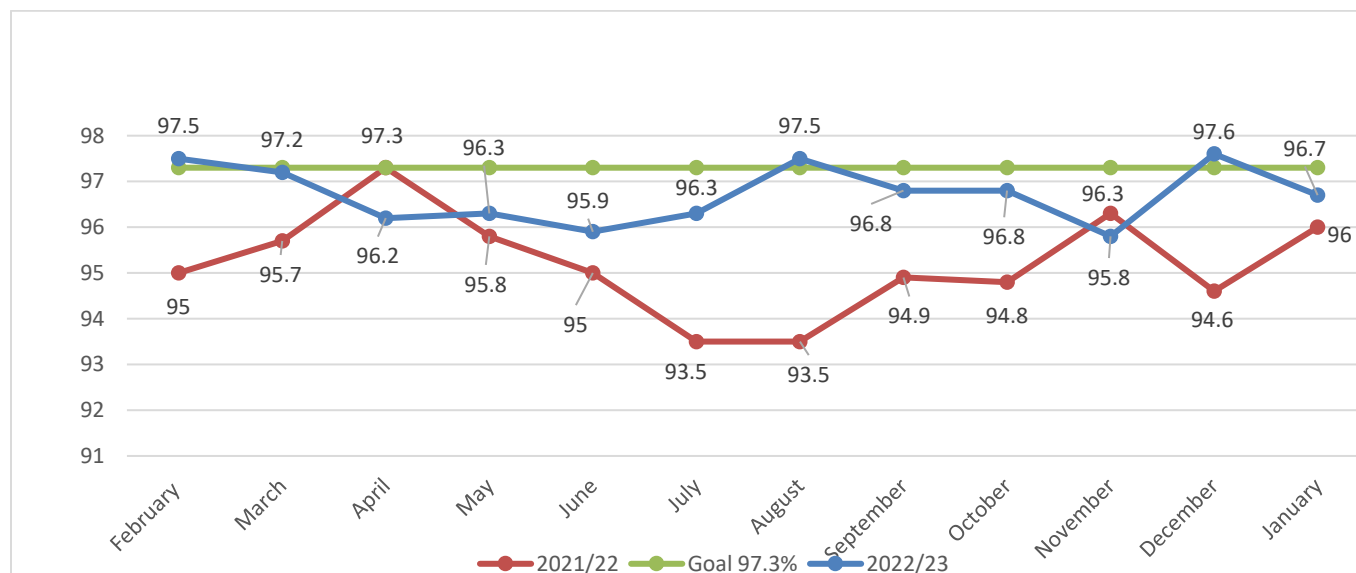
- **Newark Light Rail** – General maintenance taking place on multiple dates due to door, propulsion, and power/brake issues. Manpower shortages/operator issues affected 38 trains throughout the month.
- **River LINE** – Incidents involving general maintenance of LRV/equipment malfunctions taking place across multiple dates, including engine, door, signal, and brake issues.
- **HBLR** – Incidents involving general maintenance of LRV taking place across multiple dates, including door malfunctions, power/propulsion issues, brakes, and other issues. Police activity on 12/1, 12/2, 12/3, 12/6, 12/7, 12/8, 12/11, 12/12, 12/14, 12/15, 12/16, 12/18, 12/19, 12/20, 12/22, 12/23, 12/25, 12/28, 12/30, and 12/31 impacted 180 trains. Motor vehicles on tracks on 12/8, 12/23, 12/30 and 12/31 resulted in 79 affected trains. External passenger incidents throughout the month impacted 73 trains.
- The 12-month Average for Light Rail On-Time Performance is 95.2%

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE December 2022



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL February 2021 – January 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
January Comparison	96%	96.7%	+0.7%
12-Month Average February 2022 – January 2023	96.5%	95.2%	-1.3%

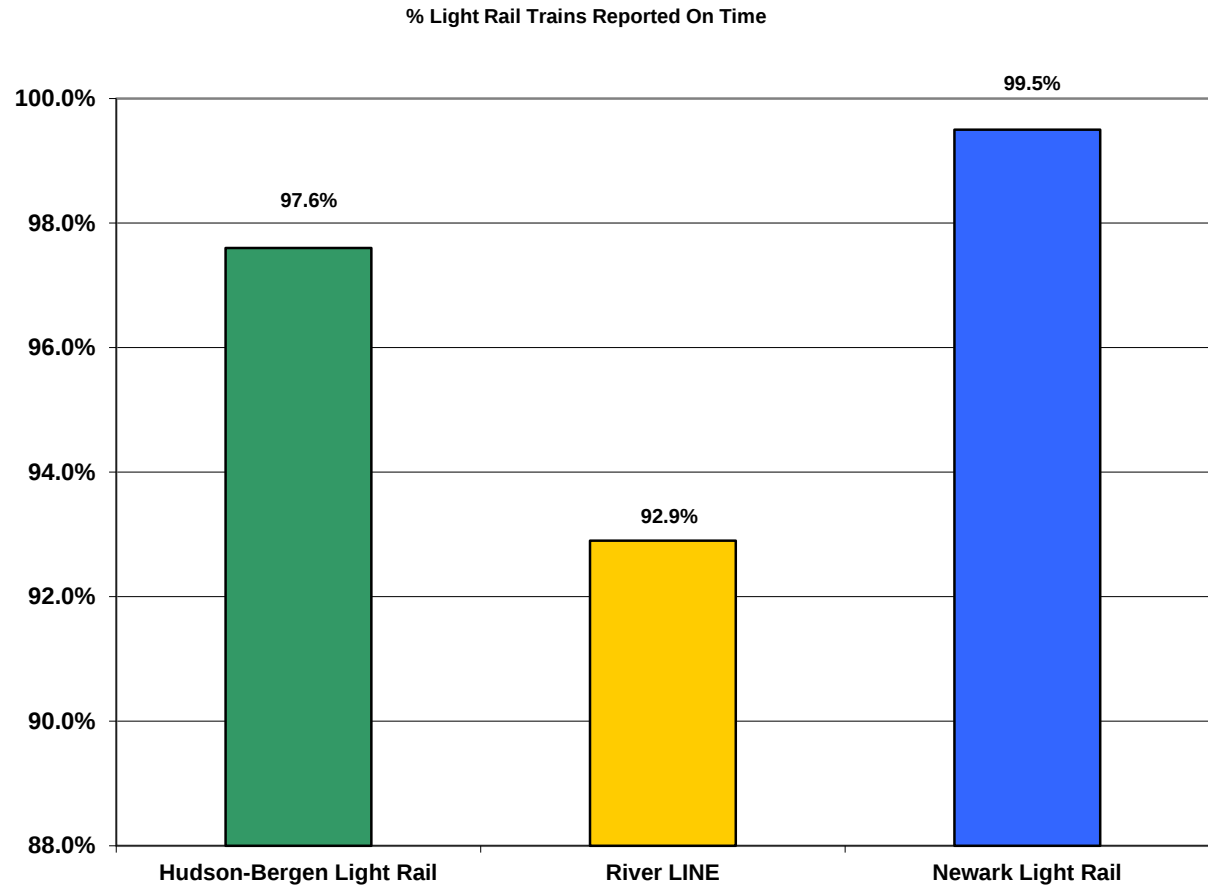
Analysis: Light Rail On-Time Performance system wide was 96.7% for the month of January. Of the 26,373 scheduled departures, 765 experienced delays.

Key Causes included:

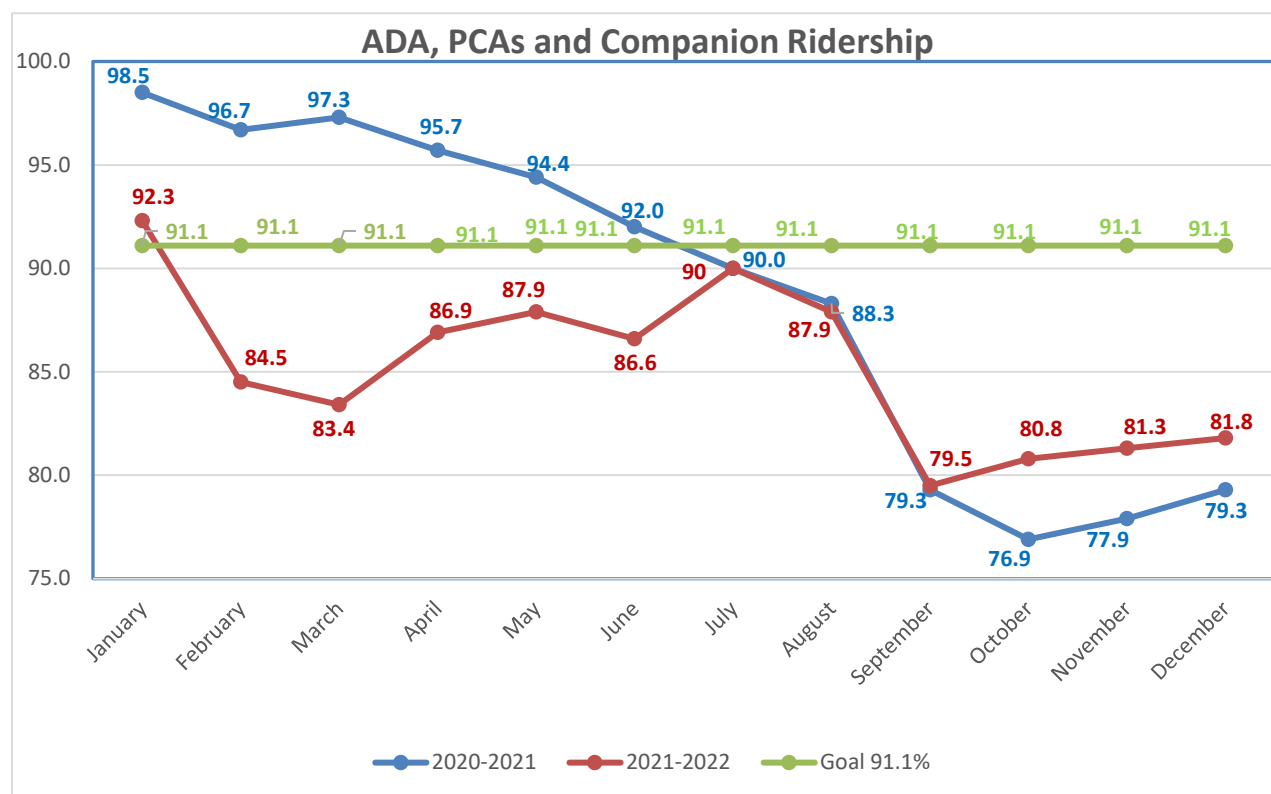
- **Newark Light Rail** – General maintenance taking place on multiple dates due to door, propulsion, and power/brake issues Police activity on 1/2 and 1/20 resulted in 7 delays. Motor vehicle fouling tracks impacted in 9 trains.
- **River LINE** – Incidents involving general maintenance of LRV/equipment malfunctions taking place across multiple dates, including engine, door, signal, and brake issues. Police activity on 1/6 and 1/23 resulted in 2 delays. External passenger incidents on 1/1, 1/3, 1/8, and 1/13 resulted in 5 impacted trains. Track obstructions on the 1/11, 1/27 and 1/28 resulted in 10 impacted trains.
- **HBLR** – Incidents involving general maintenance of LRV taking place across multiple dates, including door malfunctions, power/propulsion issues, brakes, and other issues. Police activity on 1/3, 1/4, 1/5, 1/7, 1/10, 12/11, 1/13, 1/15, 1/18, 1/19, 1/23, 1/25, 1/29, 1/30, and 1/31 resulted in 100 impacted trains. Motor vehicle fouling tracks on 1/10 and 1/24 affected 17 trains. External passenger incidents on 1/3, 1/6, 1/8, 1/11, and 1/22 resulted in 34 impacted trains.
- The 12-month Average for Light Rail On-Time Performance is 95.2%

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE January 2023



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK JANUARY 2021–DECEMBER 2022



	<u>2021</u>	<u>2022</u>	<u>%Change</u>
December Comparison	79.3%	81.8%	2.5%
December Ridership	98,033	110,384	12,351
12-Month Average January – December 2022	88.9%	85.2%	-3.7%

Analysis:

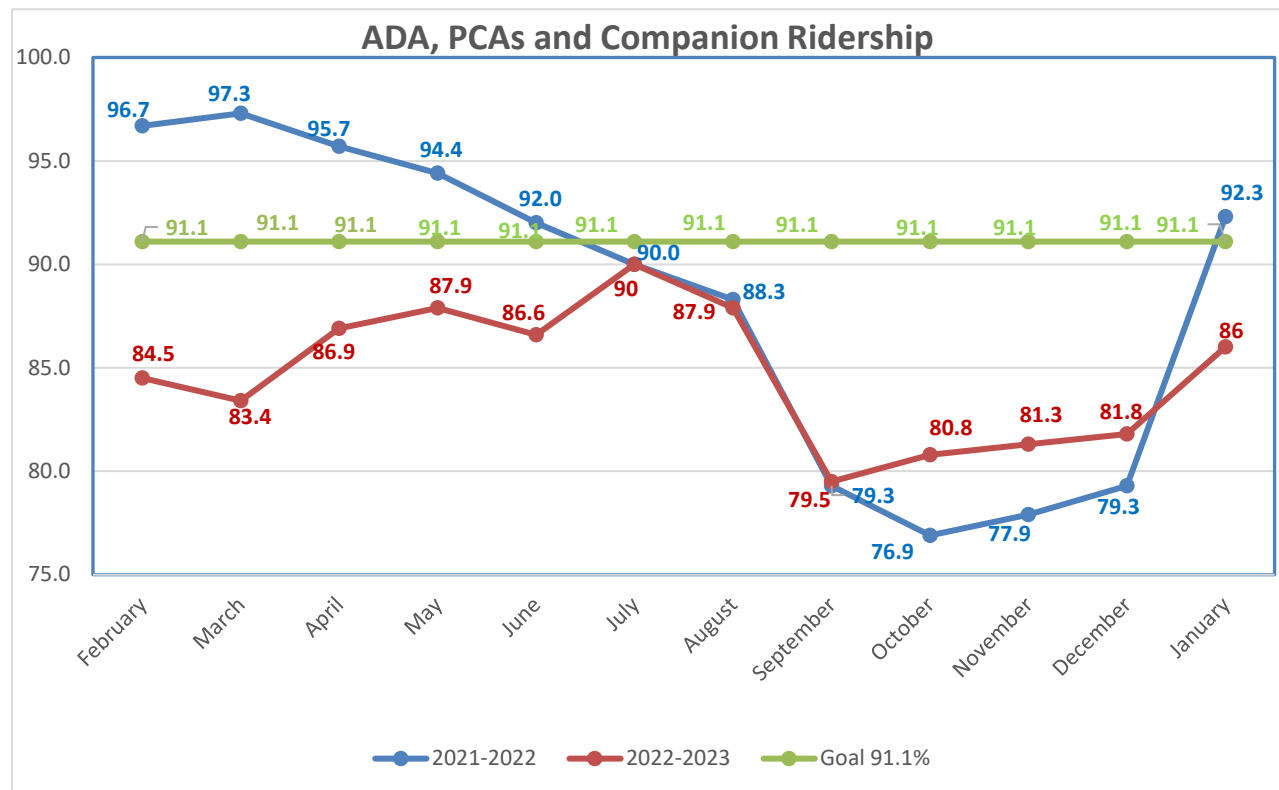
Access Link On-Time Performance was 81.8% for December 2022. In serving 119,795 total customers, for 110,384 ADA customers trips, 20,126 or (18.2%) experienced delays.

Key Causes included:

- Scheduling and Dispatch interrupted by technical issue 12/4, 12/10 and 12/13
- Increased traffic during peak periods
- Regions 2, 5 & 6, 45-60 minute delays due to operator availability
- Customer cancellations and no-shows

The 12-month Average for Access Link On-Time Performance was 85.2%.

NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK FEBRUARY 2021–JANUARY 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
January Comparison	92.3%	86.0%	-6.3%
January Ridership	80,963	113,827	32,864
12-Month Average February 2022–January 2023	88.3%	84.7%	-3.6%

Analysis:

Access Link On-Time Performance was 86.0% for January 2023. In serving 123,274 total riders, for 113,827 ADA customers trips, 15,901 or (14.0%) experienced delays.

Key Causes included:

- Increased traffic during peak periods
- Regions 2, 5 & 6, 45-60 minute delays due to operator availability
- Customer cancellations and no-shows

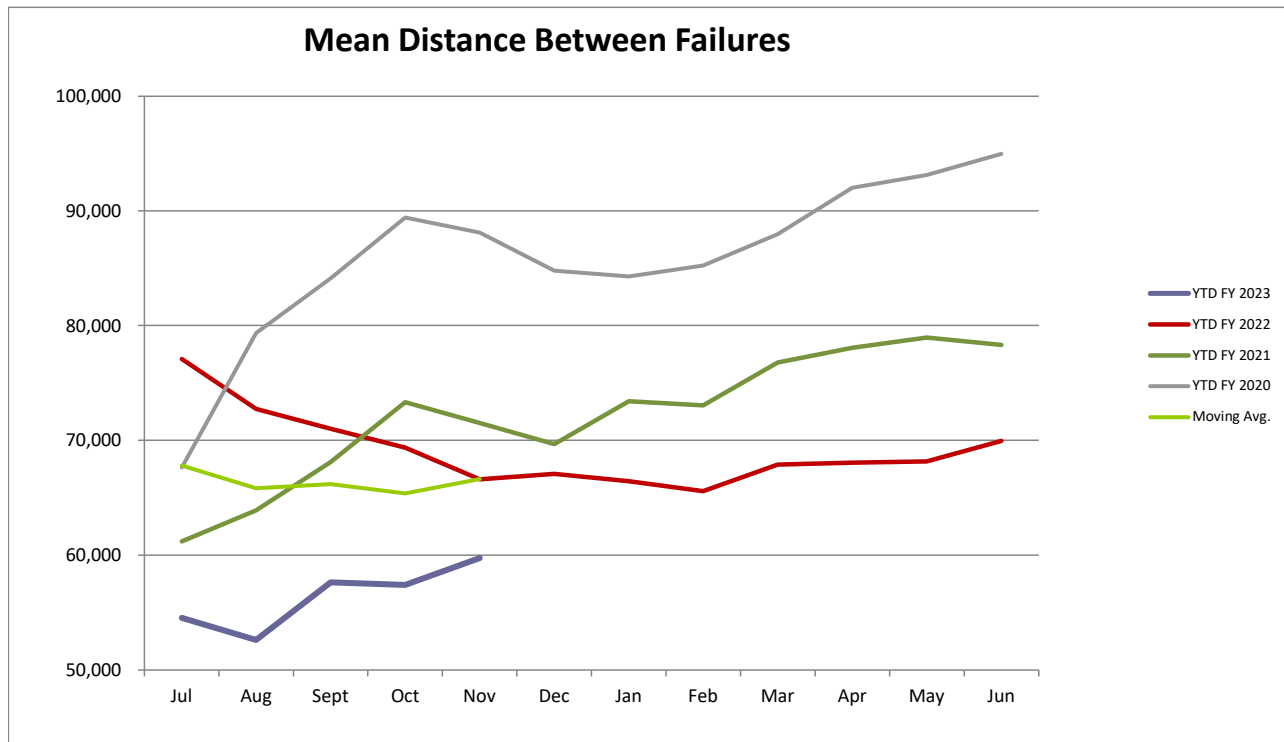
The 12-month Average for Access Link On-Time Performance was 84.7%.

MEAN DISTANCE BETWEEN FAILURES

November 2022

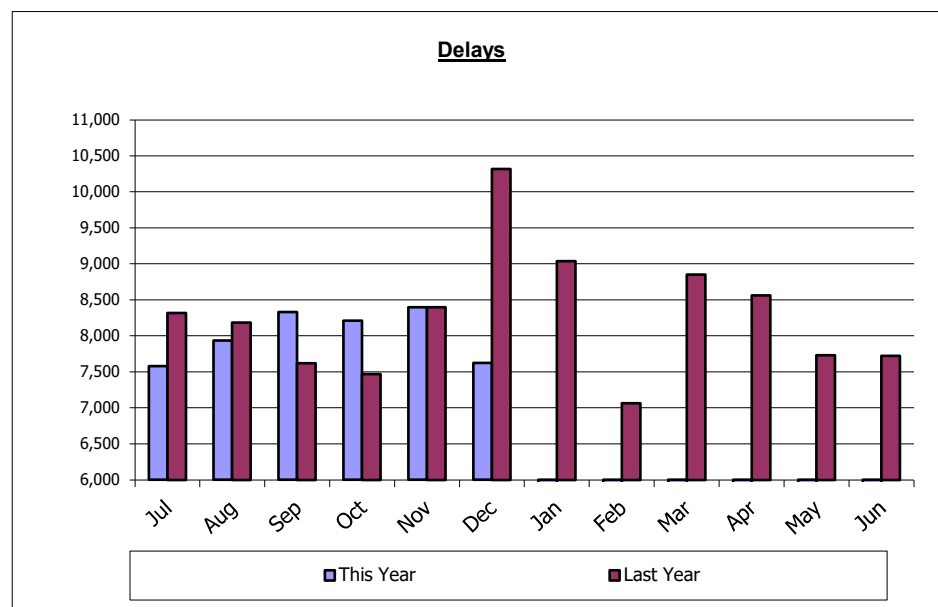
NJ TRANSIT Rail Operations
Mean Distance Between Failures

					12 Month
Month	YTD FY 2023	YTD FY 2022	YTD FY 2021	YTD FY 2020	Moving Avg.
Jul	54,531	77,087	61,198	67,634	67,808
Aug	52,602	72,743	63,891	79,350	65,832
Sept	57,623	71,005	68,109	84,111	66,170
Oct	57,410	69,368	73,320	89,410	65,389
Nov	59,761	66,597	71,498	88,101	66,636
Dec	-	67,060	69,664	84,773	-
Jan	-	66,433	73,392	84,273	-
Feb	-	65,594	73,030	85,233	-
Mar	-	67,894	76,790	87,973	-
Apr	-	68,050	78,072	92,007	-
May	-	68,153	78,962	93,119	-
Jun	-	69,949	78,300	94,969	-



Garage Performance Parameters**December 2022**

Location	Miles Between In-Service Delays			
	FY2023 Goal	This Month	FY2023 YTD	FY2022 YTD
Fairview	5,500	6,802	7,734	3,846
Greenville	7,000	3,488	4,782	3,416
Market Street	8,000	3,421	3,781	4,323
Meadowlands	9,500	6,353	5,100	5,528
Oradell	10,000	17,553	12,037	7,598
Wayne	16,000	10,282	10,486	15,581
WestWood	-	12,082	17,001	-
Northern Division	-	6,895	6,933	5,916
Big Tree	9,500	4,428	4,904	6,279
Hilton	10,600	5,965	6,578	5,609
Howell	17,500	41,977	24,435	13,590
Ironbound	10,200	5,321	7,357	14,755
Orange	9,800	3,676	3,328	5,625
Morris	10,500	16,746	23,050	3,932
Central Division	-	6,518	7,218	8,708
Egg Harbor	14,000	13,911	10,828	17,557
Hamilton	11,000	6,642	8,996	7,075
Newton Avenue	15,000	12,279	11,947	17,976
Washington Twp.	16,000	13,402	15,679	18,371
Southern Division	-	11,792	11,977	15,020
Bus Operations	-	7,622	7,994	8,291

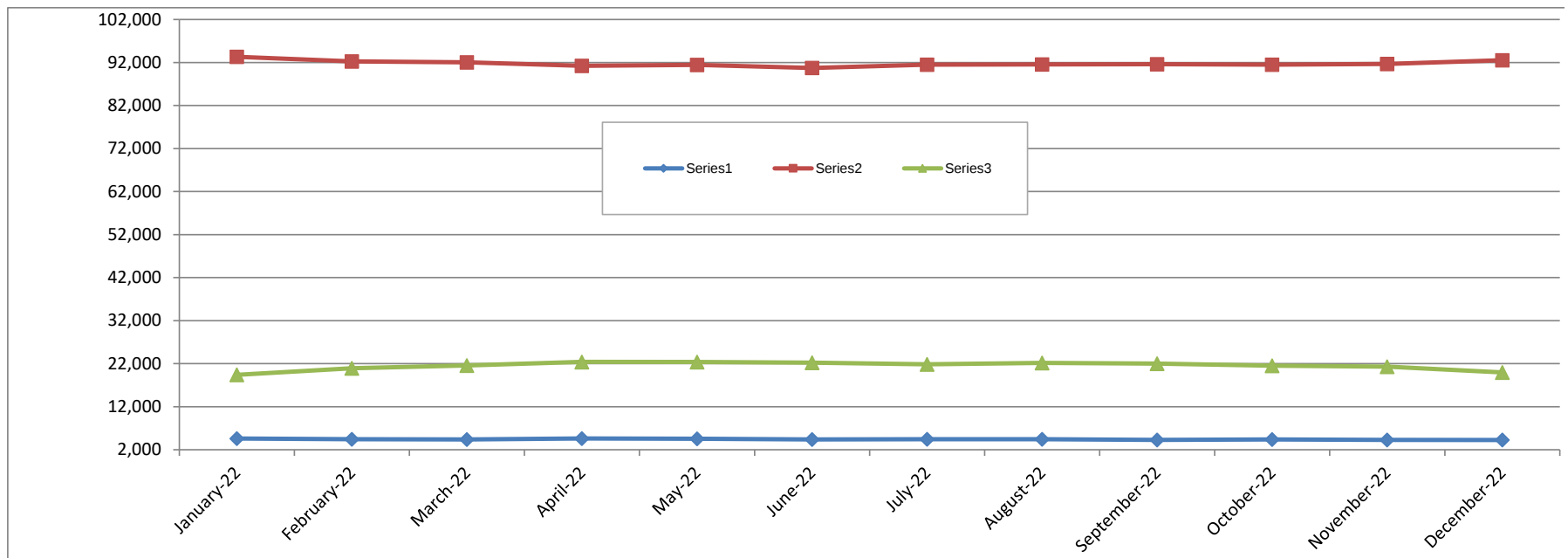


NJ TRANSIT - LIGHT RAIL, December 2022

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * December 2022	MDBSF * November 2022
Newark Light Rail	4,260	4,218
Hudson Bergen	92,532	91,664
River LINE	19,971	21,328

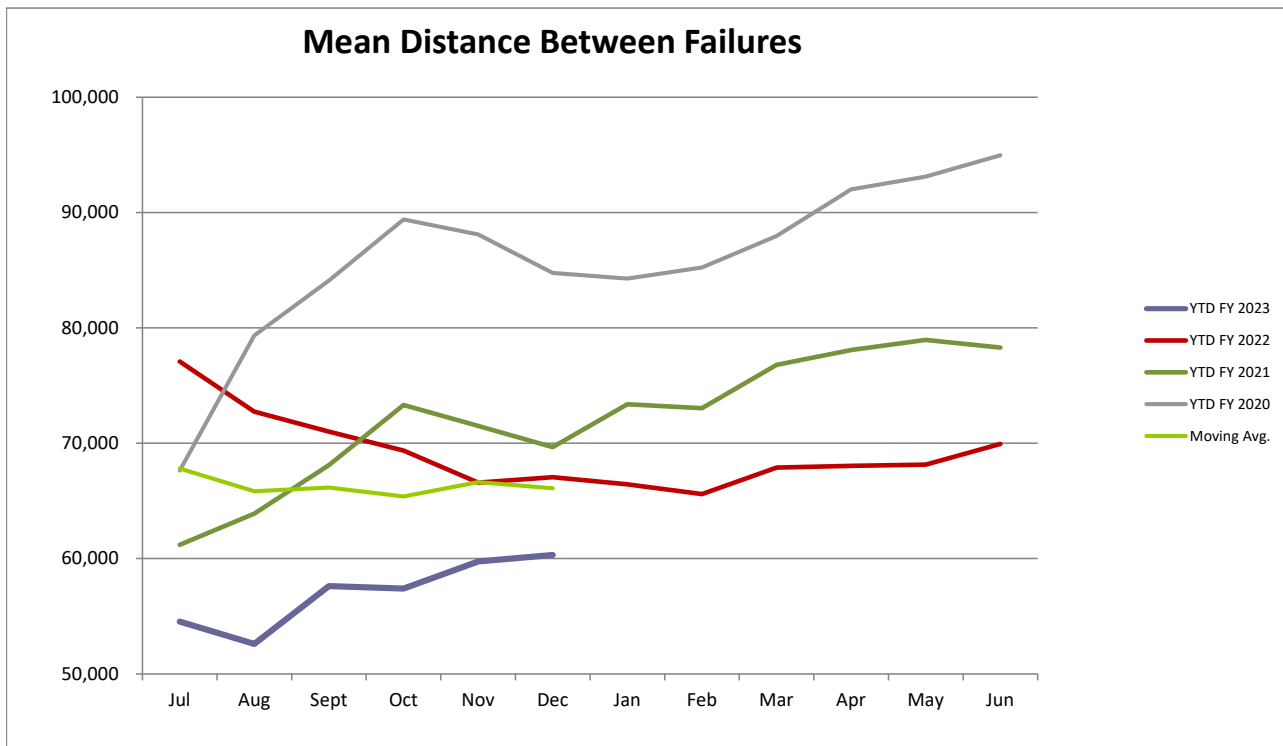
AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



December 2022

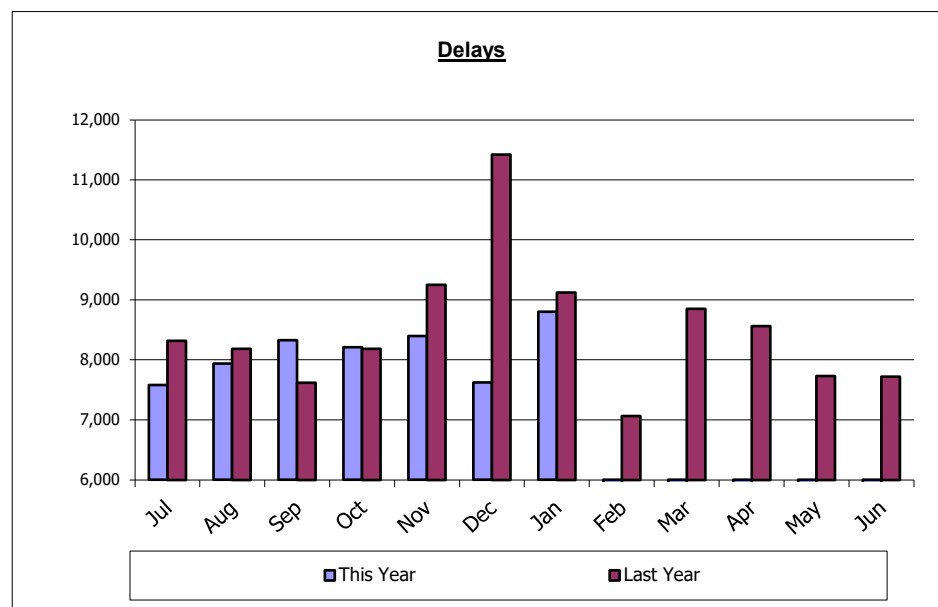
NJ TRANSIT Rail Operations
Mean Distance Between Failures

Month	YTD FY 2023	YTD FY 2022	YTD FY 2021	YTD FY 2020	12 Month Moving Avg.
Jul	54,531	77,087	61,198	67,634	67,808
Aug	52,602	72,743	63,891	79,350	65,832
Sept	57,623	71,005	68,109	84,111	66,170
Oct	57,410	69,368	73,320	89,410	65,389
Nov	59,761	66,597	71,498	88,101	66,636
Dec	60,315	67,060	69,664	84,773	66,090
Jan	-	66,433	73,392	84,273	-
Feb	-	65,594	73,030	85,233	-
Mar	-	67,894	76,790	87,973	-
Apr	-	68,050	78,072	92,007	-
May	-	68,153	78,962	93,119	-
Jun	-	69,949	78,300	94,969	-



Garage Performance Parameters**January 2023**

Location	Miles Between In-Service Delays			
	FY2023 Goal	This Month	FY2023 YTD	FY2022 YTD
Fairview	5,500	11,201	8,096	5,801
Greenville	7,000	5,577	4,879	5,495
Market Street	8,000	4,208	3,832	4,339
Meadowlands	9,500	6,414	5,255	7,128
Oradell	10,000	19,513	12,593	5,394
Wayne	16,000	10,647	10,510	14,993
WestWood	-	21,946	17,834	-
Northern Division	-	8,511	7,123	6,645
Big Tree	9,500	5,243	4,948	5,747
Hilton	10,600	6,703	6,596	7,760
Howell	17,500	36,227	25,569	28,629
Ironbound	10,200	5,625	7,041	7,954
Orange	9,800	3,547	3,359	4,258
Morris	10,500	9,832	19,379	29,223
Central Division	-	6,908	7,172	8,588
Egg Harbor	14,000	15,145	11,292	13,686
Hamilton	11,000	9,946	9,121	10,440
Newton Avenue	15,000	10,093	11,649	18,006
Washington Twp.	16,000	23,087	16,436	18,402
Southern Division	-	14,556	12,288	15,084
Bus Operations	-	8,803	8,101	8,730

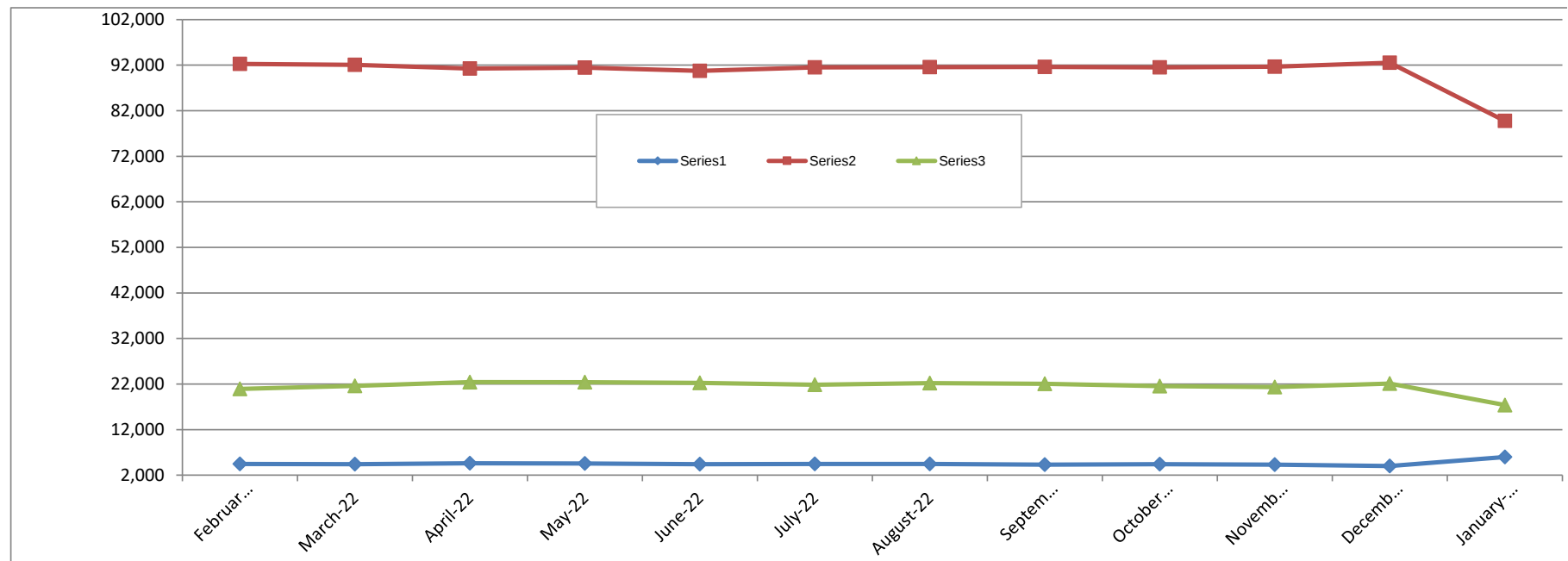


NJ TRANSIT - LIGHT RAIL, January 2023

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * January 2023	MDBSF * December 2022
Newark Light Rail	5,972	3,997
Hudson Bergen	79,755	92,532
River LINE	17,388	22,120

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

NJ TRANSIT - DBE/SBE Participation for December 2022**State Funded Contracts****State Fiscal Year 2023 - July 1, 2022 through June 30, 2023**

During the month of **December 2022** NJ TRANSIT awarded **\$6,146,478.98** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$243,734.40** or **3.96%**.

State Fiscal Year 2023 YTD (July 1, 2022, through June 30, 2023) NJ TRANSIT awarded **\$39,343,902.01** in state funded contracts. Of that total, SBEs received **\$3,260,048.71** or **8.29%**.

Note: The above reflects the Procurement Report of Awards received on January 6, 2023

SBE Goal Attainment from July 1, 2022 through June 30, 2023 (SFY 2023)

Category 1 SBEs	\$334,275.24	0.85%
Category 2 SBEs	\$2,234,354.05	5.68%
Category 3 SBEs	\$691,419.42	1.76%
Category 4 SBEs	\$0.00	0.00%
Category 5 SBEs	\$0.00	0.00%
Category 6 SBEs	\$0.00	0.00%

FTA Funded Contracts (Updated on a quarterly basis— next update will occur April 2023)**Federal Fiscal Year (FFY) 2023 - October 1, 2022 through September 30, 2023**

During the 1st Quarter (October 1, 2022 – December 30, 2022) the FTA funded share of NJ TRANSIT's federal contracts awarded was **\$12,145,769.20**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$7,270,534.25** or **59.86%**

FFY 2023 through FFY 2025 Q1 (October 1, 2023 – September 30, 2025) NJ TRANSIT awarded **\$12,145,769.20**** in federally funded contracts. Of that total, DBEs received **\$7,270,534.25** or **59.86%**.

**Numbers reflect federal share*

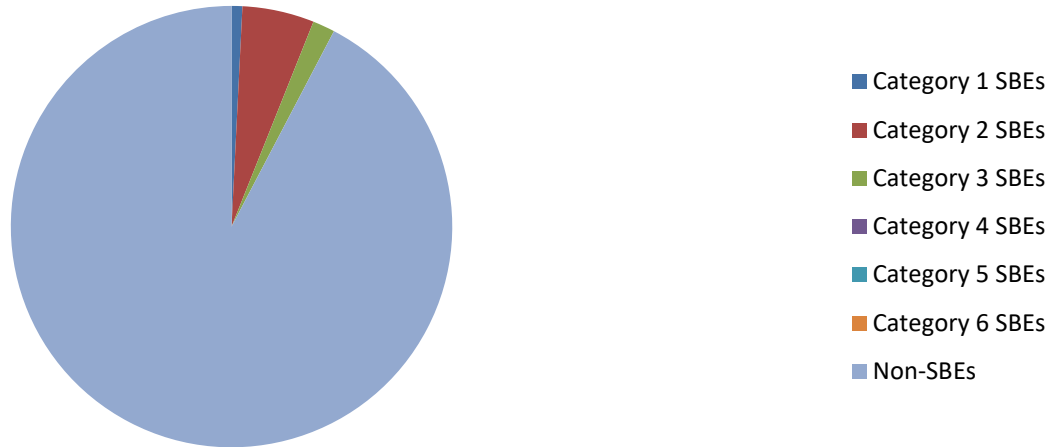
*** Number includes subrecipient awards*

Transit Vehicle Manufacturer (TVM)¹ Awards

(Next update will occur in April 2023)

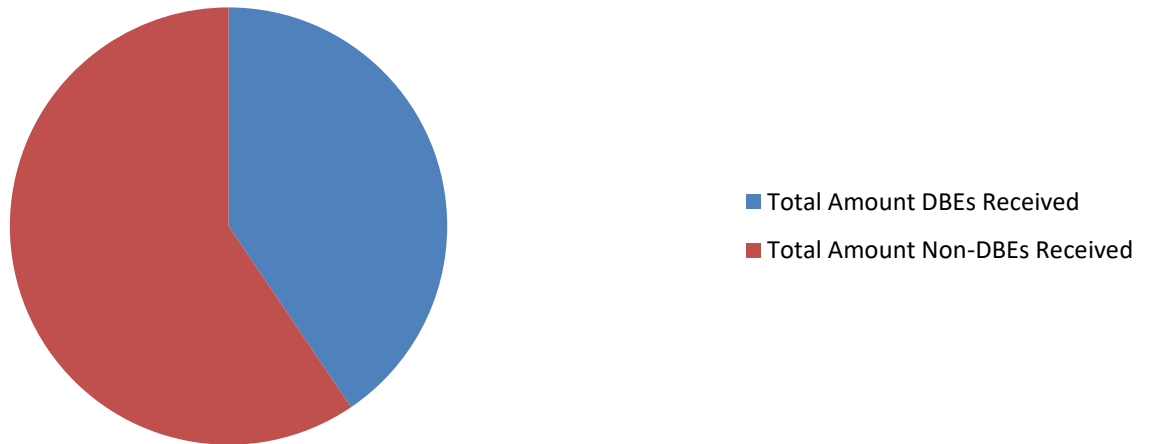
¹ Transit Vehicle Manufacturers (TVMs) will be reported to the President and CEO on a quarterly basis in the same manner that FTA-funded contracts are currently reported. TVMs are manufacturers whose primary business purpose is to build vehicles specifically for public mass transportation. The "TVM" designation indicates that the intended contract recipient/awardee has submitted to the Federal Transit Administration a plan to utilize Disadvantaged Business Enterprises on their contracts. NJ TRANSIT does not place a separate goal on Transit Vehicle Manufacturers.

<i>Category 1 SBEs</i>	\$334,275.24	0.79%
<i>Category 2 SBEs</i>	\$2,234,354.05	5.27%
<i>Category 3 SBEs</i>	\$691,419.42	1.63%
<i>Category 4 SBEs</i>	\$0.00	0.00%
<i>Category 5 SBEs</i>	\$0.00	0.00%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$39,169,688.43	92.32%



DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FY 2022-2025

Total Amount DBEs Received	\$8,642,888.06	40.526%
Total Amount Non-DBEs Received	\$12,683,878.54	59.47%



NJ TRANSIT - DBE/SBE Participation for January 2023**State Funded Contracts****State Fiscal Year 2023 - July 1, 2022 through June 30, 2023**

During the month of **January 2023** NJ TRANSIT awarded **\$3,085,835.13** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$0.00** or **0%**.

State Fiscal Year 2023 YTD (July 1, 2022, through June 30, 2023) NJ TRANSIT awarded **\$42,429,737.14** in state funded contracts. Of that total, SBEs received **\$3,260,048.71** or **7.68%**.

Note: The above reflects the Procurement Report of Awards received on February 6, 2023

SBE Goal Attainment from July 1, 2022 through June 30, 2023 (SFY 2023)

Category 1 SBEs	\$334,275.24	0.79%
Category 2 SBEs	\$2,234,354.05	5.27%
Category 3 SBEs	\$691,419.42	1.63%
Category 4 SBEs	\$0.00	0.00%
Category 5 SBEs	\$0.00	0.00%
Category 6 SBEs	\$0.00	0.00%

FTA Funded Contracts (Updated on a quarterly basis— next update will occur April 2023)**Federal Fiscal Year (FFY) 2023 - October 1, 2022 through September 30, 2023**

During the 1st Quarter (October 1, 2022 – December 30, 2022) the FTA funded share of NJ TRANSIT's federal contracts awarded was **\$12,145,769.20**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$7,270,534.25** or **59.86%**

FFY 2023 through FFY 2025 Q1 (October 1, 2023 – September 30, 2025) NJ TRANSIT awarded **\$12,145,769.20**** in federally funded contracts. Of that total, DBEs received **\$7,270,534.25** or **59.86%**.

**Numbers reflect federal share*

*** Number includes subrecipient awards*

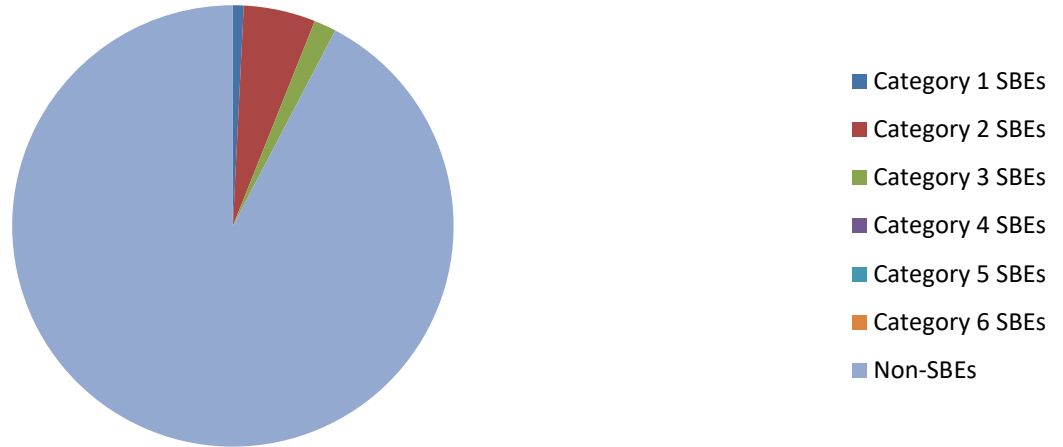
Transit Vehicle Manufacturer (TVM)¹ Awards

(Next update will occur in April 2023)

¹ Transit Vehicle Manufacturers (TVMs) will be reported to the President and CEO on a quarterly basis in the same manner that FTA-funded contracts are currently reported. TVMs are manufacturers whose primary business purpose is to build vehicles specifically for public mass transportation. The "TVM" designation indicates that the intended contract recipient/awardee has submitted to the Federal Transit Administration a plan to utilize Disadvantaged Business Enterprises on their contracts. NJ TRANSIT does not place a separate goal on Transit Vehicle Manufacturers.

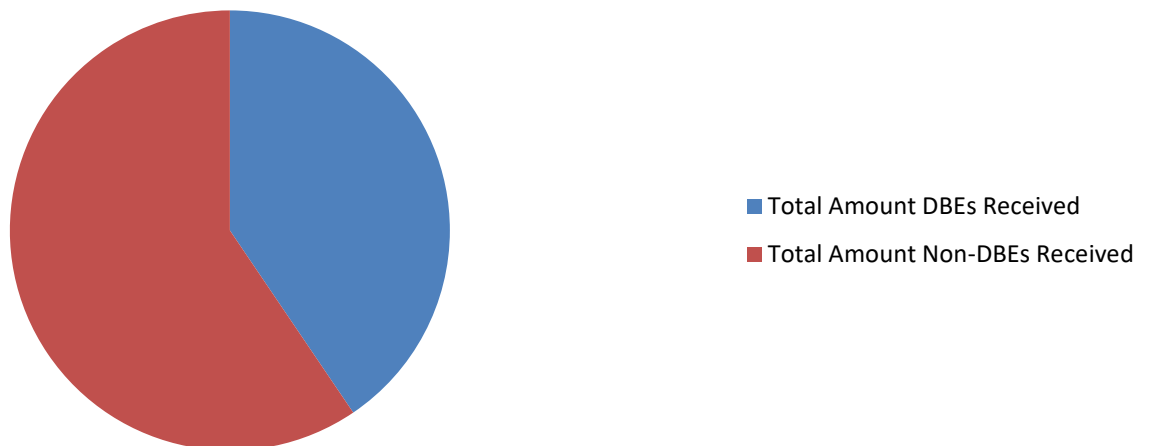
STATE CONTRACTS
STATE FYTD 2023

<i>Category 1 SBEs</i>	\$334,275.24	0.79%
<i>Category 2 SBEs</i>	\$2,234,354.05	5.27%
<i>Category 3 SBEs</i>	\$691,419.42	1.63%
<i>Category 4 SBEs</i>	\$0.00	0.00%
<i>Category 5 SBEs</i>	\$0.00	0.00%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$39,169,688.43	92.32%



DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FY 2023-2025

Total Amount DBEs Received	\$8,642,888.06	40.526%
Total Amount Non-DBEs Received	\$12,683,878.54	59.47%



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

22 NJ TRANSIT employees retired recently:

1. Joseph McCarthy, Asst Conductor -- Various -- 13 years
2. James Sarullo, Foreman -- Hoboken -- 36 years
3. James Cooney, Depot Clerk -- Howell -- 20 years
4. Manuel DaSilva Jr., Operator -- Market St. -- 9 years
5. Curti Joseph, Operator -- Hilton -- 19 years
6. Kenneth Mettzer, Mechanic A -- Washington Twp. -- 28 years
7. Ronnie-Lee Beachum Jr., LRT Operator -- Bloomfield -- 23 years
8. Robin Levy, Foreman -- Greenville -- 26 years
9. Angela Pizapio, Executive Secretary -- HQ -- 22 years
10. Norene Daniels, Admin Assistant -- Ferry St. -- 31 years
11. William Agbotse, Electrician -- MMC -- 16 years
12. James Beck, Pipefitter -- Morrisville -- 16 years
13. Ty Cerula, conductor -- Various -- 26 years
14. Jennifer Doyle, Asst Conductor -- Various -- 24 years
15. Kenneth Fennell, Strkeep Ld -- MMC -- 35 years
16. James Gillick, Asst Conductor -- Various -- 15 years
17. Eugene Laforgia, Machinist -- MMC -- 30 years
18. James Monahan, Boilermaker -- MMC -- 22 years
19. Randal Shelton, Conductor -- Various -- 36 years
20. Billajia Sweeney, Train Dispatcher -- MMC -- 5 years
21. Robert Tremitedi, Carman -- MMC -- 34 years
22. Eric Williams, Locomotive Engineer -- Various -- 35 years

ACTION ITEMS

NEWARK PENN STATION HVAC UPGRADES: REPLACEMENT OF CHILLERS AND COOLING TOWERS CONSTRUCTION CONTRACT

This project involves in-kind replacement of two (2) chillers, two (2) cooling towers, and associated piping and controls as indicated in the design contract documents.

There is also associated structural, architectural, electrical, plumbing, and associated hazardous material related work. Coordination with the existing Controls and Fire alarm vendor will also be necessary.

- Authorization is sought to enter into NJ TRANSIT Contract No. 22-059X with John O'Hara Company Inc. of East Orange, New Jersey, for the **Replacement of Chillers and Cooling Towers as part of HVAC Upgrades at Newark Penn Station**, in the amount not to exceed \$4,620,756.32, plus five percent for contingencies, subject to the availability of funds.



NEWARK PENN STATION HVAC UPGRADES: REPLACEMENT OF CHILLERS AND COOLING TOWERS CONSTRUCTION CONTRACT

- NJ TRANSIT's vision is that of a welcoming, bright, and vibrant Newark Penn Station. This project stands as NJ TRANSIT's commitment to providing a clean and comfortable world class travel experience.
- Keeping the air temperature at a comfortable level is in keeping with this overall commitment.
- Chillers at this station provide air conditioning for all interior spaces, including electrical equipment rooms necessary for station operations.



ITEM 2302-01: NEWARK PENN STATION HVAC UPGRADES: REPLACEMENT OF CHILLERS AND COOLING TOWERS CONSTRUCTION CONTRACT

WHEREAS, NJ TRANSIT's Newark Penn Station is the busiest intermodal transportation station in New Jersey and an important connection point on the Northeast Corridor and within the City of Newark, Essex County, New Jersey; and

WHEREAS, customer-facing improvements are needed throughout the station where deficiencies and a state of disrepair exists; and

WHEREAS, improvements are required to HVAC, structural, architectural, electrical, plumbing and associated hazardous material related work; and

WHEREAS, this project involves the replacement of the two chillers, two cooling towers, associated piping, and controls as indicated in the design contract documents, which will in turn address the existing issues at the Station and provide reliable cooling for the foreseeable future with routine maintenance; and

WHEREAS, the scope also includes the associated structural, architectural, electrical, plumbing, and associated hazardous material related work; and

WHEREAS, this project includes an optional provision for the implementation of a temporary chiller system, if necessary, in 2023 if the existing cooling system becomes inoperable before the new system is commissioned; and

WHEREAS, an Invitation for Bid (IFB) was advertised on July 29, 2022, and bids were opened on September 22, 2022; and

WHEREAS, this project was designated as Race Neutral contract, and the lowest responsible and responsive bidder John O'Hara Company has identified zero percent DBE goal in its bid; and

WHEREAS, the State of New Jersey Debt Defeasance Fund is the anticipated source of funding for this procurement;

NOW, THEREFORE, BE IT RESOLVED, that the Chair or President & CEO are authorized to enter into NJ TRANSIT Contract No. 22-059X with John O'Hara Company Inc. of East Orange, New Jersey, to provide construction services for the Replacement of Chillers and Cooling Towers Construction Contract at Newark Penn Station in the amount of \$4,620,756.32, plus five percent for contingencies, subject to the availability of funds.

ITEM 2302-02: NJ TRANSIT RESILIENCE PROGRAM – RARITAN RIVER BRIDGE REPLACEMENT PROJECT: AMENDMENT TO DESIGN CONSULTANT CONTRACT

WHEREAS, the existing Raritan River Bridge Raritan River Bridge is a moveable swing-span bridge across the Raritan River between Perth Amboy and South Amboy; and

WHEREAS, the bridge is the sole rail link for 17 of the 20 North Jersey Coast Line (NJCL) stations to Newark and Manhattan; and

WHEREAS, the NJCL provides service to approximately 11,400 daily riders making approximately 22,800 Average Weekday Passenger Trips and accommodates Conrail freight rail services; and

WHEREAS, the existing Raritan River Bridge suffered significant damage during Superstorm Sandy; and

WHEREAS, the Raritan River Bridge Replacement Project will replace the existing 112-year-old structure and construct a new bridge capable of better withstanding storm surge associated with future extreme weather events; and

WHEREAS, the Raritan River Bridge Replacement Project - General Construction Contract GC.01 will include the construction of Bridge Approach Spans, Lift Bridge and Flanking Spans Piers, and Associated Land Work; and

WHEREAS, the Raritan River Bridge Replacement Project - General Construction Contract GC.02 will include Lift Bridge and Flanking Spans Superstructure, Communications, Signal and Overhead Catenary Work; and

WHEREAS, the Raritan River Bridge Replacement Project - General Construction Contract GC.03 will include the Demolition of Existing Bridge; and

WHEREAS, the Federal Transit Administration selected Raritan River Bridge Replacement Project to receive Disaster Relief Appropriations Act of 2013 funding through a competitive grant process; and

WHEREAS, NJ TRANSIT previously retained Hardesty & Hanover / Gannett Fleming Joint Venture to provide consultant services for the Raritan River Bridge Replacement Project through NJ TRANSIT Contract No. 15-044; and

WHEREAS, On December 7, 2022, a Request for Proposal (RFP) was issued to Hardesty & Hanover / Gannett Fleming Joint Venture to rescope the work associated with Contract GC.2 and Contract GC.03; and

WHEREAS, the NJ TRANSIT Office of Business Development previously assigned a 20 percent DBE goal for NJ TRANSIT Contract No. 15-044; and

WHEREAS, the Federal Transit Administration and Transportation Trust Fund are the anticipated sources of funding for this project;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to amend NJ TRANSIT Contract No. 15-044 with Hardesty & Hanover/Gannett Fleming Joint Venture of Newark, New Jersey, to rescope the work associated with GC.02 and GC.03 for the Raritan River Bridge Replacement Project for an additional up to amount of \$1,300,000, subject to the availability of funds.

ITEM 2302-03: NEW JERSEY TRANSIT CORPORATION HEADQUARTERS LEASE AGREEMENT

WHEREAS, the New Jersey Transportation Corporation ("NJ TRANSIT") was established by the New Jersey Public Transportation Act of 1979, P.L. 1979, c.150 (N.J.S.A. 27:25-1 et seq.), as an instrumentality of the State of New Jersey exercising public and essential government functions and to provide for the operation and improvement of a public transportation system in the most efficient and effective manner; and

WHEREAS, pursuant to N.J.S.A. 27:25d, NJ TRANSIT has the statutory authority to maintain an office at such a place or places within the State of New Jersey as it may determine; and

WHEREAS, pursuant to N.J.S.A. 27:25-5j, NJ TRANSIT has the statutory authority to purchase, lease as lessee, or otherwise acquire, own, hold, improve, use, and otherwise deal in and with and real personal property, or any interest therein, from any public or private entity; and

WHEREAS, pursuant to N.J.A.C. 16:72-1.5(d)3, the Executive Director/President and CEO may determine that it is in the best interest of NJ TRANSIT to lease such office space as may be required for the conduct of NJ TRANSIT's business; and

WHEREAS, NJ TRANSIT currently maintains its Headquarters at One & Two Penn Plaza East, Newark, New Jersey ("NJ TRANSIT's Headquarters"); and

WHEREAS, in its current condition, NJ TRANSIT's Headquarters is inadequate for long-term occupancy; and

WHEREAS, NJ TRANSIT has determined that NJ TRANSIT's Headquarters requires immediate and substantial capital improvements for base building infrastructure, workplace improvement, and technology upgrades; and

WHEREAS, NJ TRANSIT has determined that the capital required to improve NJ TRANSIT's Headquarters has not been budgeted; and

WHEREAS, NJ TRANSIT has determined that such capital improvements and construction to NJ TRANSIT's Headquarters would involve significant employee disruption and significant funds; and

WHEREAS, NJ TRANSIT has conducted an extensive search and evaluation of all options and financial structures to satisfy its long-term office space needs and objectives; and

WHEREAS, NJ TRANSIT has determined that a relocation to a leased asset is the most financially viable and operationally efficient solution to provide a safe and productive environment for its current and future employees, provide a workplace to foster collaboration, promote wellness, and attract and retain human capital, and improve the employee experience; and

WHEREAS, NJ TRANSIT has identified properties in Newark, New Jersey, that are appropriate and suitable for NJ TRANSIT's long-term needs; and

WHEREAS, NJ TRANSIT recommends and seeks authorization for NJ TRANSIT to negotiate and enter into a long-term lease agreement;

NOW, THEREFORE, BE IT RESOLVED that the Chair or the Executive Director/President & CEO, or the appropriate designee, is hereby authorized to take all actions necessary to negotiate and enter into a lease for the letting of an estimated 400,000 square feet of office space located at Two Gateway Center, Newark, New Jersey, for a term not to exceed 25 years, to be used as NJ TRANSIT's future headquarters, substantially in accordance with the terms outlined in Executive Session; and

BE IT FURTHER RESOLVED that the Chair or the Executive Director/President & CEO, or the appropriate designee, is hereby authorized to negotiate and enter into any other contracts and agreements as may be necessary to effectuate such a lease.

**ITEM 2302-04: REGULATIONS: PROPOSED READOPTION OF – N.J.A.C. 16:89
FERRY CAPITAL IMPROVEMENT PROGRAM GUIDELINES AND
PROCEDURES**

WHEREAS, the New Jersey Transit Corporation (“NJ TRANSIT”) was established by the New Jersey Public Transportation Act of 1979 “the Act” (N.J.S.A. 27:25-1 et seq.) as the instrumentality of the State of New Jersey to establish and provide for the operation and improvement of a coherent public transportation system in the most efficient and effective manner; and

WHEREAS, in accordance with N.J.S.A. 27:25-5(e), (h), and (k) and N.J.S.A. 27:25-7(b), NJ TRANSIT has the statutory authority to promulgate rules and regulations; and

WHEREAS, NJ TRANSIT recognizes the important contribution private ferry systems make to the State’s transportation network, in terms of maximizing trans-Hudson capacity and helping to meet future ridership growth; and

WHEREAS, one of the programs by which NJ TRANSIT fulfills this responsibility is by investing in capital improvements and equipment for the operation of passenger service; and

WHEREAS, this rule provides guidelines and procedures governing the investment of state funds in capital improvements and equipment for private ferry systems pursuant to N.J.S.A. 27:25-5(h) and (k); and

WHEREAS, staff reviewed the current regulation and determined that the rules are necessary, adequate, reasonable, efficient, and responsible to the purposes for which they were originally promulgated, and should be readopted with the proposed amendments; and

WHEREAS, the Board authorized initiation of the rule-making process for N.J.A.C. 16:89 et seq., Ferry Capital Improvement Program Guidelines and Procedures, at its September 21, 2022 Board meeting; and

WHEREAS, the proposed amended rules were published in the New Jersey Register on October 17, 2022, and the comment period expired on December 16, 2022; and

WHEREAS, NJ TRANSIT received zero (0) public comments and its proposed Notice of Adoption is set forth in Exhibit A; and

WHEREAS, staff seeks authorization to take all actions necessary to adopt the regulations N.J.A.C. 16:89 et seq., Ferry Capital Improvement Program; and

WHEREAS, adoption of the final rule for N.J.A.C. 16:89, Ferry Capital Improvement Program, will advance efforts to enhance all necessary guidelines and procedures;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO, or the appropriate designee, is hereby authorized to take all actions necessary to adopt N.J.A.C. 16:89 et seq., consistent with this Board item and corresponding Exhibits, put the regulation in the appropriate format, and take all other actions necessary to effectuate the final adoption and promulgation of NJ TRANSIT's Ferry Capital Improvement Program.

TRANSPORTATION

NEW JERSEY TRANSIT CORPORATION

Ferry Capital Improvement Program

Notice of Adoption with Amendments: N.J.A.C. 16:89

Notice of Adoption of New Rules with Amendments: N.J.A.C. 16:89

Proposed: October 17, 2022 at 54 N.J.R. 1954(a)

Adopted: ____, 2023, by New Jersey Transit Corporation, Kevin S. Corbett, President and Chief Executive Officer.

Filed: ____, 2023 as R. 2023 ____, with changes not requiring additional public notice or comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 27:25-5(e), (h), and (k); and 27:25-6(b)

Effective Date:

Expiration Date:

Summary of Public Comments and Agency Responses:

The comment period officially ended on December 16, 2022. The New Jersey Transit Corporation ("NJ TRANSIT") received no public comments.

Summary of Agency-Initiated Changes:

The phrase "also known as the Executive Director" was removed from the definition of President and CEO. This is a non-substantive change. Furthermore, the Agency has updated the title of the President and CEO and added language to ensure that NJ TRANSIT has discretion in deciding how outstanding funds are used.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 16:89.

Full text of the adopted amendments and new rules follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks *[thus]*):

SUBCHAPTER 1. GENERAL PROVISIONS

16:89-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meanings:

...

["Executive Director" means the Executive Director of NJ TRANSIT.]

...

"President and CEO" means the President and Chief Executive Officer of NJ TRANSIT [, also known as the Executive Director].

SUBCHAPTER 2. ELIGIBILITY AND INELIGIBILITY

16:89-2.1 Eligibility criteria

(a) The [Executive Director] **President and CEO** shall determine whether an operator is eligible to participate in the FCIP. To be eligible, operators shall:

1.-7. (No change.)

16:89-2.2 Notice of ineligibility

(a) If NJ TRANSIT concludes that an operator is not eligible to participate in the FCIP, a designee of the [Executive Director] **President and CEO** shall notify the operator, in writing, explaining the reasons for the decision. The operator may appeal this decision, but only on the facts NJ TRANSIT used in its determination. The operator must submit its written response within 15 business days of receiving NJ TRANSIT's decision. In its response, the operator shall respond with particularity and detail to each and every assertion made in the initial communication. The operator may submit only relevant documents with its response.

(b) The [Executive Director's] **President and CEO's** designee shall consider the operator's response on the papers submitted by the operator and all other relevant material, including the applicable provisions [of] **at** N.J.S.A. 27:25-1 et seq., and shall render a decision. A decision by the [Executive Director's] **President and CEO's** designee shall be tendered within 30 calendar days of receipt of the operator's written response. Where the [Executive Director's] **President and CEO's** designee requests additional information from the operator, the operator shall respond, accordingly. The [Executive Director's] **President and CEO's** designee shall render a decision based on such facts, the law, and any relevant considerations of public policy. If the operator is dissatisfied by this decision, the operator may seek review of the decision, in accordance with the procedures set forth in the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1. An operator may seek judicial review of NJ TRANSIT's final decision by filing the appropriate appeal with the Appellate Division of the Superior Court of New Jersey, as provided by applicable law.

SUBCHAPTER 3. FERRY CAPITAL IMPROVEMENT PROGRAM FUNDING

16:89-3.1 Source of funds

(a) (No change.)

(b) NJ TRANSIT will allocate FCIP participants at least 75 percent of the funding generated as a result of their RVM reported to the NTD and allocated to NJ TRANSIT under the FTA's 49 U.S.C. [§§5307] **§§ 5307** and 5337 programs or their successors. The remaining balance will be retained by NJ TRANSIT to cover internal administration cost and **assist in the support of NJ TRANSIT capital projects that are deemed by NJ TRANSIT to be required for the support of commuter** ferry operations.

(c) NJ TRANSIT will allocate FCIP participants at least 75 percent of the funding generated as a result of their FGDRM reported to the NTD and allocated to NJ TRANSIT under the FTA's 5307 and 5337 programs or their successors. The remaining balance will be retained by NJ TRANSIT to cover internal administration cost and **assist in the support of NJ TRANSIT capital projects that are deemed by NJ TRANSIT to be required for the support of commuter** ferry operations.

(d)-(e) (No change.)

ITEM 2302-05: AMENDMENT OF THE MASTER DEVELOPMENT AGREEMENT BETWEEN NJ TRANSIT AND LCOR FOR A TRANSIT ORIENTED DEVELOPMENT PROJECT AT HOBOKEN TERMINAL (HOBOKEN CONNECT)

WHEREAS, NJ TRANSIT and LCOR Hoboken Rail Station Redevelopment, LLC (LCOR) entered into a certain Master Development Agreement (MDA) dated October 26, 2005, as amended, which sets forth the framework for Hoboken Connect, a mixed-use transit-oriented development project centered at Hoboken Terminal; and

WHEREAS, in 2022, the New Jersey Debt Defeasance Act provided for certain state appropriations including \$176,000,000 for infrastructure and access improvements at the Hoboken Ferry Terminal Building and Hoboken Bus Terminal; and

WHEREAS, NJ TRANSIT and LCOR desire to extend the deadline to no later than June 30, 2024, unless mutually agreed to by the parties, for LCOR to perform certain tasks in furtherance of the project, including due diligence, design, and preliminary construction activities in support of the public infrastructure improvements funded by the state, as well as address other MDA issues related to overall project delivery; and

WHEREAS, amendment of the MDA will facilitate advancement of a project that will improve access to the transportation facilities and enhance customer convenience at Hoboken Terminal, maximize the value of NJ TRANSIT's real estate assets, advance rehabilitation, and restoration of the public infrastructure, and produce multiple benefits for NJ TRANSIT's customers and the broader region consistent with the NJT2030 Strategic Plan;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to take all necessary actions to amend the MDA between NJ TRANSIT and LCOR, and negotiate, execute and implement supporting project agreements in order to advance due diligence, design and preliminary construction activities in an amount not to exceed \$390,144, plus five percent for contingencies, subject to the availability of funds, and address other MDA issues related to overall project delivery.

**ITEM 2302-06: BROKER SERVICES FOR CORPORATE INSURANCE AND RISK
MANAGEMENT INSURANCE PROGRAM**

WHEREAS, NJ TRANSIT has a need for a full-service Risk Management/ Insurance Broker to continue to place various insurance coverages for the agency and to develop and enhance its overall Risk Management Program; and

WHEREAS, upon completion of a competitive procurement process, the Technical Evaluation Committee determined that Marsh USA Inc. submitted the most competitive proposal that provided the best overall risk management and broker services to NJ TRANSIT; and

WHEREAS, NJ TRANSIT Office of Business Development (OBD) established a 20 percent Small Business Enterprise (SBE) Category 3 goal for this contract and OBD reviewed and approved the 20 percent SBE utilization commitment identified by Marsh USA Inc.;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 0000006 with Marsh USA Inc., 445 South Street, Suite 210, Morristown, New Jersey 07960 to act as NJ TRANSIT's Risk Management/Insurance Broker of Record for three years with an option to retain their services for two additional years with compensation capped at \$1,149,663.43 per contract year, plus five percent for contingencies, subject to the availability of funds and adoption of future NJ TRANSIT Operating Budgets.

ITEM 2302-07: PROPERTY ACQUISITION OF 82 CIRCLE AVENUE, CLIFTON, NEW JERSEY FOR THE RELOCATION OF THE MAINTENANCE OF WAY FACILITY

WHEREAS, NJ TRANSIT's Wood-Ridge Maintenance of Way Facility is approximately 70 years old, has been occupied by NJ TRANSIT for approximately 30 years, and is in deteriorating condition; and

WHEREAS, a project for the relocation of the Wood-Ridge Maintenance of Way Facility to a more modern facility capable of meeting the needs of a statewide transit system was identified as a capital need in the *NJ TRANSIT 5-Year Capital Plan: Unconstrained Vision for NJ TRANSIT* (as approved by the NJ TRANSIT Board of Directors in October 2020); and

WHEREAS, the New Jersey State Legislature made a special appropriation to advance this project and the Board of Directors approved the procurement of a general design consultant (STV, Inc.) for the project in February 2021 under Board Item #2102-04 – Northern Rail Maintenance of Way Facility: General Design Consultant; and

WHEREAS, NJ TRANSIT Capital Programs staff, working with STV, Inc., determined the NJ TRANSIT-owned property located at 99 Kuller Road in Clifton, New Jersey to be a suitable site for the new maintenance of way facility, but also recognized that there would not be adequate space for employee parking on the site; and

WHEREAS, staff identified for acquisition the property at 82 Circle Avenue, Clifton, New Jersey, a vacant lot located across the street from the proposed new maintenance of way facility and within walking distance from the proposed facility, as a convenient location for employee parking ("Property"); and

WHEREAS, this Resolution will authorize and direct the President and Chief Executive Officer, in consultation with the Board Chair, to: (1) execute and deliver any agreement for the purpose of funding the Property acquisition costs; (2) acquire the Property, for an amount not to exceed that amount which was discussed in Executive Session, subject to the availability of funds, and negotiate and enter into or execute all documents, instruments and papers, and do and perform any and all acts or things, including by assignment of and hiring of staff and resources to proceed with the Property acquisition, in accordance with N.J.S.A. 27:25-1 et seq.; (3) exercise the power of eminent domain in accordance with the Eminent Domain Act, N.J.S.A. 27:25-5(j) and N.J.S.A. 27:25-13, and file complaints in condemnation, file and record declarations of taking, and execute deeds in lieu of condemnation in accordance with N.J.S.A. 20:3-1 et seq.; and (4) carry out the relocation of affected property, if any, in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C.A. §4601, et seq. and Uniform Transportation Housing Replacement and Relocation Act, N.J.S.A. 27:72 et seq.;

NOW, THEREFORE, BE IT RESOLVED that the President and Chief Executive Officer, in consultation with the Board Chair, is authorized and directed to: (1) execute and deliver any agreement for the purpose of funding the Property acquisition costs; (2) acquire the Property, for an amount not to exceed that amount which was discussed in Executive Session, subject to the availability of funds, and negotiate and enter into or execute all documents, instruments and papers, and do and perform any and all acts or things, including by assignment of and hiring of staff and resources to proceed with the Property acquisition, in accordance with N.J.S.A. 27:25-1 et seq.; (3) exercise the power of eminent domain in accordance with the Eminent Domain Act, N.J.S.A. 27:25-5(j) and N.J.S.A. 27:25-13, and file complaints in condemnation, file and record declarations of taking, and execute deeds in lieu of condemnation in accordance with N.J.S.A. 20:3-1 et seq; and (4) carry out the relocation of affected property, if any, in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C.A. §4601, et seq. and Uniform Transportation Housing Replacement and Relocation Act, N.J.S.A. 27:7-72 et seq.

ITEM 2302-08: GRADE CROSSING LEASE AGREEMENT IN THE BOROUGH OF ALPHA, NEW JERSEY

WHEREAS, the New Jersey Public Transportation Act of 1979, P.L. 1979, c. 150 authorizes NJ TRANSIT to lease, purchase and sell, or otherwise dispose of, on terms which NJ TRANSIT may prescribe, real and personal property; and

WHEREAS, NJ TRANSIT owns inactive right of way property on the Raritan Valley Line in the Borough of Alpha, Warren County, New Jersey; and

WHEREAS, Standard Street Alpha Property LLC, requested an agreement to cross a currently inactive portion of NJ TRANSIT's Raritan Valley Line right of way to access its' proposed warehouse development in the Borough of Alpha, New Jersey; and

WHEREAS, the Board of Directors approved the issuance of a long-term license agreement for that purpose in Board Item 2207-59; and

WHEREAS, principals for Standard Street Alpha LLC advised that they are unable to obtain the necessary capital financing for their development without a more permanent real estate interest than a license, which is terminable at NJ TRANSIT's will; and

WHEREAS, staff negotiated a 99-year lease with Chafia Acquisitions, LLC, and its partners, successors in interest to Standard Street Alpha, LLC, that would provide more permanent rights to use NJ TRANSIT's property to access Chafia Acquisitions, LLC's development than the previously authorized license agreement; and

WHEREAS, the negotiated lease includes the Borough of Alpha as a signatory to acknowledge its' terms and NEW JERSEY TRANSIT's reliance on the Borough's commitment to enter into a separate letter agreement with the parties to, essentially, guaranty performance of snow removal and de-icing, and, should the developer or its successors default in their obligation to perform pothole repairs, to perform the same;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into a grade crossing lease agreement with Chafia Acquisitions, LLC, and its partners of Newark, New Jersey, for the use of approximately 12,500 square feet of NJ TRANSIT's Raritan Valley inactive railroad right of way property in the Borough of Alpha, Warren County, New Jersey on terms as discussed in Executive Session.

ITEM 2302-09: PURCHASE OF A PORTION OF THE WASHINGTON SECONDARY RIGHT OF WAY FROM NETCONG TO HACKETTSTOWN PURSUANT TO PURCHASE OPTION IN LEASE AGREEMENT

WHEREAS, NJ TRANSIT currently leases from Norfolk Southern Railway Company ("Norfolk Southern") a ten-mile rail right of way known as the Washington Secondary Track, located between Milepost 48.1 in Netcong and Milepost 58.0 in Hackettstown (the "Premises") on the Morristown and Montclair-Boonton Lines and includes two (2) NJ TRANSIT stations with pre-COVID-19 ridership levels of approximately 55 boardings, pursuant to a Lease Agreement dated April 28, 1994 (the "Lease"); and

WHEREAS, the Lease expired on May 31, 2021, with no further renewal periods and is currently operating on a month-to-month basis; and

WHEREAS, pursuant to the Lease, NJ TRANSIT has the option to purchase the Premises, or any portion thereof, for the appraised market value less a credit against the purchase price as discussed in Executive Session. Norfolk Southern will retain permanent freight operating rights on the Premises after the sale and it will continue to pay its proportionate share of maintenance costs for the use of the Premises; and

WHEREAS, NJ TRANSIT recommends exercising the option to purchase the portion of the Premises, starting at Milepost 48.1 and ending at Milepost 57.25 on the north/east side of the private grade crossing near 3rd Street in Hackettstown (the "Subject Property"), as depicted in Exhibit A, in order to enable NJ TRANSIT to continue to provide service to Montclair-Boonton and Morristown Line customers from Netcong to Hackettstown, while eliminating annual rent payments; and

WHEREAS, NJ TRANSIT is seeking approval to take all actions necessary to exercise its purchase option under the Lease and complete the acquisition of the Subject Property at a cost not to exceed an amount discussed in Executive Session;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to take any and all actions necessary to exercise the purchase option under the Lease and complete the acquisition of the Subject Property in accordance with the terms discussed in Executive Session.

EXECUTIVE SESSION AUTHORIZATION

BE IT HEREBY RESOLVED pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to the Personal Injury Claim of Kevin Powers.

BE IT FURTHER RESOLVED that it is expected that discussions undertaken at this executive session could be made public at the conclusion of these matters as appropriate.