

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
Richard T. Hammer, Commissioner
Steven H. Santoro, Executive Director

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

October 16, 2017

Dear Governor Christie:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the regularly scheduled 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, October 11, 2017.

Sincerely,

Original Signed By

Joyce J. Zuczek
Board Secretary

Enclosures

Honorable Chris Christie
Governor, State of New Jersey
State House
Trenton, NJ 08625

Minutes of the actions taken at the Open Session of the regularly scheduled 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, October 11, 2017.

Board Members Present

Richard T. Hammer, Chairman
Mary K. Maples, Governor's Representative
James C. Finkle Jr., Board Member
Shannon McManus, Treasurer's Representative (By Telephone)
Flora M. Castillo, Board Member (By Telephone)
Raymond W. Greaves, Board Member (Non-Voting) (By Telephone)

Staff Present

Steven H. Santoro, Executive Director
Amy B. Herbold, Deputy Executive Director
Michael P. Kilcoyne, Vice President & General Manager, Bus Operations
Robert Lavell, Vice President & General Manager, Rail Operations
Ronald E. Nichols, Senior Director, Private Carrier Affairs
Christopher Trucillo, Chief of Police
Warren A. Hersh, Auditor General
Christine C. Baker, Chief Compliance Officer
Jaibala K. Patel, Acting Chief Financial Officer & Treasurer
Michael K. Slack, Chief Information Officer
Anthony M. Grieco, Acting Asst. Executive Director, Communications & Customer Service
Eric R. Daleo, Assistant Executive Director, Capital Planning & Programs
Gardner C. Tabon, Chief, Office of System Safety
Joseph E. Snow, Deputy Attorney General
Joyce J. Zuczek, Board Secretary

Chairman Hammer convened the Open Session at 9:13 a.m. in accordance with the Open Public Meetings Act. Taisha Ellington-Johnson, Office of System Safety, provided a Public Safety Announcement. The Pledge of Allegiance to the Flag was conducted. Board Secretary Zuczek conducted a Roll Call, noted Board Members Castillo, McManus and Greaves were participating by telephone, and Board Member Castillo would join the meetings shortly.

Board Secretary Zuczek announced that adequate notice of the regularly scheduled meetings of the Board of Directors 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. was provided in accordance with the Open Public Meetings Act, Chapter 231, P.L 1975, and the meetings were occurring concurrently. Notices were filed on October 4, 2017 with the Secretary of State. These notices were sent to

newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, and sent to each individual, agency and organization that requested such notice. Board Secretary Zuczek announced that the Board meetings were being video recorded.

Chairman Hammer asked for a motion to approve the minutes of the September 7, 2017 Board meetings. A motion was made by Board Member James C. Finkle Jr., seconded by Board Member Mary K. Maples and unanimously adopted.

Public Comments on Agenda Action Items

There were three speakers on agenda action items. Board Secretary Zuczek announced public comments would be limited to five minutes.

Jack May, a resident of Montclair, spoke on behalf of the New Jersey Association of Railroad Passengers (NJ-ARP) regarding Item #1710-45 for the Glassboro-Camden Light Rail Line. NJ-ARP applauds the decision of NJ TRANSIT to move forward with the steps necessary to make the Glassboro-Camden Light Rail Line a reality. Mr. May said the light rail mode of transportation has been very successful in attracting New Jerseyans to public transportation and improving their lives. He said in the last ten years, according to the North Jersey Transportation Planning Authority, patronage on the existing lines has increased by 50 percent, compared to 23 percent for the rail commuter lines and zero for the bus lines.

Mr. May said they know that light rail transit has a beneficial impact on the communities it serves as it moves people quietly and sensibly, takes automobiles off the roads, reduces pollution, increases property values and creates a climate allowing business to flourish. He said this all adds up to a great improvement in the lifestyles of New Jersey residents, especially by increasing mobility itself.

Mr. May said while NJ-ARP had some disagreement with the results of the planning process, preferring the alternative that some call "Modified PATCO" which would allow for the use of electrically propelled trains over the route with through service to Philadelphia, thereby significantly increasing the line's potential patronage. Thus, they wholeheartedly support the proposed action to move forward in preparing the Environmental Impact Statement.

There were a few points in the documentation for this agenda item that raised some questions they hope will be addressed by the Board prior to the vote. They would like to know: 1) Since the work was suspended in July 2014 because of future project funding and ultimate operation of the system, what specifically has occurred in the last few months that caused NJ TRANSIT to start moving the project forward; 2) Whether the projected completion date, as stated in the documentation as June 2019, is the date for the Final Environmental Impact Statement or the Draft Environmental Impact Statement; and if it is the latter, whether there is a way that it can be expedited since similar environmental studies have taken less than two years, especially when electrification is

not involved; and 3) Since under the operating budget amount it says “none,” what is an estimate of when funds will be budgeted and what is the timeline for completion of the entire project, such as when the first light rail trains will begin operation. If NJ TRANSIT is unable to accommodate answers to these questions when the item is introduced, they urged NJ TRANSIT to inform NJ-ARP and the public in the very near future.

In summary, Mr. May said they were pleased the project was moving forward and recommended a unanimous yes vote on the agenda item.

David Peter Alan, Chair of the Lackawanna Coalition, had concerns about two projects on the agenda that would bring new construction to their primary lines of concern, the Morris & Essex, Montclair-Boonton and Gladstone lines. He said one entails the eventual replacement of the Newark Draw Bridge with a three-track span, along with a number of other bridges between Broad Street Station and Harrison. Mr. Alan said the other entails filling in Long Slip and Hoboken and building new tracks there, although the proposed tracks would be far from the station exits, PATH trains and streets of Hoboken.

Mr. Alan said it was unusual for them to question NJ TRANSIT’s desire to spend money for projects that purportedly would improve the infrastructure on their primary lines of concern. However, in light of recent developments on the railroad, they believe there is a far more urgent need for NJ TRANSIT’s limited capital dollars to be spent elsewhere.

Mr. Alan believes the Newark Draw is providing adequate service at the present time. He argued while it is old, the bridge and its approaches were rehabilitated only seven years ago and management does not claim that it cannot continue to provide adequate service for many years to come. Mr. Alan said as for the contention that having a three track bridge would improve services, especially potentially express service, today’s schedules demonstrate that the contention is without merit. He said the present schedule has only five trains that skip Broad Street Station during the morning and afternoon peak-commuting periods. Mr. Alan said in all cases, there is several minutes of temporal separation between each of those trains and the nearest scheduled trains that stop at Broad Street Station.

Mr. Alan thinks there is no reason to expect that service on the Morris & Essex Line will be augmented in the foreseeable future. He said the last significant service improvement on the line was the introduction of Midtown Direct service in 1996. Mr. Alan said for the past 11 years, every service change has been a service reduction, and the most recent occurred only two years ago.

Mr. Alan said they make a similar observation about the proposal to fill in Long Slip at Hoboken and build additional tracks there. He argued the proposed tracks would be badly located, several minutes’ walk from PATH trains and the station exits to the street. Mr. Alan said if management proposed to add a significant amount of new service to Hoboken over the long haul, and not only for eight weeks, perhaps this project would be

necessary. However, he said service to Hoboken has decreased dramatically since 2006, so the existing infrastructure is sufficient.

Mr. Alan noted there was an item concerning light rail between Camden and Glassboro. While he said South Jersey was outside their purview, they noted that the light rail project would add to the state's rail network. Mr. Alan said nobody can say the same about the Newark Draw or Hoboken Long Slip projects.

Mr. Alan said there might be a compelling need for improvements on the Morris & Essex Line. He said two weeks ago, the Gladstone Branch was shut down completely because some concrete had fallen off the retaining wall near Summit Station. Mr. Alan said they were deeply concerned that NJ TRANSIT chose to deprive all riders on the line of their mobility for two days, rather than running a bus bridge and a rail shuttle operation. He said the bus service available on Lakeland was completely inadequate, extremely limited and bore no resemblance to a full-service rail line. They are concerned that the shutdown which was imposed could be repeated for a far-longer duration if there are further problems with the infrastructure.

Mr. Alan said the poured-concrete infrastructure of the Morris & Essex Line, which was elevated about 100 years ago, was an engineering marvel of its day. He also noted that, like bridges, poured concrete must be rehabilitated from time to time, or it fails. Mr. Alan said some parts of the wall at Summit have already deteriorated, and they do not know what might fail next. They want a thorough structural investigation of the entire Morris & Essex Line, along with the Gladstone Branch and the historic Lackawanna Montclair Branch between Roseville Avenue and Bay Street. They also want the Board to say no to the Newark Draw and Long Slip projects until they can be sure that the scarce dollars will not be needed to keep the Morris & Essex Line in a state of good repair. Mr. Alan said they cannot afford to have their railroad shut down.

Mr. Alan believes in a world of unlimited money, where there is no need to choose how it will be spent, most projects look very appealing. However, he said money is scarce and must be spent wisely. Mr. Alan said they cannot afford frills until they know for certain that their railroad is safe and in a state of good repair.

Joseph Clift said there is no money in NJ TRANSIT's 10-year plan for Glassboro Light Rail. He said the capital plan shows zero dollars beyond the Environmental Impact Statement. In Mr. Clift's handout he referenced a picture for Item #1710-44 Conceptual Design Services for the Replacement and Construction of an Undergrade Bridge. He said there are six viaducts, five road bridges and one river bridge, and calling this a replacement of the Newark Draw is incredibly understated.

Mr. Clift said since the CP3 Committee was not open to the public, he does not think the Board was aware that most of this project was not the bridge. He said this project was adding to a half mile of elevated right-of-way to go from two to three tracks, mostly in a residential neighborhood and it presents a problem. Mr. Clift said the McCarter Highway, Passaic Avenue, Hamilton Avenue, Cleveland Avenue and Harrison Avenue all have to be

bridged with either a third track on a separate bridge or a new bridge with three tracks to make this project happen. He does not think the Board knows enough to make a decision on this project. Mr. Clift said \$1 million was listed for this big project, which has probably been studied, but this project could wind up costing well over \$200 million dollars.

Mr. Clift believes the project need for this undergrade bridge does not measure up to the scope of the work. He said there were five express trains that do not stop at Broad Street in the morning four-hour peak period, out of 41 trains going east towards New York and Hoboken. Mr. Clift does not think NJ TRANSIT needs this type of third track since they have Positive Train Control with better switches that run with higher speeds. He believes people should be working with technology and smarts, not bricks and mortar. Mr. Clift does not believe there is any purpose that makes sense from a cost benefit point of view for this project.

Mr. Clift said the most egregious thing left out was this bridge and approaches were rehabilitated in 2010 and there was \$37 million in the Capital Program, listed in two line items in two separate years. He said it replaced the structural and mechanical rehabilitation of the bridge. Mr. Clift said the write up would lead one to think this bridge breaks down all the time; however, he does not think it has since 2010. He believes if it does breakdown someone should go after the contractor that did the work. Mr. Clift said this bridge was supposed to be extended for 20 years of life, questioned why this was being planned now, and thinks it makes no sense.

Mr. Clift said the bridge opens infrequently, is not manned and requires calling ahead to get authorization for it to open. He said downstream the Dock Bridge did not have one request to open from 2004 to 2014 and he believes it opens once a year to ensure everything is in working condition. He believes if this bridge is well maintained, it should last with its infrequent use. Mr. Clift said NJ TRANSIT went through a very extensive program to rehabilitate bridges in the 2000's and everything is in good shape so he implored the Board to put off this work. He does not believe Hoboken needs seven more tracks and suggested a retaining wall be built to keep water out. Mr. Clift urged the Board against spending taxpayer's money to fund this project

Mr. Clift said the Saddle River Trails contract was delayed a year because of a mistake by the Procurement Department. He said this led to the old supplier Community running operations for an additional year that should have been operated by Saddle River Trails.

Advisory Committee Report

There was no Advisory Committee Report.

Board Customer Service Committee Report

Board Member Finkle presented the report for the Customer Service Committee. The Customer Service Committee received a Customer Service update and report on the Social Media Dashboard.

Board Administration Committee Report

Board Member Finkle presented the report for the Administration Committee. The Administration Committee discussed the board items for the Bergen County Local Bus Service and NJ TRANSIT's Title VI Plan Submission for FFY2018-2020.

Board Capital Planning, Policy, and Privatization Committee Report

Chairman Hammer presented the report for the Capital Planning, Policy, and Privatization Committee. The Capital Planning, Policy and Privatization Committee discussed the board items for the: Design and Construction of Newark Draw Bridge on the Morristown Line; and Glassboro-Camden Light Rail Agreement Amendment with Delaware River Port Authority and STV, Incorporated.

Executive Director's Monthly Report

Executive Director Santoro noted the action item on the agenda to advance the Glassboro-Camden Light Rail project. This additional resource will help advance the preparation of the Environmental Impact Statement in that effort to bring more transportation options to South Jersey.

Executive Director Santoro said it has been one year since he became Executive Director and in that time they have taken a number of actions to better protect NJ TRANSIT's customers, employees and the public. Safety is a demand that he will not compromise on. He then discussed some of the steps they have taken on the railroad.

They were in the process of upgrading all stub-end tracks at Hoboken Terminal and other similar terminals with new sliding friction bumper blocks as well as advancing a speed control system for trains entering the terminal. In October 2016, they implemented an interim measure where any safety sensitive rail employee who exhibits any indication of potential fatigue symptoms was immediately removed from service for a sleep apnea screening until they obtained the appropriate documentation attesting to the satisfactory results or the condition was not present. This initiative was formalized as policy in April 2017. NJ TRANSIT has screened all active locomotive engineers and nearly one-third of more than 1,000 conductors.

NJ TRANSIT has been advancing the installation of forward and inward facing cameras on trains. To date, more than 86 percent of trains have forward facing cameras and nearly 78 percent of the rail fleet has inward facing cameras, which focused on the engineer's actions. They expect to have both cameras in the entire fleet by the end of 2017.

Rail Operations implemented a new initiative which requires the conductor to ride in the front cab of trains, along with the engineer, when entering terminals in Hoboken, Penn Station New York, Atlantic City, Princeton, Gladstone and the Meadowlands station. Speed limits entering Hoboken, Atlantic City, Princeton and the Meadowlands Rail Station

have been reduced from 10 miles per hour to five miles per hour as a further safety measure.

Executive Director Santoro said those were just some of the ways NJ TRANSIT has been prioritizing safety, and they will continue to do so moving forward across all modes of transportation.

Executive Director Santoro noted he has said before “NJ TRANSIT is open for business.” Bus Operations will host an open house for those holding Class A and B commercial driver licenses as NJ TRANSIT looks to hire full time bus operators. This event will be held on Saturday, October 28, 2017 at the Maplewood General Office Building (GOB) at 180 Boyden Avenue in Maplewood. They encourage all CDL holders to come out to this event and explore career opportunities at NJ TRANSIT.

On the rail side, NJ TRANSIT is also taking action to bolster the ranks of locomotive engineers. Five engineers were scheduled to complete their training in November and two more finishing in January. These additions to the roster will allow for enhanced flexibility in NJ TRANSIT’s rail operations.

Later this month, on Saturday October 21, 2017, NJ TRANSIT will be providing the annual enhanced service to the Far Hills Race Meeting, called Steeplechase. This event draws crowds by the thousands, and NJ TRANSIT rail service to Far Hills provides critical transportation to and from the horse racing festivities. As NJ TRANSIT does every year, customer ambassadors will be at key locations providing assistance to customers, many of whom are infrequent users of the rail system or are riding for the first time. The New Jersey Transit Police Department’s Office of Emergency Management will be monitoring this event to ensure safe and efficient travel for all.

October marks Diversity Awareness Month, a time to appreciate the strength and unity created by employing people of all backgrounds, something NJ TRANSIT does throughout the year. During his time as Executive Director, equality in the workplace has been a topic Executive Director Santoro has been taking very seriously.

Executive Director Santoro introduced Vice-President of Civil Rights and Diversity Leotis Sanders to give an update on efforts to ensure equity in NJ TRANSIT programs and services and to explain NJ TRANSIT’s Title VI submission to the FTA.

Leotis Sanders explained Title VI of the Civil Rights Act of 1964 seeks to ensure that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. As a recipient of funding from the FTA, NJ TRANSIT must comply with specific requirements to support and promote equity in the corporation’s programs and services to the public.

FTA's Title VI requirements are identified in FTA Circular 4702.1B. NJ TRANSIT meets the criteria for general requirements, the requirements for Fixed Route Transit providers, and some requirements for States, in the Circular.

These requirements include but are not limited to: Creating a Title VI Notification to Beneficiaries to NJ TRANSIT's customers of their rights under Title VI; Developing procedures for tracking complaints alleging discrimination on the basis of race, color, or national origin; Developing an inclusive public participation plan for NJ TRANSIT, that documents all the various ways NJ TRANSIT works to ensure inclusion when engaging the public; Developing a Language Assistance Plan to document the ways NJ TRANSIT communicates with customers who have limited English Proficiency; Providing assistance to and monitoring subrecipients to ensure compliance with Title VI regulations, and Monitoring the provision of NJ TRANSIT's programs, services and activities, to ensure any disparate impacts on minorities are addressed.

To demonstrate NJ TRANSIT's compliance with Title VI, FTA requires NJ TRANSIT prepare and submit a Title VI Plan every three years, which provides detail on how NJ TRANSIT has met the requirements of the Circular in the previous three years, and how it plans to meet those requirements in the next three-year period. NJ TRANSIT's Title VI Plan on file with FTA for FFY 2015-2017, expires on November 30, 2017. The current Title VI Plan submission will cover FFY 2018-2020.

In October 2012, FTA revised the Title VI Circular which resulted in new and enhanced regulatory requirements for Title VI compliance. One of the new requirements was that the funding recipient's Board must review and approve the Title VI Plan prior to submission to FTA. The Circular also requires the Board approve the results of NJ TRANSIT's Title VI service monitoring, NJ TRANSIT's major service change definition and policy for evaluating major fare and service changes, as well as NJ TRANSIT's Disparate Impact and Disproportionate Burden thresholds and policies.

In 2014, NJ TRANSIT submitted its Title VI Program for FFY 2015-2017 to the Board for review and approval. The Board approved the overall submission, and the specific key policies and procedures on October 8, 2014. In 2015, NJ TRANSIT performed Title VI fare and service equity analyses as part of its 2015 Fare and Service Adjustment process. The Board approved the results of the fare and service equity analyses on July 15, 2015.

For the current submission, NJ TRANSIT staff reviewed the demographic data of NJ TRANSIT's service area, the organization's operations and service environment, and the effectiveness of the fare and service equity analysis processes. NJ TRANSIT determined there have been no significant changes in any service or operational aspects that warrant update or alteration to any of the key policies and procedures approved in the last submission. Therefore, those key policies and procedures approved by the Board in 2014 have not been changed, and were carried over into the current Title VI Plan for FFY 2018-2020. In May 2017, NJ TRANSIT received a Title VI Compliance Review from FTA. NJ TRANSIT has incorporated technical guidance received during the review into this current Title VI Plan submission.

The Circular requires the Board approve the results of NJ TRANSIT's Title VI service monitoring results separately with every Title VI Plan submission. Service monitoring measures the performance of NJ TRANSIT's service provided to minority and non-minority communities, against the corporation's systemwide service standards and policies established in 2014. The results of NJ TRANSIT's service monitoring for 2017 indicates no disparate impacts to minorities on any of NJ TRANSIT's Bus, Rail or Light Rail services.

NJ TRANSIT's Title VI Plan includes all required elements, and those elements were listed in Appendix A to the Board Item. Board members have also been given a copy of the complete Title VI Plan to review. An Executive Summary of the service monitoring results was provided in Appendix B to the Board Item, and the complete monitoring report was in the Title VI Plan Board members received.

Once NJ TRANSIT's Title VI Plan is reviewed and approved by FTA, it will be posted and available to the public on the FTA website, per FTA protocol. Once it is posted, NJ TRANSIT will provide a link to the Plan on the website, NJTRANSIT.com.

Executive Director Santoro said before he concludes, he wanted to take a moment to remind everyone to remain vigilant, especially in light of recent tragic events in Las Vegas; not only at large gatherings like the Steeplechase event, but also during every day commutes. If something does not seem right, do not hesitate to contact New Jersey Transit Police at 888-TIPS-NJT or texting a tip by sending a message to NJTPD which is 65873 on mobile phones.

Board Secretary Zuczek noted Board Member Castillo joined the meetings by telephone.

Action Items

1710-44: CONCEPTUAL DESIGN SERVICES FOR THE REPLACEMENT AND CONSTRUCTION OF UNDERGRADE BRIDGE 7.48 NEWARK DRAW ON THE MORRISTOWN LINE OVER THE PASSAIC RIVER

Executive Director Santoro introduced Robert Lavell, Vice President & General Manager, Rail Operations, who presented Action Item #1710-44 for approval.

Robert Lavell recommended approval of Item #1710-44: Conceptual Design Services for the Replacement and Construction of Undergrade Bridge 7.48 Newark Draw on the Morristown Line Over the Passaic River. Approval was requested to enter into a contract with HNTB Corporation to perform conceptual design services for the replacement of undergrade bridge 7.48 Newark Draw over the Passaic River between Newark, New Jersey and Harrison, New Jersey at a negotiated cost not to exceed \$1,106,596, plus five percent for contingencies, subject to the availability of funds.

Board Member James C. Finkle Jr. moved the resolution, Board Member Flora M. Castillo seconded it and it was unanimously adopted.

Roll Call Vote:

Hammer	Maples	McManus	Castillo	Finkle	Greaves
Yes	Yes	Yes	Yes	Yes	(Non-Voting Member)

1710-45: GLASSBORO-CAMDEN LIGHT RAIL: AMENDMENT TO AGREEMENT WITH THE DELAWARE RIVER PORT AUTHORITY AND STV, INCORPORATED

Executive Director Santoro introduced Eric Daleo, Assistant Executive Director, Capital Planning and Programs, who presented Action Item #1710-45 for approval.

Eric Daleo recommended approval of Item #1710-45, Glassboro-Camden Light Rail: Amendment to Agreement with the Delaware River Port Authority and STV, Incorporated. Approval was requested to amend the existing agreement with the Delaware River Port Authority and STV, Incorporated by which NJ TRANSIT will fund an additional not-to-exceed amount of \$3,500,000, for a total funding commitment of \$12,454,000, for the continued preparation of the Environmental Impact Statement for the Glassboro-Camden Light Rail project.

Board Member James C. Finkle Jr. moved the resolution, Board Member Mary K. Maples seconded it, and it was unanimously adopted.

Roll Call Vote:

Hammer	Maples	McManus	Castillo	Finkle	Greaves
Yes	Yes	Yes	Yes	Yes	(Non-Voting Member)

Board Member Finkle stepped out of the room since he was recused from the next Board item.

1710-46: CONTRACTING OUT – BERGEN COUNTY LOCAL BUS SERVICE

Executive Director Santoro introduced Ronald Nichols, Senior Director, Private Carrier Affairs, who presented Action Item #1710-46 for approval.

Ronald Nichols recommended approval of Item #1710-46, Contracting Out – Bergen County Local Bus Service. Approval was requested to enter into NJ TRANSIT Contract No. 17-023 with Saddle River Trails, Inc. of Wallington, New Jersey to operate the Bergen County Local Bus Service, as set forth in Exhibit A for a 36-month contract

period from November 12, 2017 through November 14, 2020, at a total cost not to exceed \$18,967,884, plus five percent for contingencies.

Board Member Flora M. Castillo moved the resolution, Board Member Mary K. Maples seconded it, and it was unanimously adopted.

Roll Call Vote:

Hammer	Maples	McManus	Castillo	Finkle	Greaves
Yes	Yes	Yes	Yes	Recused	(Non-Voting Member)

Board Member Finkle returned to the meetings.

1710-47: TITLE VI PLAN SUBMISSION FOR FFY2018-2020

Executive Director Santoro introduced Leotis Sanders, Vice President, Civil Rights and Diversity Programs, who presented Action Item #1710-47 for approval.

Leotis Sanders recommended approval of Item #1710-47, Title VI Plan Submission for FFY2018-2020. Approval was requested to approve NJ TRANSIT's 2017 Title VI Plan and NJ TRANSIT's Service Monitoring Report as verification of the Board's consideration, awareness, and approval of the monitoring results.

Board Member James C. Finkle Jr. moved the resolution and Board Member Mary K. Maples seconded it.

Board Member Castillo asked staff to address the concerns she raised during the Customer Service Committee meeting, as well as in their conversations relating to the procedure for complaint handling and tracking, staffing of this function, as well as ensuring NJ TRANSIT acquires a best practice in the way this is monitored.

Leotis Sanders said they have a full time Director of Title VI and Environmental Justice who will be responsible for tracking and managing complaints received on the basis of race, color, and national origin. He explained the current plan is that those investigations will be conducted by area management with supervision by the Office of Civil Rights Title VI Director. Mr. Sanders said they can reevaluate that in the near term or after some period of time to assess the effectiveness of NJ TRANSIT's current plan.

Board Member Castillo asked that in addition to that, staff take a look nationally at what is the best practice to ensure they have the best interests of customers as they develop this tracking procedure and monitor the success and effectiveness of NJ TRANSIT's compliance with this regulatory requirement. Mr. Sanders said he would prepare a benchmarking report for her on how other agencies handle this.

Board Member Castillo asked about the timeliness of the recruitment of the open staff position. Mr. Sanders explained they were reposting that position in the next week. He explained they had posted it earlier in 2017 and there was one successful candidate but unfortunately they reevaluated their retirement options and did not accept the offer so NJ TRANSIT is reposting the position and looking urgently to find someone to fill that position.

The resolution was unanimously adopted.

Roll Call Vote:

Hammer	Maples	McManus	Castillo	Finkle	Greaves
Yes	Yes	Yes	Yes	Yes	(Non-Voting Member)

Executive Session Authorization

At approximately 9:51 a.m., Chairman Hammer requested 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 John Lowe and the Personal Injury Claim of Robert Dennis.

Board Member James C. Finkle Jr. moved the resolution, Board Member Flora M. Castillo seconded it and it was unanimously adopted.

Return to Open Session

Board Secretary Zuczek conducted a Roll Call as Board Members returned to Open Session. All Board Members, except Board Member Greaves, returned to open session at approximately 11:26 a.m.

1710-48: NJ TRANSIT RESILIENCE PROGRAM: LONG SLIP FILL AND RAIL ENHANCEMENT – ENVIRONMENTAL MITIGATION CREDIT PURCHASES

Executive Director Santoro introduced Eric Daleo, Assistant Executive Director, Capital Planning and Programs, who presented Action Item #1710-48 for approval.

Eric Daleo recommended approval of Item #1710-48, NJ TRANSIT Resilience Program: Long Slip Fill and Rail Enhancement – Environmental Mitigation Credit Purchases. Approval was requested to purchase environmental mitigation credits to support the Long Slip Fill and Rail Enhancement project, in the amount discussed in Executive Session, subject to the availability of funds.

Board Member James C. Finkle Jr. moved the resolution, Board Member Mary K. Maples seconded it, and it was unanimously adopted.

Roll Call Vote:

Hammer	Maples	McManus	Castillo	Finkle	Greaves
Yes	Yes	Yes	Yes	Yes	Absent (Non-Voting Member)

1710-49: PERSONAL INJURY CLAIM OF JOHN LOWE

Executive Director Santoro introduced Jaibala Patel, Acting Chief Financial Officer and Treasurer, who presented Action Item #1710-49 for approval.

Jaibala Patel recommended approval of Item #1710-49, Personal Injury Claim of John Lowe. Approval was requested to settle the claim of John Lowe through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member James C. Finkle Jr. moved the resolution, Board Member Shannon McManus seconded it, and it was unanimously adopted.

Roll Call Vote:

Hammer	Spinello	McManus	Castillo	Finkle	Greaves
Yes	Yes	Yes	Yes	Yes	Absent (Non-Voting Member)

1710-50: PERSONAL INJURY CLAIM OF ROBERT DENNIS

Executive Director Santoro introduced Jaibala Patel, Acting Chief Financial Officer and Treasurer, who presented Action Item #1710-50 for approval.

Jaibala Patel recommended approval of Item #1710-50, Personal Injury Claim of Robert Dennis. Approval was requested to settle the claim of Robert Dennis through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member James C. Finkle Jr. moved the resolution, Board Member Mary K. Maples seconded it, and it was unanimously adopted.

Roll Call Vote:

Hammer	Spinello	McManus	Castillo	Finkle	Greaves
Yes	Yes	Yes	Yes	Yes	Absent (Non-Voting Member)

Public Comments on Other Matters

There were 14 speakers on other matters.

Stephen Burkert, General Chairman of Smart TD Local 60, which represents the conductors, rear brakes and ticket collectors that work on NJ TRANSIT's trains. He discussed the NJ TRANSIT Open Door Policy, which states that all doors must be open on all coaches at all times. Mr. Burkert said while this statement looks good on paper, it is not practical even during rush hour.

Mr. Burkert said the platforms in New York Penn Station are not all straight lines. He said some are curved not only on the ends but on the higher tracks closer to the middle of the train set. Mr. Burkert said these curves leave gaps between the train and the platform. He has witnessed passengers leaping over 24 inch gaps after doors were ordered to be opened.

Mr. Burkert said they have trains that are longer than the actual length of the platform and some doors that are in the middle of the train but within feet of stairs cause more of a bottleneck on the platform when they are ordered to be opened. He said passengers will stand in the doorway looking for a seat, thus totally blocking the door, the platform and the stairs leading to the platform level. Mr. Burkert believes the door next to the engine should always remain closed when boarding due to the open space between the engine and the coach doorway, which creates a large space for passenger to fall into when it is crowded.

Mr. Burkert said when it is not rush hour, the policy creates a different type of condition when crews are still ordered to open all cars but passenger counts do not warrant all cars to be open. He said when an eight, nine, or ten car multi-level train has only 200 passengers or less spread out it is not the safest option. Mr. Burkert explained the trains at off-peak times do not have the train crews the way the rush hour trains are staffed. He said there are less train crew members dealing with passengers that are sleeping, new to the system like tourists, possibly impaired due to alcohol at dinners or sporting events, or use headphones while they are traveling. Mr. Burkert said they also deal with certain passengers that are looking to take advantage of opportunities to do illegal activities.

Mr. Burkert said by painting the entire system with one broad stroke, they are actually doing a disservice to NJ TRANSIT's passengers and crew. He said due to the policy passengers have missed connecting trains, missed station stops because the entire train could not fit onto certain platforms and couldn't get off the train because doors did not open and had to run through the train just to find a crew member for an emergency.

Mr. Burkert said the train crews are trained on safety and compliance issues and know how to safely operate these trains day or night in any type of weather. He believes NJ TRANSIT must be able to trust their frontline employees when they say it is an accident waiting to happen. Mr. Burkert urged NJ TRANSIT to revisit the policy to make

revisions where necessary. He said he always strives for the safest course and this needs to be addressed.

Mr. Burkert also asked that the Senior/Disabled tickets be removed from all NJ TRANSIT Ticket Vending Machines (TVM) immediately. He said his crews are reporting that 25 to 30 percent of all tickets collected onboard are reduced fare tickets. Mr. Burkert said this is not aimed to discourage seniors from traveling, but rather they would welcome them to buy their ticket onboard from a crew member. He believes the onboard purchase would give crew interaction to answer any questions they may have about trains or schedules.

Mr. Burkert believes the trains crews and ticket agents should be allowed to ask for proper ID when these tickets are being purchased. He said they are not allowed at this time to ask for an ID card for the disabled, nor proof of age for seniors, but yet NJ TRANSIT lists those requirements in the public time table. Mr. Burkert said they have people in their 30's giving train crews senior/disabled tickets and the disabled ticket is even more abused by passengers. He said a full fare one-way ticket from Dover to New York is \$15.25 and they collect the majority at \$7.10. Mr. Burkert said a one-way ticket from Trenton to New York is \$16.75 while the senior disabled ticket that are being scammed are only \$7.65. He said this is a lot of money being scammed or outright stolen from NJ TRANSIT by passengers who know how to play the system simply by using a TVM.

Mr. Burkert said NJ TRANSIT employees, both union and non-union, are family. He asked the Board to give these two items some thought since their family is trying to improve the safety of passenger travel and close the loophole concerning cash fares.

David Peter Alan, Chair of the Lackawanna Coalition, believes it is important to address the Gateway Project. He said recently several proponents of Gateway said there was no Plan B and they need the Gateway Project in its entirety. Mr. Alan believes they are all wrong.

Mr. Alan said there is a Plan B which is to build what they need and don't build what they don't need. He said they need two new tunnels and improvements at Penn Station New York including extending Tracks 1 to 4 and their two platforms west to the West End Concourse. Mr. Alan said they need a new bridge with sufficient capacity to carry all the traffic which means three tracks with room four, or a new two track bridge plus rehabilitation of the existing Portal Bridge, for peak hours and during service outages.

Mr. Alan said other aspects of Gateway including the proposed closed Penn South Station, Secaucus infrastructure and the proposed Bergen Loop are not needed, are potentially undesirable and should not be built. He said the necessary elements of the scaled-down project that he recommended can be built for \$10 billion or less which is two-thirds less than the current estimated cost of \$27 to \$30 billion for all of Gateway.

Mr. Alan said Gateway in its entirety would cost essentially half the money available for transit projects in the entire country. Mr. Alan said it might be possible to raise the amount

of money that the scaled-down project he described would cost but not the cost of all of Gateway.

Mr. Alan said seven years ago Governor Christie terminated the former ARC project because it was too expensive and flawed. He said the advocacy movement warned of the flaws: That it would not go to the Grand Central Terminal on the East Side of Manhattan; would not go to the existing Penn Station; and that Amtrak could not use it. Mr. Alan said while Penn South is not as bad as the ARC project, the other problem was cost, which has risen from \$8.7 billion to a range of \$12 to \$15 billion.

Mr. Alan said the estimated cost of Gateway runs from \$27 to \$30 billion which is anywhere from 80 to 135 percent of the final estimate of the cost of ARC. He said in the past seven years, the producer price index has only risen 13 percent so Gateway is far more expensive than ARC had become at the time Governor Christie terminated it for being too expensive. Mr. Alan said if they could not afford ARC, they certainly cannot afford all of Gateway now.

As part of their Plan B, Mr. Alan wants the discount for off-peak rail fares to be brought back so it makes it less expensive to go to Manhattan through Hoboken and PATH than to go directly to Penn Station New York. He believes these two changes require no capital cost, would divert some riders away from Penn Station New York at the most crowded times, and it is possible to improve the operation at Penn Station New York with little additional capital cost.

Mr. Alan said it now takes Amtrak and NJ TRANSIT 28 minutes to clear and reuse a track at Penn Station New York. He believes if the operation could be improved enough to reuse a track every 20 minutes that would allow up to 44 percent more trains to enter and leave Penn Station New York. Mr. Alan said that means up to 36 trains per hour, compared to the current 25. He believes there would be room for the Raritan Valley Line, as well as room for an additional train per hour on each of the lines that now go into Penn Station New York. Mr. Alan believes this improvement would not cost billions of dollars and all that would be required is some modest improvements at Penn Station New York.

Mr. Alan said their Plan B for enhanced mobility between New Jersey and New York City would at most cost one-third of the estimated prices for all of Gateway and would provide the needed capacity at Penn Station New York. He said they might even be able to build their Plan B before the existing tunnels are taken out of service for repairs due to Hurricane Sandy damage.

Randy Glucksman said for years they have heard several speakers say there is not enough funding for all the projects needed. He asked the Board to use their positions to speak to the legislature to get the dedicated funding for projects. Mr. Glucksman said NJ TRANSIT has a shortage of employees required for the level of service listed on the timetables. He said with the approach of winter, customers should not be greeted by alerts that a train is being cancelled due to mechanical problems or lack of personnel.

With regard to the group Residents Against Giant Electric (RAGE), Mr. Glucksman does not understand why NJ TRANSIT cannot say no to the JCP&L project. He noted the RAGE group has spent a lot of their own money to fight the JCP&L project and even former Vice Chairman Bruce Meisel said if he could vote he would vote no for this project.

Mr. Glucksman said he also agrees with Mr. Burkert's remarks and he has heard train crews tell him they are forced to take senior/disabled tickets from people who obviously are not qualified to present these tickets. He said this is a huge revenue loss and something needs to be done.

Orrin Getz, a resident of Rockland County, said he was reading in Bloomberg News that NJ TRANSIT is the leader in rail equipment breakdowns. Mr. Getz said it seems that NJ TRANSIT's equipment breaks down five times more than the equipment on Metro North, yet Metro North runs more comprehensive services on the Harlem, Hudson and New Haven lines east of Hudson, and this is something that needs to be investigated. He said NJ TRANSIT should have enough equipment to have back-up train sets in Hoboken and other terminal yards ready to go to protect the schedules. Mr. Getz said cancelling trains for equipment problems is not acceptable, especially in the late evenings when there are large gaps in the schedules. For example, if train 1645 that leaves at 9:44 p.m. is cancelled on the Pascack Valley Line, the wait for train 1647 which does not leave until 11:13 p.m. is a long wait. He said there should be an additional train in Hoboken that can be put into service if there is problem.

Mr. Getz said there was a problem with the midday and weekend busing schedules implemented on the Pascack valley Line due to construction projects. He said he was at NJ TRANSIT for a meeting on September 8, 2017 and on September 9, 2017 he was told they were going to implement a new schedule a week from Sunday. Mr. Getz said this was too short of notice and commuters should have been told at the beginning of the month because they purchase monthly tickets and need to know this information ahead of time.

Mr. Getz said NJ TRANSIT went to Rockland County officials and said they were closing five railroad crossings for repairs as part of this Pascack Valley Line project. He said two of the closings were in Pearl River and three were in Spring Valley, giving very short notice to the officials regarding what was going on. Mr. Getz said buses had to be rerouted and permission received from DOT to close one of the routes. He said they have to do better and let the people know well in advance. Mr. Getz said NJ TRANSIT knew about this but did not get back to the officials in Rockland County.

Mr. Getz said he asked Executive Director Santoro about the crew shortages and he stated they were not going to discuss this. He said he did not need to discuss it because it appeared on the front page of the local newspaper which said NJ TRANSIT was only hiring seven engineers. Mr. Getz said this was a disaster waiting to happen since they have crew members with 30 years of service who can retire at any moment. He believes they need to look into this and come up with a comprehensive program on how they are

going hire and train these engineers. Mr. Getz said not having enough crew is a dangerous situation.

Mr. Getz said Executive Director Santoro spoke to the New Jersey Legislators stating NJ TRANSIT will have its Positive Train Control ready by the federal deadline in December 2018, but they have yet to see a plan of how this is going to be accomplished. He believes Board members should know what is going on and know what guidelines need to be met, or this is going to be another disaster waiting to happen.

Lastly, Mr. Getz stated NJ TRANSIT must take care of the little things that matter because if they do not, they turn into bigger matters. He said he was on train 3711 outbound from New York to Jersey Avenue, but all the signs on the train stated it was going to New York. Mr. Getz said the crew was not paying attention because they were too busy sitting and talking to passengers to notice. He said these are the little matters that need to be taken care of before they become big matters.

Joseph Clift said NJ TRANSIT will be working on the big power plant project with the smart grid, however the Passaic Valley Sewerage Commission is also building a multi-megawatt plant somewhere close to \$500 million with natural gas power in south Newark. He said it is a lot cheaper to build one facility and run wires than it is to build two.

Mr. Clift said NJ TRANSIT has to admit their problem of engineer personnel shortages and state the problems before they can actually address it. He said stating they are not going to talk about the engineer shortage is not going to make it go away. Mr. Clift believes if the public knows what the problem is upfront and they are told the trains are going to be cancelled they will understand. He requested, instead of someone having to file an OPRA request, to tell the story of how many engineers NJ TRANSIT has on duty, how many are authorized and the differences they are short.

Mr. Clift believes approving not one bridge but six bridges east of Broad Street is starting down the same path that NJ TRANSIT has gone on the Midline loop. He said NJ TRANSIT is spending \$13 million for a design that is not going to be affordable and not needed for another 15 to 20 years, and NJ TRANSIT must prioritize since they do not have the money to do wish list projects.

Mr. Clift said when Jim Simpson was Chairman he wanted the CP3 Committee to be an open meeting, however he left before this could happen. Mr. Clift requested the Committee be opened to the public since a lot of important things go on in the CP3 Committee meetings.

Mr. Clift said the Port Authority has \$2.7 billion in their 10-year plan for Gateway and that is only 10 percent less than what they promised for all of ARC. He said this is all NJ TRANSIT is going to get for 10 years. Mr. Clift said there is \$200 million dollars in NJ TRANSIT's Capital Plan, for a total of \$2.9 billion which is 10 percent of the cost of Gateway. Mr. Clift said the road they are headed down will get some things built but nothing is going to change every day for NJ TRANSIT. He said no more peak trains will

go in, no more Raritan Valley will go in, and they are headed down a path that is clearly designed by Amtrak to do the least important things first and force the capacity improvements to the very end.

Mr. Clift said they must think about the earlier pieces. He said at the September 25, 2017 joint Legislative Committee hearing in Trenton, the Executive Director was asked about the two bridge Portal North plan. Mr. Clift said several people talked about how they need four track capabilities, and the response was if they show any wavering going forward they may risk the federal funding. He said Executive Director Santoro did not say the two track bridge was a great idea. Mr. Clift said they must go forward with a bridge that has three tracks, preferably four and it is crazy to do two tracks because \$2 billion later they are right back where they are today. He said the tunnels need to go up onto the corridor like they did on the original ARC DEIS. Mr. Clift said the plan today forces all sorts of spending on Secaucus South, a second bridge, basically holding things out until this capacity happens at \$29 billion.

Mr. Clift said they need the design of Platforms 1 and 2 extended west to start now. He said in 37 months, before the Election in 2020, they plan to cut the ribbon on Moynihan train hall and NJ TRANSIT customer will not have any access to it. Mr. Clift implored NJ TRANSIT to extend those platforms. He said it is part of Gateway, and if they do not move those platforms west to tie into the West End Concourse and Moynihan train hall NJ TRANSIT will still have the short platform problem. Mr. Clift said they will not have the 50 percent increase in holding space that Moynihan train hall provides. He would like the Board to go on a tour with him to see why all of these things make a difference.

Kin Gee speaking on behalf of Residents Against Giant Electric (RAGE) Group provided an update on the status of the JCP&L project. He said at the last Board meeting he reported Judge Cookson's ruling that most of JCP&L's rebuttal report against RAGE's alternative would not be admitted into evidence. Mr. Gee said Judge Cookson stated the testimony should be considered as hearsay and opinion, and also bordered on bad faith. He noted on September 7, 2017 JCP&L filed an appeal on the ruling and on September 22, 2017, the Board of Public Utilities (BPU) denied JCP&L's request to review Judge Cookson's ruling. Mr. Gee said with the revised schedule they expect the Judge to issue a ruling in late December and it is likely the BPU will not make its final determination until after the new Governor is in office.

Mr. Gee said regardless of how all this plays out in the legal system they should keep in mind that JCP&L's proposal is to build a 10-mile long 230,000 volt transmission line using NJ TRANSIT's right-of-way. He said the minimum recommended width is 150 feet wide, with the transmission line placed in the middle so there is 75 feet of buffer and clearance on either side. Mr. Gee said NJ TRANSIT's right-of-way for this stretch is only a 100 feet wide and has active commuter rail on it. Because of the two train tracks, he said there is only 15 feet on either side of the right-of-way where they can install the poles. Mr. Gee said the poles they plan to install, in a strip of land that is 15 feet wide, will stand 140 to 210 feet tall, 14 to 21 stories high, and eight to 10 feet wide at the base. He said JCP&L's own data stated the average distance of the 230,000 volt transmission line from customers

will be 900 feet. Mr. Gee said instead of the 150 feet wide minimum they are going to propose this on a strip of land that is 15 feet bordering an active commuter train line on one side, and on average of 10 to 12 feet from the customer's property line on the other side.

Mr. Gee said NJ TRANSIT does not currently have the proper staff level to be onsite for JCP&L to even begin this project. If this project is approved, he said it will be a two-year night construction project using heavy machinery and helicopters and will definitely cause delays on NJ TRANSIT. Mr. Gee said NJ TRANSIT continues to have operational challenges and does not need the proposed JCP&L line which is not core to NJ TRANSIT's mission. He said the project is not in the public interest and will introduce new risks including electromagnetic field (EMF), downed wires, and making NJ TRANSIT an increased terrorist target. Mr. Gee urged the NJ TRANSIT to say no to JCP&L's proposal to use their right-of-way.

Earnest Rucker stated Mr. Graddy received a settlement offer of \$1.8 million with his lawyers and yet NJ TRANSIT backed out of this. He said the arbitrator said NJ TRANSIT owes Mr. Grady \$1.3 million and they backed out of this as well. Mr. Rucker said the last offer made by NJ TRANSIT was 10 cents on the dollar towards what Mr. Graddy was owed, and that is ridiculous.

Mr. Rucker said he usually starts by saying they have a great opportunity to correct a wrong, but as he has been investigating he found out that there is a lot of wrong at NJ TRANSIT. He believes discrimination has been a culture of NJ TRANSIT for quite a while, and he knows people do not want to hear it and say it is not politically correct to talk about racism, but they all know it exists. Mr. Rucker said if they look around the room, they can tell there is a problem.

Mr. Rucker said they are not asking NJ TRANSIT to do Russell Graddy a favor. He said they had an opportunity to do the right thing and time after time it gets worse. Mr. Rucker said one problem was their African American community does not sit in the audience as much as they should and that is going to change. He said he is glad to attend the Board meetings and he is starting to understand the culture. Mr. Rucker said Mr. Graddy was the first African American vendor and no others came and it seems he was systematically removed from his business. He believes discrimination in the country is rampant. Mr. Rucker said Mr. Graddy has been fighting for 10 years to get justice, but no one seems to hear him. He noted they have been at just about every Board meeting, not just because they love Mr. Graddy, but because they have been fighting for justice for a very long time.

Mr. Rucker said they are tired of begging for something that should have been done a very long time ago, and it is NJ TRANSIT's responsibility to do the right thing. He questioned how they sleep at night knowing they offered a man 10 cents on a dollar, so he loses \$2 million dollars. Mr. Rucker said he and his group thinks it is an insult to not just Mr. Graddy but to the black community in the State of New Jersey. He said they should not be talking about race or discrimination but should be talking about fairness and asked for fairness.

Mr. Rucker believes they should sit down at the table asking, how they can correct this problem. He thinks maybe they are waiting to see if Mr. Graddy will leave this earth and go home to his "Father," but that is not going to stop them. Mr. Rucker said they will continue fighting for Mr. Graddy's children to get what was rightfully owed to their father. He does not want the Board to think this will go away. Mr. Rucker said he attends the meeting even when his blood pressure is up or his asthma is bothering me. He said no one gains anything by speaking on behalf of Mr. Graddy, but they are tired of being mistreated. Mr. Rucker asked the Board if they want to leave their post when the new Governor comes in knowing they did nothing to resolve this issue, and asked them to do the right thing.

Jamie Bland said she is a chapter leader for the National Action Network in New Jersey under Reverend Al Sharpton. She spoke on behalf of Mr. Graddy who she said is an elder, leader, community trailblazer, and executive business man. Ms. Bland said she is concerned about the humiliation of him. She said he is a black business man who won the NJ TRANSIT bid. Ms. Bland said he had a business in the strip mall and he was not only bamboozled and railroaded out of business but also demanded to pay anyways so he paid for two years straight for a business he was not even in. She thinks this is wrong and she is not saying they had anything to do with it because as years have gone by, people are now in other positions and this may all be new to them. Ms. Bland said right is right and wrong is wrong. She thinks it was an injustice. Ms. Bland said he had to fight along with paying every month for a place he was not in while making sure he kept his pride and dignity. She said he was scared of losing his credit which is very valuable in these days and times. Ms. Bland wants them to remember what is right, and provide justice for Mr. Graddy.

Princess Reaves spoke on behalf of Russell Graddy. She said he has given to his community in the City of Paterson, New Jersey for several years. Ms. Reaves said he has given to every organization out there regardless of race, religion or creed and continues to give. She said they are activating several other organizations and she will be speaking next Wednesday before a committee of at least 10 chapters in Paterson alone which equal more than 750 members in New Jersey. Ms. Reaves wants the Board to do what is righteous and give Russell Graddy the \$1.3 million that is rightfully due.

Errol Kerr said the message is not a new message, but rather an old one, because they have been before the Board on many occasions. He said the message of justice for Mr. Graddy has always been consistent. Mr. Kerr said the intransience of the Board to move towards the moral arc of justice for Mr. Graddy has been old and consistent. He said Mr. Graddy was victimized by NJ TRANSIT. Mr. Kerr said Mr. Graddy spent time developing his business and was unceremoniously dismissed from his spot that today would have provided for him and his family. He questioned how many would believe justice was done if that happened to their family. Mr. Kerr said injustice was done and they are asking for justice. He said it was decided he should receive \$1.8 million and then \$1.3 million and then \$183,000 and that is a shame. Mr. Kerr said he knows they can do better and he was appealing to the Board to provide Mr. Graddy with justice.

Lilisa Mimms spoke on behalf of Russell Graddy. She said they are not asking for a handout in the amount of \$183,000 but for restitution in the amount of \$1.8 million. Ms. Mimms said they are demanding justice for Mr. Graddy. She quoted Woodrow Wilson stating justice and only justice shall always be our motto. Ms. Mimms said if they have to they will continue to attend meetings with larger groups and the news media. She said they will do what is needed to ensure justice for Mr. G. Ms. Mimms said this is their time to be on the right side of justice and 10 years is too long to still be at this crossroad. She asked them to do the right thing for Mr. G.

Alonzo Moody said they have been coming for a while seeking justice for Mr. Graddy. He concluded that he does not think this would have happened if Mr. Graddy was white. Mr. Moody said he is more baffled in this great state of New Jersey in the year 2017 that such a racist organization such as this can exist. He said they need to stop practicing racist decision. Mr. Moody said Mr. Graddy needs justice it is time NJ TRANSIT becomes just in their decisions and stop operating in such a racist organization.

Janet McDaniel said NJ TRANSIT operates often times on the basis of law and they may decide there have been some proceedings that occurred causing Mr. Graddy to need to settle for his last offer which was \$183,000. She said the offer started out at \$1.8 million, declined to \$1.3 million in settlement negotiations and came back with \$183,000. Ms. McDaniel said that is 10 cents on a dollar as compared to the original.

Ms. McDaniel said she mentioned law because when the constitution was first designed, they were considered three-fifths of a person according to the law. She said when she was growing up, if she drank from the white only water fountain, the law said she could be arrested. Ms. McDaniel said those laws were not just. She said they ask for justice and \$183,000 is not justice. Ms. McDaniel said they ask NJ TRANSIT to not only look at the law but also how that relates to justice and beyond that reach into their souls and reach for humanity. She said they are talking about human rights. Ms. McDaniel said Mr. Graddy amassed a fortune and was able play with big guys in an arena they were not expected. She said injustice anywhere is threat to justice everywhere.

Russell Graddy said in 2004 he operated a business out of the Atlantic City Bus Station in a facility where he had spent more than \$1 million. He said NJ TRANSIT promised him 20 years to recoup his investment but after seven years, when NJ TRANSIT was going to build another bus station, he was promised if he gave up his facility and keys, they would construct a new bus station and relocate him within it. However, Mr. Graddy said Suzanne Silverman from the Attorney General's Office informed him that NJ TRANSIT did not agree with the agreement and they used their power to stop the agreement. Mr. Graddy said at that time he and his family had operated in New Jersey for 45 years with integrity and was successful.

Mr. Graddy said NJ TRANSIT told him if he moved out of his facility, they would restore him in the new facility but they reneged on it. He believes NJ TRANSIT is responsible for everything that happened to him and his family going forward.

Mr. Graddy said he panicked because he put all of his family's money into this project and then he was told he could not go forward and retrieve it. He said he went to court and both sides agreed to have an unbiased mediator look at the facts and make a decision. Mr. Graddy said the mediator thought it would be fair to give him \$1.3 million but NJ TRANSIT rejected it.

Mr. Graddy asked why and what did he do. He said he paid his rent on time, ran a fantastic restaurant 24 hours a day, employed 15 full time African American employees plus his family, while doing \$1.2 to \$1.5 million per year. Mr. Graddy questioned why they would not let him back in after they promised.

Mr. Graddy said NJ TRANSIT manipulated, entrapped, pressured and controlled him into a third settlement. He said former Commissioner Kris Kolluri did work on his case at the time and when Mr. Graddy appeared before the Board in 2007, Chairman Kolluri had to recuse himself. Mr. Graddy said that was manipulation and wrongdoing by a powerful organization, influencing lawyers, judges and consultants, and NJ TRANSIT got their way.

Mr. Graddy said NJ TRANSIT had all the power but it was not just or fair. He said he was a well off man in 2004. Mr. Graddy said he had millions of dollars, properties, money in the bank and influence. He said today he has none of that.

Mr. Graddy said NJ TRANSIT offered him \$183,000 earmarked to go back into NJ TRANSIT's property but he still owed EDA \$200,000 of the over \$1 million he had put into NJ TRANSIT's property. He hopes they do not think that is justice.

Mr. Graddy said they destroyed him economically, embarrassed him publicly and it is not right. He said they have been attending the meetings for almost a year and they have not gotten any justice. Mr. Graddy said NJ TRANSIT made an offer and he appreciates that but it is not even an offer. He said it is not much more than the rent he paid for two years after he was locked out of his property.

Mr. Graddy said he hopes they can solve the matter at this level. He said he asked for a meeting with the Executive Director but he thinks he was turned down. Mr. Graddy said he wanted to meet with someone who had authority to come back to the Board and recommend something that was sensible. He said he thinks he has a meeting coming up with Attorney Snow and Mr. Wyckoff but he does not know what decision they can make. Mr. Graddy said they should sit down and be reasonable at this point and he does not want it to go beyond this because if it does, he will not be happy with where they have to go and neither will NJ TRANSIT.

Adjournment

Since there were no further comments or business, Chairman Hammer called for adjournment and a motion to adjourn was made by Board Member James C. Finkle Jr., seconded by Board Member Mary K. Maples, and unanimously adopted. The meetings were adjourned at approximately 12:25 p.m.

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

OCTOBER 11, 2017

MINUTES

	PAGE
➤ CALL TO ORDER	-
➤ SAFETY ANNOUNCEMENT	-
➤ PLEDGE OF ALLEGIANCE TO THE FLAG	-
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	51436
➤ PUBLIC COMMENTS ON AGENDA ACTION ITEMS ONLY	-
➤ ADVISORY COMMITTEE REPORT	-
➤ SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ADVISORY COMMITTEE REPORT (NEXT SCHEDULED REPORT DECEMBER 2017)	-
➤ BOARD COMMITTEE REPORTS	-
*Customer Service Committee	
*Administration Committee	
*Capital Planning, Policy and Privatization Committee	
	51437
➤ EXECUTIVE DIRECTOR'S MONTHLY REPORT	

ACTION ITEMS

1710-44	CONCEPTUAL DESIGN SERVICES FOR THE REPLACEMENT AND CONSTRUCTION OF UNDERGRADE BRIDGE 7.48 NEWARK DRAW ON THE MORRISTOWN LINE OVER THE PASSAIC RIVER	51458
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Authorization to enter into Contract No. 16-012 with HNTB Corporation, of New York, New York, to perform conceptual design services for the replacement of undergrade bridge 7.48 Newark Draw over the Passaic River between Newark, New Jersey and Harrison, New Jersey at a negotiated cost not to exceed \$1,106,596, plus five percent for contingencies, subject to the availability of funds.

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NJ TRANSIT MORRIS, INC.
REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS
OCTOBER 11, 2017
MINUTES
PAGE 2

1710-45 GLASSBORO-CAMDEN LIGHT RAIL: AMENDMENT TO AGREEMENT WITH THE DELAWARE RIVER PORT AUTHORITY AND STV, INCORPORATED 51462

Authorization to amend the existing agreement with the Delaware River Port Authority and STV, Incorporated by which NJ TRANSIT will fund an additional not-to-exceed amount of \$3,500,000, for a total funding commitment of \$12,454,000, for the continued preparation of the Environmental Impact Statement for the Glassboro-Camden Light Rail project.

1710-46 CONTRACTING OUT- BERGEN COUNTY LOCAL BUS SERVICE 51467

Authorization to enter into NJ TRANSIT Contract No. 17-023 with Saddle River Trails, Inc. of Wallington, New Jersey to operate the Bergen County Local Bus Service, as set forth in Exhibit A for a 36-month contract period from November 12, 2017 through November 14, 2020, at a total cost not to exceed \$18,967,884, plus five percent for contingencies.

1710-47 NJ TRANSIT TITLE VI PLAN SUBMISSION FOR FFY 2018-2020 51473

Authorization for approval of NJ TRANSIT's 2017 Title VI Plan prior to submission to the Federal Transit Administration. Authorization for approval of NJ TRANSIT's Service Monitoring Report as verification of the Board's consideration, awareness, and approval of the monitoring results.

EXECUTIVE SESSION AUTHORIZATION: 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 John Lowe and the Personal Injury Claim of Robert Dennis. **51483**

1710-48 NJ TRANSIT RESILIENCE PROGRAM: LONG SLIP FILL AND RAIL ENHANCEMENT - ENVIRONMENTAL MITIGATION CREDIT PURCHASES 51484

Authorization to purchase environmental mitigation credits to support the Long Slip Fill and Rail Enhancement project, in the amount discussed in Executive Session, subject to the availability of funds.

1710-49 PERSONAL INJURY CLAIM OF JOHN LOWE 51488

Authorization to settle the claim of John Lowe through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS
OCTOBER 11, 2017
MINUTES
PAGE 3

1710-50 PERSONAL INJURY CLAIM OF ROBERT DENNIS

51490

Authorization to settle the claim of Robert Dennis through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

➤ **PUBLIC COMMENTS ON OTHER MATTERS**

➤ **ADJOURNMENT**

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 September 7, 2017 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 September 11, 2017;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the September 7, 2017 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.

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
Richard T. Hammer, Commissioner
Steven H. Santoro, Executive Director

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

TO: BOARD OF DIRECTORS
FROM: STEVEN H. SANTORO *Steven H. Santoro*
DATE: OCTOBER 11, 2017
SUBJECT: EXECUTIVE DIRECTOR'S REPORT – OCTOBER 2017

On the agenda today is an action item to advance the Glassboro-Camden Light Rail project. This additional resource will help advance the preparation of the Environmental Impact Statement in that effort to bring more transportation options to South Jersey.

It has been one year since I became Executive Director and in that time we've taken a number of actions to better protect our customers, our employees and the public. Safety is a demand that I will not compromise on. Some of the steps we've taken on the railroad include:

- We are currently in the process of upgrading all stub-end tracks at Hoboken Terminal and other similar terminals with new sliding friction bumper blocks as well as advancing a speed control system for trains entering terminals.
- In October of last year, we implemented an interim measure where any safety sensitive rail employee who exhibits any indication of potential fatigue symptoms is immediately removed from service for a sleep apnea screening until they obtain the appropriate documentation attesting to the satisfactory results or that the condition is not present. This initiative was formalized as policy in April of this year.
- We have now screened all of our active locomotive engineers and nearly a third of more than a thousand conductors for sleep apnea.
- To date, more than 86% of trains now have forward facing cameras and nearly 78% of the rail fleet has inward facing cameras, which are focused on the engineer's actions. We expect to have both cameras in the entire fleet by year's end.
- Rail Operations implemented a new initiative which requires the conductor to ride in the front cab of trains, along with the engineer, when entering terminals in Hoboken, Penn Station New York, Atlantic City, Princeton, Gladstone and the Meadowlands station.
- Speed limits entering Hoboken, Atlantic City, Princeton and the Meadowlands Rail Station have been reduced from 10 mph to 5 mph.

Bus Operations will be hosting an open house for those holding Class A and B commercial driver licenses as we look to hire full time bus operators. This event will be held on Saturday October 28th at the Maplewood General Office Building (GOB) at 180 Boyden Avenue in Maplewood. We encourage all CDL holders to come out to this event and explore career opportunities here at NJ TRANSIT. On the rail side, we are also taking action to bolster the ranks of locomotive engineers. We are scheduled to have five engineers complete their training next month and two more finishing in January. These additions to the roster will allow for enhanced flexibility in our rail operations.

Later this month, on Saturday October 21st, we will be providing our annual enhanced service to the Far Hills Race Meeting which we call Steeplechase. This event draws crowds by the thousands, and our rail service to Far Hills provides critical transportation to and from the horse racing festivities. As we do every year, we will have our customer ambassadors out at key locations providing assistance to our customers, many of whom are infrequent users of the rail system or are riding for the first time. The New Jersey Transit Police Department's Office of Emergency Management will be monitoring this event to ensure safe and efficient travel for all.

October marks Diversity Awareness Month, a time when we appreciate the strength and unity created by employing people of all backgrounds, and it is something we do throughout the year here at NJ TRANSIT. During my time as Executive Director, equality in the workplace has been a topic I've been taking very seriously.

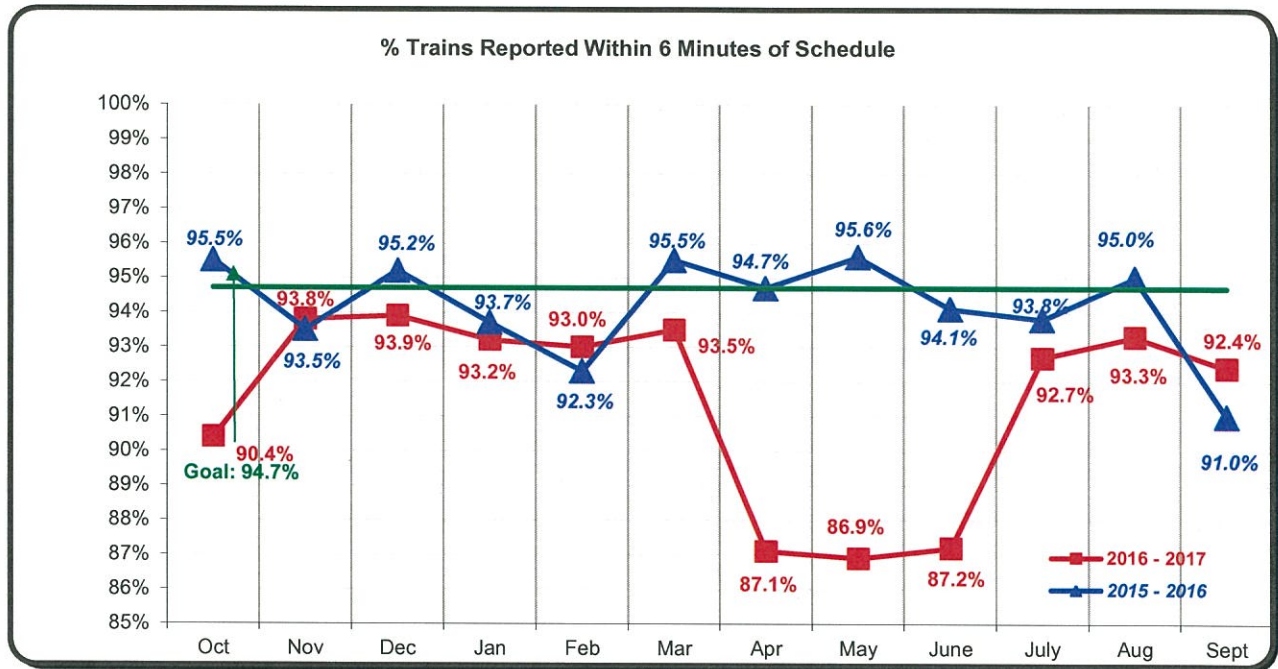
I want to remind everyone to remain vigilant, especially in light of recent tragic events in Las Vegas. Not only at large gatherings like the Steeplechase event, but also during our everyday commutes. If something does not seem right, do not hesitate to contact New Jersey Transit Police at 888-TIPS-NJT or text a tip by sending a message to NJTPD which is 65873 on your phone.

EXECUTIVE DIRECTOR'S MONTHLY REPORT OCTOBER 2017

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

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL OCTOBER 2015 - SEPTEMBER 2017



	2016	2017	# Change
September Comparison	91.0%	92.4%	1.4%

	2015-2016	2016-2017	# Change
12-Month Average October 2015 - September 2017	94.2%	91.5%	-2.7%

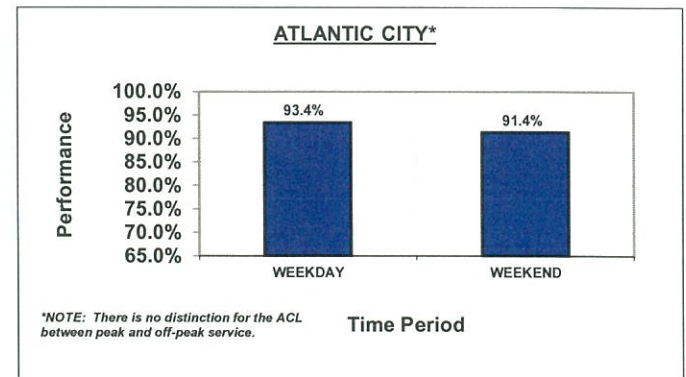
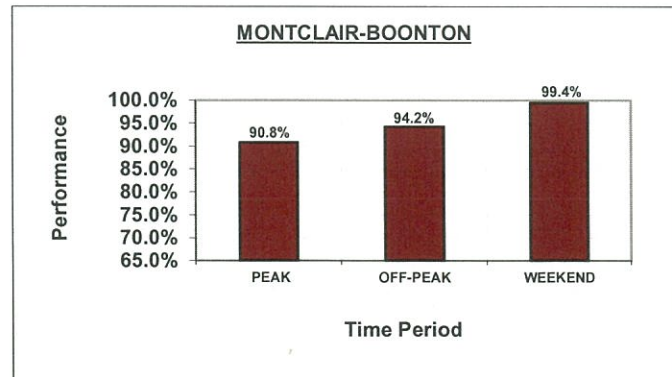
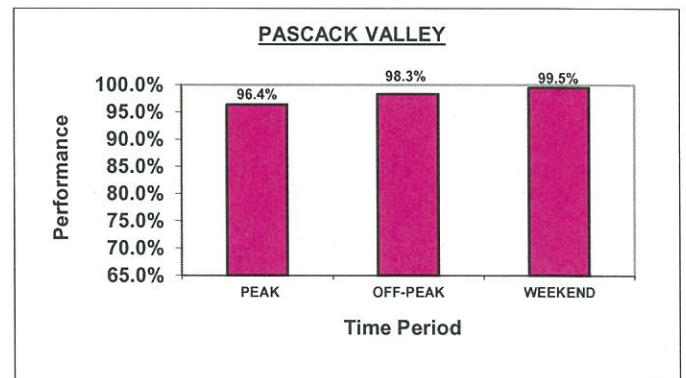
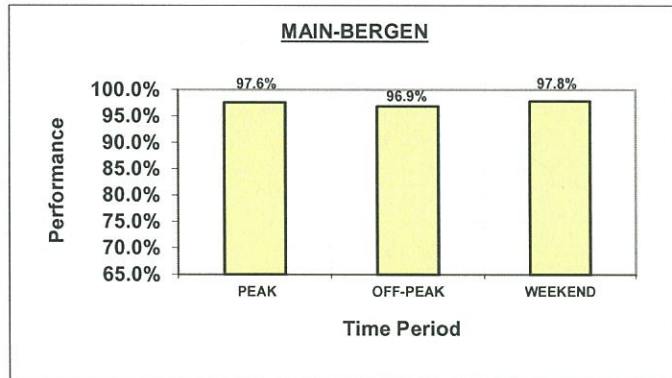
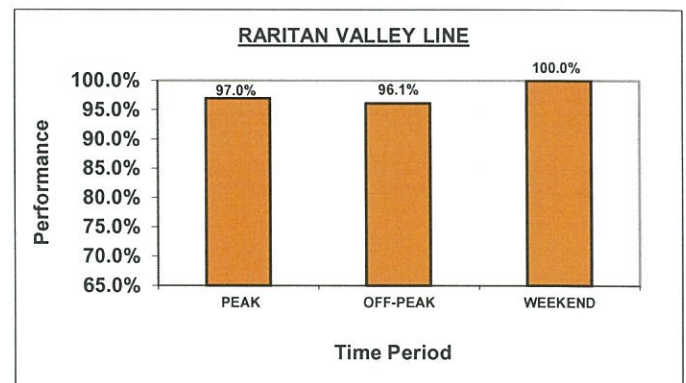
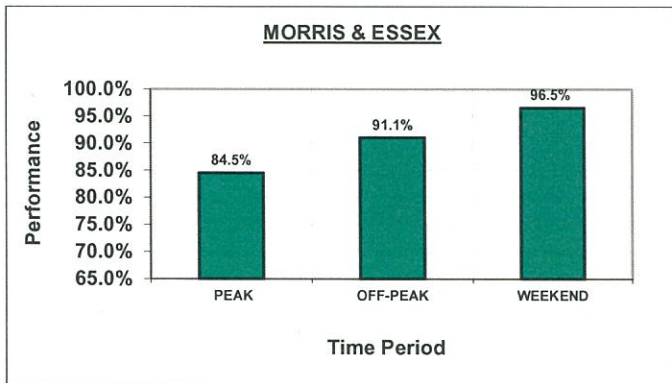
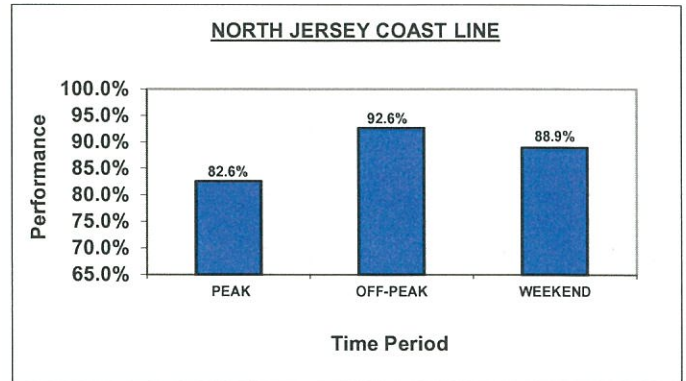
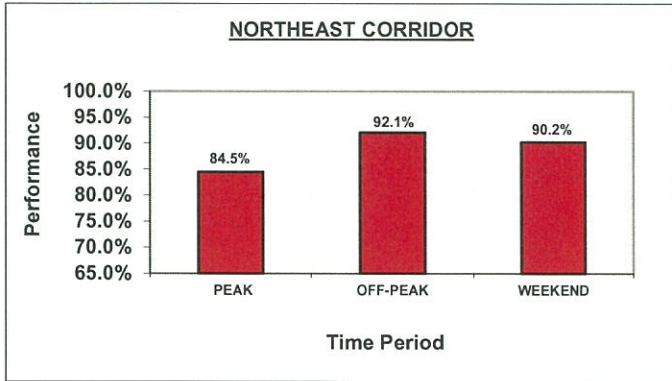
Analysis:

Rail On-Time Performance was 92.4% for September 2017. Of the 17,518 trains scheduled to operate, 16,182 were on time, while 1,336 trains (or 7.6%) were delayed. Key causes included:

- Amtrak programmed maintenance contributed to 35 delays resulting in 86.0% OTP on September 18.
- Amtrak PTC and programmed maintenance, NJT fatality, NJT equipment failure and NJT operational issues contributed to 69 delays resulting in 87.4% OTP September 19.
- Amtrak and NJT equipment failure, NJT trespasser incident and NJT operational issues and contributed to 147 delays resulting in 75.5% OTP on September 22.

The 12-month average for Rail On-Time Performance October 2016 - September 2017 was 91.5%, which has declined by 2.7%.

ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD SEPTEMBER 2017

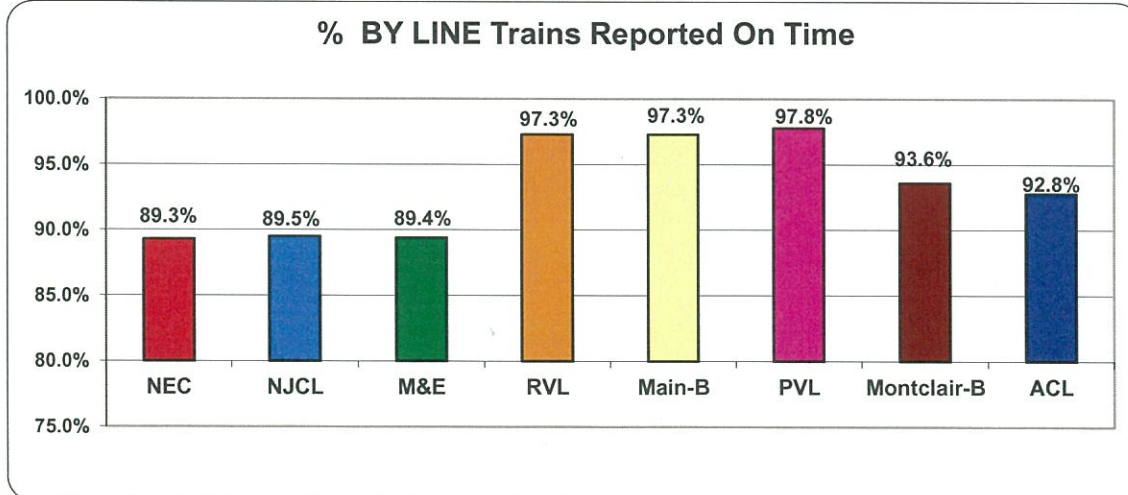
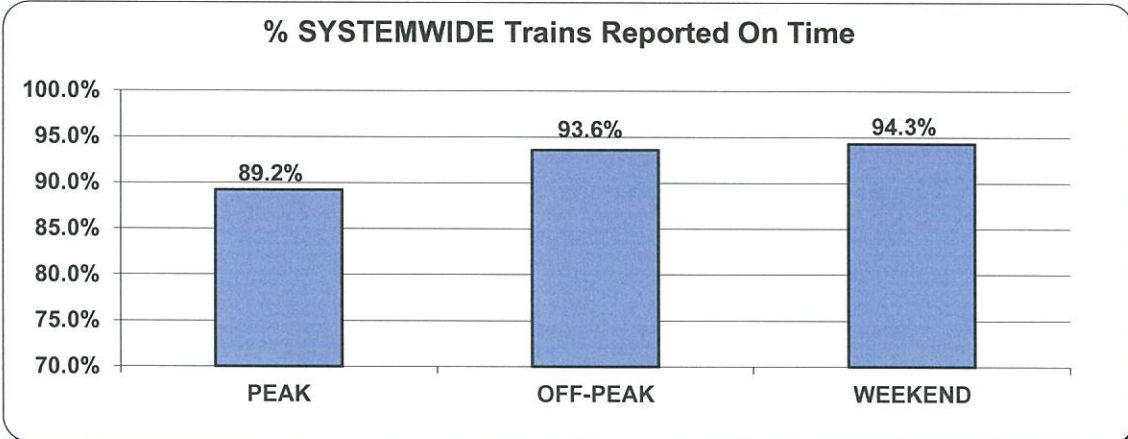
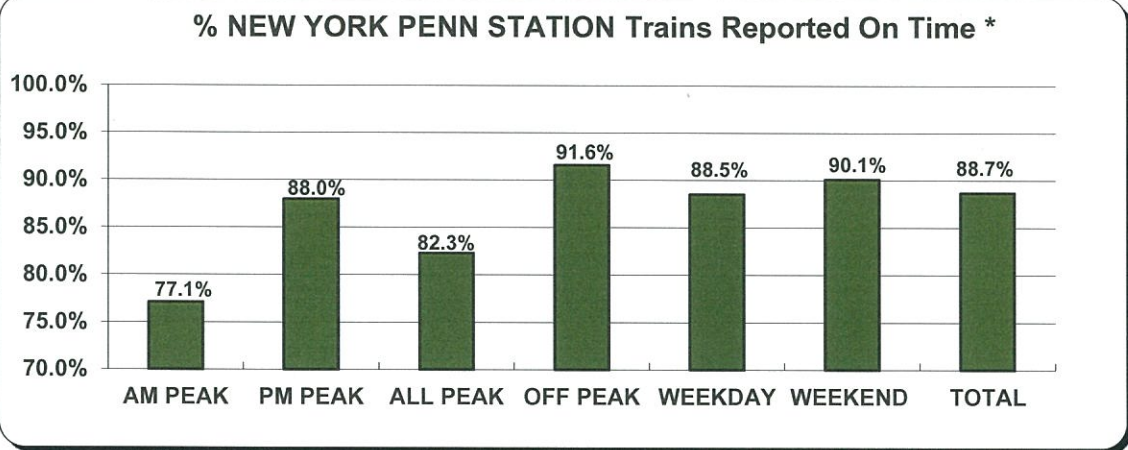


*NOTE: There is no distinction for the ACL between peak and off-peak service.

ON-TIME PERFORMANCE RAIL

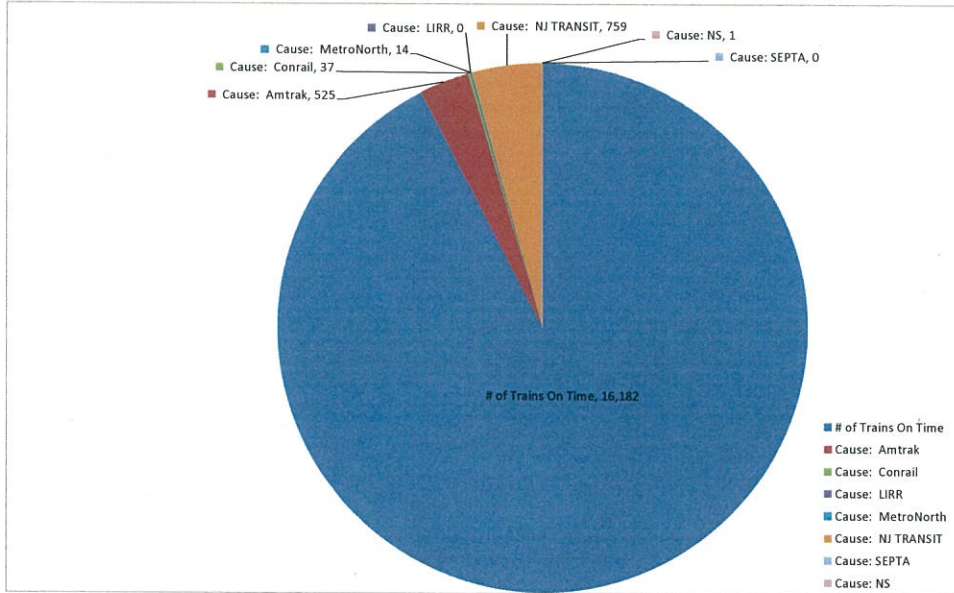
SUMMARY BY TIME PERIOD SEPTEMBER 2017

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

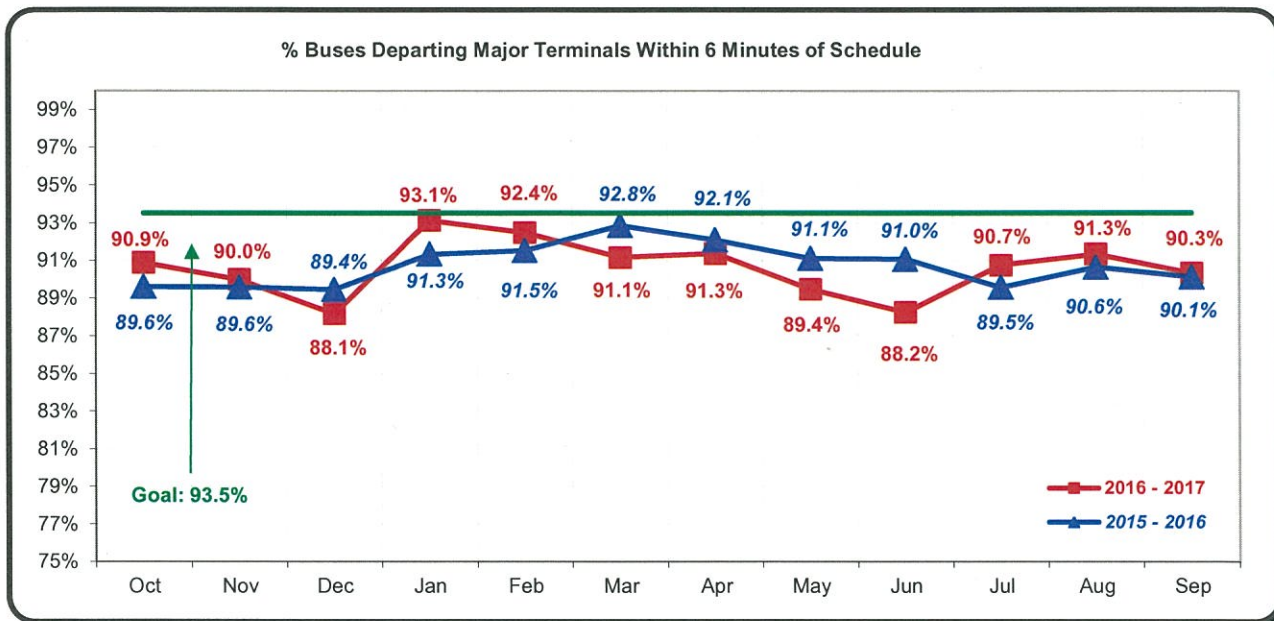


NJ TRANSIT Performance - September, 2017

	# of Trains On	Late NJ TRANSIT Trains						
# of Trains On Time	16,182	Cause: Amtrak 525	Cause: Conrail 37	Cause: LIRR 0	Cause: MetroNorth 14	Cause: NJ TRANSIT 759	Cause: SEPTA 0	Cause: NS 1
# of Late Trains	1,336	3.00%	0.21%	0.00%	0.08%	4.33%	0.01%	0.01%
Total # of Trains	17,518							
Percentage On Time	92.4							



NJ TRANSIT ON-TIME PERFORMANCE BUS OCTOBER 2015 - SEPTEMBER 2017



	2015 - 2016	2016 - 2017	% Change
September Comparison	90.1%	90.3%	0.2%

	2015 - 2016	2016 - 2017	% Change
12-Month October 2015 - September 2017	90.7%	90.6%	-0.1%

Analysis:

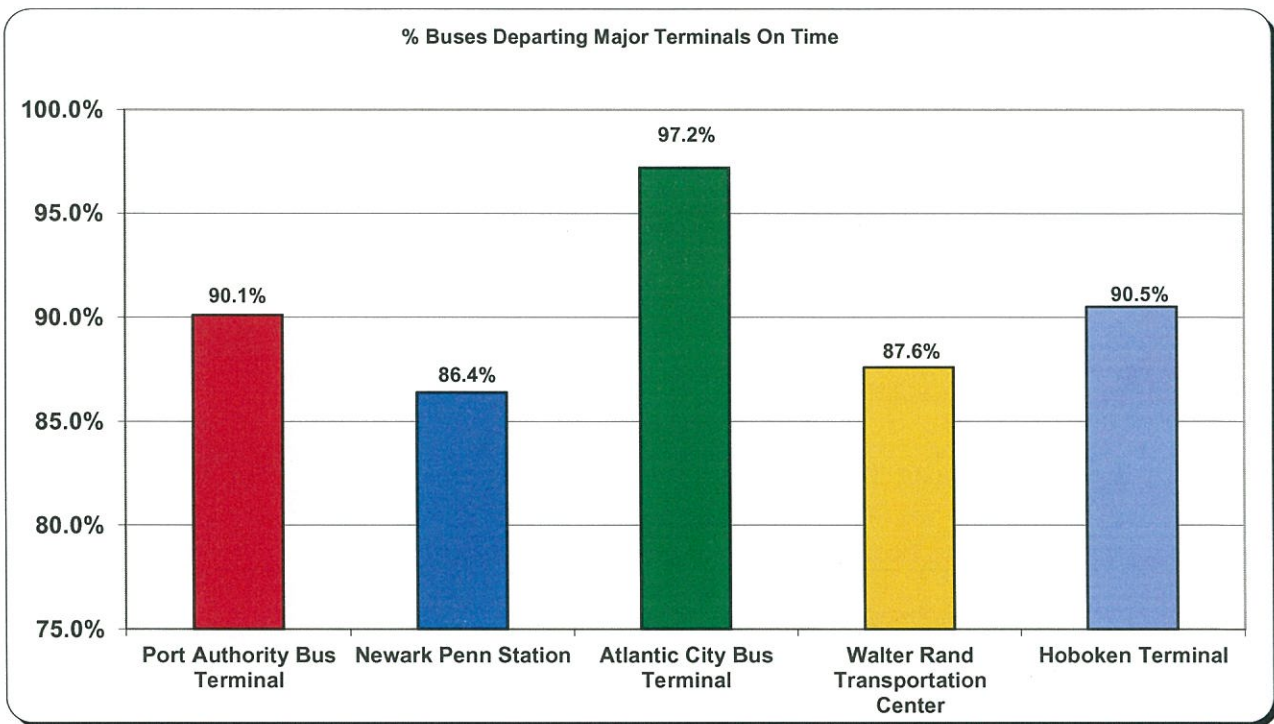
Bus On-Time Performance was 90.3% for September 2017. Of the 41,218 monitored departures 3,983 (or 9.7%) experienced delays. Key causes included:

- Heavy traffic impacted buses on September 1 at the Port Authority Bus Terminal. The center tube was closed for 45 minutes due to a fire in the tunnel on September 25.
- Road detours due to 9/11 memorial services in Newark on September 11 and a DOT inspection at Willowbrook Mall on September 20 impacted service in Newark. A motor vehicle accident on September 20 also impacted service.
- Construction on Washington Street continues to impact performance at Hoboken. The project is scheduled to continue until mid-2018.

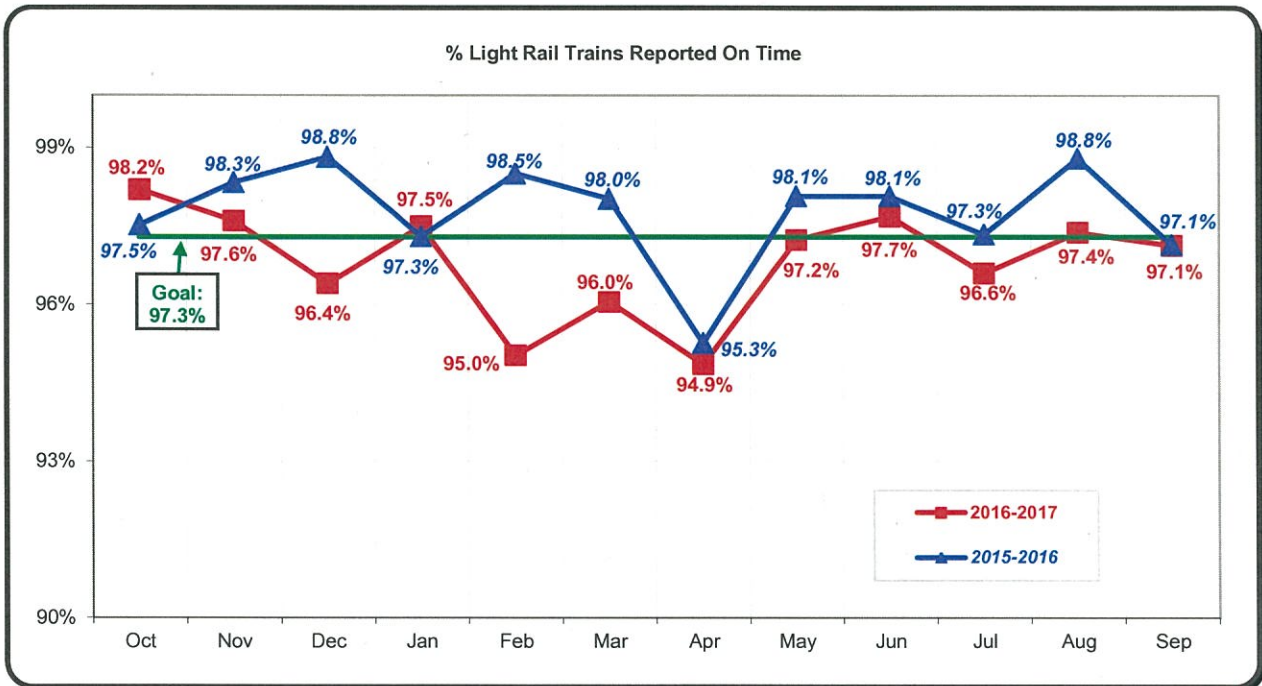
The 12-month average for Bus On-Time Performance for October 2016 - September 2017 was 90.6%, which was down by 0.1% from the previous year.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL SEPTEMBER 2017



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL OCTOBER 2015 - SEPTEMBER 2017



	2016	2017	# Change
September Comparison	97.1%	97.1%	0.0%

	2016	2017	# Change
12-Month Average Ended Sep 2016 & Sep 2017	97.8%	96.8%	-1.0%

Analysis:

Light Rail On-Time Performance systemwide was 97.1% for the month of September 2017. Of the 25,569 scheduled departures, 734 (or 2.9%) experienced delays.

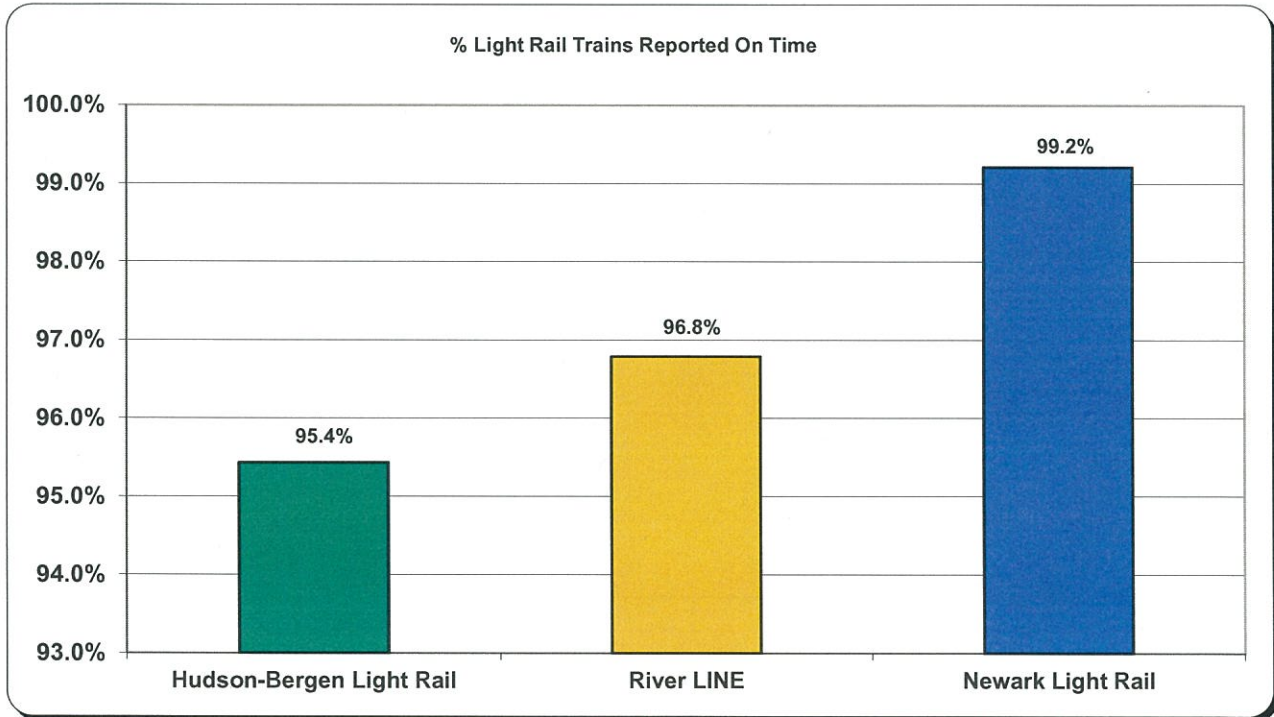
Key causes included:

- Operation of the Newport half-marathon delayed 60 HBLR trains on September 17.
- Equipment fault delayed 12 River LINE trains on September 27.
- Switch problem at Branch Brook Park delayed 14 NLR trains on September 5.

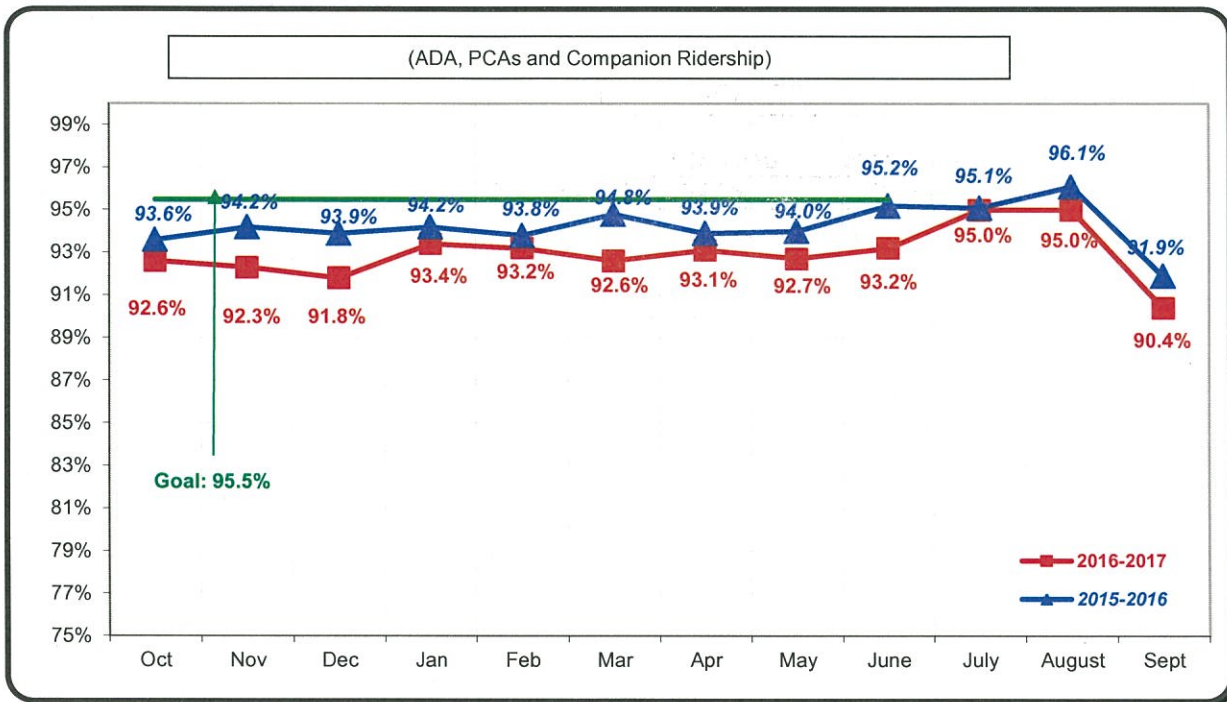
The 12-month average for Light Rail On-Time Performance for October 2016 - September 2017 was 96.8%, which decreased by 1.0%.

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE SEPTEMBER 2017



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK October 2015 - September 2017



	2016	2017	% Change
September Comparison	91.9%	90.4%	-1.5%

	2016	2017	Difference
September Ridership	137,216	138,368	1,152

	2015-2016	2016-2017	% Change
12-Month Average October-September	94.2%	92.9%	-1.3%

Analysis:

Access Link On-Time Performance was 90.4% for September 2017. In serving 138,368 total riders, for 125,505 ADA customers trips, 12,088 (or 9.6%) experienced delays.

Key causes include:

- * Increased traffic congestion due to school openings.
- * Customer cancellation & no-shows.
- * Road closures due to construction.

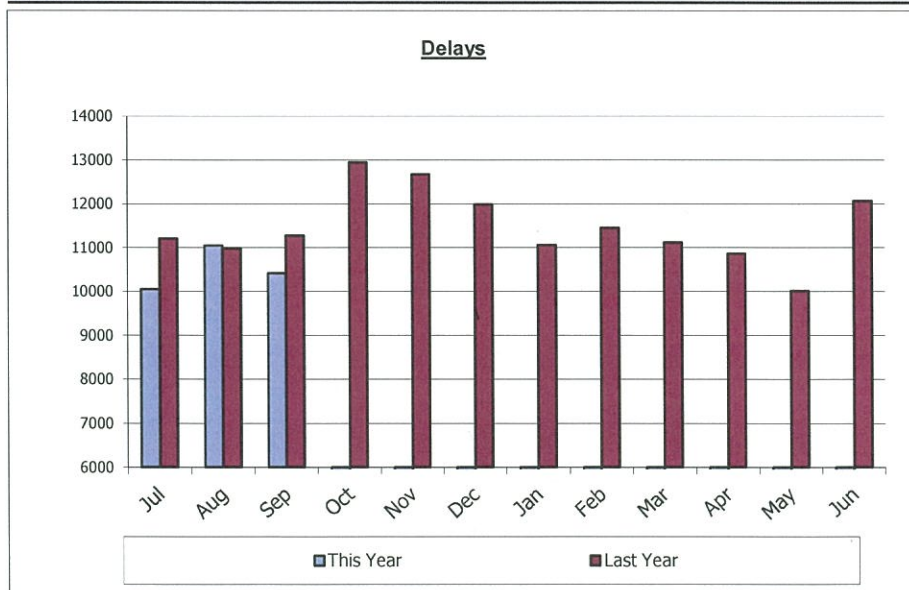
The 12-month average for Access Link On-Time Performance for October 2016 - September 2017 was 92.9%, which decreased by 1.3%.

MEAN DISTANCE BETWEEN FAILURES

Garage Performance Parameters

September 2017

Location	Miles Between In-Service Delays			
	FY2018 Goal	This Month	FY2018 YTD	FY2017 YTD
Fairview	7,000	7,072	6,291	5,988
Greenville	9,900	4,863	4,720	5,522
Market Street	9,500	8,690	8,546	9,068
Meadowlands	11,500	7,826	6,955	7,510
Oradell	13,500	8,298	8,825	9,106
Wayne	12,500	7,619	9,621	11,889
Northern Division	-	7,638	7,846	8,542
Big Tree	8,800	6,922	6,902	8,242
Hilton	10,200	8,739	8,628	10,569
Howell	16,750	29,591	30,562	32,105
Ironbound	9,600	11,549	10,997	9,615
Orange	9,250	9,592	8,581	9,533
Morris	10,500	46,721	48,102	72,429
Central Division	-	12,567	12,150	12,742
Egg Harbor	16,500	14,974	15,168	14,731
Hamilton	20,000	12,048	11,989	19,042
Newton Avenue	15,700	11,203	14,672	12,390
Washington Twp.	14,500	13,500	12,415	13,019
Southern Division	-	13,273	13,636	14,125
Bus Operations	-	10,416	10,501	11,154

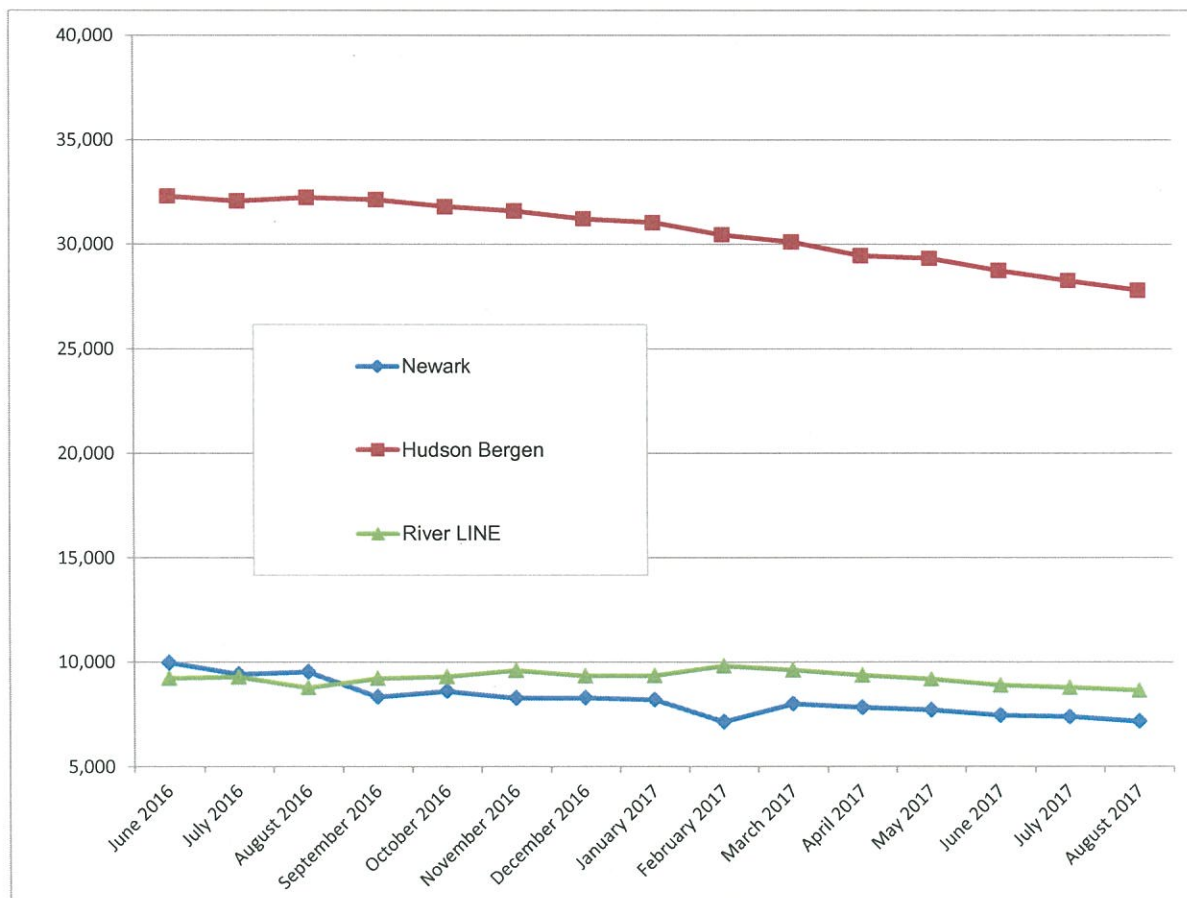


NJ TRANSIT - LIGHT RAIL, August 2017

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * August 2017
Newark Light Rail	7,183
Hudson Bergen	27,820
River LINE	8,664

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



* Mechanical failure data for 3 LR systems, calculated as a rolling average over multiple months.

** Newark Light Rail operates much less mileage, with all single-car trains and a 5 mile alignment.

DBE/SBE PROGRAM

NJ TRANSIT –Office of Business Development Additional DBE/SBE Participation for September 2017

State Funded Contracts

During the month of September 2017, NJ TRANSIT awarded \$13,107,064.70 in state funded contracts. Of that total, Small Business Enterprises (SBEs) received \$741,300.00 or 5.66%.

During the State Fiscal Year 2018 (July 1, 2017 through June 30, 2018) NJ TRANSIT awarded \$13,107,064.70 in state funded contracts. Of that total, SBEs received \$741,300.00 or 5.66%.

SBE Goal Attainment from July 1, 2017 through June 30, 2018 (FY 2018)

Category 1 SBEs received	\$37,500.00	or 0.29%
Category 2 SBEs received	\$37,500.00	or 0.29%
Category 3 SBEs received	\$0.00	or 0.00%
Category 4 SBEs received	\$277,300.00	or 2.12%
Category 5 SBEs received	\$41,000.00	or 0.31%
Category 6 SBEs received	\$348,000.00	or 2.66%

FTA Funded Contracts (updated Quarterly – next update will occur January 2018)

During the 4th Quarter (July 1, 2017 – September 30, 2017) of Federal Fiscal Year 2017 (October 1, 2016 through September 30, 2017), the FTA funded share of NJ TRANSIT’s federal contracts awarded was \$0.00. Of that total, Disadvantaged Business Enterprises (DBEs) received \$0.00 or 0.00%.

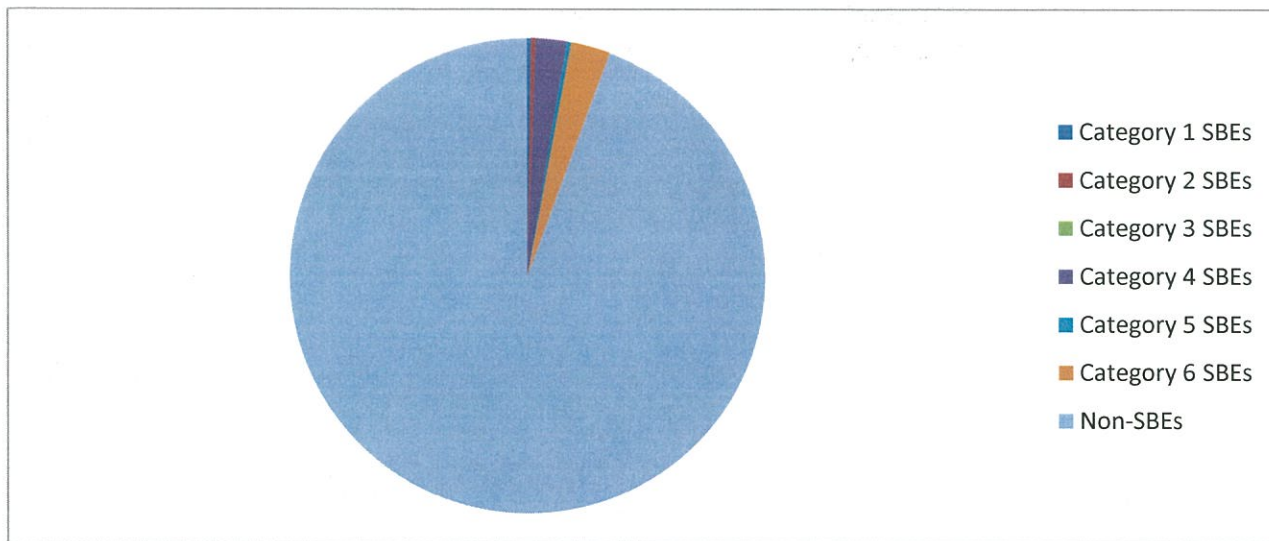
DBE Goal Attainment from October 1, 2016 (FFY 2016) - September 30, 2017 (FFY 2017) **

Contracts awarded	\$4,154,686.25
DBEs received	\$ 536,795.00 or 12.92%

**Numbers reflect federal share.

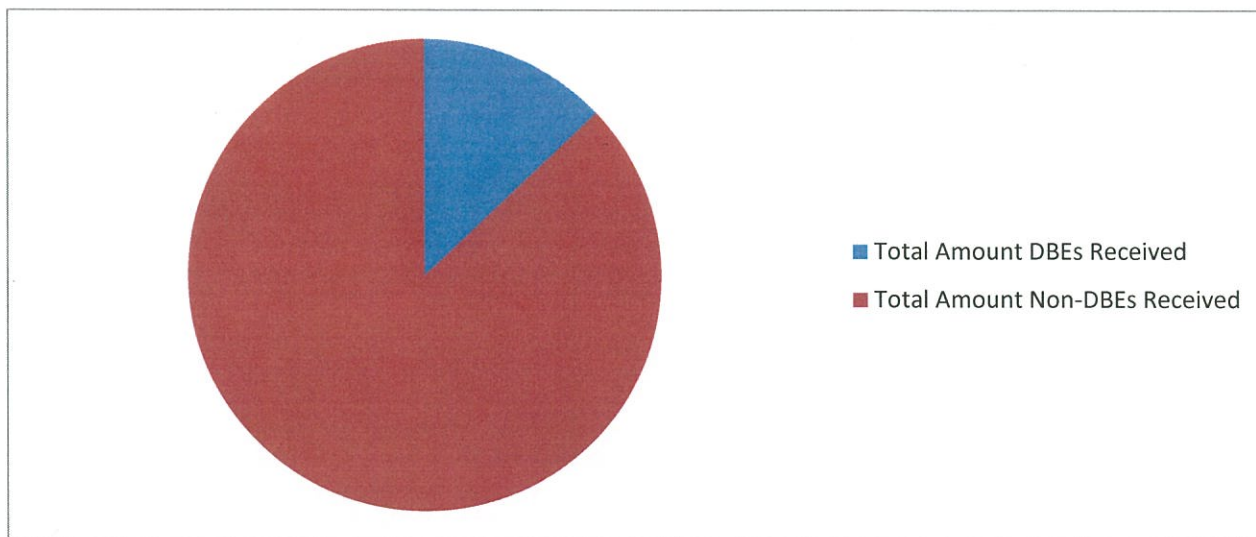
SBE PARTICIPATION
STATE CONTRACTS
STATE FYTD 2017

<i>Category 1 SBEs</i>	\$37,500.00	0.29%
<i>Category 2 SBEs</i>	\$37,500.00	0.29%
<i>Category 3 SBEs</i>	\$0.00	0.00%
<i>Category 4 SBEs</i>	\$277,300.00	2.12%
<i>Category 5 SBEs</i>	\$41,000.00	0.31%
<i>Category 6 SBEs</i>	\$348,000.00	2.66%
<i>Non-SBEs</i>	\$12,365,764.70	0.00%



DBE PARTICIPATION
FEDERAL CONTRACTS
TRIENNIAL YEARS 2017-2019

Total Amount DBEs Received	\$536,795.00	12.92%
Total Amount Non-DBEs Received	\$3,617,891.25	87.08%



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

Twenty-five NJ TRANSIT employees retired recently with careers ranging from 10 to 43 years of service:

1. Amorse Fils-Aime, Operator – Orange – 14 years
2. Roger D. Dacosta, Repairman – Oradell – 25 years
3. Michael Galante, Spec Mechanic – Newark – 33 years
4. Vivian Hart-Taylor, Operator – Ironbound – 16 years
5. Anibal Rosario, Operator – Meadowlands – 26 years
6. Jose Sermeno, Serviceman – Hilton – 26 years
7. Christopher Sullivan, Operator – Meadowlands – 10 years
8. Marcial W. Mejia, Operator – Wayne – 19 years
9. Maria M. Quiceno, Operator – Market Street – 16 years
10. William C. Bergman, Resident Engineer – Penn Plaza – 31 years
11. Morris Bramante III, Garage Superintendent – Washington Twp. – 25 years
12. Robert Delitto, Managing Contract Specialist – Penn Plaza – 43 years
13. Robert E. Fitzgerald, Principle Software Engineer – Penn Plaza – 33 years
14. James M. Gilligan, Director Bus Service Planning – Penn Plaza – 29 years
15. Michael A. Korec, Shop Foreman – Newark Bus – Penn Plaza – 30 years
16. Wanda I. Rivera, Bus Service Planning Assistant – Penn Plaza – 30 years
17. Mark Cahill, Locomotive Engineer – Various – 17 years
18. Gerard Canty, Technician – Hoboken Terminal – 40 years
19. Roger Fortino, Crew Caller – MMC – 39 years
20. Martin Hall, Communication Maintainer – Atlantic City Rail Terminal – 33 years
21. Linda Maldonado, Conductor – Various – 42 years
22. Peter Meyer, Locomotive Engineer – Various – 13 years
23. Victor Norulak, Assistant Conductor – Various – 21 years
24. Anthony Stellato, Foreman – Wood-Ridge – 35 years
25. Louis Troisi Jr., Assistant Conductor – Various – 19 years

ACTION ITEMS

ITEM 1710-44: CONCEPTUAL DESIGN SERVICES FOR THE REPLACEMENT AND CONSTRUCTION OF UNDERGRADE BRIDGE 7.48 NEWARK DRAW ON THE MORRISTOWN LINE OVER THE PASSAIC RIVER

BENEFITS

NJ TRANSIT's Morristown, Gladstone, and Montclair Boonton Lines provide more than 69,998 average weekday passenger trips in Essex, Morris, Somerset, Warren, and Passaic counties. These rail lines operate over NJ TRANSIT's Newark Draw Bridge, a movable bridge that spans the Passaic River between Newark, New Jersey and Harrison, New Jersey, connecting Western New Jersey communities with the Hudson County waterfront, New York City, and points throughout New Jersey.

In recent years, the 114 year old Newark Draw Bridge has undergone extensive repairs to correct mechanical and structural issues. The bridge is located between Broad and Harrison interlockings, where the number of tracks reduces to two tracks from three. This project would conceptually redesign nine undergrade bridges and viaduct structures between the interlockings for three track service and eliminate the pinch point. The installation of three tracks between Broad and Harrison interlockings will improve operational flexibility and efficiency by enhancing express service and permitting greater track speeds.

Due to its age, condition, and costly recurring repairs, NJ TRANSIT has prioritized Newark Draw for replacement. A future replacement will ensure long-term public safety and reliable train service.

This project is the initial step of the design process and will provide NJ TRANSIT with a conceptual design of a replacement structure. Conceptual design accounts for about ten percent of the multi-year design process, further design will have to be done in future contracts.

ACTION (Scorecard: Safety, Security, and Corporate Accountability)

Staff seeks authorization to enter into Contract No. 16-012 with HNTB Corporation, of New York, New York, to perform conceptual design services for the replacement of undergrade bridge 7.48 Newark Draw over the Passaic River between Newark, New Jersey and Harrison, New Jersey at a negotiated cost not to exceed \$1,106,596, plus five percent for contingencies, subject to the availability of funds.

PURPOSE

This conceptual design is the first phase in the design process for the replacement of Newark Draw Bridge.

The scope of work will include recommendations for the structure type of the new movable and approach spans, track alignment, required permits and environmental approvals, construction phasing, Coast Guard coordination, and cost estimates.

As a result of this contract, NJ TRANSIT will have a conceptual design and project cost so that funding can be pursued for final design and construction.

BACKGROUND

History

Newark Draw Bridge is located at mile post 7.48 on the Morristown Line over the navigable tidal waterway of the Passaic River. The bridge serves as a link from western New Jersey to points east, including New York City, Hoboken, and Secaucus.

The bridge is currently a double tracked, deck truss, center-bearing swing bridge. The original bridge configuration also included a third freight track aligned directly below the two main line tracks.

The bridge has undergone several major repairs in recent years. In the mid-2000's the entire bridge went through a major rehabilitation. This consisted of multiple structural steel repairs along various locations throughout the bridge and machinery repairs and replacements.

The bridge lies between two interlockings, Broad and Harrison, on a very active stretch of railroad. The density of rail traffic is compounded by the track alignment between interlockings, where the number of tracks is reduced from three to two tracks.

Procurement

The Request for Proposals (RFP) for Conceptual Design Services for the Replacement and Construction of Undergrade Bridge 7.48 Newark Draw Bridge on the Morristown Line was advertised on December 1, 2016 in the Star Ledger and Trenton Times. Three proposals were received from prospective engineering design firms on February 2, 2017.

These proposals were distributed to the Technical Evaluation Committee (TEC) comprised of representatives from Rail Operations Infrastructure Engineering and Transportation for evaluation. The evaluation established that three firms: Modjeski & Masters, Inc., HNTB Corporation and Gannett Fleming; should proceed to the oral presentation phase based on their technical expertise.

Oral presentations were made on May 2, 2017, after which the TEC reevaluated the scores of the firms for overall technical qualifications. NJ TRANSIT then entered into negotiations with the highest technically ranked firm, HNTB Corporation.

The Office of Business Development assigned a zero percent SBE goal for the RFP. HNTB submitted a commitment of three percent with their cost proposal.

This item has been reviewed and recommended by the Board Capital Planning, Policy and Privatization Committee.

FISCAL IMPACT

Requested Contract Authorization:	\$ 1,106,596+ 5% contingency
Past Authorization(s)	None
Expenditures to Date:	\$0
Total Project Cost	\$1.21M (conceptual design only)
Projected Date of Completion:	December 2018 (Design)
Capital Program Amount:	\$1.21M
Operating Budget:	\$0
Anticipated Source of Funds:	Transportation Trust Fund
Prints ID Number:	NJT01161
DBE/SBE Goal:	SBE 0%
<i>NJ Build</i> Amount:	None
Future/Related Authorization:	TBD
Impacts on Subsequent Operating Budgets:	None

RESOLUTION

WHEREAS, NJ TRANSIT's Morristown, Gladstone, and Montclair Boonton Lines provides more than 69,998 average weekday passenger trips in Hudson, Bergen, and Passaic counties; and

WHEREAS, the 114 year old Newark Draw Bridge has undergone extensive repairs to correct mechanical and structural issues; and

WHEREAS, the installation of the three tracks between Broad and Harrison Interlockings will improve operational flexibility and efficiency by enhancing express services and permitting great track speeds; and

WHEREAS, the future replacement of Newark Draw Bridge will ensure long term public safety, reliable train service; and

WHEREAS, following a competitive procurement process HNTB Corporation, of New York, New York, was identified as the top ranked firm providing the best value and the best interest of NJ TRANSIT;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to enter into Contract No. 16-012 with HNTB Corporation, of New York, New York, to perform conceptual design services for the replacement of undergrade bridge 7.48 Newark Draw over the Passaic River between Newark New Jersey and Harrison New Jersey at a negotiated cost not to exceed \$1,106,596, plus five percent for contingencies, subject to the availability of funds.

ITEM 1710-45: GLASSBORO-CAMDEN LIGHT RAIL: AMENDMENT TO AGREEMENT WITH THE DELAWARE RIVER PORT AUTHORITY AND STV, INCORPORATED

BENEFITS

The implementation of a light rail system from the Borough of Glassboro to the Walter Rand Transportation Center in the City of Camden would increase mobility and improve links between established communities and activity centers. The Glassboro-Camden Light Rail project (GCL) would support the region’s land use policies and goals for sustainable growth and development, and would provide a reliable and competitive alternative to single-occupant automobile travel.

The GCL would serve 12 communities and provide 14 stations along the 18-mile corridor, primarily using the existing Conrail rail right-of-way. The connection to the Walter Rand Transportation Center would provide access to NJ TRANSIT’s River Line as well as transit service in the Philadelphia area.

ACTION (Scorecard: Safety and Security; Customer Experience; Corporate Accountability; Financial Performance)

Staff seeks authorization to amend the existing agreement with the Delaware River Port Authority and STV, Incorporated by which NJ TRANSIT will fund an additional not-to-exceed amount of \$3,500,000, for a total funding commitment of \$12,454,000, for the continued preparation of the Environmental Impact Statement for the Glassboro-Camden Light Rail project.



PURPOSE

The amendment to the existing agreement between NJ TRANSIT and the Delaware River Port Authority (DRPA) will provide for the continued funding of the GCL Environmental Impact Statement (EIS). The DRPA is responsible for providing the day-to-day project management of the EIS, including all required interface with the Federal Transit Administration (FTA). NJ TRANSIT participates in reviewing the scope of work, including the methodologies and data preparation, conceptual design, and the operating plan for the project, as well as attending project meetings.

The DRPA retained the services of STV, Incorporated, of Philadelphia, Pennsylvania, a planning and engineering consultant, through a competitive procurement process to complete the EIS for the implementation of the GCL.

BACKGROUND

History

Transit options in the Glassboro-Camden corridor have been studied for several decades; the most recent studies were conducted by the Delaware River Port Authority/Port Authority Transit Corporation (DRPA) in the early 2000s, culminating with the *Southern New Jersey to Philadelphia Transit Study*. This study examined the need for transit improvements in a 700-square-mile area extending from Millville, New Jersey, to Center City Philadelphia. One of the areas included in this study, designated as Southern New Jersey, encompassed Camden and Gloucester Counties and areas of Millville and Vineland, along with the major transportation routes of NJ Route 55, NJ Route 42, and the PATCO Speedline.

At the conclusion of that study three PATCO alternatives as well as two additional alternatives – a variation of one of the PATCO alternatives and a diesel light rail from Camden to Glassboro using the Conrail rail right-of-way – were advanced into the *Southern New Jersey to Philadelphia Mass Transit Expansion Alternative Analysis Study*, conducted by DRPA and completed in 2009. Upon completion of the Alternatives Analysis, the diesel light rail alternative was recommended for advancement to a Draft EIS based on favorable comparisons to the other alternatives with respect to total capital costs, annual operating costs, level of new transit ridership, stakeholder support, and potential to generate economic development within the corridor communities.

A Notice of Intent to prepare a Draft EIS (DEIS) was published in the *Federal Register* on April 19, 2010. Public Scoping Meetings were held on May 6 and May 11, 2010 to solicit comments on the project scope, with the comment period extending to June 10, 2010. Public comments were incorporated in the project scope and analyses were undertaken. In 2013 open house meetings were held to present the results of the scoping process and update the public and agencies on the status of the project. A *Final Scoping Document* was produced in June 2013 and additional public open house meetings were held in November 2013. In July 2014 the project was suspended due to questions regarding future project funding and ultimate operation of the system.

In early 2017 work re-commenced on the project and the project team is meeting with the communities to revalidate the station and parking locations previously identified. The analyses required to evaluate the environmental impacts of the project will be updated, as will the ridership forecasts. It is anticipated that outreach meetings will be held in Fall 2017 to update the public and agencies on the project.

Agreement

At its July 2009 meeting the DRPA Board of Commissioners authorized the acceptance of State of New Jersey funding for the GCL EIS (DRPA-09-051). At its December 2009 meeting the NJ TRANSIT Board of Directors authorized an agreement between NJ TRANSIT and the DRPA whereby NJ TRANSIT would fund a not-to-exceed amount of \$8,954,000 for the preparation of the EIS for the GCL (Item No. 0912-94) and an agreement between the two agencies was executed in April 2010. The execution of an agreement with STV, Incorporated and NJ TRANSIT was authorized by the DRPA Board of Commissioners in February 2012 (DRPA-12-019).

The current agreement between NJ TRANSIT, the DRPA, and STV, Incorporated, executed in November 2012, sets forth the terms and conditions governing the conduct of the EIS for the GCL. In accordance with these terms and conditions, the DRPA is responsible for the day-to-day management of the STV, Incorporated work, including liaison with FTA Region 3, on behalf of the DRPA and NJ TRANSIT, and NJ TRANSIT is responsible for providing technical expertise on the project and for payment of all project invoices submitted by STV, Incorporated, after approval by the DRPA.

Scope of Work

Authorization of this amendment to the existing three-party agreement will allow for additional funding for the consultant work effort necessary to update the analyses to reflect current baseline conditions as well as any changes to station and parking locations resulting from the aforementioned community meetings. Upon completion of the analysis update, a draft DEIS document will be prepared for FTA review and publication. The consultant will support the DRPA and NJ TRANSIT in the publication and distribution of the DEIS document, as well as in the conduct of public hearings and analysis of comments received on the DEIS document. Subsequent to the completion of the DEIS, the project team will meet with FTA Region 3 staff to determine the steps required to prepare the Final Environmental Impact Statement (FEIS), and the consultant will support the DRPA and NJ TRANSIT in those efforts.

Procurement

In 2010, after the completion of a competitive procurement process, DRPA selected STV, Incorporated to provide consulting services for the EIS in accordance with National Environmental Policy Act (NEPA) requirements and FTA guidelines.

This item has been reviewed and recommended by the Board Capital Planning, Policy and Privatization Committee.

FISCAL IMPACTS

Requested Authorization: Authorization to amend the agreement with the DRPA and STV, Incorporated to provide an additional not-to-exceed amount of \$3,500,000

Past Authorizations:

December 2009
Item 0912-94
Camden to Glassboro Light Rail System: Agreement with Delaware River Port Authority (DRPA)

Expenditures to Date: \$ 6,449,978 (as of 07/31/17)

Total Project Cost: \$ 14,000,000 (EIS only)

Projected Date of Completion: June 2019 (EIS only)

Capital Program Amount: \$ 14,000,000 (EIS only)

Operating Budget Amount: None

Anticipated Source of Funds: Transportation Trust Fund

PRINTS ID: NJT01202
TBD00085

DBE/SBE Goal: N/A

NJ BUILD Amount: N/A

Related Future Authorizations: Preliminary Engineering
Final Engineering
Construction Assistance
Construction Management
Construction

Impact on Subsequent Operating Budgets: None

RESOLUTION

WHEREAS, after a competitive procurement process the Delaware River Port Authority has retained the services of STV, Incorporated, a planning and engineering consultant, to complete the Environmental Impact Statement for the Glassboro-Camden Light Rail project consistent with the National Environmental Policy Act and Federal Transit Administration requirements; and

WHEREAS, NJ TRANSIT, the Delaware River Port Authority, and STV, Incorporated have entered into a three-party agreement setting forth the responsibilities regarding the conduct of an Environmental Impact Statement for the Glassboro-Camden Light Rail project; and

WHEREAS, the Delaware River Port Authority is responsible for providing the day-to-day project management of the consultant's work, including all required interface with the Federal Transit Administration; and

WHEREAS, NJ TRANSIT participates in the conduct of the Environmental Impact Statement, including the review of the scope of work, the methodologies and data preparation, conceptual design, and the operating plan for the project as well as attendance at meetings, and payment of the consultant's invoices; and

WHEREAS, the Federal Transit Administration has determined that, due to the age of the baseline data, the project analyses need to be updated to reflect more current conditions; and

WHEREAS, this update requires extensive field work and re-evaluation of all project impacts;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is hereby authorized to amend the existing agreement with the Delaware River Port Authority and STV, Incorporated by which NJ TRANSIT will fund an additional not-to-exceed amount of \$3,500,000, for a total funding commitment of \$12,454,000, for the continued preparation of the Environmental Impact Statement for the Glassboro-Camden Light Rail project.

ITEM 1710-46: CONTRACTING OUT- BERGEN COUNTY LOCAL BUS SERVICE

BENEFITS

This contract will provide for the operation of local bus service in Bergen County on Routes 751, 752, 753, 755, 756, 762, 772, and 780. In fiscal year 2017, these eight routes comprising this service served a combined ridership of 917,618 annual passenger trips. Continuation of this service is important to our riders and it is consistent with our mission to provide for the operation of a coherent public transportation system in the most efficient and effective manner.

ACTION (Scorecard: Financial Performance, Customer Experience)

Staff seeks authorization to enter into NJ TRANSIT Contract No. 17-023 with Saddle River Trails, Inc. of Wallington, New Jersey to operate the Bergen County Local Bus Service, as set forth in Exhibit A for a 36-month contract period from November 12, 2017 through November 14, 2020, at a total cost not to exceed \$18,967,884, plus five percent for contingencies.

In accordance with the Request for Proposal, Contract No. 17-023 has an option to extend NJ TRANSIT's Bergen County Local Bus Service agreement for two 24-month periods, at a cost not to exceed \$13,928,884 for the first option period from November 15, 2020 through November 12, 2022, and \$15,052,245 for the second option period from November 13, 2022 through November 16, 2024, plus five percent for contingencies. These options may be exercised at NJ TRANSIT's sole discretion.

The contract cost for the 36-month contract period is not to exceed \$18,967,884, plus five percent for contingencies.

PURPOSE

Authorization will continue the Bergen County Local Bus Service which staff has identified as appropriate service that might be operated more economically by seeking competitive bids for its performance. The carrier will comply with New Jersey's Conscientious Employee Protection Act.

BACKGROUND

On March 7, 2017, NJ TRANSIT advertised a Request for Proposals (RFP) to request private motorbus carriers to provide bus service in the Bergen County area for an initial contract period of three years and for two 24-month option periods. The RFP required prospective carriers to provide a proposed price for the operation of the service, for the base contract period and both 24-month option periods that may be exercised solely at the discretion of NJ TRANSIT. The Pre-Proposal Conference was held on March 17, 2017 at NJ TRANSIT headquarters.

NJ TRANSIT's Technical Evaluation Committee reviewed the private carrier proposals received in response to the RFP and a benchmark cost was established by NJ TRANSIT's Bus Operations for the operation of the service. A minimum score of 75 points on the technical proposal was required for the cost proposal to be considered. Cost proposals for any firms that did not receive the minimum technical score would be returned unopened.

The technical proposals for these routes were reviewed by the Technical Evaluation committees (TECs) comprised of:

- Finance- Budgets
- Bus Operations- Bus Service Planning
- Light Rail & Contract Services – Private Carrier Affairs

On May 11, 2017, NJ TRANSIT received three responses to the RFP from Saddle River Trails, Inc.; Community Transportation, Inc., a Coach USA company; and Transdev Services, Inc. All proposers met the minimum score of 75 points on the technical proposal and the cost proposals were opened. The cost proposals were also assigned scores with the lowest total cost assigned a score of 100 (out of 100 points) and the second and third place cost was assigned a proportional lower score.

The final scores for the three proposers were as follows:

FACTOR	SADDLE RIVER TRAILS, INC	Proposal B	Proposal C
Technical	91.50	94.75	75.00
Cost	100.00	94.96	88.68
Total	191.50	189.71	163.88

The competitive procurement process, utilized by NJ TRANSIT for contracting bus service, provides for a comparison of the carriers' cost proposals to the benchmark cost for the operation developed by NJ TRANSIT's Bus Operations for the proposed routes. The Amalgamated Transit Union (ATU) participates in this process to enable NJ TRANSIT Bus Operations to submit its benchmark.

The comparison of cost for operations of the full-size bus routes is presented below:

CARRIER	COST PROPOSAL
Saddle River Trails Wallington, New Jersey	\$47,949,013
Proposal B	\$50,367,251
Proposal C	\$53,377,740
NJ TRANSIT Bus Operation Newark, New Jersey	\$94,865,839

Upon completion of the competitive procurement process, it was determined that Saddle River Trails, Inc.'s proposal provides the best value and is in the best interest of NJ TRANSIT. Saddle River Trails, Inc. is a SBE Category 3 vendor. In addition, Saddle River Trails, Inc. total proposed cost is less than the NJ TRANSIT benchmark cost developed by NJ TRANSIT's Bus Operations.

Comparing the final fiscal year of the existing contract cost (FY18 aggregated \$6,271,639) to the first year of the new proposed contract cost (FY19 aggregating \$6,161,824), NJ TRANSIT's annual contract cost for the Bergen County Local Bus Service would decrease by \$109,815 over the next fiscal year.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorization: \$18,967,884 (36 months) plus 5% for contingencies

Total Project Cost: \$19,916,278

Projected Date of Completion: November 14, 2020 for the base contract period

Capital Project Amount: N/A

Operating Budget Amount:	FY18 (7 months)	\$3,810,307
	FY19	\$6,161,824
	FY20	\$6,460,881
	FY21 (5 months)	\$2,534,872

Anticipated Source of Funds:	Fiscal Years 2018-2021 Operating Budgets
Prints ID Number:	N/A
DBE/SBE Goal:	2% SBE –Category 3
<i>NJ Build Amount:</i>	N/A
Related/Future Authorizations:	N/A
Impacts on Subsequent Operating Budgets:	Provides passenger revenue

RESOLUTION

WHEREAS, staff has determined that it is appropriate to provide local bus service in Bergen County and a Request for Proposals (RFP) was issued to seek competitive proposals from private motorbus carriers to provide these services; and

WHEREAS, NJ TRANSIT's Technical Evaluation Committee has reviewed the private carrier proposals received for the operation of the Bergen County Local Bus Service, as well as the NJ TRANSIT Bus Operations benchmark cost for the service; and

WHEREAS, NJ TRANSIT's Technical Evaluation Committee determined the proposal from Saddle River Trails, Inc. provides the best value and is in the best interest of NJ TRANSIT;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to enter into NJ TRANSIT Contract No. 17-023 with Saddle River Trails, Inc. for the operation of the Bergen County Local Bus Service for an initial 36-month base contract period at a total cost not to exceed \$18,967,884, plus five percent for contingencies, subject to the availability of funds and Board approval of NJ TRANSIT's operating budget.

EXHIBIT A

BERGEN COUNTY LOCAL BUS SERVICE

<u>Route #</u>	<u>Description</u>
751	North Bergen – Edgewater -Paramus
752	Oakland – Ridgewood - Hackensack
753	New Milford - Paramus
755	Edgewater - Paramus
756	Fort Lee – Paramus
762	Hackensack – New Milford - Paramus
772	New Milford – Moonachie - Secaucus
780	Englewood – Passaic

ITEM 1710-47: NJ TRANSIT TITLE VI PLAN SUBMISSION FOR FFY 2018-2020

BENEFITS

NJ TRANSIT, as a recipient of federal funds from the Federal Transit Administration (FTA), is required to prepare and submit a Title VI Plan to FTA for review and concurrence once every three years. The contents of the Title VI Plan are specified in FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients. The Title VI Plan must be approved by NJ TRANSIT's Board of Directors prior to submission to the FTA. NJ TRANSIT's current Title VI Plan expires November 30, 2017, and Board approval and submission of this Title VI Plan will enable NJ TRANSIT to remain in compliance with Title VI requirements that apply to all recipients of federal transit funds. Upon Board approval and submission, NJ TRANSIT's Title VI Plan will go into effect with FTA December 1, 2017.

ACTION (Scorecard: Customer Experience, Corporate Accountability)

Staff seeks approval of NJ TRANSIT's 2017 Title VI Plan prior to submission to the Federal Transit Administration. Staff further seeks approval of NJ TRANSIT's Service Monitoring Report as verification of the Board's consideration, awareness, and approval of the monitoring results.

PURPOSE

The FTA requires that all direct and primary recipients of federal transit funding document their compliance with DOT's Title VI regulations by submitting a Title VI Plan to their FTA regional civil rights officer once every three years. FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients further states that "the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to the FTA."

BACKGROUND

Title VI of the Civil Rights Act of 1964 seeks to ensure that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

To demonstrate that NJ TRANSIT is complying with Title VI requirements, FTA requires NJ TRANSIT to prepare and submit a Title VI Plan every three years. A staff level Title VI Working Group was established 2014 in order to develop the elements of NJ TRANSIT's Title VI Plan, which requires data and input from across the organization. The Working Group includes staff from the following departments: Capital Planning and Programming (Planning, Research and Forecasting, GIS), Bus Operations (Bus Service Planning), Rail Operations (Rail Service Planning), Light Rail Operations (Light Rail Service Planning), Finance, Communications and Customer Service, and Government

and External Affairs. Technical guidance and oversight in the development of NJ TRANSIT's Title VI Plan is provided by the Office of Civil Rights.

In 2014, NJ TRANSIT submitted its Title VI Program for FFY 2015-2017. This submission was the first under the revised FTA Title VI Circular; FTA Circular 4702.1B. The Board reviewed and approved the overall submission, and specific key policies and procedures in the submission such as NJ TRANSIT's Major Service Change Policy; Disparate Income and Disproportionate Burden Policies; Systemwide Service Standards and Policies; and Equity Analysis Procedures, on October 8, 2014. In 2015, NJ TRANSIT performed Title VI fare and service equity analyses as part of its 2015 Fare and Service Adjustment process. The Board approved the results of the fare and service equity analyses on July 15, 2015. The Title VI Working Group reviewed the demographic data of NJ TRANSIT's service area, the organization's operations and service environment, and the effectiveness of the fare and service equity analysis processes, and determined there have been no significant changes in any service aspects that warrant update or alteration to any of these key policies and procedures. Therefore, those key policies and procedures approved by the Board in 2014 have not been changed, and are carried over into the current Title VI Plan for FFY 2018-2020.

In May 2017, NJ TRANSIT received a Title VI Compliance Review from FTA. No final report has been received, however, NJ TRANSIT has incorporated certain technical guidance and suggested corrective actions received during the review into this current Title VI Plan submission.

Title VI Program Contents

NJ TRANSIT's Title VI Plan's full table of contents is attached to this Board Item as Appendix A.

Service Monitoring Requirement

NJ TRANSIT must monitor its service to ensure that service is being provided equitably to minority and non-minority areas. Services are measured against NJ TRANSIT's Systemwide Service Standards and Policies for the delivery of rail, bus, and light rail service. The results of service monitoring are required to be reported to, reviewed and approved by the Board once every three years as part of Title VI compliance. Appendix B contains an executive summary of the service monitoring report.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorization: None

Past Authorizations: None

(NJT Board - 10/11/2017)

51475

Expenditures to Date:	None
Total Project Cost:	NA
Projected Date of Completion:	NA
Capital Program Amount:	NA
Operating Budget Amount:	NA
PRINTS ID Number:	NA
Anticipated Source of Funds:	NA
DBE/SBE Goal:	NA
<i>NJ Build</i> Amount:	NA
Future/Related Authorizations:	None
Impact on Subsequent Operating Budgets:	NA

RESOLUTION

WHEREAS, NJ TRANSIT as a recipient of federal funds must submit a Title VI Plan to the Federal Transit Administration once every three years; and

WHEREAS, NJ TRANSIT submitted to the Board 2014 a Title VI Plan for FFY 2015-2017 with a Major Service Change Policy; Disparate Income and Disproportionate Burden Policies; Systemwide Service Standards and Policies; and Equity Analysis Procedures that was approved on October 8, 2014; and

WHEREAS, NJ TRANSIT has developed a 2017 Title VI Plan for FFY 2018-2020 that maintains unchanged the policies and procedures of NJ TRANSIT's 2014 Title VI Plan submission; and

WHEREAS, NJ TRANSIT's 2017 Title VI Plan has been compiled in compliance with FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients; and

WHEREAS, FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients, requires that the NJ TRANSIT's Board approve NJ TRANSIT's Title VI Plan prior to submission to the Federal Transit Administration; and

WHEREAS, the Circular also requires that NJ TRANSIT monitor its service to ensure that service is provided equitably in minority and non-minority areas; and

WHEREAS, the Circular also requires that the NJ TRANSIT Board be aware of and approve the monitoring results;

NOW, THEREFORE, BE IT RESOLVED, that the NJ TRANSIT Board of Directors has considered, is aware of, and approves the results of NJ TRANSIT's monitoring of its service to ensure the service is provided equitably in minority and non-minority areas; and

BE IT FURTHER RESOLVED, that the NJ TRANSIT Board of Directors approves NJ TRANSIT's 2017 Title VI Plan for submission to the Federal Transit Administration.

APPENDIX A

NJ TRANSIT TITLE VI PLAN CONTENTS

NEW JERSEY TRANSIT

TITLE VI PLAN SUBMISSION FOR FFY 2018-2020

TABLE OF CONTENTS

SECTION ONE: GENERAL REQUIREMENTS

- (1) NJ TRANSIT NOTICE TO BENEFICIARIES OF PROTECTION UNDER TITLE VI**
- (2) NJ TRANSIT - DISCRIMINATION COMPLAINT PROCEDURE**
- (3) NJ TRANSIT'S TITLE VI COMPLAINTS, INVESTIGATIONS AND LAWSUITS**
- (4) NJ TRANSIT'S PUBLIC PARTICIPATION PLAN**
- (5) NJ TRANSIT'S LIMITED ENGLISH PROFICIENCY FOUR FACTOR ANALYSIS AND LANGUAGE ASSISTANCE PLAN**
- (6) NJ TRANSIT MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES**
- (7) NJ TRANSIT SUBRECIPIENT ASSISTANCE AND MONITORING**
- (8) NJ TRANSIT DETERMINATION OF SITE AND/OR LOCATION OF FACILITIES**

SECTION TWO: REQUIREMENTS FOR FIXED ROUTE TRANSIT PROVIDERS

- 1. NJ TRANSIT SERVICE STANDARDS AND POLICIES: BUS, LIGHT RAIL, RAIL**
- 2. NJ TRANSIT DEMOGRAPHIC / SERVICE EQUITY / LEP MAPS & EXPLANTION**
- 3. NJ TRANSIT DEMOGRAPHIC DATA**
- 4. NJ TRANSIT TITLE VI SERVICE MONITORING REPORT**
- 5. NJ TRANSIT'S PUBLIC ENGAGEMENT PROCESS FOR SETTING ITS "MAJOR SERVICE CHANGE POLICY" AND DISPARATE IMPACT POLICY**
- 6. NJ TRANSIT'S BOARD OF DIRECTOR'S APPROVAL OF NJ ITS "MAJOR SERVICE CHANGE POLICY" AND DISPARATE IMPACT POLICY**
- 7. NJ TRANSIT'S 2015 FARE AND SERVICE ADJUSTMENT DOCUMENTATION**

SECTION THREE: REQUIREMENTS FOR STATES

APPENDIX B

NJ TRANSIT TITLE VI SERVICE MONITORING 2017

NJ TRANSIT TITLE VI SERVICE MONITORING REPORT 2017

Executive Summary

INTRODUCTION

As part of its 2017 Title VI Plan submission for FFY 2018-2020, NJ TRANSIT conducted service monitoring for its bus, rail, and light rail services. The Federal Transit Administration's Circular 4702.1B (FTA C 4702.1B), "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," requires transit providers to ensure that service design and operational practices do not result in discrimination against minority populations. Specifically, transit agencies are required to monitor fixed-route service at least every three years using established service standards and policies. Transit agencies must establish four service standards: on-time performance, vehicle headways, vehicle load, and service availability; and two service policies: distribution of passenger amenities and vehicle assignment. FTA C 4702.1B requires that the results of the monitoring program are approved by the transit agency's board of directors.

METHODOLOGY OVERVIEW

NJ TRANSIT utilized service standards and policies established for Title VI service monitoring to compare the quality of service provided to predominantly minority areas to service provided to predominantly non-minority areas. NJ TRANSIT's Title VI systemwide service standards and policies were developed by NJ TRANSIT's Title VI Working Group and adopted by the Board as part of NJ TRANSIT's 2014 Title VI Plan submission. The service standards and policies were established by mode, with the exception of the Service Availability standard, which was set for the state as a whole.

NJ TRANSIT used operating data and demographic data to conduct its service monitoring. Service monitoring was conducted by identifying minority and non-minority services for all three fixed-route modes. NJ TRANSIT compared the performance of minority and non-minority services at the route/line or station level, depending on the circumstances or data available. Note that NJ TRANSIT's service monitoring for Title VI purposes did not assess performance generally. Instead it focused on whether passengers experiencing sub-standard performance were disproportionately minority. NJ TRANSIT made this determination by applying its disparate impact policy, where appropriate.

MONITORING RESULTS

NJ TRANSIT's 2017 monitoring for bus, light rail, and rail services found no disparate impacts. The table in the next page summarizes NJ TRANSIT's monitoring results for each service standard and policy by mode, except for service availability, which was evaluated statewide for all modes together.

Service Standard	Bus	Light Rail	Rail
Vehicle Load	No disparate impact	No disparate impact	No disparate impact*
Vehicle Headway	No disparate impact	No disparate impact	No disparate impact
On-Time Performance	No disparate impact	No disparate impact	No disparate impact*
Service Availability	No disparate impact		
Service Policy	Bus	Light Rail	Rail
Transit Amenities	No disparate impact	No disparate impact	No disparate impact
Vehicle Assignment	No disparate impact	No disparate impact	No disparate impact

*All lines are minority and met the service standard/policy.

In nearly all cases, NJ TRANSIT found that minority and non-minority services performed equally well, or that minority services actually performed better than their non-minority counterparts. In the few instances that minority services performed worse than non-minority services, the difference fell within the allowable disparate impact threshold (10-point difference). Therefore no disparate impact was found.

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 John Lowe and the Personal Injury Claim of Robert Dennis; and

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.

ITEM 1710-48: NJ TRANSIT RESILIENCE PROGRAM: LONG SLIP FILL AND RAIL ENHANCEMENT - ENVIRONMENTAL MITIGATION CREDIT PURCHASES

BENEFITS

The Long Slip Fill and Rail Enhancement project involves the filling of the Long Slip and the construction of new tracks on the filled area to serve ADA-accessible, high-level boarding platforms as well as the construction of a passenger/rail personnel facility. The elevated position of these tracks and platforms will improve commuter rail service to and from Hoboken Yard in advance of and immediately after a storm or other event, will allow for supplemental service to and from Hoboken Terminal during service disruptions elsewhere on the system, and will enable more efficient train operations under normal operating conditions.



The filling of Long Slip will provide ancillary benefits of additional surge protection of Yard equipment and infra-structure and reduce the potential of lesser storm surges that occur on a more frequent basis.

ACTION (Scorecard: Customer Experience, Corporate Accountability, Financial Performance, Safety and Security)

Staff seeks authorization to purchase environmental mitigation credits to support the Long Slip Fill and Rail Enhancement project, in the amount discussed in Executive Session, subject to the availability of funds.

PURPOSE

The authorization of the environmental mitigation credits purchases will allow NJ TRANSIT to purchase compensatory open water wetlands mitigation credits and riparian lands mitigation credits to replace resources impacted by the project. Since these credits can be purchased only from specific banks designated by the NJ Department of Environmental Protection (NJDEP), their availability is limited. Purchasing these credits in advance of the actual construction will avoid schedule delays and potential additional costs that might accrue should such credits be unavailable when mitigation agreements with regulatory agencies are executed at the conclusion of final design.

BACKGROUND

Hoboken Yard and the City of Hoboken suffered significant storm-surge from Superstorm Sandy on October 30, 2012, due in part to the speed with which wind-driven Hudson River water was able to travel up the Long Slip and enter the Yard, leading to more rapid and possibly deeper flooding than would have occurred had Long Slip not existed. NJ TRANSIT required several weeks to clean and repair the Yard and reinstate revenue commuter rail service.

On December 26, 2014, FTA announced its selection of the Long Slip Canal Fill and Rail Enhancement project to receive \$146,548,432 in Disaster Relief Appropriations Act of 2013 funding through a competitive grant process.

To satisfy compensatory mitigation associated with U.S. Army Corps of Engineers and NJDEP permit requirements for the project, environmental mitigation credits will be purchased from an NJDEP-approved mitigation bank servicing the appropriate Watershed Management Area. Environmental mitigation credits are compensation for unavoidable impacts to environmental resources.

Environmental mitigation credits are only available from eligible "Banks" with a service area that includes the permit applicant's project and where wetlands have been established or enhanced in accordance with U.S. Environmental Protection Agency (USEPA) and U.S. Army Corps of Engineers' regulations. Each bank has a formal agreement that identifies the number of credits available for sale and requires the use of ecological assessment techniques to certify that those credits provide the required ecological functions.

Scope of Work

The Work includes the identification and reservation of environmental mitigation credits to advance the Long Slip Fill and Rail Enhancement Project.

Funding

Funding for the purchase of environmental mitigation credits is a routine project capital cost, and can be funded with federal or state capital funds as appropriate to the funding profile for the subject capital project.

Office of State Comptroller approval for this action will be sought as required under Executive Order 125. NJ TRANSIT will work with the FTA to complete any necessary NEPA assessments for these actions.

This item has been reviewed and recommended by the Board Capital Planning, Policy and Privatization Committee.

FISCAL IMPACTS

Requested Authorization: Amount to be discussed in Executive Session

Past Authorizations: \$0

Expenditures to Date: \$0

Total Project Cost: Amount to be discussed in Executive Session

Projected Date of Completion: August 2018 (Phase 2: Preliminary & Final Design)

Capital Program Amount: \$195,397,910 (Total Long Slip project cost)

Operating Budget Amount: \$0

PRINTS ID Number: NJT01043

Anticipated Source of Funds: Federal Transit Administration
Transportation Trust Fund

DBE/SBE Goal: NA

***NJ Build* Amount:** NA

Related/Future Authorizations: None

**Impact on Subsequent
Operating Budgets:** None

RESOLUTION

WHEREAS, the Long Slip Fill and Rail Enhancement Project will support the operations of commuter rail services to/from Hoboken Yard in anticipation of an extreme weather event and speed recovery following such a weather event; and

WHEREAS, the Federal Transit Administration selected the Long Slip Canal Fill and Rail Enhancement Project to receive Disaster Relief Appropriations Act of 2013 funding through a competitive grant process; and

WHEREAS, the procurement of environmental mitigation credits are required by the environmental permitting agencies for this project;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to enter into purchase agreements, and take any and all other actions necessary, to acquire environmental mitigation credits for the Long Slip Fill and Rail Enhancement Project, in the amount discussed in Executive Session, subject to the availability of funds.

ITEM 1710-49: PERSONAL INJURY CLAIM OF JOHN LOWE

BENEFITS

It is the opinion of NJ TRANSIT and defense counsel, in recognition of the totality of the circumstances including the serious injuries that resulted, to settle the claim of John Lowe.

ACTION

Staff seeks authorization to settle the claim of John Lowe through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

PURPOSE

NJ TRANSIT By-Laws require Board approval of the settlement of all claims and lawsuits involving personal injury, death, or property damage in excess of \$500,000. This case venued in the Essex County Superior Court, Newark, New Jersey, initiated from an FELA claim.

FISCAL IMPACTS

Requested Authorization:	Request authorization to settle the Personal Injury Claim of John Lowe
Projected Date of Completion:	FY 2018
Anticipated Source of Funds:	FY 2018 Operating Budget
Diversity Goals/Participation:	Not applicable. No goods or services to be procured.

RESOLUTION

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, John Lowe has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to settle the claim of John Lowe through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

ITEM 1710-50: PERSONAL INJURY CLAIM OF ROBERT DENNIS

BENEFITS

It is the opinion of NJ TRANSIT and defense counsel, in recognition of the totality of the circumstances including the serious injuries that resulted, to settle the claim of Robert Dennis.

ACTION

Staff seeks authorization to settle the claim of Robert Dennis through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

PURPOSE

NJ TRANSIT By-Laws require Board approval of the settlement of all claims and lawsuits involving personal injury, death or property damage in excess of \$500,000. This case venued in the Essex County Superior Court, Newark, New Jersey, initiated from a Bus claim.

FISCAL IMPACTS

Requested Authorization:	Request authorization to settle the Personal Injury Claim of Robert Dennis
Projected Date of Completion:	FY 2018
Anticipated Source of Funds:	FY 2018 Operating Budget
Diversity Goals/Participation:	Not applicable. No goods or services to be procured.

RESOLUTION

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, Robert Dennis has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to settle the claim of Robert Dennis through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.