



*John P. Kelly, Chair*  
*Charles Kenny, First Vice Chair*  
*David W. Behrend, Executive Director*

## **JOHN P. KELLY, CHAIR**

### **Board Meeting Minutes**

**March 11, 2024**

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#### **A. Open Public Meetings Act Compliance**

Chair John P. Kelly, Ocean County, called the meeting to order at 10:30 a.m. Ted Ritter, Central Staff, reported that, in accordance with the Open Public Meetings Act, Chapter 231, P.L.1975, adequate notice of this meeting was forwarded to the *Star Ledger*, the *Asbury Park Press*, the *Courier News*, the *Daily Record*, the *Home News Tribune*, the *Jersey Journal*, *New Jersey Herald*, and *The Record*. It was posted at the Essex County Hall of Records in Newark and the office of the Lieutenant Governor in Trenton.

#### **B. Roll Call**

Mr. Ritter called the roll. Seventeen voting members were present. Monmouth County was present but non-voting (Attachment 1).

#### **C. Approval of Minutes**

A motion to approve the minutes of the January 8, 2024 meeting was made by Middlesex County, seconded by Morris County and carried unanimously.

#### **D. Chairman's Remarks**

Chairman Kelly expressed his gratitude to fellow Board members for their trust in electing him Chair in January and extended appreciation to those Board members who assumed leadership roles in various committees. He thanked them for the recent successful round of committee meetings. He also thanked Erich Zimmermann, Executive Director of the National Association of Regional Councils (NARC), for attending to speak with the Board about federal transportation policies and funding.

The Chairman outlined his priorities for his two-year term, emphasizing safety, accessibility, and congestion reduction, notably along Route 9 in Ocean County, which faces escalating gridlock and increased pedestrian and cyclist traffic.

He highlighted long-standing efforts by Ocean County to alleviate congestion and improve the corridor. This included a 2016 study undertaken in collaboration with NJTPA, which recommended strategies for the corridor between Lakewood and Toms River. Unfortunately, he said, since this study was completed, the severe traffic congestion has only worsened. While the New Jersey Department of Transportation (NJDOT) had plans to make improvements that would address some of these concerns, that project has since been scaled back. He expressed the hope that the new Commissioner of Transportation could address the needs.

The Chairman emphasized Route 9's significance as a vital artery and emergency evacuation route. Resilience planning, he said, is particularly important in coastal areas, as the region braces for extreme weather events.

Chairman Kelly went on to thank NJDOT for funding traffic signal upgrades for more than 200 traffic signals along 18 county roads in Ocean County, supported through the NJTPA's Transportation Clean Air Measures program.

In conclusion, Chairman Kelly reminded the Board that the NJTPA recently began accepting applications for its Local Safety and High Risk Rural Roads programs. This, he said, is another example of programs that put federal dollars to work to improve safety on local roads.

#### **E. Executive Director's Report**

David Behrend, NJTPA Executive Director, thanked Mr. Zimmermann for being at the meeting and congratulated him on his recent promotion to Executive Director of NARC. Mr. Behrend noted that the organization ensures the NJTPA's interests are well represented in Washington.

Mr. Behrend said Central Staff will continue to support and facilitate efforts by subregions, municipalities, and partner agencies to take advantage of funding opportunities through the Infrastructure Investment and Jobs Act (IIJA), the topic of Mr. Zimmerman's presentation. Recently this included letters of support for RAISE grant applications and sharing information on new funding opportunities under the Safe Streets for All (SS4A) Program, which has three upcoming application deadlines between April and August. He said several counties and municipalities have been awarded grants under this program to develop safety plans. Once these safety plans – as well as others the NJTPA is working on with eight subregions – are substantially completed, the counties and municipalities can seek federal grants for additional planning and implementation.

The development of NJTPA-supported Local Safety Action Plans, Mr. Behrend said, is entering the crucial phase of creating local implementation committees and meetings should commence soon. He encouraged Board members to support and participate in these committees.

Mr. Behrend said another federal funding opportunity is the Climate Pollution Reduction Grant Program administered by the U.S. Environmental Protection Agency. Central Staff worked with New York City and the New York Metropolitan Transportation Council (NYMTC) on a climate and air quality plan covering the bi-state Metropolitan Statistical Area. This Priority Climate Action Plan was shared with the NJTPA's Regional Transportation Advisory Committee

(RTAC) and submitted by the March 1, 2024 deadline. It is available on the NJTPA's website. A further Comprehensive Climate Action Plan will be developed during the next few years.

Another bi-state initiative, Mr. Behrend said, is exploring the prospect for a shared-use path between the George Washington and the Governor Mario M. Cuomo bridges. NYMTC, which is leading this effort, is hosting a series of virtual Community Visioning Workshops for this project.

Mr. Behrend said Central Staff commenced a solicitation for the Local Safety and High Risk Rural Roads programs, as the Chairman mentioned, and looks forward to submissions. In recent weeks, as part of this program, public meetings were held for Local Safety projects now underway in Hudson County. In addition, the four Local Concept Development studies underway in Monmouth, Morris, Ocean, and Somerset counties will conduct public outreach this spring. Websites have been launched for each study. Subregions are also holding public meetings for subregional studies. Mr. Behrend said the NJTPA will conduct extensive public outreach for the Long Range Transportation Plan update during the next year, seeking the Board's guidance as a regional transportation vision is developed.

Mr. Behrend reminded the Board that TransAction, the state's annual transportation conference, is being held April 30 through May 2 in Atlantic City. Several Board members are moderating sessions including Chairman Kelly, Middlesex County Commissioner Charles Kenny, and Morris County Commissioner Stephen Shaw. He also thanked NJDOT Assistant Commissioner Eric Powers, who will be moderating the MPO Executive Directors' Roundtable session at TransAction. Finally, Mr. Behrend announced the availability of the updated Board of Trustees Handbook, which was distributed electronically and can be found on the NJTPA's website.

## **F. Presentation**

Mr. Zimmermann said that the \$1.2 trillion IIJA was authorized for five years, and May 2024 is the halfway mark for this law. He said challenges ahead for reauthorization relate to the large size of the bill. This, he said, "makes it a different beast" since the law extends well beyond transportation, adding there will be big questions about which pieces of the IIJA are going to be preserved and which might be forgone.

Mr. Zimmermann suggested shifting some discretionary programs into formula programs where all regions across the nation share in funding for a particular need. Among the challenges with discretionary grant programs, he said, is that preparing applications can be expensive and cumbersome, presenting challenges to communities with fewer resources. He held up the SS4A program as an example where federal funding is going directly to local entities to meet vital needs. He suggested shifting SS4A from a discretionary grant to a formula program, adding "we need to continue to not only bolster that but expand it, so everyone's getting a piece of that pie."

As reauthorization approaches, he said, the successes of IIJA must be demonstrated to Congress to "support robust programs going forward."

Following Mr. Zimmermann's presentation, Commissioner Shaw asked about the guaranteed appropriations in the law, wondering what happens to these funds if the law is not reauthorized. Mr. Zimmermann indicated that the already-committed funds would remain available in the programs.

Jeremy Colangelo-Bryan, NJ TRANSIT, said among the issues to be addressed in the reauthorization are the difficulties the local match presents for applying for and using funds under IIJA and the significant commitment of time and resources to prepare projects for funding. That preparation is not necessarily accommodated in the programs, he said. Mr. Zimmermann agreed that a local match is often an impediment and that it should be reduced and perhaps put on a sliding scale, particularly for critical needs such as safety. On the second point, he said many people acknowledge the problem of making large amounts of funding available without the pipeline of projects being filled to use it. He said many agencies across the country, seeing the success of IIJA, are starting to prepare projects and think bigger about addressing needs. Mr. Zimmermann said that is a great argument for continuing some of the robust investment in the reauthorization to ensure these projects can be implemented.

Delores Martinez Wooden, City of Newark, asked about the possibility of establishing tier levels for applicants, based on the complexity of issues and needs they face. She noted that Newark, like other major cities, faces many challenges based on its size and having a port and airport, among other factors. Mr. Zimmermann said Congress would be interested in hearing that idea. He said USDOT faces the need to balance the difficulty of the application process with the need to vet proposals to ensure they are justified. Trevor Howard, City of Newark, agreed with Ms. Martinez Wooden's comment, adding that the application timeline for a city like Newark should not be the same as suburban communities. Mr. Zimmermann said USDOT is learning from the grant process and hopefully can become more consistent and have more predictability in the application process as programs continue.

## **G. Committee Reports/Action Items**

### **Project Prioritization – Commissioner Charles Kenny, Chair**

Commissioner Kenny said at the February joint meeting, the Committee considered two action items. The first was a minor amendment to the Fiscal Year (FY) 2024-2027 TIP to add two NJDOT Projects: Portway, Fish House Road/Pennsylvania Avenue, in Hudson County; and Route 9, Throckmorton Lane/Ticetown Road to Poor Farm Road/Hartle Lane in Middlesex County.

He explained these amendments are necessary due to delays in authorization and the need for additional federal funds, for both projects that were originally authorized in the Federal Fiscal Year 2023 TIP. The Portway, Fish House Road project requires an additional \$6.7 million for utilities and construction in FY 2024, and the Route 9 project needs \$6 million for construction in the same fiscal year. This is listed as Board Action Item One on the agenda.

The second item, he said, is approval of two FY 2025 Freight Concept Development Program Studies, which advance regional and local freight initiatives identified through previous freight

planning studies. Commissioner Kenny said the NJTPA, in coordination with RTAC, developed a project intake process to select projects for the program. The two projects selected were: the Southern Middlesex County North-South Truck Corridor Project and the Hanover Avenue Bridge Catenary Rail Clearance Project in Morris Plains, Morris County. These projects aim to improve truck traffic and rail clearance issues, respectively. Work on these projects is expected to begin in early FY 2025. This is listed as Board Action Item Two on the agenda.

**Action Item 1: Minor Amendments to the FY 2024-2027 Transportation Improvement Program to Add Two NJDOT Projects (Attachment 2)**

- Portway, Fish House Road/Pennsylvania Avenue, CR 659, Hudson County
- Route 9, Throckmorton Lane/Ticetown Road to Poor Farm Road/Hartle Lane, Middlesex County

A motion to approve the resolution was made by Middlesex County, seconded by Union County, and carried unanimously.

**Action Item 2: FY 2025 Freight Concept Development Program Studies (Attachment 3)**

A motion to approve the resolution was made by Morris County, seconded by Passaic County, and carried unanimously.

**Planning and Economic Development – Commissioner Jason Sarnoski, Chair**

Union County Commissioner Bette Jane Kowalski, Vice Chair of the Committee, presented the report in the absence of Commissioner Jason Sarnoski. Commissioner Kowalski said at the February joint meeting the committee considered one action item: Approval of the FY 2025 Unified Planning Work Program, or UPWP, which guides the work of Central Staff, the NJTPA’s subregions, and the state’s Transportation Management Associations. This document was distributed to the Board and RTAC in December for review. Central Staff informed the committee that input from various stakeholders led to slight budget adjustments. Notable changes include a decrease in the overall budget by 1 percent, adjustments to labor and non-labor expenses, and updates to contractual costs and administration fees.

Commissioner Kowalski said comments received on the draft UPWP focused on expenditure allocation, climate change initiatives, and collaboration with federal land management agencies. A revised draft of the budget and Chapters 1, 2, and 3 are available for review on the NJTPA website, while Chapter 4 (Other Regional Transportation Initiatives) is still under development. This is listed as Board Action Item Three on the agenda.

Commissioner Kowalski said the Committee also heard an update from Mr. Behrend on the Hudson River Tunnel project, including the award of the first heavy construction contract of \$284 million. Mr. Behrend said that NJTPA staff as well as counterparts at NYMTC worked with the Gateway Development Commission and the Federal Transit Administration to make technical corrections to their long-range plans to ensure that they accurately reflect funding and schedule details for the project.

### **Action Item 3: Approval of the FY 2025 Unified Planning Work (Attachment 4)**

A motion to approve the resolution was made by Middlesex County, seconded by the City of Newark, and carried unanimously.

#### **Freight Initiatives – Commissioner Stephen Shaw, Chair**

Commissioner Shaw said the February Freight Initiatives Committee (FIC) featured the annual regional industrial real estate update. He noted that the update was well attended by many professionals who take advantage of the continuing education credits offered and the information disseminated.

The first speaker, Bill Waxman of Cushman and Wakefield, said at the FIC meeting that despite facing headwinds in 2023, the industrial sector remains vibrant, driven largely by port activity. The industrial real estate market, he said, is settling into a new normal after a few frenetic years, with construction of new facilities tapering off. The supply of building space now outpaces demand, but rents continue to rise as more companies are downsizing and seeking more modern, efficient facilities that charge a higher rent per square foot. He predicted a continued slowing of new construction, due to declining demand and increased difficulty in gaining municipal approvals.

Commissioner Shaw said the FIC meeting's second speaker, Eric M. Bernstein, of Bernstein and Associates, was an attorney who represents several municipalities. Mr. Bernstein said he believes the current slowdown in warehouse construction is a positive development. He said developers of facilities built "on-spec," (i.e., without a committed tenant), often have not provided local officials with sufficient insight into the nature of the facilities and their potential impacts. He cautioned municipal leaders to be diligent and seek information about a variety of factors, including facility type; exact location; hazardous materials; proximity to major thoroughfares, age restricted communities, schools, or places of worship; roadway width; availability of public transportation for the workforce; and other issues.

Commissioner Shaw noted a recording of the FIC presentations is available on the NJTPA website.

Commissioner Shaw also said at the meeting, NJDOT announced that its next Freight Advisory Committee will be held March 26, featuring a presentation by Allison Dane Camden, the Deputy Assistant Secretary of the U.S. Department of Transportation for Multimodal Freight.

#### **H) Public Participation**

Chairman Kelly announced the public participation section of the meeting. Mr. Ritter said no one signed up in advance to speak either in person or remotely. Chairman Kelly asked if anyone in the room who didn't have a chance to sign up had comments, but there were no public comments offered.

Jay Shuffield, Port Authority of New York and New Jersey, announced that the draft environmental impact statement on the Midtown bus terminal replacement was released on February 2, and the public comment period is open until March 18 at 5 p.m. The document is available on the Port Authority's website.

**I) Time and Place of Next Meeting**

Chairman Kelly announced that the next meeting of the Board will be held at the NJTPA offices in Newark on Monday, May 13, 2024, at 10:30 a.m.

**J) Adjournment**

At 11:28, a motion to adjourn was made by Passaic County, seconded by Morris County, and carried unanimously.

**NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.**  
**Meeting of the Board of Trustees**  
**Attendance Record: March 11, 2024**

<b>Subregion/Agency</b>	<b>Voting Members/Alternates</b>	<b>Staff &amp; Others</b>
Bergen County	Peter Botsolas	
Essex County	David Antonio	
Hudson County	Tom Malavasi	Ashley Dominguez
Jersey City	Michael Manzella	
Middlesex County	Hon. Charles Kenny	Joseph Jimenez Andrew Lappitt
Monmouth County		Joseph Ettore
Morris County	Hon. Stephen Shaw John Hayes	
Newark	Dolores Martinez Wooden	Trevor Howard
Ocean County	Hon. John Kelly	Mark Jehnke
Passaic County	Hon. John Bartlett	Andras Holzmann
Somerset County	Walter Lane	
Sussex County	Tom Drabic	
Union County	Hon. Bette Jane Kowalski	
Warren County	David Dech	
Office of the Governor	Dorian Smith	
NJDOT	Eric Powers	
NJ TRANSIT	Jeremy Colangelo-Bryan	
Port Authority of New York & New Jersey (PANYNJ)	Jay Shuffield	

<b>Other Attendees</b>	
Lou Luglio	HNTB
Bob Werkmeister	GPI
Michael Russo	McCormick Taylor
James Yeager	Michael Baker
Erich Zimmermann	NARC
Various members NJTPA Central Staff	NJTPA
Ed Murray	Photographer

Approved March 11, 2024

Attachment 2

**DRAFT RESOLUTION: MINOR AMENDMENTS TO THE FY 2024 – 2027  
TRANSPORTATION IMPROVEMENT  
PROGRAM TO ADD TWO PROJECTS AS  
REQUESTED BY THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

**WHEREAS**, the NJTPA formally adopted the FY 2024 – 2027 Transportation Improvement Program (TIP) on September 12, 2023; and

**WHEREAS**, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

**WHEREAS**, the TIP may be revised any time; and

**WHEREAS**, according to the MOU when a project or program with federal funds is added to the TIP and a new air quality conformity determination is not required, this constitutes a minor amendment; and

**WHEREAS**, the NJDOT has requested minor amendments to the FY 2024 – 2027 TIP to add the Portway, Fish House Road/Pennsylvania Avenue, CR 659 project (DBNUM 97005B) in Hudson County with \$6.7 million in federal funding for additional utility work, and the Route 9, Throckmorton Lane/Ticetown Road to Poor Farm Road/Hartle Lane project (DBNUM 20333) in Middlesex County with \$6 million in federal funding for construction; and

**WHEREAS**, fiscal constraint is maintained by adding \$6.7 million of Surface Transportation Block Grant Program-Flexible funds and \$6 million of Transportation Alternatives-Flexible funds to these projects, which are available from prior year unobligated balances; and

**WHEREAS**, these minor amendments are exempt from an air quality conformity analysis as per the Transportation Conformity Rule (40 CFR 93.126 and

93.127) and do not impact the current conformity determination; and

**WHEREAS**, Congestion Management Process requirements does not apply to these actions; and

**WHEREAS**, the FY 2024 – 2027 TIP conforms to the MAP-21/FAST Act and Infrastructure Investment and Jobs Act performance-based planning requirements; and

**WHEREAS**, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

**WHEREAS**, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the North Jersey Transportation Planning Authority hereby approves the specified amendments to the FY 2024 – 2027 Transportation Improvement Program.

**BE IT FURTHER RESOLVED** that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

**DRAFT RESOLUTION: APPROVAL OF THE FY 2025 FREIGHT CONCEPT DEVELOPMENT PROGRAM STUDIES**

**WHEREAS**, the North Jersey Transportation Planning Authority Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the Northern New Jersey region; and

**WHEREAS**, the NJTPA region is a leading North American distribution and goods movement platform serving the local, national, and global consumer markets; and

**WHEREAS**, as outlined in NJTPA's Long Range Transportation Plan, *Plan 2050: Transportation. People. Opportunity.*, freight planning is a priority for the NJTPA, its subregions and planning partners; and

**WHEREAS**, over the past 10 years more than 1,000 potential freight projects have been identified in planning studies conducted in the NJTPA region; and

**WHEREAS**, many of these projects do not have a clear path forward toward implementation; and

**WHEREAS**, the NJTPA created the Freight Concept Development Program (FCDP) to provide an avenue to advance these freight projects; and

**WHEREAS**, the NJTPA Freight Initiatives Committee in December 2018 approved a project intake process to identify and select projects to move into the FCDP; and

**WHEREAS**, as part of the project intake process the NJTPA developed a list of candidate projects for subregional consideration; and

**WHEREAS**, two NJTPA subregions made project requests from the list of candidate projects; and

**WHEREAS**, the NJTPA has selected the two projects to advance into the FCDP starting in the FY 2025 Unified Planning Work Program at a total budget not to exceed \$1,500,000.

**WHEREAS**, no action authorized by the NJTPA shall have force or effect until 10 days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which

case the action shall become effective upon such approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the North Jersey Transportation Planning Authority hereby approves the selection of the Southern Middlesex County North-South Truck Corridor Project in Cranbury and Monroe, Middlesex County; and the Hanover Avenue Bridge Catenary Rail Clearance Project in Morris Plains, Morris County for the FY 2025 Freight Concept Development Program.

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to the New Jersey Department of Transportation, Federal Highway Administration, Middlesex County and Morris County.

Approved March 11, 2024

Attachment 4

**DRAFT RESOLUTION: APPROVAL OF THE FY 2025 UNIFIED PLANNING WORK PROGRAM**

**WHEREAS**, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

**WHEREAS**, the NJTPA, pursuant to 23 U.S.C. 104 (f) et. seq. and 49 U.S.C. 1607 et. seq., is responsible for the development of the Unified Planning Work Program (UPWP) to guide the transportation planning process in northern New Jersey; and

**WHEREAS**, the Fiscal Year 2025 UPWP (July 1, 2024 to June 30, 2025) describes all urban transportation and transportation-related planning activities to be undertaken by the NJTPA Central Staff, New Jersey Department of Transportation, NJ TRANSIT, NJTPA subregions, Transportation Management Associations, and other planning agencies in the region; and

**WHEREAS**, the FY 2025 UPWP is fully consistent with the U.S. Department of Transportation Metropolitan Transportation Planning Regulations (23 CFR part 450) which became effective May 27, 2016, as well as the Infrastructure Investment and Jobs Act (IIJA); and

**WHEREAS**, any FY 2025 Compensation Plan and salary parameters will be subject to New Jersey Institute of Technology's approved salary rate schedule and bargaining unit agreements; and

**WHEREAS**, no action authorized by the NJTPA shall have force or effect until 10 days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the North Jersey Transportation Planning Authority hereby approves the FY 2025 Unified Planning Work Program for the region.

**BE IT FURTHER RESOLVED**, that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration and the Federal Transit Administration.